August 7, 2023

The City Council of the City of Waterloo, Iowa, met in Regular Session at Harold E. Getty Council Chambers, Waterloo, Iowa, at 5:30 PM, on Monday, August 7, 2023.

Roll Call.

Mayor Quentin Hart in the Chair, Roll Call: Mr. Boesen, Mr. Nichols, Ms. Creighton-Smith, Mr. Chiles, Mr. Grieder and Ms. Wilder. Absent: Mr. Feuss.

Prayer or Moment of Silence.

Pledge of Allegiance.

Dave Boesen, At-Large Council Member

Approval of Agenda.

Feuss/Chiles
that the agenda, as proposed, and the minutes for the July 17, 2023 Regular Session and July 25, 2023 Special Session, as proposed, be approved. Voice vote-Ayes: Six. Motion carried.

Approval of Minutes of July 17, 2023, Regular Session, as proposed or amended.

Approval of Minutes of July 25, 2023, Special Session, as proposed or amended.

Presentation of a Life Saving Award to Officer Jacob Bolstad.

Proclamation declaring August 6-12, 2023 as National Health Week.

Proclamation declaring August 1, 2023 as National Night Out.

PUBLIC COMMENTS

Mary Potter, Trustee of Grout Museum and 1416 W. 4th Street, shared that it is important for residents to attend the Grout Museum. She shared several upcoming events happening at the Grout Museum.

Michael Bayer, 129 Prospect Cir., commented that he captured several pictures of violations at the recycling drop-off site east of Crossroads Mall. He appealed to the citizens of Waterloo to follow the rules for recycling.

Dwayne Eilers, 1205 1/2 Bishop Street, pointed out several properties that the city owns that have multiple code enforcement violations but that he is targeted with citations for his properties. He said people are calling for the need for a city manager instead of a mayor.

Dr. Michael Blackwell, 5125 Millenium Drive, Cedar Falls, commented that he has addressed three issues over the last six council meetings. He stated that the concerns that he has brought forth primarily address concerns shared by Black residents in Waterloo.

Mr. Grieder commented that he will have a constituent forum at the Waterloo Public Library on the second floor in the conference room past the reference desk on August 17th from 7:00-8:00 p.m.

Grieder/Creighton-Smith
to close public comments. Voice vote-Ayes: Six. Motion carried.

CONSENT AGENDA

Grieder/Nichols
that the following items on the consent agenda be received and placed on file including the payment of bills for August 7, 2023, in the amount of $5,930,746.61. Roll Call vote-Ayes: Six. Motion carried.

Bills Payment, Finance Committee Invoice Summary Report, a copy of which is on file in the office of the City Clerk.

Resolution adopted and upon approval by Mayor assigned No. 2023-445.

Resolution approving the request by Dennis Wilson, for tax exemptions on the construction of a new twin home unit valued at $190,000.00, for property located at 1834 Red Tail Drive and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2023-446.

Resolution approving the request by Dustin and Nicole Whitehead, for tax exemptions on the construction of a new single-family home valued at $985,000.000, for property located at 4853 Shelley Court and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2023-447.

Resolution approving the request by Mark Ratkovich, for tax exemptions on the construction of a new single-family home valued at $525,000.00, for property located at 1857 Red Tail Drive and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2023-448.

Resolution approving the request by Svada Williams, for tax exemptions on the construction of a new twin home unit valued at $100,000.00, for property located at 4157 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2023-449.

Resolution approving the request by Fnu Deepika, for tax exemptions on the construction of a new twin home unit valued at $100,000.00, for property located at 4159 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2023-450.

Resolution setting date of public hearing as August 21, 2023, to approve the request by the City of Waterloo to vacate 157,048 square feet of West Airline Highway from 3469 West Airline Highway to 2950 Geraldine Road, with the exception of a 21,105 square foot section of City-owned right-of-way at 3469 West Airline Highway that was previously vacated, subject to the retention of a drainage and utility easement over the entire vacated area, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-451.

Resolution setting date of public hearing as August 21, 2023, to approve the 2023 Waterloo Comprehensive Land Use Plan Update, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-452.

Resolution setting date of public hearing as August 21, 2023, to approve a request by the City of Waterloo to vacate 11,250 square feet of San Marnan right-of-way in the “S-1” Shopping Center District located north of 2775 Crossroads Boulevard, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-453.

Resolution setting date of public hearing as August 21, 2023, to approve a request by Howard Allen on behalf of Grant Park, LLC, for a Site Plan Amendment for a new retail center in the “S-1” Shopping Center District located at 2775 Crossroads Boulevard, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-454.

Resolution setting date of public hearing as August 21, 2023, to approve the request by Bryant Cizek on behalf of C&C Welding to vacate approximately a 66-foot by 132-foot, 0.2-acre section of W. 16th Street right-of-way adjacent to 1714 River Street, in the M-1 Light Industrial District, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-455.

Resolution setting the date of public hearing as August 21, 2023, for the sale and conveyance of city-owned property located east of 2200 Falls Avenue in the amount of $1.00, and to approve a Development Agreement with 3 Stooges, LLC, with a Minimum Assessment Agreement of $500,000.00 for the construction of two 4,800 square foot commercial buildings, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-456.

Resolution setting the date of public hearing as August 21, 2023, for the sale and conveyance of city-owned property located near 1714 River Street in the amount of $1.00, and to approve a Development Agreement with C & C Welding, Inc., with a Minimum Assessment Agreement of $550,000.00 for the construction of a 10,000 square foot industrial building, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-457.

Resolution setting date of public hearing as August 21, 2023, to approve a request by A&K Venture for a Site Plan Amendment for a new 6,618 square foot commercial building and a future 6,000 square foot addition located in the "B-P" Business Park District located north of 3151 Titan Trail, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-458.

Resolution setting date of public hearing as August 21, 2023, to approve a request by 3 Stooges, LLC, for a Site Plan Amendment for two new commercial buildings in the "C-P" Planned Commercial District located north of 2117 Falls Avenue, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-459.

Resolution setting date of public hearing as August 21, 2023, to approve a request by 3 Stooges, LLC, for a Site Plan Amendment for a new 9,000 square foot commercial building in the "M-2, P" Planned Industrial District located south of 4050 Leversee Road, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-460.

Resolution setting the date of public hearing as August 21, 2023, for the sale and conveyance of city-owned property in the amount of $1.00 to 3 Stooges, LLC, for the construction of a 9,000 square foot commercial building, with a minimum assessed value of $350,000.00, including a Development and Minimum Assessment Agreement, with a tax rebate schedule of five years at 50 percent, located south of 130 HyperDrive, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-461.

Resolution authorizing an exception to the City of Waterloo's Purchasing Policy, for the purchase of two Tahoes for the Police Department, from Karl Chevrolet, Inc., in the amount of $80,764.00.

Resolution adopted and upon approval by Mayor assigned No. 2023-462.

Resolution authorizing an exception to the City of Waterloo's Purchasing Policy, for the purchase of four patrol cars for the Police Department, from Stew Hansen Dodge, in the amount of $154,388.00.

Resolution adopted and upon approval by Mayor assigned No. 2023-463.

Resolution approving submission of an Iowa DOT Traffic Safety Improvement grant application in the amount of $47,000.00, for installation of redesigned bicycle lanes and committing to maintaining the improvements for the life of the project.

Resolution adopted and upon approval by Mayor assigned No. 2023-464.

Resolution accepting a Federal Aviation Administration Grant No. 3-19-0094-0054 in the amount of $406,990.00, for the improvements associated with the replacement of HVAC Controls and the installation of a video security system for the airline passenger terminal building at the Waterloo Regional Airport, and authorizing the Mayor and City Clerk to execute said documents.

Resolution adopted and upon approval by Mayor assigned No. 2023-465.

Resolution accepting a Federal Aviation Administration Grant No. 3-19-0094-0055, in the amount of $239,669.00, for the paving of a section of the parking lot located between the east face of the airport fire station and the west face of Hangar No. 4 and the installation of a diesel exhaust filtration systems on both airport fire trucks, and authorizing the Mayor and City Clerk to execute said documents.

Resolution adopted and upon approval by Mayor assigned No. 2023-466.

Resolution approving submission of Iowa Department of Transportation Traffic Safety grant application in the amount of $262,000.00, for Traffic Signalization of 1st Street (US 63) and Sycamore Street Intersection and committing to maintaining the improvements for the life of the project.

Resolution adopted and upon approval by Mayor assigned No. 2023-467.

Resolution authorizing the City Clerk to certify against property located at 311 Rhey Street in the amount of $1,662.52, for unpaid Sewer, Storm Water, and Garbage fees.

Resolution adopted and upon approval by Mayor assigned No. 2023-468.

Resolution approving a request to hold the annual MDA Boot Block on August 18 and 25, 2023, and September 1, 2023, from 3:00 p.m. to 6:00 p.m. at the intersections of Franklin and E. 3rd Streets, Kimball and Ridgeway Avenues and LaPorte Road and San Marnan Drive.

Resolution adopted and upon approval by Mayor assigned No. 2023-469.

Motion approving Change Order No. 1 with Woodruff Construction of Waterloo, Iowa, for a total decrease of $66,713.19 in conjunction with the FY 2023 Gates Park Improvements Project, Contract No.1076, and authorizing the Mayor and City Clerk to execute said document.

Motion approving appointment of Christopher Alvarado from the current Civil Service List to the position of GIS Technician in the Engineering Department, with an effective date to be determined.

Motion approving the appointment of Brad Manahl to Assistant Director Maintenance/ICT in the Waste Management Department, effective August 8, 2023.

Motion approving appointment of Nicklous Rooff from the current Civil Service List to the position of Solid Waste Technician in the Sanitation Department, effective August 8, 2023.

Motion approving appointment of Mike Heerkes to the position of Property Safety Inspector in the Building Inspections Department, effective August 21, 2023.

Motion approving appointment of Kenny VanDiest from the current Civil Service List to the position of Equipment Operator 1, in the Street Department, effective August 14, 2023, pending pre-employment physical and drug testing.

Communication from the Street Department on the notice of the conclusion of employment of Jennifer Seifried, Administrative Secretary, effective July 10, 2023, with a recommendation of approval of payout of $3,976.39 for unused benefits.

Airport Board minutes of May 24, 2023.

Complete Streets Advisory Committee minutes of May 30, 2023.

Complete Street Advisory Committee minutes of June 27, 2023.

Historic Preservation Commission minutes of May 16, 2023.

Historic Preservation Commission minutes of June 20, 2023.

Housing Authority Board minutes of July 17, 2023.

Leisure Services Commission Board minutes of June 13, 2023.

Planning, Programming, and Zoning Commission minutes of May 9, 2023.

Planning, Programming, and Zoning Commission minutes of June 13, 2023.

Motion approving Recycling Yard License Applications as listed in Exhibit A.

Motion approving Application for Theater License, The Pony/Fantasy Theatre, 1850 W Airline Highway.

Liquor Licenses

a. Olive Garden, 1315 E. San Marnan Dr., Class C Alcohol w/ SundaSunday Sales (Renewal) Exp: 5/28/2024.
b. Kiwk Star #569, 875 Fisher Dr., Class B Alcohol w/Sunday Sales (New) Exp: 8/27/2024.
c. Chilito's Mexican Bar and Grill, 441 E. Tower Park Dr., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 8/7/2024.
d. Chaser's Pub, 3005 University Ave., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 7/7/2024.
e. Cedar Valley Pridefest, 200-300 W. 4th St and 500-600 Jefferson St., Class C Alcohol w/Outdoor Service and Sunday Sales (New) Exp: 8/28/2023.
f. Byron Mart, 306 Byron Ave., Class E Alcohol and Sunday Sales (New) Exp: 7/9/2024.
g. Bryan's Blue Plate, 205 W. 4th St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 6/14/2024.
h. Riverloop Expo Plaza, 400 Jefferson St., Class C Alcohol w/Outdoor Service and Sunday Sales (New-Adding Liquor for Steim & Stein Event) Exp: 8/15/2023.

Bonds.

PUBLIC HEARINGS

Waterloo Public Library 2023 Interior Renovation Project, Contract No. 28439.

Boesen/Chiles
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Six. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Boesen/Chiles
to close the hearing. Voice vote-Ayes: Six. Motion carried.

Boesen/Chiles
Resolution confirming approval of plans, specifications, form of contract, etc., and authorizing to proceed. Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-470.

David Eckert, Library Director, provided an overview of the project.

Boesen/Chiles
to receive, file, and instruct the City Clerk to read bids. Voice vote-Ayes: Six. Motion carried.

Waterloo Public Library 2023 Interior Renovation Project, Contract No. 28439.
Engineer's Estimate: $75,000.00
Woodruff Construction, Waterloo, IA - 5% Bid Security - Bid Amount: $372,300.00

Boesen/Chiles
Resolution approving the recommendation of the Waterloo Community Library Board to reject all bids in conjunction with the Waterloo Public Library 2023 Interior Renovation Project, Contract No. 28439. Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-471.

Asbestos Abatement Services, Contract No. AB-2023-07-02P, for property located at 212 Sunnyside Avenue and 1318 Martin Road.

Boesen/Wilder
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Six. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Boesen/Wilder
to close hearing. Voice vote-Ayes: Six. Motion carried.

Boesen/Wilder
Resolution confirming approval of plans, specifications, form of contract, etc., and authorizing to proceed. Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-472.

Boesen/Wilder
to receive, file, and instruct the City Clerk to read bids. Voice vote-Ayes: Six. Motion carried.

Asbestos Abatement, Contract No. AB-2023-07-02P
Estimate: $26,000.00
All Star Environmental, Dubuque, IA - 5% Bid Security - Bid Amount: $10,995.00
ECCO Midwest, Hasting, MN - 5% Bid Security - Bid Amount: $18,120.00
Site Services, Inc., Algona, IA - 5%Bid Security - Bid Amount: $8,560.00
Advanced Environmental, Waterloo, IA - 5% Bid security - Bid Amount $12,300.00

Boesen/Wilder
Resolution awarding bid to Site Services, Inc. of Algona, Iowa, in the amount of $8,560.00, in conjunction with Asbestos Abatement Services, Contract No. AB-2023-07-02P, for properties located at 212 Sunnyside Avenue and 1318 Martin Road, and authorizing the Mayor and City Clerk to execute said document. Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-473.

Sale and conveyance of City-owned property 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 a new 6,500 square foot building and a future 6,000 square foot addition, located northeast of 3151 Titan Trail.

Nichols/Wilder
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Six. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Nichols/Wilder
to close the hearing. Voice vote-Ayes: Six. Motion carried.

Nichols/Wilder
Resolution approving the sale and conveyance of city-owned property, located northeast of 3151 Titan Trail, to A&K Ventures, LLC, in the amount of $1.00, and authorizing the Mayor and City Clerk to execute said documents. Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-474.

Mr. Chiles requested clarification on the incentives.

Noel Anderson, Community Planning and Development Director, provided an overview of the incentives.

Nichols/Wilder
Resolution approving a Development Agreement and Minimum Assessment Agreement with A&K Ventures, LLC, for the construction of a new 6,500 square foot building and a future 6,000 square foot expansion, with a minimum assessed value of $624,125.00 for Phase I, and authorizing the Mayor and City Clerk to execute said document. Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-475.

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.

Boesen/Wilder
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Six. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Boesen/Chiles
to close public hearing and receive and file recommendation of approval of the Planning, Programming and Zoning Commission. Voice vote-Ayes: Six. Motion carried.

Boesen/Chiles
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 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. Roll call vote-Ayes: Six. Motion carried.

Boesen/Nichols
to suspend the rules. Roll call vote-Ayes: Six. Motion carried.

Boesen/Chiles
to consider and pass for the second and third times and adopt ordinance. Roll call vote-Ayes: Six. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5711.

<u>FY 2024 West Airline Highway Railroad Crossing Repair Project, Contract No. 1090.</u>

Chiles/Wilder
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Six. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Chiles/Wilder
to close the hearing. Voice vote-Ayes: Six. Motion carried.

Chiles/Wilder
Resolution confirming approval of specifications, bid documents, form of contract, etc., and authorizing to proceed. Resolution adopted and upon approval by Mayor assigned No. 2023-476.

Chiles/Wilder
to receive, file, and instruct the City Clerk to read the bids.

FY 2024 W. Airline Hwy Railroad Crossing Repairs, Contract No. 1090
Estimate: $89,738.50
Vieth Construction Corp., Cedar Falls, IA - 5% Bid Security - Bid Amount: $94,758.50
Boulder Contracting, LLC, Grundy Center, IA - 5% Bid Security - Bid Amount: $60,106.75
Lodge Construction, Inc., Clarksville, IA - 5% Bid Security - Bid Amount: $79,985.10
Peterson Contractors, Inc., Reinbeck, IA - 5% Bid Security - Bid Amount $79,068.50

Chiles/WIlder
Resolution approving award of bid to Boulder Contracting, LLC of Grundy Center, Iowa in the amount of $60,106.75, approving the contract, bonds, and certificate of insurance, in conjunction with the FY 2024 West Airline Highway Railroad Crossing Repair, Contract No. 1090, and authorizing the Mayor and City Clerk to execute said documents. Resolution adopted and upon approval by Mayor assigned No. 2023-477.

<u>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 through five and 70 percent for years six through ten, located at 2775 Crossroads Boulevard, for the construction of a new 10,000 square foot commercial building.</u>

Nichols/Creighton-Smith
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Six. Motion

carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments.

Forest Dillavou, 1725 Huntington Road, commented that the city paid for the property and to tear it down and are paying interest on the bond funds. He explained that the agreement is not a good thing for citizens but only for the developer.

Noel Anderson, Community Planning and Development Director, explained that the city did not purchase nor demolish the site. That was done by a private developer. The portion of land to be sold is actually additional land that we would have acquired back when Highway 412 was transferred of jurisdiction over to the City of Waterloo. Therefore, the City has no money into this project right now. It is being redeveloped by Grant Park, LLC, so we will see a large gain in taxable value on this site.

Nichols/Wilder
to close hearing and receive and file oral comments. Voice vote-Ayes: Six. Motion carried.

Nichols/Wilder
Resolution approving the sale and conveyance of city-owned property, located north of 2775 Crossroads Boulevard, to Grant Park, LLC, in the amount of $1.00, and authorizing the Mayor and City Clerk to execute said documents.

Mr. Boesen questioned if this should be delayed until August 21 since there are items coming to the agenda on that date that relate to this item.

Noel Anderson, Community Planning and Development Director, explained that the developer is looking to establish other financing with their banks with the approval of the agreement tonight. However, if the council wishes to move this to the meeting on August 21, that will likely work for them as well.

Boesen/Wilder
to postpone the two resolutions until the August 21, 2023 meeting and vote on all three related items on the same night. Roll call vote-Ayes: Four. Nays: Two (Chiles and Creighton-Smith). Motion carried.

Ms. Creighton-Smith questioned the impact a postponement would have on the project.

Noel Anderson explained that the developer could make either approval date work into their schedule.

Mr. Boesen requested clarification for one of Mr. Dillavou's comments regarding taxes the City will receive.

Noel Anderson clarified that the base value will remain for the land value which is about $912,150.

Resolution approving a Development Agreement and Minimum Assessment Agreement with Grant Park, LLC, for the construction of a new 10,000 square foot Commercial Building with a minimum assessed value of $2,200,000.00, with a rebate schedule of 80 percent for years one through five and 70 percent for years six through ten, and authorizing the Mayor and City Clerk to execute said document.

RESOLUTIONS

Resolution approving and authorizing a form of Loan and Disbursement Agreement by and between the City of Waterloo, Iowa, and the Iowa Finance Authority, and authorizing and providing for the issuance and securing the payment of $4,045,000.00 Sewer Revenue Capital Loan Notes, Series 2023B, of the City of Waterloo, Iowa, under the provisions of the Code of Iowa, and providing for a method of payment of said Notes, approval of the Tax Exemption Certificate, and authorizing the Mayor and City Clerk to execute said documents.

Grieder/Chiles
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-478.

David Dryer, 3145 W. 4th Street, commented that he questioned where the funds would be distributed.

Bridgett Wood, Finance Director, explained that the notes would be repaid with sewer fees.

Resolution regarding a special election on the imposition of a local option sales and services tax within the City of Waterloo, Iowa.

Grieder/Chiles
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-479.

David Dryer, 3145 W. 4th Street, commented that he did not support item.

Resolution approving the Refundable Advance for Construction of Underground Electric Service Extension in the amount of $77,880.29, for use with MidAmerican Energy, for electric distribution to serve existing home, proposed splash pad and amphitheater at Gates Park located near E. Donald Street and Mildred Avenue, in conjunction with the FY 2023 Gates Park Improvements Project, Contract No. 1076, and authorizing the Mayor to execute said document.

Grieder/Chiles
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-480.

David Dryer, 3145 W. 4th Street, questioned why the city would be supporting the development.

Paul Huting, Leisure Services Director, explained that underground service is required to complete the improvements.

Resolution approving a Purchase Agreement with Boland Recreation of Marshalltown, Iowa, in the amount of $50,242.40, in conjunction with the FY 2024 Gates Park Renovation Amenities Purchase, and authorizing the Mayor to execute said documents.

Grieder/Chiles
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-481.

Resolution approving an Agreement with Bottling Group, LLC, Pepsi Beverages Company, for the purchase of Pepsi products for Leisure Services Facilities, and authorizing the Mayor to execute said document.

Boesen/Wilder
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-482.

Resolution approving a Professional Services Agreement with IMPACT7G, of Coralville, Iowa, in the amount of $6,800.00, for an archaeological investigation in conjunction with the FY 2023 Hammond Avenue Bridge Replacement over Sink Creek, Contract No. 922, and authorizing the Mayor and City Clerk to execute said document.

Boesen/Wilder
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-483.

David Dryer, 3145 W. 4th Street, questioned what we are looking for.

Jamie Knutson, City Engineer, provided an overview of the item and commented that the federal funds require us to carry out these investigations before the project can move forward.

Mr. Boesen questioned the timeline.

Jamie Knutson explained the requirements which contributed to the timeline.

Mr. Boesen questioned the best case scenario.

Jamie Knutson commented that it could likely be by the summer of next year before construction begins.

Resolution approving an agreement with MidAmerican Energy, in the amount of $9,891.26, for the purchase and installation of two street lights to be located at the corners of Leversee Road/Hyper Drive and Leversee Road/Warp Drive, and authorizing the Mayor to execute said document.

Boesen/Wilder
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-484.

Resolution approving a Professional Service Agreement with I & S Group, Inc., of Waterloo, Iowa, in the amount of $15,000.00, in conjunction with the Waterloo Convention Center Restroom Renovation Project, and authorizing the Mayor to execute said document.

Chiles/Wilder
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-485.

David Dryer, 3145 W. 4th Street, questioned why the city has not yet completed restroom renovation on the convention center.

Resolution approving Amendment No. 5 to the Development Agreement with Deer Creek Development, LLC, originally executed October 13, 2006, to make annual payments in the amount of $300,000.00, per the agreement, and authorizing the Mayor and City Clerk to execute said document.

Chiles/Wilder
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-486.

David Dryer, 3145 W. 4th Street, questioned why the Deer Creek Development is continuing to receive payments.

Noel Anderson, Community Planning and Development Director, explained that there are at least two years left on the payments. He further provided information on the benefits the development has provided financially to the city.

Resolution approving a Development Agreement and Minimum Assessment Agreement with BBP Development, LLC, for upgrading and renovation of an existing commercial building, with a minimum assessed value of $743,750.00, with rebates of 50 percent for five years, located at 2945 Airport Boulevard in the East Waterloo Unified TIF District, and authorizing the Mayor and City Clerk to execute said documents.

Chiles/Wilder
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-487.

Resolution approving the Easement Review Agreement with CenturyLink for the assessment and release of easement IA-AFN 447631 and utilities on city-owned property located west and north of 2122 W. Ridgeway Avenue, in the amount of $1,500.00, and authorizing the Mayor to execute said document.

Nichols/Boesen
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-488.

Resolution approving the Easement Review Agreement with CenturyLink for the assessment and release of easement IA- AFN 1991-00012726 and utilities on city-owned property located west and north of 2122 W. Ridgeway Avenue, in the amount of $1,500.00, and authorizing Mayor to execute said document.

Nichols/Boesen
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-489.

Resolution approving a Passenger Facility Charge Application with the Federal Aviation Administration, for the authorization to submit an Impose and Use Application, in the amount of $444,782.00, for providing the ten percent local match for the FY 2023 Pavement Rehabilitation and Pavement Reconstruction Projects at the Waterloo Regional Airport, and authorizing the Airport Director to execute said documents.

Nichols/Boesen
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-490.

Resolution approving Purchase Agreement with Reliant Fire Apparatus, Inc., for the purchase of one replacement fire truck in the amount of $905,300.00, and authorizing the Mayor to execute said document.

Grieder/Nichols
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-491.

Wayne Natham, 548 Cloverdale, requested further information on the purpose.

Bill Beck, Fire Chief, provided an overview of the item.

Mr. Boesen questioned if the down payment on the truck put the city in the queue to obtain the apparatus.

Bill Beck provided an overview of the payment process.

Ms. Creighton-Smith questioned if parts from other vehicles could be used on the new truck.

Bill Beck confirmed.

Resolution approving the sale of salt/sand snow removal inventory for the Public Works Department, in the amount of $6,266.00, to the City of Evansdale, Iowa.

Grieder/Nichols
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-492.

Resolution approving a Professional Services Agreement with Willet Hofmann & Associates of Cedar Rapids, Iowa, in the amount of $14,000.00, in conjunction with the US 63/Logan Avenue Traffic Adaptive Project from the intersection of Newell Street/Conger Street to Donald Street, and authorizing the Mayor to execute said document.

Grieder/Nichols
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-493.

Resolution approving the Refundable Advance for Construction Electrical Service Extension Proposal, in the amount of $24,374.56, for Speculative Use with MidAmerican Energy, for the construction and provision of electric lines along Warp Drive, in conjunction with the Waterloo Air and Rail Park Project, rescinding Resolution No. 2023-300, and authorizing the Mayor to execute said document.

Grieder/Nichols
Roll call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-494.

ORDINANCES

An ordinance amending the City of Waterloo Traffic Code by repealing Subsection (46) Martin Luther King Jr. Drive of Sec. 541, Increasing Speed Limits in Certain Areas, in its entirety, and inserting in lieu thereof a new Subsection (46) Martin Luther King Jr. Drive of Section 541, Increasing Speed Limits in Certain Areas.

Nichols/Wilder
to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Traffic Code by repealing Subsection (46) Martin Luther King Jr. Drive of Sec. 541, Increasing Speed Limits in Certain Areas, in its entirety, and inserting in lieu thereof a new Subsection (46) Martin Luther King Jr. Drive of Section 541, Increasing Speed Limits in Certain Areas. Roll call vote-Ayes: Four. Nays: Two (Creighton-Smith and Grieder). Motion carried.

Beverly Cosby, 315 Wendell Court, commented that the road is already a speed zone and questioned why the city would want to increase the speed further.

Mohammad Elahi, Traffic Operations Interim Director, provided an overview of the reasoning behind changing the speed at that portion of the road.

Nichols/Chiles
to suspend the rules. Roll call vote-Ayes: Two. Nays: Four (Nichols, Boesen, Creighton-Smith and Grieder). Motion failed.

Ms. Creighton-Smith requested an explanation of the psychology of drivers to better understand the need to change the speed limit.

Mohammad Elahi further explained the reasoning for changing the speed.

Mayor Hart commented that the department does comprehensive studies for the current roadway conditions to ensure that the streets are functioning according to national safety standards.

Ms. Creighton-Smith commented on complaints received recently about photo-enforced roadways where individuals stated they were going with the flow of traffic, yet they were penalized for doing so.

Mayor Hart commented that initially he did not realize the amount of thought that goes into these studies, but appreciates that it does. He further commented that if there is a pick up in accidents due to this change, there are measures that can be put in place for further review.

Mayor shared that on Wednesday, August 9, 2023 at 4:00 p.m. at Prairie Grove Park, the ground-breaking and ribbon cutting event for Waterloo Fiber.

ADJOURNMENT

Grieder/Chiles
that the meeting adjourn at 7:10 p.m. Voice vote-Ayes: Six. Motion carried.

Kelley Felchle
City Clerk