



**THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, August 19, 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, John Chiles, Ward 1 Council Member.

Approval of Agenda as proposed or amended.

Approval of Minutes of the August 5, 2024, Regular Council Session and the August 9,

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 sale of a used pickup truck from the Fire Department via the Purplewave website.
3. Resolution authorizing an exception to the City of Waterloo Purchasing Policy for purchasing (3) Ford F450 trucks, from Stivers Ford, Waukegan, Iowa, in the amount of \$168,516.75, for the Street Department.
4. Resolution approving preliminary plans, specifications, form of contract, etc., setting the date of bid opening as September 5, 2024, and date of public hearing as September 16, 2024, in conjunction with the FY 2025 Sidewalk Repair Assessment Program - Zone 4, Contract No. 1111, and instruct the City Clerk to publish notice.
5. Resolution setting date of public hearing as September 3, 2024, for the sale and conveyance of city-owned property located east of 415 Newell Street, in the amount of \$1.00, to Lucy Evans, including approval of a Development Agreement for the demolition of the home formerly at 437 Newell Street, and instruct the City Clerk to publish notice.
6. Resolution setting date of public hearing as September 3, 2024, for the sale and conveyance of city-owned property located southeast of 1907 Black Hawk Street, in the amount of \$1.00, to 5 Bees, LLC, in accordance with the Master Development Agreement approved on July 13, 2020, for the construction of a new 5,000 square foot building with a minimum assessed value of \$375,000.00 and instruct the City Clerk to publish notice.
7. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Vieth Construction Corporation, of Cedar Falls, Iowa, in the amount of \$211,889.50, in conjunction with the FY 2023 Greenbelt Lake REAP Grant Project Phase II, Contract No. 1085, and receive and file a two-year maintenance bond.
8. Motion to approve Change Order No. 1 with Vieth Construction Corporation, of Cedar Falls, Iowa, for a net increase of \$21,450.00, in conjunction with the FY 2024 Crossroads

Boulevard Median Improvement, Contract No. 1089, and authorizing the Mayor and City Clerk to execute said document.

9. Motion to approve Change Order No. 15 with Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of \$22,548.61, 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.
10. Motion to approve Change Order No. 11 with Vieth Construction Corporation, of Cedar Falls, Iowa, for a net increase of \$51,478.50, in conjunction with the FY 2022 Sullivan Brothers Plaza Renovation, Contract No. 1069, and authorizing the Mayor and City Clerk to execute said document.
11. Motion to approve Final Quantity Summary with Vieth Construction Corporation, of Cedar Falls, Iowa, for a net decrease of \$2,372.00, in conjunction with the FY 2023 Greenbelt Lake REAP Grant Project Phase II, Contract No. 1085, and authorizing the Mayor and City Clerk to execute said document.
12. Motion to approve the appointment of **Michael Smock**, from the Civil Service list, to the position of Operator in the Waste Management Services Department, effective August 20, 2024, pending pre-employment physical and drug testing.
13. Motion to approve the appointment of **Arnell Ernst** from the current Civil Service List to the position of Clerk II in the Police Department, effective August 20, 2024.
14. Communication from the Library Department on the notice of the conclusion of employment of Austin Newland, Library Assistant, effective July 22, 2024, with recommendation of approval of payout of \$1,819.01 for unused benefits.
15. Communication from the Street Department on the notice of the conclusion of employment of Eugene Smith, Equipment Operator I, effective July 22, 2024, with recommendation of approval of payout of \$9,478.46 for unused benefits.
16. Communication from the Sanitation Department on the notice of the conclusion of employment of Dennis Moore, Solid Waste Technician, effective July 19, 2024, with recommendation of approval of payout of \$3,467.79 for unused benefits.
17. Communication from the Street Department on the notice of the conclusion of employment of Shawn Fisher, Street Director, effective 7/26/2024 with recommendation of approval of payout of \$7,065.79 for unused benefits.
18. **Claudia Rivera**, Board/Commission: Human Rights Commission, Expiration Date: August 19, 2025, [New Partial].
19. Liquor Licenses
 - a. Bamboo Ridge Campground, 4550 La Porte Rd., Class B Alcohol w/Sunday Sales (Renewal) Exp: 9/18/2025.
 - b. BJ's Bar and Billiards, 110 Ida St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 7/29/2025.
 - c. Casey's General Store #2879, 3260 University Ave., Class E Alcohol w/Sunday Sales

(Renewal) Exp: 9/30/2025.

d. Liquor and Tobacco Outlet, 2844 University Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 8/15/2025.

e. XO Food & Liquor, 428 Franklin St., Class E Alcohol w/Sunday Sales (Renewal) Exp: 8/9/2025.

f. RV Mixology, Hess Rd., Class C Alcohol w/Outdoor Service and Sunday Sales (New) Exp: 8/26/2024.

g. Chilitos Mexican Bar and Grill, 441 E. Tower Park Dr., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 8/7/2025.

h. Byron Mart, 306 Byron Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 8/9/2025.

i. Waterloo Center for the Arts, 300 Jefferson St. Class C Alcohol (New 1-Day Transfer - 8/31) Exp: 9/1/2024.

20. Motion approving Cigarette/Tobacco/Nicotine/Vapor Permit Application for Vape Time, 325 Franklin Street.

21. Bonds.

PUBLIC HEARINGS

1. Sale and conveyance of city-owned property located at 1003 Vine Street, in the amount of \$5,500.00, to JLS Partners Properties, LLC.

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 at 1003 Vine Street, in the amount of \$5,500.00, to JLS Partners Properties, LLC, and authorizing the Mayor and City Clerk to execute said documents.

Resolution approving a Development Agreement and Real Estate Contract with Marcelino Balion Perez for the rehabilitation of 1003 Vine Street, including a refund of \$5,000.00 of the purchase price and a \$5,000.00 infill housing grant upon completion of the project, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

RESOLUTIONS

1. Resolution approving a Development Agreement with Iowa Heartland Habitat for Humanity for the construction of residential units at 512 Almond Street, including a \$5,000.00 infill incentive for each unit, \$37,000.00 in acquisition fees, and demolition of the existing structure, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

2. Resolution approving a Temporary Construction Easement Agreement with Robert J. Greenwood and Cheryl L. Greenwood, located at 1875 Westchester Road, in conjunction with the Sunnyside Creek Drainage Improvements Project, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

3. Resolution approving a Temporary Construction Easement Agreement in the amount of \$369.04 with The Sunnyside Country Club, Inc., located at 1600 Olympic Drive, in conjunction with the Sunnyside Creek Drainage Improvements Project, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

4. Resolution approving a Temporary Construction Easement Agreement in the amount of \$618.00 with Hole 7 Development, LLC., located east of 1920-1930 Kamille Court, in conjunction with the Sunnyside Creek Drainage Improvements Project, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

5. Resolution approving the 28E Agreements between Waterloo Fire Rescue and the Northeast Iowa Response Group, consisting of Allamakee, Black Hawk, Bremer, Butler, Chickasaw, Grundy, Hardin, Howard, Poweshiek, Tama, and Winneshiek Counties, to provide support personnel and equipment in event of a hazardous substance emergency, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Bill Beck, Fire Chief

6. 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

7. Resolution approving a Right-of-Way License Agreement with La Porte City Telephone Company, of La Porte City, Iowa, for the placement of utilities within City right-of-way, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Jamie Knutson, City Engineer

8. Resolution approving a Professional Services Agreement with ISG Inc., of Waterloo, Iowa, in the amount of \$5,400.00, in conjunction with the No Passing Zone Analysis, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Mohammad Elahi, Traffic Operations Director

9. Resolution approving a Street Lighting Agreement with MidAmerican Energy, in the amount of \$4,214.66, for installation of one streetlight to be located at the entrance of Paradise Estates, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Mohammad Elahi, Traffic Operations Director

10. Resolution approving a Professional Service Agreement with Automatic Systems Co., of Ames, Iowa, in the amount of \$95,492.00, in conjunction with the WWTP Building 15 PLC Upgrades, and authorizing the Mayor to execute said document.

Submitted by: Randy Bennett, Public Works Division Manager

11. Resolution approving Supplemental Agreement No. 6 to a Professional Services Agreement

with AECOM of Waterloo, Iowa, in the amount of \$125,000.00, originally executed on April 8, 2015, in conjunction with planning and engineering services to assist the Waste Management Services Department, and authorizing the Mayor to execute said document.

Submitted by: Randy Bennett, Public Works Division Manager

12. Resolution approving a Professional Services Agreement with ISG, Inc. of Waterloo, Iowa, in the amount of 8.5 percent of the total cost of furniture purchased for the Waterloo Convention Center, in conjunction with the Furniture Plan and Bid for the Waterloo Convention Center, and authorizing the Mayor to execute said document.

Submitted by: Bridgett Wood, Finance Director

OTHER COUNCIL BUSINESS

1. FY 2025 SIDEWALK REPAIR ASSESSMENT PROGRAM - ZONE 4
Resolution approving proposed construction of sidewalk improvements.
Resolution to fix value of lots.
Resolution to adopt proposed plat and schedule of assessments and estimate of costs.
Resolution of necessity and setting date of public hearing as September 16, 2024.

Submitted by: Oumie Ceesay, Associate Engineer

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk