THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, August 5, 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, Dave Boesen, Ward 2 Council Member.

Approval of Agenda, as proposed or amended.

Approval of Minutes of the July 29, 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 Maid Mizic, for tax exemptions on the construction of a new twin home unit valued at $270,000.00, for property located at 4136 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

3. Resolution approving the request by Jon and Leslie Brundrett, for tax exemptions on the construction of a new single family home valued at $604,612.00, for property located at 121 Goldcrest Court and located in the City Limits Urban Revitalization Area (CLURA).

4. Resolution approving the request by Big Hand Pepper LLC, for tax exemptions on the construction of a new single family home valued at $300,000.00, for property located at 107 Coral Drive and located in the Consolidated Urban Revitalization Area (CURA).

5. Resolution approving the request by Big Hand Pepper LLC, for tax exemptions on the construction of a new single family home valued at $310,000.00, for property located at 115 Axlewood Drive and located in the Consolidated Urban Revitalization Area (CURA).

6. Resolution approving the request by Big Hand Pepper LLC, for tax exemptions on the construction of a new single family home valued at $285,000.00, for property located at 109 Coral Drive and located in the Consolidated Urban Revitalization Area (CURA).

7. Resolution approving the request by C&C Welding Inc., for tax exemptions on the construction of a new shop building valued at $400,000.00, for property located at 1714 River Street and located in the Consolidated Urban Revitalization Area (CURA).

8. Resolution approving the request of Jorje Valadez Hernandez, for a waiver for a concrete driveway, located at 609 Belle Street, and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on the city right-of-way on an unimproved street and for culvert placement by property, at property owner expense, if required for future ditch work.

9. Resolution approving the request of Karla Anderson for a waiver for a concrete driveway,

located at 1558 Hawthorne Avenue (approach is located on Oregon Street), with the elimination of the sidewalk section due to inability to meet grade requirements.

10. Resolution approving the request of Chad Everly for a waiver for an asphalt driveway, located at 706 Maxwell Street, with the elimination of the sidewalk section for asphalt driveways.

11. Resolution setting date of public hearing as August 19, 2024, for the sale and conveyance of city-owned property located at 1003 Vine Street, in the amount of $5,500.00, to JLS Partners Properties, LLC, including a Development Agreement and Real Estate Contract, and instruct the City Clerk to publish notice.

12. Resolution approving preliminary plans, specifications, form of contract, etc., setting the date of bid opening as August 22, 2024, and date of public hearing as September 3, 2024, in conjunction with the FY 2025 State Street Sanitary Sewer Replacement and Storm Sewer Disconnects, Contract No. 1110, and instruct the City Clerk to publish notice.

13. Resolution approving preliminary plans, specifications, form of contract, etc., setting the date of bid opening as August 22, 2024, and date of public hearing as September 3, 2024, in conjunction with the FY 2025 Martin Luther King, Jr. Wetland A Restoration, Contract No. 1109, and instruct the City Clerk to publish notice.

14. Resolution approving the award of hotel/motel tax council discretionary funds to Waterloo Leisure Services in the amount of $15,000.00, for the FY 2025 Golf Marketing Campaign.

15. Resolution approving the award of hotel/motel tax council discretionary funds to Waterloo Leisure Services in the amount of $15,000.00, for the FY 2025 Cedar Valley SportsPlex Marketing Plan.

16. Resolution approving submission of an Iowa DOT Traffic Safety Improvement Program grant application, in the amount of $221,250.00, for Systemic Red Traffic Signal Face Protection Against Snow, and committing to implement and maintain the improvements for the life of the project.

17. Resolution approving submission of an Iowa DOT Traffic Safety Improvement Program grant application in the amount of $20,000.00 for Children Bicycle Traffic Safety Awareness Campaign.

18. Resolution approving submission of an Iowa DOT Traffic Safety grant application, in the amount of $120,000.00, for the Intersection of Mobile Street and Sumner Street Obsolete Signal Replacement Project, and committing to implementing and maintaining the signals for the life of the project.

19. Resolution approving submission of an Iowa DOT Traffic Safety Improvement Program grant application in the amount of $500,000.00, for installation of a roundabout at the Hammond Avenue intersection with Ridgeway Avenue, and committing to implement the project and maintain it for the life of the project.

20. Resolution authorizing an exception to the City of Waterloo Purchasing Policy for purchasing a 2024 Chevy Silverado 2500 (regular cab, 4WD, WT), in the amount of $44,000.00, from Karl Chevrolet, Inc., for the Leisure Services Department.

21. Resolution approving the sale of used equipment from the Public Works Department via the website PurpleWave.

22. Resolution approving the sale of scrap vehicles from the Public Works Department for scrap metal.

23. Motion to approve Change Order No. 1 with American Road Maintenance, of Illinois, for a net increase of $42,884.81, in conjunction with Pavement Rehabilitation, Contract No. FAA AIP Project No. 3-19-0094-053, and authorizing the Mayor and City Clerk to execute said document.

24. Motion to approve Change Order No. 1 with Restoration Services, Inc., of Waterloo, Iowa, for a net increase of $2,590.00, in conjunction with Hangar No. 4 Improvements - Tuckpointing and Painting, Contract No. IDOT CSVI, Project No. 9I230ALO200, and authorizing the Mayor and City Clerk to execute said document.

25. Motion to approve Change Order No. 2 with Restoration Services, Inc., of Waterloo, Iowa, for a net increase of $2,445.00, in conjunction with Hangar No. 4 Improvements - Tuckpointing and Painting, Contract No. IDOT CSVI Project No. 9I230ALO200, and authorizing the Mayor and City Clerk to execute said document.

26. Motion to approve Change Order No. 1 with Mike Fereday Heating and Air Conditioning, of Waterloo, Iowa, for a net decrease of $1,903.00, in conjunction with Hangar No. 4 Improvements - Shop HVAC Replacement, Contract No. IDOT CSVI, Project No. 9I230ALO200, and authorizing the Mayor and City Clerk to execute said document.

27. Motion to approve Change Order No. 1 with Peters Construction Corporation of Waterloo, Iowa, for a total decrease of $2,595.73, in conjunction with the FY 2024 Byrnes Aquatic Center, Contract No. 1077, and authorizing the Mayor to execute said document.

28. Motion to approve Change Order No. 5 with Peters Construction Corporation, of Waterloo, Iowa, for a net increase of $0.00, in conjunction with the Waterloo Convention Center Restroom Renovation Project, and authorizing the Mayor to execute said document.

29. Motion to approve Change Order No. 6 with Peters Construction Corporation, of Waterloo, Iowa, for a net increase of $0.00, in conjunction with the Waterloo Convention Center Restroom Renovation Project, and authorizing the Mayor to execute said document.

30. Motion to approve Change Order No. 3 with WRH, Inc., of South Amana, Iowa, for a net increase of $31,181.18, in conjunction with FY 2023 Wastewater Treatment Plant Final No. 3 Rehabilitation Project, Contract No. 1067, and authorizing the Mayor to execute said document.

31. **Kevin Demler,** Board/Commission:Complete Streets Advisory, Expiration Date: N/A [New].

32. **Sharon Droste,** Board/Commission: Metropolitan Transit Authority Board, Expiration Date: June 30, 2027 [Renewal].

33. **Rudy Jones,** Board/Commission: Metropolitan Transit Authority Board, Expiration Date: June 30, 2027 [Renewal].

34. **Bonetta Culp,** Board/Commission: Metropolitan Transit Authority Board, Expiration Date: June 30, 2027 [Renewal].

35. **Richard Day,** Board/Commission: Memorial Hall, Expiration Date: August 5, 2027 [New].

36. **Stephen Grimm,** Board/Commission: Memorial Hall Commission, Expiration Date: August 5, 2027 [New].

37. Motion to approve the appointment of **Ryan Black** from the current Civil Service List to the position of Equipment Operator I in the Street Department, effective August 19, 2024, pending pre-employment physical and drug testing.

38. Communication from the Building Maintenance Department on the notice of the conclusion of employment of Joel Shepard, Facilities Maintenance-HVAC, effective July 19, 2024, with recommendation of approval of payout of $15,163.17 for unused benefits.

39. Communication from the Building Inspections Department on the notice of the conclusion of employment of Cindie Shepard, Secretary, effective July 19, 2024, with recommendation of approval of payout of $10,813.43 for unused benefits.

40. Communication from the Planning and Zoning Department on notice of the conclusion of employment of Seth Hyberger, Planner I, effective July 8, 2024, with recommendation of approval of payout of $6,364.61 for unused benefits.

41. Communication from the Library Department on the notice of the conclusion of employment of Diane House, Library Assistant, effective July 18, 2024 with recommendation of approval of payout of $3,942.55 for unused benefits.

42. Planning, Programming, and Zoning Commission minutes of May 14, 2024.

43. Airport Board minutes of May 22, and June 26, 2024.

44. Leisure Services Commission Board minutes of June 11, 2024.

45. <u>Liquor Licenses</u>

    a. Best Deals, 1459 Ansborough Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 6/14/2025.
    b. Broadway Liquor, 821 Broadway St., Class E Alcohol w/Sunday Sales (Renewal) Exp: 6/10/2025.
    c. El Barco Mexican Seafood Bar & Grill, 910 W. 5th St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 6/5/2025.
    d. Family Dollar #30944, 2206 Kimball Ave., Class B Alcohol w/Sunday Sales (Renewal) Exp: 7/31/2025.
    e. Highway 63 Diner, 3030 Marnie Rd., Class C Alcohol w/Sunday Sales (Renewal) Exp: 6/29/2025.
    f. Hy-Vee Fast and Fresh #3, 1512 Flammang Dr., Class B Alcohol w/Sunday Sales (Renewal) Exp: 8/26/2025.
    g. Kwik Stop 3, 1104 Washington St., Class E Alcohol w/Sunday Sales (Renewal) Exp: 7/14/2025.
    h. Maple Lanes, 2608 University Ave., Class C Alcohol w/Outdoor Service and Sunday

Sales (Renewal) Exp: 7/22/2025.
i. Yesway Store #1022, 1976 Franklin St., Class E Alcohol w/Sunday Sales (Renewal) Exp: 7/12/2025.
j. Kwik Star #569, 875 Fisher Dr., Class B Alcohol w/Sunday Sales (Renewal) Exp: 8/27/2025.
k. Longhorn Steakhouse, 1425 E. San Marnan Dr., Class C Alcohol w/Sunday Sales (Renewal) Exp: 8/31/2025.
l. Newton's Paradise Café, 128 E. 4th St., Class C Alcohol w/Outdoor Service w/Sunday Sales (Renewal) Exp: 9/17/2025.
m. Rail Station, 304 W. 4th St., Class C Alcohol w/Outdoor Service and Sunday Sales (New) Exp: 8/6/2025.
n. Brenda's Park Road Inn, 306 Park Rd., Class C Alcohol w/Sunday Sales (Renewal) Exp: 8/8/2025.
o. Casey's General Store #2880, 1604 La Porte Rd., Class E Alcohol w/Sunday Sales (Renewal) Exp: 9/30/2025.
p. WCA Building and Amphitheatre, 225 Commercial St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 6/21/2025.

46. Motion approving Cigarette/Tobacco Permit Application for Liquor and Tobacco Outlet, 2844 University Avenue.

47. Bonds.

PUBLIC HEARINGS

1. **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 a Development and Minimum Assessment 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 authorizing 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, and authorizing the Mayor and City Clerk to execute said documents.
   Resolution approving a Development and Minimum Assessment Agreement with Cedar River Renaissance, LLC for the rehabilitation of a duplex at 203-205 Lafayette Street and construction of a new duplex adjacent to said property, with a minimum assessed value of $280,000.00, with a $10,000.00 infill housing grant upon completion of the new duplex, and $50,000.00 development grant and tax rebates of seventy percent for fifteen years and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

RESOLUTIONS

1. Resolution appointing UMB Bank, N.A. of West Des Moines, Iowa, to serve as Paying Agent, Note Registrar, and Transfer Agent, approving the Paying Agent and Note Registrar and Transfer Agent Agreement, and authorizing the Mayor and City Clerk to execute said documents.

   Submitted by: Bridgett Wood, Finance Director

2. Resolution approving and authorizing a form of Loan Agreement and authorizing and providing for the issuance and securing the payment of $5,500,000.00 of Sewer Revenue Capital Loan Note, Series 2024E, of the City of Waterloo, State of Iowa, under the provisions of the Code of Iowa, and providing for a method of payment of the Note, which includes Approval of the Tax Exemption Certificate, and authorizing the Mayor and City Clerk to execute said documents.

   Submitted by: Bridgett Wood, Finance Director

3. Resolution approving the Audit Engagement Letter with BerganKDV for the fiscal year ending June 30, 2024, and authorizing the Mayor to execute said document.

   Submitted by: Bridgett Wood, Finance Director

4. Resolution approving a Professional Services Agreement with WHA, Inc. of Cedar Rapids, Iowa, in the amount of $98,220.00, for the Ansborough Avenue Adaptive Signal Control Technology Project, from Downing Avenue South 2.7 miles to Fisher Drive/Fitzway Drive, and authorizing the Mayor to execute said document.

   Submitted by: Mohammad Elahi, Traffic Operations Director

5. Resolution approving a Professional Services Agreement with Stanley Consultants, Inc. of Des Moines, Iowa, in the amount of $116,000.00, for the Broadway Street Adaptive Signal Control Technology, and authorizing the Mayor to execute said document.

   Submitted by: Mohammad Elahi, Traffic Operations Director

6. Resolution approving Amendment No. 1 to FAA Grant Agreement No. 3-19-0094-055-2023, for a decrease in the amount of $10,557.56, making the maximum Federal share of the total actual eligible and allowable project costs $230,515.44, and authorizing the Mayor and City Attorney to execute said document.

   Submitted by: Steven Kjergaard, Director of Aviation

7. Resolution approving the Real Estate Purchase Agreement with Gift of Life Ministries for the City's acquisition of property located at 1651 Sycamore Street, in the amount of $250,000.00 plus up to $1,000.00 in closing costs, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

8. Resolution approving a Development and Minimum Assessment Agreement with FDP OC, LLC, for the rehabilitation of 503 Commercial Street into a multi-story, mixed-use building of approximately seventy-eight apartment units on the upper levels and a retail storefront on the ground floor, including the Infill Housing Incentive of $5,000.00 per residential unit, property tax rebates for years one through five at ninety-five percent, years six through ten at ninety percent, and years eleven through fifteen at eighty-five percent, payment of fifty percent for removal of exterior paneling at $28,375 and a Minimum Assessment Agreement of $7,500,000.00, and authorizing the Mayor and City Clerk to execute said documents.

   Submitted by: Noel Anderson, Community Planning and Development Director

9. Resolution terminating the Professional Services Agreement with HR Green, originally

executed on April 1, 2024, for environmental consulting services, to assist with the management and implementation of a CERCLA Section 104(K) Cleanup Grant from the Environmental Protection Agency, in conjunction with environmental cleanup of the former Rath buildings located at 1442 Sycamore Street.

Submitted by: Noel Anderson, Community Planning and Development Director

10. Resolution approving a Temporary Construction Easement Agreement with Sunnyside Terrace, Inc., located southeast of 1900 Westchester Road, in conjunction with the Sunnyside Creek Drainage Improvements Project, and authorizing Mayor and City Clerk to execute said document.

    Submitted by: Noel Anderson, Community Planning and Development Director

11. Resolution supporting an agreement to obtain funding through the Iowa Department of Transportation's Revitalize Iowa's Sound Economy (R.I.S.E.) program for the Dakota Drive Construction Project.

    Submitted by: Noel Anderson, Community Planning and Development Director

12. Resolution approving a Developer Distribution Agreement with Google Play, in the amount of $25.00, to make the ReCollect App available in Google Play for sanitation users ordering services.

    Submitted by: Sheila Steffen, Public Works Coordinator

13. Resolution approving a Developer Agreement with Apple, in the amount of $99.00, to make the ReCollect App available in the Apple Store for sanitation users ordering services.

    Submitted by: Sheila Steffen, Public Works Coordinator

14. Resolution approving a Professional Services Agreement with McClure Engineering Company, of Ankeny, Iowa, in the amount of $169,700.00, for design services in conjunction with the South Waterloo Business Park Project, and authorizing the Mayor and City Clerk to execute said document.

    Submitted by: Jamie Knutson, City Engineer

15. Resolution approving a Professional Services Agreement with AECOM Technical Services, Inc., Waterloo, Iowa, in the amount of $49,500.00, in conjunction with the Virden Creek Dam and Fletcher Avenue Flood Closure Repair Analyses and Conceptual Design Report, and authorizing the Mayor and City Clerk to execute said document.

    Submitted by: Jamie Knutson, City Engineer

16. Resolution approving Supplemental Agreement No. 1, with AECOM Technical Services, Inc., of Waterloo, Iowa, in an amount not to exceed $54,500.00, in conjunction with the 4th, 5th, and 6th Street Conversion - Reconnected Communities Plot Program Grant Application Assistance, and authorizing the Mayor to execute said document.

    Submitted by: Jamie Knutson, City Engineer

17. Resolution approving a Professional Services Agreement with AECOM Technical Services, of Waterloo, Iowa, in the amount of $1,732,900.00 for inspections, in conjunction with the

FY 2024 La Porte Road Improvements, IDOT Agreement No. HDP-8155(787)--71-07, Contract No. 1016, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Jamie Knutson, City Engineer

18. Resolution approving a Professional Services Agreement with Public Consulting Group, in the amount of $20,000.00, for project management and submission of all required data into the Ground Ambulance Data Collection System as mandated by the Centers for Medicare and Medicaid Services, and authorizing the Medical Supervisor to execute said document.

    Submitted by: Jason Hernandez, Medical Supervisor

ORDINANCES

1. An ordinance amending Waterloo Fire Rescue fees for calls for service.

Motion to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Code of Ordinances by repealing Section 5, Fees for Calls for Service, of Chapter 2, Fire Prevention and Protection, of Title 9, Building Regulations.
Motion to suspend the rules.
Motion to receive, file, consider, and pass for the second and third times and adopt the ordinance.
Resolution adopting fees for calls for service for Waterloo Fire Rescue.

Submitted by: Bill Beck, Fire Chief

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk