

**CITY HALL
CEDAR FALLS, IOWA, JULY 1, 2024
REGULAR MEETING, CITY COUNCIL
MAYOR DANIEL LAUDICK 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 7:13 P.M. on the above date. Members present: Schultz, Latta, Kruse (via electronic), Hawbaker, Ganfield, Crisman. Absent: Dunn. Mayor Laudick led the Pledge of Allegiance.

54848 - It was moved by Latta and seconded by Ganfield that the minutes of the Regular Meeting of June 17, 2024 be approved as presented and ordered of record. Motion carried unanimously.

54849 - Rick Sharp, Cedar Falls, expressed concerns with fireworks and requested enforcement of the ordinance. Mayor Laudick and Director of Public Safety Berte commented.

David Spreitzer, Cedar Falls, commented on safety concerns regarding dead tree branches on his street that need attention. Mayor Laudick and Director of Public Works Schrage commented.

54850 - Director of Public Safety Berte commented on fireworks usage and enforcement. Mayor Laudick commented.

Library Director Stern announced the 20th birthday of the Library Building and commented on the Summer Reading Program. Stern also announced the 1st Birthday of Library Mascot, Fable the Fox, and a celebration to be held in the Library Parking lot July 12, from 3: 30 PM – 5:30 PM.

54851 - Mayor Laudick announced that in accordance with the public notice of June 25, 2024, this was the time and place for a public hearing on a proposal to undertake a public improvement project for the Katoski Drive Box Culvert Replacement Project, and to authorize acquisition of private property for said project. It was then moved by Ganfield and seconded by Crisman that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

54852 - The Mayor then asked if there were any written communications filed to the project. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. City Engineer Wicke provided an update on the 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.

54853 - It was moved by Hawbaker and seconded by Crisman that Resolution #23,685, approving a public improvement project for the Katoski Drive Box Culvert Replacement Project, and to authorize acquisition of private property for said 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion Carried. The Mayor then declared Resolution

#23,685 duly passed and adopted.

- 54854 - Mayor Laudick announced that in accordance with the public notice of June 25, 2024, this was the time and place for a public hearing on a proposal to undertake a public improvement project for the South Main Street Sanitary Sewer Extension Project, and to authorize acquisition of private property for said project. It was then moved by Crisman and seconded by Ganfield that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 54855 - The Mayor then asked if there were any written communications filed to the project. Upon being advised that there was one written communication on file, the Mayor then called for oral comments. City Engineer Wicke provided an update on the project. Following supportive comments by Cedar Falls resident Walt Rogers, opposing comments by Cedar Falls residents Sandy Lawry and Natalie Morfitt, and general comments and questions by Denzel, Cedar Falls, Rick Sharp, Cedar Falls, Carrie Sherwood, Dike, and Kim Jensen Jordan, Cedar Falls, and responses by Director of Public Works Schrage, Mayor Laudick, City Attorney Rogers, and AECOM Engineer Tony Hemann, the Mayor declared the hearing closed and passed to the next order of business.
- 54856 - It was moved by Crisman and seconded by Hawbaker that Resolution #23,686, approving a public improvement project for the South Main Street Sanitary Sewer Extension Project, and to authorize acquisition of private property for said project, be adopted. Following questions and comments by Councilmembers Ganfield, Latta, Crisman, Schultz, and Kruse, Cedar Falls residents Barb Shepard and Emily Olson, and responses by Director of Public Works Schrage, City Attorney Rogers, and Mayor Laudick, it was moved by Kruse and seconded by Schultz to postpone consideration to allow staff time to prepare further studies of three separate projects. Following a comment by Schrage, and comments and questions by Councilmembers Hawbaker, Crisman, Kruse, Schultz, Ganfield, and Latta, and responses by Mayor Laudick, Schrage, Rogers, and City Administrator Gaines, the motion to postpone failed 2-4, with Latta, Hawbaker, Ganfield, and Crisman voting Nay. The Mayor then put the question on the original motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion Carried. The Mayor then declared Resolution #23,686 duly passed and adopted.
- 54857 - It was moved by Latta and seconded by Crisman that Ordinance #3068, amending Chapter 6, Animals, of the Code of Ordinances relative to impoundment of dogs, cats or poultry running at-large, redemption of impounded animals, permitting dog, cat or poultry to run at-large, disposition of impoundment animals and notice of destruction of animal; appeal, 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion carried. The Mayor then declared Ordinance #3068 duly passed and adopted.
- 54858 - It was moved by Ganfield and seconded by Schultz that Ordinance #3069, amending the Zoning Map by removing real estate located at 2216 Main Street and 127 East 23rd Street, Commercial District, 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion carried.

54859 - It was moved by Latta and seconded by Ganfield that Ordinance #3070, amending Chapter 10, Garbage and Refuse, of the Code of Ordinances relative to containers; placement for collection; penalty of violation and service charges – established, 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion carried.

54860 - It was moved by Ganfield and seconded by Latta that the following items on the Consent Calendar be received, filed, and approved:

Receive and file the City Council Committee of the Whole minutes of June 17, 2024 relative to the following item:

a) Parking Study Report.

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

a) Jason Droste, Human Rights Commission.

b) Brad Leeper, Planning & Zoning Commission.

Approve the following applications for retail alcohol licenses:

a) Chuck E. Cheese's, 5911 University Avenue, Special Class C retail alcohol - renewal.

b) Applebee's Neighborhood Grill & Bar, 6301 University Avenue, Class C retail alcohol - renewal.

c) Carlos O'Kelly's Mexican Café, 6507 University Avenue, Class C retail alcohol - renewal.

d) Cooper's Taproom, 2002 College Street, Class C retail alcohol - renewal.

e) Le Petit, 119 Main Street, Class C retail alcohol - renewal.

f) Montage, 222-224 Main Street, Class C retail alcohol & outdoor service – renewal.

g) Texas Roadhouse, 5715 University Avenue, Class C retail alcohol - renewal.

h) Carlos O'Kelly's Mexican Café, 6507 University Avenue, Class C retail alcohol – change in ownership.

i) Jorgensen Plaza (Table 1912, Diamond Event Center and Gilmore's Pub), 5307 Caraway Lane, Class C retail alcohol & outdoor service - temporary expansion of outdoor service area. (July 25, 2024 and August 29, 2024)

Motion carried unanimously.

54861 - It was moved by Ganfield and seconded by Latta that the following resolutions be introduced and adopted:

Resolution #23,687, approving and authorizing execution of an Agreement in Support of Cedar Falls Community School District relative to FY2025 Cedar Falls Health Trust Services Funding.

Resolution #23,688, approving and authorizing execution of an Agreement in Support of NAMI Black Hawk County relative to FY2025 Cedar Falls Health Trust Services Funding.

Resolution #23,689, approving and authorizing execution of an Agreement in Support of Family YMCA of Black Hawk County relative to FY2025 Cedar Falls Health Trust Services Funding.

Resolution #23,690, approving and authorizing execution of an Agreement with the University of Northern Iowa relative to a City Employee Climate Survey.

Resolution #23,691, approving and authorizing execution of a Service/Product Agreement for asbestos removal and disposal services with All Star Environmental relative to property located at 523 West 1st Street.

Resolution #23,692, approving an amendment to the PC-2, Planned Commercial Zoning District Master Plan and site plan for construction of a practice soccer field to be located at 924 West Viking Road.

Resolution #23,693, approving the minor plat of Geisler Minor Subdivision Plat No. 1, replat of Lots 7, 8, & 9, Normal Addition.

Resolution #23,694, approving a College Hill Neighborhood Overlay District design review for two new duplexes located at 2511 Franklin Street. (Contingent upon approval of previous item)

Resolution #23,695, approving and authorizing execution of a License Agreement with Aureon Network Services relative to installing a fiber optic telecommunications system within the public right-of-way of West 27th Street.

Resolution #23,696, approving and authorizing execution of a License Agreement with Aureon Network Services relative to installing a fiber optic telecommunications system within the public right-of-way of Orchard Drive.

Resolution #23,697, approving and accepting three Warranty Deeds in conjunction with the North Cedar Heights Area Reconstruction Project.

Resolution #23,698, setting July 15 as the date of public hearing on the proposed conveyance of certain vacated alley right-of-way abutting 1307 Longview Street.

Resolution #23,699, setting July 15 as the date of public hearing on the FFY2024-2028 Consortium 5-Year Consolidated Plan for Community Development Block Grant (CDBG) & HOME Programs.

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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion carried. The Mayor then declared Resolutions #23,687 through #23,699 duly passed and adopted.

54862 - It was moved by Ganfield and seconded by Crisman that Resolution #23,700, approving and adopting an Amendment to the City's Health Insurance Benefits and Summary Plan Document relative to continuation of health coverage for

- dependents of eligible peace officers and firefighters, be adopted. Following comments by Carrie Sherwood, Dike, and Rick Sharp, Cedar Falls, and questions and comments by Councilmembers Hawbaker, Schultz, Ganfield, and Crisman, and responses by Human Resources Manager Schindel and Mayor Laudick, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion carried. The Mayor then declared Resolution #23,700 duly passed and adopted.
- 54863 - It was moved by Ganfield and seconded by Latta that Resolution #23,701, approving and adopting amendments to CFD 2251: Personnel Policy – Insurance Benefits, 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion carried. The Mayor then declared Resolution #23,701 duly passed and adopted.
- 54864 - It was moved by Ganfield and seconded by Latta that Resolution #23,702, approving and adopting an Amendment to the City's Health Insurance Benefits and Summary Plan Document relative to continuation of existing health coverage for one additional month, 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion carried. The Mayor then declared Resolution #23,702 duly passed and adopted.
- 54865 - It was moved by Ganfield and seconded by Crisman that Ordinance #3071, amending Chapter 2, Administration, of the Code of Ordinances relative to controller/city treasurer, information systems manager, city clerk, appointment, powers and duties of city attorney, appointment, powers and duties of human resources manager, planning and community services manager, manager, building official, manager of operations and maintenance, city engineer, and water reclamation manager, be passed upon its first consideration. Following comments by Councilmember Ganfield and Mayor Laudick, and Rick Sharp, Cedar Falls, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion carried.
- 54866 - It was moved by Latta and seconded by Crisman that Ordinance #3072, amending Chapter 17, Parks and Recreation, of the Code of Ordinances relative to public events on city property, be passed upon its first consideration. Following a question by Denzel, Cedar Falls, and 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion carried.
- 54867 - It was moved by Ganfield and seconded by Crisman that Ordinance #3073, amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to parking prohibited on specific streets, be passed upon its first consideration. Following comments by Councilmember Ganfield, the Mayor put the question on the motion, and upon call of the roll, the following named

Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion carried.

54868 - It was moved by Crisman and seconded by Ganfield that Ordinance #3074, amending Chapter 26, Zoning, of the Code of Ordinances relative to residence district, be passed upon its first consideration. Following questions and comments by Councilmembers Schultz and Ganfield, and responses by City Attorney Rogers, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion carried.

54869 - It was moved by Latta and seconded by Schultz that the bills and claims of July 1, 2024 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion carried.

54870 - Councilmember Schultz commented on the recent fireworks display and the Sturgis Falls events and thanked all involved.

City Administrator Gaines thanked staff for work during Sturgis Falls while also fighting a flood. Mayor Laudick agreed.

54871 - It was moved by Crisman and seconded by Hawbaker 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; and to discuss Information contained in records in the custody of a governmental body that are confidential records pursuant to Iowa Code Section 22.7(50). Upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman. Nay: None. Motion carried.

The City Council adjourned to Executive Session at 8:59 P.M.

Mayor Laudick reconvened the Council meeting at 9:59 P.M.

54872 - It was moved by Crisman and seconded by Latta that the meeting be adjourned at 10:00 P.M. Motion carried unanimously.

Kim Kerr, CMC, City Clerk