October 7, 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, October 7, 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/Wilder
that the agenda as amended, to remove from the consent agenda and consider separately, item 21, be approved. Voice vote-Ayes: Seven. Motion carried.

Approval of Minutes of the September 26, 2024, Special Council meeting and the September 30, 2024, Planning Session as proposed or amended.

Feuss/Wilder
that the minutes of September 26, 2024, Special Council meeting and September 30, 2024, Planning Session, as proposed, be amended. Voice vote-Ayes: Seven. Motion carried.

PUBLIC COMMENTS

The following individuals commented on various subjects.

LaTonya Graves, 607 E. Donald Street; Aaron Stacey Roberts, 411 Almond; Bryan Edwards, Walnut Court Apartments; Wayne Nathem, 548 Cloverdale; Diane Messerschmitt, Indiana Street; Renee Carson, 1108 Vine; Larry Stumme, 1008 Lois Lane
Matthew Carpenter, 518 Jefferson; David Dryer, 3145 W. 4th Street; Forest Dillavou, 1725 Huntington Road; Todd Obadal, 124 Amity Drive.

Mr. Boesen commented that when the rebate schedule changed from the developers of All-In Grocers to the credit union that loaned them the money, the Development Agreement states that in order to get the rebates, they must maintain $4 million dollars of assessed value. Currently, on the Black Hawk County website, the assessed value is $3.95 million. He questioned if they would qualify for the 80 percent tax abatement since it is under $4 million dollars or do we have to wait until their assessed value reaches $4 million.

Noel Anderson, Community Planning and Development Director, stated that the property is split into two or three parcels and the total of those is assessed at $4 million.

Mr. Boesen questioned if they would still qualify if the sum of all three parcels were assessed at $3.95 million.

Noel Anderson stated that they would not qualify until the total of the parcels was assessed at $4 million.

Mayor Hart thanked Main Street Waterloo for hosting the Dinner on the Bridge Event and shared other events that have been happening and acknowledged city staff for volunteering to give back to the community.

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

CONSENT AGENDA

Feuss/Wilder
that the following items on the consent agenda be received and placed on file, including the payment of bills for October 7, 2024, in the amount of $9,861,226.73, be received and placed on file. Roll Call 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.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-578.

Resolution approving the request by Paul and Linda Dupuy, for tax exemptions on the construction of a new single-family home valued at $400,000.00, for property located at 618 Creston Avenue and located in the Consolidated Urban Revitalization Area (CURA).

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-579.

Resolution approving the request of Ken Samek for a waiver for a concrete driveway, located at 205 Lillian Lane, with the elimination of the sidewalk section due to inability to meet grade requirements.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-580.

Resolution approving the request of Jesse Thompson for a waiver for a concrete driveway, located at 313 W. Orange Road, with the elimination of the sidewalk section due to inability to meet grade requirements.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-581.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as November 7, 2024, and date of public hearing as November 18, 2024, in conjunction with Demolition and Site Clearance Services, Contract No. D-2024-10-02P, located at 2127 E. 4th Street (Saint Mary's Church and School) and 123 E. Parker Street (Saint Mary's Villa), and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-582.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as October 24, 2024, and date of public hearing as November 4, 2024, in conjunction with Demolition and Site Clearance Services, Contract No. D-2024-10-06P, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-583.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as October 24, 2024, and date of public hearing as November 4, 2024, in conjunction with Demolition and Site Clearance Services, Contract No. D-2024-10-04P, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-584.

Resolution approving preliminary plans, specifications, bid documents etc., setting date of bid opening as October 17, 2024, and date of public hearing as October 21, 2024, in conjunction with the Waterloo Fire Rescue Turnout Gear Replacement Project, and instruct the city clerk to publish the notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-585.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as October 24, 2024, and date of public hearing as November 4, 2024, in conjunction with the Terminal Security Upgrades, IDOT CSVI FY-24 Project, Contract No. 5819, and instruct the City Clerk to publish said notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-586.

Resolution setting the date of the public hearing as October 21, 2024, to approve a request by David R. and Mary H. Alderman for the sale and conveyance of approximately 1,250 square feet of city-owned property located adjacent to 4805 Edgebrook Drive for $1.00, including a Development Agreement, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-587.

Resolution setting date of the public hearing as October 21, 2024, for approval of a Development Agreement with Iowa Heartland Habitat for Humanity, in conjunction with the sale and conveyance of five vacant lots located within the Walnut Neighborhood, with a grant of $15,000.00 for infill housing development, and direct the City Clerk to publish Notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-588.

Resolution authorizing an exception to the City of Waterloo Purchasing Policy for the purchase of one Ford F-550 171" Superliner Type I Ambulance, in the amount of $301,401.00, through the HGACBuy Cooperative Program, for the Ambulance Department.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-589.

Resolution accepting an Iowa DOT Air Service Development grant, in the amount of $48,000.00, with a twenty-percent match, for promoting passenger air service from the Waterloo Regional Airport through strategic advertising, and authorizing the Mayor and Airport Director to execute said document.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-590.

Resolution accepting an Iowa DOT Commercial Service Vertical Infrastructure grant, in the amount of $124,902.00, for hangar improvements and terminal interior upgrades, 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. 2024-591.

Resolution approving the installation of a speed hump in the 1100 block of Prospect Boulevard.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-592.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Hawkeye Flat Roof Solutions of Monroe, Iowa, in the amount of $169,100.00, in conjunction with the Replacement of City Hall Roof Project.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-593.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Mike Fereday Heating and Air Conditioning of Waterloo, Iowa, in the amount of $24,850.00, in conjunction with the Hangar No. 4 Improvements - HVAC Replacements, IDOT CSVI FY-23 Project, Contract No. 4606.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-594.

Motion to approve Change Order No.1 with Boulder Contracting, of Grundy Center, Iowa, for a net increase of $121,965.00, in conjunction with Waterloo Convention Center Underground Parking Ramp Repairs Project, and authorizing the Mayor and City Clerk to execute said document.

Motion to approve Change Order No. 2 with Boulder Contracting, LLC, of Grundy Center, Iowa, for a net increase of $3,393.50, in conjunction with the Waterloo Convention Center Underground Parking Ramp Repairs Project, and authorizing the Mayor to execute said document.

Motion to approve Change Order No. 3 with WRH, Inc., of South Amana, Iowa, for a net decrease of $7,226.00, in conjunction with Titus Lift Station and Force Main, Contract No. 975, and authorizing the Mayor to execute said document.

Motion to approve a Change Order with ITG Communications, LLC, of Hendersonville, Tennessee, for a net increase of $25,937.04, in conjunction with the FY 2023 Construction of a Fiber-to-the-Premise Feeder/Distribution and Backbone Network Project, Contract No. 1088, and authorizing the Mayor and City Clerk to execute said document.

Mr. Boesen commented on a recent hit-and-run accident that destroyed one of the fiber cabinets and the cost to replace it. He questioned why the cabinets are located so close to the road when we have snow plows that could potentially push heavy snow into the box, causing damage.

Eric Lage, General Manager of Waterloo Fiber, explained that they are looking into putting up concrete bollards and are working with Magellan to see if some of these cabinets need to be moved back away from the road.

Mayor Hart commented that we do need a plan of action as winter is approaching.

Mr. Simon questioned if there was any insurance that could be collected for the accident.

Eric Lage explained that the police did look into it but were unable to identify the driver, and stated that they would be using insurance money to cover the cost.

Mr. Chiles commented that after learning of the accident, he contacted Randy Bennett and asked the same question about installing bollards. He questioned if surveillance could be considered near the cabinets.

Mayor Hart explained that once the fiber is in, then we will be able to install cameras in some of these areas.

Communication from the Housing Department on the notice of the conclusion of employment of **Wanda Hill-Dorris**, Housing Coordinator, effective September 30, 2024, with recommendation of approval of payout of $8,798.21 for unused benefits.

Communication from the Police Department on the notice of the conclusion of employment of **August Camarata**, Police Officer, effective August 30, 2024, with recommendation of approval of payout of $1,194.29 for unused benefits.

Communication from the Police Department on the notice of the conclusion of employment of **Cassandra Jakoubek**, Police Officer, effective September 12, 2024, with recommendation of approval of payout of $6,220.37 for unused benefits.

Communication from the Animal Control Department on the notice of the conclusion of employment of **Sally Hayward**, Animal Contol Officer, effective September 1, 2024, with recommendation of approval of payout of $7,350.32 for unused benefits.

Communication from the Engineering Department on the notice of the conclusion of employment of **Matthew Buenger,** Engineering Technician, effective September 13, 2024, with recommendation of approval of payout of $3,773.49 for unused benefits.

Motion to approve the appointment of **Kenneth Motsinger** from the current Civil Service List to the position of GIS Technician in the Engineering Department, with an effective date of October 8, 2024.

Motion to approve the appointment of **Stacey Wright** to the position of Administrative Secretary in the Community Development Department, effective October 14, 2024.

Motion to approve the appointment of **Justin Rohlfsen** to the position of Financial Analyst in the Finance Department, effective October 14, 2024.

Emily Seliga, Board/Commission: Main Street Waterloo, Expiration Date: December 31, 2026, [new].

Don Patnode, Board/Commission: Main Street Waterloo, Expiration Date: December 31, 2024, [New].

Airport Board minutes of August 28, 2024.

Board of Adjustment regular meeting minutes of June 25, 2024, and July 23, 2024.

Complete Streets Advisory Committee minutes of June 25, 2024.

Historical Preservation Commission minutes of June 18, 2024, and July 16, 2024.

Leisure Services Commission Board minutes of August 13, 2024.

Planning, Programming, and Zoning Commission minutes of June 11, 2024 and July 9, 2024

Bonds.

PUBLIC HEARINGS

Asbestos Abatement Services, Contract No. AB-2024-09-07P.

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 hearing. Voice vote-Ayes: Six. Motion carried.

Feuss/Chiles
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. 2024-595.

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

Estimate: $35,000.00
All Star Environmental, LLC, Dubuque, IA - 5% - $34,010.00
Site Services, Inc., Algona, IA - 5% - 45,019.00
Abatement Specialties, LLC, Cedar Rapids, IA - 5% - $28,940.00
REW Services Corporation, Des Moines, IA - 5% - $33,357.00
AAA Budget Environmental, Inc., Monticello, IA - 5% - $28,730.00
Advanced Environmental, Waterloo, IA - 5% - $28,700.00

Resolution approving award of bid to Advanced Environmental, Inc. of Waterloo, Iowa, in the amount of $28,700.00, in conjunction with Asbestos Abatement Services, Contract No. AB-2024-07-08P, for properties located at 1335 Mulberry Street, 724 Lincoln Street, 418 Oak Avenue, 110 Chestnut Street, 318 Bratnober Street, 309 E. 2nd Street, and 1103 Commercial Street, 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. 2024-596.

FY 2025 Martin Luther King, Jr. Drive Wetland A Restoration, Contract No. 1109.

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 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. 2024-597.

Mr. Boesen questioned if anything was changed from the original proposal to garner additional bids.

Jamie Knutson, City Engineer, commented that the completion date was changed, and they also contacted the contractors to make sure they knew about it.

Mr. Boesen stated that he was glad to hear that and also to see that the bids came in as low as they did.

Jamie Knutson explained that this is part two of three for this wetland restoration and with the bids being as low as they are, he is hopeful that part three can also be completed this year.

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

Engineer's Estimate: $600,000.00
Shift General Contracting, Cedar Rapids, IA - 5% - $349,172.14
Vieth Construction Corporation, Cedar Falls, IA - 5% - $409,478.43
Veracity Excavating, La Porte City, IA - 5% - $472,867.73
Peterson Contractors, Inc., Reinbeck, IA - 5% - $378,657.48
Petersen Hudson Hardware, Plumbing & Heating, Inc., - 5% - $420,966.45
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA - 5% - $479,707.93
Lodge Construction, Inc., Clarksville, IA - 5% - $474,369.56
Baker Enterprises, Inc., Waverly, IA - 5% - $425,879.94

Nichols/Wilder
Resolution approving award of bid to Shift General Contracting, of Cedar Rapids, Iowa, in the amount of $349,172.14, in conjunction with the FY 2025 Martin Luther King, Jr. Drive Wetland A Restoration, Contract No. 1109. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-598.

RESOLUTIONS

Resolution approving a Primary Highways Detour Agreement with the Iowa Department of Transportation for the use of city streets to detour traffic from the ramp to US 218 northbound at Broadway Street, in conjunction with the Bridge Repair Project Number: MB-218-2(521)187--77-07, and authorizing the Mayor to execute said document.

Chiles/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-599.

Resolution approving an agreement with MidAmerican Energy Company, of Des Moines, Iowa, in the estimated amount of $595,271.60, in conjunction with the gas main extension to service South Waterloo Business Park, and authorizing the Mayor to execute said document.

Chiles/Nichols

Mr. Boesen questioned how we are doing on another utility payback agreement we have near the airport.

Noel Anderson, Community Planning and Development Director, explained that he had spoken with MidAmerican this morning, and learned that they do the audits and reports on those in November, so we should have those numbers fairly soon.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-600.

Resolution approving Supplemental Agreement No. 3 with AECOM, of Waterloo, Iowa, in the amount of $66,800.00, in conjunction with the FY 2024 LaPorte Road Improvements, Phase I, Contract No. 1016, and authorizing the Mayor and City Clerk to execute said document.

Chiles/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-601.

Resolution amending the Professional Services Agreement with Nutri-Ject Systems Inc., of Hudson, Iowa, to extend the contract for a term of five years in conjunction with the biosolids management, storage, and land application, with no increase to the current contract rate, and authorizing the mayor and City Clerk to execute said document.

Boesen/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-602.

Resolution approving the Supplement to Fiber Project Reimbursement Agreement with Waterloo Municipal Communications Utility (Waterloo Fiber) of Waterloo, Iowa, estimated to be in the amount of $18,000,000.00, in conjunction with the Fiber Project, and authorizing the Mayor and City Clerk to execute said document.

Boesen/Wilder

David Dryer, 3145 W. 4th Street, questioned why the dollar amount changed from twenty million to eighteen million.

Bridgett Wood, Finance Director, explained that the eighteen million is just the fiber utility's portion of the twenty million that was issued, and the other two million is the city's portion.

Mr. Simon questioned the payment timeline and how it was funded.

Bridgett Wood explained that the utility will pay money to the city to make the bond issuance payments.

Mr. Simon questioned the duration of the payment.

Bridgett Wood explained that 20 years is a typical bond issuance.

Mr. Boesen questioned how adding twenty million dollars to our bonds has affected the debt service levy.

Bridgett Wood stated that she did not have that information on hand, but would get that information to him.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-603.

Resolution approving a Development Agreement with A.C.O. Construction, L.C. for the construction of two single-family dwellings located at 4429 and 4455 Charm Drive, including a $5,000.00 infill incentive for each dwelling for a total incentive amount of $10,000.00, and authorizing the Mayor and City Clerk to execute said document.

Boesen/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-604.

Resolution approving a Professional Services Agreement with Impact7G, in an amount not to exceed $3,200.00, to complete a phase I Environmental Site Assessment for properties located north of 1650 Idaho Street , and authorizing the Mayor to execute said document.

Feuss/Wilder

David Dreyer, 3145 W. 4th St., questioned the meaning of an environmental site assessment.

Noel Anderson, Community Planning and Development Director, provided an overview of the assessment as required by the state code.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-605.

Resolution approving a Professional Services Agreement with Impact7G, in an amount not to exceed $3,200.00, to complete a phase I Environmental Site Assessment for properties located at 1651 and 1659 Sycamore Street, and authorizing the Mayor to execute said document.

Feuss/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-606.

Resolution approving an agreement with MidAmerican Energy Company, of Des Moines, Iowa, in an estimated amount of $11,785.67, in conjunction with the gas main extension located along GT Drive, and authorizing the Mayor to execute said document.

Feuss/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-607.

Resolution approving a Professional Services Agreement with Impact7G, in an amount not to exceed $3,200.00, to complete a phase I Environmental Site Assessment for a vacant property located southeast of 1907 Black Hawk Street, and authorizing the Mayor to execute said document.

Feuss/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-608.

Resolution approving the Assignment of Development Agreement with BCS Properties LLC and GAC Real Estate, LLC, and Lincoln Savings Bank, for the Development Agreement originally approved on July 3, 2019, in conjunction with the development of property located at the northeast corner of Highway 63 and Ridgeway Avenue, assigning the rebates for the project to Lincoln Savings Bank, and authorizing the Mayor and City Clerk to execute said document.

Nichols/Wilder

Mr. Boesen requested clarification on the development and if there are any known issues.

Noel Anderson, Community Planning and Development Director, explained that he is unaware of any issues or concerns.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-609.

Resolution approving the Real Estate Purchase Agreement with Galactic Development Corp., for property located west of 1101 Van Miller Way, in the amount of $699,900.00 plus up to $2,000.00 in closing costs, and authorizing the Mayor and City Clerk to execute said document.

Nichols/Wilder

Forest Dillavou, 1725 Huntington Road, questioned the size and assessed value of this property and if it was going to be developed.

Jamie Knutson, City Engineer, explained that the area is about 14.2 acres and the value of the property is approximately fifty thousand per acre. He shared that it is not for development, but will be a large wet basin for storm water to protect residents down stream.

Mr. Chiles requested clarification about the potential for a walking trail.

Jamie Knutson stated that as part of the project an unpaved maintenance trail is needed for city staff to maintain the area.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-610.

ADJOURNMENT

Feuss/Chiles
that the council adjourn at 6:42 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk