

**CITY HALL
CEDAR FALLS, IOWA, APRIL 19, 2021
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: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Absent: None.

53283 - It was moved by Kruse and seconded by Harding that the minutes of the Regular Meeting of April 5, 2021 be approved as presented and ordered of record. Motion carried unanimously.

53284 - Rick Sharp, 1623 Birch Street, requested that employee wages and overtime be included in the Council Bills.

53285 - Mayor Green read the following proclamations:

Proclamation recognizing the week of April 18-24, 2021 as Administrative Professional Week and April 21, 2021 as Administrative Professionals Day. Mayor Green recognized City administrative staff.

Proclamation recognizing April 18-24, 2021 as City-Wide Cleanup Week.

Proclamation recognizing April 18-24, 2021 as National Volunteer Week. Volunteer Center of Cedar Valley Executive Director Lauren Finke commented.

Proclamation recognizing April 30, 2021 as Arbor Day. North Cedar Neighborhood Association President Jim Newcomb commented.

Proclamation recognizing May 2021 as Neurofibromatosis Awareness Month and May 17, 2021 as World Neurofibromatosis Awareness Day. T.J. Warren commented and announced a fundraiser walk on September 18, 2021.

53286 - Mayor Green announced that this was the time and place for a hearing on a proposed resolution adopting and levying the final schedule of assessments for the 2020 Sidewalk Assessment Project, Zone 3. Civil Engineer Tolan provided a brief summary of the project and process.

53287 - It was moved by Darrah and seconded by Harding that Resolution #22,326, adopting and levying the final schedule of assessments for the 2020 Sidewalk Assessment Project, Zone 3, be adopted. Following a question by Councilmember deBuhr and response by City Clerk Danielsen, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: deBuhr, Kruse, Harding, Darrah, Sires, Dunn, Miller. Nay: None. Motion carried. The Mayor then declared Resolution #22,326 duly passed and adopted.

53288 - It was moved by Miller and seconded by Harding that Ordinance #2988, amending Chapter 2, Administration, of the Code of Ordinances relative to Mayor and City Administrator duties, be passed upon its second consideration. Jim Skaine, 2215 Clay Street, spoke in opposition to the ordinance. Following comments by Councilmembers Dunn and Darrah, and response by Mayor Green, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: deBuhr, Kruse, Harding, Darrah, Dunn, Miller. Nay: Sires. Motion carried.

53289 - It was moved by Darrah and seconded by Miller that the following items on the Consent Calendar be received, filed and approved:

Receive and file the resignation of Betty Danielson as a member of the Community Center & Senior Services Board, effective 06/30/2021.

Receive and file the Bi-Annual Report of Community Main Street relative to FY21 Self-Supported Municipal Improvement District (SSMID) funds and an FY21 Economic Development Grant.

Approve the following applications for cigarette/tobacco/nicotine/vapor permits:

- a) B&B West, 3105 Hudson Road.
- b) Casey's General Store, 2425 Center Street.
- c) Casey's General Store, 5226 University Avenue.
- d) Casey's General Store, 5908 Nordic Drive.
- e) Casey's General Store, 601 Main Street.
- f) Casey's General Store, 1225 Fountains Way.
- g) The Landmark, 107 Main Street.

Approve the following applications for beer permits and liquor licenses:

- a) Jorgensen Plaza (Table 1912, Diamond Event Center and Gilmore's Pub), 5307 Caraway Lane, Class C liquor, Class B wine & outdoor service - renewal.
- b) The Horny Toad American Bar & Grille, 204 Main Street, Class C liquor - renewal.
- c) ZSAVOOZ, 206 Brandilynn Boulevard, Class C liquor & outdoor service - renewal.
- d) CVS/Pharmacy, 2302 West 1st Street, Class E liquor - renewal.
- e) Deringer's Public Parlor, 314 ½ Main Street, Class C liquor – new.
- f) Starbeck's Smokehouse, 6607 University Ave, Class C liquor & outdoor service – new with exceptions.

Motion carried unanimously.

53290 - It was moved by Miller and seconded by Harding to approve the following recommendations of the Mayor relative to the appointment of members to Boards and Commissions:

- a) Mario Basurto, Human Rights Commission, term ending 07/01/2021.
- b) Eashaan Vajpeyi, Human Rights Commission, term ending 07/01/2023.
- c) Robert Seymour, Metropolitan Transit Authority Board of Trustees, term ending 06/30/2023.

Following comments by Councilmember Harding, the motion carried unanimously.

- 53291 - It was moved by Darrah and seconded by Harding to receive and file the Mayor's report relative to appointment of members to the Cedar Falls Racial Equity Task Force. Following comments by T.J. Frein, 1319 Austin Way, and responses by Mayor Green and Councilmember Darrah, the motion carried unanimously.
- 53292 - It was moved by Harding and seconded by Darrah to receive and file the Committee of the Whole minutes of April 5, 2021 relative to the College Hill Vision Plan. Following comments by Rick Sharp, 1623 Birch Street, and Councilmember deBuhr, the motion carried unanimously.
- 53293 - It was moved by Harding and seconded by Miller that the following resolutions be introduced and adopted:

Resolution #22,327, approving and authorizing execution of a Landlord Estoppel Certificate relative to a Lease Agreement between the City, the Board of Trustees of the Municipal Electric Utility, and Cedar Falls Solar Farm, LLC for the use of certain city-owned property located at 800 Viking Road as a solar garden.

Resolution #22,328, approving and authorizing execution of a contract with Quality Striping, Inc. relative to 2021 pavement marking services.

Resolution #22,329, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with River Place Properties II LC, relative to a post-construction stormwater management plan for 302 Main Street.

Resolution #22,330, approving a Central Business District (CBD) Overlay Zoning District site plan for temporary wheat paste murals in the Downtown Business District.

Resolution #22,331, approving and authorizing execution of a Subrecipient Agreement for Federally Funded Project with Eastside Ministerial Alliance, Inc. for Community Development Block Grant (CDBG-CV2) funding relative to the CARES Act.

Resolution #22,332, approving and authorizing execution of a Subrecipient Agreement for Federally Funded Project with Jesse Cosby Neighborhood Center, Inc. for Community Development Block Grant (CDBG-CV2) funding relative to the CARES Act.

Resolution #22,333, approving a revised S-1 Shopping Center District site plan for installation of a kiosk for order pick-up service at 6301 University Avenue.

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: deBuhr, Kruse, Harding, Darrah, Sires, Dunn, Miller. Nay: None. Motion carried. The Mayor then declared Resolutions #22,327 through #22,333 duly passed and adopted.

- 53294 - It was moved by Miller and seconded by Harding that Resolution #22,334, approving and authorizing execution of a Service/Product Agreement with Eide Bailly, LLP for Audit Services, be adopted. Following questions and comments by Councilmembers Sires, Harding and deBuhr, and Jim Skaine, 2215 Clay Street, and responses by Finance & Business Operations Director Rodenbeck, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: deBuhr, Kruse, Harding, Darrah, Dunn, Miller. Nay: Sires. Motion carried. The Mayor then declared Resolution #22,334 duly passed and adopted.
- 53295 - It was moved by Miller and seconded by Darrah that Resolution #22,335, approving and authorizing execution of a Lease relative to property vacated by the 2008 flood buyout programs, be adopted. Following comments by North Cedar Neighborhood Association President Jim Newcomb and Councilmember Darrah, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: deBuhr, Kruse, Harding, Darrah, Sires, Dunn, Miller. Nay: None. Motion carried. The Mayor then declared Resolution #22,335 duly passed and adopted.
- 53296 - It was moved by Miller and seconded by Harding that Resolution #22,336, approving and authorizing expenditure of funds for replacement of an automated refuse collection unit, be adopted. Following a question by Councilmember Sires and response by Operations and Maintenance Division Manager Heath, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: deBuhr, Kruse, Harding, Darrah, Sires, Dunn, Miller. Nay: None. Motion carried. The Mayor then declared Resolution #22,336 duly passed and adopted.
- 53297 - It was moved by Harding and seconded by Miller that Resolution #22,337, approving the Certificate of Completion and accepting the work of K. Cunningham Construction Company, Inc. for the Downtown Streetscape and Reconstruction Project, Phase I, be adopted. Following a question by Jim Skaine, 2215 Clay Street, and response by Public Works Director Schrage, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: deBuhr, Kruse, Harding, Darrah, Sires, Dunn, Miller. Nay: None. Motion carried. The Mayor then declared Resolution #22,337 duly passed and adopted.
- 53298 - It was moved by Harding and seconded by Miller that Resolution #22,338, approving and authorizing execution of a Professional Service Agreement with Snyder & Associates, Inc. for 2021 survey services, be adopted. Following a comment by Jim Skaine, 2215 Clay Street, and response by Public Works Director Schrage, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: deBuhr, Kruse, Harding, Darrah, Sires, Dunn, Miller. Nay: None. Motion carried. The Mayor then declared Resolution #22,338 duly passed and adopted.
- 53299 - It was moved by Harding and seconded by Miller that Resolution #22,339, approving and accepting a Lien Notice and Special Promissory Note for property

- located at 721 West 17th Street relative to the Rental to Single Family Owner Conversion Incentive Program, be adopted. Following a question by Jim Skaine, 2215 Clay Street, and response by Community Development Director Sheetz, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: deBuhr, Kruse, Harding, Darrah, Sires, Dunn, Miller. Nay: None. Motion carried. The Mayor then declared Resolution #22,339 duly passed and adopted.
- 53300 - It was moved by Darrah and seconded by Harding that Resolution #22,340, approving a College Hill Neighborhood (CHN) Overlay Zoning District site plan for remodel of a duplex at 704-706 West 28th Street, be adopted. Following comments by Councilmember Kruse, it was moved by Kruse and seconded by Sires to amend the motion to allow four persons per unit. Following questions and comments by Councilmembers Harding, deBuhr, Kruse and Dunn, and responses by Community Development Director Sheetz, the motion to amend failed 3-4, with deBuhr, Darrah, Dunn and Miller voting Nay. Following due consideration by the Council, the Mayor put the question on the original motion, and upon call of the roll, the following named Councilmembers voted. Aye: deBuhr, Kruse, Harding, Darrah, Sires, Dunn, Miller. Nay: None. Motion carried. The Mayor then declared Resolution #22,340 duly passed and adopted.
- 53301 - It was moved by Harding and seconded by Miller that Resolution #22,341, setting May 3, 2021 as the date of public hearing on proposed amendments to the City's FY2021 Budget, 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: deBuhr, Kruse, Harding, Darrah, Sires, Dunn, Miller. Nay: None. Motion carried. The Mayor then declared Resolution #22,341 duly passed and adopted.
- 53302 - It was moved by Harding and seconded by Darrah that the bills and claims of April 19, 2021 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: deBuhr, Kruse, Harding, Darrah, Sires, Dunn, Miller. Nay: None. Motion carried.
- 53303 - Councilmember deBuhr thanked staff for safety improvements that were made on the trails around Dry Run Creek.
- Operations and Maintenance Division Manager Heath responded to questions by Councilmember Sires and Kruse regarding leasing equipment from John Deere versus purchasing.
- Mayor Green encouraged Councilmembers to participate in ride-a-longs with City staff and congratulated Lt. Gersema on his promotion.
- 53304 - City Administrator Gaines announced a Save the Date for May 11, 2021 for a Public Safety ceremony to honor promotions throughout the year.

Community Development Director Sheetz provided a timeline for the College Hill Vision Plan.

- 53305 - It was moved by Kruse and seconded by Miller to adjourn to Executive Session to discuss Collective Bargaining per Iowa Code Section 20.17(3), and 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 the property. Upon call of the roll, the following named Councilmembers voted. Aye: deBuhr, Kruse, Harding, Darrah, Sires, Dunn, Miller. Nay: None. Motion carried.

The City Council adjourned to Executive Session at 8:28 P.M.

Mayor Green reconvened the Council Meeting at 8:53 P.M. and stated that Collective Bargaining and Property Acquisition had been discussed but that no further action was required at this time.

- 53306 - It was moved by Darrah and seconded by Miller that the meeting be adjourned at 8:54 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk