

**CITY HALL
CEDAR FALLS, IOWA, OCTOBER 5, 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 7:00 P.M. on the above date. Members present: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Absent: None.

- 53014 - It was moved by Kruse and seconded by Harding that the minutes of the Regular Meeting of September 21, 2020 be approved as presented and ordered of record. Motion carried unanimously.
- 53015 - Mayor Green announced that in accordance with the public notice of September 25, 2020, this was the time and place for a public hearing on a proposal to undertake a public improvement project for the Greenhill Road and South Main Street Intersection Improvements Project and to authorize acquisition of private property for said project. It was then moved by Darrah and seconded by Miller that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53016 - The Mayor then asked if there were any written communications filed to the proposed project and acquisitions. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. City Engineer Wicke provided a brief summary of the proposed project and responded to questions and comments by Gary Wilson, 4319 South Main Street, Penny Popp, 4805 South Main Street, Jim Skaine, 2215 Clay Street, Brian Kalina, speaking on behalf of his mother who resides at 113 Balboa Avenue, and Whitney Smith, 2904 Neola Street. There being no one else present wishing to speak about the proposed public improvement project, the Mayor declared the hearing closed and passed to the next order of business.
- 53017 - It was moved by Darrah and seconded by Kruse that Resolution #22,132, approving a public improvement for the Greenhill Road and South Main Street Intersection Improvements Project and authorizing acquisition of private property for said project, be adopted. Following questions and comments by Councilmembers Harding, deBuhr, Sires, Dunn, Darrah, Miller and Kruse, and responses by Public Works Director Schrage, Design Consultant Justin Campbell, City Engineer Wicke, and City Administrator Gaines, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Darrah, Dunn, Miller, deBuhr. Nay: Sires. Motion Carried. The Mayor then declared Resolution #22,132 duly passed and adopted.
- 53018 - It was moved by Darrah and seconded by Miller that Ordinance #2970, amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to establishing a 4-way stop at the intersection of West 12th Street and Walnut Street, be passed upon its third and final 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: Kruse, Harding, Darrah, Dunn, Miller, deBuhr. Nay: Sires. Motion carried. The Mayor then declared Ordinance #2970 duly passed and adopted.

- 53019 - It was moved by Kruse and seconded by deBuhr 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 second consideration. Following a question by Jim Skaine, 2215 Clay Street, and responses by Mayor Green, Councilmembers Harding and Darrah, and City Administrator Gaines, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Darrah, Sires, Dunn, Miller, deBuhr. Nay: None. Motion carried.
- 53020 - It was moved by deBuhr and seconded by Kruse 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 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: Kruse, Harding, Darrah, Sires, Dunn, Miller, deBuhr. Nay: None. Motion carried.
- 53021 - It was moved by Kruse and seconded by Miller 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 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: Kruse, Harding, Darrah, Sires, Dunn, Miller, deBuhr. Nay: None. Motion carried.
- 53022 - It was moved by Kruse and seconded by Miller that the following items and recommendations on the Consent Calendar be received, filed and approved:
- Receive and file a proclamation recognizing October 12, 2020 as Indigenous Peoples Day.
- Approve the following recommendation of the Mayor relative to the appointment of members to Boards and Commissions.
- a) Reginald Green, Library Board of Trustees, term ending 06/30/2024.
 - b) Andrew Stensland, Visitors & Tourism Board, term ending 07/1/2023.
- Receive and file the Committee of the Whole minutes of September 21, 2020 relative to the following items:
- a) Refuse Rate Study.
 - b) Snow Removal on Trails.
- Receive and file Departmental Monthly Reports for August 2020.
- Approve the following applications for beer permits and liquor licenses:

- a) Aldi Inc., 6322 University Avenue, Class C beer & Class B wine - renewal.
- b) Peppers Grill & Sports Pub, 620 East 18th Street, Class C liquor - renewal.
- c) Casey's General Store, 601 Main Street, Class E liquor - renewal.
- d) The Music Station, 1420 West 1st Street, Class E liquor – renewal.

Motion carried unanimously.

53023 - It was moved by Kruse and seconded by deBuhr to receive and file the City Council Work Session minutes of September 21, 2020 relative to City Council Goal Setting Format. Following a question by Jim Skaine, 2215 Clay Street, and response by Mayor Green, the motion carried unanimously.

53024 - It was moved by Kruse and seconded by Harding that the following resolutions be introduced and adopted:

Resolution #22,133, approving and authorizing execution of a 28E Agreement for Tobacco, Alternative Nicotine and Vapor Product Enforcement with the Iowa Alcoholic Beverages Division.

Resolution #22,134, approving and authorizing execution of three Owner Purchase Agreements, approving a Claim for Non-Residential Relocation Assistance Reimbursement; and approving and accepting one Public Utility Easement and three Owner's Temporary Easements, in conjunction with the Cedar Heights Drive Reconstruction Project.

Resolution #22,135, approving and accepting the contract and bond of Peterson Contractors, Inc. for the Mandalay Slope Stabilization Project.

Resolution #22,136, approving and authorizing execution of a Predesign Agreement for Primary Road Project with the Iowa Department of Transportation (IDOT) relative to the Highway 58 & Ridgeway Avenue Reconstruction Project.

Resolution #22,137, approving a Public Zoning District site plan for construction of a new high school located in the vicinity of West 27th Street and PE Center Drive.

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: Kruse, Harding, Darrah, Sires, Dunn, Miller, deBuhr. Nay: None. Motion carried. The Mayor then declared Resolutions #22,133 through #22,137 duly passed and adopted.

53025 - It was moved by Harding and seconded by deBuhr that Resolution #22,138, approving a College Hill Neighborhood (CHN) Overlay Zoning District site plan for temporary wheat paste murals in the College Hill Business District, be adopted. Following supporting comments by College Hill Partnership Executive Director Kathryn Sogard, 330 Columbia Circle, Waterloo, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Darrah, Sires, Dunn, Miller,

deBuhr. Nay: None. Motion carried. The Mayor then declared Resolution #22,138 duly passed and adopted.

- 53026 - It was moved by Kruse and seconded by Miller that Resolution #22,139, approving and authorizing execution of a Release of Minimum Assessment Agreement and Agreement for Private Development; and approving and accepting a Warranty Deed, relative to an Agreement for Private Development with CRMS, L.L.C., be adopted. Following a question by Jim Skaine, 2215 Clay Street, and responses by Economic Development Coordinator Graham and City Attorney Rogers, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Darrah, Sires, Dunn, Miller, deBuhr. Nay: None. Motion carried. The Mayor then declared Resolution #22,139 duly passed and adopted.
- 53027 - It was moved by Darrah 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 first consideration. Following questions and comments by Jim Skaine, 2215 Clay Street, and Councilmember Kruse, and responses by City Administrator Gaines and Operations and Maintenance Division Manager Heath, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Darrah, Sires, Dunn, Miller, deBuhr. Nay: None. Motion carried.
- 53028 - It was moved by Harding and seconded by Miller that the bills and payroll of October 5, 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. Following a question by Jim Skaine, 2215 Clay Street, and response by Mayor Green, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Darrah, Sires, Dunn, Miller, deBuhr. Nay: None. Motion carried.
- 53029 - City Administrator Gaines responded to questions by Councilmember Kruse and Mayor Green by announcing October 19, 2020 as the date of a City Council Work Session to discuss Council Effectiveness.
- 53030 - The Mayor introduced Northern Iowa Student Government Liaison Jordan Peterson and he commented on early voting at the UNI Dome, and encouraged the public to participate in the 'Imagine College Hill' project.
- 53031 - Jim Skaine, 2215 Clay Street, expressed concerns about the proposed roundabout at the Greenhill Road and South Main Street intersection, and public participation during City Council goal setting.
- 53032 - It was moved by Darrah and seconded by Kruse to adjourn to Executive Session to discuss Property Acquisition per Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property, following Public Forum. Upon call of the roll, the following

named Councilmembers voted. Aye: Kruse, Harding, Darrah, Sires, Dunn, Miller, deBuhr. Nay: None. Motion carried.

The City Council adjourned to Executive Session at 8:49 P.M.

Mayor Green reconvened the Council Meeting at 9:06 P.M. and stated that Property Acquisition had been discussed but that no further action was required at this time.

53033 - It was moved by Kruse and seconded by deBuhr that the meeting be adjourned at 9:07 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk