

**CITY HALL
CEDAR FALLS, IOWA, MARCH 18, 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. Absent: None. Mayor Laudick led the Pledge of Allegiance.

54670 - It was moved by Kruse and seconded by Latta that the minutes of the Regular Meeting of March 4, 2024 be approved as presented and ordered of record. Motion carried unanimously.

54671 - Rich Kurtenbach, Waterloo, commented on their campaign. City Attorney Rogers commented.

Chad Welsh, Cedar Falls, commented on sewer issues at their property on Main Street and provided Councilmembers with handouts.

Pastor Larry Stumme, St. Paul Lutheran Church, commented on the 24/7 Wall Street report naming Waterloo/Cedar Falls as the worst place to live for blacks and their desire for Waterloo and Cedar Falls to work together on this issue.

Reverend Michael Blackwell, Cedar Falls, commented on racial disparity and quality of life for blacks in the Cedar Valley.

Bob Manning, Cedar Falls, commented on the city's Conflict of Interest Form, the City Council Meeting Procedures Form and Conduct of Meetings, and the College Hill Vision Plan.

Larry Wessels, Cedar Falls, provided positive feedback on living in the City of Cedar Falls.

54672 - Director of Finance & Business Operations Rodenbeck announced a Career Fair on Saturday, March 23, 2024, at the Public Works Complex from 10 AM – 1 PM. Director Rodenbeck also mentioned there will be information available regarding Boards and Commissions.

54673 - Mayor Laudick announced that in accordance with the public notice of March 9, 2024, this was the time and place for a public hearing to consider entering into an Agreement for Private Development, and to consider conveyance of city-owned real estate to Blackhawk Properties, LLC. It was then moved by Kruse and seconded by Dunn that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

54674 - The Mayor then asked if there were any written communications filed to the proposed agreement and conveyance. 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 and conveyance. There being no one else present wishing to speak about the proposed agreement and conveyance, the Mayor declared the hearing closed and passed to the next order of business.
- 54675 - It was moved by Kruse and seconded by Hawbaker that Resolution #23,544, approving and authorizing execution of an Agreement for Private Development and a Minimum Assessment Agreement; and approving and authorizing execution of a Deed Without Warranty, conveying certain city-owned real estate to Blackhawk Properties, LLC, 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 #23,544 duly passed and adopted.
- 54676 - Mayor Laudick announced that in accordance with the public notice of March 9, 2024, this was the time and place for a public hearing on proposed amendments to Chapter 26, Zoning, of the Code of Ordinances relative to the City's floodplain regulations. It was then moved by Kruse and seconded by Dunn that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 54677 - The Mayor then asked if there were any written communications filed to the proposed amendments. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Planner III Weintraut provided a summary of the proposed amendments. Following questions and comments by Councilmembers Ganfield and Schultz, and responses by Weintraut, the Mayor declared the hearing closed and passed to the next order of business.
- 54678 - It was moved by Ganfield and seconded by Crisman that Ordinance #3051, amending Chapter 26, Zoning, of the Code of Ordinances relative to the City's floodplain regulations, be passed upon its first 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.
- 54679 - It was moved by Ganfield and seconded by Latta that the following items on the Consent Calendar be received, filed, and approved:
- Receive and file the Committee of Whole minutes of March 4, 2024 relative to the following items:
- a) Diversity, Equity & Inclusion (DEI) Update.
 - b) Automated Refuse Collection Rates.
 - c) Cease Fire Update and Discussion.
- Approve the following recommendation of the Mayor relative to the appointment of members to Boards and Commissions:

a) Paul Lee, Civil Service Commission, term ending 04/01/2028.

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

- a) Aquatics Recreation Programs Supervisor.
- b) Planner II.
- c) Public Safety Officer.

Approve the following applications for retail alcohol licenses:

- a) Barn Happy, 11310 University Avenue, Special Class B retail native wine - renewal.
- b) Chilitos Mexican Bar and Grill, 1704 West 1st Street, Class C retail alcohol - renewal.
- c) Social House, 2208 College Street, Class C retail alcohol & outdoor service - renewal.
- d) Second State Brewing, 203 State Street, Class C retail alcohol - temporary outdoor service/sidewalk café. (April 1 – November 15, 2024)
- e) SingleSpeed Brewing Co., 128 Main Street, Class C retail alcohol, Special Class A beer - temporary outdoor service/sidewalk café. (April 1 – November 15, 2024)
- f) The Pump Haus Pub & Grill, 311 Main Street, Class C retail alcohol - temporary outdoor service/sidewalk café. (April 1 – November 15, 2024)
- g) Whiskey Road Tavern & Grill, 402 Main Street, Class C retail alcohol & outdoor service - temporary additional outdoor service/sidewalk café. (April 1 – November 15, 2024)
- h) Wilbo, 118 Main Street, Class C retail alcohol - temporary outdoor service/sidewalk café. (April 1 – November 15, 2024)
- i) Trigger Time Sims, 4302 University Avenue, Special Class C retail alcohol – new.

Motion carried unanimously.

- 54680 - It was moved by Dunn and seconded by Kruse to receive and file the following resignation of members from Boards and Commissions:
- a) Jennifer Onuigbo, Human Rights Commission.

Following questions by Councilmembers Latta, and responses by Mayor Laudick, the motion carried unanimously.

- 54681 - It was moved by Kruse and seconded by Crisman that the following resolutions be introduced and adopted:

Resolution #23,545, approving and accepting Quit Claim Deeds from Team Property Management, L.C. and OneNeck Data Center Holdings, LLC for the conveyance of approximately 2.5 feet along the Northern Boundary of Lot 1, Cedar Falls Technology Park Phase I.

Resolution #23,546, levying a final assessment for costs incurred by the City to remove a tree from the property located at 307 N. Francis Street.

Resolution #23,547, approving and authorizing execution of a Contract for 2024 City Initiative Day of Service with the Iowa Commission on Volunteer Service.

Resolution #23,548, approving and authorizing execution of a Collaborative Program Agreement with the Black Hawk Tennis Club relative to providing Youth Tennis Lessons, in conjunction with the summer recreational programs.

Resolution #23,549, approving and adopting 2023 Small Area Fair Market Rents (SAFMRs) payment standards for the Housing Choice Voucher Program relative to the Section-8 Housing Program.

Resolution #23,550, approving and authorizing execution of a Service/Product Agreement for asbestos testing and clearance monitoring services with Hawkeye Environmental relative to property located at 1218 Cottage Row Road.

Resolution #23,551, approving and authorizing execution of Amendment Number One to the Subaward Agreement with the Iowa Department of Homeland Security and Emergency Management Division (HSEMD) for an extension of the Building Resilient Infrastructure and Communities (BRIC) Program grant funding relative to Stormwater Resilience Planning.

Resolution #23,552, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with Cedar Pak, LLC, relative to a post-construction stormwater management plan for the Casey's General Store located at 1620 West 1st Street.

Resolution #23,553, approving and authorizing execution of six City of Cedar Falls Owner Purchase Agreements; and approving and accepting three Black Hawk County Permanent Easements, and approving and accepting seventeen Temporary Construction Easements, in conjunction with the West Viking Road Reconstruction and Trail Project.

Resolution #23,554, receiving and filing, and setting April 1, 2024 as the date of public hearing, on the proposed plans, specifications, form of contract & estimate of cost for the West Viking Road Reconstruction and Trail Project.

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 #23,545 through #23,554 duly passed and adopted.

54682 - It was moved by Hawbaker and seconded by Latta that Resolution #23,555, receiving and filing, and approving and accepting the bid of Aspro, Inc. in the amount of \$1,023,036.30, being the only bid received for the 2024 Street Restoration Project, be adopted. Following a comment by Councilmember Ganfield, 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 #23,555 duly passed and adopted.

- 54683 - It was moved by Ganfield and seconded by Hawbaker that Resolution #23,556, receiving and filing the bids, and approving and accepting the low bid of Dave Schmitt Construction Co. in the amount of \$3,606,866.70, for the North Cedar Heights Area Reconstruction Project Phase 2, be adopted. Following comments by Councilmembers Ganfield and Schultz, 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 #23,556 duly passed and adopted.
- 54684 - It was moved by Latta and seconded by Hawbaker that Ordinance #3052, adopting the Code of Ordinances for the City of Cedar Falls, be passed upon its first consideration. Following questions by Councilmembers Ganfield and Latta, and responses by Mayor Laudick, City Administrator Gaines and City Attorney Rogers, the Mayor put the question on the motion and upon the call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, and Dunn. Nay: None. Motion carried.
- 54685 - It was moved by Kruse and seconded by Dunn that Ordinance #3053, amending Chapter 23, Traffic and Motor Vehicle, of the Code of Ordinances relative to the speed limit on certain portions of Center Street, be passed upon its first consideration. Following due consideration by the Council, the Mayor put the question on the motion and upon the call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, and Dunn. Nay: None. Motion carried.
- 54686 - It was moved by Kruse and seconded by Latta that the bills and claims of March 18, 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.
- 54687 - Councilmember Kruse responded to comments made during Public Forum.
- 54688 - It was moved by Schultz and seconded by Crisman to refer to a Work Session a discussion on the future planning of the current Cedar Falls High School site and the Sartori/MercyOne hospital site. Following comments and questions by Councilmembers Dunn, Schultz, Latta, Ganfield, Hawbaker, and Kruse, and responses by Director of Community Development Sheetz, Mayor Laudick, and City Administrator Gaines, it was moved by Ganfield to amend the motion by striking "Cedar Falls High School Site". Motion failed for lack of a second. Following comments by Councilmembers Kruse, Crisman, Hawbaker, Ganfield, and Dunn, and responses by Mayor Laudick and City Attorney Rogers, the original motion carried 5-2, with Kruse and Ganfield voting Nay.
- 54689 - It was moved by Crisman and seconded by Schultz to refer to a Work Session a discussion of the future land use map, Resilience Plan, and flood plain maps

regarding future development planning and how we're addressing potential impacts on our waterways (especially Dry Run Creek and its watershed). Following comments by Councilmembers Dunn, Kruse and Hawbaker, and Mayor Laudick, and responses by Director of Community Development Sheetz, the motion carried unanimously.

54690 - It was moved by Latta and seconded by Hawbaker that the meeting be adjourned at 8:13 P.M. Motion carried unanimously.

Kim Kerr, CMC, City Clerk