



**THE CITY COUNCIL OF WATERLOO, IOWA  
REGULAR SESSION TO BE HELD AT  
Harold E. Getty Council Chambers  
Monday, July 17, 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 - Belinda Creighton-Smith.

**Approval of Agenda as proposed or amended.**

**Approval of Minutes of July 3, 2023, Council Regular Session, as proposed.**

## **Proclamation declaring July 14th as 1-133d Infantry Regiment–Ironman Battalion Day.**

### **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 Wallace Investment Group, LLC, for a waiver for a concrete driveway, located at 1012-1014 Fletcher Avenue and 1018-1020 Fletcher Avenue, with the elimination of the sidewalk section due to inability to meet grade requirements.
3. Resolution approving the request of Roberta Slick for a waiver for a concrete driveway, located at 918 Burbank Avenue, with the elimination of the sidewalk section due to inability to meet grade requirements.
4. Resolution authorizing an exception to the purchasing policy for the purchase of a used, demonstration, Sanitation Truck, for the Public Works Sanitation Department, in the amount of \$349,500.00.
5. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as August 3, 2023, and date of public hearing as August 7, 2023, in conjunction with the Waterloo Public Library 2023 Interior Renovation Project, Contract No. 28439, and instruct the City Clerk to publish notice.
6. 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 Asbestos Abatement Services, Contract No. AB-2023-07-02P, for property located at 212 Sunnyside Avenue and 1318 Martin Road, and instruct the City Clerk to publish notice.
7. Resolution setting date of public hearing as August 7, 2023, to approve a request by Freedom Truck and Trailer Wash, LLC, for a Site Plan Amendment for a truck and trailer washing facility in the “B-P” Business Park District located southwest of 3124 Titan Trail, and instruct the City Clerk to publish notice.
8. Resolution setting date of public hearing as August 7, 2023, for the sale of conveyance

of City-owned land to A&K Ventures, LLC, in the amount of \$1.00, with a phased Development and Minimum Assessment Agreement in the amount of \$624,125.00, for the construction of 6,500 square foot building and 6,000 square foot addition, located northeast of 3151 Titan Trail, and instruct City Clerk to publish public notice.

9. Resolution setting date of public hearing as August 7, 2023, for the sale and conveyance of City-owned right-of-way to Grant Park, LLC, in the amount of \$1.00, with a Development and Minimum Assessment Agreement in the amount of \$2,200,000.00, with a rebate schedule of 80 percent for years one (1) through five (5) and 70 percent for years six (6) through ten (10), located at 2775 Crossroads Boulevard, for the construction of a new 10,000 square foot commercial building, and instruct the City Clerk to publish notice.
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. Motion approving Final Quantity Summary with Aspro, Inc., of Waterloo, Iowa, for a net decrease of \$233,835.49, in conjunction with the FY 2022 Street Reconstruction Program, Contract No. 1057, 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 Aspro, Inc., of Waterloo, Iowa, in the amount of \$4,326,130.56, in conjunction with the FY 2022 Street Reconstruction Program, Contract No. 1057, and receive and file a two-year maintenance bond.
14. **LeKeisha Veasley** Board/Commission: Planning, Programming and Zoning Commission  
Expiration Date: 7/17/2026  
New
15. Motion approving appointment of Joshua Wilson from the current Civil Service List, to the position of Facilities Service Specialist at Cultural & Arts Department, effective July 18, 2023.
16. Cigarette/Tobacco Permit New Application for BP Fuel, 127 Jefferson Street, (7/1/2023 - 6/30/2024).
17. Cigarette/Tobacco Permit New Application for King Star, 2035 E. Mitchell Avenue (7/1/2023 - 6/30/2024).
18. Bonds.
19. Liquor Licenses

- a. Flirt's Gentlemen's Club, 319 Jefferson St., Class C Alcohol w/Sunday Sales, Renewal - Exp: 6/10/2024.

## **PUBLIC HEARINGS**

- 1. Not to Exceed \$4,045,000.00 Sewer Revenue Capital Loan Notes (State of Iowa Revolving Fund Loan).**

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 instituting proceedings to take additional action for the authorization of a loan and disbursement agreement and the issuance of not to exceed \$4,045,000.00 Sewer Revenue Capital Loan Notes.

Submitted by: Bridgett Wood, Finance Manager

- 2. FY2024 One Year Annual Action Plan for CDBG and HOME funds for the Waterloo/Cedar Falls HOME Consortium.**

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 Waterloo Community Development Board.

Resolution approving proposed funding recommendations set forth by the Community Development Board for the FY 2024 One-Year Action Plan for CDBG and HOME Program Funds for the Waterloo/Cedar Falls Home Consortium.

Submitted by: Rudy Jones, Community Development Director

- 3. 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.**

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close the 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 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.

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

- 4. 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.**

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 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.

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

- 5. 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.**

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 and recommendation of approval of the Planning, Programming and Zoning Commission. Motion to receive, file, consider, and pass for the first time an ordinance amending 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 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.

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

- 6. Sale and conveyance of City-owned property in the amount of \$1.00, located at the southeast corner of Leverssee 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 five (5) years at 50 percent, rescinding Resolution No. 2023-247 and Resolution No. 2023-248 in their entirety, and authorizing the Mayor and City Clerk to execute said documents.**

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-owned property located at the southeast corner of Leverssee Road and Hyper Drive to 3 Stooges, LLC, in the amount of \$1.00, and authorizing the Mayor and City Clerk to execute said documents, and

rescinding Resolution No. 2023-247.

Resolution approving a Development and Minimum Assessment Agreement with 3 Stooges, LLC, for the construction of a new 50,000 square foot warehouse, with a minimum assessed value of \$1,450,00.00, and tax rebates of five (5) years at fifty percent, and authorizing the Mayor and City Clerk to execute said document, and rescinding Resolution No. 2023-248.

Submitted by: Noel Anderson, Community Planning and Development Director

**7. 2023 Final Clarifier No. 3 Rehabilitation Project, Contract No. 1067.**

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 WRH of South Amana, Iowa in the amount of \$842,000.00, approving the contract, bonds, and certificate of insurance, in conjunction with the 2023 Final Clarifier No. 3 Rehabilitation Project, Contract No. 1067, and authorizing the Mayor to execute said documents.

Submitted by: Randy Bennett, Public Works Division Manager

**RESOLUTIONS**

1. Resolution approving a Real Estate Purchase Agreement and approving deed to donate real property to the City of Waterloo, to re-acquire property from Ascension Lutheran Church that was previously sold by the City of Waterloo, in the amount of \$0.00, located at 2211 Maynard Avenue, and authorizing the Mayor and City Clerk to execute said purchase agreement.

Submitted by: Noel Anderson, Community Planning and Development Director

2. Resolution approving a Real Estate Purchase Agreement with A-Line Ventures, LC, and approving a deed to sell real property to the City of Waterloo in the amount of \$7,000.00, located at 200 East Mullan Avenue, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

3. Resolution approving an Early Access Agreement with C and C Welding, Inc., to allow development activities, including earth moving and construction of a foundation on the city-owned right-of-way, adjacent to 1714 River Street, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

**CLOSED SESSION**

1. Closed session to discuss litigation with counsel, pursuant to Iowa Code Section 21.5(1)(C).

**ADJOURNMENT**

**Motion to adjourn.**

Kelley Felchle  
City Clerk