



**THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, September 16, 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, Ray Feuss, Ward 5 Council Member.

Approval of Agenda as proposed or amended.

Approval of Minutes of the September 3, 2024, Regular Council Session and the

September 11, 2024, Special 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 Carrie and Alex Mass, for tax exemptions on the construction of a new single-family home valued at \$552,000.00, for property located at 125 Goldcrest Court and located in the City Limits Urban Revitalization Area (CLURA).
3. Resolution approving the request by Brett Robinson, for tax exemptions on the construction of a new single-family home valued at \$516,000.00, for property located at 1440 Partridge Lane and located in the City Limits Urban Revitalization Area (CLURA).
4. Resolution approving the request by Linda Meggers, for tax exemptions on the construction of a new single-family home valued at \$384,500.00, for property located at 1427 Partridge Lane and located in the City Limits Urban Revitalization Area (CLURA).
5. Resolution approving the request by Elvir Kurtovic, for tax exemptions on the construction of a new twin home unit valued at \$269,000.00, for property located at 4139 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).
6. Resolution approving the request by Saw Maung and Maria Than, for tax exemptions on the construction of a new single-family home valued at \$315,000.00, for property located at 1235 W. 7th Street and located in the Consolidated Urban Revitalization Area (CURA).
7. Resolution approving the request of Jesse Tucker for a waiver for a concrete driveway, located at 1110 Minnesota Street, with the elimination of the sidewalk section due to inability to meet grade requirements.
8. Resolution approving the request of Tom Nagle, for a waiver for a concrete driveway, located at 1029 Thorndale Avenue, and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on the city right-of-way on an unimproved street.
9. Resolution approving the request of Dan Noel, for a waiver for an asphalt driveway, located at 215 N. Hackett Road, and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on the city right-of-way on an unimproved street.

10. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as October 17, 2024, and date of public hearing as October 21, 2024, in conjunction with the FY 2025 prefabricated shelter at 1700 Idaho Street, for the Municipal Telecommunications Utility Project, Contract No. 1112, and direct the City Clerk to publish notice.
11. Resolution setting date of public hearing as September 30, 2024, for a request by the City of Waterloo to vacate Elm Street from Sycamore Street to Lafayette Street, located adjacent to 1515 Sycamore Street with the retention of a utility easement over, under, and upon the vacate area, and instruct the City Clerk to publish notice.
12. Resolution setting the date of public hearing as September 30, 2024, for a request by the City of Waterloo to rezone approximately 0.21 acres from "M-2" Heavy Industrial District to "C-P" Planned Commercial District located adjacent to 1515 Sycamore Street, and instruct the City Clerk to publish notice.
13. Resolution setting date of public hearing as September 30, 2024, for a request by 1515 Sycamore, LLC, for a Site Plan Amendment to allow for redevelopment of the Rath Administration Building into 87 residential units, including the potential to add parking within vacated Elm Street and allowing for a total of 122-180 parking spaces, potentially less than the 174 parking spaces required in the "C-P" Planned Commercial District, located at 1515 Sycamore Street, and instruct the City Clerk publish notice.
14. Resolution approving submission of ICAAP grant application in the amount of \$700,000.00, for construction of a roundabout at the Hammond Avenue and Ridgeway Avenue intersection, and authorizing the Mayor and City Clerk to execute said document.
15. Resolution authorizing an exception to the City of Waterloo Purchasing Policy for purchasing a 2024 Ford F350 4WD Regular Cab Longbox, in the amount of \$47,659.25, from Stivers Ford, for the Fire Department.
16. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Restoration Services of Waterloo, Iowa, in the amount of \$37,015.00, in conjunction with the Hangar No. 4 Improvements - Tuckpointing and Painting, under the IDOT FY-23 CSVI Project, Contract No. 4606.
17. Motion approving Final Quantity Summary with Lodge Construction, Inc., of Clarksville, Iowa, for a net decrease of \$47,867.86, in conjunction with the FY 2021 Cedar River Marina and Recreational Enhancements, DOT Project No. TAP-U-8155(768)--8I-07, Contract No. 1011, and authorizing the Mayor and City Clerk to execute said document.
18. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Lodge Construction, Inc., of Clarksvile, Iowa, in the amount of \$1,368,581.94, in conjunction with the FY 2021 Cedar River Marina and Recreational Enhancements, DOT Project No. TAP-U-815(768)-8i-07, Contract No. 1011.
19. Motion approving Final Quantity Summary with Vieth Construction Corporation, of Cedar Falls, Iowa, for a net decrease of \$19,177.29, in conjunction with the FY 2021 Highway 63 Enhancements from Washington Street to Parker Street, DOT Project No. TAP-U-8155(774)--8I-07, Contract No. 1029, and authorizing the Mayor and City Clerk to execute said document.

20. 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 \$1,706,917.06, in conjunction with the FY 2021 Highway 63 Enhancements from Washington Street to Parker Street, DOT Project No. TAP-U-815(774)-8I-07, Contract No. 1029.
21. Motion to approve Final Quantity Summary with Brock Even Construction, LLC, of Jesup, Iowa, for a net decrease of \$5,327.99, in conjunction with the FY 2024 Sidewalk Repair Assessment Program - Zone 3, Contract No. 1082, and authorizing the Mayor to execute said document.
22. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Brock Even Construction, LLC, of Jesup, Iowa, in the amount of \$165,913.26, in conjunction with the FY 2024 Sidewalk Repair Assessment Program - Zone 3, Contract No. 1082, and receive and file a two-year maintenance bond.
23. Motion approving Change Order No. 2 with WRH, of South Amana, Iowa, for a net addition of \$27,787.73, in conjunction with the Titus Lift Station and Force Main Project, Contract No. 975, and authorizing the Mayor to execute said document.
24. Motion to approve Change Order No. 1 with Advanced Environmental, Inc., of Waterloo, Iowa, for a net increase of \$1,188.00, in conjunction with additional asbestos abatement work (pipe wrap) for property located at 1202 Sycamore Street under Contract No. AB-2024-05-08P, and authorizing the Mayor to execute said document.
25. Communication from the Library Department on the notice of the conclusion of employment of **Kim Chapman**, Business Office Manager, effective August 30, 2024, with recommendation of approval of payout of \$10,513.14 for unused benefits.
26. Motion to approve the appointment of **Jason Sandoval** from the current Civil Service List to the position of Code Enforcement Officer in the Code Enforcement Department, effective September 17, 2023.
27. **Tom Powers**, Board/Commission: Board of Adjustment, Expiration Date: September 16, 2029, [New].
28. Airport Board minutes of July 24, 2024.
29. Motion approving Application for Fireworks Display: Hairball Concert, September 20, 2024, at the National Cattle Congress, from 9:00 p.m. to 11:00 p.m.
30. Liquor Licenses
 - a. Kwik Star #715, 135 E. Ridgeway Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 10/3/25.
 - b. Kwik Star #1004, 111 E. Donald St., Class B Alcohol w/Sunday Sales (Renewal) Exp: 10/21/25.
 - c. Petersen & Tietz Florists & Greenhouses, 2275 Independence Ave., Special Class B Native Wine, w/Sunday Sales (Renewal) exp: 10/8/25.
 - d. Vinton's Pub and Eatery, 201 Rath St., Class C Alcohol w/Catering and Sunday Sales (Renewal) Exp: 9/5/25.

- e. Locke at Tower Park, 4140 Kimball Ave., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 9/20/25.
- f. Waterloo Black Hawks Hockey, 125 Commercial St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 12/15/24.
- g. Wal-Mart Supercenter #1496, 1334 Flammang Dr., Class E Alcohol w/Sunday Sales (Renewal) Exp: 9/30/25.
- h. West Side Liquor, 919 W. 5th St., Class E Alcohol w/Sunday Sales (Renewal) Exp: 10/29/25.

31. Bonds.

PUBLIC HEARINGS

1. Reallocation of Unspent Proceeds of the General Obligation Bond Series 2022B in an amount not to exceed \$142,000.00.

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.

Resolution instituting proceedings to take additional action and approving the reallocation of certain unspent proceeds of the General Obligation Bonds, Series 2022B, of the City of Waterloo, Iowa.

Submitted by: Bridgett Wood, Finance Director

2. Reallocation of Unspent Proceeds of the General Obligation Bonds, Series 2023A in an amount not to exceed \$25,000.00.

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.

Resolution instituting proceedings to take additional action and approving the reallocation of certain unspent proceeds of the General Obligation Bonds, Series 2023A, of the City of Waterloo, Iowa.

Submitted by: Bridgett Wood, Finance Director

3. FY 2025 Sidewalk Repair Assessment Program - Zone 4, Contract No. 1111.

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 confirming approval of plans, specifications, form of contract, etc., and authorizing to proceed.

Motion to receive, file, and instruct the City Clerk to read bids.

Resolution approving award of bid to Brock Even Construction, LLC, of Jesup, Iowa, in the amount of \$208,547.56, approving the contract, bond, and certificate of insurance, in conjunction with the FY 2025 Sidewalk Repair Assessment Program, Contract No. 1111, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Oumie Ceesay

4. FY 2025 Sidewalk Repair Assessment Program - Zone 4, Contract No. 1111 (Notice to property owners).

Motion to receive and file proof of publication notice of public hearing.
HOLD HEARING - No comments on file.
Motion to close the hearing and receive and file oral and written comments.
Resolution adopting Proposed Resolution of Necessity, as proposed or amended.
Resolution approving proposed construction of sidewalk improvements.
Resolution to fix the value of lots.
Resolution to adopt proposed plat and schedule of assessments and estimate of costs.

Submitted by: Oumie Ceesay

5. Sale and conveyance of city-owned property, located northwest of 2765 Crossroads Boulevard to Grant Park, LLC, in the amount of \$1.00, 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 approving the sale and conveyance of city-owned property located northwest of 2765 Crossroads Boulevard to Grant Park, LLC, in the amount of \$1.00, and authorizing the Mayor and City Clerk to execute said documents.
Resolution approving an amendment to the Development and Minimum Assessment Agreement with Grant Park, LLC, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

6. Request by the City of Waterloo to vacate 8,708 square feet of East San Marnan Drive right-of-way, located northwest of 2765 Crossroads Boulevard.

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 the City of Waterloo to vacate approximately 8,708 square feet of city-owned right-of-way located northwest of 2765 Crossroads Boulevard, subject to the retention of a utility easement over, under and upon the northwesterly 10 feet of the vacate area.
Motion to suspend the rules.
Motion to receive, file, consider, and pass for the second and third times and adopt said ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

7. Sale and conveyance of City-owned property located near 919 Newell Street and 918 Newell Street in the amount of \$5,000.00 for each property and to approve a phased Development Agreement with Dellatan Asset Acquisition, 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 near 919 and 918 Newell Street, in the amount of \$5,000.00 for each property to Dellatan Asset Acquisition, LLC, and authorizing the Mayor and City Clerk to execute said documents.

Resolution approving a Development Agreement with Dellatan Asset Acquisition, LLC, for the construction of up to 12 new residential units and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

RESOLUTIONS

1. Resolution approving construction plans for grading, paving, and utilities serving the Prairie Meadow Estates First Addition, as submitted by Snyder & Associates, Inc., Sewage Treatment Agreement, DNR Form 29 (Nov 00) with the Department of Natural Resources, and 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: Wayne Castle, PLS, PE, Assistant City Engineer

2. Resolution approving a Right-of-Way License Agreement with Waterloo Fiber 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

3. Resolution approving a Permanent Easement Agreement with McDonald's USA, LLC, to allow roadway maintenance on private property located 222 Logan Avenue, in conjunction with the North Crossing redevelopment, and authorizing Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

4. Resolution approving a Development Agreement with Iowa Heartland Habitat for Humanity for the construction of a new home at 222 Randall Street, including a \$5,000.00 infill incentive 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

5. Resolution approving Amendment No. 4 to the Professional Service agreement originally executed December 8, 2022, with Strand Associates Inc., of Madison, Wisconsin for design bidding related services, in the amount of \$10,000.00, in conjunction with the Wastewater Treatment Plant Third Party Renewable Natural Gas Project, and authorizing the Mayor to execute said document.

Submitted by: Randy Bennett, Public Works Division Manager

6. Resolution approving an As-Built Contract with Entrust Solutions Group of Warrenville, IL, in the amount of \$479,274.20, in conjunction with the Fiber Optic Network Project, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Sheila Steffen, Public Works Coordinator

7. Resolution approving a Design Agreement with Entrust Solutions Group of Warrenville, Illinois, in the amount of \$48,300.00, in conjunction with the Fiber Optic Network Project, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Randy Bennett, Public Works Division Manager

8. Resolution approving a Sales Agreement with Daktronics of Brookings, South Dakota in the amount of \$294,500.00, in conjunction with the Convention Center Outside Signage Project, and authorizing the Mayor to execute said document.

Submitted by: Bridgett Wood, Finance Director

9. Resolution approving the Program Member Agreement with U.S. Bank for the purpose of making available a Corporate Card, Purchase Card, and/or One Card Program, and authorizing the Mayor to execute said document.

Submitted by: Bridgett Wood, Finance Director

10. Resolution of the City of Waterloo, Iowa, authorizing official banking signatures.

Submitted by: Bridgett Wood, Finance Director

CLOSED SESSION

1. Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).
2. Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).
3. Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).
4. Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).
5. Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).
6. Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).
7. Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk