

**CITY HALL
CEDAR FALLS, IOWA, FEBRUARY 19, 2024
REGULAR MEETING, CITY COUNCIL
MAYOR DANIEL LAUDICK PRESIDING**

The City Council of the City of Cedar Falls, Iowa, met in Regular Session, pursuant to law, the rules of said Council and prior notice given each member thereof, at 7:00 P.M. on the above date. Members present: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn (via zoom). Absent: None. Mayor Laudick led the Pledge of Allegiance.

54634 - It was moved by Kruse and seconded by Crisman that the minutes of the Regular Meeting of February 5, 2024 be approved as presented and ordered of record. Motion carried unanimously.

54635 - The following individuals spoke in support of and requested City Council pass a resolution demanding an immediate and permanent ceasefire in Gaza:

Erica Rissi, Cedar Valley
Charlie Grove, Waterloo
Xandra, Cedar Falls
Jason Droste, Cedar Falls
Whitney Rissi, Waterloo
Sam, Cedar Falls
Nic Tripp, Cedar Falls
Bella, Cedar Falls
Amelia Gotera, Cedar Falls
Archer, Cedar Falls
Sonja Bock, Cedar Falls Human Rights Commission Chair

The following individuals spoke in support of saving The Space:

Xandra, Cedar Falls
Whitney Rissi, Waterloo
Sam, Cedar Falls
Amelia Gotera, Cedar Falls
Sonja Bock, Cedar Falls

Bob Manning, Cedar Falls, commented on housing in the College Hill area that is in disrepair and provided documents to Councilmembers. Manning also commented on potential revisions to the Conflict-of-Interest Form.

Following comments by Mayor Laudick, Councilmembers Dunn and Schultz, and UNI Student Liaison Noah Hackbart, Mayor announced a brief recess from 7:50 PM to 7:55 PM.

54636 - Director of Finance & Business Operations Rodenbeck announced two parking meetings being held at the Public Library on February 26, 2024 at 6 PM and February 27, 2024 at 1:30 PM and invited the public to participate in a survey regarding the Downtown Parking Feasibility Study. Mayor Laudick commented.

Director of Public Works Schrage provided an update on upcoming construction on Main Street from 12th Street through 18th Street starting this spring and responded to a question by Councilmember Schultz.

- 54637 - Mayor Laudick announced that in accordance with the public notice of February 10, 2024, this was the time and place for a public hearing to consider entering into an Amended and Restated Agreement for Private Development with CV Commercial, L.L.C. It was then moved by Ganfield and seconded by Crisman that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 54638 - The Mayor then asked if there were any written communications filed to the proposed agreement. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Economic Development Coordinator Graham provided a summary of the proposed agreement. Following a question by Councilmember Schultz and response by Graham, the Mayor declared the hearing closed and passed to the next order of business.
- 54639 - It was moved by Crisman and seconded by Latta that Resolution #23,496, approving and authorizing execution of an Amended and Restated Agreement for Private Development with CV Commercial, L.L.C, be adopted. Following due consideration by the Council, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,496 duly passed and adopted.
- 54640 - Mayor Laudick announced that in accordance with the public notice of February 10, 2024, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the North Cedar Heights Area Reconstruction Project Phase 2. It was then moved by Latta and seconded by Kruse that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 54641 - The Mayor then asked if there were any written communications filed to the proposed project. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. City Engineer Wicke provided a summary of the proposed project. There being no one else present wishing to speak about the proposed project, the Mayor declared the hearing closed and passed to the next order of business.
- 54642 - It was moved by Ganfield and seconded by Hawbaker that Resolution #23,497, approving and adopting the plans, specifications, form of contract & estimate of cost for the North Cedar Heights Area Reconstruction Project Phase 2, be adopted. Following due consideration by the Council, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay:

None. Motion Carried. The Mayor then declared Resolution #23,497 duly passed and adopted.

54643 - Mayor announced that this was the time and place for a hearing on the proposed condemnation of property located at 109 East 2nd Street. Building Official Castle provided an update on the property and gave a brief presentation. Following comments and a presentation by Kendalle Alquwaie, Executor of the Estate, and Mayor Laudick, the Mayor declared the hearing closed and passed to the next order of business.

54644- It was moved by Latta and seconded by Schultz that Resolution #23,498, declaring the property located at 109 East 2nd Street to be a nuisance due to being structurally unsafe, a fire hazard, or otherwise dangerous to human life and health, and ordering abatement of said nuisance by removal, repair or demolition of said property and requiring the owner of said property to abate said nuisance or submit a viable plan by March 18, 2024, be adopted. Following comments and questions by Councilmembers Crisman, Schultz, Latta, Kruse, and Hawbaker, and responses by Building Official Castle, Director of Community Development Sheetz and Mayor Laudick, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried. The Mayor then declared Resolution #23,498 duly passed and adopted.

54645 - It was moved by Kruse and seconded by Latta that Ordinance #3047, imposing the one percent local sales and services tax within the City of Cedar Falls and allocating the revenue derived therefrom, be passed upon its third and final consideration. Following due consideration by the Council, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried. The Mayor then declared Ordinance #3047 duly passed and adopted.

54646 - It was moved by Latta and seconded by Schultz that the rules requiring Ordinance #3048 be considered at three separate meetings, be suspended. Following a comment by Councilmember Latta, the motion carried unanimously.

It was then moved by Kruse and seconded by Schultz that Ordinance #3048, amending the Zoning Map located North of Aldrich Elementary School and South of West Greenhill Road from R-1, Residential District & MU, Mixed Use Residential to RP, Planned Residence District, be passed upon its third & final consideration. Following due consideration by the Council, the Mayor put the question on the motion and upon call of the roll the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. The Mayor then declared Ordinance #3048 duly passed and adopted.

54647 - It was moved by Crisman and seconded by Ganfield that Ordinance #3049, amending Chapter 17, Parks and Recreation, of the Code of Ordinances relative

to the Cemetery Section, be passed upon its second consideration. Following due consideration by the Council, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried.

54648 - It was moved by Ganfield and seconded by Latta that Ordinance #3050, amending Chapter 23, Traffic and Motor Vehicle, of the Code of Ordinances relative to the speed limit on certain portions of West 27th Street, be passed upon its second consideration. Following due consideration by the Council, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried.

54649 - It was moved by Ganfield and seconded by Crisman that the following items on the Consent Calendar be received, filed, and approved:

Receive and file the City Council Standing Committee minutes of February 5, 2024 relative to the following items:

- a) City Council Training Update.
- b) Hearst Project Update.

Receive and file the 2023 Annual Reports of the Planning & Zoning Commission, Board of Adjustment, Historic Preservation Commission, Group Rental Committee/Board of Rental Housing Appeals, Housing Commission and Bicycle & Pedestrian Advisory Committee.

Receive and file the following resignation of members from Boards and Commissions:

- a) Gina Weekley, Human Rights Commission.

Receive and file communications from the Civil Service Commission relative to the following certified list:

- a) Waste Water Treatment Plant Operator II.

Approve the application of Casey's #4279, 1620 W 1st St, for a cigarette/tobacco/nicotine/vapor permit.

Approve the following applications for retail alcohol licenses:

- a) Asian Fusion Vietnamese and Thai Cuisine, 5725 University Avenue, Special Class C retail alcohol - renewal.
- b) Cottonwood Canyon, 419 Washington Street, Special Class C retail alcohol & outdoor service - renewal.
- c) The Wine Shop, 305 Main Street, Special Class C retail alcohol & outdoor service - renewal.
- d) Chad's Pizza & Restaurant, 909 West 23rd Street, Class C retail alcohol - renewal.
- e) Sakura Japanese Steakhouse & Sushi Bar, 5719 University Avenue, Class C retail alcohol - renewal.
- f) Casey's, 1620 West 1st Street, Class E retail alcohol - new.

Motion carried unanimously.

- 54650 - It was moved by Kruse and seconded by Schultz to approve the following recommendations of the Mayor relative to the appointment of members to Boards and Commissions:
- a) Gordon Sorensen, Planning & Zoning Commission, term ending 11/01/2025.
 - b) Maureen Henderson, Planning & Zoning Commission, term ending 11/01/2026.
 - c) Brent Johnson, Planning & Zoning Commission, term ending 11/01/2028.

Following comments by Councilmembers Schultz and Crisman, and Mayor Laudick, the motion carried unanimously.

- 54651 - It was moved by Kruse and seconded by Latta that the following resolutions be introduced and adopted:

Resolution #23,499, approving and authorizing execution of a Water Service Territory Transfer Agreement with Iowa Regional Utilities Association (IRUA) relative to water service rights affecting properties along South Union Road.

Resolution #23,500, approving and authorizing execution of an Addendum of a Master Service Agreement with IP Pathways, LLC, relative to providing support services.

Resolution #23,501, approving and authorizing execution of an Agreement with Professional Lawn Care, a/k/a ProLawn, relative to yard maintenance services for private properties in violation with City of Cedar Falls Ordinances.

Resolution #23,502, approving and authorizing expenditure of funds for the purchase of a solid waste transfer trailer for the Public Works Department.

Resolution #23,503, approving and accepting Completion and Final Acceptance of Work of Owen Contracting, Inc. for the Lake Street Trail Project.

Resolution #23,504, receiving and filing, and setting March 4, 2024 as the date of public hearing on, the proposed plans, specification, form of contract & estimate of cost for the 2024 Street Restoration Project.

Resolution #23,505, setting April 1, 2024 as the date of the public hearing on the proposed property tax rate and creating a proposed property tax rate for the City of Cedar Falls FY2025 Budget.

Following due consideration by the Council, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried. The Mayor then declared Resolutions #23,499 through #23,505 duly passed and adopted.

- 54652 - It was moved by Ganfield and seconded by Kruse that Resolution #23,506, designating July 5 and July 6, 2024 (9 a.m.-10 p.m.) as additional days of use for consumer fireworks within the City limits, be adopted. Following comments by

Mayor Laudick and Director of Public Safety Berte, questions and comments by Councilmembers Ganfield, Latta, Schultz, Dunn, Hawbaker, Kruse, and Crisman, and responses by Berte and Police Chief Howard, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: Schultz. Motion carried. The Mayor then declared Resolution #23,506 duly passed and adopted.

- 54653 - It was moved by Crisman and seconded by Schultz that the bills and claims of February 19, 2024 be allowed as presented, and that the Controller/City Treasurer be authorized to issue City checks in the proper amounts and on the proper funds in payment of the same. Upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried.
- 54654 - It was moved by Crisman and seconded by Latta to adjourn to Executive Session to discuss Information contained in records in the custody of a governmental body that are confidential records pursuant to Iowa Code Section 22.7(50); and to discuss Property Acquisition per Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. Upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried.

The City Council adjourned to Executive Session at 8:55 P.M.

Mayor Laudick reconvened the Council meeting at 9:43 P.M.

- 54655 - It was moved by Ganfield and seconded by Hawbaker that the meeting be adjourned at 9:44 P.M. Motion carried unanimously.

Kim Kerr, CMC, City Clerk