



**THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, February 20, 2023
5:30 PM**

CITY OF WATERLOO GOALS

1. Support the creation of new, livable wage jobs through a balanced economic development approach of assisting existing businesses, fostering start-ups, attracting new employers and cultivating an adequate workforce.
2. Implement a Community Policing strategy that creates a safe environment in Waterloo.
3. Reduce the City's property tax levies through a responsible balance of cost reduction in City operations and increases in taxable property valuations to ensure that Waterloo is a competitive, affordable, and livable city.
4. Enhance the image of Waterloo and the City to residents and businesses inside and outside of the community.

GENERAL RULES FOR PUBLIC PARTICIPATION REGULAR SESSION AGENDA

1. 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.
2. 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.
3. Comments shall be germane and refrain from personal, impertinent, or slanderous remarks.
4. 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

1. Individuals shall speak one (1) time on only one (1) issue for a maximum of five (5) minutes only if they have registered with the city clerk's office no later than 4:00 p.m. on the day of the council meeting. Individuals who have not registered shall not be permitted to speak during the public comment portion of the agenda. Individuals shall only speak on matters not listed on the regular session agenda for that date. Any matter presented shall be directed to the presiding officer and addressed, if necessary, after the meeting.; Individuals may call the city clerk's office at 319-291-4323 or email clerk@waterloo-ia.org.
2. Council members may speak during public comment portion of the agenda after the public has finished speaking
3. 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 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: Rob Nichols, At-Large Council Member

Agenda, as proposed or amended.

Minutes of February 6, 2023, Regular Session, as proposed.

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 following items will be acted upon by voice vote on a single motion without separate discussion, unless someone from the council or public requests that a specific item be considered separately.)

1. Resolution to approve the following:
 - A. Bills Payment, Finance Committee Invoice Summary Report, a copy of which is on file in the office of the City Clerk.
2. Resolutions setting the date of public hearing as March 6, 2023 on the proposed issuance of the following bonds and instruct the City Clerk to publish notice. (Details on projects covered by each hearing are on file for review.)
 - (a) ECP-1 - Not to Exceed \$4,700,000.00 General Obligation Bonds (Essential Corporate Purpose).
 - (b) GCP-2 - Not to exceed \$700,000.00 General Obligation Bonds (General Corporate Purpose).
 - (c) GCP-3 - Not to exceed \$700,000.00 General Obligation Bonds (General Corporate Purpose).
 - (d) GCP-4 - Not to exceed \$700,000.00 General Obligation Bonds (General Corporate Purpose).
3. Resolution approving naming financial institution depositories for the City of Waterloo, Iowa, and rescinding Resolution No. 2020-46.
4. Resolution setting date of public hearing as March 6, 2023 to approve the FY2024 budget, and instruct the City Clerk to publish notice.
5. Resolution setting date of public hearing as March 6, 2023, to review the proposed allocation plan for the HOME ARP funding in the amount of \$1,780,793.00, and instruct the City Clerk to publish notice.
6. Resolution setting date of public hearing as March 6, 2023, for the sale and conveyance of City property located at 514 Johnson Street, in the amount of \$210,000.00, to Dieu Israel Kabangu, and instruct the City Clerk to publish notice.
7. Resolution approving award of bid to PlayCore Wisconsin Inc., dba Gametime c/o Cunningham Recreation, of Fort Payne, Alabama, in the amount of \$100,000.00, and approving the purchase contract in conjunction with the FY2023 Edison Park Playground Equipment, and authorizing the Mayor to execute said document.
8. **Allison Richter**
Board/Commission: Waterloo Leisure Services Commission Board
Expiration Date: March 1, 2024
New Appointment
9. **Tim Moses**
Board/Commission: Waterloo Leisure Services Commission Board

Expiration Date: March 1, 2024
Re-Appointment

10. Tom Powers

Board/Commission: Waterloo Leisure Services Commission Board
Expiration Date: March 1, 2024
Re-Appointment

11. Steven Carignan

Board/Commission: Cultural and Arts Commission
Expiration Date: March 1, 2026
Re-appointment

12. Darrell Taylor

Board/Commission: Waterloo Cultural and Arts Commission
Expiration Date: March 1, 2026
New Appointment

13. Nilvia Reyes Rodriquez

Board/Commission: Waterloo Cultural and Arts Commission
Expiration Date: March 1, 2026
New Appointment

14. Chris Bering

Board/Commission: Airport Board
Expiration Date: June 30, 2027
New Appointment

15. Motion approving Change Order No. 3 with K & W Electric, Inc., of Cedar Falls, Iowa, for a net increase of \$4,000.00, in conjunction with FY2022 4th Street Bridge and Dam Lighting Project, Contract No. 1054, and authorizing the Mayor and City Clerk to execute said document.

16. Motion to approve recommendation of appointment of Scott Strader to the position of Chief Plumbing Inspector in the Building Inspections Department, effective February 21, 2023.

17. Exception to Burning Yard Waste Application by Waterloo Leisure Services to burn approximately 6 acres of prairie grasses and flowers located in the Katoski Greenbelt, north of the shelter off of W. Ridgeway Avenue between March 27, 2023 and May 31, 2023.

18. Exception to Burning Yard Waste Application by Waterloo Leisure Services to burn approximately 4 acres of prairie grasses located at Lloyd-Randall Park between March 27, 2023 and May 31, 2023.

19. Complete Streets minutes of November 29, 2022.

20. Board of Adjustment minutes of November 22, 2022.

21. Liquor Licenses

- a. BP Fuel, 127 Jefferson Street, Class B Native Wine/C Beer/E Liquor w/Sunday Sales, Renewal - Expiration 5/29/2023
- b. The Broken Record, 315 W. 4th Street, Class C Alcohol w/Outdoor Service and Sunday Sales, Renewal - Expiration 1/20/2024
- c. Doughy Joeys Peetza Joynt, 300 W. 4th Street, Class C Alcohol W/Outdoor Service and Sunday Sales, Renewal - Expiration 2/7/2024
- d. Elite Cafe' Bar, 1108 Jefferson Street, Class C Alcohol w/Sunday Sales, Renewal - Expiration 2/27/2024
- e. Laid Back Social Club, 501 Independence Avenue, Class C Alcohol w/Sunday Sales, New - Expiration 1/15/2024

22. Cigarette/Tobacco Permit New Application for Elite Mobile, 2060 Crossroads Blvd.

PUBLIC HEARINGS

1. FY24 Budget Maximum Property Tax Levy.

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 Maximum Property Tax Askings as defined under Iowa Code Section 384.15A in the amount of \$42,260,443.00, an increase in applicable collections of \$5,091,360.00, or 13.69 percent for the budget year ending June 30, 2024.

Submitted by: Bridgett Wood, Finance Manager

2. Request by Friends of Faith Retirement Homes, Inc., (Friendship Village), to vacate and terminate an existing sanitary sewer easement in the "R-4, R-P" Planned Residence District located at 600 Park Lane.

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 and recommendation of approval of the Planning, Programming and Zoning Commission.

Motion to receive, file, consider and pass for the first time an ordinance approving a request by Friends of Faith Retirement Homes, Inc., (Friendship Village), to vacate and terminate a sanitary sewer easement in the "R-4, R-P" Planned Residence District located at 600 Park Lane.

Motion to suspend the rules.

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

Resolution approving a Termination of Sewer Easement Agreement.

Submitted by: Noel Anderson, Director

3. Request by Weatherfield Realty Group, LLC, for a Site Plan Amendment to construct a new 230 square foot telecommunication facility, in the M-2, P Planned Industrial District located north of 2365 Northeast Drive.

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 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 site plan amendment to the "M-2,P" Planned Industrial District to allow for the construction of a new 230 square foot telecommunication facility located north of 2365 Northeast Drive.

Motion to suspend the rules.

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

Submitted by: Noel Anderson, Director

4. Sale and conveyance of city-owned property to Weatherfield Realty Group, LLC, in the amount of \$1.00, with a Development Agreement and Minimum Assessment Agreement of \$100,000.00, located north of 2365 Northeast Drive, for the construction of a new 230 square foot telecommunication facility.

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 north of 2365 Northeast Drive, to Weatherfield Realty Group, LLC, in the amount of \$1.00, and authorizing the Mayor and City Clerk to execute said documents.

Resolution approving a Development and Minimum Assessment Agreement with Weatherfield Realty Group, LLC , for the construction of a new 230 square foot telecommunication facility with a minimum assessed value of \$100,000.00, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Director

5. Request by Jason Fowler to rezone approximately 0.28 acres from "C-1" Commercial District to "C-1, C-Z" Conditional Commercial District to construct a vehicle storage facility located east of 709 Dearborn Avenue.

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 Jason Fowler to rezone approximately 0.28 acres from "C-1" Commercial District to "C-1, C-Z" Conditional Commercial District to construct a vehicle storage facility located east of 709 Dearborn Avenue.

Motion to suspend the rules.

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

Submitted by: Noel Anderson, Director

RESOLUTIONS

1. Resolution approving the request by Friends of Faith Retirement Homes, Inc., (Friendship Village) to dedicate a 50 foot sanitary sewer easement and approve the Sanitary Sewer Easement and Encroachment Agreement, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Director

2. Resolution approving an Early Access Agreement with Weatherfield Realty Group, LLC, to allow development activities including the construction of a foundation on a portion of Lot No. 2, Northeast Industrial Park No. 1, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Director

3. Resolution approving a variance to the requirements of the Subdivision Ordinance in Section 11-3-2 Preliminary Plats and Section 11-3-3 Final Plats, relating to the approval of the Minor Plat of Survey of Parcel A location north of 2365 Northeast Drive.

Submitted by: Noel Anderson, Director

4. Request by the City of Waterloo for the Preliminary and Final Plat of a Minor Plat of Survey of Parcel A, located north of 2365 Northeast Drive.

Submitted by: Noel Anderson, Director

5. Resolution approving Amendment to Development Agreement and Minimum Assessment Agreement with 3FI Waterloo, LLC, originally approved on April 6, 2020, extending tax rebates to eight years at 50 percent and two years at 35 percent, for a total of ten (10) years of rebates and amend the minimum assessment date to December 31, 2032 for the project located at 2130 Newell Street, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Director

6. Resolution approving the Agreement for Purchase Rights with Maria and Gerry Luster of Waterloo, Iowa, for the City owned property located west of 1919-1921 Lafayette Street, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Director

7. Resolution approving construction plans for the private sanitary sewer extension serving Union at North Crossing, as submitted by Crockett Engineering Consultants, LLC, of Columbia, Missouri, a Sewage Treatment Agreement, DNR Form 29 (Nov 00) with the Department of Natural Resources, final acceptance of construction plans, subject to the review and acceptance by the Department of Natural Resources, and authorizing the Mayor to execute said documents.

Submitted by: Dennis Gentz, Assistant City Engineer

8. Resolution approving Supplemental Agreement No. 4 with Stanley Consultants, Inc., of Des Moines, Iowa, in the amount of \$6,891.00, in conjunction with the FY2022

11th Street and Park Avenue Bridge Replacements, Contract No. 1013, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Wayne Castle, PLS, PE, Associate Engineer

9. Resolution approving support for the submission of Intended Use Plan and updating the Facility Plan to the Iowa Department of Natural Resources for the Cattle Congress Lift Station Force Main Project.

Submitted by: Brian Bowman, Treatment Operations Supervisor

10. Resolution approving Lease Agreement and Memorandum of Services with UNI for use of portable staging at Young Arena and Cedar Valley SportsPlex, and authorizing Mayor and City Clerk to execute said document.

Submitted by: Paul Huting, Director

11. Resolution approving a Snapshot Audit Agreement with SpyGlass Group, LLC, for analysis of telecommunication service accounts to seek cost recovery, service elimination, and cost reduction recommendations, and authorizing the Mayor to execute said document.

Submitted by: Bridgett Wood, Finance Manager

12. Resolution approving the use of fireworks on July 3, 2023, between the hours of twelve o'clock (12:00) noon and eleven o'clock (11:00) p.m., in accordance with Section 5-2-13(B)(1) of the Waterloo City Code.

Submitted by: Kelley Felchle, City Clerk

13. Resolution approving a Joint Public Improvement Agreement with the Municipal Telecommunications Utility of the City of Waterloo, for the purpose of defining the respective rights and obligations for joint public improvement projects, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Kelley Felchle, City Clerk

ORDINANCES

- 1. An ordinance amending the City of Waterloo Sidewalk, Construction, Inspections, and Repair program.**

Motion to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Code of Ordinances by repealing Chapter 2, Sidewalk Construction, Inspections, and Repair, and Article A, Inspection and Repair, of Title 7, Public Ways and Property, and enacting in lieu thereof a new Chapter 2, Sidewalk Construction, Inspections, and Repair, and Article A, Inspection and Repair, of Title 7, Public Ways and Property.

Motion to suspend the rules.

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

Submitted by: Kelley Felchle, City Clerk, Jamie Knutson, City Engineer

2. An ordinance enacting a new youth mental health protection.

Motion to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Code of Ordinances by enacting a new Chapter 12, Youth Mental Health Protection, of Title 3, Business and License Regulation.

Motion to suspend the rules.

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

Submitted by: Jonathan Grieder, Ward 2 Council member

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk