



**THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, February 6, 2023
5:30 PM**

CITY OF WATERLOO GOALS

1. Support the creation of new, livable wage jobs through a balanced economic development approach of assisting existing businesses, fostering start-ups, attracting new employers and cultivating an adequate workforce.
2. Implement a Community Policing strategy that creates a safe environment in Waterloo.
3. Reduce the City's property tax levies through a responsible balance of cost reduction in City operations and increases in taxable property valuations to ensure that Waterloo is a competitive, affordable, and livable city.
4. Enhance the image of Waterloo and the City to residents and businesses inside and outside of the community.

GENERAL RULES FOR PUBLIC PARTICIPATION REGULAR SESSION AGENDA

1. 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.
2. 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.
3. Comments shall be germane and refrain from personal, impertinent, or slanderous remarks.
4. 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

1. Individuals shall speak one (1) time on only one (1) issue for a maximum of five (5) minutes only if they have registered with the city clerk's office no later than 4:00 p.m. on the day of the council meeting. Individuals who have not registered shall not be permitted to speak during the public comment portion of the agenda. Individuals shall only speak on matters not listed on the regular session agenda for that date. Any matter presented shall be directed to the presiding officer and addressed, if necessary, after the meeting.; Individuals may call the city clerk's office at 319-291-4323 or email clerk@waterloo-ia.org.
2. Council members may speak during public comment portion of the agenda after the public has finished speaking
3. 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 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: Mayor Quentin Hart

Agenda, as proposed or amended.

Minutes of January 30, 2023, Planning 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 following items will be acted upon by voice vote on a single motion without separate discussion, unless someone from the council or public requests that a specific item be considered separately.)

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 the maximum levy rate public hearing as February 20, 2023, at 5:30 p.m. to approve the maximum levy rates as required by state, and instruct the City Clerk to publish said notice.
3. Resolution approving the Iowa Certified Local Government 2022 Annual Report, and authorizing the Mayor and Planning Staff to execute said document.
4. Resolution approving Ahlers and Cooney representation concerning the 28E agreement with Waterloo Telecommunications Utility Board for bidding and construction of FTTP and the City Backbone Project, and authorizing the Mayor to execute said document.
5. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as March 2, 2023, and date of public hearing as March 6, 2023, in conjunction with the Waterloo Regional Airport Airline Passenger Terminal Building Heating Ventilation and Cooling Controls, Project No. 3-19-0094-054, and instruct the City Clerk to publish notice.
6. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as March 2, 2023, and date of public hearing as March 6, 2023, in conjunction with the Waterloo Regional Airport Airline Passenger Terminal Building CCTV Security and Video System, and instruct the City Clerk to publish notice.
7. Resolution setting the date of a public hearing as February 20, 2023, to approve request by Friends of Faith Retirement Homes, Inc., (Friendship Village) to vacate and terminate a 50-foot sanitary sewer easement in the "R-4, R-P" Planned Residence District located at 600 Park Lane, and instruct the City Clerk to publish notice.
8. Resolution setting date of public hearing as February 20, 2023, to approve the request by Weatherfield Realty Group, LLC, for a Site Plan Amendment to construct a new 230 square foot telecommunication facility, in the M-2, P Planned Industrial District located north of 2365 Northeast Drive, and instruct the City Clerk to publish notice.
9. Resolution setting date of public hearing as February 20, 2023, for the sale and conveyance of City-owned property to Weatherfield Realty Group, LLC, in the amount of \$1.00, with a development agreement and minimum assessment agreement of \$100,000.00, located north of 2365 Northeast Drive, for the construction of a new 230 square foot telecommunication facility, and instruct the City Clerk to publish notice.
10. Resolution setting date of public hearing as February 20, 2023, to approve the request by Jason Fowler to rezone approximately 0.28 acres from "C-1" Commercial District to

“C-1, C-Z” Conditional Commercial District, with conditions, to construct a vehicle storage facility located east of 709 Dearborn Avenue, and instruct the City Clerk to publish notice.

11. Resolution approving completion of the project, recommendation of acceptance of work, and release of retainage in the amount of \$92,775.87, for work performed by Cardinal Construction of Waterloo, Iowa, in conjunction with the Five Sullivan Brothers Convention Center 2nd Floor Renovation project.
12. Motion approving Final Quantity Summary with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net decrease of \$35,009.11, in conjunction with the FY 2021 Center for the Arts Parking Improvements - Phase 3, Northwest Half, Contract No. 1004, 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 Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of \$451,011.89, in conjunction with the FY 2021 Center for the Arts Parking Improvements - Phase 3, Northwest Half, Contract No. 1004, and receive and file a two-year maintenance bond.
14. Motion approving Final Quantity Summary with Lodge Construction, Inc., of Clarksville, Iowa, for a net increase of \$1,651.64, in conjunction with FY 2022 Center for the Arts Parking Improvements - Phase 2 (Art Block) Project, Contract No. 1007, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Jamie Knutson, City Engineer

15. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Lodge Construction, Inc., of Clarksville, Iowa, in the amount of \$716,195.99, in conjunction with the FY 2022 Center for the Arts Parking Improvements - Phase 2 (Art Block) Project, Contract No. 1007, and receive and file a two-year maintenance bond.
16. Resolution approving award of bid to K&W Electric of Cedar Falls, Iowa, in the amount of \$25,740.00, and approving the contract, bonds, and certificate of insurance, in conjunction with the Improvements to Hangar 3-A, for Livingston Aviation, at Waterloo Regional Airport, via FAA AIP Project No. 3-19-0094-0048 (CARES Maintenance), and authorizing the Mayor and City Clerk to execute said documents.
17. Resolution approving Acknowledgment/Settlement Agreement for Tobacco Violation-1st Offense, Jim's Food, 437 Sullivan Avenue, Waterloo, Iowa 50701, and accepting civil penalty in the amount of \$300.00, and authorizing the Mayor and City Clerk to execute said document.
18. Resolution approving the partial release of retainage to Woodruff Construction of Waterloo, Iowa, in the amount of \$767,486.06, with the exception of the outstanding items which are impacted by material lead times or weather conditions, in conjunction with the FY 2020 Wastewater Treatment Plant Biosolids Modifications Project, Contract No. 994.
19. Resolution approving the Charitable Pledge Agreement with the Pauline R. Barrett

Foundation for a \$500,000.00 gift, naming the Pauline R. Barrett Inclusive Playground at Gates Park for no less than twenty (20) years, and authorizing the Mayor to execute said document.

20. Resolution approving Request for Qualifications/Proposals to solicit proposals from experienced developers to design, construct, operate, and maintain systems and equipment to clean the City's digester gas and lagoon gas to natural gas pipeline grade standards and market the gas as a renewable natural gas product, including its environmental attributes.
21. Resolution approving cancellation of assessment of delinquent water fees for property located at 232 Ricker Street in the amount of \$594.51, and authorizing the City Clerk to notify Black Hawk County Treasurer of said cancellation.
22. Resolution approving the request by Midwest Development, for tax exemptions on the construction of a single-family home valued at \$479,999.00, for property located at 1550 Partridge Lane and located in the City Limits Urban Revitalization Area (CLURA).
23. Resolution approving the request by Midwest Development, for tax exemptions on construction of a single family home valued at \$449,999.00, for property located at 1502 Partridge Lane and located in the City Limits Urban Revitalization Area (CLURA).
24. Resolution approving the request by Midwest Development, for tax exemptions on construction of a single family home valued at \$489,999.00, for property located at 1432 Partridge Lane and located in the City Limits Urban Revitalization Area (CLURA).
25. Resolution approving the request by Midwest Development, for tax exemptions on construction of a single family home valued at \$449,999.00, for property located at 1345 Partridge Lane and located in the City Limits Urban Revitalization Area (CLURA).
26. Resolution approving the request by Kameron and Latisha Leyh, for tax exemptions on construction of a single family home with basement finish valued at \$490,422.96, for property located at 1354 Partridge Lane and located in the City Limits Urban Revitalization Area (CLURA).
27. Resolution approving the request by Wallace Investment Group, for tax exemptions on the construction of two duplex units valued at \$386,000.00, for property located at 1018 Fletcher Avenue and 1020 Fletcher Avenue and located in the City Limits Urban Revitalization Area (CLURA).
28. Resolution approving the request by Midwest Development, for tax exemptions on construction of a single family home valued at \$434,999.00, for property located at 114 Sunbird Court and located in the City Limits Urban Revitalization Area (CLURA).
29. Resolution approving the request by Midwest Development, for tax exemptions on the construction of one duplex unit valued at \$294,999.00, for property located at 3365 Lincolnshire Road and located in the City Limits Urban Revitalization Area (CLURA).
30. Resolution approving the request by Midwest Development, for tax exemptions on the construction of one duplex unit valued at \$294,999.00, for property located at 3367 Lincolnshire Road and located in the City Limits Urban Revitalization Area (CLURA).

31. Resolution approving the request by Midwest Development, for tax exemptions on the construction of one duplex unit valued at \$288,000.00, for property located at 3385 Lincolnshire Road and located in the City Limits Urban Revitalization Area (CLURA).
32. Resolution approving the request by Midwest Development, for tax exemptions on the construction of one duplex unit valued at \$299,999.00, for property located at 3387 Lincolnshire Road and located in the City Limits Urban Revitalization Area (CLURA).
33. Resolution approving the request by Elvis Mehmedovic, for tax exemptions on the construction of one single-family home with basement finish valued at \$475,000.00, for property located at 122 Kestrel Circle and located in the City Limits Urban Revitalization Area (CLURA).
34. Resolution approving the request by Dan Goken, for tax exemptions on the construction of one duplex unit valued at \$179,000.00, for property located at 830 Grindstone Circle and located in the City Limits Urban Revitalization Area (CLURA).
35. Resolution approving the request by Dodge Holdings, LLC, for tax exemptions on the construction of an addition and an interior remodel valued at \$1,400,000.00, for property located at 1717 Falls Avenue and located in the Consolidated Urban Revitalization Area (CURA).
36. Resolution approving the request by Pillar Properties, LLC, for tax exemptions on a remodel of 13 apartment units valued at \$780,000.00, for property located at 727 West Park Avenue and located in the Consolidated Urban Revitalization Area (CURA).
37. **Dwight Diercks**
Board/Commission: Complete Streets Advisory Committee
Expiration Date: None
New Appointment
38. **Kathryn Gilbery**
Board/Commission: Complete Streets Advisory Committee
Expiration Date: None
New Appointment
39. **Terry Pearson Stevens**
Board/Commission: Historic Preservation Commission
Expiration Date: February 6, 2024
Re-appointment
40. **Edward Ottesen**
Board/Commission: Historic Preservation Commission
Expiration Date: February 6, 2024
Re-appointment
41. **Matthew Gilbert**
Board/Commission: Historic Preservation Commission
Expiration Date: February 6, 2024
Re-appointment

42. Communication from the Library Department on notice of the conclusion of employment of Robert Giesler, IT Manager, effective December 30, 2022, with a recommendation of approval of payout of \$3,395.50 for unused benefits.
43. Communication from the Library Department on notice of the conclusion of the employment of Mary Nadeau, Library Assistant, effective December 29, 2022, with a recommendation of approval of payout of \$3,737.37 for unused benefits.
44. Communication from the Community Development Department on the notice of the conclusion of employment of Kelly Martin, Rehabilitation Specialist, effective December 30, 2022, with the recommendation of approval of payout of \$1,787.82 for unused benefits.
45. Communication from the Waste Management/Sewer Department on notice of the conclusion of employment of Craig Billerbeck, Lab Technician, effective February 3, 2023, with a recommendation of approval of payout of \$569.64 for unused benefits.
46. Motion to approve recommendation of appointment of Matt Ames from the current Civil Service List to the position of Garage Mechanic in the Public Works Central Garage Department, effective February 13, 2023, pending pre-employment physical and drug testing.
47. Motion to approve recommendation of appointment of Tyler Kroeze and Tyler Hare from the current Civil Service List, to the position of Airport Operations Specialist for the Waterloo Regional Airport, effective February 27, 2023 pending physical examination, background check, and drug screening.
48. Motion to approve recommendation of the appointment of Taylor Mork to the position of Golf Maintenance III in the Leisure Services Department effective February 7, 2023.
49. Leisure Services Board minutes of December 13, 2022.
50. Planning, Programming and Zoning Commission minutes of December 13, 2022.
51. Historic Preservation Commission minutes of December 20, 2022.
52. Waterloo Housing Authority Board minutes of January 17, 2023.
53. Complete Streets Advisory Committee minutes of September 27 and October 25, 2022.
54. Airport Board minutes of December 14, 2022.
55. Bonds.
56. Liquor Licenses
 - a. Ali's Corner, 1117 E. 4th Street, Class E Alcohol w/Sunday Sales, Renewal - Expiration 3/31/2023
 - b. Blessed Sacrament, 650 Stephan Avenue (5-Day), Class C Liquor w/Sunday Sales, New – Expiration 2/20/2023
 - c. Casey's General Store #2866, 51 E. Tower Park Drive, Class E Alcohol w/Sunday Sales, Renewal – Expiration 2/29/2024

- d. Cedar Valley Fish Market, 218 Division Street, Class C Alcohol w/Sunday Sales, Renewal - Expiration 1/24/2024
- e. Club Legacy, 120 Sumner Street, Class C Alcohol w/Sunday Sales, Renewal - Expiration 12/30/2023
- f. Fairfield Inn & Suites, 2134 La Porte Road, Class B Retail Alcohol w/Sunday Sales, Renewal – Expiration 12/31/2023
- g. Narey's 19th Hole, 2073 Logan Avenue, Class C Alcohol w/Sunday Sales, Renewal - Expiration 8/22/2023
- h. New Star Fletcher, 315 Fletcher Avenue, Class E Liquor w/Sunday Sales, Renewal – Expiration 1/29/2024
- i. The Other Place, 360 E. Ridgeway Avenue, Class C Liquor w/Sunday Sales, Renewal – Expiration 1/25/2024
- j. Snowden House, 306 Washington Street, Class C Liquor w/Outdoor Service and Sunday Sales, Renewal – Expiration 12/14/2023
- k. Spectra Venue Management, 200 W. 4th Street, Class C Liquor w/Catering and Sunday Sales, Renewal – Expiration 1/31/2024
- l. Veterans of Foreign Wars Club Post 1623, 1406 Commercial Street, Class F Alcohol w/Sunday Sales, Renewal – Expiration 1/14/2024

PUBLIC HEARINGS

1. **Asbestos Abatement Services Contract No. AB-2023-02-04P, for properties located at 1804 E. 4th Street, 207 Lafayette Street, 208 Sunnyside Avenue, and 637 Ankeny 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.

Resolution confirming approval of plans, specifications, form of contract, etc., and authorizing to proceed.

Motion to receive, file, and instruct the City Clerk to read bids.

Resolution awarding bid to Advanced Environmental Inc., of Waterloo, Iowa in the amount of \$19,800.00, in conjunction with Asbestos Abatement Services, Contract No. AB-2023-02-04P, for properties located at 1804 E. 4th Street, 207 Lafayette Street, 208 Sunnyside Avenue, and 637 Ankeny Street, and authorizing the Mayor and City Clerk to execute said document.

RESOLUTIONS

1. Resolution approving a Professional Services Agreement with AECOM Technical Services, Inc., for Design, Construction Administration, and Inspection services, in an amount not to exceed \$18,200.00, for improvements to Hangar No. 4 at Waterloo Regional Airport, and authorizing the Mayor to execute said document.

Submitted by: Keith Kaspari, Director
2. Resolution approving an Exclusive Listing Agreement with Amy Wienands Real Estate of Waterloo, Iowa in an amount not to exceed \$11,000.00 in conjunction with the sale of 514 Johnson Street, and authorizing Adrienne Miller, Planning Economic Development Specialist, to execute said document.

Submitted by: Noel Anderson, Director

3. Resolution approving the Real Estate Purchase Agreement with First Baptist Church of Waterloo, Iowa, for the City acquisition of the home located at 1318 Martin Road, in the amount of \$80,000.00 plus up to \$5,000.00 in closing costs, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Director

4. Resolution approving an Amendment to the Development Agreement with Lincoln Savings Bank, originally executed October 7, 2019, as amended thereafter on November 4, 2019, and April 5, 2021, to provide that the grant payment may be repaid by funds from the Downtown Waterloo Urban Renewal and Redevelopment Area tax increment financing (TIF) district, in addition to funds from the IRD receipts or City-issued bonds, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Director

5. Resolution approving a Storm Water Maintenance and Repair Agreement with Airline Storage, LLC, for the maintenance of a stormwater detention pond, located at 3318 West Airline Highway, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Director

6. Resolution approving the Acknowledgment, Joinder, and Consent for the property on the TechWorks Campus that the City is aware of the Environmental Covenant affecting the Property, and that the City agrees that it has taken title to the Transferred Property subject to the Environmental Covenant, and authorizing the Mayor to execute said document.

Submitted by: Noel Anderson, Director

OTHER COUNCIL BUSINESS

1. **Hearing on Order Assessing Civil Penalty to Prime Mart, 508 Broadway Street, Waterloo, Iowa 50703, and assessing civil penalty in the amount of \$300.00.**
Motion to open hearing Assessing Civil Penalty.
HOLD HEARING.
Motion to close Hearing Assessing Civil Penalty.
Resolution approving Order Assessing Civil Penalty, in the amount of \$300.00 to Prime Mart, 508 Broadway Street, Waterloo, Iowa, for sale of tobacco to minor violation-first offense.

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk