THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, December 2, 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.

<u>GENERAL RULES FOR PUBLIC PARTICIPATION REGULAR SESSION AGENDA</u>

A. Iowa Code Chapter 21 gives the public the right to attend council meetings, but it does not require cities to allow public participation except during public hearings. The public is required to follow the rules listed in this article when speaking during any meeting of the city council.

B. At the presiding officer's discretion, individuals may address the presiding officer by stepping to the podium, and after recognition by the presiding officer, shall state their name, address, and group affiliation, if appropriate, and speak clearly into the microphone.

C. Comments shall be germane and refrain from personal, impertinent, or slanderous remarks.

D. Cell phones and electronic devices shall be set to silent prior to the start of the meeting.

RULES FOR PUBLIC COMMENT SECTION OF THE AGENDA

A. Individuals shall speak one (1) time on only one (1) issue for a maximum of three (3) minutes During the public comment section of the agenda. The public shall not be required to pre-register to speak during public comment. Individuals shall only speak on matters not listed on the regular agenda for that date. Any matter presented shall be directed to the presiding officer and addressed, if necessary, after the meeting.

B. Council members may speak during public comment portion of the agenda after the public has finished speaking

C. City staff shall not be required to provide an immediate answer to a matter presented during a council meeting unless it specifically pertains to an item on the agenda

RULES FOR PUBLIC COMMENT DURING PUBLIC HEARINGS

Individuals may speak during the public comment portion of a scheduled public hearing for a maximum of three (3) minutes or may submit written comments to the city clerk by four o'clock (4:00) P.M. on the day of the public hearing. Groups of citizens with similar viewpoints are encouraged to select a representative to share the viewpoint of the group.

RULES FOR PUBLIC COMMENT DURING AGENDA ITEMS

At the discretion of the presiding officer, individuals may speak for a maximum of three (3) minutes when the council discusses agenda items. This section does not apply to businesses or parties directly involved in agenda items.

Roll Call.

Prayer or Moment of Silence.

Pledge of Allegiance, John Chiles, Ward 1 Council Member.

Approval of Agenda, as proposed or amended.

Approval of Minutes of the November 18, 2024, Regular Council Session, as proposed or

amended.

PUBLIC COMMENTS

Iowa Code Chapter 21 gives the public the right to attend council meetings but it does not require cities to allow public participation except during public hearings. The City of Waterloo encourages the public to participate during the Oral Presentations by following the rules listed on the front of the agenda.

CONSENT AGENDA

The consent agenda is reserved for routine resolutions and motions, acted upon by roll call vote on a single motion without discussion. Council shall either vote yea or nay when the roll is called. Council members may request that an item be removed from the consent agenda and considered separately. Such a request does not require a second. The public shall be prohibited from requesting that items listed on the consent agenda be removed and considered separately. The public may contact council members with questions regarding consent agenda items. 1-4A-16(A)(8).

1. Bills Payment, Finance Committee Invoice Summary Report, a copy of which is on file in the office of the City Clerk.

2. Resolution approving the request by Brooke Eighmey, for tax exemptions on the construction of a new single family home valued at $515,000.00, for property located at 1346 Partridge Lane and located in the City Limits Urban Revitalization Area (CLURA).

3. Resolution approving the request of Hasib Rekic for a waiver for a concrete driveway, located at 918 Roosevelt Street, with the elimination of the sidewalk section due to inability to meet grade requirements.

4. Resolution approving the request of Brad Stroh, for a waiver for a concrete driveway, located at 709 Dearborn 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 and for culvert placement by property, at property owner expense, if required for future ditch work.

5. Resolution setting date of public hearing as December 16, 2024, for approval of a Development Agreement with Iowa Heartland Habitat for Humanity, in conjunction with the sale and conveyance of 408 Vermont Street located within the Church Row Neighborhood, with a grant of $5,000.00 for infill housing development for the rehabilitation of a single-family home, and with a grant of up to $16,885.00 to cover the costs of asbestos mitigation, and instruct the City Clerk to publish notice.

6. Resolution approving award of bid to D.W. Zinser Company, Inc., of Walford, Iowa, in the amount of $339,900.00, approving the contract, bond, and certificate of insurance, in conjunction with Demolition and Site Clearance Services, Contract No. D-2024-10-02P, for properties located at 2127 E. 4th Street (the former Saint Mary's Church and School) and 123 E. Parker Street (the former Saint Mary's Villa), and authorizing the Mayor and City Clerk to execute said documents.

7. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Midwest Surface Prep, Inc., of Nashua, Iowa in the amount of $23,680.00, in conjunction with the FY-23 IDOT CSVI Project, Contract No. 4606.

8. Motion to approve Final Quantity Summary with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net decrease of $2,061.32, in conjunction with the MLK Wetland Mitigation Project - Phase I, Contract No. 1005, and authorizing the Mayor and City Clerk to execute said document.

9. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of $121,480.83 in conjunction with the MLK Wetland Mitigation Project - Phase I, Contract No. 1005, and receive and file a two-year maintenance bond.

10. Motion to approve Change Order No. 1 with Advanced Environmental, Inc., of Waterloo, Iowa, for a net increase of $2,200.00, in conjunction with additional asbestos abatement work (duct paper) for property located at 318 Bratnober Street under Contract No. AB-2024-09-07P, and authorizing the Mayor to execute said document.

11. Motion to approve submission of an AFG Grant Application by the Waterloo Fire Department for one million dollars, to be put towards a new aerial truck.

12. Motion to approve the appointment of **Lorenzo Jackson** from the current Civil Service List to the position of Equipment Operator I in the Street Department, effective December 3, 2024, pending pre-employment physical and drug testing.

13. Motion to approve the appointment of **Joseph Geilman** from the current Civil Service List to the position of Planner I in the Planning & Zoning Department, effective December 9, 2024, pending pre-employment physical and drug testing.

14. Communication from the Planning & Zoning Department on the notice of the conclusion of employment of Adrienne Miller, Planner II, effective November 1, 2024, with recommendation of approval of payout of $4,053.76 for unused benefits.

15. Motion to receive and file the Airport Board minutes of September 25, 2024.

16. <u>Liquor Licenses</u>
    a. Carlos O'Kelly's, Inc., 2060 Sovis Drive, Class C Alcohol/Outdoor Service/Catering w/Sunday Sales (Renewal) Exp: 12/30/2025.
    b. Knights of Pythias - Furgeson Lodge #5, 244 Ash Street, Class B Retail Alcohol/Outdoor Service w/Sunday Sales (New) Exp: 11/22/2025.
    c. Locker Room Lounge, 1918 Hawthorne Avenue, Class C Alcohol/Outdoor Service w/Sunday Sales (Renewal) Exp: 12/31/2025.
    d. Three Amigos Family Restaurant, 2820 Falls, Avenue, Class C Alcohol w/Sunday Sales (Renewal) Exp: 08/24/2025.

17. Bonds.

18. Receive and file the 2025 Budget of the Waterloo Telecommunications Utility and authorize City Clerk to file said documents with Black Hawk County Auditor.

19. Receive and file the 2025 Budget of the Waterloo Water Works and authorize City Clerk to file said documents with Black Hawk County Auditor.

20. Motion to receive and place on file the 2023 Operating Report of the Waterloo Water

Works.

21. Motion to receive and place on file the 2023 Audit of the Waterloo Water Works.

PUBLIC HEARINGS

1. FY 2025 W.A.R.P. 4th Addition, Contract No. 1114.

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 Baker Enterprises, Inc., of Waverly, Iowa, in the amount of $3,388,768.90, approving the contract, bond, and certificate of insurance, in conjunction with the FY 2025 W.A.R.P. 4th Addition, Contract No. 1114, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Jamie Knutson, City Engineer

2. The issuance of not to exceed $18,000,000.00 Taxable General Obligation Urban Renewal Bonds (ECP/UR-1).

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 instituting proceedings to take additional action for the issuance of not to exceed $18,000,000.00 Taxable General Obligation Urban Renewal Bonds (ECP/UR-1).

Submitted by: Bridgett Wood, Finance Director

3. The issuance of Not to Exceed $10,500,000.00 General Obligation Urban Renewal Bonds (ECP/UR-2).

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 instituting proceedings to take additional action for the issuance of not to exceed $10,500,000.00 General Obligation Urban Renewal Bonds (ECP/UR-2).

Submitted by: Bridgett Wood, Finance Director

4. The issuance of Not to Exceed $4,000,000.00 Taxable General Obligation Urban Renewal Bonds (ECP/UR-3).

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 instituting proceedings to take additional action for the issuance of not to exceed $4,000,000.00 Taxable General Obligation Urban Renewal Bonds (ECP/UR-3).

Submitted by: Bridgett Wood, Finance Director

5. Sale and conveyance of city-owned properties located at 1027 W. 3rd Street and 128

Lincoln Street, in the amount of $25,200.00, to Rock Star Real Estate, LLC.

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 approving the sale and conveyance of city-owned property located at 1027 W. 3rd Street and 128 Lincoln Street, in the amount of $25,200.00, to Rock Star Real Estate, LLC, and authorizing the Mayor and City Clerk to execute said documents.
Resolution approving a Development Agreement with Rock Star Real Estate, LLC in conjunction with the rehabilitation of 1027 W. 3rd Street and 128 Lincoln Street, including a grant of $10,000.00 for partial purchase price refund and a grant of $10,000.00 for infill housing development, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

6. **Sale and conveyance of city-owned property, located at 715 Mulberry Street and 626 Mulberry Street, to FDP CD, LLC, in the amount of $1.00 and acquisition of 100 E. 4th Street in the amount of $1.00.**

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 approving the sale and conveyance of city-owned property located at 715 Mulberry Street and 626 Mulberry Street, in the amount of $1.00, to FDP CD, LLC, and acquisition of 100 E. 4th Street, in the amount of $1.00, from FDP CD, LLC.
Resolution approving a Development Agreement and Minimum Assessment Agreement with FDP CD, LLC including the sale and conveyance of city-owned property, located at 715 Mulberry Street and 626 Mulberry Street, in the amount of $1.00, in exchange for the acquisition of a property located at 100 E. 4th Street in the amount of $1.00, including a grant of $6,200,000.00, an annual tax support grant equal to the amount of tax increment collected by the City, and seventy percent tax rebates for fifteen years for each completed phase.

Submitted by: Noel Anderson, Community Planning and Development Director

7. **Sale and conveyance of city-owned property, a vacant lot located within the Walnut Neighborhood, in the amount of $1.00, to Iowa Heartland Habitat for Humanity, including approval of a development 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 authorizing the sale and conveyance of city-owned property, a vacant lot located within the Walnut Neighborhood, in the amount of $1.00 to Iowa Heartland Habitat for Humanity, and authorizing the Mayor and City Clerk to execute said documents.
Resolution approving a Development Agreement with Iowa Heartland Habitat for Humanity for constructing one single-family home, with a total of $5,000.00 Infill Housing Grant, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

8. **Request by Maria E. Schnepf to rezone approximately 0.10 acres from “R-4” Multiple Residence District to “R-4, C-Z” Conditional Zoning District to allow for a retail store**

located at 1122 W. 4th Street.

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 and recommendations of approval of the Planning, Programming, and Zoning Commission.
Motion to receive, file, consider, and pass for the first time an ordinance amending Ordinance No. 5079, as amended, City of Waterloo Zoning Ordinance, by amending the Official Zoning Map referred to in Section 10-4-4, approving a request by Maria E. Schnepf to rezone approximately 0.10 acres from "R-4" Multiple Residence District to "R-4, C-Z" Conditional Zoning District to allow for a retail store located at 1122 W. 4th Street.
Motion to suspend the rules.
Motion to consider and pass for the second and third times and adopt the ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

9. **Real Estate Purchase Agreement with 1515 Sycamore, LLC, to purchase the former Rath Administration Building and a vacated portion of Elm Street, including an Amendment to the Development Agreement.**

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 approving the sale and conveyance of city-owned property located at 1515 Sycamore Street and a portion of vacated Elm Street, to 1515 Sycamore, LLC, and authorizing the Mayor and City Clerk to execute said documents.
Resolution approving a second amendment to the Development Agreement with 1515 Sycamore, LLC in conjunction with the rehabilitation of 1515 Sycamore Street convey a portion of vacated Elm Street, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

10. **Waterloo Fire Rescue Turnout Gear Replacement Project.**

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 confirming approval of specifications, bid documents, form of contract, etc., and authorizing to proceed.
Motion to receive, file, and instruct the City Clerk to read the bids.
Resolution approving award of bid to MacQueen of Cresco, Iowa in the amount of $3,198.98, in conjunction with the Fire Turnout Gear Replacement Project, and authorizing the Mayor to execute said documents.

Submitted by: Bill Beck, Fire Chief

RESOLUTIONS

1. Resolution approving name change of the Riverview Recreation Area to Paul Huting Recreation Area, as recommended by the Waterloo Leisure Services Commission.

Submitted by: Todd Derifield, Leisure Services Interim Director

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

   Submitted by: Bridgett Wood, Finance Director

3. Resolution approving Preconstruction Agreement with Iowa Department of Transportation for the use of City of Waterloo Right-of-Way, for primary road improvements pertaining to the asphalt resurfacing of US Hwy. 63 from University Avenue to US Hwy. 20, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Jamie Knutson, City Engineer

4. Resolution approving a Traffic Control Device Agreement with the Iowa Department of Transportation for the installation and maintenance of pedestrian push-buttons on US Highway 63, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Jamie Knutson, City Engineer, city engineer

5. Resolution approving the City of Waterloo Municipal Golf Rate Fee Schedule for the 2025 Season.

   Submitted by: JB Bolger, Park Superintendent

6. Resolution approving the Cedar Valley Sportsplex rates for 2025 as recommended by the Leisure Services Commission.

   Submitted by: Todd Derifield, Leisure Services Interim Director

7. Resolution approving a Professional Services Agreement with Levi Architecture for services related to the construction of the South Hills Golf Course Maintenance Building and authorizing the Park Superintendent to execute said document.

   Submitted by: JB Bolger, Park Superintendent

8. Resolution approving a Professional Services Agreement with AECOM Technical Services, Inc., of Waterloo, Iowa, for on-call consulting services, in conjunction with the FY 2025 - FY 2029 FAA-funded Airport Improvement Projects, and authorizing the Mayor to execute said document.

   Submitted by: Steven Kjergaard, Director of Aviation

9. Resolution approving a Professional Service Agreement with Invision of Waterloo, Iowa, in the amount of $420,000.00, in conjunction with the Courier Building Renovations, and authorizing the Mayor to execute said document.

   Submitted by: Greg Ahlhelm, Building Offical

10. Resolution approving a Professional Services Agreement with Eocene Environmental Group, of Coralville, Iowa, in an amount not to exceed $510,000.00, to perform professional consulting services as a qualified environmental professional to assist with the management and implementation of a CERCLA Section 104(K) Multipurpose Grant from the Environmental Protection Agency pertaining to environmental cleanup of multiple sites within the City of Waterloo, and authorizing the Mayor to execute said document.

    Submitted by: Noel Anderson, Community Planning and Development Director

11. Resolution approving an amendment to the Development and Purchase Agreement with Ryan Companies US, Inc., amending section 9.B of the Development Agreement and Section One of the Purchase Agreement, to change the purchase price from $2,139,000.00 to $2,276,875.50, located at 3280 Newell Street, and authorizing Mayor and City Clerk to execute said documents.

    Submitted by: Noel Anderson, Community Planning and Development Director

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk