



**THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, May 20, 2024
5:30 PM**

**CITY OF WATERLOO
COMMUNITY VISION PLAN**

1. Fly the W: To develop a sense of pride and relationship between residents and the City of Waterloo, and then leverage that pride to communicate the City's attributes to external audiences.
2. Elevate Housing: Redevelop, renovate, or improve 800 residences in Waterloo in eight years by providing access to capital.
3. Celebrate and Connect Neighborhoods: To leverage Waterloo's rich tradition of neighborhoods by celebrating and connecting them with the community and region at large.
4. Waterloo Works: Grow a diverse and skilled workforce in Waterloo that connects people and employers for mutual growth.
5. Crossroads Doubledown: Re-energize the Crossroads Mall area into a sports/recreation-themed gravitational center.
6. Power Up Downtown: Keep Waterloo's core downtown evolving to meet the needs of future generations, supporting and showcasing arts and cultural opportunities and creating an experience like no other.
7. Sportstown USA: To generate excitement, develop youth, and drive investment and economic impact from year-round visitors.
8. Community of Opportunity: Eliminate barriers that keep Waterloo residents, and the community as a whole, from reaching its true potential, creating an equitable, thriving, and sustainable community for future generations.
Waterloo is a Community of Opportunity, where everyone can prosper.

GENERAL RULES FOR PUBLIC PARTICIPATION REGULAR SESSION AGENDA

- A. Iowa Code Chapter 21 gives the public the right to attend council meetings, but it does not require cities to allow public participation except during public hearings. The public

is required to follow the rules listed in this article when speaking during any meeting of the city council.

- B. At the presiding officer's discretion, individuals may address the presiding officer by stepping to the podium, and after recognition by the presiding officer, shall state their name, address, and group affiliation, if appropriate, and speak clearly into the microphone.
- C. Comments shall be germane and refrain from personal, impertinent, or slanderous remarks.
- D. Cell phones and electronic devices shall be set to silent prior to the start of the meeting.

RULES FOR PUBLIC COMMENT SECTION OF THE AGENDA

- A. Individuals shall speak one (1) time on only one (1) issue for a maximum of three (3) minutes During the public comment section of the agenda. The public shall not be required to pre-register to speak during public comment. Individuals shall only speak on matters not listed on the regular agenda for that date. Any matter presented shall be directed to the presiding officer and addressed, if necessary, after the meeting.
- B. Council members may speak during public comment portion of the agenda after the public has finished speaking
- C. City staff shall not be required to provide an immediate answer to a matter presented during a council meeting unless it specifically pertains to an item on the agenda

RULES FOR PUBLIC COMMENT DURING PUBLIC HEARINGS

Individuals may speak during the public comment portion of a scheduled public hearing for a maximum of three (3) minutes or may submit written comments to the city clerk by four o'clock (4:00) P.M. on the day of the public hearing. Groups of citizens with similar viewpoints are encouraged to select a representative to share the viewpoint of the group.

RULES FOR PUBLIC COMMENT DURING AGENDA ITEMS

At the discretion of the presiding officer, individuals may speak for a maximum of three (3) minutes when the council discusses agenda items. This section does not apply to businesses or parties directly involved in agenda items.

Roll Call.

Prayer or Moment of Silence.

Pledge of Allegiance, Ray Feuss, Ward 5 Council Member.

Approval of Agenda as proposed or amended.

Approval of Minutes of May 6, 2024, Regular Council Session as proposed or amended.

PUBLIC COMMENTS

Iowa Code Chapter 21 gives the public the right to attend council meetings but it does not require cities to allow public participation except during public hearings. The City of Waterloo encourages the public to participate during the Oral Presentations by following the rules listed on the front of the agenda.

CONSENT AGENDA

The consent agenda is reserved for routine resolutions and motions, acted upon by roll call vote on a single motion without discussion. Council shall either vote yea or nay when the roll is called. Council members may request that an item be removed from the consent agenda and considered separately. Such a request does not require a second. The public shall be prohibited from requesting that items listed on the consent agenda be removed and considered separately. The public may contact council members with questions regarding consent agenda items. 1-4A-16(A)(8).

1. Bills Payment, Finance Committee Invoice Summary Report, a copy of which is on file in the office of the City Clerk.
2. Resolution approving the request of Scott Whiteman, for a waiver for a concrete driveway, located at 2014 Ashland Avenue, and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on the city right-of-way on an unimproved street.
3. Resolution approving the request of Dennis Payne for a waiver for a concrete driveway, located at 145 Lovejoy Avenue, with the elimination of the sidewalk section due to inability to meet grade requirements.
4. Resolution approving the request of Mirsad Sabic for a waiver for a concrete driveway, located at 4048 E. Shaulis Road, with the elimination of the sidewalk section due to inability to meet grade requirements.
5. Resolution approving the request of Irene Shriver for a waiver for an asphalt driveway, located at 425 Sheridan Road, with the elimination of the sidewalk section due to inability to meet grade requirements.
6. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as June 13, 2024, and date of public hearing as June 17, 2024, in conjunction with the FY 2024 Hawthorne Avenue Storm Sewer Lift Station Relief Well Project, Contract No. 1066, and instruct the City Clerk to publish notice.
7. Resolution setting date of public hearing as June 3, 2024, for the sale and conveyance of city-owned property located at 1738 Flower Street, in the amount of \$10,000.00, to Babic Properties, LLC, including approval of a Development Agreement for the construction of an 8-plex apartment building, a grant of \$5,000.00 per unit for a total grant of \$40,000.00 for infill housing development, and instruct the City Clerk to publish notice.
8. Resolution setting date of public hearing as June 3, 2024, for the sale and conveyance of city-owned property located east of 127 Conger Street, in the amount of \$1.00, to Perry and Michelle M. Gamblin, including approval of a Development Agreement for construction of an accessory structure, and instruct the City Clerk to publish notice.

9. Resolution approving award of bid to Boulder Contracting, LLC, of Grundy Center, Iowa, in the amount of \$238,017.43, approving the contract, bonds, and certificate of insurance, in conjunction with the FY 2025 Sidewalk Ramp and Trail Repair Program - Zone 4, Contract No. 1106, and authorizing the Mayor and City Clerk to execute said documents.
10. Resolution approving award of bid to Boulder Contracting, LLC, of Grundy Center, Iowa, in the amount of \$94,060.66, approving the contract, bonds, and certificate of insurance, in conjunction with the FY 2024 11th Street Railroad Crossing Repair Project, Contract No. 1107, and authorizing the Mayor and City Clerk to execute said documents.
11. Resolution approving award of bid to Boulder Contracting, LLC, of Grundy Center, Iowa, in the amount of \$53,939.44, approving the contract, bonds, and certificate of insurance, in conjunction with the FY 2024 Rainbow Drive Railroad Crossing Repair Project, Contract No. 1108, and authorizing the Mayor and City Clerk to execute said documents.
12. Resolution in support of an application by The 415 Walnut Collective, for the Iowa Workforce Housing Tax Credit Program application to the Iowa Economic Development Authority, to construct three new market rate apartments within the Walnut Church, located at 415 Walnut Street, including a grant of \$15,000.00 as approved by city council by Resolution No. 2023-047 on January 17, 2023.
13. Resolution in support of an application by The Martin Flats, LLC, for the Iowa Workforce Housing Tax Credit Program application to the Iowa Economic Development Authority, to construct two new market rate apartments on the upper level, located at 319 E. 4th Street, including a grant of \$199,000.00 for the overall redevelopment project and fifteen years of rebates at 70 percent as approved by city council by resolution No. 2023-744 on November 20, 2023.
14. Resolution approving request to certify assessments for unpaid snow, weed mowing and lot clean-ups, for payments dated January 1, 2023 - March 1, 2024, in the amount of \$10,110.03, for properties listed on attached exhibit "A".
15. Resolution approving cancellation of assessment for property located at 2306 Clearview Street, in the amount of \$230.67, and authorizing the City Clerk to notify Black Hawk County Treasurer of said cancellation.
16. Resolution approving Acknowledgment/Settlement Agreement for Tobacco Violation - First Offense with Byron Mart, 306 Byron Avenue, Waterloo, Iowa, and acceptance of a civil penalty in the amount of \$300.00, and authorizing the Mayor and City Clerk to execute said document.
17. Resolution approving Acknowledgment/Settlement Agreement for Tobacco Violation - Second Offense with West Side Liquor, 919 W. 5th Street, Waterloo, Iowa 50702, and acceptance of a civil penalty in the amount of \$1,500.00, and authorizing the Mayor and City Clerk to execute said document.
18. Resolution authorizing an exception to the City of Waterloo Purchasing Policy for purchasing two Chevy Traverse vehicles, in the amount of \$66,507.20, from Enterprise Fleet Management, for the Police Department.
19. Motion to accept and place on file the arbitration results reflecting that a yield reduction

liability payment of \$772.27 is due to the Internal Revenue Service for the General Obligation Bonds Series 2019A.

20. Motion to accept and place on file the arbitrage results reflecting that a yield reduction liability payment of \$1,182.98 is due to the Internal Revenue Service for the General Obligation Bonds Series 2020A.
21. Motion to approve Change Order No. 1 with Hawkeye Flat Roof Solutions, LLC, of Toledo, Iowa, for a net increase of \$12,500.00, in conjunction with City Hall Roof Repair, and authorizing the Mayor and City Clerk to execute said document.
22. Motion to approve Change Order No. 04 with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net increase of \$34,652.72, in conjunction with FY 2022 Park Avenue Bridge Replacement Project, Contract No. 1013, DOT Contract No. BRM-CHBP-8155(771)--NB-07, and authorizing the Mayor and City Clerk to execute said document.
23. Motion to approve a Fireworks Display Application by the Waterloo Bucks Ball Club for home games beginning at 10:00 p.m. for approximately 10 minutes on May 28, June 8, June 15, July 2, July 4, July 6, July 20 and August 3, 2024.
24. Motion to approve appointment of **Indira Krusko**, from the current civil service list, to the position of Intake Specialist in the Community Development Department, effective May 22, 2024.
25. **Chris Fischels**, Board/Commission: Design Review Board, Expiration Date: May 20, 2027, New.
26. Communication from the Fire Department on notice of the conclusion of employment of Michael McClelland, Firefighter, effective May 1, 2024, with recommendation of approval of payout of \$180.40 for unused benefits.
27. Liquor Licenses
 - a. Casey's General Store #2427, 3035 Logan Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 6/14/2025.
 - b. El Mercadito, 520 La Porte Rd., Class B Alcohol w/Sunday Sales (Renewal) Exp: 6/20/2025.
 - c. Golden China, 106 Brookeridge Dr., Class C Alcohol w/Sunday Sales (Renewal) Exp: 5/4/2025.
 - d. Linn Mart, 926 Linn St., Class B Alcohol w/Sunday Sales (Renewal) Exp: 4/17/2025.
 - e. LuckyWife Wine Slushies, 4022 Sergeant Rd., Special Class C Alcohol w/Outdoor Service and Sunday Sales (New 5-Day) Exp: 7/21/2024.
 - f. Lucky Wife Wine Slushies, 4022 Sergeant Rd., Special Class C Alcohol w/Outdoor Service and Sunday Sales (New 5-Day) Exp: 9/29/2024.
 - g. Steamboat Gardens, 1740 Falls Ave., Class C Alcohol w/Sunday Sales (Renewal) Exp: 6/13/2025.
 - h. Smitty's Bar, 709 Jefferson St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 5/26/2025.
 - i. The Isle Casino Hotel Waterloo, 777 Isle of Capri Blvd., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 4/30/2025.
 - j. Basal Pizza, 225 W. 4th St., Class C Alcohol w/Outdoor Service and Sunday Sales

(Renewal) Exp: 4/30/2025.

28. Bonds.

PUBLIC HEARINGS

- 1. Sale and conveyance of city-owned property located at 708 W. 3rd Street, in the amount of \$2,000.00, to Tramaun Allen, including approval of a Development Agreement and Real Estate Contract for the rehabilitation of a garage and construction of a fence.**

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close hearing and receive and file oral and written comments.

Resolution authorizing the sale and conveyance of city-owned property located at 708 W. 3rd Street, in the amount of \$2,000.00 to Tramaun Allen, and authorizing the Mayor and City Clerk to execute said documents.

Resolution approving a Development Agreement and Real Estate Contract with Tramaun Allen for the rehabilitation of a garage and construction of a fence, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

- 2. 2024-2025 Residential Lots/Miscellaneous Areas Mowing and Lot Maintenance Services Contract re-bid for city-owned lots generally maintained by the Planning and Zoning Department.**

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close the hearing and receive and file oral and written comments.

Resolution confirming approval of plans, specifications, form of contract, etc., and authorizing to proceed.

Motion to receive, file, and instruct the City Clerk to read bids.

Resolution awarding bid to B&B Lawn Care, Inc., of Waterloo, Iowa, in the amount of \$11.41 per lot per occurrence for lots under 1 acre, and \$49.99 per acre per occurrence for lots 1 acre or more, in conjunction with the 2024-2025 Residential Lots/Miscellaneous Areas Mowing and Lot Maintenance Services Contract re-bid for city-owned lots generally maintained by the Planning and Zoning Department.

Submitted by: Noel Anderson, Community Planning and Development Director

- 3. Sale and conveyance of city-owned property located at 516 Pine Street, in the amount of \$1.00, to Iowa Heartland Habitat for Humanity, including approval of a Development Agreement for the redevelopment of a single family home and a grant of \$5,000.00 for infill housing incentive.**

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close hearing and receive and file oral and written comments.

Resolution authorizing the sale and conveyance of city-owned property located at 516 Pine Street, in the amount of \$1.00 to Iowa Heartland Habitat for Humanity, and authorizing the Mayor and City Clerk to execute said documents.

Resolution approving a Development Agreement with Iowa Hartland Habitat for Humanity

for the rehabilitation of a single-family home at 516 Pine Street, with a \$5,000.00 infill housing grant, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

4. Request by King Automotive to rezone approximately 1.76 acres from “C-2” Commercial District to “M-1” Light Industrial District for the potential expansion of an existing salvage yard located south of 275 Rampart Lane.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close the hearing and receive and file oral and written comments and recommendation of approval of the Planning, Programming and Zoning Commission.

Motion to receive, file, consider, and pass for the first time an ordinance amending Ordinance No. 5079, as amended, City of Waterloo Zoning Ordinance, by amending the Official Zoning Map referred to in Section 10-4-4, approving a request by King Automotive to rezone approximately 1.76 acres from “C-2” Commercial District to “M-1” Light Industrial District for the potential expansion of an existing salvage yard located south of 275 Rampart Lane.

Motion to suspend the rules.

Motion to receive, consider, file, and pass for the second and third times and adopt the ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

RESOLUTIONS

1. Resolution approving a Permanent Easement Agreement in the amount of \$1,602.72, with Hy-Vee, Inc., for sidewalk and traffic signal infrastructure, located near 2181 Logan Avenue, in relation to roadway improvements at the North Crossing Development, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

2. Resolution approving a request by Cedar Valley Fish Market for an Encroachment Agreement to allow for the placement of a food trailer and related items in the right-of-way in front of 218 Division Street, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk