

**CITY HALL
CEDAR FALLS, IOWA, NOVEMBER 2, 2020
REGULAR MEETING, CITY COUNCIL
FRANK DARRAH, MAYOR PRO TEM, 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 at 7:02 P.M.), Harding, Darrah, Sires, Dunn. Absent: None.

53053 - It was moved by Harding and seconded by deBuhr that the minutes of the Regular Meeting of October 19, 2020 be approved as presented and ordered of record. Motion carried unanimously.

53054 - Mayor Pro Tem Darrah announced that in accordance with the public notice of October 23, 2020, this was the time and place for a public hearing to consider entering into a proposed Amended and Restated Agreement for Private Development with Strickler Properties, L.C. It was then moved by deBuhr and seconded by Miller that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

(Councilmember Kruse now present via videoconference.)

53055 - The Mayor Pro Tem then asked if there were any written communications filed to the proposed amended agreement. Upon being advised that there were no written communications on file, the Mayor Pro Tem then called for oral comments. Economic Development Coordinator Graham provided a brief summary of the proposed agreement. Jim Skaine, 2215 Clay Street, spoke in opposition to the agreement. There being no one else present wishing to speak about the proposed amendment to agreement, the Mayor Pro Tem declared the hearing closed and passed to the next order of business.

53056 - It was moved by Harding and seconded by Miller that Resolution #22,154, approving and authorizing execution of an Amended and Restated Agreement for Private Development and an Amended Minimum Assessment Agreement with Strickler Properties, L.C., be adopted. Following a question by Councilmember Harding and response by Fred Rose, 2014 West 8th Street, the Mayor Pro Tem 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 Pro Tem then declared Resolution #22,154 duly passed and adopted.

53057 - It was moved by deBuhr and seconded by Miller that Ordinance #2971, granting a partial property tax exemption to Owen 5, LLC for construction of an industrial use shop/office facility at 1325 Rail Way, be passed upon its third and final consideration. Following comments by Jim Skaine, 2215 Clay Street, and Councilmember deBuhr, the Mayor Pro Tem 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 Pro Tem then declared Ordinance #2971 duly passed and adopted.

- 53058 - It was moved by deBuhr and seconded by Harding that Ordinance #2972, granting a partial property tax exemption to Tjaden Properties, LLC for construction of an industrial use manufacturing/shop facility at 2800 Technology Parkway, be passed upon its third and final consideration. Following a comment by Jim Skaine, 2215 Clay Street, the Mayor Pro Tem 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 Pro Tem then declared Ordinance #2972 duly passed and adopted.
- 53059 - It was moved by Miller and seconded by deBuhr that Ordinance #2973, granting a partial property tax exemption to Zuidberg NA, LLC for construction of an industrial use warehouse and office facility at 2700 Capital Way, be passed upon its third and final consideration. Following due consideration by the Council, the Mayor Pro Tem 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 Pro Tem then declared Ordinance #2973 duly passed and adopted.
- 53060 - It was moved by Harding and seconded by Kruse that Ordinance #2974, amending Chapter 10, Garbage and Refuse, of the Code of Ordinances relative to refuse rates, be passed upon its third and final consideration. Following due consideration by the Council, the Mayor Pro Tem 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 Pro Tem then declared Ordinance #2974 duly passed and adopted.
- 53061 - 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 second consideration. Following due consideration by the Council, the Mayor Pro Tem 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.
- 53062 - It was moved by Kruse and seconded by deBuhr that the following items and recommendations on the Consent Calendar be received, filed and approved:
- Receive and file the following proclamations:
- a) Native American Heritage Month, November 2020.
 - b) Veterans Day, November 11, 2020.

Receive & file the resignation of Rochelle Adkins as a member of the Planning & Zoning Commission.

Approve the following recommendations of the Mayor Pro Tem relative to the

appointment of members to Boards and Commissions:

- a) David Hartley, Planning and Zoning Commission, term ending 11/01/2025.
- b) Amanda Lynch, Planning and Zoning Commission, term ending 11/01/2025.
- c) Sarah Corkery, Parks and Recreation Commission, term ending 06/30/2022.
- d) Kelsey Schreiber, Parks and Recreation Commission, term ending 06/30/2022.

Receive and file the City Council Work Session minutes of October 19, 2020 relative to City Council Organizational Effectiveness.

Receive and file the Committee of the Whole minutes of October 19, 2020 relative to E-bikes.

Receive and file Departmental Monthly Reports for September 2020.

Receive and file the Bi-Annual Report of College Hill Partnership relative to FY21 Self-Supported Municipal Improvements District (SSMID) Funds and an FY21 Economic Development Grant.

Approve the application of Anderson Acres Brewing Company, d/b/a Lark Brewing, 6301 University Avenue, for a Class C liquor & outdoor service license.

Motion carried unanimously.

53063 - It was moved by deBuhr and seconded by Kruse that the following resolutions be introduced and adopted:

Resolution #22,155, approving and adopting certain revised Personnel Policies.

Resolution #22,156, approving and authorizing execution of a Service/Product Agreement with Professional Office Services, Inc. relative to printing the City's Currents newsletter.

Resolution #22,157, approving and authorizing submission of the City's FY20 Annual Urban Renewal Report.

Resolution #22,158, renaming Black Hawk Road to Katoski Drive, from the eastern city limits to the intersection of Cedar Heights Drive.

Resolution #22,159, approving and authorizing execution of an Agreement for Animal Control Services with the City of Waterloo, Iowa.

Resolution #22,160, approving and authorizing the expenditure of funds for the purchase of a refuse collection unit.

Resolution #22,161, approving the Certificate of Completion and accepting the work of Vieth Construction Corporation for the 2019 Peter Melendy Park Renovation Project.

Resolution #22,162, approving and authorizing execution of a Joint Funding

Agreement for Water Resource Investigations with the U.S. Geological Survey relative to the Cedar River Streamgauge Station.

Resolution #22,163, of support for a grant application to the Black Hawk County Gaming Association relative to the Downtown Streetscape Project, Phase 2.

Resolution #22,164, approving and adopting payment standards for the City's Section 8 Rental Assistance Program for 2021.

Resolution #22,165, setting November 16, 2020 as the date of public hearing on amendments to the FFY19 Annual Action Plan for Community Development Block Grant (CDBG) & HOME Program funding relative to the CARES Act.

Resolution #22,166, setting November 16, 2020 as the date of 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.

Following due consideration by the Council, the Mayor Pro Tem 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 Pro Tem then declared Resolutions #22,155 through #22,166 duly passed and adopted.

53064 - It was moved by Miller and seconded by Harding that Resolution #22,167, authorizing certification of eligible expenses for reimbursement from the College Hill, Downtown, Pinnacle Prairie, South Cedar Falls, and Unified Tax Increment Financing Revenues, be adopted. Following questions by Jim Skaine, 2215 Clay Street, and Councilmember Miller, and response from Finance and Business Operations Director Rodenbeck, the Mayor Pro Tem 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 Pro Tem then declared Resolution #22,167 duly passed and adopted.

53065 - It was moved by Miller and seconded by deBuhr that Resolution #22,168, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for legal fees, incentive payments, and project costs related to Downtown Visioning and Downtown Streetscape in the Downtown Urban Renewal Area, be adopted. Following questions by Councilmember Miller and Jim Skaine, 2215 Clay Street, and responses from Finance and Business Operations Director Rodenbeck, it was moved by Miller and seconded by deBuhr that the following resolutions be included in this consideration without separate discussion. Following a question by Councilmember Harding and response by Finance and Business Operations Director Rodenbeck, the motion carried unanimously.

Resolution #22,169, approving and authorizing an inter-fund loan from the Parking Fund to the Tax Increment Financing (TIF) Fund relative to funding for

project costs related to parking improvements in the Downtown Urban Renewal Area.

Resolution #22,170, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for the Prairie Parkway landscaping project in the Pinnacle Prairie Urban Renewal Area.

Resolution #22,171, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for legal, construction, oversizing costs, master plans, and administrative fees related to the Gateway Business Park, Cyber Lane, and various projects in the South Cedar Falls Urban Renewal Area.

Resolution #22,172, approving and authorizing an inter-fund loan from the Economic Development Fund to the Tax Increment Financing (TIF) Fund relative to funding for the purchase of land and related expenses in the South Cedar Falls Urban Renewal Area.

Resolution #22,173, approving and authorizing an inter-fund loan from the Local Option Sales Tax (LOST) Fund to the Tax Increment Financing (TIF) Fund relative to funding for legal, engineering, construction, and administrative fees related to the Ridgeway Avenue project in the South Cedar Falls Urban Renewal Area.

Resolution #22,174, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for Highway 58 Corridor Improvements, West Viking Road, Industrial Park Street Expansion, and administrative and legal fees in the Unified Urban Renewal Area.

Resolution #22,175, approving and authorizing an inter-fund loan from the Economic Development Fund to the Tax Increment Financing (TIF) Fund relative to funding for purchase of land in the Unified Urban Renewal Area.

Resolution #22,176, approving and authorizing an inter-fund loan from the Street Improvement Fund to the Tax Increment Financing (TIF) Fund relative to funding for project costs related to the University Avenue Phase III project in the Unified Urban Renewal Area.

Following due consideration by the Council, the Mayor Pro Tem 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 Pro Tem then declared Resolutions #22,168 through #22,176 duly passed and adopted.

53066 - It was moved by Miller and seconded by Harding that the bills and payroll of November 2, 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.

53067 - City Administrator Gaines responded to a question by Councilmember Harding regarding a public meeting policy.

53068 - Public Safety Services Director Olson responded to Councilmember Miller's request for an update on the mutual aid response for a structure fire in Dike. Councilmembers Sires and Miller provided additional comments.

Community Development Director Sheetz provided an update on the Cedar Falls Resilience Plan and announced the upcoming Virtual Town Hall Meeting for this on November 10th, and the web site link at www.cfiresilience.com.

Community Development Director Sheetz also provided an update on the recent charrette for the College Hill Visioning project, 'Imagine College Hill'.

53069 - Public Works Director Schrage responded to questions and comments by Rick Sharp, 1623 Birch Street, and Jim Skaine, 2215 Clay Street, and Councilmembers Harding, Miller and deBuhr regarding the Greenhill Road and South Main Street intersection design.

Jim Skaine, 2215 Clay Street, had additional comments regarding voting on multiple agenda items with a single motion.

Councilmember Sires reminded citizens to vote on November 3rd.

53070 - It was moved by Sires and seconded by Harding that the meeting be adjourned at 8:08 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk