

**COMMUNITY CENTER
CEDAR FALLS, IOWA, AUGUST 1, 2022
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: Schultz, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Absent: None.

- 53920 - It was moved by Harding and seconded by deBuhr that the minutes of the Regular Meeting of July 18, 2022 be approved as presented and ordered of record. Motion carried unanimously.
- 53921 - Mayor Green read a proclamation recognizing August 2022 as Gastroparesis Awareness Month.
- 53922 - Rosemary Beach, 5018 Sage Road, commented on the need for convenient public restrooms in the Downtown area and made some recommendations on what the restrooms should include.
- 53923 - Mayor Green announced that in accordance with the public notice of July 22, 2022, this was the time and place for a public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2022 Sidewalk Assessment Project - Zone 5. It was then moved by Ganfield and seconded by Harding that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53924 - 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. City Engineer Wicke provided a brief summary of the proposed project. There being no one else present wishing to speak about the proposed project, the Mayor declared the hearing closed and passed to the next order of business.
- 53925 - It was moved by Harding and seconded by Dunn that Resolution #22,872, approving and adopting the plans, specifications, form of contract & estimate of cost for the 2022 Sidewalk Assessment Project - Zone 5, be adopted. Following questions by Councilmembers Ganfield and deBuhr, and responses by City Engineer Wicke, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Sires, Dunn, Schultz, deBuhr, Kruse, Harding, Ganfield. Nay: None. Motion Carried. The Mayor then declared Resolution #22,872 duly passed and adopted.
- 53926 - It was moved by Harding and seconded by Schultz that Ordinance #3014, amending Section 26-118 of the Code of Ordinances by removing certain property located at 2209 North Union Road from the R-1, Residence District and placing the same in the A-1, Agricultural District, be passed upon its second 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: Sires, Dunn, Schultz, deBuhr, Kruse, Harding, Ganfield. Nay: None. Motion carried.

- 53927 - It was moved by Ganfield 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) Charles Blair-Broeker, Library Board of Trustees, term ending 06/30/2028.

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

Receive and file Departmental Monthly Reports of June 2022.

Approve the following applications for beer permits and liquor licenses:

a) Vintage Iron, 104 Main Street, Class B wine – renewal.

b) King Star, 2228 Lincoln Street, Class C beer & Class B native wine - renewal.

c) Kwik Star, 4515 Coneflower Parkway, Class C beer & Class B wine - renewal.

d) The Black Hawk Hotel/Bar Winslow/Carter House Market & Cafe, 115-119 Main Street, Class B liquor, Class B wine & outdoor service - renewal.

e) Cypress Lounge, 209 A State Street, Class C liquor & outdoor service - renewal.

f) David's Taphouse and Dumplings, 200 West 1st Street, Class C liquor – renewal.

g) The Pump Haus Pub & Grill, 311 Main Street, Class C liquor & outdoor service - renewal.

h) River Place Plaza, 200 East 2nd Street – Plaza, Special Class C liquor & outdoor service – temporary expansion of outdoor service area. (August 12-13, August 19-20, August 26-27, September 9-10, & September 23-24, 2022)

i) Amvets, 1934 Irving Street, Class A liquor & outdoor service - temporary expansion of outdoor service area. (August 1- October 1, 2022)

j) Fast Track Racing, 200 block West 2nd Street, Class B beer & outdoor service - 5-day permit.

k) The Library, 2222 College Street, Class C liquor & outdoor service - new - change in ownership.

Motion carried unanimously.

- 53928 - It was moved by Harding and seconded by Dunn to receive and file the City Council Standing Committee minutes of July 18, 2022 relative to the following items:

a) City Council Meeting Procedures.

b) Cedar Falls Rotary Memorial Plaza – West 1st Street.

c) Private Shared Parking Requirements.

d) West 12th Street Speed Limit – Barnett Drive to Union Road.

Following comments and questions by Councilmembers deBuhr, Kruse and Ganfield, and Mayor Green, and responses by City Attorney Rogers, it was

moved by Councilmember Ganfield and seconded by Harding to amend the minutes from the Community Relations & Planning Committee to include Planning & Zoning Commission consideration of whether to include existing parking into shared parking and whether the shared parking requirement should be contiguous or within a certain distance. Following comments by Attorney Rogers, Ganfield withdrew the motion. Following additional comments by Councilmembers Kruse, Dunn, Ganfield and Harding, and responses by Attorney Rogers, the motion carried 6-1, with deBuhr voting Nay.

53929 - It was moved by Kruse and seconded by Ganfield that the following resolutions be introduced and adopted:

Resolution #22,873, approving and adopting amendments to the City's Accounting Policies and Procedures and Purchasing Manual.

Resolution #22,874, approving and authorizing execution of a Second Amendment to Agreement for Professional Services with Operation Threshold for Community Development Block Grant (CDGB-CV3 funding relative to the CARES Act.

Resolution #22,875, approving and authorizing execution of a Service/Product Agreement with Iowa Northland Regional Council of Governments (INRCOG) for grant administration and technical services for activities relative to FY2023 (FFY2022) Community Development Block Grant (CDBG) funding project delivery.

Resolution #22,876, approving and authorizing execution of a Service/Product Agreement with Iowa Northland Regional Council of Governments (INRCOG) for grant administration and technical services for activities relative to FY2023 (FFY2022) HOME Investment Partnership Program funding project delivery.

Resolution #22,877, approving and accepting the contract and bond of Benton's Sand & Gravel, Inc. for the 2022 University Avenue Bio Cells Project.

Resolution #22,878, approving and accepting the contract and bond of Blacktop Service Company for the 2022 Seal Coat Project.

Resolution #22,879, receiving and filing the bids, and approving and accepting the bid of Peterson Contractors, in the amount of \$2,699,537.74, being the only bid received for the Olive Street Box Culvert Replacement Project.

Resolution #22,880, approving and authorizing execution of thirty Owner Purchase Agreements, and approving and accepting thirty Temporary Construction Easements, in conjunction with the Main Street Reconstruction (6th Street to University) Project.

Resolution #22,881, approving and authorizing execution of a Joint Funding Agreement for Water Resource Investigations with the U.S. Geological Survey relative to the Cedar River Streamgauge Station.

Resolution #22,882, approving and authorizing execution of a Professional

Service Agreement with Ritland+Kuiper Landscape Architects for design services relative to the Seerley Park Improvements 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: Sires, Dunn, Schultz, deBuhr, Kruse, Harding, Ganfield. Nay: None. Motion carried. The Mayor then declared Resolutions #22,873 through #22,882 duly passed and adopted.

- 53930 - It was moved by Harding and seconded by Ganfield that Resolution #22,883, approving and adopting revised City Council Meeting Procedures, be adopted. Following questions and comments by Councilmembers deBuhr, Ganfield and Harding, and responses by Mayor Green, it was moved by Ganfield and seconded by Kruse to amend the motion to strike "2/3" majority from section 1.7. Following questions and comments by Councilmembers deBuhr, Harding and Kruse, and responses by Mayor Green, the motion carried 5-2, with Dunn and Harding voting Nay. It was then moved by Kruse and seconded by Harding to amend the motion to replace the word "exigent" to "pressing" throughout the document. Motion carried 5-2, with Dunn and Ganfield voting Nay. It was then moved by Ganfield and seconded by Kruse to strike section 4.6 from the document. Motion carried unanimously. Following questions and comments by Councilmembers Harding, Kruse and deBuhr, and responses by City Attorney Rogers and Mayor Green, it was then moved by Kruse and seconded by Harding to strike section 4.16 from the document. Motion carried unanimously. The Mayor then put the question on the original motion, as amended, and upon call of the roll, the following named Councilmembers voted. Aye: Dunn, Schultz, Kruse, Harding, Ganfield. Nay: Sires, deBuhr. Motion Carried. The Mayor then declared Resolution #22,883 duly passed and adopted.
- 53931- It was moved by Ganfield and seconded by deBuhr that Resolution #22,884, approving a Hwy-1, Highway Commercial Zoning District site plan for construction of a financial institution to be located at 1000 Brandilynn Boulevard, be adopted. Following questions and comments by Councilmembers Ganfield, Harding and Schultz, 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: Sires, Dunn, Schultz, deBuhr, Kruse, Harding. Nay: None. Abstain: Ganfield. Motion Carried. The Mayor then declared Resolution #22,884 duly passed and adopted.
- 53932 - It was moved by Ganfield and seconded by Harding that Resolution #22,885, approving and authorizing execution of Supplemental Agreement No. 1 to the Professional Service Agreement with Foth Infrastructure & Environment, LLC for additional services relative to the Center Street Corridor Streetscape Project, be adopted. Following questions by Councilmember Harding and responses by City Engineer Wicke, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Sires, Dunn, Schultz, deBuhr, Kruse, Harding, Ganfield. Nay: None. Motion Carried. The Mayor then declared Resolution #22,885 duly passed and adopted.
- 53933 - It was moved by Kruse and seconded by Harding that Ordinance #3015,

- amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to electric vehicle (EV) charging parking spaces, be passed upon its first consideration. Following questions by Councilmembers deBuhr, Kruse and Harding, and responses by Finance & Business Operations Director Rodenbeck, Public Works Director Schrage, City Clerk Danielsen and City Administrator Gaines, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Dunn, Schultz, deBuhr, Kruse, Harding, Ganfield. Nay: Sires. Motion carried.
- 53934 - It was moved by Kruse and seconded by Harding that the bills and claims of August 1, 2022 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: Sires, Dunn, Schultz, deBuhr, Kruse, Harding, Ganfield. Nay: None. Motion carried.
- 53935 - It was moved by Ganfield and seconded by Kruse to refer to the Community Relations & Planning Committee clarification of the shared parking requirements referral to Planning & Zoning Commission. Motion carried 6-1, with Dunn voting Nay.
- 53936 - Councilmember Ganfield responded to an inquiry by Rosemary Beach that a restroom previously mentioned in a downtown business is private.
- At the request of Councilmember Ganfield, Public Works Director Schrage provided an update on the Cedar Heights Drive Reconstruction Project.
- 53937 - Community Development Director Sheetz announced the Historic Preservation Commission Tour on August 18th at starting at 6:30 PM at the First Methodist Church.
- Mayor Green announced the Celebration of Life planned for the Schmidt Family on August 2nd at 5:30 PM at Overman Park.
- 53938 - It was moved by Kruse and seconded by Ganfield that the meeting be adjourned at 8:03 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk