June 17, 2024

The City Council of the City of Waterloo, Iowa, met in Regular Session at Harold E. Getty Council Chambers, Waterloo, Iowa, at 5:30 PM, on Monday, June 17, 2024.

Roll Call.

Mayor Quentin Hart in the Chair. Roll Call: Mr. Boesen, Mr. Nichols, Ms. Creighton-Smith, Mr. Chiles, Mr. Simon, Ms. Wilder and Mr. Feuss.

Prayer or Moment of Silence.

Pledge of Allegiance, Mayor Quentin Hart.

Approval of Agenda as proposed or amended.

Feuss/Chiles
that the agenda, as amended, by removing Consent Agenda Item No. 8 for further discussion, a resolution authorizing fund transfers, and the removal of Item No. 12, the appointment of Jesse Gaherty, be approved. Voice vote-Ayes: Seven. Motion carried.

Approval of Minutes of June 3, 2024, Regular Council Session, as proposed or amended.

Feuss/Chiles
that the minutes of June 3, 2024, Regular Council Session, as proposed, be approved. Voice vote-Ayes: Seven. Motion carried.

PUBLIC COMMENTS

The following individuals commented on various subjects.

Rev. Father Nils, Queen of Peace Parrish
Aaron Stacey Roberts, 411 Almond Street
Sam Neill, 514 Kingbard Blvd.
David Dryer, 3145 W. 4th Street

Mr. Chiles shared a comment from a citizen regarding a flag at the corner at Mulberry and 5th Street. He further shared that his ward meeting will be held on the final Saturday in June at Sidecar Coffee on Ridgway.

Mr. Feuss thanked Experience Waterloo, the volunteers, and many others involved in putting on My Waterloo Days. He addressed the reports of some trouble during the event and thanked the officers for handling the situation.

Ms. Wilder commented that My Waterloo Days was incredible. She gave credit to the volunteers for the excellent clean-up work they put on and made the event run smoothly.

Ms. Creighton-Smith concurred with the previous comments.

Mr. Simon shared that My Waterloo Days was a success but encouraged everyone to make improvements to the event to make it a continued success.

Mayor Hart commented that Experience Waterloo and the Police Department are in conversations on how to better plan crowd control for the event in the future.

Mayor Hart acknowledged Police Chief Leibold for his 34 years of service.

Feuss/Wilder
to close public comments. Voice vote-Ayes: Seven. Motion carried.

CONSENT AGENDA

Feuss/Nichols
that the following items on the consent agenda, including payment of bills for June 10, 2024, in the amount of $3,136,421.24, and June 17, 2024, in the amount of $7,670,915.52, be approved. Voice vote-Ayes: Seven. Motion carried.

Bills Payment, Finance Committee Invoice Summary Report, a copy of which is on file in the office of the City Clerk.

Resolution adopted and upon approval by Mayor assigned No. 2024-358.

Resolution approving the request by Ephese D. Honore, for tax exemptions on the construction of a new single family home valued at $290,000.00, for property located at 130 Axlewood Drive and located in the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2024-359.

Resolution approving the request by Leonard F. Zeien, for tax exemptions on the construction of a new single family home valued at $254,000.00, for property located at 119 Coral Drive and located in the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2024-360.

Resolution setting the date of public hearing as July 1, 2024, to approve the request by Fall Auto, LLC, to rezone approximately 1.81 acres from “C-2” Commercial District to “C-2,C-Z” Conditional Zoning District, to allow for an auto repair facility with incidental auto sales, located at 2424 Falls Avenue, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2024-361.

Resolution setting date of public hearing as July 1, 2024, to approve a request by Walnut Baptist Church for a Site Plan Amendment to convert an office building into a religious facility at the former Grainger Industries building in the “B-P” Business Park District located at 827 Fisher Drive, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2024-362.

Resolution setting date of public hearing as July 1, 2024, to approve a request by J&R Real Estate Holdings, LLC, to rezone approximately 2.69 acres from “R-2” One and Two Family

Residence District to “C-P” Planned Commercial District to remodel the former St. Johns School and Church into nineteen residential units, a daycare, and community space, located at 1721–1729 Mulberry Street, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2024-363.

Resolution setting the date of public hearing as July 1, 2024, to approve the request by Ryan Companies for a Site Plan Amendment to construct a 223,148.23 square foot office/warehouse in the “M-2,P” Planned Industrial District located east of 3280 Newell Street, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2024-364.

Resolution authorizing fund transfers, as listed in Exhibit "A" as required by law.

Feuss/Chiles

Bridgett Wood, Finance Director, explained that Iowa Code 384.13 allows for cities to transfer money between funds in order to carry out lawful and public purposes and thus align budgets to actual expenses.

Mayor Hart explained that there is a complete list available for public viewing.

Mr. Boesen commented that he received emails from the public regarding the agenda item.

Bridgett Wood explained that departments keep very accurate records on their time sheets for the various projects they are working on.

Resolution adopted and upon approval by Mayor assigned No. 2024-365.

Motion to approve Change Order No. 2 with WRH, Inc., of South Amana, Iowa, for a net increase of $108,092.58, in conjunction with FY 2023 Wastewater Treatment Plant Final Clarifier No. 2 Rehabilitation Project, Contract No.1067, and authorizing the Mayor to execute said document.

Motion to approve Change Order No. 14 with Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of $120,120.00, in conjunction with FY 2020 University Avenue Reconstruction Phase 3 Project, Contract No. 971, and authorizing the Mayor and City Clerk to execute said document.

Motion to approve Change Order No. 7 with Woodruff Construction of Waterloo, Iowa, for a total decrease of ($214,278.68), in conjunction with the FY 2023 Gates Park Improvements Project, Contract No. 1076, and authorizing the Mayor to execute said document.

Motion to approve appointment of Jesse Gaherty from Interim Collection Systems Project Director to the position of Collection Systems Project Director in the Waste Management Services division of Public Works, effective June 18, 2024.

Motion to approve the appointment of Austin Packard from the current Civil Service List to the position of Animal Control Officer in the Public Works Animal Control Department, effective June 20, 2024, pending pre-employment physical and drug testing.

Communication from the Culture and Arts Department on the notice of the conclusion of employment of Brandon Alvarado, Graphic Designer/Digital Arts Manager, effective May 17, 2024, with recommendation of approval of payout of $1,089.45 for unused benefits.

Motion to approve Cigarette/Tobacco Permit renewal applications as listed in Exhibit "A", and authorizing the City Clerk to approve any Cigarette/Tobacco applications received and paid for between June 18, 2024, and July 1, 2024.

Liquor Licenses
a. Light House Lounge, 1307 W. 5th St., Class C Alcohol with Sunday Sales (Renewal) Exp: 6/28/2025.
b. Main Street Waterloo, 300 Jefferson St., Special Class C Alcohol w/Sunday Sales (New) Exp: 10/12/2024.
c. Metro Fuel #1, 3201 W. 4th St., Class B Alcohol w/Sunday Sales (Renewal) Exp: 7//2025.
d. Metro Fuel #4, 2332 Falls Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 6/30/2025.
e. CVS Pharmacy #8544, 1825 E. San Marnan Dr., Class E Alcohol w/Sunday Sales (Renewal) Exp: 5/31/2025.
f. Placita, 321 W. 4th St., Class B Alcohol w/Sunday Sales (Renewal) Exp: 7/13/2025.
g. Walgreens #7455, 111 W. Ridgeway Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 6/16/2025.
h. Walgreens #10855, 1850 Logan Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 6/16/2025.
i. Walgreens #3590, 3910 University Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 6/16/2025.
j. Casey's General Store #2867, 2424 Ranchero Rd., Class E Alcohol w/Sunday Sales (Renewal) Exp: 6/14/2025.
k. Benevolent and Protective Order of Elks #290, 407 E. Park Ave., Class C Alcohol w/Outdoor Service, Catering and Sunday Sales (Renewal) Exp: 6/30/2025.
l. Black Hawk Tennis Club, 1005 Black Hawk Rd., Special Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 6/25/2025.
m. BP Fuel, 127 Jefferson St., Class E Alcohol w/Sunday Sales (Renewal) Exp: 5/29/2025.
n. Flirts Gentlemen's Club, 319 Jefferson St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 6/10/2025.
o. Kwik Star #724, 1105 Cedar Bend St., Class B Alcohol w/Sunday Sales (Renewal) Exp: 7/21/2025.
p. Target, 1501 E. San Marnan Dr., Class E Alcohol w/Sunday Sales (Renewal) Exp: 6/27/2025.

Fireworks Display Applications
a. Bamboo Ridge Campground/Lost Island KOA, Red, White and Boom Event, July 6, 2024 (Rain date: July 7, 2024), beginning at 10:00 p.m. for approximately 20 minutes.
b. Sunnyside Golf and Country Club, 4th of July Annual Fireworks Display, July 4, 2024 (Rain date: July 5, 2024), from 9:30 p.m. to 10:00 p.m.

Bonds.

PUBLIC HEARINGS

FY 2024 Hawthorne Avenue Storm Sewer Lift Station Relief Well Project, Contract No. 1066.

Feuss/Chiles
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Feuss/Chiles
to close the hearing. Voice vote-Ayes: Seven. Motion carried.

Feuss/Chiles
Resolution confirming approval of specifications, bid documents, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-366.

No bids were received for this project.

FY 2023 Hammond Avenue Bridge Replacement, Iowa DOT project number BROS-8155(759)--8J-07, Contract No. 922.

Nichols/Wilder
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Nichols/Wilder
to close the hearing. Voice vote-Ayes: Seven. Motion carried.

Nichols/Wilder
Resolution confirming approval of specifications, bid documents, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-367.

Asbestos Abatement Services, Contract No. AB-2024-05-08P.

Chiles/Wilder
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Chiles/Wilder
to close hearing. Voice vote-Ayes: Seven. Motion carried.

Chiles/Wilder
Resolution confirming approval of plans, specifications, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-368.

Noel Anderson, Community Planning and Development Director, provided an overview of the item.

Chiles/Wilder
to receive, file, and instruct the City Clerk to read bids. Voice vote-Ayes: Seven. Motion carried.

Estimate: $100,000.00
All Star Environmental, Dubuque, IA - 5% - $97,360.00
REW Services Corporation, Des Moines, IA - 5% - $101,060.00
Abatement Specialists, LLC, Cedar Rapids, IA - 5% - $130,590.00
Site Services, Inc., Algona, IA - 5% - $214,683.00
Advanced Environmental, Waterloo, IA - 5% - $79,500.00

Chiles/Wilder
Resolution approving award of bid to Advanced Environmental of Waterloo, Iowa, in the amount of $79,500.00, in conjunction with Asbestos Abatement Services, Contract No. AB-2024-05-08P, for properties located at 708 W. 3rd Street, 324-326 W. 7th Street, 617 W. 1st Street, 200 E. Mullan Avenue, and 1202 Sycamore Street (City-owned properties), and 100 Commercial Street, 118 Sycamore Street, and 128 Sycamore Street (WDC owned properties), and authorizing the Mayor and City Clerk to execute said document. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-369.

RESOLUTIONS

Resolution approving liability insurance coverage with Chubb, Travelers, Arch, Allied, Coalition, and Safety National for property, tort, employment practices, public officials, law enforcement liability, auto, cyber, workers compensation, umbrella, and excess liability insurance, with a total premium of not to exceed $2,208,847, and authorize the City Clerk to execute necessary documents.

Boesen/Feuss
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor

assigned No. 2024-370.

Resolution to place each non-bargaining employee on a salary grade and step based on the results of the wage and compensation survey, conducted by GovHR, and approve an additional 3% across the board salary increase for those employees effective July 1, 2024.

Boesen/Feuss

Forest Dillavou, 1725 Huntington Road, questioned how much the increases and wage salary grades be adding to the budget.

Missy Gearhart, Assistant Finance Director, explained that the compensation study has already been paid for.

Bridgett Wood, Finance Director, shared that the total for those raises is $514,724 and that $397,262 is general fund salaries. All were included in the budget for FY25.

Mr. Boesen thanked the mayor, council and city staff for supporting this study. It showed that a lot of non-bargaining employees were grossly underpaid, and we cannot continue to lose experienced people to other communities that pay more.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-371.

Resolution approving the FY 2025 Ambulance Fee Schedule.

Boesen/Feuss

Mr. Boesen questioned if treatment with no transport is billable for insurance or the responsibility of the patient.

Bill Beck, Fire Chief, provided examples of how different cases could be handled.

Mr. Boesen questioned how many public assists we give before assessing the fees.

Bill Beck shared that only when reoccurring non-emergent calls become excessive would fees be imposed.

Mr. Boesen discussed the fee schedule with Chief Beck.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-372.

Resolution approving an Employment Contract with the Sayer Law Group, P.C., in the amount of $25,000.00, for professional services for 657A case consultations, and authorizing the Mayor to execute said document.

Chiles/Feuss
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-373.

Resolution approving a Grant Writing Services Agreement with Integral Grant Writing Services, in the amount of $5,000.00, for federal grant-writing services, and authorizing the Housing Authority Director to execute said document.

Chiles/Feuss
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-374.

Resolution approving a Senior Community Service Employment Program Agreement with the AARP Foundation, and authorizing the Mayor to execute said document.

Chiles/Feuss
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-375.

Resolution approving a Professional Services Agreement with Vandewalle and Associates, in the amount of $72,000.00, for continued work on downtown Waterloo planning efforts, redevelopment design, riverfront development, and funding opportunities for FY 2025, and authorizing the Mayor to execute said document.

Feuss/Chiles

Mr. Boesen questioned if WDC is contributing to the cost of the contract.

Noel Anderson, Community Planning and Development Director, shared that WDC is also under a contract with Vandewalle and we will likely split the bill.

Mr. Simon questioned if 217 W. 5th Street is owned by the city and if it is in the works of being rehabilitated.

Noel Anderson confirmed it is city owned and explained they are actively searching for a developer.

Mr. Simon commented that it is currently a hazardous area and he is looking forward to it being rehabilitated.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-376.

Resolution approving the Development and Minimum Assessment Agreement with Nagle Sign Company, in conjunction with the construction of a new commercial building located at 1029 Thorndale Avenue, with a minimum assessed value of $345,000.00, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Chiles
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-377.

CLOSED SESSION

Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).

Feuss/Wilder
to adjourn to an executive session at 6:22 p.m. to discuss the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).

Martin Petersen, City Attorney, stated that a closed session is in order pursuant to the code section cited for all three sessions.

Roll Call vote-Ayes: Seven. Motion carried.

Feuss/Wilder
to adjourn from an executive session at 6:41 p.m. Voice vote-Ayes: Seven. Motion carried.

Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).

Feuss/Wilder
to adjourn to an executive session at 6:41 p.m. to discuss the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j). Roll Call vote-Ayes: Seven. Motion carried.

Feuss/Chiles
to adjourn from an executive session at 6:59 p.m. Voice vote-Ayes: Seven. Motion carried.

Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).

Feuss/Chiles
to adjourn to an executive session at 7:00 p.m. to discuss the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j). Roll Call vote-Ayes: Seven. Motion carried.

Boesen/Nichols
to adjourn from an executive session at 7:06 p.m. Voice vote-Ayes: Seven. Motion carried.

ADJOURNMENT

Boesen/Nichols
that the council adjourn at 7:06 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk