

**CITY HALL
CEDAR FALLS, IOWA, MAY 18, 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. The Mayor opened the meeting and announced that the meeting was an electronic meeting being conducted in conformance with the Governor's Proclamation of Disaster Emergency dated March 19, 2020. Due to the COVID-19 pandemic, an in-person meeting was impractical. Members present: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Absent: None.

- 52806 - It was moved by Kruse and seconded by Harding that the minutes of the Regular Meeting of May 4, 2020 be approved as presented and ordered of record. Motion carried unanimously.
- 52807 - Mayor Green announced that in accordance with the public notice of May 6, 2020, this was the time and place for a public hearing on the authorization of a Loan Agreement and the issuance of not to exceed \$2,800,000 General Obligation Capital Loan Notes (for essential corporate purposes). It was then moved by Darrah and seconded by deBuhr that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 52808 - The Mayor then asked if there were any written communications filed to the proposed issuance. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Finance and Business Operations Director Rodenbeck provided a brief explanation of the process. Following a comment by Jim Skaine, 2215 Clay Street, regarding the hearing process, the Mayor declared the hearing closed and passed to the next order of business.
- 52809 - It was moved by Kruse and seconded by Darrah that Resolution #21,958, instituting proceedings to take additional action for the issuance of not to exceed \$2,800,000 General Obligation Capital Loan Notes (for essential corporate purposes), be adopted. Following questions by Councilmembers Sires and deBuhr and responses by Finance and Business Operations Director Rodenbeck and Public Works Director Schrage, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Harding, Darrah, Taiber. Nay: Sires. Motion carried. The Mayor then declared Resolution #21,958 duly passed and adopted.
- 52810 - Mayor Green announced that in accordance with the public notice of May 6, 2020, this was the time and place for a public hearing on the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (for general corporate purposes). It was then moved by Kruse and seconded by Darrah that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 52811 - The Mayor then asked if there were any written communications filed to the proposed issuance. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Finance and Business Operations Director Rodenbeck provided a brief explanation of the process. Following a comment by Jim Skaine, 2215 Clay Street, regarding projects included, and a question by Thomas (T.J.) Frein, 1319 Austin Way, regarding the bid process and maximum amount, and responses by Finance and Business Operations Director Rodenbeck, the Mayor declared the hearing closed and passed to the next order of business.
- 52812 - It was moved by Kruse and seconded by Miller that Resolution #21,959, instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (for general corporate Purposes), be adopted. Following questions and comments by Councilmembers Darrah, Taiber, Harding, Kruse, Sires and Miller, Jim Skaine, 2215 Clay Street, and Mayor Green, and responses by Finance and Business Operations Director Rodenbeck and City Attorney Rogers, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Harding, Darrah, Taiber. Nay: Sires. Motion carried. The Mayor then declared Resolution #21,959 duly passed and adopted.
- 52813 - Mayor Green announced that in accordance with the public notice of May 8, 2020, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2020 Community Development Block Grant (CDBG) Sidewalk Infill Project. It was then moved by Kruse and seconded by Harding that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 52814 - The Mayor then asked if there were any written communications filed to the proposed plans, etc. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Following a brief summary of the proposed project by Principal Engineer Fitch, comment by Jim Skaine, 2215 Clay Street, and response by Mayor Green, the Mayor declared the hearing closed and passed to the next order of business.
- 52815 - It was moved by Kruse and seconded by deBuhr that Resolution #21,960, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2020 Community Development Block Grant (CDBG) Sidewalk Infill Project, be adopted. Following a question by Councilmember Sires, comment by Jim Skaine, 2215 Clay Street, and responses by Community Development Director Sheetz, City Administrator Gaines and Councilmember Harding, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Resolution #21,960 duly passed and adopted.
- 52816 - Mayor Green announced that in accordance with the public notice of May 8, 2020, this was the time and place for a public hearing on the proposed adoption of the

Multi-Jurisdictional Hazard Mitigation Plan for Black Hawk County. It was then moved by Kruse and seconded by Darrah that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 52817 - The Mayor then asked if there were any written communications filed to the proposed plan. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Community Development Director Sheetz provided a brief summary of the proposed plan and process. Following a question by Thomas (T.J.) Frein, 1319 Austin Way, and response by Community Development Director Sheetz, the Mayor declared the hearing closed and passed to the next order of business.
- 52818 - It was moved by Darrah and seconded by Kruse that Resolution #21,961, approving and adopting the Multi-Jurisdictional Hazard Mitigation Plan for Black Hawk County, 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, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Resolution #21,961 duly passed and adopted.
- 52819 - It was moved by deBuhr and seconded by Harding that Ordinance #2963, amending the boundaries for wards and precincts within the City of Cedar Falls to incorporate recently annexed territory, be passed upon its third and final consideration. Following a comment by Jim Skaine, 2215 Clay Street, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Ordinance #2963 duly passed and adopted.
- 52820 - It was moved by Kruse and seconded by Miller that Ordinance #2964, Offenses and Miscellaneous Provisions, of the Code of Ordinances relative to prohibiting loitering, be passed upon its third and final consideration. Following questions by Thomas (T.J.) Frein, 1319 Austin Way, and Councilmember Harding, and responses by Public Safety Services Director Olson, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Ordinance #2964 duly passed and adopted.
- 52821 - It was moved by Darrah and seconded by Kruse that Ordinance #2965, amending Chapter 17, Parks and Recreation, of the Code of Ordinances relative to noxious weeds, be passed upon its third and final consideration. Following a comment by Jim Skaine, 2215 Clay Street, and response by Building Official Castle, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Harding, Darrah, Taiber. Nay: Sires. Motion carried. The Mayor then declared Ordinance #2965 duly passed and adopted.

52822 - It was moved by Kruse and seconded by deBuhr that Ordinance #2966, amending Section 26-121 of the Code of Ordinances by rezoning from A-1, Agricultural, to R-1, Residential and M-1, P, Planned Light Industrial, of recently annexed property located south of West Viking Road and east of South Union Road, be passed upon its second consideration. Following a comment by Jim Skaine, 2215 Clay Street, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried.

52823 - Following comments by Jim Skaine, 2215 Clay Street, and responses by Mayor Green and City Attorney Rogers regarding City Council rules and procedures, it was moved by Miller and seconded by Kruse to suspend the rules and consider all Consent Calendar items together without separate discussion. Motion carried unanimously.

It was then moved by Taiber and seconded by Kruse that the following items and recommendations on the Consent Calendar be received, filed and approved.

Receive and file a proclamation recognizing May 16, 2020 as Jen Fielding Learn to Swim Day.

Receive and file the resignation of Rosemary Beach as a member of the Health Trust Fund Board of Trustees.

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

Erik Blanchard, Parks & Recreation Commission, term ending 06/30/2023

Alan Stalnaker, Parks & Recreation Commission, term ending 06/30/2023

Receive and file the Committee of the Whole minutes of May 4, 2020 relative to the following items:

- a) Capital Improvements Program (CIP) Funding Update.
- b) Bills & Payroll.

Approve the following applications for beer permits and liquor licenses:

- a) Hurling Hatchet, 100 East 2nd Street, Class B beer - renewal.
- b) Famous Dave's, 6222 University Avenue, Class C liquor -renewal.
- c) Hy-Vee Food Store, 6301 University Avenue, Class E liquor - renewal.

Following expressed thanks by Councilmember deBuhr to Rosemary Beach for her service on the Health Trust Fund Board of Trustees, the motion carried unanimously.

52824 - It was moved by deBuhr and seconded by Taiber to approve the following applications for cigarette/tobacco/nicotine/vapor permits:

- a) Fareway Stores, Inc. #974, 214 N. Magnolia Drive
- b) Fareway Stores, Inc. #190, 4500 S. Main Street
- c) Hansen's Dairy, 127 E. 18th Street
- d) Hy-Vee Food Store #2, 6301 University Avenue

- e) Hy-Vee Gas, 6527 University Avenue
- f) Murphy USA #6970, 518 Brandilynn Boulevard
- g) Prime Mart, 2728 Center Street
- h) Thunder Ridge Ampride, 2425 Whitetail Drive

Following a question by Thomas (T.J.) Frein, 1319 Austin Way, and responses by City Administrator Gaines and Public Safety Services Director Olson, the motion carried unanimously.

- 52825 - It was moved by deBuhr and seconded by Kruse that the following resolutions be introduced and adopted:

Resolution #21,962, setting June 1, 2020 as the date of public hearing on a proposal to vacate public right-of-way along Prairie Parkway.

Resolution #21,963, setting June 1, 2020 as the date of public hearing on amendments to the Citizen Participation Plan for the City's Community Development Block Grant (CDBG) and HOME Investment Partnership Program relative to the CARES Act.

Resolution #21,964, setting June 1, 2020 as the date of public hearing on amendments to the FFY2019-2023 Consolidated Plan for Community Development Block Grant (CDBG) & HOME Program funding relative to the CARES Act.

Resolution #21,965, setting June 1, 2020 as the date of public hearing on amendments to the FFY19 Annual Action Plan for Community Development Block Grant (CDBG) & HOME Program funding relative to the CARES Act.

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, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Resolutions #21,962 through #21,965 duly passed and adopted.

- 52826 - It was moved by deBuhr and seconded by Kruse that Resolution #21,966, approving and authorizing execution of a Professional Service Agreement with Carlson Dettmann Consulting, LLC for market measurement and pay plan management services, be adopted. Following questions and comments by Councilmembers Sires, Taiber, Darrah, Harding, Kruse and Miller, Mayor Green, Thomas (T.J. Frein), 1319 Austin Way, and LeaAnn Saul, 1825 West Greenhill Road, and responses by Finance and Business Operations Director Rodenbeck 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, deBuhr, Kruse, Darrah. Nay: Harding, Sires, Taiber. Motion carried. The Mayor then declared Resolution #21,966 duly passed and adopted.

- 52827 - It was moved by Darrah and seconded by deBuhr that Resolution #21,967, approving and authorizing the expenditure of funds for the purchase of camera

equipment for the cable television studio, be adopted. Following comments by Councilmember Sires and Mayor Green, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Resolution #21,967 duly passed and adopted.

- 52828 - It was moved by Darrah and seconded by Miller that Resolution #21,968, approving and authorizing execution of a Surface Transportation Block Grant (STBG) Program Federal-Aid Agreement with the Iowa Department of Transportation relative to the Union Road Recreation Trail Project – West 12th Street to West 27th Street, be adopted. Following comments by Councilmember Sires and responses by Public Works Director Schrage, Councilmember Taiber and Mayor Green, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried. The Mayor then declared Resolution #21,968 duly passed and adopted.
- 52829 - It was moved by Kruse and seconded by Miller that the bills and payroll of May 18, 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. Upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried.
- 52830 - City Administrator Gaines responded to an inquiry by Councilmember Kruse regarding review of the ordinance for backyard chickens.
- City Administrator Gaines and Public Works Director Schrage responded to questions by Councilmembers Miller and Darrah regarding potential opening of the swimming pool and payment options at the Transfer Station.
- City Administrator Gaines responded to a question by Councilmember Kruse regarding the status of the College Hill Visioning project.
- 52831 - City Administrator Gaines provided updates on the reopening of City Hall, Recreation Center, Hearst Center, Tourism & Visitors Center, and the Public Library.
- Councilmember Darrah commented on work being timely completed on the Downtown Streetscape and the Recreation Center locker rooms during restrictions of the pandemic.
- City Administrator Gaines announced an additional \$1.4 million in funds awarded by the Iowa Northland Regional Council of Governments (INRCOG) for the Main Street Reconstruction Project.
- Public Safety Services Director Olson provided an update on and responded to a question by Councilmember Miller regarding the approved timeline and hiring process for Police Chief.

52832 - Jeremy Sulentic, 1008 Rocklyn Street, expressed disappointment with the City Council decision not to allow all Consent Calendar items to be reviewed separately, and his belief that the Mayor should be allowed to vote.

Thomas (T.J.) Frein, 1319 Austin Way, expressed appreciation for the improved discussion over the past couple of months, and City Administrator Gaines responded to a question by Mr. Frein regarding funding for the Main Street Reconstruction Project.

LeaAnn Saul, 1825 West Greenhill Road, expressed appreciation for the recent format of the meetings, and Mayor Green responded to a question by Ms. Saul regarding recruiting businesses to Cedar Falls.

Mayor Green and Councilmember Miller responded to comments by Jim Skaine, 2215 Clay Street, regarding City Council agendas and maintaining order during the meetings.

52833 - It was moved by Kruse and seconded by Harding that the meeting be adjourned at 9:09 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk