



**THE CITY COUNCIL OF WATERLOO, IOWA
Regular Session TO BE HELD AT
Harold E. Getty Council Chambers
Tuesday, January 2, 2024
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 - Kelley Felchle, City Clerk

Swearing in of Mayor Quentin Hart.

Swearing in of the following Council members: Dave Boesen, Ward 2, Belinda Creighton-Smith, Ward 4, and Steve Simon, At-Large.

Approval of Agenda as proposed or amended.

Approval of Minutes of December 18, 2023, Council Regular Session, as proposed or amended.

Recognition of the Finance Department for receiving the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada for the 19th year in a row.

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 setting date of public hearing as January 16, 2024, to approve the request by Americans for Independent Living to rezone approximately 1.22 acres from "C-2" Commercial District to "C-2,C-Z" Conditional Zoning District to allow for a storage warehouse in a portion of the building located at 4020 University Avenue, and instruct the City Clerk to publish notice.
3. Resolution setting date of public hearing as January 16, 2024, to receive public comments on the CAPER (Consolidated Annual Performance Report), and instruct the City Clerk to publish notice.
4. Resolution setting date of public hearing as January 16, 2024, to approve the request by the City of Waterloo to vacate a 14,734 square foot portion of West Airline Highway east of 3165 West Airline Highway subject to the retention of a drainage and utility easement over, under and upon the vacate area, and instruct the City Clerk to publish notice.
5. Resolution approving the request of Tony Fischels, for a waiver for a concrete driveway, located at 339 W. 13th Street, and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on the city right-of-way on an unimproved street.
6. Resolution approving request of Brian McCormick for a waiver for a concrete driveway, located at 1310 Cottage Grove Avenue (Cottage Grove Avenue approach only), with the elimination of the sidewalk section due to inability to meet grade requirements.
7. Resolution approving the request by Cullen and Beth Gehrke, for tax exemptions on the

construction of a single family home valued at \$470,897.00, for property located at 1408 Partridge Lane, and located in the City Limits Urban Revitalization Area (CLURA).

8. Resolution approving award of bid to WRH of Amana, Iowa, in the amount of \$6,184,087.00 and approving the contract, bonds, and certificate of insurance, in conjunction with the FY 2024 Titus Lift Station and Force Main Project, Contract No. 975, and authorizing the Mayor and City Clerk to execute said documents.
9. Motion approving Change Order No. 5 with Woodruff Construction of Waterloo, Iowa, for a total decrease of \$585,804.03, in conjunction with the FY 2023 Gates Park Improvements Project, Contract No. 1076, and authorizing the Mayor to execute said document.
10. Motion approving the appointment of **Bradley Baldwin** from the current Civil Service List to the position of Property Safety Inspector in the Building Inspection Department, effective January 3, 2024.
11. Motion approving appointment of **Jennifer Coon** to the position of Administrative Secretary in the Community Development Department, effective Wednesday, January 3, 2024.
12. **Teresa Culpepper** Board/Commission: Human Rights Commission Expiration Date: April 10, 2026 (New)
13. Motion to receive and place on file the Airport Board minutes of November 22, 2023.
14. Board of Adjustments Meeting minutes of October 24, 2023.
15. Complete Streets Advisory Committee minutes of October 31, 2023.
16. Historic Preservation Commission minutes of October 17, 2023.
17. Planning, Programming, and Zoning Commission minutes of October 10, 2023.
18. Planning, Programming, and Zoning Commission minutes of November 14, 2023.

PUBLIC HEARINGS

1. **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 on the southwest side of South Street from West 6th Street to West 7th 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 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 on the southwest side of South Street from West 6th Street to West 7th Street.

Motion to suspend the rules.

Motion to receive, file, consider and pass for the second and third times and adopt the ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

RESOLUTIONS

1. Resolution approving a request by the City of Waterloo to dedicate a new thirty-foot utility easement on the east property line of Becker Elementary School west of the former Linbud Lane right-of-way in the "R-3" Multiple Residence District at 1239 Sheldon Street.

Submitted by: Noel Anderson, Community Planning and Development Director

2. Resolution approving a Special Warranty Deed for reverter of title on behalf of the City of Waterloo as attorney-in-fact for Todd J. Borwig and Debra Borwig, pursuant to a Development Agreement with Todd J. Borwig for the development of property located north of 1332 Walker Street, originally approved by Council on May 17, 2021, and recorded February 17, 2023, as Doc. No. 2023-11532, for failure to complete the project per the timeline provided for in the Development Agreement, and authorizing the Mayor and City Clerk to execute said deed.

Submitted by: Noel Anderson, Community Planning and Development Director

3. Resolution approving a Subordination Agreement with FDP WTC, LLC, in favor of Resource Bank, N.A., pertaining to obligations under a Mortgage Agreement dated August 23, 2023, in favor of The Chandler Group, LLC, pertaining to obligations under a Mortgage Agreement dated August 23, 2023, in favor of Notes One Two Three, LLC, pertaining to obligations under a Mortgage dated December 28, 2023, and in favor of State Bank of Cherry, pertaining to obligations under a Mortgage Agreement dated November 3, 2023, for a project located at 250 Westfield Avenue, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

4. Resolution approving Supplemental Agreement No. 5 with Stanley Consultants, Inc., of Des Moines, Iowa, in the amount of \$124,600.00, in conjunction with the FY2022 11th Street and Park Avenue Bridge Replacements, Contract No. 1013, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Wayne Castle, PLS, PE, Assistant City Engineer

5. Resolution approving an ALS Intercept Billing Agreement between Mayo Clinic Ambulance and Waterloo Fire Rescue, and authorizing Bill Beck, Fire Chief, to execute said document.

Submitted by: Bill Beck, Fire Chief

6. Resolution approving a Professional Service Agreement with Terracon Consultants of Cedar Falls, Iowa, in conjunction with construction observation and materials testing for the FY 2023 Gates Park Improvements Project, Contract No. 1076, and authorizing the

Mayor to execute said documents.

Submitted by: Travis Nichols, Facilities/Project Manager

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk