

**CITY HALL  
CEDAR FALLS, IOWA, JANUARY 17, 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 8:03 P.M. on the above date. Members present: Schultz, deBuhr, Kruse, Harding, Ganfield, Sires, Dunn. Absent: None. Mayor Green led the Pledge of Allegiance.

- 54116 - It was moved by Kruse and seconded by deBuhr that the minutes of the Regular Meeting of January 3, 2023 be approved as presented and ordered of record. Motion carried unanimously.
- 54117 - Public Safety Captain Zolondek announced formalized CPR/AED training to be held at the Public Safety Building at 9AM the first Sunday of every month.
- 54118 - Mayor Green announced that in accordance with the public notice of January 6, 2023, this was the time and place for a public hearing on the proposed FY2023-FY2028 Capital Improvements Program (CIP). It was then moved by Ganfield and seconded by Dunn that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 54119 - The Mayor then asked if there were any written communications filed to the proposed CIP. Upon being advised that there was one written communication on file, the Mayor then called for oral comments. Finance & Business Operations Director Rodenbeck provided a summary of the proposed CIP as amended in the Committee Meeting held prior to this meeting. Following comments by UNI President Mark Nook, Sara Miller, 1626 Mandalay Drive, and Black Hawk Area Swim Team (BLST) Coach Melissa Woltz, 3222 Pendleton Drive, the Mayor declared the hearing closed and passed to the next order of business.
- 54120 - It was moved by Kruse and seconded by Harding that Resolution #23,034, approving and adopting the FY2023-FY2028 Capital Improvements Program (CIP) as amended in the Committee Meeting, be adopted. Following a question by Councilmember deBuhr and response by Finance & Business Operations Director Rodenbeck, it was moved by deBuhr and seconded by Harding to amend the motion to change the source of funding for item #71 from \$110,000 from GO fund to \$100,000 from GFS and \$10,000 from GO. Motion carried unanimously. Following comments by Councilmember Sires, deBuhr, and Dunn, and UNI Student Liaison Hackbart, and responses by Rodenbeck, City Administrator Gaines and Mayor Green, the Mayor put the question on the motion as amended and upon call of the roll, the following named Councilmembers voted. Aye: deBuhr, Kruse, Harding, Ganfield, Dunn, Schultz. Nay: Sires. Motion Carried. The Mayor then declared Resolution #23,034 duly passed and adopted.

- 54121 - It was moved by Ganfield and seconded by Harding that Resolution #23,035, 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: deBuhr, Kruse, Harding, Ganfield, Sires, Dunn, Schultz. Nay: None. Motion Carried. The Mayor then declared Resolution #23,035 duly passed and adopted.
- 54122 - Mayor Green announced that in accordance with the public notice of January 6, 2023, this was the time and place for a public hearing on the proposed rezoning to R-4, Multiple Unit Residential Zoning District, pursuant to a Zoning Agreement, for property located on Lots 5 and 6, Midway Business Park. It was then moved by deBuhr and seconded by Kruse that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 54123 - 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. Planning & Community Services Manager Howard provided a brief summary of the proposal. There being no one else present wishing to speak about the rezoning, the Mayor declared the hearing closed and passed to the next order of business.
- 54124 - It was moved by Kruse and seconded by Harding that Ordinance #3023, amending the Zoning Map by placing property located on Lots 5 and 6 of the Midway Business Park in the R-4, Multiple Unit Residential Zoning District, pursuant to provisions of a Zoning Agreement, 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: deBuhr, Kruse, Harding, Ganfield, Sires, Dunn, Schultz. Nay: None. Motion carried.
- 54125 - Mayor Green announced that in accordance with the public notice of January 6, 2023, this was the time and place for a public hearing on the proposed rezoning from R-4, Multiple Unit Residential, to R-1, One & Two Unit Residential, for Lots 1-4 of Midway Second Addition. It was then moved by Kruse and seconded by Schultz that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.
- 54126 - 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. Planning & Community Services Manager Howard provided a brief summary of the proposal. There being no one else present wishing to speak about the rezoning, the Mayor declared the hearing closed and passed to the next order of business.
- 54127 - It was moved by Kruse and seconded by Harding that Ordinance #3024, amending the Zoning Map by removing property generally described as Lots 1-4 of Midway Second Addition from the R-4, Multiple Unit Residential Zoning

District, to the R-1, One & Two Unit Residential Zoning District, be passed upon its first consideration. Following questions by Mayor Green and Councilmembers deBuhr and Ganfield, 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: deBuhr, Kruse, Harding, Ganfield, Sires, Dunn, Schultz. Nay: None. Motion carried.

- 54128 - It was moved by Harding and seconded by Ganfield that the following items on the Consent Calendar be received, filed and approved:

Receive and file the City Council Work Session minutes of January 3, 2023 relative to the following items:

a) Council Policy Development.

Receive and file the City Council Standing Committee minutes of January 3, 2023 relative to the following items:

a) Annual Report of Library.

b) RETF items implemented by Public Safety.

Approve the following applications for retail alcohol licenses:

a) College Square Cinema, 6301 University Avenue, Special Class C retail alcohol - renewal.

b) Fraternal Order of Eagles, 2125 West Lone Tree Road, Class C retail alcohol & outdoor service - renewal.

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

Motion carried unanimously.

- 54129 - It was moved by Kruse and seconded by Dunn to approve the following recommendation of the Mayor relative to the appointment of members to Boards and Commissions:

a) Shirley Merner, Health Trust Fund Board of Trustees, term ending 12/31/28.

Following comments by Councilmember Ganfield and response by Mayor Green, the motion carried 6-1, with deBuhr voting Nay.

- 54130 - It was moved by Harding and seconded by Kruse that the following resolutions be introduced and adopted:

Resolution #23,036, approving and adopting amendments to the City's Accounting Policies and Procedures and Purchasing Manual.

Resolution #23,037, approving and authorizing execution of a Contract with Exceptional Persons, Inc. (EPI) relative to Community Development Block Grant (CDBG) funding for service agencies.

Resolution #23,038, approving and authorizing the expenditure of funds for the purchase of ultraviolet (UV) disinfection lamps for the Water Reclamation facility.

Resolution #23,039, approving the Certificate of Completion and accepting the

work of Aspro, Inc. for the College Hill Parking Lot Improvements Project.

Resolution #23,040, approving and authorizing execution of a License Agreement with Aureon Network Services relative to installing a fiber optic telecommunications system within the West 2nd Street public right-of-way.

Resolution #23,041, approving and authorizing execution of a License Agreement with Windstream Intellectual Property Services, LLC relative to installing a fiber optic telecommunications system within the West 12th Street and Union Road public right-of-way.

Resolution #23,042, approving and authorizing execution of an Owner Purchase Agreement; and approving and accepting one Temporary Construction Easement, in conjunction with the Oak Park Sanitary Sewer Repair Project.

Resolution #23,043, approving and accepting completion of public improvements in Wild Horse Ridge Fifth Addition.

Resolution #23,044, approving and accepting completion of public improvements in Wild Horse Ridge Sixth Addition.

Resolution #23,045, approving and accepting a Warranty Deed, in conjunction with the Main Street Reconstruction Project.

Resolution #23,046, receiving and filing, and setting February 6, 2023 as the date of public hearing on the proposed plans, specifications, form of contract & estimate of cost for the Hudson Road & West Ridgeway Avenue Intersection Improvements Project.

Resolution #23,047, receiving and filing, and setting February 6, 2023 as the date of public hearing on the proposed plans, specifications, form of contract & estimate of cost for the Oak Park Boulevard Sanitary Sewer Replacement 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: deBuhr, Kruse, Harding, Ganfield, Sires, Dunn, Schultz. Nay: None. Motion carried. The Mayor then declared Resolutions #23,036 through #23,047 duly passed and adopted.

- 54131 - It was moved by Ganfield and seconded by Kruse that Resolution #23,048, approving the final plat of Wild Horse Ridge Sixth Addition, be adopted. Following questions by Councilmembers Ganfield and Harding, 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: deBuhr, Kruse, Harding, Ganfield, Sires, Dunn, Schultz. Nay: None. Motion Carried. The Mayor then declared Resolution #23,048 duly passed and adopted.
- 54132 - It was moved by Kruse and seconded by Harding that the bills and claims of January 17, 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: deBuhr, Kruse, Harding, Ganfield, Sires, Dunn, Schultz. Nay: None. Motion carried.

- 54133 - It was moved by Kruse and seconded by Ganfield to refer to the Community Development Committee review of a potential change order to the Main Street Reconstruction Project to include a mini round-a-bout at the 6<sup>th</sup> and Main Street intersection and other potential cost savings. Following comments by Councilmembers Dunn, Kruse, Harding, Ganfield, Schultz and deBuhr, and Mayor Green, and responses by Public Works Director Schrage and City Administrator Gaines, the motion carried 4-3, with deBuhr, Harding and Dunn voting Nay.

It was moved by Harding and seconded by Kruse to refer to the Community Development Committee review of green space policies within the subdivision ordinance. Motion carried unanimously.

- 54134 - It was moved by Kruse and seconded by Hardin that the meeting be adjourned at 9:05 P.M. Motion carried unanimously.

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Jacqueline Danielsen, MMC, City Clerk