

**COMMUNITY CENTER  
CEDAR FALLS, IOWA, AUGUST 15, 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. Mayor Green led the Pledge of Allegiance.

- 53939 - It was moved by Kruse and seconded by Ganfield that the minutes of the Regular Meeting of August 1, 2022 be approved as presented and ordered of record. Motion carried unanimously.
- 53940 - City Administrator Gaines provided an update on a private pedestrian bridge near Aldrich Elementary School. Mayor Green provided additional comments.
- 53941 - 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 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: Dunn, Schultz, deBuhr, Kruse, Harding, Ganfield, Sires. Nay: None. Motion carried. The Mayor then declared Ordinance #3014 duly passed and adopted.
- 53942 - 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 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: Dunn, Schultz, deBuhr, Kruse, Harding, Ganfield. Nay: Sires. Motion carried.
- 53943 - 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 report of the Mayor relative to the appointment of standing committees for the remainder of calendar year 2022.

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

- a) Kyle Wiebers, Human Rights Commission, term ending 07/01/2024.
- b) Jennifer Onuigbo, Human Rights Commission, term ending 07/01/2025.
- c) Michele Jensen, Visitors & Tourism Board, term ending 07/01/2024.

Approve the following applications for beer permits and liquor licenses:

- a) Main Street Sweets, 307 Main Street, Class B native wine – renewal.
- b) Amigo, 5809 University Avenue, Class C liquor & outdoor service - renewal.
- c) The Brass Tap, 421 Main Street, Class C liquor & outdoor service - renewal.
- d) Whiskey Road Tavern & Grill, 402 Main Street, Class C liquor & outdoor service - renewal.
- e) B & B West, 3105 Hudson Road, Class E liquor - renewal.

Motion carried unanimously.

53944 - It was moved by Kruse and seconded by Harding that the following resolutions be introduced and adopted:

Resolution #22,886, approving and adopting a job classification for the position of Horticulturist in the Public Works Department.

Resolution #22,887, approving and authorizing execution of a Mutual Confidential Disclosure Agreement with N. Harris Computer Corporation (CityView) relative to replacement of Financial and Community Development Software Systems.

Resolution #22,888, approving and authorizing execution of a Confidentiality & Non-Disclosure Agreement with Tyler Technologies, Inc., relative to replacement of Financial and Community Development Software Systems.

Resolution #22,889, approving and accepting a Quit Claim Deed, in conjunction with the 1990 transfer of jurisdiction of portions of University Avenue, Main Street, West 6th Street and Franklin Street (f/n/a U.S. Highway 218).

Resolution #22,890, approving and authorizing execution of a Service/Product Agreement with Lehman Trucking & Excavating Inc., relative to demolition of buildings located at 4919 Hudson Road, in conjunction with the Ashworth Drive Extension Project.

Resolution #22,891, approving and accepting a Warranty Deed and two Partial Releases of Real Estate Mortgage, in conjunction with the Greenhill Road & South Main Street Intersection Improvement Project.

Resolution #22,892, approving and accepting completion of public improvements in Terraces at West Glen First Addition.

Resolution #22,893, approving and authorizing execution of Supplemental Agreement No. 4B to the Professional Service Agreement with Snyder & Associates, Inc. relative to the West Viking Road Industrial Park Expansion Project - Phase 1.

Resolution #22,894, approving and accepting the contract and bond of Peterson Contractors, Inc. for the Olive Street Box Culvert Replacement Project.

Resolution #22,895, approving and authorizing execution of a Storm Water Maintenance and Repair Agreement with Western Home Services, Inc. and Western Home Independent Living Services, Inc. relative to a post-construction

stormwater management plan for Western Home Communities Tenth Addition.

Resolution #22,896, approving the preliminary plat of Western Home Communities Tenth Addition.

Resolution #22,897, approving the final plat of Western Home Communities Tenth Addition.

Resolution #22,898, approving and authorizing execution of a Letter of Agreement for asbestos testing and clearance monitoring services with Asbestos Inspections, Testing & Training, Inc., in conjunction with the Northern Cedar Falls Flood Buyout Program.

Resolution #22,899, approving and authorizing execution of a Contract for Completion of Improvements with Midwest Development Co. relative to the final plat of Wild Horse Ridge Fifth Addition.

Resolution #22,900, approving the final plat of Wild Horse Ridge Fifth Addition.

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: Dunn, Schultz, deBuhr, Kruse, Harding, Ganfield, Sires. Nay: None. Motion carried. The Mayor then declared Resolutions #22,886 through #22,900 duly passed and adopted.

- 53945- It was moved by Kruse and seconded by Harding that Resolution #22,901, approving and authorizing a form of Loan Agreement and authorizing and providing for the issuance of \$3,860,000 General Obligation Loan Notes, Series 2022, and levying a tax to pay said notes; and approving the Tax Exemption Certificate and Continuing Disclosure Certificate, be adopted. Following a comment by Councilmember Sires, 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. The Mayor then declared Resolution #22,901 duly passed and adopted.
- 53946- It was moved by Kruse and seconded by Harding that Resolution #22,902, approving and accepting the contract and bond of Kirk Gross Company for furniture relative to the City Hall Remodel Project, be adopted. Following a comment by Councilmember Sires, 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. The Mayor then declared Resolution #22,902 duly passed and adopted.
- 53947- It was moved by Kruse and seconded by Harding that Resolution #22,903, approving and authorizing execution of fifty-seven Owner Purchase Agreements and two Tenant Purchase Agreements; and approving and accepting fifty-seven Temporary Construction Easements and two Tenant Temporary Construction Easements, in conjunction with the Main Street Reconstruction (6th Street to University) Project, be adopted. Following a comment by Councilmember Sires, 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. The Mayor then declared Resolution #22,903 duly passed and adopted.

53948 - It was moved by Kruse and seconded by Harding that the bills and claims of August 15, 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: Dunn, Schultz, deBuhr, Kruse, Harding, Ganfield, Sires. Nay: None. Motion carried.

53949 - It was moved by Kruse and seconded by Harding to refer to the Community Development Committee consideration of removing 2/3 vote required to overrule Planning & Zoning Commission, referencing Code Sections 26-4(c) and 18-23(5). Following comments by Councilmembers Dunn, Sires and deBuhr, the motion carried 4-3, with Schultz, Harding and Dunn voting Nay.

It was moved by Kruse and seconded by Sires to refer to the Finance and Business Operations Committee review of Tax Increment Financing (TIF) to develop standardized city policy for length of TIF. Following comments by Councilmembers Schultz and Ganfield, and responses by City Administrator Gaines, the motion carried 6-1, with Dunn voting Nay.

53950 - Public Safety Director Berte responded to Councilmember Sires request for an update on shots fired on College Hill over the weekend.

Councilmember Ganfield stated his support of Active Shooter Training being offered by the City and recommended that the public attend.

Public Safety Director Berte announced the Public Safety Open House on August 17<sup>th</sup> from 4:00 to 7:00 PM.

53951 - It was moved by Ganfield and seconded by Harding that the meeting be adjourned at 7:25 P.M. Motion carried unanimously.

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Jacqueline Danielsen, MMC, City Clerk