November 4, 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, November 4, 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. Mr. Chiles joined via Zoom.

Prayer or Moment of Silence.

Pledge of Allegiance, Belinda Creighton-Smith, Ward 4 Council Member.

Approval of Agenda as proposed or amended.

Feuss/Wilder
that the agenda as proposed be approved. Voice vote-Ayes: Seven. Motion carried.

Approval of Minutes of October 21, 2024, Regular Council Session, as proposed or amended.

Feuss/Wilder
that the minutes of October 21, 2024, Regular Session, as proposed be approved. Voice vote-Ayes: Seven. Motion carried.

PUBLIC COMMENTS

The following individuals commented on various subjects.

Aaron Stacy Roberts, 411 Almond St., David Dreyer, 3145 W. 4th Street, Beverly Cosby, 315 Wendell Ct.

Mr. Chiles, Ms. Creighton-Smith and Ms. Wilder provided details on their upcoming ward meetings.

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

CONSENT AGENDA

Feuss/Creighton-Smith
that the following items on the consent agenda be received and placed on file, including the payment of bills for October 28, 2024, in the amount of $3,892,413.39, and November 4, 2024, in the amount of $4,172,987.00, be received and placed on file.

Mr. Boesen requested that item 16.a be removed and considered separately.

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. 2024-638.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as November 21, 2024, and date of public hearing as December 2, 2024, in conjunction with the FY 2025 W.A.R.P. 4th Addition, Contract No. 1114, and instruct City Clerk to publish said notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-639.

Resolution setting date for public hearing as January 6, 2025, to review the proposed funding recommendations set forth by the Housing Authority Board for the Five-year Capital Funds Action Plan for FY 2024-2028, as proposed by the Housing Authority Department for maintenance of the existing housing complex at Ridgeway Towers, 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. 2024-640.

Resolution approving the request by Brian and April Leadley, for tax exemptions on the construction of a new garage valued at $17,000.00, for property located at 1330 Wallgate 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. 2024-641.

Resolution approving the request by Lamont W. Good, for tax exemptions on the construction of a new single-family home valued at $340,000.00, for property located at 4455 Charm Drive and located in the City Limits Urban Revitalization Area (CLURA).

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-642.

Resolution approving submission of Highway Safety Improvement Program (HSIP) Grant Application in the amount of $640,000.00 for systemic snow protection of red signals, 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. 2024-643.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by K & W Electric of Cedar Falls, Iowa, in the amount of $162,450.00, in conjunction with the Logan Ave. ASCT Project, DOT Project No. ICAAP-SWAP-8155(781)--SH-07 Contract No. 1068, and authorize the release of retainage in the amount of $4,873.50.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-644.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by WRH, Inc., of Amana, Iowa, in the amount of $50,843.54, in conjunction with the FY 2023 Wastewater Treatment Plant Final Clarifier No. 3 Rehabilitation Project, Contract No. 1067, and receive and file a two-year maintenance bond.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-645.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Landmark Turf Services, LLC, of Dunkerton, Iowa, in the amount of $53,664.00, in conjunction with the FY 2025 Levee Rip Rap Spraying, Contract No. 1104, and receive and file a two-year maintenance bond.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-646.

Motion to approve Change Order No. 8 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 and City Clerk to execute said document.

Motion approving the appointment of **Adarsh Tummula** from the current Civil Service List to the position of Planner I in the Community Planning and Development Department, effective November 18, 2024.

Motion to approve the appointment of **Richard Wagner** from the current Civil Service list to the position of Construction Foreman in the Leisure Services Department, effective November 5, 2024.

Motion approving the appointment of **Collin Weber** from the current Civil Service List to the position of Solid Waste Technician in the Sanitation Department, effective November 5, 2024, pending pre-employment physical and drug testing.

Motion to approve the appointment of **Kenneth Van Deest** from the current Civil Service List to the position of Park Maintenance II Construction in the Leisure Services Department, effective November 5, 2024.

Motion to receive and file Leisure Services Commission Board minutes of September 10, 2024.

Liquor Licenses

a. The Next Level, 229 E. 4th Street, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp: 10/17/2025.
b. Traveling Tapster, 250 Ansborough Ave/Hippodrome, Class C Alcohol w/Sunday Sales

(New) Exp: 11/25/2024.
c. The Slippery Pickle, 341 Fletcher Ave., Class C Alcohol w/Outdoor Service and Sunday Sales (New) Exp: 5/31/2025.

Boesen/Wilder
16.a. The Next Level, 229 E. 4th Street, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp: 10/17/2025.

Mr. Boesen passed out a report of the Waterloo Police Calls for Service and commented on the high number of calls to the vicinity of 229 E. 4th Street. He further commented on the recent social media posts about the violent attacks and fights that have taken place there. He stated that he was not in favor of renewing the liquor license and hoped the council would support his position.

The council and mayor discussed the concerns with both the establishment owner and manager, who stated that they have been working with Police Chief Duncan and have implemented changes to help deter the problems, including a change in hours, increased cameras and security guards.

Feuss/Boesen
Call the question.

Roll Call Vote-Ayes: Five. Nays: Two (Boesen, Chiles). Motion carried.

Motion approving Cigarette/Tobacco Permit Application for BP Fuel, 127 Jefferson Street.

Bonds.

PUBLIC HEARINGS

Terminal Security Upgrades Project, Contract No. 5819, IDOT CSVI Grant.

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 the hearing. Voice vote-Ayes: Seven. Motion carried.

Wilder/Feuss
Resolution confirming approval of specifications, bid documents, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-647.

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

Engineers Bid: $374,370.00
K&W Electric, Inc., Cedar Falls, IA - 5% - $514,894.00

Wilder/Feuss
Resolution rejecting the bid of K & W Electric, Inc., of Cedar Falls, Iowa in the amount of $514,894.00, in conjunction with the Terminal Security Upgrades Project, Contract No. 5819, IDOT CSVI Grant. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-648.

Demolition and Site Clearance Services, Contract No. D-2024-10-06P.

Feuss/Nichols
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seveb. 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/Nichols
to close hearing. Voice vote-Ayes: Seven. Motion carried.

Feuss/Nichols
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. 2024-649.

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

Estimate: $160,000.00

Dore & Associates, Inc., Bay City, MI - 5% - $223,300.00
D.W. Zinser, Co., Walford, IA - 5% - $118,000.00
Hatch Grading & Contracting, Dysart, IA - 5% - $231,600.00
Lehman Trucking & Excavating, Inc., Waterloo, IA - 5% - $146,242.00
Benton's Sand & Gravel, Cedar Falls, IA - 5% - $165,172.00
Walker Reclaim and Demo LLC, Iowa Falls, IA - 5% - $122,096.00
Earth Services & Abatement, Des Moines, IA - 5% - $266,000.00

Feuss/Nichols
Resolution approving award of bid to D.W. Zinser Company, Inc., of Walford, Iowa, in the amount of $118,000.00, approving the contract, bond, and certificate of insurance, in conjunction with Demolition and Site Clearance Services, Contract No. D-2024-10-06P, for properties located at 708 W. 3rd Street, 324-326 W. 7th Street, 617 W. 1st Street, and 200 E. Mullan Avenue (City-owned properties), and also 100 Commercial Street, and 128 Sycamore

Street (Waterloo Development Corp. owned properties), 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. 2024-650.

Demolition and Site Clearance Services, Contract No. D-2024-10-04P,

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

Nichols/Creighton-Smith
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. 2024-651.

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

Estimate: $400,000.00

Dore & Associates, Inc., Bay City, MI - 5% - $314,300.00
D.W. Zinser, Co., Walford, IA - 5% - $198,000.00
Midwest Demolition Contractors, Inc., Walford, IA - 5% - $283,940.00
Hatch Grading & Contracting, Dysart, IA - 5% - $448,100.00
Lehman Trucking & Excavating, Inc., Waterloo, IA - 5% - $384,085.00
Benton's Sand & Gravel, Cedar Falls, IA - 5% - $214,470.10

Nichols/Creighton-Smith
Resolution approving award of bid to D.W. Zinser, Co., of Walford, Iowa, in the amount of $198,000.00, approving the contract, bond, and certificate of insurance, in conjunction with Demolition and Site Clearance Services, Contract No. D-2024-10-04P, for properties located at 105 E. 11th Street, 114 E. 10th Street, 100 E. 9th Street (a.k.a. 105 E. 10th Street), and 1202 Sycamore Street, 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. 2024-652.

Agreement with Iowa Northland Regional Council of Governments to utilize city property for transit vehicle parking near 1325 Black Hawk Street.

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 and there were none.

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

Creighton-Smith/Wilder
Resolution approving a Property Use Agreement with Iowa Northland Regional Council of Governments, to park transit vehicles on city-owned property near 1325 Black Hawk Street, expiring December 31, 2026, 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. 2024-653.

Mr. Simon questioned the number and type of vehicles that would be parked there and if the agreement could be amended for any reason other than a development agreement.

Noel Anderson, Community Planning and Development Director, explained he does not have the number of vehicles available at this time but said he would gather that information and share it with the council. He further provided information on the property and why it would work well for INRCOG's fleet.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-653.

<u>RESOLUTIONS</u>

<u>Resolution approving a Farm Lease Agreement beginning March 1, 2025, and expiring February 28, 2026, with Lanehaven Farms, Inc., to farm approximately 70.25 acres of land located east of 4719 Ansborough Avenue at $300.00 per acre for annual rental payment of $21,075.00, and authorizing the Mayor and City Clerk to execute said document.</u>

Mayor Hart left the meeting at 6:32 p.m.

Boesen/Creighton-Smith

Mr. Boesen questioned who received the payment for the lease last year.

Noel Anderson, Community Planning and Development Director, stated that the City of Waterloo received payment for everything that was farmed.

Mr. Boesen questioned when we would know when further development of the land will take place, as the agreement will automatically renew in February 2026.

Noel Anderson provided an overview of the upcoming development and shared that staff will be in communication with both the developer and farmer as things progress.

Mr. Simon questioned if the price per acre was a biddable item or if the city extended this price to Lanehaven Farms.

Noel Anderson explained that it is a biddable amount, adding that staff checks annually what price farm land is rented at throughout Black Hawk County and shared how they determine whether to go out for bid or not.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-654.

Resolution approving a Development Agreement with Kent Dierks for the construction of a new commercial building with a tax rebate schedule of fifty percent for five years, and a Minimum Assessment Agreement of $574,720.00, located at 3169 West Airline Highway, and authorizing the Mayor and City Clerk to execute said documents.

Boesen/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-655.

Resolution approving a Project Demolition Agreement with Iowa Heartland Habitat for Humanity for the demolition of properties located at 512 Almond Street and 222 Randall Street, and authorizing the Mayor and City Clerk to execute said document.

Boesen/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-656.

Resolution approving an Encroachment Agreement with Danielle White, to allow for a fence, gazebo, and swing set on city-owned property in the “R-2” One-and Two-Family Residence District and “A-1” Agricultural District located south of 601 Cedar Bend Street, and authorizing the Mayor and City Clerk to execute said document.

Nichols/Creighton-Smith
Roll Call vote-Ayes: Smith. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-657.

Resolution approving a Professional Services Agreement with AECOM Technical Services, Inc., in an amount not to exceed $667,900.00, to complete engineering and survey work related to the University Avenue Area TIF District projects, and authorizing the Mayor to execute said document.

Nichols/Creighton-Smith

Mr. Boesen commented that we consider delaying this action until after the school bond results are announced.

Noel Anderson, Community Planning and Development Director, explained that we do have the ability to piece the project out if the school vote does not pass.  He further explained how this agreement would work along with other design work AECOM is doing along the University Corridor and beyond.

Roll Call vote-Ayes: Six. Nays: One (Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-658.

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

Boesen/Creighton-Smith

Roll Call vote-Ayes: Smith. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-659.

Resolution approving a Property Lease Agreement for Underbridge Access Truck with the Iowa Department of Transportation, and authorizing the Mayor and City Clerk to execute said document.

Boesen/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-660.

Resolution approving an ongoing Lease Agreement with C&S Car Company for a 2025 Hyundai Santa Fe, VIN # 5NMP3DGL5SH069038, to be used by the Police Department, at no cost to the city, and authorizing the Mayor to execute said document.

Boesen/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-661.

ADJOURNMENT

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

Nancy Higby
Deputy City Clerk