

**COMMUNITY CENTER  
CEDAR FALLS, IOWA, JULY 18, 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 7:30 P.M. on the above date. Members present: Schultz, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Absent: None.

53893 - It was moved by Kruse and seconded by deBuhr that the minutes of the Regular Meeting of July 5, 2022 be approved as presented and ordered of record. Motion carried unanimously.

53894 - The Mayor then asked if there were any agenda revisions. City Clerk Danielsen noted that item #2 under Special Presentations was being removed from the agenda.

53895 - Mayor introduced Colonel Garrett Gingrich who spoke about the Ironman Battalion and accepted the proclamation that was presented at the July 5, 2022 City Council Meeting.

Rosemary Beach, 5018 Sage Road, commented on the need for convenient public restrooms in the Downtown area and requested a taskforce to complete a study. She also commented on the speed limit on South Main and asked for a review from University Avenue to the Western Home Community, requesting one speed limit for the entire length of the roadway.

52896 - It was moved by Kruse and seconded by Harding to receive and file bids received for the sale of \$3,860,000 General Obligation Loan Notes, Series 2022. Following a brief summary of the proposed sale and comments on the City's AAA bond rating by Jon Burmeister, PFM Financial Advisors, LLC, the motion carried unanimously.

52897 - It was moved by Kruse and seconded by Harding that Resolution #22,858, directing the sale of \$3,860,000 General Obligation Loan Notes, Series 2022, 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: Ganfield, Dunn, Schultz, deBuhr, Kruse, Harding. Nay: Sires. Motion carried. The Mayor then declared Resolution #22,858 duly passed and adopted.

53898 - Mayor Green announced the continuation of the public hearing on the FY2023 (FFY2022) Annual Action Plan for Community Development Block Grant (CDBG) and HOME Consortium. Planner III Pezley provided a brief summary of the proposed plan in response to Council concerns. There being no one else present to speak about the proposed plan, the Mayor declared the hearing closed and passed to the next order of business.

53899 - It was moved by Harding and seconded by Dunn that Resolution #22,859,

approving the FY2023 (FFY2022) Annual Action Plan for Community Development Block Grant (CDBG) and HOME Consortium, be adopted. Following questions and comments by Councilmembers deBuhr, Harding, Kruse, Sires and Schultz, and responses by Community Development Director Sheetz and Planner III Pezley, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Ganfield, Dunn, Schultz, deBuhr, Kruse, Harding. Nay: Sires. Motion carried. The Mayor then declared Resolution #22,859 duly passed and adopted.

- 53900 - Mayor Green announced that in accordance with the public notice of July 11, 2022, this was the time and place for a public hearing on the Status of Funded Activities for the State Award of Community Development Block Grant (CDBG-CV2) funding relative to the CARES Act. 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.
- 53901 - The Mayor then asked if there were any written communications filed on the status of funded activities. 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 status of activities and description of remaining work. There being no one else present wishing to speak about the status of funded activities, the Mayor declared the hearing closed and passed to the next order of business.
- 53902 - It was moved by Harding and seconded by Dunn that Resolution #22,860, approving the Status of Funded Activities for the State Award of Community Development Block Grant (CDBG-CV2) funding relative to the CARES Act, be adopted. Following a question by Mayor Green and response 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: Ganfield, Sires, Dunn, Schultz, deBuhr, Kruse, Harding. Nay: None. Motion Carried. The Mayor then declared Resolution #22,860 duly passed and adopted.
- 53903 - Mayor Green announced that in accordance with the public notice of July 8, 2022, this was the time and place for a public hearing on the proposed rezoning from R-1, Residence District to A-1, Agricultural District of property located at 2209 North Union Road. 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.
- 53904 - The Mayor then asked if there were any written communications filed to the proposed rezoning. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. Planner III Weintraut provided a brief summary of the proposed rezoning. There being no one else present wishing to speak about the proposed rezoning, the Mayor declared the hearing closed and passed to the next order of business.
- 53905 - It was moved by Kruse and seconded by Harding 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 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: Ganfield, Sires, Dunn, Schultz, deBuhr, Kruse, Harding. Nay: None. Motion carried.
- 53906 - Mayor Green announced that in accordance with the public notice of July 6, 2022, this was the time and place for a public hearing on proposed amendments to Chapter 26, Zoning, of the Code of Ordinances relative to Planning & Zoning Commission review of site plans in the Downtown Character District (CD-DT). It was then moved by Harding and seconded by Schultz that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 53907 - 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. Planning & Community Services Manager Howard provided a brief summary of the proposal. 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.
- 53908 - It was moved by deBuhr and seconded by Harding that an ordinance, amending Chapter 26, Zoning, of the Code of Ordinances relative to Planning & Zoning Commission review of site plans in the Downtown Character District (CD-DT), be passed upon its first consideration. Following questions by Councilmembers Harding and Kruse, and responses by City Attorney Rogers and Planning & Community Services Manager Howard, it was moved by Kruse and seconded by Sires to petition the Planning & Zoning Commission to include review of any site plan that would expand the floor plan or where residential is being added, similar to language in Section 26-196, C.2.b. Following comments and questions by Councilmembers deBuhr, Kruse, Dunn, Harding and Sires, and responses by Howard, it was moved by Harding to call the question on the original motion. Motion failed 3-4, with deBuhr, Kruse, Ganfield and Sires voting Nay. Following comments by Mayor Green, and questions and comments by Councilmembers deBuhr, Kruse, Harding, Dunn and Schultz, the Mayor put the question on the motion to petition the Planning & Zoning Commission. Motion carried 4-3, with Dunn, Schultz and Harding voting Nay.
- 53909 - It was moved by Ganfield and seconded by Harding that Ordinance #3013, amending Chapter 23, Traffic and Motor Vehicles, of the Code of Ordinances relative to prohibiting parking on portions of South Lawn 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: Ganfield, Sires, Dunn, Schultz, deBuhr, Kruse, Harding. Nay: None. Motion carried. The Mayor then declared Ordinance #3013 duly passed and adopted.

- 53910 - It was moved by Ganfield and seconded by Kruse that the following items on the Consent Calendar be received, filed and approved:

Approve the following recommendations of the Mayor relative to the appointment of members to Boards and Commissions:

- a) Tori Hale, Community Center & Senior Services Board, term ending 06/30/2024.
- b) Lorene Hosler, Community Center & Senior Services Board, term ending 06/30/2025.

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

- a) Sarah Corkery, Parks & Recreation Commission.

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

- a) Cultural Programs Supervisor.
- b) Information Systems Technician I.
- c) Public Works & Parks Supervisor.

Approve the following applications for beer permits and liquor licenses:

- a) Dollar General, 1922 Valley Park Drive, Class C Beer & Class B Wine - renewal.
- b) Smokin Oak Wood Fired Pizza, 1525 West Ridgeway Avenue, Class B beer – renewal.
- c) Buffalo Wild Wings, 6406 University Avenue, Class C liquor & outdoor service - renewal.
- d) Hy-Vee Market Grille, 6301 University Avenue, Class C liquor - renewal.
- e) Octopus, 2205 College Street, Class C liquor & outdoor service - renewal.
- f) The Other Place, 4214 University Avenue, Class C liquor & outdoor service - renewal.
- g) River Place Plaza, 200 East 2nd Street – Plaza, Special Class C liquor & outdoor service – temporary expansion of outdoor service area. (September 3-4, 2022)

Motion carried unanimously.

- 53911 - It was moved by deBuhr and seconded by Harding that the following resolutions be introduced and adopted:

Resolution #22,861, approving and authorizing execution of a Cooperative Agreement with the Iowa Civil Rights Commission for FY23.

Resolution #22,862, approving and authorizing execution of a Service/Product Agreement with Amperage Marketing relative to FY23 Digital Advertising.

Resolution #22,863, approving and authorizing execution of a Red House Studio Lease relative to the use of 224 West Seerley Boulevard as artist studio space, in conjunction with the Hearst Center’s Visiting Artist Program.

Resolution #22,864, approving and authorizing execution of a Subrecipient

Agreement for Federally Funded Project with Operation Threshold for Community Development Block Grant (CDBG-CV2) funding relative to the CARES Act.

Resolution #22,865, approving and authorizing the expenditure of funds for the purchase of two polymer mixing pumps for biosolids handling operations of the Water Reclamation Division.

Resolution #22,866, approving and authorizing execution of Supplemental Agreement No. 2 to the Professional Service Agreement with Snyder & Associates, Inc. for administration and design services relative to the Oak Park Boulevard Sewer Replacement Project.

Resolution #22,867, approving and authorizing execution of twenty-three Owner Purchase Agreements, and approving and accepting twenty-three Temporary Construction Easements, in conjunction with the Main Street Reconstruction (6th Street to University) Project.

Resolution #22,868, receiving and filing, and setting August 1, 2022 as the date of public hearing on the proposed plans, specifications, form of contract & estimate of cost for the 2022 Sidewalk Assessment Project - Zone 5.

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: Ganfield, Sires, Dunn, Schultz, deBuhr, Kruse, Harding. Nay: None. Motion carried. The Mayor then declared Resolutions #22,861 through #22,868 duly passed and adopted.

- 53912 - It was moved by Harding and seconded by Dunn that Resolution #22,869, approving and authorizing execution of an Agreement with the University of Northern Iowa relative to a City Employee Climate Survey, be adopted. Following questions and comments by Councilmembers Sires, Kruse, Harding, Dunn and Ganfield, and responses by Human Resources Manager Schindel, City Attorney Rogers, City Administrator Gaines and Mayor Green, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Ganfield, Sires, Dunn, Schultz, deBuhr, Kruse, Harding. Nay: None. Motion Carried. The Mayor then declared Resolution #22,869 duly passed and adopted.
- 53913- It was moved by Kruse and seconded by Harding that Resolution #22,870, approving and authorizing execution of a Master Service Agreement with Heartland Business Systems, LLC relative to migration of the City's computer network to Microsoft 365, be adopted. Following questions by Councilmembers Harding and Kruse, 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: Ganfield, Sires, Dunn, Schultz, deBuhr, Kruse, Harding. Nay: None. Motion Carried. The Mayor then declared Resolution #22,870 duly passed and adopted.
- 53914 - It was moved by Kruse and seconded by Harding that Resolution #22,871, approving and authorizing execution of a Service/Product Agreement with

Inteconnex relative to replacement of the City's door access control systems, 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: Ganfield, Sires, Dunn, Schultz, deBuhr, Kruse, Harding. Nay: None. Motion Carried. The Mayor then declared Resolution #22,871 duly passed and adopted.

53915 - It was moved by Kruse and seconded by Harding that the bills and claims of July 18, 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: Ganfield, Sires, Dunn, Schultz, deBuhr, Kruse, Harding. Nay: None. Motion carried.

53916 - Following comments by City Administrator Gaines, it was moved by Sires and seconded by Kruse to direct staff to request from UNI, an amendment to the Employee Climate Survey, that would include former full-time employees who left the City two years ago from July 1, 2022, to be considered as a separate set of data from current employees, and indicating the relevance of the data. Following comments by Councilmembers Harding, deBuhr, Kruse and Dunn, and responses by Gaines, the motion carried 6-1, with Dunn voting Nay.

It was moved by Ganfield and seconded by Kruse to refer to the Community Relations & Planning Committee a discussion to determine if a public restroom study downtown is warranted. Motion carried unanimously.

53917 - Community Development Director Sheetz responded to a request by Councilmember Dunn for an update on the Cedar River Project. Sheetz also responded to a question by Mayor Green.

53918 - It was moved by Kruse and seconded by Ganfield 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. Upon call of the roll, the following named Councilmembers voted. Aye: Ganfield, Sires, Dunn, Schultz, deBuhr, Kruse, Harding. Nay: None. Motion carried.

The City Council adjourned to Executive Session at 9:23 P.M.

Mayor Green reconvened the Council meeting at 9:58 P.M.

53919 - It was moved by Kruse and seconded by Harding that the meeting be adjourned at 9:59 P.M. Motion carried unanimously.