



**AGENDA
CITY OF CEDAR FALLS, IOWA
CITY COUNCIL MEETING
MONDAY, APRIL 17, 2023
7:00 PM AT CITY HALL, 220 CLAY STREET**

Call to Order by the Mayor

Roll Call

Pledge of Allegiance

Approval of Minutes

1. Regular meeting of April 3, 2023.

Agenda Revisions

Special Presentations

Public Forum. (Speakers will have one opportunity to speak for up to 5 minutes on topics relevant to City business.)

Staff Updates

Special Order of Business

2. Hearing on a complaint issued to Baba Fareed LLC, d/b/a Great Wall China, 2125 College Street, Suite D, for a first tobacco violation.
 - a) Oral comments.
 - b) Approve and authorize execution of an Order Assessing Penalty relative to a First Tobacco Violation regarding Great Wall China, 2125 College Street, Suite D.
3. Hearing on a complaint issued to Cedar Sky, Inc., d/b/a Bani's, 2128 College Street, for a third tobacco violation.
 - a) Oral comments.
 - b) Approve and authorize execution of an Order Assessing Penalty relative to a Third Tobacco Violation regarding Bani's, 2128 College Street.
4. Public hearing on the proposed FY2024 Budget for the City of Cedar Falls.
 - a) Receive and file proof of publication of notice of hearing. (Notice published April 5, 2023)
 - b) Written communications filed with the City Clerk.
 - c) Staff comments.
 - d) Public comments.
 - e) Resolution approving and adopting the FY2024 Budget for the City of Cedar Falls.

5. Public hearing to consider entering into a proposed Purchase, Sale and Development Agreement and Minimum Assessment Agreement; and to consider conveyance of city-owned real estate to CF Storage, LLC.
 - a) Receive and file proof of publication of notice of hearing. (Notice published 04/07/2023)
 - b) Written communications filed with the City Clerk.
 - c) Staff comments.
 - d) Public comments.
 - e) Resolution approving and authorizing execution of a Purchase, Sale, and Development Agreement and Minimum Assessment Agreement, approving and authorizing execution of a Deed Without Warranty conveying certain city-owned real estate to CF Storage, LLC.
6. Public hearing on the proposed plans, specifications, form of contract & estimate of cost for the Ashworth Drive Roadway Expansion Project.
 - a) Receive and file proof of publication of notice of hearing. (Notice published 04/07/2023)
 - b) Written communications filed with the City Clerk.
 - c) Staff comments.
 - d) Public comments.
 - e) Resolution approving and adopting the plans, specifications, form of contract & estimate of cost for the Ashworth Drive Roadway Expansion Project.
7. Public hearing on proposed amendments to Chapter 26, Zoning, of the Code of Ordinances relative to signage for Civic/Institutional Uses in the Downtown Character District (CD-DT).
 - a) Receive and file proof of publication of notice of hearing. (Notice published 04/07/2023)
 - b) Written communications filed with the City Clerk.
 - c) Staff comments.
 - d) Public comments.
 - e) Pass an ordinance amending Chapter 26, Zoning, of the Code of Ordinances relative to signage for Civic/Institutional Uses in the Downtown Character District (CD-DT), upon its first consideration.
8. Public hearing on the proposed rezoning from A-1, Agricultural District to R-1, Residence District approximately 3 acres of property located west of the Hudson Road & Ashworth Drive intersection, f/n/a 4919 Hudson Road.
 - a) Receive and file proof of publication of notice of hearing. (Notice published 04/07/2023)
 - b) Written communications filed with the City Clerk.
 - c) Staff comments.
 - d) Public comments.
 - e) Pass an ordinance amending the Zoning Map by removing approximately 3 acres of property located west of the Hudson Road & Ashworth Drive intersection, f/n/a 4919 Hudson Road from A-1, Agricultural District and placing the same in the R-1, Residence District, upon its first consideration.

9. Public hearing on the proposed rezoning from A-1, Agricultural District to R-2, Residence District approximately 14.43 acres of property located north of Black Hawk Park Addition and west of Cypress Avenue.
 - a) Receive and file proof of publication of notice of hearing. (Notice published 04/07/2023)
 - b) Written communications filed with the City Clerk.
 - c) Staff comments.
 - d) Public comments.
 - e) Pass an ordinance amending the Zoning Map by removing approximately 14.43 acres of property located north of Black Hawk Park Addition and west of Cypress Avenue from A-1, Agricultural District and placing the same in the R-2, Residence District, upon its first consideration.

Old Business

10. Pass Ordinance #3025, amending Chapter 26, Zoning, of the Code of Ordinances relative to establishing procedures for Planning & Zoning Commission review and City Council approval of site plans in the Downtown Character District (CD-DT), upon its third & final consideration. (5 aye votes required due to denial by the Planning & Zoning Commission)
11. Pass Ordinance #3026, amending Chapter 26, Zoning, of the Code of Ordinances relative to conditional use for adaptive reuse of defunct institutional buildings, upon its second consideration.

Consent Calendar: (The following items will be acted upon by voice vote on a single motion without separate discussion, unless someone from the Council or public requests that a specific item be considered separately.)

12. Receive and file the City Council Standing Committee minutes of April 3, 2023 relative to the following items:
 - a) "Low Mow May" Presentation.
 - b) FY2024 Budget Presentation.
13. Approve a proclamation recognizing May 2023 as National Bike Month, May 3, 2023 as Bike to School Day, May 15-21, 2023 as Bike to Work Week, and May 17, 2023 as National Ride in Silence Day.
14. Approve the following recommendations of the Mayor relative to the appointment of members to Boards and Commissions:
 - a) MaryJane McCollum, Board of Rental Housing Appeals, term ending 05/01/2027.
 - b) Bruce Wingert, Board of Rental Housing Appeals, term ending 05/01/2027.
15. Approve an Order Accepting Acknowledgment/Settlement Agreement with BSE, Inc., d/b/a Prime Mart, 2323 Main Street, for a first tobacco violation.
16. Approve the following applications for retail alcohol licenses:
 - a) Berk's Main Street Pub, 207 Main Street, Class C retail alcohol - renewal.
 - b) Jorgensen Plaza (Table 1912, Diamond Event Center and Gilmore's Pub), 5307 Caraway Lane, Class C retail alcohol & outdoor service – renewal.
 - c) Suds, 2223 ½ College Street, Class C retail alcohol & outdoor service – renewal.
 - d) The Horny Toad American Bar & Grille, 204 Main Street, Class C retail alcohol – renewal.
 - e) ZSAVOOZ, 206 Brandilynn Boulevard, Class C retail alcohol & outdoor service – renewal.
 - f) Walgreens, 2509 Whitetail Drive, Class E retail alcohol - renewal.
 - g) Amvets, 1934 Irving Street, Class F retail alcohol & outdoor service - temporary expansion of outdoor service area.

Resolution Calendar: (The following items will be acted upon by roll call vote on a single motion without separate discussion, unless someone from the Council or public requests that a specific item be considered separately.)

17. Resolution Calendar with items considered separately.
18. Resolution rescheduling the regularly scheduled City Council meeting of July 3, 2023 to July 17, 2023.
19. Resolution approving and authorizing execution of a contract for West Proflex with West Publishing Corporation relative to legal research service conducted by the City Attorney.
20. Resolution approving and authorizing execution of an Offer to Buy Real Estate and Acceptance for 2.35 acres of property located at 2603 South Union Road relative to expansion of the West Viking Road Industrial Park.
21. Resolution approving and authorizing execution of a First Amendment to the Service/Product Agreement for Federally Funded Project with Iowa Northland Regional Council of Governments (INRCOG) for administration and technical services for activities relative to FY2023 (FFY2022) Community Development Block Grant (CDBG) and HOME funding project delivery.
22. Resolution approving the Gateway Business Park Lot 2 Minor Subdivision Plat, a replat of Lot 2 of Gateway Business Park at Cedar Falls 1.
23. Resolution approving and authorizing expenditure of funds for the purchase of a cutter for the Cedar Heights Lift Station.
24. Resolution approving and authorizing execution of a contract with Quality Striping, Inc. relative to 2023 pavement marking services.
25. Resolution approving and authorizing expenditure of funds for the purchase of a Street Paint Line Striping Unit for the Traffic Operations Section.
26. Resolution approving and authorizing execution of a Service/Product Agreement with Lehman Trucking & Excavating Inc. for demolition of structures relative to the Main Street Reconstruction project.
27. Resolution approving and accepting a Warranty Deed, in conjunction with the Main Street Reconstruction Project.
28. Resolution receiving and filing, and rejecting the only bid received for the North Cedar Heights Area Reconstruction Project - Phase 1.
29. Resolution approving the Certificate of Completion and accepting the work of Owen Contracting, Inc. for the Cyber Lane Extension Project.
30. Resolution receiving and filing, and setting May 1, 2023 as the date of public hearing on the proposed plans, specifications, form of contract & estimate of cost for the North Cedar Heights Area Reconstruction Project - Phase 1A.

Allow Bills and Claims

31. Allow Bills and Claims for April 17, 2023.

Council Updates and Announcements

Council Referrals

Adjournment