



**THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, June 5, 2023
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 Crossroads Mall area into a sports/recreation themed gravitational center.
6. Power Up Downtown: Keep Waterloos 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 - Mayor Quentin Hart

Approval of Agenda as proposed or amended.

Approval of Minutes of May 30, 2023 Planning Session as proposed.

Proclamation declaring June 19, 2023 as Juneteenth Celebration.

Youth Art Team Open House Celebration/Project.

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 of Jack White, for a waiver for a concrete driveway, located at 2200 Cardinal 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.
3. Resolution approving the request of Rhonda Moothart, for a waiver for a concrete driveway, located at 224 W. Orange Road, 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 Refik Sakanovic, for a waiver for a concrete driveway, located at 1003 Denver Street, 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 request to certify assessments for unpaid snow and hazardous tree removal, weed mowing, and lot clean-ups, for payments dated July 1, 2021 - December 31, 2022, in the amount of \$111,127.65, for properties listed on attached exhibit "A".
6. Resolution approving an exception to the purchasing policy for the purchase of an Elgin Crosswind Street Sweeper 2020 demo unit for the Street Department, in the amount of \$205,503.00.
7. Resolution supporting an application by Baltimore Fields, LLC, for the Iowa Workforce Housing Tax Credit Program application to the Iowa Economic Development Authority, to construct eighteen (18) new single-family homes located east of 1003 Vermont Street, including \$90,000 infill incentive upon substantial completion, and authorizing the Mayor and City Clerk to execute said document.

8. Resolution supporting a Fire Department application for Opioid Allocation Funds, in the amount of \$250,000.00, through the Black Hawk County Board of Supervisors, for the purchase of a new front-line ambulance.
9. Motion approving Change Order No. 2 with K & W Electric, Inc., of Cedar Falls, Iowa, for a net decrease of \$15,806.40, in conjunction with Downtown Traffic Cameras and Fiber Optics Communications Project, STBG-SWAP-8155(769)--SG-07, and authorizing the Mayor and City Clerk to execute said document.
10. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by K & W Electric, Inc., of Cedar Falls, Iowa, in the amount of \$736,466.50, in conjunction with the Downtown Camera and Fiber Optic Communication Project, STBG-SWAP-8155(769)--SG-07.
11. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by K&W Electric of Waterloo, Iowa, in the amount of \$25,740.00, in conjunction with the Hangar No. 3 LED Lighting Project, FAA Project No. AIP 3-19-0094-048 (CARES-MAINT).
12. Motion approving Final Quantity Summary with Midwest Concrete, of Peosta, Iowa, for a net decrease of \$56,694.00, in conjunction with the FY 2023 Sidewalk Repair Assessment Program - Zone 2, Contract No. 1064, and authorizing the Mayor and City Clerk to execute said document.
13. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Midwest Concrete, Inc., of Peosta, Iowa, in the amount of \$495,900.30, in conjunction with the FY 2023 Sidewalk Repair Assessment Program - Zone 2, Contract No. 1064, and receive and file a two-year maintenance bond.
14. Resolution approving documents, and adopt and levy the Final Schedule of Assessments, in conjunction with the FY 2023 Sidewalk Repair Assessment Program - Zone 2, Contract No. 1064, and instruct the City Clerk to publish notice.
15. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as June 22, 2023, and date of public hearing as July 3, 2023, in conjunction with the FY 2024 Sidewalk Infill, Sidewalk Ramp and Trail Repair Program - Zone 3, Contract No. 1079, and direct the City Clerk to publish said notice.
16. Resolution setting date of public hearing as June 20, 2023, to approve the request by Dhani Re Investments, LLC, to locally designate 722 Water Street as a Historic Landmark, and direct the City Clerk to publish notice.
17. Resolution accepting the Proposal for Audit Services from BerganKDV for the years ending June 30, 2023-June 30, 2027 with optional renewals for the years ending June 30, 2028, and June 30, 2029, in the following amounts:
 - 1) June 30, 2023- \$69,900 + \$5,000 ACFR preparation fee + \$3,000-5,000 per major single audit program
 - 2) June 30, 2024- \$73,400 + \$5,250 ACFR preparation fee + \$3,000-5,000 per major single audit program
 - 3) June 30, 2025- \$77,000 + \$5,550 ACFR preparation fee + \$3,000-5,000 per major single audit program

4) June 30, 2026- \$80,900 + \$5,775 ACFR preparation fee + \$3,000-5,000 per major single audit program
5) June 30, 2027- \$84,900 + \$6,050 ACFR preparation fee + \$3,000-5,000 per major single audit program
Optional Year 1: June 30, 2028- \$89,200 + \$6,350 ACFR preparation fee + \$3,000-5,000 per major single audit program
Optional Year 2: June 30, 2029- \$93,600 + \$6,600 ACFR preparation fee + \$3,000-5,000 per major single audit program
With an hourly rate for consulting services if we happen to request additional special projects or consulting not included in the time allowed of \$180.00/hour.

18. Airport Board minutes of March 22, 2023.

19. Community Development Board minutes of April 18, 2023.

20. Complete Streets Advisory Committee minutes of February 28, 2023.

21. Complete Streets Advisory Committee minutes of March 28, 2023.

22. Historic Preservation Commission minutes of April 18, 2023.

23. Leisure Services Commission Board minutes of April 11, 2023.

24. Planning, Programming, and Zoning Commission April 11, 2023 Minutes.

25. Waterloo Housing Authority Board minutes of May 15, 2023.

26. Motion approving Change Order No. 2 with Municipal Pipe Tool Co., LLC, of Hudson, Iowa, for a net increase of \$23,630.45, in conjunction with the FY 2023 CIP Pipelining Phase IVA3, Contract No. 1063, and authorizing the Mayor and City Clerk to execute said document.

27. Motion approving appointment of Andrea Lynn and Cristian Rincon from the current Civil Service List to the position of Clerk II in the Police Department, effective June 12, 2023, pending pre-employment physical and drug testing.

28. Communication from the Library Department on the notice of the conclusion of employment of Annette Wilson, Library Assistant, effective May 18, 2023, with the recommendation of approval of payout of \$5,191.36 for unused benefits.

29. Communication from the Police Department on the notice of the conclusion of employment of Daniel Calzadillas, Police Officer, effective April 28, 2023, with the recommendation of approval of payout of \$273.70 for unused benefits.

30. **Curtis Young**

Board/Commission: Complete Street Advisory, Expiration Date: N/A (New)

31. Liquor Licenses

a. The American Legion, 728 Commercial St., Class C Alcohol w/Outdoor Service and Sunday Sales, Renewal - Exp: 6/14/2024.

- b. Behar Bar, 312 W. 4th Street, Class C Alcohol w/Outdoor Service and Sunday Sales, Renewal - Exp: 4/30/2024.
- c. Best Deals, 1459 Ansborough Ave., Class E Alcohol w/Sunday Sales, Renewal - Exp: 6/14/2024.
- d. Casey's General Store #2427, 3035 Logan Ave., Class E Alcohol w/Sunday Sales, Renewal - Exp: 6/14/2024.
- e. CVS Pharmacy #8546, 205 Franklin St., Class E Alcohol w/Sunday Sales, Renewal - Exp: 5/31/2024.
- f. Walgreens #7455, 111 Ridgeway Ave., Class E Alcohol w/Sunday Sales, Renewal - Exp: 6/16/2024.
- g. Walgreens #10855, 1850 Logan Ave., Class E Alcohol w/Sunday Sales, Renewal - Exp: 6/16/2024.
- h. The Iron Horse Saloon, 303 W. 4th St., Class C Alcohol w/Sunday Sales, New - Exp: 4/30/2024.
- i. Walgreens #3590, 3910 University Ave., Class E Alcohol w/Sunday Sales, Renewal - Exp: 6/16/2024.
- j. Metro Mart #4, 2332 Falls Ave., Class E Alcohol w/Sunday Sales, Renewal - Exp: 6/30/2024.

32. Bonds.

- 33. Resolution supporting an application by 3350 University Avenue, LLC, for the Iowa Workforce Housing Tax Credit Program application to the Iowa Economic Development Authority, to construct ninety-five (95) new housing units, located at 3350 University Avenue, including a potential infill incentive upon substantial completion, and authorizing the Mayor and City Clerk to execute said document.
- 34. Resolution supporting an application by FDP OC, LLC, for the Iowa Workforce Housing Tax Credit Program application to the Iowa Economic Development Authority, to construct sixty-nine (69) new housing units located at 501-503 Commercial Street, including a potential \$345,000 infill incentive upon substantial completion, and authorizing the Mayor and City Clerk to execute said document.

PUBLIC HEARINGS

1. FY 2023 Greenbelt Lake REAP Grant Project Phase II, Contract No. 1085.

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 bids.

Resolution approving award of bid to Vieth Construction Corporation of Cedar Falls, Iowa, in the amount of \$214,261.50, approving the contract, bonds, and certificate of insurance, in conjunction with the FY 2023 Greenbelt Lake REAP Grant Project Phase II (Base Bid + Alternate), Contract No. 1085, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Jamie Knutson, City Engineer

2. Sale and conveyance of City property located at 217 Reed Street, in the amount of \$11,000.00, to Kevin E. Rose and Michelle L. Rose, with 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 approving the sale and conveyance of City property located at 217 Reed Street, in the amount of \$11,000.00, to Kevin E. Rose and Michelle L. Rose, and authorizing the Mayor and City Clerk to execute said documents.

Resolution approving a Development Agreement with Kevin E. Rose and Michelle L.

Rose in conjunction with the rehabilitation of 217 Reed Street, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Director

3. Street Department Seal Coat Program.

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 Bituminous Materials & Supply, LP, of Des Moines, Iowa in the amount of \$321,490.00, approving the contract, bonds, and certificate of insurance, in conjunction with the Street Department Seal Coat Program, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Randy Bennett, Division Manager

RESOLUTIONS

1. Resolution approving five year Collective Bargaining Agreement with AFSCME Local 1195 Planners and Engineers with wage reopener in years four and five; AFSCME Local 1195 Police Lieutenants and Code Enforcement Officers with wage reopener in years four and five; Teamsters Local 238 with wage reopener in years four and five; Municipal Employees Local Union No.177; Communication Workers of America; Waterloo Police Protective Association with wage and insurance reopener in years four and five and International Association of Fire Fighters Local No. 66 with wage and insurance reopener in years four and five, and authorizing the Mayor and Human Resources Director to execute said documents.

Submitted by: Lance Dunn, Director

2. Resolution approving a three percent salary increase for non-bargaining employees effective July 1, 2023.

Submitted by: Lance Dunn, Director

3. Resolution approving a contract with the Waterloo Housing Trust Fund 10, in the amount of \$47,470.00, in conjunction with the Emergency Repair Program, and authorizing the Board Chair to execute said document.

Submitted by: Rudy Jones, Director

4. Resolution approving Addendum No. 2 to a Professional Services Agreement with Robinson Engineering Company of Independence, Iowa, originally executed April 5, 2021, in an amount not to exceed \$12,484.00, in conjunction with the FY 2022 North Crossing Area Study, Contract No. 1050, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Jamie Knutson, City Engineer

5. Resolution approving a Professional Services Agreement with HR Green, in an amount not to exceed \$4,600.00, to complete a Phase I Environmental Site Assessment (ESA), on property located at 200 East Mullan Avenue, and authorizing the Mayor to execute said document.

Submitted by: Noel Anderson, Director

6. Resolution approving the Real Estate Purchase Agreement with Robert D. Brandt for the City's acquisition of 1335 Mullberry Street and adjacent lot, in the amount of \$12,580.00 plus up to \$2,000.00 in closing costs, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Director

7. Resolution approving a Subordination Agreement with Union at North Crossing, LP, for the benefit of Huntington National Bank, pertaining to obligations under the Real Estate Purchase Agreement dated August 1, 2022, and amended April 13, 2023, by Instrument Nos. 2023-6156, filed October 14, 2022, and 2023-13814, filed April 25, 2023, with the Black Hawk County Records Office, for a project located north of 501 Lakeside Street, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Director

8. Resolution approving a Development Agreement with Babic Properties, LLC, for the construction of a new duplex on an infill lot, including a \$10,000.00 infill incentive upon substantial completion of said duplex, and authorizing Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Director

9. Resolution approving a Development Agreement with Babic Properties, LLC, for the construction of a four unit residential building on an infill lot located on Ravenwood Circle south of Ravenwood Road, including a \$20,000.00 infill incentive upon substantial completion of said four units, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Director

10. Resolution approving a Professional Services Agreement with Automatic Systems Company of Ames, Iowa, in the amount of \$86,850.00, in conjunction with the Satellite Blower Control Panel Upgrades, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Randy Bennett, Division Manager

11. Resolution approving an Agreement for the Traffic Safety Improvement Program Funding Grant with the Iowa Department of Transportation, in the amount of \$500,000.00, in conjunction with the construction of a roundabout at Hammond Avenue and Shaulis Road, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Randy Bennett, Division Manager

12. Resolution approving Amendment No. 1 to the Agreement with Strand Associates, Inc., of Madison, Wisconsin, originally executed on December 8, 2022, to amend the completion date from April 28, 2023, to July 31, 2023, in conjunction with the Related Services Third-Party Renewable Natural Gas Project, and authorizing the Mayor to execute said document.

Submitted by: Randy Bennett, Division Manager

13. Resolution approving Supplemental Agreement No. 5 with AECOM Technical Services, Inc., of Waterloo, Iowa, in the amount of \$125,000.00, in conjunction with the Planning and Engineering Services Agreement originally executed on September 8, 2015, and authorizing the Mayor to execute said document.

Submitted by: Randy Bennett, Division Manager

14. Resolution approving Amendment No. 1 with Ritland+Kuiper Architects, of Waterloo, Iowa, in the amount of \$476,275.00, in conjunction with the Gates Park Redevelopment Service Agreement, originally executed on June 20, 2022, and authorizing the Mayor to execute said document.

Submitted by: Travis Nichols, Facilities/Project Manager

ORDINANCES

1. **An ordinance amending the City of Waterloo Traffic Code, by repealing Subsection (268a), Mockingbird Lane, west side of the 4100 block Section 551, Parking Prohibited At All Times On Certain Streets, in its entirety.**

Motion to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Traffic Code, by repealing Subsection (268a), Mockingbird Lane, west side of the 4100 block Section 551, Parking Prohibited At All Times On Certain Streets, in its entirety.

Motion to suspend the rules.

Motion to receive, file, consider, and pass for the second and third times and adopt said ordinance.

Submitted by: Randy Bennett, Division Manager

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk

