July 15, 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, July 15, 2024.

Roll Call.

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

Prayer or Moment of Silence.

Pledge of Allegiance, Nia Wilder, Ward 3 Council Member.

Approval of Agenda, as proposed or amended.

Boesen/Wilder
that the agenda, as proposed, be approved. Voice vote-Ayes: Five. Motion carried. (Mr. Simon was unable to cast a vote due to connectivity issues)

Approval of Minutes of the July 1, 2024, Regular Council Session, as proposed or amended.

Boesen/Wilder
that the minutes of the July 1, 2024, Regular Council Session, as proposed, be approved. Voice vote-Ayes: Five. Motion carried. (Mr. Simon was unable to cast a vote due to connectivity issues)

PUBLIC COMMENTS

There were no members of the public in attendance.

Mr. Nichols thanked the Waterloo Police and Fire Departments for their presence, attentiveness and rapid response at the Summer Soul Classic event.

Feuss/Boesen
to close public comments. Voice vote-Ayes: Six. Motion carried.

CONSENT AGENDA

Feuss/Boesen
that the following items on the consent agenda be received and placed on file, including payment of bills for July 8, 2024, in the amount of $2,807,220.60, and July 15, 2024, in the amount of $4,795,982.42. Roll Call vote-Ayes: Five. Motion carried. (Mr. Simon was unable to cast a vote due to connectivity issues)

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

Roll Call vote-Ayes: Five. Motion carried. (Mr. Simon was unable to cast a vote due to connectivity issues) Resolution adopted and upon approval by Mayor assigned No. 2024-403.

Resolution approving submission of a SMART grant application in the amount of $1,975,500.00, for improving transportation safety for all roadway users with a focus on Vulnerable Road Users (VRUs) including bicyclists, pedestrians, and motorcyclists by conducting a systems' integration demonstration in downtown Waterloo.

Roll Call vote-Ayes: Five. Motion carried. (Mr. Simon was unable to cast a vote due to connectivity issues) Resolution adopted and upon approval by Mayor assigned No. 2024-404.

Resolution approving the request by Dolores Kaye Dean, for tax exemptions on the construction of a new single-family home valued at $799,600.00, for property located at 4856 Shelley Court and located in the City Limits Urban Revitalization Area (CLURA).

Roll Call vote-Ayes: Five. Motion carried. (Mr. Simon was unable to cast a vote due to connectivity issues) Resolution adopted and upon approval by Mayor assigned No. 2024-405.

Resolution approving the request by Nermin Ferkic, for tax exemptions on the construction of a new single-family home valued at $290,000.00, for property located at 125 Coral Drive and located in the Consolidated Urban Revitalization Area (CURA).

Roll Call vote-Ayes: Five. Motion carried. (Mr. Simon was unable to cast a vote due to connectivity issues) Resolution adopted and upon approval by Mayor assigned No. 2024-406.

Resolution approving the request of Anne Sergeant, for a waiver for a concrete driveway, located at 4735 Clover Lane, and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on the city right-of-way on an unimproved street.

Roll Call vote-Ayes: Five. Motion carried. (Mr. Simon was unable to cast a vote due to connectivity issues) Resolution adopted and upon approval by Mayor assigned No. 2024-407.

Resolution approving a variance to lift the truck embargo in the 700-1500 blocks of Rainbow Drive, (Greenhill Road to 300 Ansborough Avenue), for the duration of construction, for the FY 2024 Rainbow Drive Railroad Crossing Repair Project, Contract No. 1108.

Roll Call vote-Ayes: Five. Motion carried. (Mr. Simon was unable to cast a vote due to connectivity issues) Resolution adopted and upon approval by Mayor assigned No. 2024-408.

Resolution setting date of public hearing as August 5, 2024, for the sale and conveyance of city-owned property located southeast of 203 Lafayette Street, in the amount of $5,000.00, to Cedar River Renaissance, LLC, including approval of a Development Agreement for the construction a new duplex and rehabilitation of the property located at 203-205 Lafayette Street, including $5,000.00 per new dwelling unit and a development grant of $50,000.00, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Five. Motion carried. (Mr. Simon was unable to cast a vote due to connectivity issues) Resolution adopted and upon approval by Mayor assigned No. 2024-409.

Resolution approving award of bid to Taylor Construction, Inc., of New Vienna, Iowa, in the amount of $976,021.50, approving the contract, bonds, and certificate of insurance, in conjunction with the FY 2023 Hammond Avenue Bridge Replacement over Sink Creek, Contract No. 922, Iowa DOT Contract No. BROS-8155(759)--8J-07, and authorizing the Mayor and City Clerk to execute said documents.

Roll Call vote-Ayes: Five. Motion carried. (Mr. Simon was unable to cast a vote due to connectivity issues) Resolution adopted and upon approval by Mayor assigned No. 2024-410.

Motion to approve Final Quantity Summary with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net decrease of $69,067.95, in conjunction with the FY 2023 E. San Marnan Drive Reconstruction Project, Contract No. 1084, and authorizing the Mayor and City Clerk to execute said document.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of $2,428,623.00, in conjunction with the FY 2023 E. San Marnan Drive Reconstruction Project, Contract No. 1084, and receive and file a two-year maintenance bond.

Roll Call vote-Ayes: Five. Motion carried. (Mr. Simon was unable to cast a vote due to connectivity issues) Resolution adopted and upon approval by Mayor assigned No. 2024-411.

David Deeds, Board/Commission: Waterloo Airport Board Expiration Date: June 30, 2028, [Renewal].

John Mrzlak, Board/Commission: Memorial Hall, Expiration Date: July 15, 2027, [Renewal].

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 July 16, 2024.

Motion approving Recycling Yard License Applications as listed in Exhibit A.

Communication from the Police Department on the notice of the conclusion of employment of Kerry Devine, Police Sergeant, effective July 5, 2024, with recommendation of approval of payout of $50,598.42 for unused benefits.

Communication from the Community Development Department on the notice of the conclusion of employment of Jennifer Coon, Administrative Secretary, effective June 28, 2024, with recommendation of approval of payout of $1,410.00 for unused benefits.

Communication from the Finance Department on the notice of the conclusion of employment of Brent Bohlen, Financial Analyst, effective June 28, 2024, with recommendation of approval of payout of $10,230.66 for unused benefits.

Complete Streets Advisory Committee minutes of March 26, April 30, and May 28 2024.

Liquor Licenses

a. Cedar Valley Pridefest, 200-300 Blk W. 4th St. / 500-600 Blk of Jefferson St., Class C Alcohol w/Outdoor Service and Sunday Sales (New) Exp: 8/25/2024.
b. Chaser's Pub, 3005 University Ave., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 7/7/2025.
c. Iowa Irish Fest, 315 E. 5th St., Class C Alcohol w/Outdoor Service and Sunday Sales (New) Exp: 8/5/2024.
d. Iowa Irish Fest, 3238 Dewitt Rd., Class C Alcohol w/Outdoor Service and Sunday Sales (New) Exp: 8/5/2024.
e. The Iron Horse Saloon, 303 W. 4th St., Class C Alcohol with Sunday Sales (Renewal) Exp: 6/5/2025.

Bonds.

PUBLIC HEARINGS

Request by Lola Burt for the vacate, sale, and conveyance of approximately 6,682 square feet of city-owned right-of-way for $600.00, located east of 522 Albany Street.

Nichols/Chiles
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Six. 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/Chiles
to close hearing and receive and file recommendation of approval of the Planning, Programming and Zoning Commission. Voice vote-Ayes: Six. Motion carried.

Nichols/Chiles
to receive, file, consider and pass for the first time an ordinance approving a request by Lola Burt to vacate approximately 6,682 square feet of city-owned right-of-way located east of 522 Albany Street. Roll Call vote-Ayes: Six. Motion carried.

Nichols/Chiles
to suspend the rules. Roll Call vote-Ayes: Six. Motion carried.

Nichols/Chiles

to receive, file, consider, and pass for the second and third times and adopt said ordinance. Roll Call vote-Ayes: Six. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5770.

Nichols/Chiles
Resolution authorizing the sale and conveyance of city-owned right-of-way located east of 522 Albany Street, in the amount of $600.00 to Lola Burt with no development agreement, and authorizing the Mayor and City Clerk to execute said documents and Quit Claim Deed. Roll Call vote-Voice vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-412.

<u>Sale and conveyance of city-owned property located east of 427 Rath Street, in the amount of $10.00, to Ronald Lee Kisner, Jr., including a Development Agreement and Real Estate Contract.</u>

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

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

Boesen/Nichols
to close hearing and receive and file oral and written comments. Voice vote-Ayes: Six. Motion carried.

Boesen/Nichols
Resolution authorizing the sale and conveyance of city-owned property located east of 427 Rath Street, in the amount of $10.00, to Ronald Lee Kisner, Jr., and authorizing the Mayor and City Clerk to execute said documents. Voice vote-Ayes: Four. Nays: Two (Boesen, Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-413.

Mr. Boesen shared his concern about setting a precedence by allowing a four hundred square foot house.

Noel Anderson, Community Planning and Development Director, explained that the zoning ordinance does allow for a minimum twenty-foot by twenty-foot house.

Mr. Boesen questioned if it falls under the $5,000 housing grant for infill housing.

Noel Anderson confirmed.

Mr. Boesen questioned if the lot could accommodate a garage as required by code.

Noel Anderson confirmed and explained that the Zoning Ordinance requires a minimum of a ten-foot by fourteen-foot single-stall garage.

Boesen/Nichols
Resolution approving a Development Agreement and Real Estate Contract with Ronald Lee Kisner, Jr. for the construction of a home on the lot east of 427 Rath Street, including a

$5,000.00 infill housing grant upon completion of the project, and authorizing the Mayor and City Clerk to execute said documents. Voice vote-Ayes: Four. Nays: Two (Boesen, Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-414.

<u>Proposed funding recommendation set forth by the Community Development Board for the FFY 24-28 Waterloo/Cedar Falls HOME Consortium Five-Year Consolidated Plan/Annual Action Plan.</u>

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

This being the time and place of the public hearing, the Mayor called for written and oral comments.

Rudy Jones, Community Planning and Development Director, thanked those who participated in the sub-committee review.

Jeremy Gray, Mosaic Community Planning, provided an overview of the plan.

Feuss/Nichols
to close the hearing and receive and file oral and written comments and recommendations of the Community Development Board. Voice vote-Ayes: Six. Motion carried.

Feuss/Nichols
Resolution approving FFY 24-28 Waterloo/Cedar Falls HOME Consortium Five-Year Consolidated Plan/Annual Action Plan. Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-415.

Feuss/Nichols
Resolution approving funding recommendation set forth by the Community Development Board for the FFY 24-28 Waterloo/Cedar Falls HOME Consortium Five-Year Consolidated Plan/Annual Action Plan. Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-416.

<u>FY 2024 La Porte Road Improvements, IDOT Agreement No. HDP-8155(787)--71-07, Contract No. 1016.</u>

Chiles/Nichols
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Six. 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/Nichols
to close the hearing. Voice vote-Ayes: Six. Motion carried.

Chiles/Nichols
Resolution confirming approval of specifications, bid documents, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon

approval by Mayor assigned No. 2024-417.

RESOLUTIONS

Resolution approving an agreement with USDA Wildlife Services to minimize wildlife-related property damage and risk to human health and safety, and authorizing the Mayor to execute said document.

Nichols/Wilder
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No.2024-418.

Resolution approving an agreement with Routeware, Inc., to include a one-time hardware purchase of $13,487.00 and a monthly subscription fee of $1,771.90 for a thirty-six-month lease, installation of five new Android Tablets and corresponding subscription service for newly purchased Sanitation trucks and those trucks without current Routeware systems, and authorizing the Mayor to execute said documents.

Nichols/Wilder
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-

Resolution approving an agreement with Routeware, Inc., to include a one-time purchase of Scale Connector Cables of $384.00 and a monthly subscription fee of $2,718.24 for twelve Heavy Duty 10" Android Tablets for a thirty-six-month lease, and authorizing the Mayor to execute said documents.

Nichols/Wilder
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-420.

Resolution approving an Agreement for property improvement, with Cindy Ann Blow and Rayvynn Schauf, for the rehabilitation of 219 fallen Street, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Wilder
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-421.

Ms. Wilder thanked the purchasers and shared that she excited to see how it will look and how the neighborhood will feel once it is completed.

Resolution approving the Real Estate Purchase Agreement with Cedar Valley Tech Works, Inc., and Lincoln Savings Bank, for property located at 360 Westfield Avenue, in the amount of $45,000.00, plus up to $2,000.00 in closing costs, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Wilder
Roll Call vote-Ayes: Five. Nays: One (Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-422.

Mr. Boesen questioned why we are buying this piece of property and noted that the addendum in the council packet does not indicate where it is located.

Noel Anderson, Community Planning and Development Director, apologized for the omission of an aerial view, and described the location of the property.

Mr. Boesen questioned if we should anticipate buying more property in that area.

Noel Anderson commented that we should not need to buy more property there.

Mr. Simon questioned if the property price had been negotiated.

Noel Anderson explained that it is the assessed value.

Resolution Directing the Acceptance of a Proposal to Purchase $5,500,000.00 Sewer Revenue Capital Loan Notes, Series 2024E.

Feuss/Wilder
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-423.

Maggie Burger, Speer Financial, provided an overview and commented that this is in relation to the city's backbone portion of the fiber project.

Resolution approving an Enterprise License Agreement with Environmental Systems Research Institute, Inc., of Redlands, California, in the amount of $58,500.00 annually for three years, for ESRI Geographic Information Systems Software on an unlimited basis, and authorizing the Mayor to execute said document.

Boesen/Nichols
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-424.

Resolution approving School Resource Officer Agreement with the Waterloo Community School District to provide six School Resource Officers in the schools for FY 2025, in the amount of $391,195.00 and $410,755.00 for FY 2026 to include funding for Officer training, and authorizing the Mayor to execute said document.

Boesen/Nichols
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-425.

ADJOURNMENT

Nichols/Wilder
that the council adjourn at 6:15 p.m. Voice vote-Ayes: Six. Motion carried.

Kelley Felchle
City Clerk