

**CITY HALL
CEDAR FALLS, IOWA, AUGUST 19, 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 (via electronic), Crisman, Dunn. Absent: None. Mayor Laudick led the Pledge of Allegiance.

54916 - It was moved by Kruse and seconded by Schultz that the minutes of the Regular Meeting of August 5, 2024 be approved as presented and ordered of record. Motion carried unanimously.

54917 - The Mayor then asked if there were any agenda revisions. City Clerk Kerr noted that item #4 was being removed from the agenda.

54918 - Head of Waterloo Christian Schools Ryan Hall, Waterloo, introduced himself and gave a brief overview of the school.

Rosemary Beach, Cedar Falls, expressed concerns with the lack of sidewalks in the Prairie Parkway neighborhood and requested the installation of additional crosswalks or pedestrian signage. City Administrator Gaines commented.

Secretary of Cedar Valley Pride Fest Brent Buhr, Waterloo, provided details on the annual Pride Fest event being held on August 23 – August 24, 2024 in Waterloo.

Denzel Washington, Cedar Falls, expressed concerns with recent ordinance updates and funding for construction projects.

Kim Jordan, Cedar Falls, commented on transportation and safety concerns with construction relative to the start of school. Jordan also commented on the number of roundabouts in the city and expressed concerns with their safety and cost.

54919 - Communication Specialist Huisman provided details on the Hope & Honor 5K being held on September 11, 2024.

Director of Public Works Schrage provided details on the Household Hazardous Waste & Electronics Recycling Drop-off Event being held on September 7, 2024 from 9AM – 12:30PM.

54920 - Mayor Laudick announced that in accordance with the public notice of August 6, 2024, this was the time and place for a public hearing on the authorization of a Loan Agreement and issuance of not to exceed \$4,000,000 General Obligation Capital Loan Notes for essential corporate purposes (ECP). It was then moved by Kruse and seconded by Latta that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

54921 - The Mayor then asked if there were any written communications filed to the proposed bond sale. Upon being advised that there were no written

communications on file, the Mayor then called for oral comments. Director of Finance & Business Operations Rodenbeck provided an update on the proposed bond sale. Following comments by Cedar Falls residents Kim Jordan and Denzel Washington, and responses by Mayor Laudick, Rodenbeck, City Administrator Gaines, and Councilmember Schultz, the Mayor declared the hearing closed and passed to the next order of business.

- 54922 - It was moved by Ganfield and seconded by Hawbaker that Resolution #23,742, instituting proceedings to take additional action for the issuance of not to exceed \$4,000,000 General Obligation Capital Loan Notes for essential corporate purposes (ECP), 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 #23,742 duly passed and adopted.
- 54923 - Mayor Laudick announced that in accordance with the public notice of August 6, 2024, this was the time and place for a public hearing on the authorization of a Loan Agreement and issuance of not to exceed \$750,000 General Obligation Capital Loan Notes for general corporate purposes (GCP). It was then moved by Kruse and seconded by Latta that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 54924 - The Mayor then asked if there were any written communications filed to the proposed bond sale. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Director of Finance & Business Operations Rodenbeck provided an update on the proposed bond sale. Following comments by Cedar Falls residents Denzel Washington and Kim Jordan, and responses by Rodenbeck, Mayor Laudick, and Councilmember Kruse, the Mayor declared the hearing closed and passed to the next order of business.
- 54925 - It was moved by Crisman and seconded by Hawbaker that Resolution #23,743, instituting proceedings to take additional action for the issuance of not to exceed \$750,000 General Obligation Capital Loan Notes for general corporate purposes (GCP), 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 #23,743 duly passed and adopted.
- 54926 - It was moved by Latta and seconded by Crisman that Ordinance #3075, amending Chapter 2, Administration, of the Code of Ordinances relative to salary of members and salary of the Mayor, be passed upon its second 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.
- 54927 - It was moved by Kruse and seconded by Hawbaker that Ordinance #3076, amending Chapter 2, Administration, of the Code of Ordinances relative to oath; bond and powers and duties, be passed upon its second 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.

54928 - It was moved by Kruse and seconded by Crisman that Ordinance #3077, amending Chapter 16, Offenses and Miscellaneous Provisions, of the Code of Ordinances relative to discharge of weapons, be passed upon its second consideration. Following comments by Councilmember Kruse, and Denzel Washington, Cedar Falls, and response by Mayor Laudick, 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.

54929 - It was moved by Kruse and seconded by Crisman that Ordinance #3078, amending Chapter 24, Utilities, of the Code of Ordinances relative to applicability, definitions and requirements for approval of stormwater management plan, be passed upon its second consideration. Following comments and questions by Craig Fairbanks, Cedar Falls, Councilmembers Dunn, Kruse and Ganfield, and responses by Director of Public Works Schrage, 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.

54930 - It was moved by Kruse and seconded by Crisman that the following items on the Consent Calendar be received, filed, and approved:

Receive and file the City Council Committee of the Whole minutes of August 5, 2024 relative to the following items:

- a) Discussion on the Future Planning of the Current Cedar Falls High School Site and the MercyOne Cedar Falls Medical Center (formerly Sartori) Site.
- b) Resilience Plan - Overview of the Plan Elements.

Receive and file communication from the Civil Service Commission relative to the following certified list:

- a) Accountant.

Receive and file communication from the Civil Service Commission relative to the following certified list:

- a) Administrative Assistant.

Receive and file revised bylaws for the Human Rights Commission.

Approve a request for a temporary sign at 2408 Waterloo Road with removal on September 30, 2024.

Approve the following applications for retail alcohol licenses:

- a) Amigo, 5809 University Avenue, Class C retail alcohol & outdoor service - renewal.
- b) Buffalo Wild Wings, 6406 University Avenue, Class C retail alcohol & outdoor service - renewal.
- c) Whiskey Road Tavern & Grill, 402 Main Street, Class C retail alcohol &

outdoor service - renewal.

d) B & B West, 3105 Hudson Road, Class E retail alcohol - renewal.

e) Fleet Farm, 400 West Ridgeway Avenue, Class B retail alcohol - change in ownership.

f) Berk's Main Street Pub, 207 Main Street, Class C retail alcohol - temporary outdoor service. (September 21-22, 2024)

g) Blue Room, 201 Main Street, Class C retail alcohol - temporary outdoor service. (September 21, 2024)

h) The Black Hawk Hotel/Bar Winslow, 115-117 Main Street, Class C retail alcohol - temporary outdoor service. (September 21, 2024)

i) The Brass Tap, 419 & 421 Main Street, Class C retail alcohol & outdoor service - temporary additional outdoor service. (September 21, 2024)

j) The Landmark, 107 Main Street, Class C retail alcohol & outdoor service - temporary additional outdoor service. (September 21, 2024)

k) Community Main Street (District Street Party), Main Street from 1st - 5th Streets and to alleys on East and West of Main on 2nd, 3rd and 4th Streets - Special Class C retail alcohol & outdoor service - 5-day permit. (September 19 - 23, 2024)

Motion carried unanimously.

54931 - It was moved by Latta and seconded by Kruse that the following resolutions be introduced and adopted:

Resolution #23,744, approving and authorizing execution of a Subordination Agreement with Banklowa, in conjunction with the North Cedar Heights Drive Phase 2 Project.

Resolution #23,745, approving and authorizing execution of a Service/Product Agreement with Iowa Northland Regional Council of Governments (INRCOG) for administration and technical services related to Community Development Block Grant (CDBG) Funding Project Delivery for FY2025 (Federal Fiscal Year 2024).

Resolution #23,746, approving and authorizing execution of a Service/Product Agreement with Iowa Northland Regional Council of Governments (INRCOG) for administration and technical services related to Home Investment Partnerships Program (HOME) Funding Project Delivery for FY2025 (Federal Fiscal Year 2024).

Resolution #23,747, approving and authorizing execution of an Agreement for Design/Graphic Design Services with Scott Easton relative to the 2025 Cedar Falls Visitor Guide.

Resolution #23,748, approving and authorizing execution of an Agreement with TMA @ Your Service, LLC (d/b/a "Wellworks For You") relative to the City's employee wellness program.

Resolution #23,749, approving and authorizing execution of an Agreement with Plumb Tech Inc. relative to replacement of the Falls Aquatic Center water heaters.

Resolution #23,750, approving and authorizing execution of a Service/Product

Agreement with The Waldinger Corporation relative to the purchase and installation of a HVAC replacement unit for the Public Safety Department.

Resolution #23,751, approving and authorizing execution of a Joint Funding Agreement for Water Resource Investigations with the U.S. Geological Survey relative to the Cedar River Streamgage Station.

Resolution #23,752, receiving and filing the bids, and approving and accepting the low bid of Owen Contracting, Inc. in the amount of \$2,217,802.80, for the Viking Road & Prairie Parkway Intersection Improvements Project.

Resolution #23,753, approving the Certificate of Completion and accepting the work of OEL Construction Services, Inc. for the 2021 CDBG Sidewalk Infill Project.

Resolution #23,754, approving and authorizing execution of Amendment Number Two 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 #23,755, setting September 9, 2024 as the date of consultation and directing mailing of notice of consultation, and setting October 21, 2024 as the date of public hearing, directing publication of notice of hearing, directing the mailing of notice of hearing, and approving an application for voluntary annexation of real estate to the City of Cedar Falls.

Resolution #23,756, appointing City Councilmember Chris Latta as a representative of the City of Cedar Falls for a Consultation with representatives of Black Hawk County Board of Supervisors and the Cedar Falls Township Trustees relative to applications for voluntary annexation of certain real estate to the City of Cedar Falls.

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 #23,744 through #23,756 duly passed and adopted.

54932 - It was moved by Ganfield and seconded by Latta that Resolution #23,757, approving and accepting the Special Warranty Deed and approving and authorizing execution of an Encroachment Agreement, in conjunction with the Viking Road & Prairie Parkway Intersection Improvements Project, be adopted. Following questions by Denzel Wahington, Cedar Falls, and responses by Director of Public Works Schrage, 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 #23,757 duly passed and adopted.

54933 - It was moved by Crisman and seconded by Dunn that Resolution #23,758, approving and authorizing execution of an Agreement for Use of City Parks and Services with Sturgis Falls Entertainment Group Inc., be adopted. Following

comments by Mayor Laudick, and Councilmembers Ganfield and Crisman, 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 #23,758 duly passed and adopted.

54934 - It was moved by Kruse and seconded by Crisman that the bills and claims of August 19, 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.

54935 - It was moved by Crisman and seconded by Hawbaker to refer to the September 3, 2024 City Council Meeting a resolution approving and adopting the May 18, 2022 Cedar Falls Resilience Plan as presented by Perkins & Will. Following comments by Councilmembers Hawbaker, Kruse, Schultz, Crisman, and Ganfield, and Mayor Laudick, the motion carried 5-2, with Kruse and Ganfield voting Nay.

54936 - It was moved by Ganfield and seconded by Schultz to refer to staff to draft a revised city ordinance to remove prohibitions on parking/storing recreational items such as boats and towable travel trailers on rear yards. Following questions and comments by Councilmembers Ganfield, Dunn, Kruse, and Schultz, and Mayor Laudick, the motion carried 5-2, with Crisman and Dunn voting Nay.

City Attorney Rogers responded to questions by Councilmembers Ganfield and Kruse regarding updates to ordinance #3077.

54937 - It was moved by Crisman and seconded by Latta to adjourn to Executive Session to discuss 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 that property. Upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried.

The City Council adjourned to Executive Session at 8:20 P.M.

Mayor Laudick reconvened the Council meeting at 9:12 P.M.

54938 - It was moved by Latta and seconded by Schultz that the meeting be adjourned at 9:13 P.M. Motion carried unanimously.

Kim Kerr, CMC, City Clerk