

**CITY HALL
CEDAR FALLS, IOWA, JULY 19, 2021
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, Kruse, Harding, Darrah, Sires, Dunn. Absent: deBuhr.

53402 - It was moved by Kruse and seconded by Harding that the minutes of the Regular Meeting of July 6, 2021 be approved as presented and ordered of record. Motion carried unanimously.

53403 - Eashaan Vajpeyi, 3831 Convair Lane, commented on development projects being proposed and urged Council to carefully review parking for future developments projects.

City Attorney Rogers responded to questions by T.J. Frein, 1319 Austin Way, regarding any plans by the City to appeal the Public Employee Relations Board ruling and associated costs.

53404 - Mayor Green recognized Rosemary Beach and Floyd Winter, and presented them with Distinguished Service Awards for their service on the Health Trust Fund Board.

Mayor Green read a Proclamation recognizing August 3, 2021 as National Night Out in Cedar Falls.

53405 - Mayor announced that in accordance with the public notice of July 12, 2021, this was the time and place for a public hearing on a proposal to enter into an Agreement for Private Development with CV Commercial, L.L.C. relative to a commercial/residential mixed use development. It was then moved by Darrah and seconded by Harding that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

53406 - The Mayor then asked if there were any written communications filed to the proposal. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Economic Development Coordinator Graham provided a brief summary of the proposal, and College Hill Partnership Executive Director Kathryn Sogard spoke in support of the proposal. There being no one else present wishing to speak about the proposal, the Mayor declared the hearing closed and passed to the next order of business.

53407 - It was moved by Darrah and seconded by Harding that Resolution #22,460, approving the proposal to enter into an Agreement for Private Development with CV Commercial, L.L.C. relative to a commercial/residential mixed use development, be adopted. Following questions and comments by Councilmembers Sires, Harding and Kruse, and responses by Graham, Mayor

Green and City Administrator Gaines, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, Kruse, Harding, Darrah, Dunn. Nay: Sires. Motion carried. The Mayor then declared Resolution #22,460 duly passed and adopted.

- 53408 - Mayor announced that in accordance with the public notice of July 12, 2021, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2021 CDBG Sidewalk Infill 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.
- 53409 - 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 and indicated that due to updated Federal and State requirements, the public hearing would need to be continued to the next meeting. The Mayor then announced the continuation of the hearing until the August 2, 2021 meeting and that consideration of any action would be deferred until that time. The Mayor then passed to the next order of business.
- 53410- Mayor announced that in accordance with the public notice of July 12, 2021, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2021 Public Sidewalk Repair and Infill Project. It was then moved by Harding and seconded by Darrah that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53411 - 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. Civil Engineer Tolan provided a brief summary of the proposed project. There being no one else present wishing to speak about the project, the Mayor declared the hearing closed and passed to the next order of business.
- 53412 - It was moved by Miller and seconded by Harding that Resolution #22,461, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2021 Public Sidewalk Repair and Infill 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: Miller, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried. The Mayor then declared Resolution #22,461 duly passed and adopted.
- 53413- Mayor announced that in accordance with the public notice of July 12, 2021, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2021 Sidewalk Assessment Project - Zone 4. It was then moved by Darrah and seconded by Harding that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 53414 - 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. Civil Engineer Armstrong provided a brief summary of the proposed project. There being no one else present wishing to speak about the project, the Mayor declared the hearing closed and passed to the next order of business.
- 53415 - It was moved by Darrah and seconded by Harding that Resolution #22,462, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2021 Sidewalk Assessment Project - Zone 4, 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: Miller, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried. The Mayor then declared Resolution #22,462 duly passed and adopted.
- 53416- Mayor announced that in accordance with the public notice of July 12, 2021, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2021 Permeable Alley Project. It was then moved by Darrah and seconded by Harding that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53417 - 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 project, the Mayor declared the hearing closed and passed to the next order of business.
- 53418 - It was moved by Miller and seconded by Harding that Resolution #22,463, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2021 Permeable Alley 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: Miller, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried. The Mayor then declared Resolution #22,463 duly passed and adopted.
- 52419 - It was moved by Harding and seconded by Darrah that Ordinance #2992, amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to the speed limit on certain portions of Viking Road, 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: Miller, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried.
- 53420 - It was moved by Miller and seconded by Darrah that the following items on the Consent Calendar be received, filed and approved:

Approve the following recommendations of the Mayor relative to the appointment

of members to Boards and Commissions:

- a) Phyllis Carter, Community Center & Senior Services Board, term ending 06/30/2024.
- b) Crystal Ford, Civil Service Commission, term ending 04/04/2022.
- c) Rebecca Whitaker, Human Rights Commission, term ending 07/01/2022.

Receive and file the Committee of the Whole minutes of July 6, 2021 relative to the following items:

- a) Incident Command System with County EMA.
- b) Parking Ordinance Amendments.

Approve the following applications for beer permits and liquor licenses:

- a) Cypress Lounge, 209 A State Street, Class C liquor & outdoor service - renewal.
- b) Hy-Vee Market Grille, 6301 University Avenue, Class C liquor - renewal.
- c) George's Local, 108 E. 4th Street, Class C liquor & outdoor service – new with exceptions.
- d) Wal-Mart, 525 Brandilynn Boulevard, Class C liquor – change in ownership.

Motion carried unanimously.

- 53421 - It was moved by Harding and seconded by Kruse that the following resolutions be introduced and adopted:

Resolution #22,464, approving and authorizing execution of a Client Agreement with Express Scripts, Inc. relative to pharmacy benefit management services.

Resolution #22,465, approving and authorizing execution of a Lease Estoppel Certificate relative to a Lease Agreement between the City, the Board of Trustees of the Municipal Electric Utility, and Cedar Falls Solar Farm, LLC for the use of certain city-owned property located at 800 Viking Road as a solar garden.

Resolution #22,466, approving and accepting three Temporary Easements for construction, in conjunction with the FFY20-21 CDBG Sidewalk Infill Project.

Resolution #22,467, approving and accepting three Temporary Construction Easements, in conjunction with the Cyber Lane Extension Project.

Resolution #22,468, approving and authorizing the expenditure of funds for the purchase of a loader mounted snow blower for the Public Works Department.

Resolution #22,469, approving and authorizing the expenditure of funds for the purchase of transfer station equipment, in conjunction with the Transfer Station Pit Refurbishing Project.

Resolution #22,470, receiving and filing the bids, and approving and accepting the low bid of Owen Contracting, Inc., in the amount of \$296,323.66, for the Cyber Lane Extension Project.

Resolution #22,471, approving and authorizing execution of a Professional Service Agreement with Foth Infrastructure and Environment, LLC for design,

construction and acquisition services relative to the Main Street Reconstruction Project.

Resolution #22,472, receiving and filing, and setting August 2, 2021 as the date of public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2021 Seal Coat Project.

Resolution #22,473, receiving and filing, and setting August 2, 2021 as the date of public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2021 Street Patching Project.

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: Miller, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried. The Mayor then declared Resolutions #22,464 through #22,473 duly passed and adopted.

- 53422 - It was moved by Harding and seconded by Miller that Ordinance #2993, amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to parking restrictions in municipal parking lots, be passed upon its first 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: Miller, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried.
- 53423 - It was moved by Kruse and seconded by Harding that the bills and claims of July 19, 2021 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: Miller, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried.
- 53424 - Public Works Director Schrage provided an update on modifications to the Iowa Department of Transportation (IDOT) signage on West 1st Street.
- Mayor Green promoted National Night Out and provided information regarding the City's Express Permit for street closures and block parties.
- 53425 - It was moved by Kruse and seconded by Harding that the meeting be adjourned at 7:47 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk