

**CITY HALL
CEDAR FALLS, IOWA, NOVEMBER 15, 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, deBuhr, Kruse (via video conference), Harding, Darrah, Sires, Dunn. Absent: None.

53547 - It was moved by Darrah and seconded by Miller that the minutes of the Regular Meeting of November 1, 2021 be approved as presented and ordered of record. Motion carried unanimously.

53548 - Mayor Green read the following proclamations:

Proclamation recognizing November 26, 2021 as Holiday Hoopla Day and November 27, 2021 as Small Business Saturday. Community Main Street Executive Director Kim Bear commented.

Proclamation recognizing December 1, 2021 as Civil Air Patrol Day.

53549- Rosemary Beach, 5018 Sage Road, expressed concerns with a proposal by UNI to demolish historical buildings on campus.

James Geiger, 5308 Arbors Drive, expressed appreciation for citizens supporting striking John Deere union employees.

Public Safety Director Olson, Mayor Green and City Attorney Rogers responded to concerns expressed by Larry Wyckoff, 4241 Eastpark Road, regarding people walking in the streets.

53550 - Mayor announced that this was the time and place for a hearing on the proposed condemnation of property located at 1227 West 22nd Street. Building Official Castle provided a brief summary. Following comments by Corbin Hoffman, 1009 West 22nd Street, Apt. 44, the Mayor declared the hearing closed and passed to the next order of business.

53551- It was moved by Harding and seconded by deBuhr that Resolution #22,579, declaring the property located at 1227 West 22nd Street to be a nuisance due to being structurally unsafe, a fire hazard, or otherwise dangerous to human life and health, and ordering abatement of said nuisance by removal, repair or demolition of said property and requiring the owner of said property to abate said nuisance or submit a viable plan by December 2, 2021, be adopted. Following comments and questions by Councilmembers Sires and deBuhr, 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, Sires, Dunn. Nay: None. Motion carried. The Mayor then declared Resolution #22,579 duly passed and adopted.

- 53552 - Mayor announced that this was the time and place for a hearing on the proposed condemnation of property located at 315 East Dunkerton Road. Building Official Castle provided a brief summary. Following comments by Diana Flett, 315 East Dunkerton Road, the Mayor declared the hearing closed and passed to the next order of business.
- 53553- It was moved by Darrah and seconded by Harding that Resolution #22,580, declaring the property located at 315 East Dunkerton Road to be a nuisance due to being structurally unsafe, a fire hazard, or otherwise dangerous to human life and health, and ordering abatement of said nuisance by removal, repair or demolition of said property and requiring the owner of said property to abate said nuisance or submit a viable plan by December 2, 2021, be adopted. Following questions and comments by Mayor Green, Councilmembers Harding, deBuhr, Sires and Darrah, and responses 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, Harding, Darrah, Dunn. Nay: Kruse, Sires. Motion carried. The Mayor then declared Resolution #22,580 duly passed and adopted.
- 53554 - Mayor announced that this was the time and place for a hearing on the proposed condemnation of property located at 710 West 13th Street. Building Official Castle provided a brief summary. Following comments by the Administrator of the Estate Debra Kock, Greene, Iowa, the Mayor declared the hearing closed and passed to the next order of business.
- 53555- It was moved by Harding and seconded by Darrah that Resolution #22,581, declaring the property located at 710 West 13th Street to be a nuisance due to being structurally unsafe, a fire hazard, or otherwise dangerous to human life and health, and ordering abatement of said nuisance by removal, repair or demolition of said property and requiring the owner of said property to abate said nuisance or submit a viable plan by December 2, 2021, be adopted. Following comments and questions by Councilmember Sires, Harding and Kruse, it was moved by Kruse and seconded by Sires to amend the motion to extend the date to submit the viable plan to 60 days. Following questions and comments by Councilmembers deBuhr and Darrah, and responses by Building Official Castle, the motion to amend failed 2-5, with Miller, deBuhr, Harding, Darrah and Dunn voting Nay. The Mayor then put the question on the original motion and upon call of the roll, the following named Councilmembers voted. Aye: Miller, deBuhr, Harding, Darrah, Dunn. Nay: Kruse, Sires. Motion carried. The Mayor then declared Resolution #22,581 duly passed and adopted.
- 53556 - Mayor announced that this was the time and place for a hearing on the proposed condemnation of property located at 1303 Walnut Street. Building Official Castle provided a brief summary. There being no one else present wishing to speak about the proposed condemnation, the Mayor declared the hearing closed and passed to the next order of business.
- 53557- It was moved by Darrah and seconded by deBuhr that Resolution #22,582,

- declaring the property located at 1303 Walnut Street to be a nuisance due to being structurally unsafe, a fire hazard, or otherwise dangerous to human life and health, and ordering abatement of said nuisance by removal, repair or demolition of said property and requiring the owner of said property to abate said nuisance or submit a viable plan by December 2, 2021, 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, Harding, Darrah, Dunn. Nay: Kruse, Sires. Motion carried. The Mayor then declared Resolution #22,582 duly passed and adopted.
- 53558 - Mayor announced that in accordance with the public notice of October 27, 2021, this was the time and place for a public hearing on the City's FFY20 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and HOME programs. 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.
- 53559 - The Mayor then asked if there were any written communications filed to the proposed proposal. 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 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.
- 53560 - It was moved by Miller and seconded by Harding that Resolution #22,583, approving and authorizing submission of the FFY20 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and HOME programs, 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, Dunn. Nay: None. Motion carried. The Mayor then declared Resolution #22,583 duly passed and adopted.
- 53561 - Mayor announced that in accordance with the public notice of November 05, 2021, this was the time and place for a public hearing on a proposed ordinance granting a partial property tax exemption for The Vault, LLC for construction of a storage/office facility at 6100 Production Drive. 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.
- 53562 - The Mayor then asked if there were any written communications filed to the proposed ordinance. 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. 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.
- 53563 - It was moved by Miller and seconded by Harding that Ordinance #3000, granting a partial property tax exemption to The Vault, LLC for construction of a

storage/office facility at 6100 Production Drive, 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, deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried.

- 53564 - Mayor announced that in accordance with the public notice of November 5, 2021, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the Greenhill Road and South Main Street Intersection Improvement Project. It was then moved by Miller and seconded by Harding that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53565 - 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 Claypool provided a brief summary and presented a video of the proposed project. Following questions and comments by Penny Popp, 4805 South Main Street, Larry Wyckoff, 4241 Eastpark Road, and James Geiger, 5308 Arbors Drive, and responses by Public Works Director Schrage and Public Safety Director Olson, the Mayor declared the hearing closed and passed to the next order of business.
- 53566 - It was moved by Harding and seconded by Miller that Resolution #22,584, approving and adopting the plans, specifications, form of contract & estimate of cost for the Greenhill Road and South Main Street Intersection Improvement Project, be adopted. Following questions and comments by Mayor Green and Councilmember Sires, and responses by Public Safety Director Olson 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, Dunn. Nay: Sires. Motion carried. The Mayor then declared Resolution #22,584 duly passed and adopted.
- 53567 - It was moved by deBuhr and seconded by Miller that Ordinance #2997, adopting by reference the 2021 International Building Code, 2021 International Residential Code, 2021 International Mechanical Code, 2021 Uniform Plumbing Code, 2021 National Fuel Gas Code and 2020 National Electrical Code, and associated revisions to Chapter 7, Buildings and Building Regulations of the Code of Ordinances, 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: Miller, deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried. The Mayor then declared Ordinance #2997 duly passed and adopted.
- 53568 - It was moved by Darrah and seconded by deBuhr that Ordinance #2998, adopting by reference the 2021 International Fire Code, and associated revisions to Chapter 9, Fire Prevention and Protection of the Code of Ordinances, 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: Miller, deBuhr, Kruse, Harding,

Darrah, Sires, Dunn. Nay: None. Motion carried. The Mayor then declared Ordinance #2998 duly passed and adopted

53569 - It was moved by Miller and seconded by Harding that the following items on the Consent Calendar be received, filed and approved:

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

a) Sonja Bock, Human Rights Commission, term ending 07/01/2022.

Receive and file a communication for the Civil Service Commission relative to the certified list for the position of Public Safety Officer.

Receive and file the FY2021 Comprehensive Annual Financial Report.

Approve the following applications for beer permits and liquor licenses:

a) Hansen's Dairy, 123 East 18th Street, Class C beer & Class B native wine - renewal.

b) Lifestyle Inn, 5826 University Avenue, Class B liquor - renewal.

c) Five Corners Liquor & Wine, 809 East 18th Street, Class E liquor - renewal.

d) Aldi Inc., 315 Brandilynn Boulevard, Class C beer & Class B wine – permanent transfer.

e) Alist Nails, 6015 University Avenue, Special Class C liquor – new.

Motion carried unanimously.

53570 - It was moved by deBuhr and seconded by Harding that the following resolutions be introduced and adopted:

Resolution #22,585, authorizing certification of eligible expenses for reimbursement from the College Hill, Downtown, Pinnacle Prairie, South Cedar Falls, and Unified Tax Increment Financing Revenues.

Resolution #22,586, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for parking lot signage in the College Hill Urban Renewal Area.

Resolution #22,587, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for legal fees, construction costs, design costs, brick costs, utility costs, reimbursement payments, landscaping costs, easement costs and other project costs related to Peter Melendy Park, Downtown Alley, Downtown Parking Lot, and Downtown Streetscape, all in the Downtown Urban Renewal Area.

Resolution #22,588, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding design, construction and administrative fees related to the Cyber Lane and Cyber Lane Extension projects in the South Cedar Falls Urban Renewal Area.

Resolution #22,589, approving and authorizing an inter-fund loan from the Tax Increment Financing (TIF) Bond Fund to the Tax Increment Financing (TIF) Fund relative to funding for the West Viking Road, Industrial Park Street Expansion, and other administrative and legal fees in the Unified Urban Renewal Area.

Resolution #22,590, approving and authorizing an inter-fund loan from the Capital Improvements Fund to the Tax Increment Financing (TIF) Fund relative to funding for camera costs in the Downtown Urban Renewal Area.

Resolution #22,591, approving and authorizing an inter-fund loan from the Economic Development Fund to the Tax Increment Financing (TIF) Fund relative to funding for the purchase of land and related expenses in the South Cedar Falls Urban Renewal Area.

Resolution #22,592, approving and authorizing an inter-fund loan from the Economic Development Fund to the Tax Increment Financing (TIF) Fund relative to funding for the purchase of land and water rights in the Unified Urban Renewal Area.

Resolution #22,593, approving and authorizing an inter-fund loan from the Local Option Sales Tax (LOST) Fund to the Tax Increment Financing (TIF) Fund relative to funding for legal, engineering, construction, and administrative fees related to the Ridgeway Avenue Project in the South Cedar Falls Urban Renewal Area.

Resolution #22,594, approving and authorizing an inter-fund loan from the Visitors & Tourism Fund to the Tax Increment Financing (TIF) Fund relative to funding for the landscaping design project in the Pinnacle Prairie Urban Renewal Area.

Resolution #22,595, approving and authorizing the transfer of funds relative to Tax Increment Financing (TIF) revenues to be received for the fiscal year ending June 30, 2022.

Resolution #22,596, approving and authorizing submission of the City's FY21 Annual Urban Renewal Report.

Resolution #22,597, approving a Cedar Falls Utilities Electric, Gas, Water, and Communications Utility Installation or Relocation Project within the Cedar Falls Unified Highway 58 Corridor Urban Renewal Area.

Resolution #22,598, approving and accepting an Iowa Arts & Culture Marketing Grant from the Iowa Department of Cultural Affairs for marketing initiatives of the Hearst Center for the Arts.

Resolution #22,599, approving and authorizing execution of an Agreement for Professional Services with Exceptional Persons, Inc. relative to Community Development Block Grant (CDBG) funding for service agencies.

Resolution #22,600, approving and authorizing execution of an Agreement for Professional Services with Northeast Iowa Food Bank relative to Community

Development Block Grant (CDBG) funding for service agencies.

Resolution #22,601, approving and authorizing execution of an Agreement for Professional Services with Pathways Behavioral Services, Inc. relative to Community Development Block Grant (CDBG) funding for service agencies.

Resolution #22,602, approving and authorizing execution of an Agreement for Professional Services with Salvation Army relative to Community Development Block Grant (CDBG) funding for service agencies.

Resolution #22,603, receiving and filing the bids, and approving and accepting the low bid of Peters Construction Corporation, in the amount of \$3,851,456.00 for the City Hall Remodel Project.

Resolution #22,604, approving and authorizing execution of a Service/Product Agreement with Routewear, Inc. for replacement of the automated refuse cart management system.

Resolution #22,605, approving and authorizing execution of a Professional Service Agreement with AECOM Technical Services, Inc. for design services relative to the Cedar Heights Area Street Reconstruction Project.

Resolution #22,606, receiving and filing the Evaluative Report of the Planning & Zoning Commission, and setting December 6, 2021 as the date of public hearing to consider taking action on a petition requesting the reestablishment of the Downtown Cedar Falls Self-Supported Municipal Improvement District (SSMID).

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, Dunn. Nay: None. Motion carried. The Mayor then declared Resolutions #22,585 through #22,606 duly passed and adopted.

- 53571 - It was moved by Miller and seconded by Darrah that Resolution #22,607, approving the preliminary plat of West Fork Crossing, be adopted. Following questions by Councilmembers Miller and deBuhr, and responses by Planning & Community Services Manager Howard, 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: deBuhr. Motion carried. The Mayor then declared Resolution #22,607 duly passed and adopted.
- 53572 - It was moved by Harding and seconded by Miller that Ordinance #3001, amending Chapter 24, Utilities, of the Code of Ordinances, relative to sanitary sewer rates, 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, deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried.
- 53573 - It was moved by Darrah and seconded by Harding that the bills and claims of November 15, 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, deBuhr, Kruse, Harding, Darrah, Sires, Dunn. Nay: None. Motion carried.

- 53574 - It was moved by Sires and seconded by Harding to refer to the Committee of the Whole a presentation by Certified Community Behavioral Health Clinic Representative Jen Stevenson regarding services available to the Public Safety Department. Following comments by Councilmember Dunn and Police Chief Berte, the motion carried unanimously.

It was then moved by Kruse and seconded by Harding to refer to goal setting a discussion regarding installing crosswalks on Union Road at Paddington Drive, Thresher Court and Autumn Ridge Road. Following questions and comments by Councilmembers Sires and Harding, and responses by Public Works Director Schrage, the motion carried unanimously.

- 53575 - Public Safety Director Olson provided clarification to an earlier question regarding pedestrians in the streets. City ordinance states walking in the street is prohibited if there are sidewalks available.

Mayor Green announced the successful space launch of Cedar Falls Astronaut Raja Chari to the International Space Station.

- 53576 - It was moved by Harding and seconded by Miller that the meeting be adjourned at 8:52 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk