



**THE CITY COUNCIL OF WATERLOO, IOWA
Regular Session TO BE HELD AT
Harold E. Getty Council Chambers
Monday, December 4, 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 the Crossroads Mall area into a sports/recreation-themed gravitational center.
6. Power Up Downtown: Keep Waterloo's 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, Dave Boesen, At-Large Council Member.

Approval of Agenda, as proposed or amended.

Approval of Minutes of November 20, 2023 as proposed or amended.

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 award of hotel/motel tax grant to the Iowa Mission of Mercy Dental Clinic in the amount of \$3,000.00.
3. Resolution approving cancellation of assessments for properties listed on Exhibit A, and authorizing the City Clerk to notify the Black Hawk County Treasurer of said cancellation.
4. Resolution approving the request by David Strong, for tax exemptions on the construction of a new twin home unit valued at \$349,906.00, for property located at 3377 Lincolnshire Road and located in the City Limits Urban Revitalization Area (CLURA).
5. Resolution approving the pre-construction request by Prairie Rapids Square II, LLC, for tax exemptions on the construction of a new 48-unit multifamily residence building, for property located east of 3121 Kimball Avenue and located in the City Limits Urban Revitalization Area (CLURA).
6. Resolution amending date of bid opening to December 14, 2023, in conjunction with the FY 2024 Titus (Midland) pump Station and Force Main Project, Contract No. 975.
7. Resolution setting date of public hearing as December 18, 2023, to approve a request by Castle Storage Waterloo No. One, to rezone approximately 5.87 acres from "A-1" Agricultural District and "R-2,C-Z" Conditional Zoning District to "C-2,C-Z" Conditional Zoning District, to allow for outside storage at 2551 Logan Avenue, and instruct the City Clerk to publish notice.
8. Resolution setting date of public hearing as December 18, 2023, to approve a request by the City of Waterloo to vacate an existing 50-foot sanitary sewer easement, generally located at and north of 3301 Greyhound Drive, and instruct the City Clerk to publish notice.
9. Resolution setting date of public hearing as December 18, 2023, to approve a request by the City of Waterloo to vacate approximately 1,613 square feet of city-owned alley right-of-way in the "M-1" Light Industrial District located adjacent to 54 Lane Street, and

instruct the City Clerk to publish notice.

10. Resolution setting date of public hearing as December 18, 2023, for the sale and conveyance of city-owned property located south of 99 Mosley Street, to Leon V. Mosley and Rhonda M. Hodges Mosley, in the amount of \$300.00, and instruct the City Clerk to publish notice.
11. Resolution approving award of bid to B & B Lawn Care, Inc., of Waterloo, in the amount of \$19.46 per lot/occurrence, approving the contract and certificate of insurance in conjunction with the 2023-2025 Residential/Miscellaneous Areas Snow Removal Contract for city-owned lots generally acquired through Iowa Code 657A, authorizing the Mayor and City Clerk to execute said documents, and rescinding Resolution Number 2023-729.
12. Resolution approving award of bid to Cedar Valley Renovations, LLC, of Waterloo, Iowa, in the amount of \$21,832.00, approving the contract and certificate of insurance, in conjunction with the construction of a one-stall garage at 232 Ricker Street, and authorizing the Mayor and City Clerk to execute said documents.
13. Motion to approve Final Quantity Summary with Aspro, Inc., of Waterloo, Iowa, for a net increase of \$109,285.50, in conjunction with the FY 2023 Asphalt Overlay Program, Contract No. 1073, and authorizing the Mayor to execute said document.
14. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Aspro, Inc., of Waterloo, Iowa, in the amount of \$3,292,809.48, in conjunction with the FY 2023 Asphalt Overlay Program, Contract No. 1073, and receive and file a two-year maintenance bond.
15. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Landmark Turf Services, LLC, of Dunkerton, Iowa, in the amount of \$48,142.00, in conjunction with the FY 2024 Levee Rip Rap Spraying, Contract No. 1083.
16. Resolution approving Completion of Project and Recommendation of Acceptance of Work, and release of retainage in the amount of \$209,361.48 for work performed by Langman Construction, Inc., of Rock Island, Illinois, in conjunction with the US Highway 63 Sanitary Sewer Upgrades, Phase 1 Project, Contract No. 1037, receive and file a two-year maintenance bond, and authorizing the Mayor to execute said documents.
17. Resolution approving Completion of Project and Acceptance of Work for work performed by Ward Diesel Filter Systems, in the amount of \$22,104.00, in conjunction with the Waterloo Regional Airport ARFF Vehicle Exhaust Project, FAA AIP 3-19-0094-055, AECOM Project No. 60675091, and authorizing the Airport Director to execute said documents.
18. Resolution approving a Request for Proposals for the FY2024 Fiber Optic Network Asset Management Project, Contract 1098.
19. Motion approving Change Order No. 4 with Woodruff Construction of Waterloo, Iowa, for a total decrease of \$241,226.80 in conjunction with the FY 2023 Gates Park Improvements Project, Contract No. 1076, and authorizing the Mayor to execute said

document.

20. Motion approving Change Order No. 1 with Rosemont Companies, LLC, of Waterloo, Iowa, in the amount of \$15,000.00, in conjunction with the Community Development excavation of old foundation, 230 Gable Street.
21. Motion to approve the appointment of **Dustin Knight** from the current Civil Service List to the position of Equipment Operator I in the Street Department, effective date December 18, 2023, subject to pre-employment physical and drug testing.
22. Motion to approve the appointment of **Chawne Paige** to the position of Director of Culture and Arts in the Culture and Arts Department, effective December 6, 2023.
23. **Christopher Schmitz** Board/Commission: Board of Adjustments Expiration Date: February 2, 2025 New-partial
24. Communication from the Library Department on the notice of the conclusion of employment of Endya Johnson, Library Assistant, effective October 25, 2023 with recommendation of approval of payout of \$4,140.05 for unused benefits.
25. Communication from the Fire Department on the notice of the conclusion of employment of Kurt Graven, Fire Engineer, effective November 14, 2023 with recommendation of approval of payout of \$30,278.51 for unused benefits.
26. Board of Adjustment meeting minutes of September 26, 2023.
27. Complete Streets Advisory Committee minutes of September 26, 2023.
28. Leisure Services Commission Board minutes of October 10, 2023.

PUBLIC HEARINGS

1. **Request by the City of Waterloo on behalf of H&A, LC, to rezone approximately 60 acres from “A-1” Agricultural District to “M-2,P” Planned Industrial District located east of 2950 Newell Street.**

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 the City of Waterloo on behalf of H&A, LC, to rezone approximately 60 acres from “A-1” Agricultural District to “M-2,P” Planned Industrial District located east of 2950 Newell 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

2. **Request by Prairie Rapids II, LLC, for a Site Plan Amendment to construct a 48-unit multi-family residence building in the “S-1” Shopping Center District located**

east of 3121 Kimball Avenue.

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 Prairie Rapids II, LLC, for a Site Plan Amendment to construct a 48-unit multi-family residence building in the "S-1" Shopping Center District located east of 3121 Kimball 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

3. FY 2024 Fiber Optic Outside Plant (OSP) Construction, Economic Development Administration (EDA) Award Number 05-79-06185, Contract No. 1086.

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 and refer to City Engineer for further review.

Submitted by: Jamie Knutson, City Engineer

RESOLUTIONS

1. 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 \$1,014,000.00 Sewer Revenue Capital Loan Notes, Series 2023C, 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.

Submitted by: Bridgett Wood, Finance Director

2. Resolution approving the amendment to the Development Agreement with Prairie Rapids II, LLC, to include the CLURA partial tax exemption schedule, located near the southeast corner of Kimball Avenue and Ridgeway Avenue, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

3. Resolution accepting a Public Sidewalk Easement from the Waterloo Community School District to allow for the placement of a public sidewalk along West 6th Street on school-owned property, directly adjacent to 1115 West 5th Street (Irving Elementary School).

Submitted by: Noel Anderson, Community Planning and Development Director

4. Resolution approving a second amendment to a Real Estate Purchase Agreement with A-Line Ventures, for the purchase of 200 East Mullan Avenue, to amend the closing date to on or before December 21, 2023.

Submitted by: Noel Anderson, Community Planning and Development Director

5. Resolution approving a Real Estate Purchase Agreement with Cedar Valley Tech Works, Inc., and approving a deed to sell real property to the City of Waterloo in the amount of \$2,460.00, located northwest of 25 West Commercial Street, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

6. Resolution approving a Real Estate Purchase Agreement with Cedar Valley Tech Works, Inc., and approving a deed to sell real property to the City of Waterloo in the amount of \$59,880.00, located southwest of 25 West Commercial Street, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

ORDINANCES

1. **An Ordinance approving a request by Schott's Trucking, LLC, for a rezone of approximately 2.93 acres from "A-1" Agricultural District to "C-1, C-Z" Conditional Zoning District to allow for a trucking business at 438 W. Airline Highway.**

Motion to receive, file, consider, and pass for the second time an Ordinance approving a request by Schott's Trucking, LLC, for a rezone of approximately 2.93 acres from "A-1" Agricultural District to "C-1, C-Z" Conditional Zoning District to allow for a trucking business at 438 W. Airline Highway.

Motion to suspend the rules.

Motion to consider and pass for the third time and adopt the Ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

2. **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 the City of Waterloo to rezone approximately 0.74 acres from "A-1" Agricultural District to "M-2,P" Planned Industrial District located at 1318 Martin Road.**

Motion to receive, file, consider, and pass for the second 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 the City of Waterloo to rezone approximately 0.74 acres from "A-1" Agricultural District to "M-2,P" Planned Industrial District located at 1318 Martin Road.

Motion to suspend the rules.

Motion to consider and pass for the third time and adopt the ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk