

**CITY HALL
CEDAR FALLS, IOWA, MAY 3, 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, Harding, Darrah, Sires, Dunn. Absent: None.

- 53307 - It was moved by Harding and seconded by Miller that the minutes of the Regular Meeting of April 19, 2021 be approved as presented and ordered of record. Motion carried unanimously.
- 53308 - Jim Skaine, 2215 Clay Street, expressed concerns with the agenda format.
- 53309 - Mayor Green read the following proclamations:
- Proclamation recognizing May 3-9, 2021 as Professional Municipal Clerks Week. Mayor Green recognized City Clerk Jacque Danielsen.
- Proclamation recognizing May 9-15, 2021 as Police Week and May 15, 2021 as Peace Officers Memorial Day. Police Chief Craig Berte commented and announced a Memorial Event.
- Proclamation recognizing May 2021 as National Bike Month, May 17-23, 2021 as Bike to Work Week, and May 19, 2021 as Ride of Silence Day in Cedar Falls. Bicycle and Pedestrian Committee member Andrew Shroll commented and announced a Memorial Ride.
- Proclamation recognizing May 5, 2021 as National Astronaut Day. NASA Astronaut and Cedar Falls native Raja Chari commented.
- 53310 Mayor announced that in accordance with the public notice of April 21, 2021, this was the time and place for a public hearing on proposed amendments to the City's FY2021 Budget. 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.
- 53311 - 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. Controller/City Treasurer Roeding provided a brief summary of the proposed amendments. Following comments and questions by Rick Sharp, 1623 Birch Street, T.J. Frein, 1319 Austin Way, and Jim Skaine, 2215 Clay Street, the Mayor declared the hearing closed and passed to the next order of business.
- 53312 - It was moved by Harding and seconded by Darrah that Resolution #22,342, approving and adopting amendments to the City's FY2021 Budget, be adopted. Following questions and comments by Councilmembers Harding, Darrah and

Sires, and responses by Finance & Business Operations Director Rodenbeck, Controller/City Treasurer Roeding, Public Safety Director Olson, 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: Kruse, Harding, Darrah, Dunn, Miller, deBuhr. Nay: Sires. Motion carried. The Mayor then declared Resolution #22,342 duly passed and adopted.

53313 - It was moved by Miller and seconded by Harding that Ordinance #2988, amending Chapter 2, Administration, of the Code of Ordinances relative to mayor and city administrator duties, be passed upon its third and final consideration. Following comments by Jim Skaine, 2215 Clay Street, and Councilmembers Harding and Dunn, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Darrah, Dunn, Miller, deBuhr. Nay: Sires. Motion carried. The Mayor then declared Ordinance #2988 duly passed and adopted.

53314 - It was moved by Harding and seconded by deBuhr that the following items on the Consent Calendar be received, filed and approved:

Receive and file Mayor's Monthly Report for April 2021.

Receive and file the Work Session minutes of April 19, 2021 relative to the following item:

a) City Council meeting packet deadline.

Receive and file the Committee of the Whole minutes of April 19, 2021 relative to the following item:

a) Solid Waste Commission Overview.

Receive and file revised bylaws for the Human Rights Commission.

Receive and file Departmental Monthly Reports of March, 2021.

Receive and file the Bi-Annual Report of College Hill Partnership relative to FY21 Self-Supported Municipal Improvements District (SSMID) funds and an FY21 Economic Development Grant.

Approve a request for a temporary sign at 3611 Eastpark Road on May 8, 2021.

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

a) Buzz Smoke & Vapor, 2125 College Street Suite A.

b) Cloud 9 Glass & Novelty, 2125 College Street Suite C.

c) Five Corner Liquor & Wine, 809 East 18th Street.

d) Hansen's Dairy, 127 East 18th Street.

e) Happy's Wine & Spirits, 5925 University Avenue.

f) Metro Mart, 103 Franklin Street.

g) Murphy USA, 518 Brandilynn Boulevard.

h) Prime Mart, 2728 Center Street.

i) Thunder Ridge Ampride, 2425 Whitetail Drive.

j) Up In Smoke, 2218 College Street.

Approve the following applications for beer permits and liquor licenses:

- a) Double Tap, 312 Main Street, Class C liquor - renewal.
- b) Suds, 2223 1/2 College Street, Class C liquor & outdoor service - renewal.
- c) Casey's General Store, 5908 Nordic Drive, Class E liquor - renewal.
- d) Cedar Basin Music Festival, Sturgis Park, Class B beer & outdoor service - 5 day permit.
- e) Live to 9, 200 Block of State Street and 100 Block of East 2nd Street, Class B beer & outdoor service – eight 5 day permits (May 31-June 5, June 7-12, June 14-19, June 23-28, July 5-10, July 12-17, July 19-24, and July 26-31).
- f) Chuck E. Cheese's, 5911 University Avenue, Special Class C liquor - new.

Motion carried unanimously.

- 53315 - It was moved by Darrah and seconded by Harding that the following resolutions be introduced and adopted:

Resolution #22,343, levying a final assessment for costs incurred by the City to remove snow and ice from sidewalks abutting the property located at 1022 W. 22nd Street.

Resolution #22,344, levying a final assessment for costs incurred by the City to clean up the property located at 412 N. Ellen Street.

Resolution #22,345, approving and authorizing execution of Amendment No. 1 to the Managed Content Licensing and Servicing Agreement with Gordon Flesch Company, Inc. relative to replacement of the City's document imaging system.

Resolution #22,346, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with Community Bank & Trust relative to a post-construction stormwater management plan for 312 West 1st Street.

Resolution #22,347, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with Tidal Wave Auto Spa relative to a post-construction stormwater management plan for 416 Brandilynn Boulevard.

Resolution #22,348, approving and authorizing execution of a Temporary Construction Easement Agreement for Stairway, in conjunction with the Downtown Streetscape and Reconstruction Project - Phase II.

Resolution #22,349, approving and authorizing execution of an Agreement for Traffic Safety Improvement Program (TSIP) Funding with the Iowa Department of Transportation relative to the Greenhill Road & South Main Street Intersection Improvements Project.

Resolution #22,350, approving and authorizing execution of a revised Professional Service Agreement with Snyder & Associates, Inc. for 2021 survey services.

Resolution #22,351, receiving and filing, and approving the plans, specifications and estimate of cost for the Cedar Heights Drive Reconstruction Project.

Resolution #22,352, approving a Central Business District (CBD) Overlay Zoning District site plan for façade improvements at 315 State Street.

Resolution #22,353, approving a HWY-1 Highway Commercial Zoning District site plan for construction of a coffee shop at 315 Viking Plaza.

Resolution #22,354, approving and authorizing execution of Supplemental Agreement #1 to the Professional Service Agreement with Nagle Signs Inc. relative to the Cedar Falls Wayfinding Signage Project.

Resolution #22,355, approving and accepting an Easement for utilities relative to the development project located at 312 West 1st Street.

Resolution #22,356, setting May 17, 2021 as the date of the public hearing on a proposal to undertake a public improvement project for the Olive Street Box Culvert Project, and to authorize acquisition of private property for said project.

Resolution #22,357, setting May 17, 2021 as the date of public hearing on the proposed rezoning from A-1, Agricultural District and R-1, Residential Zoning District to MU, Mixed Use Residential Zoning District of certain property located north of Huntington Road and west of Cedar Heights Drive, and also on an associated amendment to the Future Land Use Map by changing the designation from Office & Business Park to Planned Development.

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: Kruse, Harding, Darrah, Sires, Dunn, Miller, deBuhr. Nay: None. Motion carried. The Mayor then declared Resolutions #22,343 through #22,357 duly passed and adopted.

53316 - It was moved by Harding and seconded by Kruse that Resolution #22,358, approving and adopting amendments to Administrative Policy No. 7, City Council Meeting Procedures, be adopted. It was then moved by deBuhr and seconded by Sires to amend the motion to change the timeline for packet publication from Tuesday prior to the meeting to Thursday prior to the meeting. Following comments and questions by Councilmembers Harding, deBuhr, Dunn and Kruse and responses by Finance & Business Operations Director Rodenbeck, Mayor Green and City Administrator Gaines, the motion to amend carried 4-3, with Kruse, Harding and Dunn voting Nay. Following comments by Rick Sharp, 1623 Birch Street, and T.J. Frein, 1319 Austin Way, it was moved by Kruse and seconded by Harding to amend the day to Wednesday instead of Thursday. Following comments by Councilmembers Harding, Sires, Kruse and deBuhr, and responses by City Attorney Rogers, Mayor Green, City Administrator Gaines, and Community Development Director Sheetz, the motion carried 4-3 with Darrah, Miller and deBuhr voting Nay. The Mayor then put the question on the original motion as amended, and upon call of the roll, the following named Councilmembers voted. Aye: Kruse, Harding, Sires, Dunn. Nay: Darrah, Miller, deBuhr. Motion carried. The Mayor then declared Resolution #22,358 duly passed and adopted.

- 53317 - It was moved by Harding and seconded by Miller that Resolution #22,359, approving and adopting a revised job classification for the position of Tourism & Cultural Programs Manager in the Community Development Department, be adopted. Following comments by Bob Manning, 2908 West 3rd Street, Councilmembers Darrah and Harding, 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: Kruse, Harding, Darrah, Sires, Dunn, Miller. Nay: None. Motion carried. The Mayor then declared Resolution #22,359 duly passed and adopted.
- 53318 - It was moved by Darrah and seconded by Miller that Resolution #22,360, approving and adopting the *Imagine College Hill!* Vision Plan, be adopted. Community Development Director Sheetz provided background, timeline and priorities of the plan. Ferrell Madden consultant, Mary Madden commented on the plan recommendations. Following a question by Councilmember Kruse and a response by Sheetz, the Mayor called for public comment.

The following individuals spoke in favor of the proposed Vision Plan:

Kathryn Sogard, Executive Director of College Hill Partnership
Chris Martin, 421 West Seerley Boulevard
Dr. Andrew Morse, 1621 Franklin Street, University Liaison to the College Hill Partnership
Dr. Becky Hawbaker, 2309 Iowa Street
Dave Deibler, 1616 Campus Street
David Grant, 2010 Clay Street
Yvonne Pettegrew, 1115 West 12th Street

The following individuals spoke opposed to, or had concerns with the proposed Vision Plan:

Rick Sharp, 1623 Birch Street
T.J. Frein, 1319 Austin Way
Eashaan Vajpeyi, 3831 Convair Lane, representing Concerned Citizens for College Hill

Following comments by Councilmembers Dunn, deBuhr, Kruse, Miller, Harding, Darrah and Sires, it was moved by Sires and seconded by Kruse to amend the motion to receive and file the Vision Plan instead of adopting it. Community Development Director Sheetz and Mayor Green responded to comments by Councilmembers deBuhr, Harding, Miller, Kruse and Darrah. Following comments by Kathryn Sogard, Eashaan Vajpeyi, Dave Deibler, Kyle Dehmlow, 2113 Vera Way, David Grant, Rick Sharp, T.J. Frein, and Bob Manning, 2908 West 3rd Street, and Mayor Green, the motion to amend failed 3-4, with Harding, Darrah, Dunn, and Miller voting Nay. Following comments and questions by Councilmembers Kruse, Miller, deBuhr and Harding, and responses by Mayor Green, City Clerk Danielsen, Community Development Director Sheetz, and City Administrator Gaines, the Mayor put the question on the original motion, and upon call of the roll, the following named Councilmembers voted. Aye: Harding, Darrah, Dunn, Miller. Nay: Kruse, Sires, deBuhr. Motion carried. The Mayor then declared Resolution #22,360 duly passed and adopted.

53319 - It was moved by Kruse and seconded by Harding that the bills and claims of May 3, 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: Kruse, Harding, Darrah, Sires, Dunn, Miller, deBuhr. Nay: None. Motion carried.

53320 - Councilmember Sires would like the City to look into providing water options for residents with sand point wells.

Councilmember Darrah provided an update on the Cedar Falls Racial Equity Task Force.

53321 - City Administrator Gaines announced the Public Information Meeting regarding Greenhill Road and South Main Street improvements on May 6, 2021 from 5:30-7:00pm at the Public Safety facility.

Library Director Stern informed that beginning May 17, 2021, the library would be providing curbside service during the carpet installation. There will also be a temporary computer lab setup at the Community Center.

53322 - It was moved by Kruse and seconded by Miller that the meeting be adjourned at 10:25 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk