October 21, 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 21, 2024.

Roll Call.

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

Prayer or Moment of Silence.

Pledge of Allegiance, Rob Nichols, At-Large council Member.

Approval of Agenda, as proposed or amended.

Feuss/Nichols
that the agenda, be approved. Voice vote-Ayes: Seven. Motion carried

Approval of Minutes of October 7, 2024, Regular Council Session, as proposed or amended.

Feuss/Nichols
that the minutes of the October 7, 2024, Council meeting, as proposed, be approved. Voice vote-Ayes: Seven. Motion carried.

PUBLIC COMMENTS

The following individuals commented on various subjects.
Aaron Stacey Roberts, 411 Almond Street; David Dryer, 3145 W. 4th Street; L.C. Smith 416 Oliver Street; Forest Dillavou, 1725 Huntington Road; John Hayes, 110 Sunset Road; LaTonya Graves, 607 E. Donald Street;

Mr. Feuss, encouraged citizens to register and vote at the upcoming election.

Ms. Creighton-Smith, commented Ward 4 will have their next meeting November 21, 2024, 6:00 p.m., Boys & Girls Club at the Teen Center and shared that several community members have questioned why African Americans are not being hired by Waterloo Fiber.

Ms. Wilder shared Ward 3 meetings will resume on November 4, 2024, at 5:00 p.m. at the Waterloo Public Library and have meetings on the last Sunday of every month.

Mr. Chiles, shared he will have office hours at the Ridgeway Sidecar from 12:00-1:00, on October 26, 2024.

Feuss/Creighton-Smith
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 14, 2024, in the amount of $5,369,916.05, and October 21, 2024, in the amount of $6,760,729.92, 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. 2024-611.

Resolution setting date of public hearing as November 4, 2024, for a property use agreement with Iowa Northland Council of Governments, expiring December 31, 2026, to utilize city property for transit vehicle parking near 1325 Black Hawk Street, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-612.

Resolution setting date of public hearing as November 18, 2024, to approve an amendment to the Crossroads Waterloo Urban Renewal and Redevelopment Plan, to update projects and project budgets to be included in the Plan, and other general updates to the Plan, and setting date of consultation with taxing entities as November 1, 2024, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-613.

Resolution setting date of public hearing as November 18, 2024, to approve an amendment to the East Waterloo Unified Urban Renewal and Redevelopment Plan, to update projects and project budgets to be included in the Plan, and other general updates to the Plan, and setting date of consultation with taxing entities as November 1, 2024, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-614.

Resolution setting date of public hearing as November 18, 2024, to approve an amendment to the Martin Road Urban Renewal and Redevelopment Plan, to update projects and project budgets to be included in the Plan, and other general updates to the Plan, and setting date of consultation with taxing entities as November 1, 2024, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-615.

Resolution setting date of public hearing as November 18, 2024, to approve an amendment to the Northeast Industrial Area Urban Renewal and Redevelopment Plan, to update projects and project budgets to be included in the Plan, and other general updates to the Plan, and setting date of consultation with taxing entities as November 1, 2024, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-616.

Resolution setting date of public hearing as November 18, 2024, to approve an amendment to the Rath Urban Renewal and Redevelopment Plan, to update projects and project budgets to be included in the Plan, and other general updates to the Plan, and setting date of consultation with taxing entities as November 1, 2024, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-617.

Resolution setting date of public hearing as November 18, 2024, to approve an amendment to the University Avenue Area Urban Renewal and Redevelopment Plan, to update projects and project budgets to be included in the Plan, and other general updates to the Plan, and setting date of consultation with taxing entities as November 1, 2024, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-618.

Resolution setting date of public hearing as November 18, 2024, to approve an amendment to the Downtown Waterloo Riverfront Urban Renewal and Redevelopment Plan, to update projects and project budgets to be included in the Plan, and setting date of consultation with taxing entities as November 1, 2024, and other general updates to the Plan, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-619.

Resolution setting date of public hearing as November 18, 2024, to approve Amendment No. 7 to the San Marnan Urban Renewal and Redevelopment Plan, to remove properties from the TIF area, and setting date of consultation with taxing entities as November 1, 2024, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-620.

Resolution setting date of public hearing as November 18, 2024, to approve Amendment No. 8 to the San Marnan Urban Renewal and Redevelopment Plan, to expand the boundaries and to update projects and project budgets to be included in the Plan, and other general updates to the Plan, and setting date of consultation with taxing entries as November 1, 2024, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-621.

Resolution approving the acceptance of a public service grant from the Waterloo Elks Lodge in the amount of $4,000.00, for youth safety and education.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-622.

Resolution approving the contract, bonds, and certificate of insurance with Shift General Contracting, of Cedar Rapids, Iowa, in conjunction with the FY 2025 Martin Luther King, Jr. Drive Wetland A Restoration, Contract No. 1109, and authorizing the Mayor and City Clerk to execute said documents.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-623.

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

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-624.

Resolution authorizing an exception to the City of Waterloo Purchasing Policy for purchasing two Chevy Colorado's, in the amount of $69,375.60 from Karl Chevrolet, for the Police Department.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-625.

Motion to receive and place on file the City of Waterloo's submitted 509A Application for Renewal and Statement of Actuarial Opinion for FYE 2024.

Motion to approve Change Order No. 4 with WRH, Inc., of South Amana, Iowa, for a net decrease of $1,009.41, in conjunction with FY 2023 Wastewater Treatment Plant Final Clarifier No. 3 Rehabilitation, Contract No. 1067, and authorizing the Mayor to execute said document.

Motion to approve Change Order No. 4 with WRH, Inc., of South Amana, Iowa, for a net increase of $16,250.00, in conjunction with Titus Lift Station And Force Main, Contract No. 975, and authorizing the Mayor to execute said document.

Motion to approve Change Order No. 8 with Woodruff Construction of Waterloo, Iowa, for a total increase of $5,265.70, in conjunction with the FY 2023 Gates Park Improvements Project, Contract No. 1076, and authorizing the Mayor to execute said document.

Motion to approve the appointment of **Jay Millett** to the position of Equipment Operator II in the Street Department, effective October 22, 2024.

Motion to approve the appointment of **Chad Davis** from the current Civil Service List to the position of Solid Waste Technician in the Sanitation Department, effective October 22, 2024, pending pre-employment physical and drug testing.

Motion to approve the appointment of **Shaubhik Roy** from the current Civil Service List to the position of Financial Analyst in the Finance Department, effective October 22, 2024.

Motion to approve the appointment of **Kyler Fischels** from the current Civil Service List to the position of Equipment Operator I in the Street Department, effective November 4, 2024, pending pre-employment physical and drug testing.

Motion to approve the appointment of **Johnathon Gentz** from the current Civil Service List to the position of Equipment Operator I in the Street Department, effective November 6, 2024, pending pre-employment physical and drug testing.

Communication from the Fire Department on the notice of the conclusion of employment of **Micah Moore**, Firefighter, effective September 26, 2024, with recommendation of approval of payout of $4,023.33 for unused benefits.

Communication from the Leisure Services Department on the notice of the conclusion of employment of **Paul Huting**, Leisure Services Director, effective September 30, 2024, with recommendation of approval of payout of $32,520.35 for unused benefits.

Communication from the Fire Department on the notice of the conclusion of the employment of **Todd Petersen**, Fire Lieutenant, effective September 27, 2024, with recommendation of approval of payout of $6,482.45 for unused benefits.

Communication from the Fire Department on the notice of the conclusion of employment of **Kerry Burt**, Firefighter, effective October 1, 2024, with recommendation of approval of payout of $14,154.48 for unused benefits.

Communication from the Fire Department on the notice of the conclusion of employment of **Joshua Holley**, Firefighter, effective October 5, 2024, with recommendation of approval of payout of $1,253.12 for unused benefits.

Scott Voigt, Board/Commission: Planning, Programming and Zoning Commission, Expiration Date: October 21, 2027, [New].

Eric Poe, Board/Commission: Planning, Programming and Zoning Commission, Expiration Date: October 21, 2027, [New].

Liquor Licenses

a. Love's Travel Stop #702, 3301 Greyhound Dr., Class B Alcohol w/Sunday Sales (Renewal) Exp: 11/16/2025.
b. Fareway Stores #951, 40 W. San Marnan Dr., Class E Alcohol w/Sunday Sales (Renewal) Exp: 11/15/2025.
c. 1850 Patio & Grill, 1850 W. Ridgeway Ave. Ste. 5, Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 10/31/2025.
d. Brown Derby Ballroom, 618 Sycamore St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 9/30/2025.
e. Capella Magna, 622 Commercial St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 11/30/2025.
f. Carpenter's Diner, 518 Jefferson St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 11/2/2025.
g. Chapala Mexican Restaurant, 900 La Porte Rd., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 10/22/2025.
h. Danny's on Donald, 1125 W. Donald St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 10/4/2025.
i. Express Mart, 2027 Falls Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 10/30/2025.
j. Hy-Vee #1 Clubroom, 2834 Ansborough Ave., Special Class C Alcohol w/Sunday Sales (Renewal) Exp: 10/16/2025.
k. K-Zar, 1761 Independence Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 10/13/2025.
l. Dollar General #20584, 1650 Idaho St., Class B Alcohol w/Sunday Sales (Renewal) Exp: 11/6/2025.
m. Friendship Village, 600 Park Lane, Class F Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 10/18/2025.

Motion approving Application for Fireworks Display for the Bartlett/Bultsma Wedding Reception, October 26, 2024, at the Isle Casino Hotel, 777 Isle of Capri Blvd., Waterloo, beginning at 6:45 p.m. for approximately 15 minutes.

Bonds.

PUBLIC HEARINGS

Waterloo Fire Rescue Turnout Gear Replacement Project.

Boesen/Feuss
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.

Boesen/Feuss
to close the hearing. Voice vote-Ayes: Seven. Motion carried.

Boesen/Feuss
A 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. 2024-626.

Mr. Boesen questioned why no bids were submitted for the project.

Bill Beck, Chief of Fire Services commented he expected bids from two different vendors, but they didn't submit bids in time, so he will now re-let the bid.

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

The Deputy Clerk reported no bids were received.

<u>FY 2025 prefabricated shelter at 1700 Idaho Street, for the Municipal Telecommunications Utility Project, Contract No. 1112.</u>

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
A 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. 2024-627.

Eric Lage, Waterloo Fiber General Manager explained the shelter being constructed on Idaho Street is similar to the one built near Fire Station No. 6 and is the second phase of the project.

Mr. Boesen questioned the price difference between the two structures.

Eric Lage explained the shelter at No. 6 did not contain a DC generator or a power plant so it was under $100,000.00 where this one includes those items.

Mr. Boesen commented he is concerned that the bids came in $83,000.00 higher than the estimate.

Eric Lage responded that they will review the bid and the specifications to determine the feasibility.

Mr. Nichols questioned the difference between Waterloo Fiber and Metronet.

Eric Lage explained Waterloo Fiber is the municipal provider under sewer and waterworks and Metronet is an independent business also building infrastructure.

Mayor Hart explained the city voted in 2005 to form a municipal telecom with its own local board members and in 2022 passed a referendum to use money to go towards this project.

Mr. Simon questioned how employees are hired by Waterloo Fiber.

Eric Lage explained ITG is the general contractor and they hire subcontractors so Waterloo Fiber has no say in who is hired for the project.

Mayor Hart explained the crews working on the project are minority crews.

Mr. Simon questioned if there is an opportunity to hire locally.

Mayor Hart explained Eric Lage is only responsible for staffing Waterloo Fiber locally.

Nichols/Wilder
to receive, file, and instruct the City Clerk to read bids and refer them to the Public Works Division Manager for review. Voice vote-Ayes: Seven. Motion carried.

Estimate: $225,000.00
HM Cragg, Edina, Minnesota - 5% - $308,879.69

<u>Sale and conveyance of approximately 1,250 square feet of city-owned property located adjacent to 4805 Edgebrook Drive.</u>

Wilder/Feuss
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.

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

Wilder/Feuss
Resolution approving 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 to construct a new sidewalk at a value of $1,235.00, and authorizing the Mayor and City Clerk to execute said documents. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-628.

Sale and conveyance of vacant lots within the Walnut Neighborhood to Iowa Heartland Habitat for Humanity.

Creighton-Smith/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.

Beverly Cosby, 315 Wendell Court, questioned the street addresses for the proposed properties and commented it is already congested in this area and the new homes have no yards.

Noel Anderson, Community Planning and Development Director explained, lots are located on Iowa Street, Argyle, Clay Street and a green space is located on Alban Street.

Mayor Hart commented that for years, in this area residents have been asking for new housing opportunities and over the last 3-4 years hundreds of thousands of dollars have been invested in the area and 40% of new home owners through Habitat in that area are African Americans.

Creighton-Smith/Wilder
to close the hearing. Voice vote-Ayes: Seven. Motion carried.

Resolution authorizing the sale and conveyance of city-owned properties located within the Walnut Neighborhood, in the amount of $1.00 each to Iowa Heartland Habitat for Humanity, and authorizing the Mayor and City Clerk to execute said documents. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-629.

8913-24-159-006 Railroad Addition, Waterloo, the North 31 feet of the South 59 feet of Lot 7 in Block 21, the North 31 Page 201 of 337 feet of the South 59 feet of the West 40 feet of Lot 8 in Block 21 will not be sold to Iowa Heartland Habitat for Humanity at this time as the City is completing paperwork for the purchase of the property. The parcel will be sold at the November 18, 2024, meeting after the City obtains title to the property.

Ms. Creighton-Smith commented she is excited to see new housing in this area but asked the council to keep an eye on the specifications for these properties.

Creighton-Smith/Wilder
Resolution approving a Development Agreement with Iowa Heartland Habitat for Humanity for constructing three single-family homes, with a total of $15,000.00 Infill Housing Grant of $5,000.00 per home, 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. 2024-630.

RESOLUTIONS

Resolution approving a Parking Contract with IPS Group of San Diego, California, in conjunction with the Multi-Spot Parking Meters upgrade, and authorizing the Mayor, City Attorney, and City Clerk to execute said document.

Boesen/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-631.

Resolution approving the IGT Fund Transfer Agreement for FY 2026, and authorizing the Mayor to execute said agreement.

Boesen/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-632.

Resolution approving the Provider Participation Agreement for FY 2026, and authorizing the Medical Supervisor, Jason Hernandez, to execute said document.

Boesen/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-633.

Resolution approving a Forecast and Data Support Agreement with BAMWX, in the amount of $3,397.50 per year for three years, for providing weather radar forecasting tools, and authorizing the Mayor to execute said document.

Boesen/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-634.

Resolution approving Amendment No. 1 to the Raise Grant Agreement, with the US Department of Transportation, in conjunction with the La Porte Road Improvements from Shaulis Road to Byron Avenue, and authorizing the Mayor to execute said document.

Creighton-Smith/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-635.

Jamie Knutson, City Engineer, gave updates on the LaPorte Road Project and bridge projects.

Mayor Hart asked for an update on the grants received for the LaPorte Road Project.

Jamie Knutson explained that several grants were received from different sources, around $40 million, and as the bids came in low for Phase I, once all three phases are completed any remaining funds may be used for fiber construction costs in this area. Bulk of enhancement grants will be used for putting all overhead utilities underground.

Resolution approving a Federal-aid Agreement, with the Federal Highway Administration, in the amount of $750,000.00, in conjunction with the Railyard Relocation Study for the railyard located at 1006 E. 4th Street, and authorizing the Mayor and City Clerk to execute said document.

Creighton-Smith/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-636.

Ms. Wilder questioned the completion date of the project as September 30, 2025.

Mayor Hart explained the timeline for developing the concept and feasibility of relocating the railyard and the various moving parts for the project.

Mr. Boesen questioned if part of the $750,000.00 grant goes towards the environmental assessment of the existing railroad lot.

Mayor Hart explained part of the study would be the usability of the lot pertaining to brownfields or grayfields.

Ms. Creighton-Smith commented this also gives the City other opportunities to secure additional funds from brownfield and federal grants and is excited about moving forward with the project.

Mayor Hart commented the name of the grant is reconnecting communities.

<u>Resolution approving Supplemental Agreement No. 7 with Stanley Consultants, Inc., of Des Moines, Iowa, in the amount of $52,600.00, in conjunction with the FY 2022 11th Street and Park Avenue Bridge Replacements Project, Contract No. 1013, and authorizing the Mayor to execute said document.</u>

Creighton-Smith/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-637.

Mr. Simon requested a clarification of the agreement and questioned the completion date.

Jamie Knutson, City Engineer, explained this is part of the eleven and a half million dollar grant agreement and as part of the agreement, portions of the original beams from the bridge and placement of a historical marker are requirements to receive the grant. There will be a historical display and several prairie pathway signs will be placed on both sides of the bridge for compliance.

Mr. Simon questioned why this wasn't included in the original draft.

Jamie Knutson explained this was not included in the original plans as it was their focus to get the bridge portion of the project out for bid so as to not lose out on twelve and a half million in state funding.

Mr. Simon questioned if this couldn't have been planned better rather than asking for more money later.

Jamie Knutson explained the City and the State had difficulty contacting and getting cooperation from the 11th Street Railroad with the project in order to submit the application in a timely fashion which didn't allow for planning and designing the historical display.

Mr. Boesen expressed concerns that there will be costs in addition to the $52,000.00.

Jamie Knutson explained this is only for the design and inspection and there will be additional costs.

Mr. Boesen questioned if Invision would also be charging more for their services and the timeline for the project.

Jamie Knutson explained Invision's costs are included in the $52,000.00 and that he would like to see the project bid by the first of the year as this is not the typical type of construction so would like to give contractors plenty of time to bid the project.

Mr. Boesen questioned if the project is going to require lane closures.

Jamie Knutson responded there will be some but anticipated only a day or two.

ADJOURNMENT

Boesen/Wilder
that the council adjourns at 6:28 p.m. Voice vote-Ayes: Seven. Motion carried.

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LeAnn M. Even, Deputy City Clerk