

**CITY HALL
CEDAR FALLS, IOWA, DECEMBER 6, 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 (via video conference), Dunn. Absent: None.

- 53577 - It was moved by Kruse and seconded by Harding that the minutes of the Regular Meeting of November 15, 2021 be approved as presented and ordered of record. Motion carried unanimously.
- 53578- The Mayor then asked if there were any agenda revisions. City Clerk Danielsen noted that items #11 and #22 on the Resolution Calendar were being removed from the agenda.
- 53579 - Mayor Green read the following proclamations:
- Proclamation recognizing December 7, 2021 as Pearl Harbor Remembrance Day.
- Proclamation recognizing December 10, 2021 as International Human Rights Day. Human Rights Commission Chair Susan Langan commented and provided an update on the Commission.
- 53580- Michael Martinez, 1124 Main Street, expressed concerns with the roundabout planned for the 12th and Main Street intersection and requested that his home be preserved.
- 53581 - Mayor announced that in accordance with the public notice of November 19, 2021, this was the time and place for a public hearing to consider taking action on a petition relative to the reestablishment of the Downtown Cedar Falls Self-Supported Municipal Improvement District (SSMID). It was then moved by Darrah and seconded by Harding that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53582 - The Mayor then asked if there were any written communications filed to the proposed proposal. Upon being advised that there was one written communication on file, the Mayor then called for oral comments. Economic Development Coordinator Graham provided a brief summary of the proposal. There being no one else present wishing to speak about the proposal, the Mayor declared the hearing closed and passed to the next order of business.
- 53583 - It was moved by Darrah and seconded by Miller that Ordinance #3002, amending Chapter 2, Administration of the Code of Ordinances relative to reestablishing the Downtown Cedar Falls Self-Supported Municipal Improvement District (SSMID), 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: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried.

53584 - It was moved by Harding and seconded by Miller that Ordinance #3000, granting a partial property tax exemption to The Vault, LLC for construction of a storage/office facility at 6100 Production Drive, 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: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried.

53585 - It was moved by Kruse and seconded by Harding that Ordinance #3001, amending Chapter 24, Utilities, of the Code of Ordinances, relative to sanitary sewer rates, 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: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried.

53586 - It was moved by Kruse and seconded by Harding that the following items on the Consent Calendar be received, filed and approved:

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

a) Russell Curtis, Health Trust Fund Board of Trustees, term expiring 12/31/2026.

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

a) Main Street Reconstruction and Right of Way.
b) FY2021 Audit Report.

Receive and file Departmental Monthly Reports of October 2021.

Approve the following applications for beer permits and liquor licenses:

a) Cedar Falls Woman's Club, 304 Clay Street, Special Class C liquor - renewal.
b) Moonshine Mob Bar, 419 Main Street, Class C liquor – renewal.
c) Sharky's Fun House, 2223 College Street, Class C liquor & outdoor service - renewal.
d) The Brown Bottle, 1111 Center Street, Class C liquor & outdoor service - renewal.
e) Cedar Falls Family Restaurant, 2627 Center Street, Class B beer - new.

Motion carried unanimously.

53587 - It was moved by Kruse and seconded by Miller that the following resolutions be introduced and adopted:

Resolution #22,608, supporting Community Main Street, Inc., and approving and authorizing execution of a Main Street Iowa Program Continuation Agreement

with Community Main Street, Inc. and the Iowa Economic Development Authority for the purpose of continuing the Main Street Program in Cedar Falls.

Resolution #22,609, approving and adopting amendments to the Housing Choice Voucher Program Administrative Plan relative to the Section-8 Housing Program.

Resolution #22,610, approving and accepting a Lien Notice and Special Promissory Note for property located at 610 West 28th Street relative to the Rental to Single Family Owner Conversion Incentive Program.

Resolution #22,611, approving a Shopping Center (S-1) Zoning District site plan for patio improvements at 6607 University Avenue.

Resolution #22,612, approving and accepting completion of public improvements in Greenhill Village Estates.

Resolution #22,613, approving and authorizing execution of three Owner Purchase Agreements, and approving and accepting three Temporary Construction Easements, in conjunction with the Greenhill Road & South Main Street Intersection Improvements Project.

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 #22,608 through #22,613 duly passed and adopted.

- 53588 - It was moved by Darrah and seconded by Kruse that Resolution #22,614, approving and adopting a revised job classification for the position of Public Safety Supervisor - Captain in the Public Safety Services Department, be adopted. Following questions and comments by Councilmembers Sires, Harding and deBuhr, and responses by City Attorney Rogers, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Darrah, Dunn. Nay: Harding, Sires. Motion carried. The Mayor then declared Resolution #22,614 duly passed and adopted.
- 53589 - It was moved by Darrah and seconded by Harding that Resolution #22,615, approving and adopting a revised job classification for the position of Public Safety Supervisor - Lieutenant in the Public Safety Services Department, be adopted. Following comments by Councilmembers Sires and Harding, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Darrah, Dunn. Nay: Harding, Sires. Motion carried. The Mayor then declared Resolution #22,615 duly passed and adopted.
- 53590 - It was moved by Kruse and seconded by Harding that Resolution #22,616, approving and accepting the contract and bond of Peters Construction Corporation for the City Hall Remodel Project, be adopted. Following a comment by Councilmember Sires, 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, Dunn. Nay: Sires. Motion carried. The Mayor then declared Resolution #22,616 duly passed and adopted.

- 53591 - It was moved by Miller and seconded by Harding that Resolution #22,617, approving the preliminary plat of Creekside Luxury Condos, be adopted. Following questions and comments by Councilmember deBuhr, Mayor Green, John Lane, 3909 Legacy Lane, and Bob Manning, 2908 West 3rd Street, and responses by Planning & Community Services Manager Howard, 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 #22,617 duly passed and adopted.
- 53592 - It was moved by Harding and seconded by Kruse that Resolution #22,618, approving the final plat of Creekside Luxury Condos, 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 #22,618 duly passed and adopted.
- 53593 - It was moved by Harding and seconded by Miller that Resolution #22,619, approving a Planned Residence (R-P) Zoning District site plan for construction of a multi-unit residential development in the vicinity of Cedar Heights Drive and Valley High Drive, 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 #22,619 duly passed and adopted.
- 53594 - It was moved by Darrah and seconded by Harding that Resolution #22,620, receiving and filing the bids, and approving and accepting the low bid of Petersen Contractors, Inc., in the amount of \$3,329,289.25, for the Greenhill Road and South Main Street Intersection Improvement Project, be adopted. Following questions by Councilmember deBuhr, and responses by City Engineer Wicke, 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, Dunn. Nay: Sires. Motion carried. The Mayor then declared Resolution #22,620 duly passed and adopted.
- 53595 - It was moved by Darrah and seconded by Miller that Resolution #22,621, setting December 20, 2021 as the date of public hearing on a proposed ordinance establishing new boundaries for wards and precincts, be adopted. Following questions and comments by Councilmembers deBuhr, Kruse and Mayor Green, and responses by City Attorney Rogers, Finance & Business Operations Director Rodenbeck and City Administrator Gaines, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, Kruse, Harding, Darrah, Dunn. Nay: deBuhr, Sires. Motion carried. The Mayor then declared Resolution #22,621 duly passed and adopted.

- 53596 - It was moved by Darrah and seconded by Harding that Resolution #22,622, setting December 20, 2021 as the date of public hearing on a proposal to undertake a public improvement project for the Main Street Reconstruction Project, and to authorize acquisition of private property for said project, be adopted. Following comments by Councilmember deBuhr, it was moved by Kruse and seconded by Harding to amend the motion to change the date of the public hearing to January 3, 2022. Following comments by Councilmembers Miller and deBuhr, the motion carried 4-3, with Miller, Darrah and Dunn voting Nay. Following questions and comments by Councilmembers Harding, deBuhr, and Kruse, and responses by City Administrator Gaines, the Mayor put the question on the original motion as amended 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 #22,622 duly passed and adopted.
- 53597 - It was moved by Kruse and seconded by Harding that the bills and claims of December 6, 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.
- 53598 - It was moved by Kruse and seconded by deBuhr to direct staff to provide three options for new Ward and Precinct maps for City Council to choose from at the December 20, 2021 public hearing. Following questions and comments by Councilmembers Harding, deBuhr and Kruse, and responses by City Administrator Gaines, the motion carried 6-1, with Darrah voting Nay.
- 53599 - 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) as negotiating sessions, strategy meetings of public employers, mediation, and the deliberative process of arbitrators; and Property Acquisition per Iowa Code § 21.5(1)(j) to discuss the purchase or sale of particular real estate only where 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: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried.

The City Council adjourned to Executive Session at 8:11 P.M.

Councilmember Sires is now absent.

Mayor Green reconvened the Council meeting at 8:51 P.M.

- 53600 - It was moved by Kruse and seconded by Harding that Resolution #22,623, approving a tentative agreement with Teamsters Union Local No. 238, Parks & Public Works, and authorizing execution of a Contract, 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, Dunn. Nay: None. Motion carried. The Mayor then declared Resolution #22,623 duly passed and adopted.

- 53601 - It was moved by Kruse and seconded by Miller that Resolution #22,624, approving a tentative agreement with Teamsters Union Local No. 238, Public Safety, and authorizing execution of a Contract, 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, Dunn. Nay: None. Motion carried. The Mayor then declared Resolution #22,624 duly passed and adopted.
- 53602 - It was moved by Kruse and seconded by Miller that the meeting be adjourned at 8:54 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk