

**CITY HALL
CEDAR FALLS, IOWA, MARCH 7, 2022
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 8:27 P.M. on the above date. Members present: Schultz, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Absent: None.

- 53703 - It was moved by Harding and seconded by Ganfield that the minutes of the Regular Meeting of February 21, 2022 be approved as presented and ordered of record. Motion carried unanimously.
- 53704 - The Mayor then asked if there were any agenda revisions. City Clerk Danielsen noted that item #21 on the Resolution Calendar was being removed from the agenda.
- 53705 - Mayor Green read a Proclamation recognizing March 8, 2022 as International Women's Day.
- 53706 - Rosemary Beach, 5018 Sage Road, commented on preserving two historic homes on UNI property and her desire for the City to work with UNI in that effort.
- Nick Taiber, 4925 Kylie Court, commended Director Olson on his years of service and for the success of the Public Safety Program.
- Melissa Heston, 1911 Hawthorne Avenue, expressed concerns with postponing the housing assessment program.
- Carol Yates, 519 Chateau Court, expressed concerns with postponing the resilience plan and housing assessment program.
- 53707 - Mayor Green announced that in accordance with the public notice of February 23, 2022, this was the time and place for a public hearing on the proposed FY23 Budget for the City of Cedar Falls. It was then moved by Harding and seconded by Dunn that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53708 - The Mayor then asked if there were any written communications filed to the proposed budget. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Finance & Business Operations Director Rodenbeck provided a brief summary of the proposed budget. There being no one else present wishing to speak about the proposed budget, the Mayor declared the hearing closed and passed to the next order of business.
- 53709 - It was moved by Harding and seconded by deBuhr that Resolution #22,702, approving and adopting the FY23 Budget for the City of Cedar Falls, be adopted. Following questions and comments by Councilmembers Sires and Dunn, and

- responses by Mayor Green, Finance & Business Operations Director Rodenbeck and Community Development Director Sheetz, it was moved by Dunn and seconded by Harding to amend the motion to restore budgeted items for the Resilience Plan and Housing Assessment project. Following questions and comments by Councilmembers Harding, Kruse, Dunn, deBuhr and Ganfield, and responses by Sheetz and Rodenbeck, the motion failed 2-5, with Kruse, Ganfield, Sires, Schultz and deBuhr voting Nay. It was then moved by Kruse and seconded by Sires to amend the original motion to reserve leftover funds from last year's budget for the College Hill Zoning and Rental Conversion program to earmark for rising costs. Following comments by Councilmembers deBuhr, Harding, Dunn, Schultz and Ganfield, and responses by Rodenbeck, Public Works Director Schrage, Fleet Maintenance Supervisor Rawdon and Sheetz, it was moved by Ganfield to call the question. Motion to call the question carried unanimously. The motion to amend failed 1-6, with Harding, Ganfield, Sires, Dunn, Schultz and deBuhr voting Nay. The Mayor then put the question on the original motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Ganfield, Dunn, Schultz, deBuhr. Nay: Sires. Motion Carried. The Mayor then declared Resolution #22,702 duly passed and adopted.
- 53710 - Mayor Green announced the continuation of the public hearing on a proposal to enter into an Agreement for Private Development and to consider conveyance of certain city-owned real estate to McWing, L.L.C. Economic Development Coordinator Graham provided a brief summary of the proposal. There being no one else present wishing to speak about the proposed agreement and conveyance, the Mayor declared the hearing closed and passed to the next order of business.
- 52711 - It was moved by Ganfield and seconded by Harding that Resolution #22,703, approving and authorizing execution of an Agreement for Private Development, and approving and authorizing execution of a Deed Without Warranty conveying certain city-owned real estate to McWing, L.L.C., be adopted. Following questions by Mayor Green and responses by Economic Development Coordinator Graham, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Ganfield, Sires, Dunn, Schultz, deBuhr. Nay: None. Motion carried. The Mayor then declared Resolution #22,703 duly passed and adopted.
- 53712 - Mayor Green announced that in accordance with the public notice of February 25, 2022, on a proposal to enter into an Agreement for Private Development, and to consider conveyance of certain city-owned real estate to KL Iowa 01, L.L.C. It was then moved by Kruse and seconded by Harding that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53713 - The Mayor then asked if there were any written communications filed to the proposal. 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 proposal. There being no one else present wishing to speak about the proposed agreement and conveyance, the Mayor declared the hearing closed and passed to the next order of business.

- 53714 - It was moved by Harding and seconded by Kruse that Resolution #22,704, approving and authorizing execution of an Agreement for Private Development, and approving and authorizing execution of a Quit Claim Deed conveying certain city-owned real estate to KL Iowa 01, L.L.C., be adopted. Following comments by Mayor Green, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Ganfield, Sires, Dunn, Schultz, deBuhr. Nay: None. Motion Carried. The Mayor then declared Resolution #22,704 duly passed and adopted.
- 53715 - Mayor Green announced that in accordance with the public notice of February 25, 2022, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2022 CDBG Sanitary Sewer Rehabilitation Project. It was then moved by Kruse and seconded by Ganfield that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53716 - The Mayor then asked if there were any written communications filed to the proposed plans, etc. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. City Engineer Wicke provided a brief summary of the proposed plans, etc. There being no one else present wishing to speak about the proposed plans, etc., the Mayor declared the hearing closed and passed to the next order of business.
- 53717 - It was moved by deBuhr and seconded by Ganfield that Resolution #22,705, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2022 CDBG Sanitary Sewer Rehabilitation Project, 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: Kruse, Harding, Ganfield, Sires, Dunn, Schultz, deBuhr. Nay: None. Motion Carried. The Mayor then declared Resolution #22,705 duly passed and adopted.
- 53718 - Mayor Green announced that in accordance with the public notice of February 25, 2022, this was the time and place for a public hearing on proposed amendments to Chapter 26, Zoning, of the Code of Ordinances relative to deleting all shared parking requirements in the Downtown Character District. It was then moved by Ganfield and seconded by Kruse that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53719 - The Mayor then asked if there were any written communications filed to the proposed amendments. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Planning & Community Services Manager Howard provided a brief summary of the proposed amendments. There being no one else present wishing to speak about the proposed amendments, the Mayor declared the hearing closed and passed to the next order of business.
- 53720 - It was moved by Harding and seconded by deBuhr to pass an ordinance amending Chapter 26, Zoning, of the Code of Ordinances relative to deleting all

shared parking requirements in the Downtown Character District, upon its first consideration. Following questions and comments by Councilmembers Dunn, Kruse, Harding, Sires and deBuhr, and responses by Community Development Director Sheetz, Planning & Community Services Manager Howard and Mayor Green, it was moved by Dunn to call the question. Motion to call the question carried unanimously. The Mayor then put the question on the original motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Sires, deBuhr. Nay: Harding, Ganfield, Dunn, Schultz. Motion failed.

- 53721 - Mayor Green announced that in accordance with the public notice of February 25, 2022, this was the time and place for a public hearing on proposed amendments to Chapter 26, Zoning, of the Code of Ordinances relative to increasing parking ratios in the Downtown Character District. It was then moved by Harding and seconded by Ganfield that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53722 - The Mayor then asked if there were any written communications filed to the proposed amendments. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Planning & Community Services Manager Howard provided a brief summary of the proposed amendments. There being no one else present wishing to speak about the proposed amendments, the Mayor declared the hearing closed and passed to the next order of business.
- 53723 - It was moved by Kruse and seconded by Sires to pass an ordinance amending Chapter 26, Zoning, of the Code of Ordinances relative to increasing parking ratios for residential mixed-use and multi-unit buildings in the Downtown Character District to one parking space per bedroom, upon its first consideration. Following questions and comments by Councilmembers deBuhr, Kruse and Harding, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Sires, deBuhr. Nay: Harding, Ganfield, Dunn, Schultz. Motion failed.

It was then moved by Ganfield and seconded by Harding that Ordinance #3006, amending Chapter 26, Zoning, of the Code of Ordinances relative to increasing parking ratios for residential mixed-use and multi-unit buildings in the Downtown Character District to .75 parking spaces per bedroom, but not less than one parking space per unit, as recommended by the Planning & Zoning Commission, be passed upon its first consideration. Following questions and comments by Councilmembers Ganfield, Harding, deBuhr and Kruse, and responses by Community Development Director Sheetz, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Ganfield, Sires, Dunn, Schultz, deBuhr. Nay: None. Motion carried.

- 53724 - It was moved by Ganfield and seconded by Harding that the following items on the Consent Calendar be received, filed and approved:

Receive and file the City Council Work Session minutes of February 21, 2022

relative to the Public Safety Director Position and Public Safety Model.

Receive and file the 2021 Annual Reports of the Planning & Zoning Commission, Board of Adjustment, Historic Preservation Commission, Group Rental Committee/Board of Rental Housing Appeals, Housing Commission and Bicycle & Pedestrian Advisory Committee.

Receive and file Departmental Monthly Reports of January 2022.

Approve the following applications for beer permits and liquor licenses:

- a) Pheasant Ridge Golf Course, 3205 West 12th Street, Class B beer & outdoor service - renewal.
- b) Scoopskis, 1828 Waterloo Road, Class B beer & outdoor service - renewal.
- c) Chilitos Mexican Bar and Grill, 1704 West 1st Street, Class C liquor - renewal.
- d) Deringer's Public Parlor, 314 ½ Main Street, Class C liquor – renewal.
- e) The Stuffed Olive and Roxxy, 314-316 Main Street, Class C liquor & outdoor service - renewal.
- f) Happy's Wine & Spirits, 5925 University Avenue, Class E liquor - renewal.
- g) Prime Mart, 2728 Center Street, Class E liquor – renewal.

Motion carried unanimously.

53725 - It was moved by Kruse and seconded by Ganfield to receive and file a communication from the Mayor relative to the appointment of Zachary Zippe as Student Liaison, term ending 04/30/2022. Following comments by Mayor Green and Councilmember Dunn, the motion carried unanimously.

53726 - It was moved by Kruse and seconded by Ganfield that the following resolutions be introduced and adopted:

Resolution #22,706, approving and adopting certain revised Personnel Policies for the City of Cedar Falls.

Resolution #22,707, levying a final assessment for costs incurred by the City to mow property located at 923 Ellen Street.

Resolution #22,708, approving and authorizing submission of a Peace Officer Retention Bonus Grant application to the State of Iowa.

Resolution #22,709, approving a C-2 Commercial Zoning District site plan for a storage facility to be located at 3717 Midway Drive.

Resolution #22,710, approving and authorizing execution of Supplemental Agreement No. 2 to the Professional Service Agreement with Terracon Consultants, Inc. for an extension of the 2019 Construction Testing Services through the 2023 construction season.

Resolution #22,711, receiving and filing the bids, and approving and accepting the low bid of Peterson Contractors, Inc., in the amount of \$3,266,189.70, for the 2022 Street Construction Project.

Resolution #22,712, approving and accepting the contract and bond of Peterson Contractors, Inc. for the West Viking Road Industrial Park Phase V Project.

Resolution #22,713, approving and authorizing execution of two Owner Purchase Agreements, and approving and accepting two Temporary Construction easements, in conjunction with the West 27th Street Reconstruction 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: Kruse, Harding, Ganfield, Sires, Dunn, Schultz, deBuhr. Nay: None. Motion carried. The Mayor then declared Resolutions #22,706 through #22,713 duly

53727 - It was moved by Kruse and seconded by Harding that the bills and claims of March 7, 2022 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: Kruse, Harding, Ganfield, Sires, Dunn, Schultz, deBuhr. Nay: None. Motion carried.

53728 - It was moved by Kruse and seconded by deBuhr to modify the previous Downtown Zoning referral by including discussion of the location of allowable shared parking. Motion carried 4-3, with Schultz, Harding and Dunn voting Nay.

53729 - Zachary Zippe, introduced himself as the Director of Governmental Relations for Northern Iowa Student Government at UNI and a Political Science Major.

Councilmember Sires commented that the safe room at Robinson Dresser Complex should be unlocked and open to the public, and requested a map of safe rooms in the city and accessibility for those without shelters.

Councilmember Dunn responded to public comments about the historic buildings at UNI, and clarified that the Council cares, but that the buildings are on State property and out of the City's jurisdiction. Councilmember Schultz also noted that the University cares, but that it's a budgetary matter. Mayor Green and Councilmember Kruse also commented.

53730 - Mayor announced the Open House on March 10, 2022, 2 pm-4 pm to congratulate Public Safety Director Jeff Olson on his retirement and thanked him for his 36 years of service.

53731 - It was moved by Kruse and seconded by Harding that the meeting be adjourned at 9:11 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk