THE CITY COUNCIL OF WATERLOO, IOWA
Regular Session TO BE HELD AT
Harold E. Getty Council Chambers
Monday, June 16, 2025
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.

GENERAL RULES FOR PUBLIC PARTICIPATION REGULAR SESSION AGENDA

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, Belinda Creighton-Smith, Ward 4 Council Member.

Approval of Agenda, as proposed or amended.

Approval of Minutes of the June 2, 2025 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 authorizing fund transfers, as listed in Exhibit "A" as required by law.

3. Resolution approving the request of Craig Wagner, for a waiver for a concrete driveway, located at 4529 Winghaven Drive, and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on the city right-of-way on an unimproved street.

4. Resolution approving the request of Tim Osland, for a waiver for a concrete driveway, located at 1009 Thorndale 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.

5. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as July 3, 2025, and date of public hearing as July 7, 2025, in conjunction with the FY 2025 Prefabricated Shelter at 512 University Avenue, Contract No. 1113, and instruct the City Clerk to publish notice.

6. Resolution setting date of public hearing as July 7, 2025, for the sale and conveyance of city-owned property located at 512 N. Barclay Street, in the amount of $15,200.00, to Dhani RE Investments LLC, including approval of a Development Agreement for the rehabilitation of the home, a grant of $5,000.00 for partial purchase price refund and a grant of $5,000.00 for infill housing development, and instruct the City Clerk to publish notice.

7. Resolution setting date of public hearing as July 7, 2025, for the sale and conveyance of city-owned property located southeast of 155 Warp Drive, in the amount of $1.00, to BKKS Holdings LLC, including approval of a Development Agreement for the construction of a total of 94,100 square feet of storage development on Lots 34-39 of Warp 4th Addition, and instruct the City Clerk to publish notice.

8. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as June 26, 2025, and date of public hearing as July 7, 2025, in conjunction with Demolition and Site Clearance Services, Contract No. D-2025-06-03P, and instruct the City Clerk to publish notice.

9. Resolution approving acceptance of improvements of San Marnan Business Park 1st Addition, submitted by Clapsaddle-Gaber Associates, Inc., and performed by Rathje Construction Company and Central States Concrete, and receive and file two-year maintenance bonds.

10. 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 $9,218,901.99, in conjunction with the FY 2021 Shaulis Road Reconstruction - Hess Road

to Hwy. 218 Project, Contract No. 1020, and receive and file a two-year maintenance bond.

11. Motion to approve Final Quantity Summary with Aspro, Inc., of Waterloo, Iowa, for a net increase of $903,134.87, in conjunction with the FY 2024 Asphalt Overlay Program, Contract No. 1099, and authorizing the Mayor to execute said document.

12. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Aspro, Inc., of Waterloo, Iowa, in the amount of $4,864,489.67, in conjunction with the FY 2024 Asphalt Overlay Program, Contract No. 1099, and receive and file a two-year maintenance bond.

13. Motion approving Change Order No. CR-2025-0021 with Entrust Solutions Group, of Warrenville, IL for a net increase of $105,537.82, in conjunction with the Waterloo Fiber Project shelter location at 1700 Idaho Street, and authorizing the Mayor and City Clerk to execute said document.

14. Motion to accept and place on file the arbitrage results reflecting that a rebate earnings payment of $197,452.21 is due to the Internal Revenue Service for the General Obligation Bonds Series 2021A.

15. **Chris Bering,** Board/Commission: Airport Board, Expiration Date: June 30, 2029, [Renewal].

16. **Gwenne Berry,** Board/Commission: Airport Board, Expiration Date: June 30, 2029, [Renewal].

17. **Scott Voigt,** Board/Commission: Airport Board, Expiration Date: June 30, 2029, [Renewal].

18. **Jessica Rucker,** Board/Commission: Metropolitan Transit Authority Board, Expiration Date: June 16, 2028, [New].

19. **Rose Middleton,** Board/Commission:Metropolitan Transition Authority, Expiration Date: June 30, 2028, [Renewal].

20. Motion to approve hiring **Todd Derifield** to the position of Director Leisure Services in the Leisure Services Department, effective July 1, 2025.

21. Communication from the Fire Department on the notice of the conclusion of employment of Mollie Sherman, Firefighter, effective May 11, 2025 with recommendation of approval of payout of $1,045.39 for unused benefits.

22. Communication from the Building Inspections Department on the notice of the conclusion of employment of Jeff Siebel, Property Safety Inspector, effective May 23, 2025 with recommendation of approval of payout of $12,526.47 for unused benefits.

23. <u>**Liquor Licenses**</u>
    a. Broadway Corporation, 821 Broadway, Class E w/Sunday Sales (Renewal) Exp: 06/10/2026.
    b. Majestic Moon Party and Event Center, 1955 Locke Avenue, Class C w/Sunday Sales (Renewal) Exp: 05/23/2025.
    c. Steamboat Gardens, 1740 Falls Avenue, Class C w/Sunday Sales (Renewal) Exp:

06/13/2026.

24. **Cigarette/Tobacco/Nicotine/Vapor/Device Permit**
    a. Arsallan, Inc., 37 Sullivan Avenue. (Device Permit)
    b. Best Deals, 1459 Ansborough Avenue. (Retail Tobacco)
    c. Broadway Liquor, 821 Broadway Street. (Retail Tobacco)
    d. Broadway Liquor, 821 Broadway Street. (Device Permit)
    e. CIV Plus Waterloo, 2829 University Avenue. (Retail Tobacco)
    f. Family Dollar #25600, 611 Broadway Street. (Retail Tobacco)
    g. Family Dollar #32879, 1608 University Avenue. (Retail Tobacco)
    h. Isle Casino Hotel, 777 Isle of Capri Boulevard. (Retail Tobacco)
    i. Karma Bar, 309 W. 4th Street. (Retail Tobacco)
    j. Kwik Stop 3, 1104 Washington Street. (Retail Tobacco)
    k. Pink Cloud Smoke Shop, 3026 Ansborough Avenue. (Retail Tobacco)
    l. Pink Cloud Smoke Shop, 3026 Ansborough Avenue. (Device Permit)
    m. Placo Smoke & Vape Shop, 1010 Mitchell Avenue #8. (Retail Tobacco)
    n. Prime Mart 5, 508 Broadway Street. (Retail Tobacco)
    o. Puff City Smoke and Vape, 1916 East Mitchell Avenue. (Retail Tobacco)
    p. Ray's Supermarket, 1975 Franklin Street. (Retail Tobacco)
    q. Sycamore Convenience, 617 Sycamore Street. (Retail Tobacco)
    r. Vape Time, 325 Franklin Street, (Retail Tobacco)
    s. West Side Convenience, 919 W. 5th Street. (Device Permit)

25. Motion to approve Application for Fireworks Display: Waterloo Lost Island KOA, July 5, 2025, 4550 LaPorte Road, beginning at 10:00 p.m.

26. Bonds.

PUBLIC HEARINGS

1. **FY26-28 funding recommendation HOME Consortium Consolidated Plan/Annual Action Plan with Community Development.**

   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 approving FY26-28 funding recommendation HOME Consortium Consolidated Plan/Annual Action Plan with Community Development of Waterloo, Iowa, and authorizing the Mayor and City Clerk to execute said document.
   Resolution approving submission of the FY 26 Annual Action Plan to the US Department of Housing and Urban Development on or about July 9, 2025.

   Submitted by: Rudy Jones, Community Development Director

2. **Request by The Architects Partnership, LTD on behalf of Chase Bank for a Site Plan Amendment to change a building from a restaurant to a bank in the "S-1" Shopping Center District located at 2009 Crossroads Blvd.**

   Motion to receive and file proof of publication of notice of public hearing.
   HOLD HEARING - No comments on file.
   Motion to close public hearing and receive and file oral and written comments and recommendation of approval of the Planning, Programming and Zoning Commission.

Motion to receive, file, consider and pass for the first time an Ordinance amendment to 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 Site Plan Amendment request by The Architects Partnership, LTD on behalf of Chase Bank for a Site Plan Amendment to change a building from a restaurant to a bank in the "S-1" Shopping Center District located at 2009 Crossroads Boulevard, subject to the condition that a sidewalk be installed along Sears Street, and easements dedicated if it is decided to place the sidewalks partially on the private property.
Motion to suspend the rules.
Motion to consider and pass for the second and third times and adopt ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

3. **Resolution approving the sale and conveyance of nine acres of city-owned property located east of 180 Warp Drive in the amount of $1.00, and an additional 4.1 acres in the amount of $123,000.00, to Cedar River Contracting Inc., d/b/a K & W Electric, Inc., including a Development and Minimum Assessment 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 approving the sale and conveyance of nine acres of city-owned property, located east of 180 Warp Drive to Cedar River Contracing, Inc.in the amount of $1.00, and an additional 4.1 acres in the amount of $123,000.00, and authorizing the Mayor and City Clerk to execute said documents.
   Resolution approving a Development and Minimum Assessment Agreement with Cedar River Contracting, with a minimum assessed value of $3,000,00.00, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

4. **Sale and conveyance of 7.57 acres of city-owned property located north of 4050 Leversee Road, including a Development and Minimum Assessment 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 approving the sale and conveyance of 7.57 of city-owned property, located North of 4050 Leversee Road to Zydeco Investments, LLC in the amount of $712,000.00, and authorizing the Mayor and City Clerk to execute said documents.
   Resolution approving a Development and Minimum Assessment Agreement with Zydeco Investments, LLC, with a minimum assessed value of $3,000,00.00, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

RESOLUTIONS

1. Resolution approving liability insurance coverage with Chubb, Travelers, Arch, Allied, Coalition, and Safety National for property, tort, employment practices, public officials, law enforcement liability, auto, cyber, worker compensation, umbrella, crime and fidelity, excess liability insurance, and third party administrator services, authorize the City Clerk to execute

necessary documents.

Submitted by: Kelley Felchle, City Clerk

2. Resolution approving a FY26 contract with Grout Museum, Inc., in the amount of $625,000.00, to provide educational services and enhance the quality of life for the residents of Waterloo, Iowa, and authorizing the Mayor to execute said document.

   Submitted by: Bridgett Wood, Finance Director

3. Resolution approving an Attorney Fee Agreement with Lange and McMahon of Independence, Iowa, in the amount of $30,000.00 in conjunction with ongoing legal representation, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Martin Petersen, City Attorney

4. Resolution approving Supplemental Agreement No. 1, to a RISE Agreement with the Iowa Department of Transportation, originally executed April 7, 2025, in conjunction with the FY 2026 Dakota Drive Extension, Contract 1129, and authorizing the Mayor to execute said document.

   Submitted by: Jamie Knutson, City Engineer

5. Resolution approving a Professional Services Agreement with Main Street Waterloo, in the amount of $66,000.00, for Fiscal Year 2026, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

6. Resolution approving a second amendment to the Development Agreement with Deer Acres, LLC, to amend the timeline of completion of two upper-story residential units, located at 1427 West 3rd Street, and authorizing the Mayor and City Clerk to execute said agreement.

   Submitted by: Noel Anderson, Community Planning and Development Director

7. Resolution approving Amendment No. 1 to the professional services agreement with INVISION Architecture, LLC dated January 20, 2025, in the amount of $10,000.00, to add additional services for Raker Rhodes to provide the structural assessment of the Regions Bank Building, and authorizing the Mayor to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

8. Resolution approving a Professional Services Agreement with AECOM Technical Services in an amount not to exceed $30,000.00, to perform on-call planning and engineering services at the Waterloo Regional Airport, and authorizing the Mayor to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

9. Resolution supporting an application by Iowa Heartland Habitat for Humanity for the Iowa Workforce Housing Tax Credit Program, to construct six new dwellings, with four located at 624-626 West Park Avenue and two at 516 Pine Street, and authorizing the Mayor to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

10. Resolution approving a professional services agreement between Grow Cedar Valley and the City of Waterloo, in an amount not to exceed $231,600 for the FY26 and FY27 business partnership, and authorizing the Mayor and City Clerk to execute said document.

    Submitted by: Noel Anderson, Community Planning and Development Director

11. Resolution approving an agreement to obtain funding through the Iowa Department of Transportation's "Revitalize Iowa's Sound Economy" (RISE) Immediate Opportunity Program for the Warp Drive Construction Project, located west of the Waterloo Regional Airport.

    Submitted by: Noel Anderson, Community Planning and Development Director

12. Resolution approving a Professional Services Agreement with Vandewalle & Associates Inc., in the amount of $72,000.00, in conjunction with the Downtown Master Plan Implementation, and authorizing the Mayor and City Clerk to execute said document.

    Submitted by: Noel Anderson, Community Planning and Development Director

<u>ORDINANCES</u>

1. **An ordinance amending Section 5-2-13, Fireworks of the Waterloo City Code.**

    Motion to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Code of Ordinances by repealing Title 5, Police Regulations, Chapter 2, General Offenses, Section 13, Fireworks, Subsections B 1 and B 3, and enacting in lieu thereof new Subsections B1 and B3, of Title 5, Police Regulations, Chapter 2, General Offenses, Section 13, Fireworks.
    Motion to suspend the rules.
    Motion to receive, file, consider, and pass for the second and third times and adopt said ordinance.
    Resolution rescinding Resolution No. 2025-110.

    Submitted by: Quentin Hart, Mayor

<u>ADJOURNMENT</u>

Motion to adjourn.

Kelley Felchle
City Clerk