

**CITY HALL
CEDAR FALLS, IOWA, JANUARY 16, 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 7:00 P.M. on the above date. Members present: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Absent: None. Mayor Laudick led the Pledge of Allegiance.

54595 - It was moved by Kruse and seconded by Latta that the minutes of the Regular Meeting of January 2, 2024 be approved as presented and ordered of record. Motion carried unanimously.

54596 - Reverend Michael Blackwell, Cedar Falls, suggested a discussion on racial disparities between Iowa cities and would like a plan to put forward to the state government to eliminate decades of racial neglect.

Rosemary Beach, Cedar Falls, requested revisiting the Blue Zones program and a handicap restroom.

Pastor Larry Stumme, St. Paul Lutheran Church, seconded Reverend Blackwell's comments. He also mentioned February 1, 2024, as the 2nd Annual George Washington Carver Day and gave an overview of Mr. Carver's history.

Noah Hackbart, UNI Student Liaison, commented on a safety walk recently held on campus and expressed concerns with lighting in the College Hill area.

54597 - Library Director Stern provided an update on the implementation of new software at the Library and noted that due to staff training the Library will be open on January 18, 2024 from 2PM-6PM.

Public Works Director Schrage provided information on the Snow Emergency that is in effect from 8PM January 17 – 7AM on January 18, for snow removal in the Downtown Parkade and College Hill areas and noted that signs have been posted regarding parking restrictions.

54598 - Mayor Laudick announced that in accordance with the public notice of January 4, 2024, this was the time and place for a public hearing on the proposed FY2024-FY2029 Capital Improvements Program (CIP). It was then moved by Kruse and seconded by Dunn that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

54599 - The Mayor then asked if there were any written communications filed to the proposed CIP. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Finance & Business Operations Director Rodenbeck provided a summary of the proposed CIP. There being no one else present wishing to speak about the proposed CIP, the Mayor declared

the hearing closed and passed to the next order of business.

- 54600 - It was moved by Kruse and seconded by Hawbaker that Resolution #23,452, approving and adopting the FY2024-FY2029 Capital Improvements Program (CIP), 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, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,452 duly passed and adopted.
- 54601 - It was moved by Crisman and seconded by Hawbaker that Resolution #23,453, declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects, 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, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,453 duly passed and adopted.
- 54602 - It was moved by Ganfield and seconded by Hawbaker that Resolution #23,454, approving and adopting the American Rescue Plan Act (ARPA) Allocation relative to providing continued relief from the public health and economic impacts of the COVID-19 public health emergency, 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, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,454 duly passed and adopted.
- 54603 - Mayor Laudick announced that in accordance with the public notice of January 6, 2024, this was the time and place for a public hearing on a proposed amendment to the Land Use Map by changing the designation from Low Density Residential Use, Greenways and Floodplain Use, and Neighborhood Commercial & Mixed Use to Low Density Residential Use and adjust the Greenways and Floodplain Use of property located North of Aldrich Elementary School and South of West Greenhill Road. It was then moved by Kruse and seconded by Latta that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 54604 - The Mayor then asked if there were any written communications filed to the proposed amendment. Upon being advised that there was one written communication on file, the Mayor then called for oral comments. Planner I Atodaria gave a brief presentation that included agenda items #5 and #6. Following questions and comments by Councilmembers Dunn, Schultz and Hawbaker, and responses by Atodaria, City Attorney Rogers and Community Development Director Sheetz, it was moved by Schultz and seconded by Ganfield to postpone the public hearing to the February 5, 2024 City Council meeting. Following a question by Mayor Laudick and comments and questions by Councilmembers Schultz, Dunn, Kruse, and Hawbaker, and Mayor Laudick, and responses by Atodaria and Representative for the Developer Panther

Farms/Panther Builders Nick Brewer, it was moved by Hawbaker and seconded by Kruse to amend the motion to postpone to include both agenda items #5 and # 6. Following comments by Mayor Laudick, and questions and comments by Councilmembers Latta, Crisman, Kruse, and Ganfield, and responses by Rogers, Sheetz and Planning & Community Services Manager Howard, the motion to amend the postponement carried unanimously. The motion to postpone the hearing as amended carried 5-2, with Latta and Crisman voting Nay.

54605 - Mayor Laudick announced that in accordance with the public notice of January 4, 2024, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2024 CDBG Sanitary Sewer Rehabilitation Project. It was then moved by Ganfield and seconded by Kruse that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

54606 - 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. Water Reclamation Manager Griffin provided a summary of the proposed project. Following questions by Councilmembers Ganfield and Kruse, and responses by Griffin and Public Works Director Schrage, the Mayor declared the hearing closed and passed to the next order of business.

54607 - It was moved by Ganfield and seconded by Kruse that Resolution #23,455, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2024 CDBG Sanitary Sewer Rehabilitation 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, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,455 duly passed and adopted.

54608 - It was moved by Ganfield and seconded by Hawbaker that the following items on the Consent Calendar be received, filed, and approved:

Receive and file the City Council Standing Committee minutes of January 2, 2024 relative to the following items:

a) Capital Improvements Programs (CIP).

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

a) Amanda Lynch, Planning & Zoning Commission.

Receive and file communications from the Civil Service Commission relative to the following certified list:

a) Assistant Equipment Mechanic.

Approve the following applications for retail alcohol licenses:

a) Fraternal Order of Eagles, 2125 West Lone Tree Road, Class C retail alcohol

& outdoor service - renewal.

b) Second State Brewing, 203 State Street, Class C retail alcohol & outdoor service – renewal.

c) Kwik Spirits, 4116 University Avenue, Class E retail alcohol - renewal.

Motion carried unanimously.

54609 - It was moved by Ganfield and seconded by Kruse that the following resolutions be introduced and adopted:

Resolution #23,456, approving and accepting the permanent transfer of \$30,000.00 from the Municipal Communications Utility to the Economic Development Fund of the City of Cedar Falls.

Resolution #23,457, approving and authorizing execution of a Title VI Non-Discrimination Agreement with the Iowa Department of Transportation (IDOT).

Resolution #23,458, levying a final assessment for costs incurred by the City to mow the property located at 807 Clay Street.

Resolution #23,459, approving and authorizing execution of a Settlement and Release Agreement in connection with the pending lawsuit involving defects in the construction of portions of Algonquin Drive. (Case # LACV133772; In the Iowa District Court for Black Hawk County)

Resolution #23,460, approving and authorizing execution of a Rework Agreement with Dave Schmitt Construction Company relative to the repair of Algonquin Drive. (Contingent upon approval of the previous item)

Resolution #23,461, approving and authorizing execution of a Professional Services Agreement with Robert Sobczak relative to fiberglass TC mascots for the Panthers on Parade Project.

Resolution #23,462, approving and authorizing execution of a Contract with the Northeast Iowa Foodbank relative to Community Development Block Grant (CDBG) funding for service agencies.

Resolution #23,463, approving and authorizing execution of a Contract with Pathways Behavioral Services, Inc. relative to Community Development Block Grant (CDBG) funding for service agencies.

Resolution #23,464, approving the amended preliminary plat for West Fork Crossing.

Resolution #23,465, approving the final plat for West Fork Crossing First Addition. (Contingent upon approval of previous item)

Resolution #23,466, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with Money Pit, LLC, relative to a post-construction stormwater management plan for West Fork Crossing First Addition. (Contingent upon approval of previous item)

Resolution #23,467, approving and accepting completion of public improvements in West Fork Crossing First Addition. (Contingent upon approval of previous item)

Resolution #23,468, approving and authorizing execution of a Professional Service Agreement with Foth Infrastructure & Environment, LLC relative to the Katoski Drive Box Culvert Replacement Project.

Resolution #23,469, approving and authorizing execution of Supplemental Agreement No. 10C to the Professional Services Agreement with Snyder & Associates, Inc. for design and right-of-way services relative to the West Viking Road Reconstruction Project.

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, Dunn. Nay: None. Motion carried. The Mayor then declared Resolutions #23,456 through #23,469 duly passed and adopted.

54610 - It was moved by Latta and seconded by Kruse that Ordinance #3047, imposing the one percent local sales and services tax within the City of Cedar Falls and allocating the revenue derived therefrom, 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried.

54611 - It was moved by Kruse and seconded by Hawbaker that the bills and claims of January 16, 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, Dunn. Nay: None. Motion carried.

54612 - Councilmember Latta requested an update on the timeline of adding an additional School Resource Officer (SRO). City Administrator Gaines and Public Safety Director Berte responded.

Mayor Laudick noted the Iowa League of Cities training he and Councilmember Dunn will be attending on March 6, 2024 and that information will be made available for other Councilmembers interested in attending.

54613 - It was moved by Kruse and seconded by Dunn 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 the City Administrator's performance pursuant to Iowa Code Section 21.5(1)(i) and City Code Section 2-217. Upon call of the roll,

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

The City Council adjourned to Executive Session at 8:10 P.M.

Mayor Laudick reconvened the Council meeting at 9:34 P.M.

54614 - It was moved by Ganfield and seconded by Crisman that the meeting be adjourned at 9:35 P.M. Motion carried unanimously.

Kim Kerr, CMC, City Clerk