

**CITY HALL  
CEDAR FALLS, IOWA, JUNE 3, 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 7:12 P.M. on the above date. Members present: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Absent: None. Mayor Laudick led the Pledge of Allegiance.

54797 - It was moved by Kruse and seconded by Hawbaker that the minutes of the Regular Meeting of May 20, 2024 be approved as presented and ordered of record. Motion carried unanimously.

54798 - Rick Sharp, Cedar Falls, commented on yard waste fees and policies. Councilmember Shultz commented.

David Spreitzer, Cedar Falls, thanked City arborists regarding a City tree that damaged his property and expressed concern with the City's insurance claim response.

Bob Manning, Cedar Falls, expressed concern with several properties in disrepair and cited by the City.

Kim Jensen Jordan, Cedar Falls, expressed concern regarding loss of the Sartori building.

Mike Butler, Cedar Falls, thanked the City for its involvement in Robert J. Hibbs bridge updates.

54799 - Director of Community Development Sheetz announced the Historic Preservation Commission in partnership with the North Cedar Neighborhood Association is hosting a lesson and tour of living in northern Cedar Falls on June 14, 2024.

54800 - It was moved by Kruse and seconded by Latta that Ordinance #3059, amending the Zoning Map by removing real estate located at 2300 Main Street from M-1, Light Industrial District, to C-2, Commercial District, 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.

54801 - It was moved by Kruse and seconded by Schultz that Ordinance #3060, vacating certain public right-of-way of an alley between Longview Street and Cedar Street, 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.

54802 - It was moved by Kruse and seconded by Schultz that Ordinance #3061, amending Chapter 1, General Provisions, of the Code of Ordinances relative to

the general penalty for simple misdemeanors, 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.

- 54803 - It was moved by Kruse and seconded by Crisman that Ordinance #3062, amending Chapter 2, Administration, of the Code of Ordinances relative to approval of bills and claims against city, 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.
- 54804 - It was moved by Kruse and seconded by Schultz that Ordinance #3063, amending Chapter 5, Alcoholic and Malt Beverages, of the Code of Ordinances relative to location and operation – generally Chapter 17, Parks and Recreation, of the Code of Ordinances relative to noxious weeds prohibited; exceptions, 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.
- 54805 - It was moved by Kruse and seconded by Schultz that Ordinance #3064, amending Chapter 10, Garbage and Refuse, of the Code of Ordinances relative to the use of city collection service, 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.
- 54806 - It was moved by Kruse and seconded by Latta that Ordinance #3065, amending Chapter 16, Offenses and Miscellaneous Provisions, of the Code of Ordinances relative to disorderly conduct - generally, 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.
- 54807 - It was moved by Kruse and seconded by Schultz that Ordinance #3066, amending Chapter 18, Planning, of the Code of Ordinances relative to 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.
- 54808 - It was moved by Kruse and seconded by Crisman that Ordinance #3067, amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to general passing, 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.

54809 - It was moved by Latta and seconded by Kruse that the following items on the Consent Calendar be received, filed, and approved:

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

a) Engineering Technician I.

Receive and file the Bi-Annual Report of College Hill Partnership relative to FY2024 Self-Supported Municipal Improvement District (SSMID) funds and an FY2024 Economic Development Grant.

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

- a) Casey's #4279 – 1620 West 1st Street.
- b) Casey's #4553 – 1525 West Ridgeway Avenue.
- c) Central Iowa Vapors Plus Cedar Falls –704 Main Street.
- d) Greenleaf Tobacco – 502 Brandilynn Boulevard.
- e) Greenleaf Tobacco & Vaper – 5901 University Avenue.
- f) King Star – 2228 Lincoln Street.

Approve the following applications for retail alcohol licenses:

- a) NewAldaya Lifescapes, 7511 University Avenue, Class F retail alcohol & outdoor service - renewal.
- b) Harry's Five and Dime, 123 Main Street, Class C retail alcohol - renewal.
- c) Los Cabos Mexican Restaurant, 112-114 Main Street, Class C retail alcohol & outdoor service - renewal.
- d) Mulligan's Brick Oven Grill & Pub, 205 East 18th Street, Class C retail alcohol & outdoor service - renewal.
- e) Casey's General Store, 5226 University Avenue, Class E retail alcohol - renewal.
- f) Casey's General Store, 5908 Nordic Drive, Class E retail alcohol - renewal.
- g) Mini-mart, 1420 West 1st Street, Class E retail alcohol - renewal.
- h) River Place Plaza, 200 East 2nd Street – Plaza, Special Class C retail alcohol & outdoor service -temporary expansion of outdoor service area. (June 13, June 21, June 28 – 29, July 13, July 19, 2024)
- i) Jorgensen Plaza (Table 1912, Diamond Event Center and Gilmore's Pub), 5307 Caraway Lane, Class C retail alcohol & outdoor service - temporary expansion of outdoor service area. (June 20, 2024)

Motion carried unanimously.

54810 - It was moved by Crisman and seconded by Latta to approve the following recommendation of the Mayor relative to the appointment of members to Boards and Commissions:

- a) Gerald Sorensen, Board of Adjustment, term ending 03/31/2029.
- b) Brian Bowman, Parks & Recreation Commission, term ending 06/30/2027.
- c) Clare Struck, Parks & Recreation Commission, term ending 06/30/2027.
- d) Annie Gougler, Tourism Board, term ending 07/01/2027.
- e) Michele Jensen, Tourism Board, term ending 07/01/2027.

Following comments by Councilmember Crisman, the motion carried unanimously.

54811 - It was moved by Ganfield and seconded by Latta to approve the application of J&M Displays, Inc. (Sturgis Falls) for a fireworks display permit for June 27, 2024. Following comments by Mayor Laudick, and Councilmembers Latta, Kruse, and Schultz, the motion carried unanimously.

54812 - It was moved by Ganfield and seconded by Crisman that the following resolutions be introduced and adopted:

Resolution #23,639 approving and authorizing execution of an Agreement in Support of Focus on Diabetes relative to FY2025 Cedar Falls Health Trust Services Funding.

Resolution #23,640 approving and authorizing execution of an Agreement in Support of Jump In c/o Cedar Falls Schools Foundation relative to FY2025 Cedar Falls Health Trust Services Funding.

Resolution #23,641 approving and authorizing execution of an Agreement with Sherwin Williams #1398 relative to replacement flooring for the Community Center.

Resolution #23,642 designating the dates and locations for the annual Sturgis Falls Celebration and Cedar Basin Music Festival.

Resolution #23,643 approving and accepting a grant from the Cedar Falls Health Trust Fund Board relative to a rescue boat for the Public Safety Fire Division.

Resolution #23,644 approving and authorizing execution of an Agreement in Support of Cedar Falls Community Main Street (CMS) relative to FY2025 Tourism Activities & Economic Development Services Funding.

Resolution #23,645 approving and authorizing execution of an Agreement in Support of the College Hill Partnership (CHP) relative to FY2025 Tourism Activities & Economic Development Services Funding.

Resolution #23,646 supporting a local match required for the Workforce Housing Tax Credit Program application to be submitted to the Iowa Economic Development Authority by Garden City Commons, LLC for Workforce Housing Tax Credits for the proposed housing project at 1924-2024 West 12th Street. (Contingent upon approval of previous item)

Resolution #23,647 approving and authorizing execution of an Agreement in Support of the Cedar Falls Community Theatre relative to FY2025 Tourism Activities & Economic Development Services Funding.

Resolution #23,648 approving and authorizing execution of an Agreement in Support of the Cedar Falls Historical Society relative to FY2025 Tourism Activities & Economic Development Services Funding.

Resolution #23,649 approving and authorizing execution of an Agreement in Support of the Rotary Club of Cedar Falls relative to FY2025 Tourism Activities & Economic Development Services Funding.

Resolution #23,650 approving and authorizing execution of an Agreement with Beth Nybeck relative to the Public Art Trail Project.

Resolution #23,651 approving the amendment of the Housing Choice Voucher (HCV) Program, aka Section 8, Waiting List relative to adjusting the preferences, as recommended by the Housing Commission.

Resolution #23,652 approving amendments to the Western Home Communities portion of the Mixed Use District Master Plan for Pinnacle Prairie.

Resolution #23,653 approving and authorizing the expenditure of funds for the purchase of a service truck for the Water Reclamation facility.

Resolution #23,654 receiving and filing, and approving and accepting the bid of Blacktop Services Co. in the amount of \$201,099.00 for the 2024 Seal Coat Project.

Resolution #23,655 approving and accepting the contract and bond of Boulder Contracting, LLC for the 2024 Alley Reconstruction Project.

Resolution #23,656 approving and accepting the contract and bond of JQ Construction, LLC for the 2024 Sidewalk Assessment Project – Zone 6.

Resolution #23,657 setting June 17, 2024 as the date of public hearing on the proposed rezoning from M-1 Light Industrial District, to C-2, Commercial District, of properties located at 2216 Main Street and 127 East 23rd 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried. The Mayor then declared Resolutions #23,639 through #23,657 duly passed and adopted.

54813 - It was moved by Ganfield and seconded by Latta that Resolution #23,658, approving and authorizing execution of a Fireworks Display Agreement with J&M Displays, Inc. relative to a fireworks display on June 27, 2024, be adopted. Following comments and questions by Councilmembers Dunn, Hawbaker, Ganfield, Schultz, Kruse, Latta, and Crisman, and David Spreitzer, Cedar Falls and responses by Mayor Laudick, City Administrator Gaines, and Public Safety Director Berte, 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 #23,658 duly passed and adopted.

54814 - It was moved by Crisman and seconded by Hawbaker that Resolution #23,659, approving and authorizing execution of an Agreement in Support of MercyOne Cedar Falls Medical Center/MercyOne Cedar Falls Foundation relative to FY2025 Cedar Falls Health Trust Services Funding, be adopted. Following comments by Councilmember Latta and Kim Jensen Jordan, Cedar Falls, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Abstain: Latta. Motion carried. The Mayor then declared Resolution #23,659 duly passed and adopted.

- 54815 - It was moved by Kruse and seconded by Crisman that Resolution #23,660, approving and authorizing execution of an Agreement in Support of Successlink/Together for Youth Coalition relative to FY2025 Cedar Falls Health Trust Services Funding, be adopted. Following comments by Councilmember Ganfield, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Crisman, Dunn. Nay: Ganfield. Motion carried. The Mayor then declared Resolution #23,660 duly passed and adopted.
- 54816 - It was moved by Kruse and seconded by Latta that Resolution #23,661, supporting a Workforce housing Tax Credit Program application to be submitted to the Iowa Economic Development Authority by Garden City Commons, LLC, for Workforce Housing Tax Credits for the proposed housing project at 1924-2024 West 12<sup>th</sup> Street, be approved. Following comments by Councilmembers Latta, Crisman and Ganfield, and Todd Wilson, Cedar Falls, and responses by Mayor Laudick, City Administrator Gaines and Developer Brian Wingert, Cedar Falls, 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 #23,661 duly passed and adopted.
- 54817 - It was moved by Kruse and seconded by Hawbaker that Ordinance #3068, amending Chapter 6, Animals, of the Code of Ordinances relative to impoundment of dogs, cats, or poultry running at-large, redemption of impounded animals, permitting dog, cat, or poultry to run at-large, disposition of impoundment animals and notice of destruction of animal; appeal, 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried.
- 54818 - It was moved by Kruse and seconded by Crisman that the bills and claims of June 3, 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.
- 54819 - Councilmember Ganfield reminded the public to vote in the June 4, 2024 primary elections.
- Mayor Laudick announced his recent marriage.
- 54820 - Councilmember Schultz discussed changing policies for ATVs, golf carts, and other motorized vehicles on trails and City streets. Mayor Laudick and Public Safety Director Berte responded.
- Councilmember Ganfield discussed EMC risk management regarding storm damage claims. City Attorney Rogers responded.

Mayor commented that Wile E. Coyote was removed from the Seerley roundabout during construction.

54821 - It was moved by Ganfield and seconded by Latta that the meeting be adjourned at 8:32 P.M. Motion carried unanimously.

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Kim Kerr, CMC, City Clerk