

**CITY HALL
CEDAR FALLS, IOWA, OCTOBER 2, 2023
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 7:42 P.M. on the above date. Members present: Schultz, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Absent: None. Mayor Green led the Pledge of Allegiance.

54469 - It was moved by Kruse and seconded by Schultz that the minutes of the Regular Meeting of September 18, 2023 be approved as presented and ordered of record. Motion carried unanimously.

54470 - Following a comment by Councilmember Kruse, councilmembers agreed by consensus to Mayor Green's request to consider item #9 on the Consent Calendar at this time.

It was moved by Harding and seconded by Dunn to approve the following recommendations of the Mayor relative to the appointment of members to Boards and Commissions:

- a) Jack Yates, Bicycle and Pedestrian Commission, term ending 09/30/2027.
- b) Andrew Shroll, Bicycle and Pedestrian Commission, term ending 09/30/2026.
- c) Roger White, Bicycle and Pedestrian Commission, term ending 09/30/2025.
- d) John DeGroot, Bicycle and Pedestrian Commission, term ending 09/30/2025.
- e) Lauri Young, Bicycle and Pedestrian Commission, term ending 09/30/2024.

Following comments and questions by Councilmembers Ganfield and deBuhr, and responses by Mayor Green, the motion carried unanimously.

54471 - Mayor Green read the following proclamations:

Proclamation recognizing October 4, 2023 as Energy Efficiency Day and a Proclamation recognizing October 1-7, 2023 as Public Power Week. Cedar Falls Utilities General Manager Steve Bernard accepted and commented.

Proclamation recognizing October 12, 2023 as Children's Environmental Health Day. Kamyar Enshayan accepted and commented.

Proclamation recognizing October 2023 as Domestic Violence Awareness Month. WayPoint Representative Rachel accepted and commented.

54472 - Reverend Michael Blackwell, Cedar Falls, commented on Cedar Falls' recent livability rating, but reminded that it is still one of the worst cities for Black Americans and requested a discussion of strategies to overcome this issue.

54473 - Community Development Director Sheetz announced the Healthiest State 13th Annual Walk on Wednesday, October 4, 2023, at 5:30 PM at the Rec Center and

encouraged citizens to sign up. Mayor Green commented that he will be walking at the Rec Center at 4 PM and invited people to join him.

Director Sheetz also announced that Cedar Falls is hosting the American Planning Association's Upper Midwest Regional Planning Conference October 11-13, 2023 and noted the planning window will have limited availability during that time.

Mayor Geen announced a candidate forum at 6 PM on October 4, 2023 which will be televised.

54474 - Mayor Green announced that in accordance with the public notice of September 23, 2023, this was the time and place for a public hearing on a proposed ordinance granting a partial property tax exemption to KL Iowa 01, LLC for construction of a warehouse and manufacturing facility at 6313 Production Drive. It was then moved by Harding and seconded by Dunn that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

54475 - 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 summary of the proposed ordinance. There being no one else present wishing to speak about the proposed ordinance, the Mayor declared the hearing closed and passed to the next order of business.

54476 - It was moved by Kruse and seconded by Ganfield that Ordinance #3044, granting a partial property tax exemption to KL Iowa 01, LLC for construction of a warehouse and manufacturing facility at 6313 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: Schultz, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Nay: None. Motion carried.

54477 - It was moved by Ganfield and seconded by Harding that the following items on the Consent Calendar be received, filed and approved:

Receive and file the City Council Standing Committee minutes of September 18, 2023 relative to the following items:

- a) Cedar Falls Community Foundation Presentation.
- b) Cedar River Dam and Future Options for the Dam.

Receive and file the Special City Council Standing Committee minutes of September 18, 2023 relative to the following item:

- a) 12th & Clay Street Intersection.

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

- a) Civil CAD/GIS Technician.
- b) Engineering Technician II.

Receive and file Departmental Monthly Reports of August 2023.

Approve the application of Prime Mart, 2728 Center Street, for a cigarette/tobacco/nicotine/vapor permit.

Approve the following applications for retail alcohol licenses:

- a) Blue Room, 201 Main Street, Class C retail alcohol - renewal.
- b) Hilton Garden Inn, 7213 Nordic Drive, Class C retail alcohol & outdoor service - renewal.
- c) Peppers Grill & Sports Pub, 620 East 18th Street, Class C retail alcohol - renewal.
- d) SingleSpeed Brewing Co., 128 Main Street, Class C retail alcohol, Special Class A beer & outdoor service - renewal.
- e) The Landmark, 107 Main Street, Class C retail alcohol & outdoor service - renewal.
- f) Fareway Store, 214 North Magnolia Drive, Class E retail alcohol - renewal.
- g) Peppers Grill & Sports Pub, 620 East 18th Street, Class C retail alcohol – change in ownership.
- h) Fleet Farm, 400 West Ridgeway Avenue, Class B retail alcohol - new.
- i) Fleet Farm Fuel, 108 West Ridgeway Avenue, Class B retail alcohol - new.
- j) Hampton Inn & Suites, 101 West 1st Street, Class B retail alcohol - new.
- k) Murphy USA, 518 Brandilynn Boulevard, Class B retail alcohol- new.
- l) Prime Mart, 2728 Center Street, Class E retail alcohol – new – change in ownership.

Motion carried unanimously.

- 54478 - It was moved by Harding and seconded by Dunn that the following resolutions be introduced and adopted:

Resolution #23,329 levying a final assessment for costs incurred by the City to mow the property located at 1321 West 12th Street.

Resolution #23,330, levying a final assessment for costs incurred by the City to mow the property located at 3120 Homeway Drive.

Resolution #23,331, approving and authorizing execution of a Solutions Agreement with CentralSquare Technologies, LLC for an Enterprise Resource Planning (ERP) system to replace the City's financial and payroll systems.

Resolution #23,332, approving and authorizing execution of a Second Amendment to Professional Services Agreement with Berry, Dunn, McNeil & Parker, LLC for project management services relative to replacement of the City's financial and payroll systems. (Contingent upon approval of previous item).

Resolution #23,333, approving and authorizing execution of a Master Services Agreement with FRSecure LLC for vulnerability and penetration testing services

relative to the security of the City's network.

Resolution #23,334, approving the Certificate of Completion and accepting the work of Peters Construction Corporation for the City Hall Remodel Project.

Resolution #23,335, approving a Cedar Falls Utilities Electric, Gas, Water, and Communications Utility Installation or Relocation Project in the Cedar Falls Unified Highway 58 Corridor Urban Renewal Area.

Resolution #23,336, approving a change order and authorizing execution of a Forgivable Loan Agreement, and approving and accepting a Real Estate Mortgage relative to a Community Development Block Grant (CDBG) owner-occupied housing rehabilitation project.

Resolution #23,337, approving and authorizing execution of a Repair Contract with Tojo Construction, Inc. relative to a Community Development Block Grant (CDBG) housing rehabilitation project.

Resolution #23,338, approving a College Hill Neighborhood (CHN) Overlay Zoning District site plan for installation of panels to display artwork at 2016 College Street.

Resolution #23,339, approving a PC-2, Planned Commercial Zoning District site plan relative to construction of a storage building at 702 LeClair Street.

Resolution #23,340, setting October 16, 2023 as the date of public hearing to consider vacating a drainage easement on Lots 17 & 18 in West Viking Road Industrial Park Phase V.

Resolution #23,341, setting October 16, 2023 as the date of public hearing to consider entering into an Agreement for Private Development, and to consider conveyance of city-owned real estate to KL Iowa 02, LLC.

Resolution #23,342, setting October 16, 2023 as the date of public hearing on a proposal to undertake a public improvement project for the North Cedar Heights Area Reconstruction Project – Phase II, and to authorize acquisition of private property for said project.

Resolution #23,343, setting October 16, 2023 as the date of public hearing on a proposal to undertake a public improvement project for the West Viking Road Reconstruction Project, and to authorize acquisition of private property for said project.

Resolution #23,344, setting October 16, 2023 as the date of public hearing on proposed amendments to Chapter 26, Zoning relative to shared parking requirements in the Downtown Character District (CD-DT).

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, deBuhr, Kruse, Harding, Sires, Ganfield, Dunn. Nay: None. Motion carried. The Mayor then declared Resolutions #23,329 through #23,344 duly

passed and adopted.

- 54479 - It was moved by deBuhr and seconded by Harding that Resolution #23,345, approving the recommendation of the Director of Finance & Business Operations by appointing Kim Kerr as City Clerk, be adopted. Following supportive comments by Councilmembers Harding and Schultz, and Mayor Green, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,345 duly passed and adopted.
- 54480 - It was moved by Dunn and seconded by Harding that Resolution #23,346, approving and authorizing execution of an Agreement with The SpyGlass Group, LLC to provide an audit of the City's telephone billing, be adopted. Following questions by Councilmember Ganfield, and responses by Information Systems Manager Sorensen, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,346 duly passed and adopted.
- 54481 - It was moved by Dunn and seconded by Schultz that Resolution #23,347, approving and authorizing execution of an Agreement to Enhance Economic Development in Cedar Falls with the Cedar Falls Economic Development Corporation (CFEDC) for FY2024, be adopted. Following questions and comments by Councilmembers Sires, deBuhr, Kruse, Ganfield, Harding and Dunn, and Josh Wilson, Cedar Falls, and responses by Economic Development Coordinator Graham, Mayor Green, CFEDC Executive Director Jim Brown, and Finance & Business Operations Director Rodenbeck, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Harding, Ganfield, Dunn. Nay: deBuhr, Kruse, Sires. Motion Carried. The Mayor then declared Resolution #23,347 duly passed and adopted.
- 54482 - It was moved by Dunn and seconded by Harding that Resolution #23,348, approving and accepting a Forgivable Loan Agreement and Real Estate Mortgage for property located at 1310 Iowa Street relative to the Rental to Single Family Owner Conversion Incentive Program, be adopted. Following comments and questions by Councilmembers Schultz and Kruse, 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: Schultz, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,348 duly passed and adopted.
- 54483 - It was moved by deBuhr and seconded by Kruse that Resolution #23,349, approving and accepting a Forgivable Loan Agreement and Real Estate Mortgage for property located at 1205 West 7th Street relative to the Rental to Single Family Owner Conversion Incentive Program, 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, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Nay: None. Motion Carried. The

Mayor then declared Resolution #23,349 duly passed and adopted.

- 54484 - It was moved by Dunn and seconded by Harding that Resolution #23,350, approving an amendment to the Pinnacle Prairie Master Plan by reducing the number of units planned for Lot 2, Pinnacle Prairie Townhomes, Phase I, be adopted. Following questions by Councilmembers Ganfield, deBuhr and Harding, and Mayor Green, and responses by Planning & Community Services Manager Howard, and Developer Lynn Trask of BRL Development, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,350 duly passed and adopted.
- 54485 - It was moved by Kruse and seconded by Dunn that the bills and claims of October 2, 2023 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, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Nay: None. Motion carried.
- 54486 - Councilmember deBuhr recognized City Clerk Danielsen for her service. Danielsen responded.
- Councilmember Ganfield announced that he is hosting a BBQ and Ministerial gathering for Councilmembers at his home.
- 54487 - It was moved by Kruse and seconded by Dunn that the meeting be adjourned at 8:57 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk