



MAYOR ROBERT M. GREEN

CITY OF CEDAR FALLS, IOWA

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FROM: Mayor Robert M. Green

TO: City Council

DATE: October 26, 2023

SUBJ: **Veto of City Council's 10/16/2023 Repeal of the *Imagine! College Hill Vision Plan***

REF: (a) Iowa Code §380.6 – Effective Date

(b) City Council Meeting Procedures (CFD 1121), Rule 1.7 - Prevalence of Council

1. The Cedar Falls City Council recently voted 4-to-3 to repeal the College Hill Vision Plan, which had been adopted on a 4-to-3 vote in May 2021. After careful consideration, and in accordance with reference (a), I am vetoing this repeal resolution.
2. In nearly four years as mayor, my philosophy has been that a mayor should use their veto power only when they genuinely believe that a proposed decision is detrimental to the community's interests, threatens the democratic process or checks and balances, and when the issue is of significant importance; such an approach helps maintain trust, collaboration, and efficient governance while ensuring the veto is reserved for critical matters that align with the best interests of the community.
3. The College Hill Vision Plan repeal resolution merits my veto for the following reasons:
 - a. **Timing.** The council's recent action takes place just weeks prior to a local election which will see the installation of a new mayor and three new council members in ten weeks. I do not believe it is in the community's best interest to put College Hill stakeholders through the stress of a repeal, given that the new council can simply re-adopt the *Imagine! College Hill Vision Plan* in January. No specific actions are forthcoming from the vision plan, so no compelling reason exists to repeal the plan prior to the new mayor and councilors being seated in January.
 - b. **Stakeholder Perception.** Two major stakeholders, the University of Northern Iowa and the College Hill Partnership, are strongly in favor of retaining the plan and working from it for future growth; the city's rejection of their extensive work on the plan, and their expressed desires for its continuance, would be detrimental to our vital relationships with these College Hill stakeholders. Council actions have lasting repercussions for how the city is perceived. I believe that the city's rejection of the

College Hill Vision Plan will be perceived as a lack of support for College Hill and for the many stakeholders who seek a developmental renaissance on the Hill.

- c. **Efficacy.** The council's intent can be achieved without a plan repeal. During both the October 6 standing committee meeting and the October 16 regular council meeting, I sensed a general desire (or at least willingness) for the council majority to focus College Hill redevelopment efforts on character areas 1, 2, and 3 (shown on page 36 of the plan). This focus can easily be accommodated through a council resolution to the effect that a proposed College Hill Character District (and any zoning reforms) should only be for character areas 1, 2 and 3. The Character District could easily be expanded to include more of the surrounding residential areas later, if desired.
 - d. **Council Control and the Role of Plans.** The College Hill Vision Plan is not a zoning document. During the October 16 deliberations, an argument was made that any adopted city plan is then "rolled over" on the council, locking the council into certain actions. This argument does not hold water, as evidenced by this College Hill Vision Plan itself: due to council consensus at the 2021 and 2022 goal setting, no action has been taken during the past two fiscal years for rezoning or other ordinance changes affecting College Hill. The Council and public must appreciate that the council has final authority for the direction and spending of the city, and it is free to do so.
4. Given that I will be returning to my previous employment at the University of Northern Iowa as a web developer in January, I wish to dispel any concerns of a conflict of interest. I have never allowed this status to impact my decisions as mayor. I note that no similar concerns were brought up regarding Planning and Zoning Commission members employed by UNI. That said, if any council members question the propriety of my veto, I encourage them to vote to override the veto on these grounds.
 5. In keeping with the spirit of reference (b), I will require that four council members make a request directly to the City Clerk to place a veto override on the agenda. While reference (a) does not define an override request process, the veto inherently signifies the presiding officer's desire to not place an override on the agenda. Please note that, per reference (a), the council has 30 days from today to pass the override with a two-thirds (5 of 7 members) vote. I show this date as November 25, 2023.
 6. I respectfully request that the council not override my veto, and I look forward to a lively discussion of the Council's desires for College Hill development during the November 6 committee meeting and at the Council Goal Setting Work Session next month.

Xc: City Administrator
City Clerk

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