

**CITY HALL
CEDAR FALLS, IOWA, APRIL 5, 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 7:06 P.M. on the above date. Members present: Miller, deBuhr, Kruse (via video conference), Harding, Darrah, Sires, Dunn. Absent: None.

53267 - It was moved by Kruse and seconded by Harding that the minutes of the Regular Meeting of March 15, 2021 be approved as presented and ordered of record. Motion carried unanimously.

53268 - Eashaan Vajpeyi, 3831 Convair Lane, spoke about the College Hill Visioning Plan and expressed concerns with reducing parking requirements.

T.J. Frein, 1319 Austin Way, expressed concerns with the City hiring lobbyists and the issues that they lobby for.

Kathryn Sogard, Executive Director of College Hill Partnership, invited everyone to check out student decorations around College Hill for UNI "Homecoming 2020.5", and clarified representation of the College Hill Partnership Board.

Jim Skaine, 2215 Clay Street, expressed concerns with the City Council meeting agenda format and use of the word "germane."

Lea Ann Saul, 1825 Greenhill Road, spoke in support of the College Hill Visioning Plan.

Andrea Geary, 1816 Tremont Street, expressed concerns about outreach to the minority population during the College Hill Visioning study.

Jeremy Sulentic, 1008 Rocklyn Street, expressed concerns with the crosswalk on Center Street, stating that drivers don't acknowledge the strobes at the crosswalk.

53269 - Mayor Green read the following proclamations:

Proclamation recognizing April 2021 as Sexual Assault Awareness Month. Iowa Program Director for Riverview Center Gwen Bramlet-Hecker commented.

Proclamation recognizing April 4-10, 2021 as National Library Week. Library Director Stern commented.

Proclamation recognizing April 4-11, 2021 as Days of Remembrance for the Victims of the Holocaust.

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

technical difficulties, WasteTrac Representative Tammy Turner's presentation was postponed to the April 19, 2021 meeting.

Proclamation recognizing April 2021 as Fair Housing Month.

- 53270 - Mayor announced that in accordance with the public notice of March 19, 2021, this was the time and place to consider entering into an Agreement for Private Development with Stone and Terrace, L.L.C. relative to the rehabilitation of 108 East 4th Street. It was then moved by Darrah and seconded by Miller that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53271 - 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 brief summary of the proposed agreement. There being no one else present wishing to speak about the proposed agreement, the Mayor declared the hearing closed and passed to the next order of business.
- 53272 - It was moved by Harding and seconded by Miller that Resolution #22,306, approving and authorizing execution of an Agreement for Private Development with Stone and Terrace, L.L.C. relative to the rehabilitation of 108 East 4th Street, 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 #22,306 duly passed and adopted.
- 53273 - It was moved by Harding and seconded by Darrah that that Ordinance #2987, amending Chapter 26, Zoning, of the Code of Ordinances relative to adaptive re-use of institutional buildings, 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: Kruse, Harding, Darrah, Dunn, Miller. Nay: deBuhr, Sires. Motion carried. The Mayor then declared Ordinance #2987 duly passed and adopted.
- 53274 - It was moved by Darrah and seconded by Harding that Resolution #22,307, extending the face mask mandate for the City of Cedar Falls, be adopted. It was moved by Harding and seconded by deBuhr to amend the motion to remove the paragraph which states: "WHEREAS, the Governor's current proclamation requires that businesses and gatherings ensure social distancing of employees, customers, and attendees, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with the guidance of the IDPH." Following comments by Councilmembers Harding and Miller, the motion to amend was withdrawn. It was then moved Harding and seconded by Darrah to amend the motion to remove two paragraphs, the first being the paragraph as stated above and also the paragraph which states: "WHEREAS, the Governor's current proclamation additionally requires the

wearing of masks or face coverings in certain circumstances.” Motion carried 6-1, with Sires voting Nay. Following comments by T.J. Frein, 1319 Austin Way, Dr. Mark Nook, University of Northern Iowa President, and Councilmembers Dunn and deBuhr, the Mayor put the question on the original motion as amended, and upon call of the roll, the following named Councilmembers voted. Aye: Harding, Darrah, Dunn, Miller. Nay: deBuhr, Kruse, Sires. Motion carried. The Mayor then declared Resolution #22,307 duly passed and adopted.

- 53275 - It was moved by Darrah and seconded by Miller that the following items and recommendations on the Consent Calendar be received, filed and approved:

Receive and file Mayor's Monthly Report for March 2021.

Approve the recommendation of the Mayor relative to the appointment of John Clopton to the Civil Service Commission, term ending 04/07/2025.

Receive and file the resignation of Sue Armbrecht as a member of the Civil Service Commission.

Receive and file the Committee of the Whole minutes of March 15, 2021 relative to the following items:

- a) Mayor & City Administrator Ordinance Updates.
- b) Main Street Traffic Study.

Receive and file Departmental Monthly Reports of February, 2021.

Approve the application of Bani's, 2128 College St, for a cigarette/tobacco/nicotine/vapor permit.

Approve the following applications for beer permits and liquor licenses:

- a) Godfather's Pizza, 1621 West 1st Street, Class B beer - renewal.
- b) Luxe Nail Bar, 5907 University Avenue, Class C liquor - renewal
- c) Mary Lou's Bar & Grill, 2719 Center Street, Class C liquor & outdoor service - renewal.
- d) Prime Mart, 2728 Center Street, Class E liquor – renewal.
- e) River Place Plaza, 200 East 2nd Street – Plaza, Special Class C liquor & outdoor service – temporary expansion of outdoor service area. (May 7, 14, 21 & 28, 2021)
- f) Bani's, 2128 College Street, Class E liquor - new.

Motion carried unanimously.

- 53276 - It was moved by Harding and seconded by Sires that the following resolutions be introduced and adopted:

Resolution #22,308, naming official depositories for the City of Cedar Falls.

Resolution #22,309, approving and authorizing the transfer of funds from the 2018 General Obligation Bond fund to the Capital Projects fund relative to the completion of the Center Street Recreational Trail Project.

Resolution #22,310, approving and authorizing the transfer of funds from the Street Repair fund (LOST) to the 2012 General Obligation Bond fund relative to the completion of the Greenhill Road Extension Project.

Resolution #22,311, levying a final assessment for costs incurred by the City to mow and clear overgrown vegetation on the property located at 710 West 13th Street.

Resolution #22,312, levying a final assessment for costs incurred by the City to mow and clear overgrown vegetation on the property located at 1303 Walnut Street.

Resolution #22,313, approving and authorizing execution of a Service/Product Agreement with Cities Digital Incorporated (CDI) relative to integrating the City's financial system with the document imaging system.

Resolution #22,314, approving and authorizing execution of a Surface Transportation Block Grant (STBG) Programming Agreement with the Black Hawk County Metropolitan Planning Organization (MPO) relative to the Main Street Reconstruction Project.

Resolution #22,315, approving a Central Business District (CBD) Overlay Zoning District site plan for facade improvements at 302 Main Street.

Resolution #22,316, approving and authorizing execution of a Subrecipient Agreement for Federally Funded Project with St. Patrick Catholic School for Community Development Block Grant (CDBG-CV2) funding relative to the CARES Act.

Resolution #22,317, approving and authorizing execution of a Subrecipient Agreement for Federally Funded Project with Valley Lutheran School for Community Development Block Grant (CDBG-CV2) funding relative to the CARES Act.

Resolution #22,318, approving and authorizing execution of a Second Amendment for Professional Services with the Northeast Iowa Food Bank for additional Community Development Block Grant (CDBG-CV1) funding relative to the CARES Act.

Resolution #22,319, approving and authorizing execution of Supplemental Agreement No. 1 to the Professional Service Agreement with Snyder & Associates, Inc. for survey services relative to the Downtown Streetscape and Reconstruction Project – Phase II.

Resolution #22,320, receiving and filing the bids, and approving and accepting the low bid of Peterson Contractors Inc., in the amount of \$4,028,395.50, for the 2021 Street Construction Project.

Resolution #22,321, approving and accepting the contract and bond of Peterson Contractors, Inc. for the 2021 Street Construction Project.

Resolution #22,322, approving and accepting the contract and bond of Municipal Pipe Tool, LLC for the 2021 Sanitary Sewer Rehabilitation Project.

Resolution #22,323, approving and accepting completion of public improvements in Prairie Winds 5th Addition.

Resolution #22,324, approving and authorizing execution of a Professional Service Agreement with AECOM Technical Services, Inc. for 2021 survey services.

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 #22,308 through #22,324 duly passed and adopted.

53277 - It was moved by Darrah and seconded by Miller that Resolution #22,325, approving and authorizing execution of a Third Amendment to Agreement for Private Development with River Place Properties, LC relative to the River Place Development Project, be adopted. Following comments by Community Development Director Sheetz, Developer Mark Kittrell, and Councilmembers Harding, Miller, deBuhr and Kruse, and responses by Community Development Director Sheetz, Mr. Kittrell, and City Administrator Gaines, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Darrah, Sires, Dunn, Miller. Nay: deBuhr. Motion carried. The Mayor then declared Resolution #22,325 duly passed and adopted.

53278 - 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 first consideration. Following questions and comments by Councilmembers Darrah, Dunn, Sires and deBuhr, Jim Skaine, 2215 Clay Street, T.J. Frein, 1319 Austin Way, and Mark Kittrell, 200 State Street, #202-Z, and responses by City Attorney Rogers and Mayor Green, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: deBuhr, Harding, Darrah, Dunn, Miller. Nay: Kruse, Sires. Motion carried.

53279 - It was moved by Harding and seconded by Miller that the bills and claims of April 5, 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.

53280 - Community Development Director Sheetz responded to a question by Councilmember Kruse about recording Planning and Zoning Work Sessions.

Councilmember Kruse responded to an earlier comment regarding lobbyists, and

Mayor Green and Attorney Rogers responded to a question by Councilmember Kruse regarding responding to public comments during public forum.

Public Works Director Schrage responded to a question by Councilmember Kruse regarding Sturgis Falls funding.

- 53281- Public Safety Director Olson provided information regarding the City partnering with Riverview Center to help increase education and encourage public discussion of sexual assault prevention and services.

Public Works Director Schrage provided information for the public to participate in City-Wide Cleanup Week.

- 53282 - It was moved by Harding and seconded by Sires that the meeting be adjourned at 9:03 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk