



**THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, June 3, 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, Steve Simon, At-Large Council Member.

Approval of Agenda.

Approval of Minutes of the May 20, 2024, Regular Council Session and the May 23, 2024,

Special 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 by Kristina Cook, for tax exemptions on the construction of a twin home unit valued at \$269,900.00, for property located at 4149 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).
3. Resolution approving the request by Muhamed Kudic, for tax exemptions on the construction of a new single-family home valued at \$278,400.00, for property located at 4503 Charm Drive and located in the City Limits Urban Revitalization Area (CLURA).
4. Resolution approving the request of Tim Bedard for a waiver for an asphalt driveway located at 2529 Kate Street, with elimination of the sidewalk section.
5. Resolution in support of an application by J & R Real Estate Holdings, LLC, for the Iowa Workforce Housing Tax Credit Program Application to the Iowa Economic Development Authority, to construct nineteen new residential units, located at 1729 Mulberry Street, including a potential for tax abatement of at least \$1,000.00 per unit through the Consolidated Urban Revitalization Area tax abatement program upon substantial completion and project shall also receive \$95,000.00, or \$5,000.00 per housing unit created per the Infill Housing Program, upon receipt of certificate of occupancy.
6. Resolution approving eleven FY 25 Quarter 1 and Quarter 2 Event and Partner Hotel/Motel Tax Grants, in the amount of \$74,000.00, as recommended by the Waterloo Convention and Visitors Bureau Board of Directors.
7. Resolution approving the installation of a speed hump in the 1000 block of Flammang Drive.
8. Resolution setting date of public hearing as June 17, 2024, in conjunction with the FY 2023 Hammond Avenue Bridge Replacement Project, Contract No. 922, IDOT Project No. BROS-8155(759)--8J-07, and instruct the City Clerk to publish notice.
9. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as June 20, 2024, and date of public hearing as July 1, 2024, in conjunction

with Asbestos Abatement Services Contract No. AB-2024-06-01P, for property located at 123 E. Parker Street, former Saint Mary's Villa (rebid).

10. Resolution approving a three-year engagement letter with Creative Planning Business Services of Des Moines, IA, in the total amount of \$1,575.00 over the three years, in conjunction with the PlainSight Fraud Hotline services provided with the approved audit proposal with BerganKDV, and authorizing the Finance Director said document.
11. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as June 6, 2024, and date of public hearing as June 17, 2024, in conjunction with Asbestos Abatement Services Project, Contract No. AB-2024-05-00P, and instruct the City Clerk to publish notice.
12. Motion approving Change Order No. 1 with WRH Inc., of South Amana, Iowa, for a net increase of \$58,822.15, in conjunction with Titus Lift Station and Force Main Project, Contract No. 975, and authorizing the Mayor and City Clerk to execute said document.
13. Motion to approve Change Order No. 1 with Municipal Pipe and Tool Co., LLC, of Hudson, Iowa, for a net increase of \$29,355.94, in conjunction with FY 2024 CIP Pipelining Phase IVB1 Project, Contract No. 1102, and authorizing the Mayor and City Clerk to execute said document.
14. Motion to approve a Fireworks Display Application by Dan Mast for the East vs. West baseball game on June 4, 2024, beginning at 9:30 p.m. for approximately 5 minutes.
15. Communication from the Leisure Services Department on the notice of the conclusion of employment of Madonna Welsh, Office Coordinator/Bookkeeper, effective May 24, 2024, with recommendation of approval of payout of \$17,390.63 for unused benefits.
16. **Emily Hanson**, Board/Commission: Library Board of Trustees, Expiration Date: June 30, 2030, [New].
17. **Lynn LaGrone**, Board/Commission: Library Board of Trustees, Expiration Date: June 30, 2030, [New].
18. **James Lentfer**, Board/Commission: Veteran Memorial Hall, Expiration Date: June 3, 2027, [Renewal].
19. Leisure Services Commission Board minutes of April 9, 2024.
20. Historic Preservation Commission minutes of March 19, 2024.
21. Planning, Programming, and Zoning Commission minutes of March 12, 2024.
22. Airport Board meeting minutes of April 24, 2024.
23. Liquor Licenses
 - a. The American Legion, 728 Commercial St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 6/14/2025.
 - b. Experience Waterloo, Lincoln Park, Special Class C Alcohol w/Outdoor Service and

Sunday Sales (New 5-Day) Exp: 6/9/2024.

c. Hickory House, 315 Park Rd., Class C Alcohol w/Sunday Sales (Renewal) Exp: 5/23/2025.

d. Riverloop Expo Plaza, 400 Jefferson St., Special Class C Alcohol w/Outdoor Service and Sunday Sales (New) Exp: 1/24/2025.

e. Rodney's Kitchen Soul Food & Catering, 624 Sycamore St., Special Class C Alcohol w/Sunday Sales (New) Exp: 6/14/2025.

f. Main Street Waterloo, Lincoln Park, Special Class C Alcohol w/Outdoor Service and Sunday Sales (New 5-Day) Exp: 6/21/2024, 7/12/2024, 8/9/2024 and 8/30/2024

g. Main Street Waterloo, Riverloop Expo Plaza, Special Class C Alcohol w/Outdoor Service and Sunday Sales (New 5-Day) Exp: 8/31/2024.

h. Southtown Lounge, 2026 Bopp St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 6/7/2025.

i. Main Street Waterloo, 300 Jefferson St., Special Class C Alcohol w/Sunday Sales (New) Exp: 6/15/2024.

24. Motion to approve denial of a Liquor License application for Dollar General #4698, 2935 Logan Avenue, Waterloo, due to failure to pass fire inspections.

Submitted by: Kelley Felchle, City Clerk

25. Bonds.

PUBLIC HEARINGS

- 1. Sale and conveyance of city-owned property located east of 127 Conger Street in the amount of \$1.00, to Perry & Michelle Gamblin, including approval of a Development Agreement to include the construction of a garage with a minimum size of 24 feet by 24 feet, and authorizing the Mayor and City Clerk to execute said documents.**

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 approving the sale and conveyance of city-owned property located east of 127 Conger Street, in the amount of \$1.00, to Perry and Michelle Gamblin.

Resolution approving a Development Agreement to include the construction of a garage with a minimum size of 24 feet by 24 feet, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

- 2. 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 approval of an Early Access Agreement.**

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 approving the sale and conveyance of city-owned property located at 1738 Flower Street, in the amount of \$10,000.00, to Babic Properties, LLC, and authorizing the

Mayor and City Clerk to execute said deed.

Resolution approving 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 authorizing the Mayor and City Clerk to execute said documents.

Resolution approving an Early Access Agreement with Babic Properties, LLC, for property located at 1738 Flower Street, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

RESOLUTIONS

1. Resolution approving a Renewal Agreement with Delta Dental for fees associated with administration, in the amount of \$38,013.00, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Lance Dunn, Human Resources Director

2. Resolution approving a Renewal Agreement with Wellmark Blue Cross Blue Shield for fees associated with administration, network access, and stop loss, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Lance Dunn, Human Resources Director

3. Resolution approving Fiber Project Reimbursement Agreement by and between the City of Waterloo and the Waterloo Municipal Communications Utility, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Bridgett Wood, Finance Director

4. Resolution approving an Automated Traffic Enforcement fine schedule for speeding and red light violations and rescinding Resolution No. 2017-639 in its entirety.

Submitted by: Martin Petersen, City Attorney

5. Resolution approving a Development and Minimum Assessment Agreement with Fusion Investments II, LLC, for a 51,900 square foot industrial building, with a minimum assessed value of \$2,520,450.00, located at 3530 Marnie Avenue, with rebates of 90 percent for years one through three, 85 percent for years four through six, 75 percent for years seven through nine and 65 percent for years ten through fifteen, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

6. Resolution approving a Development Agreement with C 10 Investments, LLC, for the construction of a 12-unit residential building on an infill lot located next to 150 Acadia Street, including a \$60,000.00 infill incentive upon substantial completion, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

7. Resolution approving a Development and Minimum Assessment Agreement with J & R Real Estate Holdings, LLC, for the rehabilitation of 1721-1729 Mulberry Street into nineteen

residential units, a daycare, and community space, including the Infill Housing Incentive of \$5,000.00 per residential unit, Consolidated Urban Revitalization Area tax abatement and a Minimum Assessment Agreement of \$2,500,000.00, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

8. Resolution approving a Development Agreement with Amela and Muhamed Kudic for the construction of an infill lot located at 4503 Charm Drive, including \$5,000.00 of Infill Housing incentive payment upon completion of a new home, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

9. Resolution approving an amendment to the Development and Minimum Assessment Agreement with Gearhart Moore Holdings, LLC, originally executed April 15, 2024, to change the name of the company to 1515 Sycamore, LLC, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

10. Resolution terminating a Development and Minimum Assessment Agreement dated February 19, 2024, with NADROJ Realty, LLC, for property located south of 115 Warp Drive.

Submitted by: Noel Anderson, Community Planning and Development Director

11. Resolution approving Amendment No. 3 with Strand Associates of Madison, Wisconsin, originally executed September 9, 2021, for design, bidding and construction-related services, in conjunction with the Wastewater Treatment Plant Final Clarifier No. 3 Rehabilitation Project, and authorizing the Mayor to execute said document.

Submitted by: Randy Bennett, Public Works Division Manager

12. Resolution approving a Professional Services Agreement with HR Green, Inc., in an amount not to exceed \$17,300.00, to complete a Phase II Environmental Site Assessment at the former Waterloo Community School District's bus barn, located west of 6114 Kimball Avenue, and authorizing the Mayor to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

13. Resolution approving a Project Funding Agreement with the Waterloo Development Corporation for asbestos abatement of properties located at 100 Commercial Street, 118 Sycamore Street, and 128 Sycamore Street, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

14. Resolution approving a Professional Services Agreement with ISG Inc., of Waterloo, Iowa, in the amount of \$3,000.00, in conjunction with preparing a Traffic Safety Improvement Program grant application for traffic signal snow cone retrofit, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Mohammad Elahi, Traffic Operations Director

15. Resolution approving a Service Agreement with the University of Northern Iowa, of Cedar Falls, Iowa, in the amount of \$5,368.00, in conjunction with the digitization of the City of Waterloo Traffic Ordinance, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Mohammad Elahi, Traffic Operations Director

16. Resolution approving an update to the Raise Grant Agreement, with the US Department of Transportation, originally approved May 6, 2024, in conjunction with the La Porte Road Improvements from Shaulis Road to Byron Avenue, and authorizing the Mayor to execute said document.

Submitted by: Jamie Knutson, City Engineer

17. Resolution approving a Permanent Easement Agreement and Temporary Construction Easement Agreement with Stevana M. O Connor, for property located at 2203 La Porte Road, in the amount of \$423.62, in conjunction with the La Porte Road Reconstruction Project, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

ORDINANCES

1. **An ordinance amending the City of Waterloo Code of Ordinances by amending the City of Waterloo Traffic Code by adding Subsection (4) Johnson Street to Section 542, One-Way Streets and Alleys.**

Motion to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Code of Ordinances by amending the City of Waterloo Traffic Code by adding Subsection (4) Johnson Street to Section 542, One-Way Streets and Alleys.

Motion to suspend the rules.

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

Submitted by: Mohammad Elahi, Traffic Operations Director

2. **An ordinance amending the Code of Ordinances by amending the City of Waterloo Traffic Code by adding Subsection (16a) Western Avenue to Section 542, One-Way Streets and Alleys.**

Motion to receive, file, consider, and pass for the first time an ordinance amending the Code of Ordinances by amending the City of Waterloo Traffic Code by adding Subsection (16a) Western Avenue to Section 542, One-Way Streets and Alleys.

Motion to suspend the rules.

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

Submitted by: Mohammad Elahi, Traffic Operations Director

ADJOURNMENT

Motion to adjourn.

Kelley Felchle

City Clerk