

**CITY HALL  
CEDAR FALLS, IOWA, DECEMBER 7, 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, Kruse, Harding, Darrah, Sires, Dunn. Absent: None.

- 53090 - It was moved by Kruse and seconded by Miller that the minutes of the Regular Meeting of November 16, 2020 be approved as presented and ordered of record. Motion carried unanimously.
- 53091 - Mayor Green read the following proclamations:
  - a) Pearl Harbor Remembrance Day, December 7, 2020.
  - b) International Human Rights Day, December 10, 2020.
- 53092 - It was moved by Darrah 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 second 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: Darrah, Sires, Dunn, Miller, deBuhr, Kruse, Harding. Nay: None. Motion carried.
- 53093 - It was moved by Harding and seconded by Miller that Resolution #22,193, extending the face mask mandate adopted by Resolution #22,097 on September 8, 2020 and extended by Resolution # 22,140 on October 19, 2020 for the City of Cedar Falls, be adopted.

City Administrator Gaines provided a brief explanation of the proposed resolution, and Mayor Green and City Attorney Rogers responded to questions and comments by Thomas (T.J.) Frein, 1319 Austin Way, and Jim Skaine, 2215 Clay Street.

Following questions and comments by Councilmembers Kruse and Miller, and responses by Councilmember Dunn, the Mayor then put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: Darrah, Dunn, Miller, Harding. Nay: Sires, deBuhr, Kruse. Motion carried. The Mayor then declared Resolution #22,193 duly passed and adopted.

- 53094 - It was moved by Miller and seconded by Harding that the following items and recommendations on the Consent Calendar be received, filed and approved:

Receive and file the City Council Work Session minutes of November 16, 2020

relative to a Joint Work Session with Human Rights Commission to discuss future roles, responsibilities and City Council expectations for the Human Rights Commission.

Receive and file a communication from the Civil Service Commission relative to a certified list for the position of Public Safety Officer.

Receive and file Departmental Monthly Reports for October 2020.

Approve the following applications for beer permits and liquor licenses:

- a) Cedar Falls Woman's Club, 304 Clay Street, Special Class C liquor - renewal.
- b) The Brown Bottle, 1111 Center Street, Class C liquor & outdoor service - renewal.
- c) Texas Roadhouse, 5715 University Avenue, Class C liquor - change in ownership.
- d) Moonshine Mob Bar, 419 Main Street, Class C liquor - new.

Motion carried unanimously.

53095 - It was moved by Darrah and seconded by Harding that the following resolutions be introduced and adopted:

Resolution #22,194, approving and adopting a job classification for the position of Civil CAD Technician in the Engineering Division.

Resolution #22,195, approving the Certificate of Completion and accepting the work of Boulder Contracting, LLC for the 2020 CDBG Sidewalk Infill Project.

Resolution #22,196, approving the Certificate of Completion and accepting the work of K. Cunningham Construction Company, Inc. for the South Main Street Parking Lot Project.

Resolution #22,197, approving and authorizing execution of a Maintenance and Repair Agreement with D and J Investments Inc. relative to a post-construction stormwater management plan at 7404 University Avenue.

Resolution #22,198, setting December 21, 2020 as the date of public hearing on a proposal to undertake a public improvement project for the West 27th Street Sanitary Sewer Extension Project, and to authorize acquisition of private property for said project.

Resolution #22,199, setting December 21, 2020 as the date of public hearing on the City's FFY19 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant and HOME Program.

Resolution #22,200, setting December 21, 2020 as the date of public hearing on proposed amendments to Chapter 20, Subdivisions

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: Darrah, Sires, Dunn, Miller, deBuhr, Kruse, Harding. Nay: None. Motion carried. The Mayor then declared Resolutions #22,194 through #22,200 duly passed and adopted

- 53096 - It was moved by Harding and seconded by Darrah that Resolution #22,201, approving and adopting public meeting protocol during the COVID-19 pandemic, be adopted. Following comments by Councilmembers deBuhr, Darrah, Dunn and Harding, and responses by Finance & 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: Darrah, Dunn, Miller, Harding. Nay: Sires, deBuhr, Kruse. Motion carried. The Mayor then declared Resolution #22,201 duly passed and adopted.
- 53097 - It was moved by Miller and seconded by Harding that Resolution #22,202, receiving and filing, and approving the plans, specifications and estimate of cost for the Union Road Recreational Trail Project - West 12th Street to West 27th Street, be adopted. Following questions and comments by Councilmembers Miller and Sires, and responses from City Administrator Gaines, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Darrah, Sires, Dunn, Miller, deBuhr, Kruse, Harding. Nay: None. Motion carried. The Mayor then declared Resolution #22,202 duly passed and adopted.
- 53098 - It was moved by Miller and seconded by Harding that Ordinance #2977, amending Chapter 12, Human Relations, of the Code of Ordinances relative to the Human Rights Commission, be passed upon its first consideration. Mayor Green commented on the proposed ordinance and responded to comments by Councilmember Darrah. The Mayor then put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Darrah, Sires, Dunn, Miller, deBuhr, Kruse, Harding. Nay: None. Motion carried.
- 53099 - It was moved by Harding and seconded by Darrah that Ordinance #2978, amending Chapter 23, Traffic and Motor Vehicles of the Code of Ordinances relative to the use of electric-assist bicycles on City recreational trails, be passed upon its first consideration. Public Works Director Schrage provided a brief summary of the proposed ordinance, and Mayor Green, Police Chief Berte and City Attorney Rogers responded to questions and comments by Councilmembers Sires, Harding, Kruse, deBuhr, Dunn and Darrah.

The following individuals spoke in favor of the proposed ordinance:  
Thomas (T.J.) Frein, 1319 Austin Way  
Jeremy Sulentic, 1008 Rocklyn Street

Following a question by Councilmember deBuhr and a response by City Attorney Rogers, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Darrah, Dunn, Miller, Harding. Nay: Sires, deBuhr, Kruse. Motion carried.

- 53100 - It was moved by Kruse and seconded by Darrah that Ordinance #2979, amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to prohibiting parking of commercial trucks and trailers on residential streets, be passed upon its first consideration. City Attorney Rogers provided a summary of the proposed ordinance. Following questions and comments by Councilmembers Sires, deBuhr and Kruse, and responses by City Attorney

Rogers and Mayor Green, the Mayor then put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Darrah, Sires, Dunn, Miller, Kruse, Harding. Nay: deBuhr. Motion carried.

- 53101 - It was moved by Kruse and seconded by Miller that the bills and payrolls of December 7, 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: Darrah, Sires, Dunn, Miller, deBuhr, Kruse, Harding. Nay: None. Motion carried.
- 53102 - It was moved by Harding and seconded by Sires to refer to a Special City Council meeting discussion of a resolution to suspend paid parking during the COVID-19 pandemic until a set date. Following questions by Councilmembers Kruse, Harding and Sires, and responses by City Administrator Gaines and City Attorney Rogers, it was moved by Miller and seconded by Harding to amend the original motion to include that staff provide options and recommendations. Following a question by Councilmember Dunn and response by Councilmember Harding, the motion to amend carried 6-1, with Sires voting Nay. The Mayor then asked for a vote on the original motion as amended. Motion carried unanimously.
- 53103 - Councilmember Darrah recognized former Councilmember David Wieland's contributions to the community and commented on his recent passing.
- Public Works Director Schrage responded to a question by Councilmember Dunn regarding an update on the ice rink at Gateway Park.
- 53104 - City Administrator Gaines announced suspension of parking enforcement of paid lots until the Special City Council meeting, and Mayor Green commented on additional signage.
- 53105 - Community Main Street Director Kim Bear thanked Public Safety for traffic control during Holiday Hoopla and indicated support by the Community Main Street Board for suspending paid parking.
- Community Development Director Sheetz and City Administrator Gaines responded to concerns expressed by Jeremy Sulentic, 1008 Rocklyn Street, regarding affordable housing and the Section 8 Housing program.
- Mayor Green responded to comments by Jim Skaines, 2215 Clay Street, regarding the Human Rights Commission proclamation and an alleged incident of harassment.
- 53106 - It was moved by Kruse and seconded by Harding that the meeting be adjourned at 8:45 P.M. Motion carried unanimously.