January 21, 2025

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 Tuesday, January 21, 2025.

Roll Call.

Mayor Pro Tem Ray Feuss in the Chair. Roll Call: Mr. Boesen, Mr. Nichols, Mr. Simon and Mr. Feuss. Mr. Chiles, Ms. Wilder and Ms. Creighton-Smith were absent.

Prayer or Moment of Silence.

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

Approval of Agenda as proposed or amended.

Nichols/Boesen
that the agenda as proposed be approved. Voice vote-Ayes: Four. Motion carried.

Approval of Minutes of the January 6, 2025, Regular Council Session, as proposed or amended.

Nichols/Boesen
that the minutes of the January 6, 2025, Regular Session, as proposed be approved. Voice vote-Ayes: Four. Motion carried.

PUBLIC COMMENTS

The following individuals commented on various subjects.

Mary Potter, 1416 W. 4th Street
Jamie Castle, Black Hawk Community Playhouse Board of Directors
Jeanie Miller, Main Street Waterloo Board Member
Forrest Dillavou, 1725 Huntington Road

Randy Bennett, Public Works Division Manager, encouraged residents to register for the new App that will give updates and notifications when there is a schedule change. If residents don't have access to technology, they can call the public works office and staff can print out a calendar and mail it to them.

Mr. Boesen commented that you don't have to have a computer to register with the App because they'll call you on your phone with any changes. He shared that he and Mr. Chiles will hold their combined ward meetings at Sidecar Coffee at noon on last Saturday of the month.

Mr. Simon commented that he would like to know who is paying for the *Waterloo Wins* magazine. He shared that at the next meeting he will be announcing dates and locations to "Sit down with Simon" where residents can ask questions about anything city related.

Nichols/Boesen
to close public comments. Voice vote-Ayes: Four. Motion carried.

CONSENT AGENDA

Nichols/Boesen
that the following items on the consent agenda be received and placed on file, including the payment of bills for January 13, 2025, in the amount of $7,366,470.33, and January 21, 2025, in the amount of $3,328,378.50, be received and placed on file. Roll Call vote-Ayes: Four. 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: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-028.

Resolution setting date of public hearing as February 3, 2025, for an amendment to the FYE 2025 Budget, and direct the City Clerk to publish notice.

Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-029.

Resolution resetting date of public hearing as February 3, 2025, to review the proposed funding recommendation 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: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-030.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as February 13, 2025, and date of public hearing as February 17, 2025, in conjunction with the FY 2024 Hawthorne Avenue Storm Sewer Lift Station Relief Well, Contract No. 1066, and instruct City Clerk to publish said notice.

Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-031.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as February 13, 2025, and date of public hearing as March 3, 2025, in conjunction with the FY 2025 CIP Pipelining Phase V, Contract No. 1118, and instruct the City Clerk to publish said notice.

Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-032.

Resolution setting date of public hearing as February 3, 2025, for a request by the City of Waterloo to vacate an 8-foot public utility easement along the east side of Lots 1 and 2 and the 8-foot public utility easement along the west side of Lots 5 and 6 of Woodland Knolls Addition, north of the intersection of South Hackett Road and Oakcrest Drive, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-033.

Resolution authorizing an exception to the City of Waterloo Purchasing Policy for purchasing a 2022 Ford Explorer XLT 4x4 for the Police Department, Tri County Drug Task Force, in the amount of $35,762.44 from Enterprise Fleet Management.

Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-034.

Motion to approve Final Quantity Summary with WRH, Inc., of Amana, Iowa, for a net increase of $51,563.04, in conjunction with the FY 2023 Sanitary Sewer Gatewell Repairs Phase II, Contract No. 1071, and authorizing the Mayor to execute said document.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by WRH, Inc., of Amana, Iowa, in the amount of $3,688,883.04, in conjunction with the FY 2023 Sanitary Sewer Gatewell Repairs Phase II, Contract No. 1071, and receive and file a two-year maintenance bond.

Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-035.

Motion to approve Final Quantity Summary with Vieth Construction Corporation, of Cedar Falls, Iowa, for a net decrease of $436.24, in conjunction with the FY 2024 Crossroads Blvd. Median Improvement, Contract No. 1089, and authorizing the Mayor to execute said document.

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 $67,927.76, in conjunction with the FY 2024 Crossroads Blvd. Median Improvement, Contract No. 1089, and receive and file a two-year maintenance bond.

Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-036.

Motion to approve Change Order No. 1 with Peters Construction, of Waterloo, Iowa, for a net increase of $27,048.92, in conjunction with IDOT CAIF Grant, Contract No. 4232, and authorizing the Director of Aviation to execute said document.

Motion approving Change Order No. 6 with WRH, Inc., of South Amana, Iowa, for a net increase of $ 10,527.01, in conjunction with Titus Lift Station and Force Main, Contract No. 975, and authorizing the Mayor and City Clerk to execute said document.

Resolution approving the submission of a grant application to Firehouse Subs in the amount of $36,000.00, for Fire & EMS Equipment.

Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-037.

Motion to receive and place on file the City of Waterloo the Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2024.

Motion to approve an Agreement with the Transportation Security Clearinghouse of Fairfax, Virginia, in the amount of $12,000.00 per year for AirBadge Services, plus up to $27.00 per Criminal History Record Check as needed, for an integrated software service to complete background checks on all Airport employees, tenants, and others needing access to the Airport, and authorizing the Director of Aviation to execute said document.

Motion to approve an Air Service Consulting Agreement with Volaire Aviation, Inc., of Fishers, Indiana, as adopted by the Airport Board on December 21, 2023.

Motion to approve Change Order No. 17 with Entrust Solutions Group (Magellan), of Denver, Colorado, in the amount of $103,666.98, 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.

Motion to approve Change Order No. 2 with Peters Construction Corporation, of Waterloo, Iowa, for a net increase of $53,951.00, in conjunction with the Commercial Parking Ramp, Atrium, and Skywalk Update Commercial Street Parking Ramp, and authorizing the Mayor and City Clerk to execute said document.

Motion to approve the appointment of **Michael Kofta** from the current Civil Service List to the position of Golf Maintenance II in the Leisure Services Department, effective February 3, 2025.

Thomas Wall, Board/Commission: Waterloo Water Works, Expiration Date: January 21, 2031 [New Full].

Cody Leistikow, Board/Commission: Planning, Programming & Zoning Commission, Expiration Date: January 21, 2028 [New].

JB Bolger, Board/Commission: Complete Street, Expiration Date: N/A [New].

Liquor Licenses

a. The Broken Record, 315 W. 4th Street, Class C Retail w/Outdoor Service and Sunday Sales (Renewal) Exp: 01/21/2026.

b. The Cedar Corner, 4335 Texas Street, Class E Retail w/Sunday Sales (New) Exp: 12/15/2025.

c. Golf Headquarters, 1850 W. Ridgeway Avenue, Special Class C Retail Alcohol w/ Sunday Sales (Renewal) Exp: 02/05/2026.

d. Grout Museum, Inc., DBA Snowden House, 306 Washington Street, Special Class C Retail Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 12/14/2025.

e. La Cava, 126 E. Ridgeway Avenue, Class C Retail Alcohol w/Sunday Sales (New) Exp: 01/31/2026.

f. New Star Fletcher, 315 Fletcher, Avenue, Class E Retail Alcohol w/Sunday Sales (Renewal) Exp: 01/31/2026.

g. Newton's Paradise Cafe, 128 E. 4th Street, Class C Retail w/Outdoor Service and Sunday Sales (Renewal) Exp: 01/31/2026.

h. Pryme Tyme, LLC, 626 Sycamore St., Class C Retail w/Sunday Sales (New) Exp: 11/30/2025.

i. Waterloo BlackHawk's Hockey, 125 Commercial Street, Class C Retail Alcohol w/Sunday Sales (Renewal) Exp: 12/15/2025.

Tobacco Permits

a. Prime Mart, 508 Broadway Street.

b. Prime Mart 7, 1309 Lafayette Street.

c. Jim's Foods, 437 Sullivan Avenue.

d. Prime Mart, 3535 Marigold Drive.

e. Logan Convenience Store, 735 Logan Avenue.

f. West 5th Liquor, 919 W. 5th Street.

g. Green Leaf Tobacco and Vape, 2313 Logan Avenue

h. R Smokes Plus, 3821 University Avenue.

i. R Smoke Plus, 3620 Kimball Avenue.

RESOLUTIONS

Resolution approving a request by Robson Homes Inc. for the Final Plat of Prairie Meadow Estates First Addition, a 49-lot residential subdivision in the "R-3" Multiple Residence District located east of Omaha Avenue.

Boesen/Nichols
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-038.

Resolution approving a Professional Services Agreement with Terracon Consultants, Inc, of Cedar Falls, Iowa, to perform backfilling observation and soil compaction testing related to the demolition and backfilling of the Saint Mary's Church and School site located at 2127 E. 4th Street and Saint Mary's Villa at 123 E. Parker Street, and authorizing the City Planner to execute said document.

Boesen/Nichols
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-039.

David Dreyer 3145 W. 4th Street, questioned the amount of the agreement.

Noel Anderson, Community Planning and Development Director, explained he does not have the agreement with him, but that it is an amount not to exceed based on hourly billing. He commented that he would email that to Mr. Dreyer.

Mr. Simon questioned if these additional services have anything to do with the asbestos that was found.

Noel Anderson commented that it is not and that it has to do with the demolition portion of the project and making sure the soil compaction.

<u>Resolution approving a Temporary Construction Easement Agreement in the amount of $6,500.00 with The Eleventh and Sycamore Condo Association, in conjunction with the 11th Street Bridge Reconstruction Project, located at 110-120 E. 11th Street, and authorizing the Mayor and City Clerk to execute said document.</u>

Boesen/Nichols
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-040.

David Dreyer, 3145 W. 4th Street, questioned what the temporary construction easement is for.

Jamie Knutson, City Engineer, provided an overview of the project,

Mr. Boesen provided additional clarification.

<u>Resolution approving Assignment of Real Estate Purchase Agreement from Galactic Development Corp. to Galactic Holdings, LLC, related to the purchase of land related to the Sunnyside Creek Drainage Improvements Project, located at the southeast corner of Van Miller Way and W. 4th Street.</u>

Nichols/Boesen
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-041.

<u>Resolution approving a Temporary Construction Easement Agreement with Galactic Holdings, LLC, in conjunction with the Sunnyside Creek Drainage Improvements Project, located at the southeast corner of Van Miller Way and W. 4th Street, and authorizing the Mayor and City Clerk to execute said document.</u>

Nichols/Boesen
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-042.

<u>Resolution approving a Neighborhood Access and Equity grant agreement in the amount of $750,000.00 with the United States Department of Transportation in relation to the Canadian</u>

National Railyard Relocation Study, located at 1006 E. 4th Street, and authorize the Mayor and City Clerk to execute said document.

Nichols/Boesen
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-043.

David Dreyer, 3145 W. 4th Street, questioned why we would relocate the railyard.

Noel Anderson, Community Planning and Development Director, explained this will better accommodate pedestrian and traffic flow and noted that funding is provided by a Federal grant.

Mr. Boesen commented that train accidents involving pedestrians are horrific and he supports the using the Federal grant funds for this relocation study to improve the quality of life in the E. 4th Street corridor.

Resolution authorizing sponsorship of the High Quality Jobs Application with the Iowa Economic Development Authority, for International Paper Company, for the addition of up to 90 jobs associated with their new business at 3230 Leversee Road, and authorizing the Community Planning and Development Director to execute said application.

Boesen/Nichols
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-044.

Forrest Dillavou, 1725 Huntington Road, stated that he questions the representation of the number of jobs because the application says up to ninety new jobs.

Noel Anderson, Community Planning and Development Director, explained he is confident it is ninety jobs.

Resolution approving a professional services agreement with AECOM Technical Services in an amount not to exceed $33,700.00 to perform structural inspection and recommendations for improvements and repairs to the West 5th Street and Commercial Street parking ramps, and authorize the Mayor to execute said agreement.

Boesen/Nichols
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-045.

Resolution approving a professional services agreement with INVISION Architecture, LLC in the amount of $420,000.00 to perform architectural services, along with mechanical/electrical/plumbing and technology design for the renovation of 100 East 4th Street for the relocation of city hall, and authorizing the Mayor to execute said agreement.

Boesen/Nichols
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-046.

Mr. Boesen questioned if the Courier building has an existing generator.

Noel Anderson, Community Planning and Development Director, commented that he is unsure at this time, but if not, we will get one.

Mr. Simon questioned if this was bid out.

Noel Anderson explained that it is a professional services agreement and not a bid project.

<u>Resolution approving Supplemental Agreement No. 2, in the amount of $8,420.00, with Entrust Solutions Group (Magellan), of Denver, Colorado, 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.</u>

Nichols/Boesen
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-047.

Mr. Simon commented that we have spent a lot of money on the fiber project and continue to have add-ons and supplemental agreements.

Jamie Knutson, City Engineer, explained that because fiber needs to cross our levee system, the Corp of Engineers has very specific requirements that need to met and this company was not aware of those requirements. These funds will be used to prepare the applications, make the plans and submit everything so the work can be done so they can cross the levee.

Randy Bennett, Public Works Division Manager, provided additional information on the project.

<u>Resolution approving a Professional Services Agreement with Eocene Environmental Group, of Johnston, Iowa, in the amount of $39,920.00, in conjunction with Project Blackout, and authorizing the Mayor and City Clerk to execute said document.</u>

Nichols/Boesen
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-048.

David Dreyer, 3145 W. 4th Street, questioned what is Project Blackout.

Noel Anderson, Community Planning and Development Director, explained that Project Blackout is a code name.

<u>Resolution appointing UMB BANK, N.A. of West Des Moines, Iowa, to serve as Paying Agent, Bond Registrar, and Transfer Agent, approving the Paying Agent and Bond Registrar and Transfer Agent Agreement and authorizing the execution of the agreement, and authorizing the Mayor and City Clerk to execute said documents.</u>

Nichols/Boesen
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-049.

<u>Resolution authorizing and providing for the issuance of $3,560,000.00 General Obligation Urban Renewal Bonds, Series 2025A, and levying a tax to pay said bonds; approval of the Tax Exemption Certificate and Continuing Disclosure Certificate, and authorizing the Mayor and City Clerk to execute said documents.</u>

Boesen/Nichols
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-050.

Resolution appointing UMB BANK, N.A. OF West Des Moines, Iowa, to service as Paying Agent, Bond Registrar, and Transfer Agent, approving the Paying Agent and Bond Registrar and Transfer Agent Agreement, and authorizing the Mayor and City Clerk to execute said document.

Boesen/Nichols
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-051.

Resolution authorizing and providing for the issuance of $28,590,000.00 Taxable General Obligation Urban Renewal Bonds, Series 2025B, and levying a tax to pay said bonds; approval of the Continuing Disclosure Certificate, and authorizing the Mayor and City Clerk to execute said document.

Boesen/Nichols
Roll Call vote-Ayes: Four. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-052.

ADJOURNMENT

Nichols/Simon
that the council adjourn at 6:08 p.m. Voice vote-Ayes: Four. Motion carried.

Nancy Higby
Deputy City Clerk