

**CITY HALL
CEDAR FALLS, IOWA, NOVEMBER 21, 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, Ganfield, Sires, Dunn. Absent: Harding. Mayor Green led the Pledge of Allegiance.

54043 - It was moved by Kruse and seconded by Schultz that the minutes of the Regular Meeting of November 7, 2022 be approved as presented and ordered of record. Motion carried unanimously.

54044 - Rosemary Beach, 3018 Sage Road, shared an article from Sturgis, Michigan about William Sturgis and his great granddaughter's visit to Cedar Falls.

Mary Brammer, 104 East 9th Street, commented on Hugh Pettersen and the planting of replacement trees on Seerley Boulevard, Hearst 2.0 and other College Hill improvements and cultural experiences, and recognized various individuals who supported these initiatives.

Cedar Valley Homebuilders Association Executive Officer Bob Manning, 2908 West 3rd Street, commented on buildable residential lots in Cedar Falls, building permit fees and the lack of affordable housing.

Craig Fairbanks, 405 Spruce Hills Drive, commended Public Safety on the care of his brother during a recent fire. Mr. Fairbanks also commented on the availability of building lots and requested the City make the process more friendly to home builders.

54045 - Public Safety Director Berte spoke about the promotions of Captain Heuer and Lieutenant Barron, and the swearing in of 2 reserve officers.

54046- Mayor Green announced the continuation of the public hearing on the City's FFY21 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and HOME Programs. The Mayor then asked if there were any written communications filed to the proposed report. 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 CAPER. There being no one else present wishing to speak about the report, the Mayor declared the hearing closed and passed to the next order of business.

54047 - It was moved by Ganfield and seconded by Kruse that Resolution #22,975, approving and authorizing submission of the City's FFY21 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and HOME Programs, 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. Nay: None. Motion carried. The Mayor then declared Resolution #22,975 duly passed and adopted.

- 54048 - Mayor Green announced that in accordance with the public notice of November 14, 2022, this was the time and place for a public hearing on a proposal to enter into an Agreement for Private Development, and to consider conveyance of certain city-owned real estate to CF Storage, L.L.C. It was then moved by Dunn and seconded by Kruse that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 54049 - The Mayor then asked if there were any written communications filed to the proposed proposal. Upon being advised that there were no written communications on file, the Mayor then called for oral comments. City Administrator Gaines provided a summary of the proposal. There being no one else present wishing to speak about the proposal, the Mayor declared the hearing closed and passed to the next order of business.
- 53050 - It was moved by Dunn and seconded by Schultz that a resolution approving and authorizing execution of an Agreement for Private Development, and approving and authorizing execution of a Quit Claim Deed conveying certain city-owned real estate to CF Storage, L.L.C, be adopted. Following comments and questions by Councilmembers Sires, deBuhr, Ganfield, Schultz, Kruse and Dunn, and responses by developer Brian Wingert, 2110 Flynn Drive, City Administrator Gaines, Mayor Green, and Community Development Director Sheetz, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Dunn, Schultz. Nay: Ganfield, deBuhr, Kruse. Abstain: Sires. Motion failed.
- 54051 - It was moved by Ganfield and seconded by Kruse that Ordinance #3020, amending Chapter 16, Offenses and Miscellaneous Provisions, of the Code of Ordinances relative to use of consumer fireworks within the City limits, 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: Ganfield, Sires, Schultz, deBuhr, Kruse. Nay: Dunn. Motion carried.
- 54052 - It was moved by Kruse and seconded by deBuhr that Ordinance #3021, amending Section 18-23(5), Powers and duties of the Planning and Zoning Commission, of the Code of Ordinances relative to removing 2/3 majority vote required by City Council to approve amendments to the City's comprehensive plan that are disapproved by the Planning and Zoning Commission, 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: Ganfield, Sires, deBuhr, Kruse. Nay: Dunn, Schultz. Motion carried.

54053 - It was moved by Kruse and seconded by Ganfield that Ordinance #3022, amending Chapter 26, Zoning, of the Code of Ordinances relative to removing the 2/3 majority vote required by City Council to approve zoning amendments that are disapproved by the Planning and Zoning Commission, be passed upon its second consideration. Following a comment by Craig Fairbanks, 405 Spruce Hills Drive, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Ganfield, Sires, deBuhr, Kruse. Nay: Dunn, Schultz. Motion carried.

54054 - It was moved by Ganfield and seconded by Kruse that the following items on the Consent Calendar be received, filed and approved:

Receive and file the City Council Standing Committee minutes of November 7, 2022 relative to the following items:

- a) Library Interviews – Michael Graziano and Lindi Roelofse.
- b) Audit Report.
- c) Review of TIF and Standard Incentive Policies.
- d) Cedar Falls Economic Development Corp. Update.
- e) Cedar Falls High School Pool Fundraising – “Jump In”.

Receive and file the following resignations/vacancies relative to members of Boards and Commissions:

- a) Jordyn Beranek, Human Rights Commission.
- b) Andrew Stensland, Visitors & Tourism Board.

Receive and file the Bi-Annual Report of College Hill Partnership relative to FY23 Self-Supported Municipal Improvement District (SSMID) funds and an FY23 Economic Development Grant.

Approve the following applications for beer permits and liquor licenses:

- a) Urban Pie, 200 State Street, Class C liquor & outdoor service - renewal.
- b) Five Corners Liquor & Wine, 809 East 18th Street, Class E liquor - renewal.

Motion carried unanimously.

54055 - It was moved by Ganfield and seconded by Dunn that the following resolutions be introduced and adopted:

Resolution #22,976, levying a final assessment for costs incurred by the City to mow the property located at 1720 Quail Ridge Road.

Resolution #22,977, levying a final assessment for costs incurred by the City to mow the property located at 8702 University Avenue.

Resolution #22,978, approving and accepting a Lien Notice and Special Promissory Note for property located at 210 West 22nd Street.

Resolution #22,979, approving and authorizing execution of a Contract with House of Hope relative to Community Development Block Grant (CDBG) funding for service agencies.

Resolution #22,980, approving and authorizing execution of a Contract with Northeast Iowa Food Bank relative to Community Development Block Grant (CDBG) funding for service agencies.

Resolution #22,981, approving and authorizing execution of a Contract with Pathways Behavioral Services relative to Community Development Block Grant (CDBG) funding for service agencies.

Resolution #22,982, approving and authorizing execution of Supplemental Agreement No. 2 to the Professional Service Agreement with AECOM Technical Services, Inc. for design services relative to the North Cedar Heights Area Reconstruction Project - Phase II.

Resolution #22,983, approving and authorizing execution of an Owner Purchase Agreement and a Compensation Estimate, and approving and accepting two Temporary Construction Easements, in conjunction with the Main Street 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: Ganfield, Sires, Dunn, Schultz, deBuhr, Kruse. Nay: None. Motion carried. The Mayor then declared Resolutions #22,976 through #22,983 duly passed and adopted.

54056 - It was moved by Kruse and seconded by Ganfield that Resolution #22,984, approving and adopting Summary Plan Descriptions (SPD) for the City of Cedar Falls Health Benefit Plans, be adopted. Following a question by Councilmember Ganfield and response by City Attorney Rogers, 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. Nay: None. Motion Carried. The Mayor then declared Resolution #22,984 duly passed and adopted.

54057 - It was moved by Kruse and seconded by Schultz that the bills and claims of November 21, 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. Nay: None. Motion carried.

54058 - It was moved by Kruse and seconded by Dunn that the meeting be adjourned at 7:46 P.M. Motion carried unanimously.

Jacqueline Danielsen, MMC, City Clerk