

**CITY HALL
CEDAR FALLS, IOWA, JUNE 1, 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.

- 52834 - It was moved by deBuhr and seconded by Harding that the minutes of the Regular Meeting of May 18, 2020 be approved as presented and ordered of record. Motion carried unanimously.
- 52835 - Mayor Green announced that in accordance with the public notice of May 22, 2020, this was the time and place for a 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. It was then moved by Harding and seconded by deBuhr that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 52836 - The Mayor then asked if there were any written communications filed to the proposed amendments. 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 amendments. There being no one else present wishing to speak about the proposed amendments, the Mayor declared the hearing closed and passed to the next order of business.
- 52837 - It was moved by Harding and seconded by Miller that Resolution #21,969, approving 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, 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 #21,969 duly passed and adopted.
- 52838 - Mayor Green announced that in accordance with the public notice of May 22, 2020, this was the time and place for a public hearing on amendments to the FFY2019-2023 Consolidated Plan for Community Development Block Grant (CDBG) & HOME Program funding relative to the CARES Act. It was then moved by deBuhr and seconded by Harding that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

- 52839 - The Mayor then asked if there were any written communications filed to the proposed amendments. 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 amendments. There being no one else present wishing to speak about the proposed amendments, the Mayor declared the hearing closed and passed to the next order of business.
- 52840 - It was moved by Harding and seconded by deBuhr that Resolution #21,970, approving amendments to the FFY2019-2023 Consolidated Plan for Community Development Block Grant (CDBG) & HOME Program funding relative to the CARES Act, be adopted. Following questions by Councilmembers Taiber and deBuhr, and responses by Community Development Director Sheetz, 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 #21,970 duly passed and adopted.
- 52841 - Mayor Green announced that in accordance with the public notice of May 22, 2020, this was the time and place for a public hearing on amendments to the FFY19 Annual Action Plan for Community Development Block Grant (CDBG) & HOME Program funding relative to the CARES Act. It was then moved by deBuhr and seconded by Harding that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 52842 - The Mayor then asked if there were any written communications filed to the proposed amendments. 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 amendments. There being no one else present wishing to speak about the proposed amendments, the Mayor declared the hearing closed and passed to the next order of business.
- 52843 - It was moved by Harding and seconded by Sires that Resolution #21,971, approving amendments to the FFY19 Annual Action Plan for Community Development Block Grant (CDBG) & HOME Program funding relative to the CARES Act, 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 #21,971 duly passed and adopted.
- 52844 - Mayor Green announced that in accordance with the public notice of May 22, 2020, this was the time and place for a public hearing on the proposed vacation of certain public right-of-way along Prairie Parkway. It was then moved by Harding and seconded by Sires that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 52845 - The Mayor then asked if there were any written communications filed to the

proposed vacation. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Community Services Manager Howard provided a brief summary of the proposed vacation. Following a question by Jim Skaine, 2215 Clay Street, and response by Community Services Manager Howard, the Mayor declared the hearing closed and passed to the next order of business.

52846 - It was moved by Miller and seconded by Harding that Ordinance #2967, vacating certain public right-of-way along Prairie Parkway, be passed upon its first consideration. Following questions by Councilmembers deBuhr, Taiber and Harding, and responses by 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, deBuhr, Kruse, Harding, Darrah, Sires, Taiber. Nay: None. Motion carried.

52847 - It was moved by deBuhr and seconded by Harding 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 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, Taiber. Nay: None. Motion carried. The Mayor then declared Ordinance #2966 duly passed and adopted.

52848 - Following comments by Mayor Green expressing appreciation to the Information Systems staff for their hard work in getting city staff up and running remotely during the pandemic, it was moved by Harding and seconded by Sires that the following items and recommendations on the Consent Calendar be received, filed and approved:

Receive and file a proclamation recognizing June 6, 2020 as Cedar Falls Trails Day.

Receive and file Departmental Monthly Reports of April 2020.

Approve the request of The Black Hawk Hotel / Bar Winslow for a temporary sign at 115 Main Street.

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

- a) B&B West, 3105 Hudson Road.
- b) Bani's, 2128 College Street.
- c) Buzz Smoke & Vapor, 2125 College Street, Suite A.
- d) Cloud 9 Glass & Novelty, 2125 College Street, Suite C.
- e) Cypress Lounge, 209 State Street, Suite A.
- f) Dollar General, 2921 Center Street.
- g) Dollar General, 1922 Valley Park Drive
- h) Fleet Farm, 400 West Ridgeway Avenue.
- i) Fleet Farm Fuel, 108 West Ridgeway Avenue.

- j) Greenleaf Tobacco and Vapor, 5901 University Avenue.
- k) Kwik Star, 7500 Nordic Drive.
- l) Kwik Star, 2019 College Street.
- m) Kwik Star, 4515 Coneflower Parkway.
- n) Metro Mart, 103 Franklin Street.
- o) Prime Mart 1, 2323 Main Street.
- p) Tobacco Outlet Plus, 4116 University Avenue Suite 106.
- q) Walgreens, 2509 Whitetail Drive.

Approve the following applications for beer permits and liquor licenses:

- a) Kwik Star, 7500 Nordic Drive, Class C beer & Class B wine - renewal.
- b) Carlos O'Kelly's Mexican Café, 6507 University Avenue, Class C liquor & outdoor service - renewal.
- c) Harry's Five and Dime, 123 Main Street, Class C liquor - renewal.
- d) Los Cabos Mexican Restaurant, 112-114 Main Street, Class C liquor & outdoor service - renewal.
- e) Prime Mart, 2323 Main Street, Class E liquor - renewal.

Motion carried unanimously.

- 52849 - It was moved by Kruse and seconded by Harding that the following resolutions be introduced and adopted:

Resolution # 21,972, approving electronic bidding procedures and Official Statement relative to the sale of \$3,430,000 General Obligation Capital Loan Notes, Series 2020.

Resolution #21,973, approving and adopting the City's FY21 Fee Schedule.

Resolution #21,974, levying a final assessment for costs incurred by the City to remove snow and ice from the sidewalks abutting the property located at 2307 West 3rd Street.

Resolution #21,975, levying a final assessment for costs incurred by the City to remove snow and ice from the sidewalks abutting the property located at 1934 Main Street.

Resolution #21,976, levying a final assessment for costs incurred by the City to remove snow and ice from the sidewalks abutting the property located at 1009 State Street.

Resolution #21,977, approving renovation of the monument sign located adjacent to the Hearst Center for the Arts on West Seerley Boulevard, as recommended by the Art and Culture Board.

Resolution #21,978, approving and authorizing execution of an amended Agreement with Gillian Christy relative to placement of a sculpture at 220 Clay Street.

Resolution #21,979, approving and authorizing execution of a Land Maintenance Agreement with Thomas Greiner relative to maintaining recently annexed undeveloped land.

Resolution #21,980, approving an amendment to the preliminary plat for The Arbors.

Resolution #21,981, approving and authorizing execution of a First Amendment to Professional Service Agreement with the Iowa Northland Regional Council of Governments (INRCOG) for Grant Administration and Technical Services for Community Development Block Grant (CDBG-CV) funding relative to the CARES Act.

Resolution #21,982, receiving and filing the bids, and approving and accepting the low bid of Boulder Contracting, LLC, in the amount of \$69,608.45, for the 2020 CDBG Sidewalk Infill Project.

Resolution #21,983, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with J Davis Properties, LLC relative to a post-construction stormwater management plan for Parcel F in the College Square Mall First Addition, Minor Subdivision Plat (Slumberland parking lot).

Resolution #21,984, approving and accepting a Quit Claim Deed, in conjunction with the 1994 transfer of jurisdiction of Center Street, f/n/a U.S. Highway 218, from 1st Street north to the city limits.

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 #21,972 through #21,984 duly passed and adopted.

52850 - It was moved by Harding and seconded by Miller that Resolution #21,985, approving and authorizing execution of an Agreement with Perkins & Will relative to developing a Resilience Plan for the City of Cedar Falls, be adopted. Following questions and comments by Councilmembers Sires, deBuhr, Kruse, Harding, Miller, Taiber and Darrah, Kelly Dunn, 915 Royal Drive, LeaAnn Saul, 1825 West Greenhill Road, and Mayor Green, and responses by Finance and Business Operations Director Rodenbeck, City Administrator Gaines, Community Development Director Sheetz 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, Kruse, Harding, Darrah. Nay: deBuhr, Sires, Taiber. Motion carried. The Mayor then declared Resolution #21,985 duly passed and adopted.

52851 - It was moved by deBuhr and seconded by Harding that the bills and payroll of June 1, 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.

- 52852 - Councilmember Kruse expressed concerns with pedestrians walking in streets in areas where sidewalks are provided.

Public Works Director Schrage and City Administrator Gaines provided an update on potential street safety improvements near Aldrich Elementary School.

- 52853 - It was moved by Harding and seconded by Sires that the meeting be adjourned at 8:22 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk