CITY HALL
CEDAR FALLS, IOWA, FEBRUARY 17, 2025
REGULAR MEETING, CITY COUNCIL
MAYOR DANIEL LAUDICK 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, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Absent: None. Mayor Laudick led the Pledge of Allegiance.

Mayor Laudick announced the recent passing of former Mayor Doug Sharp and the upcoming one-year anniversary of the passing of Fire Captain Brad Sherwood and requested a moment of silence in remembrance.

55198 - It was moved by Kruse and seconded by Dunn that the minutes of the Regular Meeting of February 3, 2025 be approved as presented and ordered of record. Motion carried unanimously.

55199 - The Mayor then asked if there were any agenda revisions. City Clerk Kerr noted that item #28 on the Resolution Calendar has a notice which has been placed in front of the Council.

55200 - Dennis Pruckler, Cedar Falls, commented on the 2008 flooding and future flood concerns and prevention.

Carrie Sherwood, Dike, commented on the implementation of the PSO Program and safety concerns regarding the heart health of Firefighters. Mayor Laudick commented.

55201 - Director of Public Works Schrage announced a Snow Emergency Ordinance from 7 PM Wednesday, February 19, 2025 until 7 AM on Thursday, February 20, 2025 for the Downtown and College Hill areas.

Mayor Laudick introduced UNI Student Liaison Isaac Mata. Mata commented.

Director of Finance & Business Operations Rodenbeck announced Warming Stations available throughout the city.

55202 - Mayor Laudick announced that in accordance with the public notice of February 8, 2025, this was the time and place for a public hearing on proposed amendments to the Cedar Falls Zoning Map from A-1, Agricultural Zoning District to R-P, Planned Residence District approximately 2.68 acres of property located at the south side of West 1st Street. It was then moved by Crisman and seconded by Hawbaker that the proof of publication of notice of hearing be received and placed on file. Motion carried unanimously.

55203 - Following comments by Mayor Laudick, the Mayor then asked if there were any written communications filed to the proposed amendments. Upon being advised that there were written communications placed in the Council packet and in front of Council, the Mayor then called for oral comments. Planner III Weintraut provided an overview on the proposed amendments. Following questions and comments by Mayor Laudick, Councilmembers Ganfield, Latta, and Kruse, and responses by Weintraut, Mayor Laudick and Director of Community Development Sheetz, the Mayor introduced Developer Mike Morley, who gave an overview of the project. The Mayor then called for public comment.

The following Cedar Falls residents expressed concerns with the project:

Eashaan Vajpeyi, representing the Winding Ridge HOA
Spencer Johnson
Tamie Stahl
Tom Nagle
Atul Patel
Elana Aldrich
Fethiye Tuken
Kim Jordan
Cameron Lee
Kristina Mehmen

The following individual spoke in favor of the project:
Pat Galles, Cedar Falls, Attorney for Developer
Dan Arends, VJ Engineering

The following individual provided general comments:
Kamyar Enshayan, Cedar Falls

There being no one else present wishing to speak about the proposed amendment, the Mayor declared the hearing closed and passed to the next order of business.

55204 - It was moved by Crisman and seconded by Hawbaker to pass an ordinance amending the Cedar Falls Zoning Map from A-1, Agricultural Zoning District to R-P, Planned Residence District approximately 2.68 acres of property located at the south side of West 1st Street, upon its first consideration. Following responses to questions asked during public forum by Mayor Laudick, City Administrator Gaines, Director of Public Works Schrage, and Director of Community Development Sheetz, and questions and comments by Councilmembers Ganfield, Crisman, Latta, Dunn, Schultz, Kruse, and Hawbaker, and additional responses by Schrage, Mayor Laudick, Engineer Dan Arends, City Attorney Rogers, and Sheetz, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: Hawbaker, Crisman, Dunn. Nay: Schultz, Latta, Kruse, Ganfield. Motion failed.

The Mayor then announced a short recess from 9:23 P.M. to 9:28 P.M.

55205 - It was moved by Ganfield and seconded by Latta that Ordinance #3094, amending the Zoning Map by removing approximately 13.28 acres of property located at the southeast corner of Greenhill and Cedar Heights from R-2, Residential District, and placing the same into MU, Mixed Use Residential District, be passed upon its third & final consideration. Following comments by Councilmembers Schultz, the Mayor put the question on the motion, and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried. The Mayor then declared Ordinance #3094 duly passed and adopted.

55206 - It was moved by Ganfield and seconded by Crisman that Resolution #23,947, approving and authorizing execution of an MU, Mixed Use Residential Zoning District Developmental Procedures Agreement with Cedar West Apartments of Cedar Falls, LLC, 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,947 duly

passed and adopted.

55207 - It was moved by Hawbaker and seconded by Kruse that Ordinance #3095, repealing Ordinance #2774 designating the College Hill Urban Revitalization Area in the City of Cedar Falls, Iowa, be passed upon its third & 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried. The Mayor then declared Ordinance #3095 duly passed and adopted.

55208 - It was moved by Kruse and seconded by Latta that Ordinance #3096, amending the Zoning Map by removing approximately 76.53 acres of property located at the northeast corner of US Highway 20 and Hudson Road from A-1, Agricultural Zoning District to PC-2, Planned Commercial 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried.

55209 - It was moved by Ganfield and seconded by Latta 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) Sue Beach, Board of Adjustment, term ending 03/31/2030.

Receive and file the minutes of the January 31, 2025 City Council Joint Meeting with Legislators.

Receive and file Annual Conflict of Interest/Related Party Disclosures for elected officials.

Receive and file petitions relative to the Multiresidential Urban Revitalization Area of the City of Cedar Falls, Iowa.

Approve the following applications for device retailer permits:
a) Five Corners Liquor and Wine, 809 East 18th Street.
b) Greenleaf Tobacco and Vaper, 5901 University Avenue.
c) Greenleaf Tobacco, 502 Brandilynn Boulevard.
d) Greenleaf Tobacco and Vape, 6820 University Avenue.

Approve the following applications for retail alcohol licenses:
a) Chad's Pizza & Restaurant, 909 West 23rd Street, Class C retail alcohol - renewal.
b) Sakura Japanese Steakhouse & Sushi Bar, 5719 University Avenue, Class C retail alcohol - renewal.
c) Bani's, 2128 College Street, Class E retail alcohol - renewal.
d) Casey’s, 1525 West Ridgeway Avenue, Class E retail alcohol - renewal.
e) Hillstreet News & Tobacco, 2217 College Street, Class E retail alcohol - renewal.

Motion carried unanimously.

55210 - It was moved by Kruse and seconded by Crisman that the following resolutions be introduced and adopted:

Resolution #23,948, approving and authorizing execution of a 28E Agreement for Alcohol Enforcement with the Iowa Department of Revenue (IDR).

Resolution #23,949, approving and authorizing execution of a Lease with Sandra Adolphs relative to property vacated by flood buyout programs.

Resolution #23,950, approving an MU, Mixed Use Residential District site plan relative to residential development located at the southeast corner of Greenhill and Cedar Heights.

Resolution #23,951, approving CV Flips, LLC First Minor Subdivision Plat.

Resolution #23,952, approving a College Hill Neighborhood Overlay District design review for two bi-attached units located at 1305 West 19th Street. (Contingent upon approval of previous item)

Resolution #23,953, approving and authorizing submission of a grant application to the Black Hawk County Gaming Association for funding assistance relative to the Seerley Park bathroom facility project.

Resolution #23,954, approving and authorizing submission of a Letter of Support to the Black Hawk County Metropolitan Planning Organization (MPO) for Transportation Alternative Set-Aside Program funds relative to the Cedar Prairie Trail Project.

Resolution #23,955, approving the Statement of Completion and Final Acceptance of Work of Peterson Contractors, Inc. for the Cedar Heights Drive Reconstruction Project.

Resolution #23,956, approving and accepting the contract and bond of Hydro-Klean, LLC, for the 2025 Sanitary Sewer Rehabilitation Project.

Resolution #23,957, receiving and filing the bids, and approving and accepting the low bid of Benton's Sand & Gravel, Inc. in the amount of $264,133.81 for the 2025 Alley Reconstruction Project.

Preliminary #23,958, resolution providing for Construction of Street, Storm Sewer, Sidewalk and other public improvements of West 23rd Street Reconstruction Project.

Resolution #23,959, fixing the value of lots within the West 23rd Street Reconstruction Project. (Contingent upon approval of previous item)

Resolution #23,960, adopting the preliminary plat and schedule, estimate of cost and proposed plans and specifications for the West 23rd Street Reconstruction Project. (Contingent upon approval of previous item)

Resolution #23,961, receiving and filing, and setting March 3, 2025 as the date of the public hearing, on the proposed plans, specifications, form of contract & estimate of cost for the 2025 Street Construction Project.

Resolution #23,962, setting March 3, 2025 as the date of public hearing on a proposal to undertake a public improvement project for the Creekside Business Park project, and to authorize acquisition of private property for said project.

Resolution #23,963, setting April 7, 2025 as the date of the public hearing on the proposed property tax rate and creating a proposed property tax rate for the City of Cedar Falls FY2026 Budget.

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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried. The Mayor then declared Resolutions #23,948 through #23,963 duly passed and adopted.

55211 - It was moved by Latta and seconded by Hawbaker that Resolution #23,964, designating July 5, 2025 (9 a.m. – 10 p.m.) as an additional day of use for consumer fireworks within the City limits, be adopted. Following comments and questions by Councilmembers Schultz, Kruse, Dunn, and Ganfield, and responses by Mayor Laudick and Director of Public Safety Berte, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Latta, Hawbaker, Ganfield, Crisman, Dunn. Nay: Schultz, Kruse. Motion Carried. The Mayor then declared Resolution #23,964 duly passed and adopted.

55212 - It was moved by Kruse and seconded by Latta that Resolution #23,965, a Resolution of Necessity proposing the West 23rd Street Reconstruction Project and setting date of hearing thereon, 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,965 duly passed and adopted.

55213 - It was moved by Kruse and seconded by Dunn that Resolution #23,966, receiving and filing, and setting March 3, 2025 as the date of the public hearing, on the proposed plans, specifications, form of contract & estimate of cost for the 2025 CDBG Sidewalk Infill Project, be adopted. Following comments by Councilmembers Latta and Kruse, and responses by City Administrator Gaines and Mayor Laudick, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,966 duly passed and adopted.

55214 - It was moved by Ganfield and seconded by Hawbaker that Resolution #23,967, setting March 3, 2025 as the date of second public hearing on a proposed Multiresidential Urban Revitalization Plan for a proposed Urban Revitalization Area, be adopted. Following comments by Mayor Laudick and questions by Councilmember Kruse, and responses by City Attorney Rogers and Mayor Laudick, the Mayor put the question on the motion and upon call of the roll, the following named Councilmembers voted. Aye: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion Carried. The Mayor then declared Resolution #23,967 duly passed and adopted.

55215 - It was moved by Crisman and seconded by Hawbaker that the bills and claims of February 17, 2025 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: Schultz, Latta, Kruse, Hawbaker, Ganfield, Crisman, Dunn. Nay: None. Motion carried.

55216 - It was moved by Kruse and seconded by Schultz to review the criteria of the R-P Planned Residence District (Sec. 26-179 of the Cedar Falls Code of Ordinances). Following comments by Mayor Laudick, Councilmembers Kruse, Dunn, Ganfield,

Crisman, Schultz, and Hawbaker, and responses by Planning & Community Services Manager Howard, Director of Community Development Sheetz and City Attorney Rogers. Council directed staff to pause any RP zoning until a comprehensive update to the zoning ordinance has been completed, the motion carried unanimously.

55217 - It was moved by Kruse and seconded by Ganfield to review the development review & approval process of the downtown Character District. Following comments by Councilmembers Kruse, Ganfield, Hawbaker, Crisman and Dunn, and responses by Mayor Laudick and Planning & Community Services Manager Howard, it was moved by Crisman and seconded by Latta to call the question. Motion to call the question carried unanimously. The original motion failed, 3-4 with Latta, Hawbaker, Crisman, and Dunn voting Nay.

55218 - It was moved by Dunn and seconded by Hawbaker that the meeting be adjourned at 10:19 P.M. Motion carried unanimously.

_____

Kim Kerr, CMC, City Clerk