

**COMMUNITY CENTER  
CEDAR FALLS, IOWA, JUNE 20, 2022  
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 7:18 P.M. on the above date. Members present: Schultz, deBuhr, Kruse, Harding, Ganfield (via video conference), Sires, Dunn. Absent: None.
- 53855 - It was moved by Kruse and seconded by deBuhr that the minutes of the Regular Meeting of June 6, 2022 be approved as presented and ordered of record. Motion carried unanimously.
- 53856 - Rosemary Beach, 5018 Sage Road, welcomed everyone to attend Sturgis Falls.
- 53857 - Mayor Green announced that in accordance with the public notice of June 10, 2022, this was the time and place for a public hearing on proposed plans, specifications, form of contract & estimate of cost for the 2022 Seal Coat Project. It was then moved by Harding and seconded by Kruse that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53858 - The Mayor then asked if there were any written communications filed to the proposed project. 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. There being no one else present wishing to speak about the proposed project, the Mayor declared the hearing closed and passed to the next order of business.
- 53859 - It was moved by Kruse and seconded by Harding that Resolution #22,816, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2022 Seal Coat Project, be adopted. 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, Ganfield, Sires, Dunn, Schultz, deBuhr. Nay: None. Motion Carried. The Mayor then declared Resolution #22,816 duly passed and adopted.
- 53860 - Mayor Green announced that in accordance with the public notice of June 10, 2022, this was the time and place for a public hearing on proposed plans, specifications, form of contract & estimate of cost for the 2022 University Avenue Bio Cells Project. It was then moved by Kruse and seconded by Dunn that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53861 - The Mayor then asked if there were any written communications filed to the proposed project. 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. There being no one else present wishing

to speak about the proposed project, the Mayor declared the hearing closed and passed to the next order of business.

53862 - It was moved by Harding and seconded by Kruse that Resolution #22,817, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2022 University Avenue Bio Cells Project, be adopted. 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, Ganfield, Sires, Dunn, Schultz, deBuhr. Nay: None. Motion Carried. The Mayor then declared Resolution #22,817 duly passed and adopted.

53863 - It was moved by Kruse and seconded by Harding that Ordinance #3012, amending Chapter 24, Utilities, of the Code of Ordinances, relative to storm water rates, 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, Ganfield, Dunn, Schultz, deBuhr. Nay: Sires. Motion carried.

53864 - It was moved by Kruse and seconded by Harding that the following items on the Consent Calendar be received, filed and approved:

Receive and file the City Council Standing Committee minutes of June 6, 2022 relative to the following items:

- a) City Council Training Update.
- b) Grow Cedar Valley Update.
- c) FY2023 Cash Management Report.

Receive and file the following resignations of members from Boards and Commissions:

- a) Melissa Heston, Housing Commission.
- b) Susan Langan, Human Rights Commission.

Approve the following recommendations of the Mayor relative to the appointment of members to Boards and Commissions:

- a) Craig Fairbanks, Housing Commission, term ends 12/31/2022.
- b) Peggy Larson, Housing Commission, term ends 12/31/2023.
- c) David Kivett, Human Rights Commission, term ends 07/01/25.
- d) Sonja Bock, Human Rights Commission, term ends 07/01/25.

Receive and file the Appointment Process for City Boards and Commissions (CFD 1201).

Receive and file the Cedar Falls Resilience Plan.

Receive, file and approve the FY2023 Cash Management Report.

Approve the following applications for cigarette/tobacco/nicotine/vapor permits:

- a) Great Wall China, 2125 College Street.
- b) Kwik Star #490, 7500 Nordic Drive.
- c) Kwik Star #726, 2019 College Street.

- d) Kwik Star #934, 4515 Coneflower Parkway.
- e) Tobacco Outlet Plus #561, 4116 University Avenue Suite 104-105.

Approve the following applications for beer permits and liquor licenses:

- a) Kwik Star, 2019 College Street, Class C beer & Class B wine - renewal.
- b) NewAldaya Lifescapes, 7511 University Avenue, Class A liquor & outdoor service - renewal.
- c) Applebee's Neighborhood Grill & Bar, 6301 University Avenue, Class C liquor - renewal.
- d) Carlos O'Kelly's Mexican Café, 6507 University Avenue, Class C liquor - renewal.
- e) George's Local, 108 E. 4th Street, Class C liquor & outdoor service – renewal.
- f) Montage, 222-224 Main Street, Class C liquor & outdoor service – renewal.
- g) Starbeck's Smokehouse, 6607 University Ave, Class C liquor & outdoor service – renewal.
- h) The Other Place, 209 Main Street, Class C liquor - new.

Motion carried unanimously.

- 53865 - It was moved by deBuhr and seconded by Harding that the following resolutions be introduced and adopted:

Resolution #22,818, approving and authorizing execution of an Engagement Letter with Eide Bailly, LLP to perform the audit of the City's FY2022 financial statements and compliance with federal award programs.

Resolution #22,819, approving and authorizing execution of an Administrative Services Agreement with Wellmark Blue Cross and Blue Shield relative to the City's FY2023 Employee Health Plan.

Resolution #22,820, approving a Stop Loss Policy with Wellmark, Inc. relative to the City's FY2023 Employee Health Plan.

Resolution #22,821, approving and authorizing execution of a Joinder Agreement for Group Term Life Insurance with National Insurance Services of Wisconsin Insurance Trust relative to Group Term Life Insurance & Accidental Death & Dismemberment (AD&D) Insurance.

Resolution #22,822, approving and authorizing execution of Amendment #3 to Joinder Agreement for Long Term Disability Insurance with National Insurance Services Trust.

Resolution #22,823, approving and authorizing execution of a Client Authorization to Bind Coverage with Arthur J. Gallagher Risk Management Services, Inc. relative to renewal of City's Public Entity Insurance for FY2023.

Resolution #22,824, approving and authorizing execution of an Agreement for Wrecker/Towing/Storage Service with L&M Transmission.

Resolution #22,825, approving and authorizing execution of an Agreement for Wrecker/Towing/Storage Service with Rasmussen Towing, Inc.

Resolution #22,826, approving and authorizing execution of two Lease Extensions relative to the use of 224 West Seerley Boulevard as artists' studio space, in conjunction with the Heart Center's Visiting Artist Program.

Resolution #22,827, approving and authorizing execution of a Cooperative Agreement for Use of Swimming Pools with the Cedar Falls Community School District.

Resolution #22,828, approving and authorizing execution of an Agreement in Support of the College Hill Partnership relative to an FY2023 Economic Development Grant.

Resolution #22,829, approving and authorizing execution of an Agreement to Support Economic Development Program of Cedar Falls Community Main Street relative to an FY2023 Economic Development Grant.

Resolution #22,830, approving and authorizing execution of an Agreement to Support Economic Development in the Cedar Valley with Grow Cedar Valley relative to an FY2023 Economic Development Grant.

Resolution #22,831, approving and authorizing execution of an FY2023 Facade Improvement Fund Agreement with Cedar Falls Community Main Street.

Resolution #22,832, approving and authorizing execution of a Repair Contract with Tojo Construction Inc. relative to a Community Development Block Grant (CDBG) and CARES Act (CDBG-CV1) Owner-Occupied Repair Project at 700 West Ridgeway Avenue, Lot 435.

Resolution #22,833, approving the final plat of West Viking Road Industrial Park Phase V.

Resolution #22,834, approving and authorizing execution of a Preconstruction Agreement for a Primary Road Project with the Iowa Department of Transportation (IDOT) relative to the Highway 58/Hudson Road Resurfacing Project.

Resolution #22,835, receiving and filing, and approving and accepting the bid of Owen Contracting, Inc., in the amount of \$1,540,597.85, being the only bid received for the Center Street Corridor Streetscape Project.

Resolution #22,836, approving and accepting the contract and bond of Owen Contracting, Inc. for the Center Street Corridor Streetscape Project.

Resolution #22,837, approving and authorizing execution of three Owner Purchase Agreements, and approving and accepting three Temporary Construction Easements, two Warranty Deeds and one Public Utility Easement, in conjunction with the Olive Street Box Culvert Replacement Project.

Resolution #22,838, receiving and filing, and setting July 5, 2022 as the date of public hearing on the proposed plans, specifications, form of contract & estimate of cost for the Olive Street Box Culvert Replacement Project.

Resolution #22,839, receiving and filing, and setting July 5, 2022 as the date of public hearing on the FY2023 (FFY2022) Annual Action Plan for Community Development Block Grant (CDBG) and HOME Consortium.

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, Ganfield, Sires, Dunn, Schultz, deBuhr. Nay: None. Motion carried. The Mayor then declared Resolutions #22,818 through #22,839 duly passed and adopted.

- 53866 - It was moved by deBuhr and seconded by Kruse that Resolution #22,840, approving the recommendation of the Mayor and City Administrator by appointing Craig Berte as the Director of Public Safety Services, be adopted. Following comments by Councilmembers Sires, Schultz and Ganfield, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Dunn, Schultz, deBuhr. Nay: Sires, Ganfield. Motion Carried. The Mayor then declared Resolution #22,840 duly passed and adopted.
- 53867 - It was moved by Dunn and seconded by Harding that Resolution #22,841, approving and adopting a job classification for the position of Diversity, Equity & Inclusion (DEI) Specialist in the Human Resources Department, be adopted. Following a question by Councilmember 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: Kruse, Harding, Sires, Dunn, Schultz, deBuhr. Nay: Ganfield. Motion Carried. The Mayor then declared Resolution #22,841 duly passed and adopted.
- 53868 - It was moved by Dunn and seconded by Harding that Resolution #22,842, in support of the College Hill Partnership's "Light Up College Hill" plan and grant application to Destination Iowa program of the State of Iowa, be adopted. Following comments and questions by Rosemary Beach, 5018 Sage Road, Chris Martin, College Hill Partnership Vice President, Councilmembers Dunn and deBuhr, 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: Kruse, Harding, Ganfield, Sires, Dunn, Schultz, deBuhr. Nay: None. Motion Carried. The Mayor then declared Resolution #22,842 duly passed and adopted.
- 53869 - It was moved by Harding and seconded by Dunn that a resolution, approving and adopting the Cedar Falls Resilience Plan, be adopted. Following comments and questions by Councilmembers Sires, Dunn, Harding, Schultz, deBuhr, Kruse, and Ganfield, and Mayor Green, and responses by City Administrator Gaines, it was moved by Ganfield and seconded by Schultz to postpone consideration until after goal setting. Following comments by Councilmembers Kruse, Sires and Ganfield, Councilmember Ganfield withdrew the motion. Following comments by Mayor Green, and supportive comments by Hannah Crisman, 820 West 12th Street, Maria Perez, 915 Bluff Street, and Carol Yates, 519 Chateau Court, the Mayor put the question on the motion and upon call of the roll, the following named

Councilmembers voted. Aye: Harding, Dunn. Nay: Kruse, Ganfield, Sires, Schultz, deBuhr. Motion Failed.

- 53870 - It was moved by Harding and seconded by Dunn that Resolution #22,843, setting July 5, 2022 as the date of public hearing on proposed amendments to Chapter 26, Zoning, of the Code of Ordinances relative to Planning and Zoning Commission review of site plans, be adopted. Following a comment by Councilmember deBuhr, it was moved by Kruse and seconded by Harding to amend the motion to change the date of the public hearing to July 18, 2022. Motion carried unanimously. The Mayor then put the question on the original motion as amended, and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Ganfield, Sires, Dunn, Schultz, deBuhr. Nay: None. Motion Carried. The Mayor then declared Resolution #22,843 duly passed and adopted.
- 53871 - It was moved by Kruse and seconded by deBuhr that Ordinance #3013, ordinance amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to prohibiting parking on portions of South Lawn Road, be passed upon its first consideration. City Engineer Wicke provided a brief summary of the proposed ordinance. Following a question by Councilmember Kruse and response by Wicke, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Ganfield, Sires, Dunn, Schultz, deBuhr. Nay: Sires. Motion carried.
- 53872 - It was moved by Kruse and seconded by Harding that the bills and claims of June 20, 2022 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: Kruse, Harding, Ganfield, Sires, Dunn, Schultz, deBuhr. Nay: None. Motion carried.
- 53873 - Mayor Green responded to a question from Councilmember Dunn regarding clarification on the process to receive and file, and reconsideration of an item in the future.
- Councilmember deBuhr recognized Boy Scouts from Troop #244 in attendance at the meeting.
- 53874 - Acting Police Chief Howard provided an update on fireworks education and zero tolerance enforcement.
- Mayor Green announced Sturgis Falls this weekend. He noted his absence July 5-14, 2022 and that Mayor Pro Tem Harding would be presiding over the July 5<sup>th</sup> City Council meeting.
- 53875 - It was moved by Kruse and seconded by Harding that the meeting be adjourned at 8:39 P.M. Motion carried unanimously.