

**CITY HALL
CEDAR FALLS, IOWA, NOVEMBER 16, 2020
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 (via videoconference), Harding, Darrah, Sires, Dunn. Absent: None.
- 53071 - It was moved by Darrah and seconded by Miller that the minutes of the Regular Meeting of November 2, 2020 be approved as presented and ordered of record. Motion carried unanimously.
- 53072 - The Mayor then asked if there were any agenda revisions. City Clerk Danielsen announced that Resolution Calendar Items 14 and 15 were being removed.
- 53073 - Mayor Green introduced a Planning and Zoning Interview for applicant Abigail Sears. Following questions by Councilmember Darrah and Mayor Green, it was moved by Darrah and seconded by Harding to approve the appointment of Abigail Sears to the Planning and Zoning Commission for a term ending November 1, 2022. Motion carried unanimously.
- 53074 - Mayor announced that in accordance with the public notice of November 6, 2020, this was the time and place for a public hearing on the proposed rezoning from C-3, Commercial and R-4, Multiple Residence Districts, to C-3, Commercial District, of property located in the vicinity of West 22nd Street and College Street. It was then moved by Miller and seconded by Darrah that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53075 - The Mayor then asked if there were any written communications filed to the proposed rezoning. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Planner III Weintraut provided a brief summary and responded to a question by Councilmember deBuhr. College Hill Partnership Representative Kathryn Sogard spoke in support of the rezoning. There being no one else present wishing to speak about the proposed rezoning, the Mayor declared the hearing closed and passed to the next order of business.
- 53076 - It was moved by Harding and seconded by Miller that Ordinance #2976, amending Section 26-118 of the Code of Ordinances by rezoning from C-3, Commercial and R-4, Multiple Residence Districts, to C-3, Commercial District, of property located in the vicinity of West 22nd Street and College Street, be passed upon its first consideration. Following a question by Councilmember Kruse and response by Planning and Community Services Manager Howard, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Harding, Darrah, Sires, Dunn, Miller, deBuhr, Kruse. Nay: None. Motion carried.

- 53077 - Mayor announced that in accordance with the public notice of November 6, 2020, this was the time and place for a public hearing on proposed amendments to the FFY19 Annual Action Plan for Community Development Block Grant (CDBG) & HOME Program funding relative to the CARES Act. 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.
- 53078 - 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. Community Development Director Sheetz 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.
- 53079 - It was moved by Harding and seconded by Miller that Resolution #22,177, approving amendments to the FFY19 Annual Action Plan for Community Development Block Grant (CDBG) & HOME Program funding relative to the CARES Act, 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: Harding, Darrah, Sires, Dunn, Miller, deBuhr, Kruse. Nay: None. Motion carried. The Mayor then declared Resolution #22,177 duly passed and adopted.
- 53080 - It was moved by Harding and seconded by Miller that Ordinance #2975, amending Chapter 22, Telecommunications, of the Code of Ordinances relative to placement of small wireless facilities, be passed upon its third and final 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: Harding, Darrah, Sires, Dunn, Miller, deBuhr, Kruse. Nay: None. Motion carried. The Mayor then declared Ordinance #2975 duly passed and adopted.
- 53081 - It was moved by Darrah and seconded by Harding that the following items and recommendations on the Consent Calendar be received, filed and approved:
- Approve the following recommendations of the Mayor relative to the appointment of members to Boards and Commissions:
- a) Helen Pearce, Housing Commission, term ending 12/31/2022.
 - b) Lindsay Pieters, Housing Commission, term ending 12/31/2022.
 - c) Don Timmerman, Housing Commission, term ending 12/31/2022.
- Receive and file the Committee of the Whole minutes of November 2, 2020 relative to the following items:
- a) Washington Street.
 - b) Nutrient Reduction Strategy.
- Receive and file the FY2020 Comprehensive Annual Financial Report.

Receive and file the FY2020 Annual Report of the Cedar Falls Human Rights Commission.

Approve an application for a temporary sign at 1807 Greenhill Drive, November 27-28, 2020.

Approve the following applications for beer permits and liquor licenses:

- a) Hansen's Dairy, 123 East 18th Street, Class C beer & Class B native wine - renewal.
- b) LifeStyle Inn, 5826 University Avenue, Class B liquor - renewal.
- c) Urban Pie, 200 State Street, Class C liquor & outdoor service - renewal.
- d) Five Corners Liquor & Wine, 809 East 18th Street, Class E liquor - renewal.

Motion carried unanimously.

53082 - It was moved by deBuhr and seconded by Miller to receive and file the following proclamations:

- a) Holiday Hoopla Day, November 27, 2020.
- b) Civil Air Patrol Day, December 1, 2020.
- c) Giving Tuesday and Cedar Falls Representative Citizens Day, December 1, 2020.

Following Mayor Green reading the proclamation for Civil Air Patrol Day, Colonel Jonathon Lartigue spoke briefly about the organization.

Motion carried unanimously.

53083 - It was moved by Darrah and seconded by Harding that the following resolutions be introduced and adopted:

Resolution #22,178, approving and authorizing execution of a Service Agreement and Business Associate Agreement with Infinisource, Inc., dba iSolved Benefit Services, relative to providing flexible spending account and health reimbursement arrangement services for 2021.

Resolution #22,179, approving and authorizing execution of a Title VI Non-Discrimination Agreement with the Iowa Department of Transportation (IDOT).

Resolution #22,180, approving and authorizing execution of a First Amendment to Preconstruction Agreement for Primary Road Project with the Iowa Department of Transportation relative to the Iowa Highway 58 and Viking Road Intersection Improvement Project.

Resolution #22,181, approving and authorizing execution of an extension of three Red House Studio Leases relative to the use of 224 West Seerley Boulevard as artists' studio space, in conjunction with the Hearst Center's Visiting Artist Program.

Resolution #22,182, approving and authorizing execution of Change Order 1 to

the Rehabilitation Contract with Daniels Home Improvement & Construction for a housing rehabilitation project relative to Community Development Block Grant (CDBG-CV) CARES Act funding.

Resolution #22,183, approving and authorizing execution of four Agreements for Professional Services relative to use of Community Development Block Grant (CDBG) funds, in conjunction with the FFY20 Annual Action Plan.

Resolution #22,184, approving an S-1 Shopping Center Zoning District site plan for installation of an entrance canopy at 2302 West 1st Street.

Resolution #22,185 approving a HWY-1 Highway Commercial Zoning District site plan for construction of a new car wash at 416 Brandilynn Boulevard.

Resolution #22,186, approving and authorizing expenditure of funds to order brick pavers for the Downtown Streetscape and Reconstruction Project, Phase 2.

Resolution #22,187, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with The Vault, LLC relative to a post-construction stormwater management plan at 6100 Production Drive.

Resolution #22,188, approving and authorizing execution of four Owner Purchase Agreements, and approving and accepting four Temporary Construction Easements, in conjunction with the Cedar Heights Drive Reconstruction Project.

Resolution #22,189, approving and authorizing execution of eight Owner Purchase Agreements, and approving and accepting eight Temporary Construction Easements, in conjunction with the Union Road Recreational Trail Project - West 12th Street to West 27th Street.

Resolution #22,190, setting November 24, 2020 as the date of consultation and December 21, 2020 as the date of public hearing on a proposed Amendment No. 6 to the Downtown Development Area Urban Renewal Plan.

Resolution #22,191, setting November 24, 2020 as the date of consultation and December 21, 2020 as the date of public hearing on a proposed Amendment No. 6 to the Cedar Falls Unified Highway 58 Corridor Urban Renewal Plan.

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: Harding, Darrah, Sires, Dunn, Miller, deBuhr, Kruse. Nay: None. Motion carried. The Mayor then declared Resolutions #22,178 through #22,191 duly passed and adopted.

53084 - It was moved by Harding and seconded by Miller that Resolution #22,192, approving five occupancy permits prior to the acceptance of public improvements in Prairie Winds 5th Addition, be adopted. Following questions by Councilmembers deBuhr and Kruse, and responses from Community

Development Director Sheetz, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Harding, Darrah, Sires, Dunn, Miller, deBuhr, Kruse. Nay: None. Motion carried. The Mayor then declared Resolution #22,192 duly passed and adopted.

53085 - It was moved by Kruse and seconded by Harding that the bills and payroll of November 16, 2020 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: Harding, Darrah, Sires, Dunn, Miller, deBuhr, Kruse. Nay: None. Motion carried.

53086 - Community Development Director Sheetz responded to questions by Councilmembers Kruse, Harding and deBuhr regarding the Cedar Falls Resiliency Plan survey.

53087 - City Administrator Gaines announced November 17th and 19th as the dates for the annual City Council Goal Setting.

Northern Iowa Student Government Liaison Jordan Peterson spoke about students preparing for finals and also about the rising COVID numbers.

53088 - Jim Skaine, 2215 Clay Street, commented on Council processes and agendas.

53089 - It was moved by Harding and seconded by Miller that the meeting be adjourned at 7:46 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk