



**THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, February 5, 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, Steve Simon, at Large Council Member.

Approval of Agenda, as proposed or amended.

Approval of Minutes of January 16, 2024, 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 request by Gary Kilpatrick, for tax exemptions on the construction of a new single family home valued at \$341,000.00, for property located at 110 Axlewood Drive and located in the Consolidated Urban Revitalization Area (CURA).
3. Resolution approving the request by Miguel Garcia, for tax exemptions on the construction of a new single family home valued at \$309,342.00, for property located at 113 Coral Drive and located in the Consolidated Urban Revitalization Area (CURA).
4. Resolution approving the request by JSA Development, LLC, for tax exemptions on the improvements to a residential apartment unit valued at \$80,000.00, for property located at 708 Jefferson Street Unit 1 and located in the Consolidated Urban Revitalization Area (CURA).
5. Resolution approving the request by JSA Development, LLC, for tax exemptions on the improvements to a residential apartment unit valued at \$80,000.00, for property located at 708 Jefferson Street Unit 2 and located in the Consolidated Urban Revitalization Area (CURA).
6. Resolution approving the request by JSA Development, LLC, for tax exemptions on the improvements to a residential apartment unit valued at \$80,000.00, for property located at 708 Jefferson Street Unit 3 and located in the Consolidated Urban Revitalization Area (CURA).
7. Resolution approving the request by JSA Development, LLC, for tax exemptions on the improvements to a residential apartment unit valued at \$80,000.00, for property located at 708 Jefferson Street Unit 4 and located in the Consolidated Urban Revitalization Area (CURA).
8. Resolution approving the request by ACO Construction, for tax exemptions on the construction of a new single family home valued at \$180,000.00, for property located at 4429 Charm Drive and located in the City Limits Urban Revitalization Area (CLURA).

9. Resolution approving the request by Skogman Homes, for tax exemptions on the construction of a new twin home unit valued at \$339,999.00, for property located at 3375 Lincolnshire Road and located in the City Limits Urban Revitalization Area (CLURA).
10. Resolution approving the request by Joe Robson Rentals, LLC, for tax exemptions on the construction of a new twin home unit valued at \$170,000.00, for property located at 4152 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).
11. Resolution approving the request by Joe Robson Rentals, LLC, for tax exemptions on the construction of a new twin home unit valued at \$170,000.00, for property located at 4153 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).
12. Resolution approving the request by Joe Robson Rentals, LLC, for tax exemptions on the construction of a new twin home unit valued at \$170,000.00, for property located at 4154 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).
13. Resolution approving the request by Joe Robson Rentals, LLC, for tax exemptions on the construction of a new twin home unit valued at \$170,000.00, for property located at 4155 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).
14. Resolution approving the request by Joe Robson Rentals, LLC, for tax exemptions on the construction of a new twin home unit valued at \$170,000.00, for property located at 4156 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).
15. Resolution approving the request by Joe Robson Rentals, LLC, for tax exemptions on the construction of a new twin home unit valued at \$170,000.00, for property located at 4158 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).
16. Resolution approving the request by Joe Robson Rentals, LLC, for tax exemptions on the construction of a new twin home unit valued at \$170,000.00, for property located at 4400 Mourning Dove Drive and located in the City Limits Urban Revitalization Area (CLURA).
17. Resolution approving the request by Joe Robson Rentals, LLC, for tax exemptions on the construction of a new twin home unit valued at \$170,000.00, for property located at 4402 Mourning Dove Drive and located in the City Limits Urban Revitalization Area (CLURA).
18. Resolution approving the submission of an AFG grant application and financial hardship waiver by the Waterloo Fire Department for \$1.2 Million, for Cancer Prevention Initiatives.
19. Resolution approving a Memorandum of Understanding between the Iowa Department of Administrative Services and Waterloo Fire Rescue, and authorizing the Fire Chief to execute said document.
20. Resolution approving preliminary plans, specifications, bid documents, etc., setting the date of bid opening as February 29, 2024, and date of public hearing as March 4, 2024, in conjunction with the FY 2024 CIPP Ph IVB1 Project, Contract No. 1102, and directing the City Clerk to publish notice.

21. Resolution setting a date of public hearing as February 19, 2024, to approve the sale of property located east of 408 Florence Street in three parts, in the amount of \$70.00 plus publishing and recording costs for each part, including a part to Jorge Garcia Villa, a part to Jose Guzman and Elvia Ramirez and a part to Catalina and Paulino Sanchez, and instruct the City Clerk to publish notice.
22. Resolution setting a date of public hearing as February 19, 2024, to approve a request by Jayson Vaughn to vacate an eight-foot by eight inch utility easement to allow for the construction of an accessory structure in the "R-2" One and Two Family Residence District located at 109 Oak Ridge Road, and instruct the City Clerk to publish notice.
23. Resolution setting a date of public hearing as February 19, 2024, for the sale and conveyance of city-owned property to NADROJ Realty, LLC, in the amount of \$1.00, with a Development and Minimum Assessment Agreement in the amount of \$1,800,000.00, for the construction of an industrial building of approximately 46,080 square foot, located south of 115 Warp Drive, and instruct the City Clerk to publish notice.
24. Resolution setting a date of public hearing as February 19, 2024, for a request by Turnkey Associates, on behalf of the House of Hope, to rezone 0.28 acres from "R-4" Multiple Residence District to "C-1" Neighborhood Commercial District, to allow for the construction of a 6,200 square foot office building addition, located southwest of 845 West 4th Street, and instructing the City Clerk to public notice.
25. Resolution setting a date of public hearing as February 19, 2024, on the Authorization of a Loan and Disbursement Agreement and the issuance of not to exceed \$8,500,000.00 Sewer Revenue Capital Loan Notes of the City of Waterloo, State of Iowa, and instruct the City Clerk to publish notice.
26. Resolutions setting the date of public hearing as March 4, 2024, on the proposed issuance of the following bonds and instruct the City Clerk to publish notice. (Details on projects covered by each hearing are on file for review.)
 - (a) ECP-1 - Not to Exceed \$4,200,000.00 General Obligation Bonds (Essential Corporate Purpose).
 - (b) GCP-2 - Not to exceed \$700,000.00 General Obligation Bonds (General Corporate Purpose).
 - (c) GCP-3 - Not to exceed \$700,000.00 General Obligation Bonds (General Corporate Purpose).
 - (d) GCP-4 - Not to exceed \$700,000.00 General Obligation Bonds (General Corporate Purpose).
27. Resolution approving Amendment No. 3 to the Customer Agreement originally executed on August 17, 2017, for an automated red light and speed enforcement program with SensysGatso of Beverly, Massachusetts, and authorizing the Mayor to execute said document.
28. Resolution approving award of bid to Price Industrial Electric, Inc., of Robins, Iowa, in the amount of \$2,095,065.57, approving the contract, bond and certificate of insurance, in

conjunction with the FY 2024 Fiber-Optic Outside Plant (OSP), Economic Development Administration (EDA) Award Number 05-79-06185, Contract No. 1086, and authorizing the Mayor and City Clerk to execute said document.

29. Resolution approving award of bid to Peters Construction Corporation of Waterloo, Iowa in the amount of \$98,942.10, approving the contract, bonds, and certificate of insurance, in conjunction with the Airport CARES Maintenance Grant, AIP 3-19-0094-048, Hangar No. 4 Mold Remediation Project, and authorizing the Mayor and City Clerk to execute said documents.
30. Motion to approve Final Quantity Summary with Brock Even Construction, LLC, of Jesup, Iowa, for a net increase of \$26,725.40, in conjunction with the FY 2024 Sidewalk Infill, Sidewalk Ramp and Trail Repair Program - Zone 3, Contract No. 1079, and authorizing the Mayor and City Clerk to execute said document.
31. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Brock Even Construction, LLC, of Jesup, Iowa, in the amount of \$293,984.51, in conjunction with the FY 2024 Sidewalk Infill, Sidewalk Ramp and Trail Repair Program - Zone 3, Contract No. 1079, and receive and file a two-year maintenance bond.
32. Resolution approving the donation of K-9 "Niko" to his handler, Albert Bovy.
33. Resolution approving the donation of K9 "Axe" to his handler, Sergeant Jordan Ehlers.
34. Motion to approve Change Order No. 1 with FM Controls, of Fort Dodge, Iowa, for a net increase of \$16,680.00, in conjunction with the Airport CARES HVAC Project, AIP Grant No. 3-19-0094-048, and authorizing the Mayor to execute said document.
35. Motion to approve appointment of Tyler M. Weber from the current Civil Service List to the position of Sewer Maintenance Worker in the Waste Management Services Department, effective February 6, 2024, pending pre-employment physical and drug testing.
36. Motion to approve the appointment of Tina Schellhorn from the current Civil Service List to the position of Associate Traffic Engineer in the Traffic Department, effective February 6, 2024.
37. **Eric Ritland** Board/Commission: Cultural & Arts Commission Expiration Date: December 31, 2026 (Renewal)
38. **Star Rupe** Board/Commission: Main Street Waterloo Expiration Date: December 31, 2024 (Renewal)
39. **Chris Hale** Board/Commission: Main Street Waterloo Expiration Date: December 31, 2024 (New)
40. **Ethan Hughes** Board/Commission: Main Street Waterloo Expiration Date: No Term Date (New)
41. **Samantha Gutknecht** Board/Commission: Main Street Waterloo Expiration Date:

December 31, 2024 (Renewal)

42. **Nicholas Hedrick** Board/Commission: Main Street Waterloo Expiration Date: No Term Date (New)
43. **Samantha Price** Board/Commission: Main Street Waterloo Expiration Date: December 31, 2024 (New)
44. **Donald Patnode** Board/Commission: Main Street Waterloo Expiration Date: December 31, 2026 (New)
45. **Zach Hansen** Board/Commission: Main Street Waterloo Expiration Date: December 31, 2024 (New)
46. **Jeanne Miller** Board/Commission: Main Street Waterloo Expiration Date: December 31, 2024 (Renewal)
47. **Jacob Bauer** Board/Commission: Main Street Waterloo Expiration Date: December 31, 2024 (New)
48. **Gabby Barnett** Board/Commission: Main Street Waterloo Expiration Date: December 31, 2026 (New)
49. **David Deeds** Board/Commission: Main Street Waterloo Expiration Date: December 31, 2026 (Renewal)
50. **Brendon Wagner** Board/Commission: Main Street Waterloo Expiration Date: December 31, 2025 (Renewal)
51. **Dan Levi** Board/Commission: General Contractor Board Expiration Date: February 15, 2027 (Renewal)
52. **Brandon Schoborg** Board/Commission: General Contractor Board Expiration Date: February 19, 2027 (Renewal)
53. **Jessica Rucker** Board/Commission: Leisure Services Commission Expiration Date: March 1, 2027 (New-full)
54. Waterloo Housing Authority board minutes of January 16, 2024.
55. Board of Adjustment meeting minutes of November 28, 2023.
56. Historic Preservation Commission minutes of November 21, 2023.
57. Planning, Programming, and Zoning Commission minutes of December 12, 2023.
58. Liquor Licenses
 - a. Casey's General Store, 51 E. Tower Drive, Class E Alcohol w/Sunday Sales (Renewal) Exp: 2/28/2025.
 - b. Cork's, 1956 Lafayette St., Class E Alcohol w/Sunday Sales (New) Exp: 1/16/2025.

- c. Family Dollar #32879, 1608 University Ave., Class B Alcohol w/Sunday Sales (Renewal) Exp: 1/6/2025.
- d. The Loft, 710 Jefferson St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 1/30/2025.
- e. The Other Place, 360 E. Ridgeway Ave., Class C Alcohol w/Sunday Sales (Renewal) Exp: 1/25/2025.
- f. SAC'S Neighborhood Pub, 2000 Hawthorne Ave., Class C Alcohol w/Outdoor Sales and Sunday Service (Renewal) Exp: 1/31/2025.
- g. Family Dollar #21424, 1120 Franklin St., Class B Alcohol w/Sunday Sales (Renewal) Exp: 8/7/2024.

59. Motion approving denial of a Liquor License Application for Family Dollar #25600, 611 Broadway Street, as recommended by Planning & Zoning.

PUBLIC HEARINGS

1. Waterloo Convention Center Restroom Renovation Project.

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.

Resolution approving award of bid to Peters Construction Corporation of Waterloo, Iowa, in the amount of \$995,697.00, approving the contract, bonds, and certificate of insurance, in conjunction with the Waterloo Convention Center Restroom Renovation project, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

2. Purchase of two Golf Course Greens Mowers.

Motion to receive and file proof of publication and 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 specifications, bid documents, form of contract, etc., and authorizing to proceed.

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

Resolution awarding bid to MTI Distributing, Inc., of Brooklyn Center, Minnesota, in the amount of \$97,363.24 in conjunction with the purchase of two (2) golf course greens mowers.

Submitted by: Paul Huting, Leisure Services Director

RESOLUTIONS

1. Resolution approving a Professional Services Agreement with Survey And Mapping, LLC, of Maryville, Missouri, in the amount of \$93,750.00, in conjunction with the FY 2024 Easement Digitization, Contract No. 1101, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Jamie Knutson, City Engineer

2. Resolution approving a Pre-construction Agreement with the Iowa Department of Transportation, in the amount of \$10,000.00, in conjunction with the US 63 (1st Street) bridge rehabilitation, DOT Project Number BRFN-063-6(100)--39-07, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Mohammad Elahi, Traffic Operations Director

3. Resolution approving a Professional Services Agreement with ISG Inc., of Waterloo, Iowa, in the amount of \$7,000.00, in conjunction with the Ridgeway and Hammond Avenue Roundabout Placement and Functional Analysis, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Mohammad Elahi, Traffic Operations Director

4. Resolution approving Supplemental Agreement No. 1 to a Professional Services Agreement with AECOM Technical Services, Inc., of Waterloo, Iowa, originally executed September 24, 2018, in an amount not to exceed \$595,000.00, in conjunction with the Titus Lift Station and Force Main Project Contract No. 975, and authorizing the Mayor to execute said document.

Submitted by: Randy Bennett, Public Works Division Manager

5. Resolution approving a Project Funding Agreement with the Waterloo Development Corporation for asbestos testing of properties located at 100 Commercial Street, 118 Sycamore Street, and 128 Sycamore 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 Professional Service Agreement with AECOM Technical Services, Inc., of Waterloo, Iowa, in the amount of \$27,000.00 in conjunction with the Park Avenue Parking Ramp Repairs Project, and authorizing the Mayor to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

7. Resolution approving the Iowa Certified Local Government 2023 Annual Report, and authorizing the Mayor and Community Planning and Development Director to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

8. Resolution approving participation in the Northeast Industrial Access National Environmental Policy Act (NEPA) study, designating the Mayor as the official representative of the City of Waterloo, authorizing the Mayor to affix their signature to the resolution, and providing financial assurances in the amount of \$60,000.00.

Submitted by: Noel Anderson, Community Planning and Development Director

9. Resolution approving a Development and Minimum Assessment Agreement with Damir Dzanic, for the construction of a new commercial building located north of 110 Dunham

Place, with a minimum assessed value of \$200,000.00, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

10. Resolution approving a Development and Minimum Assessment Agreement with Back Alley Printers, Inc., for the remodel of a building located at 2975 Airline Circle, with a minimum assessed value of \$2,134,730.00 and rebates at fifty percent for ten years, and the option for the City to purchase excess land in the future at a rate of \$30,000.00 per acre, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

11. Resolution authorizing sponsorship of the High Quality Jobs Application with the Iowa Economic Development Authority, for Back Alley Printers, also known as Dignity Apparel, LLC, for the addition of up to fifty-five jobs associated with their new business located at 2975 Airline Circle, and authorizing the Community Planning and Development Director to execute said application.

Submitted by: Noel Anderson, Community Planning and Development Director

ORDINANCES

1. **An ordinance amending the City of Waterloo Code of Ordinances by amending Title 9, Building Regulations, Chapter 4, Plumbing Regulations, Article A, Plumbing Code, Section 9-4A-2, Amendments, by adding subsection 715.1.2.**

Motion to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Code of Ordinances by amending Title 9, Building Regulations, Chapter 4, Plumbing Regulations, Article A. Plumbing Code, Section 9-4A-2, Amendments, by adding subsection 715.1.2.

Motion to suspend the rules.

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

Submitted by: Greg Ahlhelm, Building Official

2. **An ordinance amending the City of Waterloo Code of Ordinances by amending Title 5, Police Regulations, Chapter 1, Animal Control, Article B, Dangerous Animals and Regulated Dogs, Section 5-1B-9, Dog Attacks.**

Motion to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Code of Ordinances Title 5, Police Regulations, Chapter 1, Animal Control, Article B, Dangerous Animals, and Regulated Dogs, Section Section 5-1B-9greg, Dog Attacks, by removing the term "At Large" from the ordinance and replacing the term "apprehended" with seized, in the ordinance.

Motion to suspend the rules.

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

Submitted by: Randy Bennett, Public Works Division Manager

3. **An ordinance amending the City of Waterloo Code of Ordinances by amending Title 1, Administration, Chapter 4, Mayor and City Council, Section 11, Method of**

Keeping Minutes.

Motion to receive, file, consider, and pass for the first time an Ordinance amending the City of Waterloo Code of Ordinances by repealing Title 1, Administration, Chapter 4, Mayor and City Council, Section 11, Method of Keeping Minutes, and enacting in lieu thereof a new Title 1, Administration, Chapter 4, Mayor and City Council, Section 11, Method of Keeping Minutes.

Motion to suspend the rules.

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

Submitted by: Kelley Felchle, City Clerk

CLOSED SESSION

1. Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).
2. Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).
3. Closed Session on the purchase of real estate pursuant to Iowa Code Section 21.5(1)(j).

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk