



**THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, July 3, 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: Nia Wilder, Ward 3 Council member.

Approval of Agenda.

Approval of Minutes of June 20, 2023 Regular Session, and the June 29, 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 setting date of public hearing as July 17, 2023, on the authorization of a loan and disbursement agreement and the issuance of not to exceed \$4,045,000.00 Sewer Revenue Capital Loan Notes, and direct the City Clerk to publish notice.
3. Resolution setting date of public hearing as July 17, 2023, to approve the request by Hurst and Sons Contractors, LLC, to rezone 0.46 acres from "M-1" Light Industrial District and "R-2" One and Two Family Residence District to "M-1" Light Industrial District at 622 Ansborough Avenue, and direct the City Clerk to publish notice.
4. Resolution setting date of public hearing as July 17, 2023, to approve a Site Plan Amendment request by E. Castro Roofing and Siding, LLC, for a Site Plan Amendment and change in conditions to allow for a contractor's business with outside storage that will be screened from view in the "R-4,C-Z" Conditional Zoning District located at 42 Franklin Street, and direct the City Clerk to publish notice.
5. Resolution setting date of public hearing as July 17, 2023, to approve the request by Ridgeway Heights LLC, dba San Marnan Heights Senior Living, to rezone 4.6 acres from "R-4,R-P" Planned Multiple Residence District and "B-P" Business Park District to "R-4,R-P" Planned Multiple Residence District to allow for the construction of a 110-unit senior housing complex located east of 815 Tower Park Drive, and direct the City Clerk to publish notice.
6. Resolution setting date of public hearing as July 17, 2023, for the sale and conveyance of City-owned property in the amount of \$1.00, located at the southeast corner of Leversee Road and Hyper Drive, for the construction of a 50,000 square foot warehouse, including a Development Agreement and Minimum Assessment Agreement with 3 Stooges, LLC with a minimum assessed value of \$1,450,000.00 and tax rebates of 5 years at 50%, and rescinding Resolutions 2023-247 and 2023-248 in their entirety, and instruct the City Clerk to publish notice.

7. Resolution setting date of public hearing as July 17, 2023, to review the proposed funding recommendations for the FY2024 Annual Action Plan for CDBG and HOME program funds for the Waterloo/Cedar Falls Consortium set forth by the Community Development Board, and direct the City Clerk to publish notice.
8. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as July 27, 2023, and date of public hearing as August 7, 2023, in conjunction with the FY 2024 W. Airline Hwy. Railroad Crossing Repairs, Contract No. 1090, and direct the City Clerk to publish notice.
9. Resolution approving an amendment to the conflict waiver with Ahlers and Cooney, P.C., for a cooperation agreement for the Waterloo Telecommunications Utility Board and the City of Waterloo for the FTTP and City backbone project, and authorizing the Board Chair and Board Secretary to execute said document.
10. Motion approving Final Quantity Summary with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net increase of \$10,507.57, in conjunction with the FY 2022 Sergeant Road Trail Bridges No. 2 and No. 3 Replacement, Contract No. 1070, and authorizing the Mayor and City Clerk to execute said document.
11. 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 \$338,171.77, in conjunction with the FY Sergeant Road Trail Bridges No. 2 and No. 3 Replacement, Contract No. 1070, and receive and file a two-year maintenance bond.
12. Resolution accepting a Federal Aviation Administration Grant No: 3-19-0094-0056 in the amount of \$1,936,017.00, for the Phase 2 Pavement Reconstruction of Taxiway Alpha West at the Waterloo Regional Airport, and authorizing the Mayor and City Attorney to execute said documents.
13. Resolution approving award of the 2023 Equipment and Services RFP to ePlus Technology, Inc., of Herndon, Virginia, and authorizing the Mayor and City Clerk to execute necessary documents.
14. Resolution approving the request to seek proposals for a comprehensive downtown parking study.
15. Motion to accept and place on file the arbitration results reflecting that no payment is due to the Internal Revenue Service for the General Obligation Bonds Series 2018A.
16. Motion to approve, receive and keep on file, amendments made to the Constitution and By-Laws of the Memorial Hall Commission.
17. Motion to receive and file Leisure Services Commission Board minutes of May 9, 2023.
18. Motion to receive and file Leisure Services Commission Board minutes of May 26, 2023.
19. Motion to receive and file Leisure Services Commission Board minutes of May 23, 2023.
20. **Sherman Wise** Board/Commission: Experience Waterloo, Expiration Date: July 3, 2026 (Renewal)

21. **Tom Powers** Board/Commission: Experience Waterloo, Expiration Date: July 3, 2026 (Renewal)
22. Motion approving appointment of Bridgett Wood to the position of Finance Director in the Finance Department, effective July 4, 2023.
23. Motion approving appointment of Pamela Patrou to the position of Part-Time Receptionist in the Housing Authority Department, effective July 6, 2023.
24. Motion approving appointment of Shannon Steimel from the current Civil Service List to the position of Clerk II in the Code Enforcement Department, effective July 4, 2023.
25. Communication from the Fire Department on the notice of the conclusion of employment of Ben Lowe, Paramedic, effective 6/9/2023 with recommendation of approval of payout of \$5,766.28 for unused benefits.
26. Liquor Licenses
 - a. Broadway Liquor, 821 Broadway St., Class E Alcohol w/Sunday Sales, Renewal - Exp: 6/10/2024.
 - b. Casey's General Store #2867, 2424 Ranchero Rd., Class E Alcohol w/Sunday Sales, Renewal - Exp: 6/14/2024.
 - c. Highway 63 Diner, 3030 Marnie Rd., Class C Alcohol w/Sunday Sales, Renewal - Exp: 6/29/2024.
 - d. Kwik Star #715, 1636 W. 4th St., Class B Alcohol w/Sunday Sales, New - Exp: 7/29/2024.
 - e. Light House Lounge, 1307 W. 5th St., Class C Alcohol w/Sunday Sales, Renewal - Exp: 6/28/2024.
 - f. Metro Mart #1, 3201 W. 4th St., Class B Alcohol w/Sunday Sales, New - Exp: 6/30/2024.
 - g. Placita, 321 W. 4th St., Class B Alcohol w/Sunday Sales, New - Exp: 6/13/2024.
 - h. West 5th Mart, 919 W. 5th St., Class E Alcohol w/Sunday Sales, New - Exp: 6/18/2024.

27. Bonds.

PUBLIC HEARINGS

1. **Request by NADROJ Reality, LLC, for a Site Plan Amendment to allow for construction of multiple contractor suites totaling 57,600 square feet plus a 40 foot x 60 foot 2,400 square foot covered loading dock in the "M-2,P" Planned Industrial District located at the southeast corner of Leversee Road and Warp Drive.**

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 NADROJ Reality, LLC for a Site Plan Amendment 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 Leversee Road and Warp Drive.

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. FY23 Sidewalk Infill, Ramp and Trail - Zone 3, Cont. No. 1079.

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 Brock Even Construction, LLC of Jesup, Iowa, in the amount of \$198,315.05, approving the contract, bonds, and certificate of insurance, in conjunction with the FY 2024 Sidewalk Infill, Sidewalk Ramp and Trail Repair Program - Zone 3, Contract No. 1079, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Jamie Knutson, City Engineer

RESOLUTIONS

1. Resolution approving the amendment to the current Consolidated Public Safety Communications 28E Agreement and authorizing the Mayor to execute said document.

Submitted by: Bridgett Wood, Finance Manager

2. Resolution approving a Development Agreement and Minimum Assessment Agreement with Drew Reg Investments, LLC, for the construction of a new commercial building with a tax rebate schedule of 60 percent for years one thru five with a minimum assessment agreement of \$595,460.00, for property located at 2920 Janet Drive, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

3. Resolution approving FY 2024 and FY 2025 Professional Services Agreement with Grow Cedar Valley, in the amount of \$30,625.00, with \$80,750.00 in potential incentive funds annually, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

4. Resolution approving a Professional Service Agreement with Invision of Waterloo, Iowa, in the amount of \$13,000.00 in conjunction with the First Floor Police Department Public Access/Mayor Office Remodel, and authorizing the Mayor to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

5. Resolution approving a Professional Services Agreement with Vandewalle and Associates, in the amount of \$72,000.00, for continued work on downtown Waterloo

planning efforts, redevelopment design, riverfront development, and funding opportunities for FY 2024, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

6. Resolution approving a Temporary Construction Easement Agreement with Black Hawk Street Investments, LLC, in conjunction with the 11th Street Bridge Reconstruction Project, located at 1314 Black Hawk Street, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

7. Resolution approving an agreement with Pro-West & Associates, in an amount not to exceed \$1,597.27, to provide updates to the existing Sidewalk Inspector Solution, and authorizing the Mayor to execute said document.

Submitted by: Jamie Knutson, City Engineer

8. Resolution approving an Amendment to the Development Agreement with 5 Bees, LLC, originally executed July 13, 2020, adjusting the square footage of the buildings constructed, timeline of completion and consenting to the sale of property outlined in phase II, for properties located in the 1800 block of Black Hawk Street, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

9. Resolution approving a Development Agreement and Minimum Assessment Agreement with JSLK Holdings, LLC, for the construction of a new 6,903 square foot professional office building with a tax rebate schedule of 95 percent for years one thru four and 90 percent for years five through eleven, with a minimum assessment agreement of \$1,314,770.00, for property located east of 4020 Bankers Boulevard within the San Marnan Urban Renewal and Redevelopment Plan area, and authorizing the 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