

**CITY HALL
CEDAR FALLS, IOWA, NOVEMBER 20, 2023
REGULAR MEETING, CITY COUNCIL
MAYOR ROBERT M. GREEN 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, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Absent: None. Mayor Green led the Pledge of Allegiance.

54542 - It was moved by Kruse and seconded by Harding that the minutes of the Regular Meeting of November 6, 2023 be approved as presented and ordered of record. Motion carried unanimously.

54543 - The Mayor then asked if there were any agenda revisions. City Clerk Kerr noted that item #15 on the Resolution Calendar was being withdrawn from the agenda at the request of the applicant.

54544 - Reverend Michael Blackwell, Cedar Falls, commented on many things that he is thankful for including The Human Rights Commission Inaugural Fall Summit and its efforts to promote diversity, equity and inclusion in the Cedar Valley.

Reverend Larry Stumme, St. Paul Lutheran Church, encouraged Council to make Waterloo and Cedar Falls a better place for everyone to live and to continue to work with the leaders of Waterloo.

Bob Manning, Executive Director of the Cedar Valley Home Builders Association, commented on the housing market including density and affordable housing.

54545 - Public Works Director Schrage provided updates on the opening of Main Street and holiday refuse collection.

Mayor Green noted the first Goal Setting Session will be held Monday, November 27, 2023, at the Community Center from 4 PM – 7 PM.

54546 - It was moved by Ganfield and seconded by Kruse to repass, over Mayor's veto, Resolution #23,366, being a resolution rescinding Resolution #22,360 approving and adopting the Imagine College Hill Vision Plan. Following comments by UNI Student Liaison Noah Hackbart, and Councilmembers Sires, Kruse and Harding, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, deBuhr, Kruse, Ganfield, Sires. Nay: Harding, Dunn. Motion carried. The Mayor then declared Resolution #23,366, being the veto of Resolution #22,360, overruled.

54547- It was moved by Kruse and seconded by Harding that Ordinance #3045, amending Chapter 26, Zoning, by removing Section 26-196E. Special Parking Standards, relative to allowing adjacent on-street parking to count towards shared parking requirements in the Downtown Character District (CD-DT), 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, deBuhr, Kruse, Harding, Ganfield, Sires. Nay: Dunn. Motion carried. The Mayor then declared Ordinance #3045 duly passed and adopted.

54548 - It was moved by Kruse and seconded by Harding that the following items on the Consent Calendar be received, filed, and approved:

Receive and file the City Council Standing Committee minutes of November 6, 2023 relative to the following items:

- a) FY2023 Audit Report.
- b) Main Street RAISE Grant Update.
- c) Royal Drive & Seerley Boulevard One-Ways.
- d) College Hill Area Zoning Districts Review.

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

- a) Amy Lang, Board of Adjustments.

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

- a) Equipment Mechanic.
- b) Public Safety Officer.
- c) Wastewater Treatment Plant Operator I.

Receive and file the Bi-Annual Report of College Hill Partnership relative to FY2024 Self-Supported Municipal Improvement District (SSMID) funds and an FY2024 Economic Development Grant.

Approve an Order Accepting Acknowledgement/Settlement Agreement with Daffodils, Inc. d/b/a Buzz Smoke & Vapor, 2125 College Street, for a second tobacco violation.

Approve the application of CIV Plus, 704 Main Street, for a cigarette/tobacco/nicotine/vapor permit.

Approve the following applications for retail alcohol licenses:

- a) Urban Pie, 200 State Street, Class C retail alcohol & outdoor service - renewal.
- b) Alist Nails & Spa, 6015 University Avenue, Special Class C retail alcohol - new - change in ownership.
- c) Cedar Falls Family Restaurant, 2627 Center Street, Special Class C retail alcohol - new.

Motion carried unanimously.

54549 - It was moved by Ganfield and seconded by Kruse that the following resolutions be introduced and adopted:

Resolution #23,399, approving and authorizing execution of a Mutual Non-Disclosure Agreement with RxBenefits, Inc. relative to a prescription drug benefits plan.

Resolution #23,400, approving and authorizing execution of a 28E Agreement for Tobacco, Alternative Nicotine and Vapor Product Enforcement with the Iowa Alcoholic Beverages Division

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, deBuhr, Kruse, Harding, Sires, Ganfield, Dunn. Nay: None. Motion carried. The Mayor then declared Resolutions #23,399 and #23,400 duly passed and adopted.

- 54550 - It was moved by Ganfield and seconded by Harding that Resolution #23,401, amending Resolution #20,502, establishing a University of Northern Iowa student liaison to the City Council and developing certain procedures and imposing certain requirements for such position, be adopted. Following comments by Councilmember Sires and UNI Student Liaison Hackbart, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,401 duly passed and adopted.
- 54551 - It was moved by Ganfield and seconded by Harding that Resolution #23,402, approving and authorizing execution of an Extension of a Yard Waste Management Service Agreement with T & W Grinding relative to management of the City's compost facility, be adopted. Following questions by Councilmember Ganfield, and responses by Fleet Maintenance Supervisor Rawdon, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,402 duly passed and adopted.
- 54552 - It was moved by Kruse and seconded by Harding that Ordinance #3046, amending Chapter 9, Fire Prevention and Protection, of the Code of Ordinances relative to installation of post indicator valves, 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, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Nay: None. Motion carried.
- 54553 - It was moved by Kruse and seconded by Harding that the bills and claims of November 20, 2023 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, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Nay: None. Motion carried.

- 54554 - Mayor Green announced the recent passing of two of the city's former Representative Citizens, Bob Beach and Judy Cutler.

Councilmember Sires commented on the sight distance at the intersection of 1st Street and Union Road and requested safety issues be addressed.

Councilmember Kruse commented on the location of parking QR codes downtown. Public Works Director Schrage and City Administrator Gaines commented.

- 54555 - It was moved by Kruse and seconded by deBuhr to refer to the Community Development Committee to bring forward a proposed ordinance to eliminate prairie plantings in the right-of way. Following questions and comments by Councilmembers Dunn, Harding and Kruse, and responses by Community Development Director Sheetz, City Administrator Gaines, and City Attorney Rogers, the motion failed 5-2, with Schultz, Harding, Ganfield, Sires, and Dunn voting Nay.

It was moved by Kruse and seconded by Sires to request the Cedar Falls Economic Development Corporation (CFEDC) present an update at the December 4, 2023 Community Development Meeting. Following questions and comments by Councilmembers Sires, Dunn, Kruse, and Harding and responses by City Administrator Gaines, City Attorney Rogers and Mayor Green, the motion failed 5-2, with Schultz, Harding, Ganfield, Sires, and Dunn voting Nay.

- 54556 - It was moved by Kruse and seconded by Harding that the meeting be adjourned at 7:56 P.M. Motion carried unanimously.

Kim Kerr, CMC, City Clerk