

CITY COUNCIL WORK SESSION

Upper Iowa University – 3563 University Avenue, Waterloo
April 26, 2022

The Cedar Falls City Council held a joint work session with the City of Waterloo at Upper Iowa University at 6:00 p.m. on April 26, 2022, with the following persons in attendance: Cedar Falls Mayor Rob Green, Cedar Falls Councilmembers, Gil Schultz, Daryl Kruse, Simon Harding, Dustin Ganfield, Dave Sires, and Kelly Dunn. Waterloo Mayor Quentin Hart, Waterloo City Councilmembers, Rob Nichols, Dave Boesen, John Chiles, Jonathan Grieder, Nia Wilder, Jerome Amos, and Ray Feuss. Absent: Susan deBuhr. Staff members from all City Departments and members of the community attended the meeting.

Mayor Green introduced the only item on the agenda, Fireworks – Joint discussion with Waterloo elected officials. Mayor Green and Mayor Hart gave opening statements. City Clerk Felchle called roll for Waterloo Councilmembers, all members present. City Clerk Felchle asked for a motion to approve the Waterloo City Council agenda, motioned and seconded.

Mayor Green gave an overview of the materials in the packet that included: Fireworks codes from the State of Iowa Code of Ordinances, Cedar Falls Code of Ordinances and Waterloo Code of Ordinances. Mayor Hart gave a brief overview of the Waterloo fireworks code that included the usage on July 3, 4, and 5 of each year between the hours of noon and 11:00 p.m. on July 4 and between noon and 10:00 p.m. on July 3 and July 5; permits can be obtained for specific events. Mayor Hart stated the Waterloo fine is \$375.00; retailers must display signs informing customers the use of consumer fireworks. Mayor Hart stated citations for violations shall be directed to the person observed/found to have violated or the owner of personal real property on which the evidence exists, where evidence of violation of the Noise Control Ordinance or Nuisance Property exists, such citations shall be written. Mayor Green gave a brief overview of the Cedar Falls fireworks code that included the prohibitions, it shall be unlawful for any person to use or explode consumer fireworks within the city limits unless a permit is properly obtained, and the violation is \$250.00. Mayor Green stated the State of Iowa code says; a person shall not use or explode consumer fireworks on days other than June 1 – July 8 and December 10 – January 3 of each year, between the hours of 9:00 a.m. – 10:00 p.m., with the exemptions of 9:00 a.m. and 11:00 p.m. on July 4 and the Saturdays and Sundays immediately preceding and following July 4. Major Leibold stated beginning in June Waterloo begins to make contact with businesses, ensure signs are posted, and handout flyers to be included with customer purchases. In July overtime funds are used to increase officers. Major Leibold stated in past years, 2-3 tickets were issued, but in 2021 around 30 tickets were issued (in the three day timeframe), calls for services have significantly been reduced after implementation of the July 3, 4, and 5 changes to the ordinance (585 calls to 280 calls in 2021).

Councilmembers from Waterloo and Cedar Falls discussed the following items: limiting sales within the City of Waterloo; State of Iowa now allows sales in all commercial and industrial areas; location of fireworks being ignited, most citizens are not knowledgeable of the ban in Cedar Falls; Waterloo is educating the community with flyers that include timeframes/days fireworks can be ignited, social media (veterinarians post ideas on social media on ways to minimize pets stress), and neighborhood clean-up; concerns with debris, officer giving citation asks that citizen clean-up debris, debris can also be enforced by a code enforcement officer; education of landlords is important; concerns with debris on roofs and in yards and option of having a neighborhood clean-up; joint flyer between Waterloo and Cedar Falls outlining communities; information on back of flyer; discussion of concerns with fireworks smog; concerns with citizens with PTSD and animals, if citizens are aware of the days of usage, citizens can prepare; concerns with illegal fireworks being sold, vendors are monitored during sales periods as to type of consumer fireworks sold and to posting the mandated "Prohibitions on Use". Are there any restrictions on how many fireworks you can buy; no. Waterloo has zero tolerance and does cite fines. What is the class of the fine; simple misdemeanor. Concerns with fining the property owner/landlord and not the tenant; can address fireworks within the lease. Question was asked if video is admissible of someone igniting fireworks; yes it can be used as evidence. Cedar Falls should discuss having extra enforcement outside the allowed timeframe. There was discussion of increasing the Cedar Falls ordinance fine to \$375.00.

Acting Public Safety Director Craig Berte is in favor of Waterloo's three day timeline; the ban has not worked for Cedar Falls; Cedar Falls average calls for service are 140 per year. Acting Public Safety Director Berte suggested temporary signs to educate citizens and Councilmembers should discuss fines. Mayor Hart would like to see consistency between Waterloo and Cedar Falls, there's confusion with citizens and not aware Cedar Falls has a ban and Waterloo has a three day window and timeframe. Safety/injures were discussed with Councilmembers and the Waterloo and Cedar Falls Fire Chiefs.

Mayor Green asked for a consensus to direct the City of Cedar Falls attorney to draft a fireworks ordinance similar to Waterloo that includes July 3, 4, and 5 with the same timeframe. Cedar Falls City Councilmembers gave consensus to draft a revised fireworks ordinance. Councilmember Ganfield asked for City of Cedar Falls attorney to review the landlord/property owner language of the ordinance.

Waterloo and Cedar Falls agreed to a shared flyer to distribute to vendors; maybe include a QR code and list outlining communities' information on back.

There being no further discussion, Mayor Green adjourned the meeting at 7:22 p.m.

Minutes by Kim Kerr, Administrative Supervisor