

**CITY HALL  
CEDAR FALLS, IOWA, OCTOBER 19, 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 7:09 P.M. on the above date. The Mayor opened the meeting and announced that the meeting was being conducted electronically in conformance with the Governor's Proclamation of Disaster Emergency to limit the spread of COVID-19. Members present: Miller, deBuhr, Harding, Darrah, Sires, Dunn. Absent: Kruse.

- 53034 - It was moved by Miller and seconded by Darrah that the minutes of the Regular Meeting of October 5, 2020 be approved as presented and ordered of record. Motion carried unanimously.
- 53035 - It was moved by Harding and seconded by Miller that Ordinance #2974, amending Chapter 10, Garbage and Refuse, of the Code of Ordinances relative to refuse rates, be passed upon its second consideration. Following questions by Jim Skaine, 2215 Clay Street, and Councilmember Dunn, and responses by Finance and Business Operations Director Rodenbeck, City Administrator Gaines and Mayor Green, 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. Nay: None. Motion carried.
- 53036 - It was moved by Darrah and seconded by Miller that Resolution #22,140, extending the face mask mandate adopted by Resolution #22,097 on September 8, 2020 for the City of Cedar Falls, be adopted.

The following individuals spoke in support of the extended mandate:

Mark Nook, University of Northern Iowa President, 2501 College Street  
Penny Popp, 4805 South Main Street

The following individuals provided general questions and comments:

Thomas (T.J.) Frein, 1319 Austin Way  
Jim Skaine, 2215 Clay Street  
Mark Iehl, 2308 Primrose Drive  
Rick Sharp, 1623 Birch Street

Following responses by Mayor Green, Councilmembers Dunn and Harding, City Administrator Gaines, Public Library Director Stern, and Public Safety Services Director Olson, it was then moved by Dunn and seconded by Harding to amend the resolution to state that the mandate be in effect "until a vaccine is available." Following comments by Councilmember Harding, Councilmember Dunn withdrew the motion to amend.

It was then moved by Dunn and seconded by Harding to amend the resolution to more specifically state "until a vaccine is readily available." Following comments

by Councilmembers Darrah, Harding, Miller and Mayor Green, Councilmember Dunn withdrew the motion to amend.

The Mayor then put the question on the original motion, and upon call of the roll, the following named Councilmembers voted. Aye: Harding, Darrah, Dunn, Miller. Nay: Sires, deBuhr. Motion carried. The Mayor then declared Resolution #22,140 duly passed and adopted.

- 53037 - It was moved by Miller and seconded by deBuhr that the following items and recommendations on the Consent Calendar be received, filed and approved:

Receive and file a proclamation recognizing the week of October 18-24, 2020 as Character Counts Week.

Receive and file a proclamation recognizing October 24, 2020 as United Nations Day.

Receive and file a proclamation recognizing October 24, 2020 as World Polio Day.

Receive and file the Committee of the Whole minutes of October 5, 2020 relative to the following items:

- a) Library Trustee Interview - Reginald Green.
- b) Great American Rail Trail.
- c) Parking Large Vehicles & Trailers on City Streets.

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

Approve the application of G Corner, 2125 College Street #D1, for a cigarette/tobacco/nicotine/vapor permit.

Approve the following applications for beer permits and liquor licenses:

- a) Tony's La Pizzeria, 407 Main Street, Class C liquor & outdoor service - renewal.
- b) Fareway Store, 4500 South Main Street, Class E liquor - renewal.
- c) G Corner, 2125 College Street, Class E liquor – new.

Motion carried unanimously.

- 53038 - It was moved by deBuhr and seconded by Miller to receive and file a proclamation recognizing October 24, 2020 as Altrusa International Make a Difference Day. Following comments by Cedar Falls Altrusa Club representative Amy Jardon, the motion carried unanimously.

- 53039 - It was moved by Harding and seconded by Dunn that the following resolutions be introduced and adopted:

Resolution #22,141, levying a final assessment for costs incurred by the City to mow and clear overgrown vegetation on the property located at 2208 Coventry Lane.

Resolution #22,142, levying a final assessment for costs incurred by the City to mow the property located at 216 Iowa Street.

Resolution #22,143, levying a final assessment for costs incurred by the City to remove a hazardous tree on the property located at 1840 Rainbow Drive.

Resolution #22,144, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with B3 Brew, LLC. relative to a post-construction stormwater management plan on Lot 7/8 of the Village of Cedar Falls Block 19.

Resolution #22,145, approving and authorizing execution of two Temporary Easement and Settlement Agreements, and approving and accepting two Temporary Easements, in conjunction with the Mandalay Slope Stabilization Project.

Resolution #22,146, setting November 2, 2020 as the date of public hearing to consider entering into a proposed Amended and Restated Agreement for Private Development with Strickler Properties, L.C.

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. Nay: None. Motion carried. The Mayor then declared Resolutions #22,141 through #22,146 duly passed and adopted.

53040 - It was moved by Miller and seconded by Harding that Resolution #22,147, naming official depositories for the City of Cedar Falls, be adopted. Following a question by Jim Skaine, 2215 Clay Street, and response from Mayor Green, 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. Nay: None. Motion carried. The Mayor then declared Resolution #22,147 duly passed and adopted.

53041 - It was moved by Miller and seconded by Darrah that Resolution #22,148, approving and authorizing execution of a Water Service Territory Agreement with Iowa Regional Utilities Association (IRUA) relative to providing utilities to customers within the expanded industrial park area, be adopted. City Administrator Gaines and City Attorney Rogers responded to questions and comments by Councilmembers Sires, Miller and Harding, Mayor Green, and Jim Skaine, 2215 Clay Street. Following comments by Rick Sharp, 1623 Birch Street, regarding technical difficulties, it was moved by Harding and seconded by Miller to take a brief recess at 7:59 P.M. to resolve the issue. Motion carried unanimously.

The Mayor reconvened the meeting at 8:45 P.M. Following a question by Councilmember Harding and response by City Administrator Gaines, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Harding, Darrah, Dunn, Miller, deBuhr. Nay: Sires. Motion carried. The Mayor then declared Resolution #22,148 duly passed and adopted.

- 53042 - It was moved by Miller and seconded by Harding that Resolution #22,149, approving and authorizing execution of a contract with the Governor's Traffic Safety Bureau (GTSB) of the Iowa Department of Public Safety relative to funding of traffic enforcement and training related to traffic enforcement efforts, be adopted. Following a question by Jim Skaine, 2215 Clay Street, and response by Police Chief Berte, 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. Nay: None. Motion carried. The Mayor then declared Resolution #22,149 duly passed and adopted.
- 53043 - It was moved by Miller and seconded by Darrah that Resolution #22,150, approving and authorizing the expenditure of funds for the purchase of an air handling system for the fleet maintenance area of the Public Works facility, be adopted. Following a question by Jim Skaine, 2215 Clay Street, and responses by Mayor Green and Public Works Director Schrage, 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. Nay: None. Motion carried. The Mayor then declared Resolution #22,150 duly passed and adopted.
- 53044 - It was moved by Miller and seconded by Darrah that Resolution #22,151, approving the Certificate of Completion and accepting the work of Municipal Pipe Tool Co., LLC for the 2019 Sanitary Sewer Rehabilitation Project, be adopted. Following a question by Jim Skaine, 2215 Clay Street, and responses by Councilmembers Miller, Harding and Darrah, Finance and Business Operations Director Rodenbeck and Mayor Green, 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. Nay: None. Motion carried. The Mayor then declared Resolution #22,151 duly passed and adopted.
- 53045 - It was moved by Darrah and seconded by Miller that Resolution #22,152, approving the Certificate of Completion and accepting the work of Peterson Contractors, Inc. for the 2019 Street Reconstruction Project, be adopted. Following a comment by Jim Skaine, 2215 Clay Street, 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. Nay: None. Motion carried. The Mayor then declared Resolution #22,152 duly passed and adopted.
- 53046 - It was moved by Miller and seconded by Harding that Resolution #22,153, approving a Central Business District (CBD) Overlay Zoning District site plan for façade improvements at 114 West 5th Street, be adopted. Following a comment by Mason Fromm, 1922 Grand Boulevard, 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. Nay: None. Motion carried. The Mayor then declared Resolution #22,153 duly passed and adopted.

53047 - It was moved by Harding and seconded by Darrah that Ordinance #2975, amending Chapter 22, Telecommunications, of the Code of Ordinances relative to placement of small wireless facilities, be passed upon its first consideration. Following questions and comments by Jim Skaine, 2215 Clay Street, and Councilmembers Miller and Harding, 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: Harding, Darrah, Sires, Dunn, Miller, deBuhr. Nay: None. Motion carried.

53048 - It was moved by Harding and seconded by Miller that the bills and payroll of October 19, 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. Nay: None. Motion carried.

53049 - It was moved by Harding and seconded by Darrah to refer to the Committee of the Whole discussion of a policy on City Council meetings during the Covid-19 pandemic. Following questions and comments by Councilmembers deBuhr, Harding and Dunn and response by Mayor Green, the motion carried unanimously.

It was then moved by Miller and seconded by Harding to have a Council packet available at the Cedar Falls Public Library on each Friday afternoon before the Council Meeting. Following a question by Councilmember deBuhr and response by Public Library Director Stern, the motion carried unanimously.

53050 - Community Development Director Sheetz provided an update on the Cedar Falls Resilience Plan, announcing public workshops, survey and town hall meeting.

Public Safety Services Director Olson provided information on mutual aid response for a structure fire in Dike.

53051 - Jim Skaine, 2215 Clay Street, commented on his treatment at public meetings and a general misunderstanding about the spread of Covid.

Public Safety Services Director Olson responded to questions and comments by Rick Sharp, 1623 Birch Street, regarding staffing and the response by the Cedar Falls Public Safety Department to the recent fire in Dike.

53052 - It was moved by Harding and seconded by Dunn that the meeting be adjourned at 9:45 P.M. Motion carried unanimously.