

**CITY HALL  
CEDAR FALLS, IOWA, AUGUST 16, 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 7:30 P.M. on the above date. Members present: Miller (via video conference), deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Absent: None.
- 53448 - It was moved by Kruse and seconded by Harding that the minutes of the Regular Meeting of August 2, 2021 be approved as presented and ordered of record. Motion carried unanimously.
- 53449 - The Mayor then asked if there were any agenda revisions. City Clerk Danielsen noted that agenda items 5 and 6 were being removed as the establishments have accepted the settlement agreement and paid the penalty. Items will be added to the September 7, 2021 agenda for approval of settlement agreements.
- 53450 - Mayor Green read the following proclamations:
- Proclamation recognizing August 19, 2021 as Aviation Day. Waterloo Regional Airport Director Keith Kasperi commented.
- Proclamation recognizing August 29, 2021 as Quota of the Cedar Valley, Inc. Day. Quota President Deanna Rustad commented.
- Proclamation recognizing August 2021 as Gastroparesis Awareness Month.
- 53451 - T.J. Frein, 1319 Austin Way, commented on the 2025 Future Forward Plan. Mr. Frein also requested review of the Algonquin/Ashworth intersection.
- 53452 - Mayor announced that this was the time and place for a hearing on a complaint issued to Prime Mart 1, 2323 Main Street, for a first tobacco violation. Swisher and Cohrt Attorney Luke Jensen commented on behalf of the City. There being no one present wishing to speak on behalf of Prime Mart 1, the Mayor declared the hearing closed and passed to the next order of business.
- 53453 - It was moved by Harding and seconded by deBuhr that Resolution #22,487, approving and authorizing execution of an Order Assessing Penalty relative to a First Tobacco Violation regarding Prime Mart 1, 2323 Main 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: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried. The Mayor then declared Resolution #22,487 duly passed and adopted.
- 53454- It was moved by Darrah and seconded by Harding that the following items on the Consent Calendar be received, filed and approved:
- Receive and file the resignation of Lindsay Pieters as a member of the Housing Commission.

Approve the following recommendations of the Mayor relative to the appointment of members to Boards and Commissions:

- a) Anne Bonsall Hoekstra, Art & Culture Board, term ending 07/01/2022.
- b) Toni Wilson Wood, Art & Culture Board, term ending 07/01/2022.
- c) Leslie Prideaux, Utilities Board of Trustees, term ending 08/31/2027.

Receive and file the Committee of the Whole minutes of August 2, 2021 relative to the following item:

- a) Downtown Zoning Code – Parking Requirements for Private Property.

Approve the following Order Accepting Acknowledgment/Settlement Agreements:

- a) The Landmark, 107 Main Street, First tobacco violation.
- b) Metro Mart, 103 Franklin Street, First tobacco violation.

Approve a request for a temporary sign at 7213 Nordic Drive, September 12-16, 2021.

Approve the following applications for beer permits and liquor licenses:

- a) Main Street Sweets, 307 Main Street, Class B native wine – renewal.
- b) Amigo, 5809 University Avenue, Class C liquor & outdoor service - renewal.
- c) Buffalo Wild Wings, 6406 University Avenue, Class C liquor & outdoor service - renewal.
- d) The Library, 2222 College Street, Class C liquor & outdoor service - renewal.
- e) The Other Place, 4214 University Avenue, Class C liquor & outdoor service - renewal.
- f) The Pump Haus Pub & Grill, 311 Main Street, Class C liquor & outdoor service - renewal.
- g) Whiskey Road Tavern & Grill, 402 Main Street, Class C liquor & outdoor service - renewal.
- h) B & B West, 3105 Hudson Road, Class E liquor - renewal.
- i) River Place Plaza, 200 East 2nd Street – Plaza, Special Class C liquor & outdoor service – temporary expansion of outdoor service area. (August 27-28, September 4-5 & September 10-11, 2021)
- j) Fraternal Order of Eagles, 2125 West Lone Tree Road, Class C liquor & outdoor service - temporary expansion of outdoor service area. (August 27-30, 2021)

Motion carried unanimously.

53455 - It was moved by Kruse and seconded by Harding that the following resolutions be introduced and adopted:

Resolution #22,488, approving and accepting a Local Fire Protection and Emergency Medical Services Grant for the purchase of firefighting turnout gear.

Resolution #22,489, approving and authorizing execution of an Agreement for Custodial Services with Fresh Start Cleaning Solutions, Inc. relative to providing custodial services for city buildings from September 1, 2021 through August 31, 2024.

Resolution #22,490, approving and authorizing execution of a Joint Funding

Agreement for Water Resource Investigations with the U.S. Geological Survey relative to the Cedar River Streamgauge Station.

Resolution #22,491, receiving and filing, and approving and accepting the bid of OEL Construction Services, Inc., in the amount of \$181,492.08, being the only bid received for the 2021 CDBG Sidewalk Infill Project.

Resolution #22,492, receiving and filing, and approving and accepting the bid of Blacktop Service Company, in the amount of \$161,988.49, being the only bid received for the 2021 Seal Coat Project.

Resolution #22,493, approving and accepting the contract and bond of OEL Construction Services, Inc. for the 2021 CDBG Sidewalk Infill Project.

Resolution #22,494, approving and accepting the contract and bond of Benton's Sand & Gravel, Inc. for the 2021 Permeable Alley Project.

Resolution #22,495, approving and accepting the contract and bond of Cobalt Contracting, L.C. for the 2021 Public Sidewalk Repair and Infill Project.

Resolution #22,496, approving and accepting the contract and bond of Cobalt Contracting, L.C. for the 2021 Sidewalk Assessment Project – Zone 4.

Resolution #22,497, approving and accepting the contract and bond of Owen Contracting, Inc. for the Cyber Lane Extension Project.

Resolution #22,498, approving and authorizing execution of Service/Product Agreement with AMPERAGE Marketing relative to FY22 digital advertising for the Tourism & Visitor Bureau.

Resolution #22,499, approving and authorizing execution of a Service/Product Agreement with the Iowa Northland Regional Council of Governments (INRCOG) for Community Development Block Grant (CDBG) Funding Project Delivery for FY22 (FFY2021).

Resolution #22,500, approving and authorizing execution of a Service/Product Agreement with the Iowa Northland Regional Council of Governments (INRCOG) for Home Investment Partnerships Program (HOME) Funding Project Delivery for FY22 (FFY2021).

Resolution #22,501, approving a College Hill Neighborhood (CHN) Overlay Zoning District site plan for parking improvements at 2415 Franklin Street.

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: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried. The Mayor then declared Resolutions #22,488 through #22,501 duly passed and adopted.

53456 - It was moved by Darrah and seconded by Kruse that Resolution #22,502, approving and adopting amendments to Administrative Policy No. 7, be adopted. Following comments by Councilmember Harding and response by Mayor Green, it was moved by deBuhr and seconded by Kruse, to amend the motion to strike

the words “and speak last on any item” from Rule 33. The motion to amend carried unanimously. The Mayor then put the question on the original motion as amended, and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Darrah, Sires, Dunn. Nay: Harding. Motion carried. The Mayor then declared Resolution #22,502 duly passed and adopted as amended.

- 53457 - It was moved by Harding and seconded by Miller that the following resolutions be introduced and adopted:

Resolution #22,503 setting September 7, 2021 as the date of public hearing on proposed amendments to Chapter 26, Zoning, of the Code of Ordinance relative to establishing the CD-DT, Downtown Character District.

Resolution #22,504, setting September 7, 2021 as the date of public hearing on the proposed rezoning of all property within the defined boundaries of the Downtown Character District from current zoning classifications and placing the same in the CD-DT, Downtown Character District.

Following comments and questions by Councilmembers deBuhr, Kruse, Darrah, and Dunn, and responses by Mayor Green and Community Development Director Sheetz, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: Miller, Harding, Darrah, Dunn. Nay: deBuhr, Kruse, Sires. Motion carried. The Mayor then declared Resolutions #22,503 and #22,504 duly passed and adopted.

- 53458 - It was moved by Kruse and seconded by Harding that the bills and claims of August 16, 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: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried.

- 53459 - Mayor Green and City Attorney Rogers replied to a question by Councilmember Harding regarding an update on the cost of a PERB appeal.

Councilmember deBuhr commended Public Safety staff on their responses to recent accidents. Public Safety Director Olson responded to questions by Councilmembers Kruse and Dunn regarding Public Safety staffing and tours at the Public Safety Building.

- 53460 - It was moved by Kruse and seconded by Harding that the meeting be adjourned at 8:17 P.M. Motion carried unanimously.