



**THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Tuesday, June 20, 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 generals, 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, Rob Nichols At-Large Council Member.

Approval of Agenda as proposed or amended.

Approval of Minutes of the June 5, 2023, Council Regular Session and June 8, 2023

Special Session, as proposed.

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 the fund transfers listed on Exhibit "A" to comply with state law.
3. Resolution approving the request of Jamie Schultz, for a waiver for a concrete driveway, located at 508 Belle 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.
4. Resolution setting date of public hearing as July 3, 2023, to approve a Site Plan Amendment request by NADROJ Reality, LLC, to allow for the construction of multiple contractor suites totaling 57,600 square feet plus a 40-foot by 60-foot 2,400 square foot covered loading dock in the "M-2,P" Planned Industrial District located at the southeast corner of Leverage Road and Warp Drive, and instruct the City Clerk to publish notice.
5. Resolution approving preliminary plans, specifications, form of contract, etc., setting the date of bid opening as July 6, 2023, and date of public hearing as July 17, 2023, in conjunction with the FY 2023 Wastewater Treatment Plant Final Clarifier No. 3 Rehabilitation Project, Contract No. 1067, and instruct the City Clerk to publish said notice.
6. Resolution approving an exception to the City of Waterloo's Purchasing Policy for the purchase of a VAC ALL for the Waste Management Department, in the amount of \$518,836.43.
7. Resolution approving an exception to the City of Waterloo's Purchasing Policy for the purchase of Fuel Tank Software for the Public Works Department, in the amount of \$ 27,782.65.
8. Resolution authorizing an exception to the City of Waterloo's Purchasing Policy for the purchase of a TV Van for the Waste Management Department, in the amount of \$224,196.00.
9. Resolution authorizing an exception to the City of Waterloo's Purchasing Policy, to

approve the purchase of one (1) 2023 Type I Superliner 171 inch Body Ford 550 Ambulance from Life Line Emergency Vehicles of Sumner, Iowa, in the amount of \$275,829.00.

10. Motion approving Change Order No. 11 with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net increase of \$42,685.28, in conjunction with FY 2020 University Avenue Reconstruction - Phase 3, Contract No. 971, and authorizing the Mayor and City Clerk to execute said document.

11. Resolution submitting a Nutrient Reduction study to the Iowa Department of Natural Resources, as required by the NPDES Permit.

Submitted by: Randy Bennett, Public Works Division Manager

12. Resolution approving a two (2) year renewal of services with Lumen Technologies Group (Century Link) to provide network access for delivery of phone services, and authorizing the Technology Services Director to execute said document.

13. Resolution approving the cancellation of assessments for parcel 891324476010 in the approximate amount of \$13,500.00, and authorize the City Clerk to notify Black Hawk County Treasurer of said cancellation.

14. Resolution accepting Federal Aviation Administration Grant No. 3-19-0094-0053, in the amount of \$1,477,510.00, in conjunction with the Waterloo Regional Airport 2023 Pavement Rehabilitation of Taxiway Alpha East, Taxiway Echo and Runway 12-30 and Phase 1 funds for the 2024 Pavement Reconstruction of Taxiway Alpha West, and authorizing the Mayor to execute said documents.

15. Complete Streets Advisory Committee minutes of April 25, 2023.

16. Board of Adjustment Regular Meeting minutes of April 25, 2023.

17. **Jennifer Bates** Board/Commission: Cultural and Arts Commission, Expiration Date: June 20, 2026 (Renewal)

18. **Allen Green** Board/Commission: Cultural and Arts Commission, Expiration Date: June 20, 2026 (Renewal)

19. **Janna Diehl** Board/Commission: Metropolitan Transit Authority, Expiration Date: June 30, 2026 (Renewal)

20. **Lon Kammeyer** Board/Commission: Metropolitan Transit Authority, Expiration Date: June 30, 2026 (Renewal)

21. **Richard Newlon** Board/Commission: Metropolitan Transit Authority, Expiration Date: June 30, 2026 (New)

22. **Dusky Steele** Board/Commission: Metropolitan Transit Authority, Expiration Date: June 30, 2026 (Renewal)

23. **Shannon Bass** Board/Commission: Metropolitan Transit Authority Expiration Date: June 30, 2026 (New)

24. Motion approving appointment of Robbie Decker from the current Civil Service List to the position of Equipment Operator II in the Street Department, effective June 21, 2023.

25. Motion approving Cigarette/Tobacco Permit renewal applications as listed in Exhibit "A", and authorizing the City Clerk to approve any Cigarette/Tobacco applications received and paid for, between June 21, 2023, and July 1, 2023.

26. Liquor Licenses

- a. Black Hawk Tennis Club, 1005 Black Hawk Rd., Class Special Class C Alcohol w/Outdoor Service and Sunday Sales, New- Exp: 5/31/2024.
- b. Kwik Star #723, 707 Broadway St., Class B Alcohol w/Sunday Sales, New - Exp: 7/21/2024.
- c. Cork's Grocery, 1956 Lafayette St., Class E Alcohol w/Sunday Sales, New - Exp: 4/29/2024.
- d. El Mercadito, 520 LaPorte Rd., Class B Alcohol w/Sunday Sales, New - Exp: 5/20/2024.
- e. Kwik Star #724, 1105 Cedar Bend St., Class B Alcohol w/Sunday Sales, New - Exp: 7/21/2024.
- f. Kwik Star #722, 1214 Franklin St., Class B Alcohol w/Sunday Sales, New - Exp: 7/21/2024.
- g. Starbeck's Smokehouse, 250 Westfield Ave, Ste 101, Class C Alcohol w/Outdoor Service, Catering and Sunday Sales, New - Exp: 6/4/2024.
- h. Target, 1501 E. San Marnan Dr., Class E Alcohol w/Sunday Sales, Renewal - Exp: 6/27/2024.

27. **Application for Fireworks Display:** Sunnyside Golf and Country Club, July 4, 2023, 1600 Olympic Drive, beginning at 9:30 p.m.

28. Bonds.

PUBLIC HEARINGS

1. Request by Dhani Re Investments, LLC, to locally designate 722 Water Street as a Historic Landmark.

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 and recommendation of approval of the Planning, Programming and Zoning Commission and the Historic Preservation Commission.

Motion to receive, file, consider, and pass for the first time an ordinance to locally designate 722 Water Street as a Historic Landmark.

Motion to suspend the rules.

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

Submitted by: Noel Anderson, Community Planning and Development Director

2. FY 2023 Fiber-to-Premise Feeder/Distribution and Backbone Network Project, Contract No. 1080.

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, and refer to the Consultant for review.

Submitted by: Kelley Felchle, City Clerk

RESOLUTIONS

1. Resolution approving an Office and Miscellaneous Storage Lease Agreement with the United States Department of Transportation dba the Federal Aviation Administration at the Waterloo Regional Airport, with a lease term of on or about August 1, 2023, through July 31, 2028, and authorizing the Mayor to execute said document.

Submitted by: Keith Kaspari, Director of Aviation

2. Resolution approving a Professional Services Agreement with Aviation Security Consulting, Inc., of Castle Pines, Colorado, in the amount of \$68,006.00, in conjunction with re-writing the Airport Security Program, and authorizing the Mayor to execute said document.

Submitted by: Keith Kaspari, Director of Aviation

3. Resolution approving a Professional Services Agreement with Main Street Waterloo, in the amount of \$60,000.00, for Fiscal Year 2024, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

4. Resolution approving a Memorandum of Understanding with INRCOG for the writing, preparation, and submittal to the I DOT's RISE grant program, for the extensions of Fisher and Hurst Drives, in an amount not to exceed \$2,000.00, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

5. Resolution approving a Development Agreement with Freedom Truck and Trailer Wash, LLC and Deer Creek Development for the construction of a 4,600 square foot automated truck and trailer wash, with a minimum assessed value of \$2,200,000.00, located at the southeast corner of Greyhound Drive and Cyclone Drive, including Minimum Assessment and Development Agreements with a rebate of 85 percent for years one through two, 80 percent for years three through seven, 75 percent for years eight through ten and 50 percent for years eleven through twelve, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

6. Resolution approving an amendment to the Professional Services Agreement with HR Green originally approved on February 27, 2023, for an additional \$8,900.00, for a total contract price of \$36,550.00, to complete additional testing at Gates Park, and

authorizing the Mayor to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

7. Resolution approving Golf Course Pro Shop Agreement with ML Golf Inc. and authorizing Mayor and City Clerk to execute said agreement.

Submitted by: JB Bolger, Park Superintendent

8. Resolution approving a Temporary Construction Easement Agreement in the amount of \$548.32, with Marta M. Sulentic, related to the Titus Lift Station and Force Main, located at 1658 Burton Avenue, and authorizing Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

9. Resolution approving a Permanent Easement Agreement for \$826.78 with Broadway Limited, LC, related to the Titus Lift Station and Force Main, located at 1750 Broadway Street, and authorizing Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

ORDINANCES

1. City Limits Urban Revitalization Area Plan.

Resolution finding that an area is appropriate for revitalization, determining that the development or redevelopment of said area is necessary in the interest of the public health, safety or welfare.

Motion to receive, file, consider and pass for the first time an ordinance adopting the City Limits Urban Revitalization Area (CLURA) Plan.

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

2. Ordinance establishing grades for the City of Waterloo FY 2023 Sidewalk Repair Assessment Program – Zone 2, Contract No. 1064.

Motion to receive, file, consider, and pass for the first time an ordinance establishing grades for the City of Waterloo FY 2023 Sidewalk Repair Assessment Program – Zone 2, Contract No. 1064.

Motion to suspend the rules.

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

Submitted by: Jamie Knutson, City Engineer

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk

