



**THE CITY COUNCIL OF WATERLOO, IOWA
Regular Session TO BE HELD AT
Harold E. Getty Council Chambers
Monday, December 18, 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,
John Chiles, Ward 1 Council Member.

Approval of Agenda as proposed or amended.

Approval of minutes of December 4, 2023, Council Regular Session, as proposed or amended.

Approval of minutes of December 11, 2023, Council Special Session, as proposed or amended.

Proclamation declaring December 10, 2023, as International Human Rights 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 by Israel Garcia, for tax exemptions on the construction of a new twin home unit valued at \$379,900.00, for property located at 1836 Red Tail Drive and located in the City Limits Urban Revitalization Area (CLURA).
3. Resolution approving the request by Boss Babes, LLC, for tax exemptions on improvements to a single-family home valued at \$15,000.00, for property located at 911 Newton Street and located in the Consolidated Urban Revitalization Area (CURA).
4. Resolution setting date of public hearing as January 2, 2024, to approve a request by C&S Car Company to rezone approximately 0.57 acres from "R-3" Multiple Residence District to "C-2,C-Z" Conditional Zoning District and a Site Plan Amendment for expansion of an auto sales facility located along the southwest side of South Street between West 6th Street and West 7th Street, and instruct the City Clerk to publish notice.
5. Resolution authorizing an exception to the City of Waterloo Purchasing Policy for the purchase of a Tahoe for the Police Department, in the amount of \$40,457.00, as a State of Iowa bid from Karl Chevrolet.
6. 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.
7. Resolution approving completion of project, recommendation of acceptance of work, and release of retainage in the amount of \$2,250.00, for work performed by Bowker Mechanical Contractors of Cedar Rapids, Iowa, in conjunction with the City of Waterloo

Center of the Arts Youth Pavilion PH 2 Boiler Replacement Project.

8. Motion approving Change Order No. 10 with Vieth Construction Corporation, of Cedar Falls, Iowa, for a net increase of \$7,428.85, in conjunction with the FY 2022 Sullivan Brothers Plaza Renovation, Contract No.1069, and authorizing the Mayor and City Clerk to execute said document.
9. Motion to receive and place on file the 2022 Audit of the Waterloo Water Works.
10. Motion to receive and place on file the 2022 Operating Report of the Waterloo Water Works.
11. Motion approving the appointment of **Brynn Schroeder** from the current Civil Service List to the position of Waste Water Operator in the Waste Management Services Department, effective December 27, 2023, pending pre-employment physical and drug testing.
12. Motion approving the appointment of **Brian M. O'Connell** to the position of Plant Maintenance Mechanic in the Waste Management Services Department, effective December 19, 2023, pending pre-employment physical and drug testing.
13. **Frank MCCaw** Board/Commission: Memorial Hall Commission Expiration Date: December 31, 2026 (Re-appointment).
14. **Melvin Wittwer** Board/Commission: Memorial Hall Commission Expiration Date: December 31, 2026 (Re-appointment).
15. **Craig White** Board/Commission: Memorial Hall Commission Expiration Date: December 31, 2026 (Re-appointment).
16. **Randy Miller** Board/Commission: Memorial Hall Commission Expiration Date: December 31, 2026 (Re-appointment).
17. Communication from the Public Works Department on the notice of the conclusion of employment of Brian Boesen, Animal Control Officer, effective December 1, 2023, with recommendation of approval of payout of \$3,195.99 for unused benefits.
18. Airport Board meeting minutes of October 25, 2023.
19. Waterloo Housing Authority Board meeting minutes of November 20, 2023.
20. Liquor Licenses
 - a. Carlos O'Kellys, 2060 Sovia Dr., Class C Alcohol w/Outdoor Service, Catering and Sunday Sales (Renewal) Exp: 12/30/2024.
 - b. Club Ambassador, 313 W. 5th St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 12/15/2024.
 - c. The Comfort Zone, 213 E. 5th Street, Class C Alcohol w/Sunday Sales (Renewal) Exp: 1/17/2024.
 - d. Courtyard By Marriott, 250 Westfield Ave., Class C Alcohol w/Outdoor Service, Catering and Sunday Sales (Renewal) Exp: 11/19/2024.

- e. Karma Bar, 309 W. 4th St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 10/14/2024.
- f. Knights of Pythias, 244 Ash St., Class F Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 11/2/2024.
- g. Lock At Tower Park, 4140 Kimball Ave., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 9/20/2024.
- h. Trucker Bar, 1915 Bourland Ave., Class C Alcohol w/Sunday Sales (Renewal) Exp: 12/12/2024.

PUBLIC HEARINGS

- 1. 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.**

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 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.

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 the City of Waterloo to vacate an existing 50-foot sanitary sewer easement, generally located at and north of 3301 Greyhound 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 and consider and pass for the first time an ordinance approving 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.

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

- 3. 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.**

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.
Motion to receive, file and consider and pass for the first time an ordinance approving 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.
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

4. Acquisition of property (right-of-way, permanent easements, and temporary easement) for the La Porte Road Reconstruction Phase I Project generally located on La Porte Road between East Shaulis Road and just north of Bopp 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.

Resolution authorizing to proceed with the La Porte Road Reconstruction Phase I Project, to make final selection of the location, to authorize funding for the public improvement project, and determine that there is a reasonable expectation the city will be able to achieve its public purpose, comply with all applicable standards, and obtain the necessary permits, and authorizing the use of condemnation procedures for acquisition of property interests in furtherance of the project objectives, and to establish the amount of just compensation.

Submitted by: Noel Anderson, Community Planning and Development Director

5. 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.

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 south of 99 Mosley Street, in the amount of \$300.00, to Leon V. Mosley and Rhonda M. Hodges Mosley, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

6. FY 2024 Titus (Midland) Pump Station and Force Main Project, Contract No. 975.

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 the Waste Management Department for review.

Submitted by: Randy Bennett, Public Works Division Manager

RESOLUTIONS

1. Resolution approving an agreement with Tolemi of Boston, Massachusetts, for data integration and insights software application and rental registration and work flow management software, in the amount of \$47,500.00, and authorizing the Mayor to execute said document.

Submitted by: Quentin Hart, Mayor

2. Resolution approving a Construction Agreement with Waterloo Water Works' Board of Trustees, in conjunction with the FY 2024 La Porte Road Improvements - Phase 1, Contract No. 1016, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Chad Coon, General Manager

3. Resolution approving a Professional Services Agreement with EN Engineering, LLC, formally Magellan Advisors, LLC, in an amount not to exceed \$1,107,300.00, for project and construction management, inspections and engineering support services for the fiber backbone and fiber-to-the-home network project implementation in calendar year 2024, and authorizing the Mayor to execute said document.

Submitted by: Bridgett Wood, Finance Director

4. Resolution approving a Professional Services Agreement with AECOM Technical Services, Inc., in the amount of \$179,800.00, for construction administration and project inspection services for the Airline Passenger Terminal Parking Lot Canopy Project at the Waterloo Regional Airport, and authorizing the Mayor to execute said document.

Submitted by: Keith Kaspari, Director of Aviation

5. Resolution approving a Professional Services Agreement with HR Green, Inc., of Cedar Rapids, Iowa, in an amount not to exceed \$25,000.00, in conjunction with the Waterloo Pavement Management Plan Update FY 2025 - 2031, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Jamie Knutson, City Engineer

6. Resolution approving an Intergovernmental Transfer of Public Funds Agreement with the Iowa Department of Human Services, and authorizing the Mayor to execute said documents.

Submitted by: Jason Hernandez, Medical Supervisor

7. Resolution approving nine FY 2024 Quarter 3 and Quarter 4 Event/Capital Hotel-Motel Tax Grant funds, with one additional Capital Grant, in the amount of \$90,400.00, as recommended by the Waterloo Convention and Visitors Bureau Board of Directors.

Submitted by: Tavis Hall, Executive Director

ORDINANCES

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, 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 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 third time and adopt the ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk