



**THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, February 19, 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 - Mayor Quentin Hart.

Approval of Agenda as proposed or amended.

Approval of Minutes of February 5, 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 Michael Scheffler, for tax exemptions on the construction of a new single family home valued at \$300,000.00, for property located at 111 Coral Drive and located in the Consolidated Urban Revitalization Area (CURA).
3. Resolution approving the request by Michael Vandello, for tax exemptions on improvements to office space valued at \$401,091.00, for property located at 216 E. 4th Street and located in the Consolidated Urban Revitalization Area (CURA).
4. Resolution approving the request by Sidney Gashi, for tax exemptions on the construction of a new twin home unit valued at \$269,900.00, for property located at 4342 Mourning Dove Drive and located in the City Limits Urban Revitalization Area (CLURA).
5. Resolution approving the request of Tammie Wayland for a waiver for an asphalt driveway located at 2512 Idaho Street, with elimination of the sidewalk section.
6. Resolution approving preliminary plans, specifications, form of contract, 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 2024-2026 Right-of-Way Mowing Contract, and instruct the City Clerk to publish notice.
7. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as March 21, 2024, and date of public hearing as April 1, 2024, in conjunction with the FY 2025 and FY 2026 Complaint Mowing with Complaint Snow Removal Contract, and instruct the City Clerk to publish notice.
8. Resolution approving preliminary plans, specifications, form of contract, etc., setting the date of bid opening as March 7, 2024, and date of public hearing as March 18, 2024, in conjunction with the FY 2024 Kingsley Avenue Reconstruction Project, Contract No. 1100, and instruct the City Clerk to publish notice.
9. Resolution approving preliminary plans, specifications, form of contract, etc., setting the date of bid opening as March 7, 2024, and date of public hearing as March 18, 2024, in

conjunction with the FY 2024 Broadway Street Reconstruction Project, Contract No. 1095, and instruct the City Clerk to publish notice.

10. Resolution approving preliminary plans, specifications, form of contract, etc., setting the date of bid opening as March 14, 2024, and date of public hearing as March 18, 2024, in conjunction with the FY 2024 Asphalt Overlay Program, Contract No. 1099, and instruct the City Clerk to publish notice.
11. Resolution approving Acknowledgment/Settlement Agreement with Hy-Vee, 2834 Ansborough Avenue, Waterloo, Iowa 50701, for tobacco violation-first offense, and acceptance of civil penalty in the sum of \$300.00.
12. Motion to approve Final Quantity Summary with Peterson Contractors, Inc. of Reinbeck, Iowa, for a net decrease of \$16,950.00, in conjunction with the FY2023 Gates Park Pool Demolition, Contract No. 1053, 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 \$113,434.00, in conjunction with the FY 2023 Gates Park Pool Demolition Project, Contract No.1053, and receive and file a two-year maintenance bond.
14. Resolution approving cancellation of assessments for 1020 W. 3rd Street in the amount of \$270.05, and 1712 Black Hawk Street in the amount of \$180.68, and authorizing the City Clerk to notify Black Hawk County Treasurer of said cancellation.
15. Resolution approving a Community Attraction and Tourism Grant Agreement No. 23-CAT-006, in the amount of \$1,000,000.00, and authorizing required gap funding to complete the Transforming Gates and Byrnes Parks Project.
16. Motion to receive and place on file the City of Waterloo the Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2023.
17. Motion approving the appointment of **Steven Kjergaard** to the position of Director of Aviation in the Waterloo Airport Department, effective February 29, 2024.
18. Motion approving the appointment of **Barbara Reiter** to the position of Administrative Secretary in the Traffic Operations Department, effective March 4, 2024, pending pre-employment physical and drug testing.
19. Motion approving the appointment of **Dawn Ward** to the position of EMS Administrative Assistant in the Fire Department, effective February 26, 2024.
20. Motion to approve the appointment of **Daniel Baker** from the current Civil Service List to the position of Engineer Assistant in the Engineering Department, effective February 20, 2024.
21. Motion to approve the appointment of **LeKeisha Veasley** to the position of Housing Authority Director in the Housing Department effective March 4, 2024.
22. Communication on the notice of the conclusion of employment of Wendy Bowman, Special Projects Coordinator, effective January 3, 2024, with recommendation of approval of payout

of \$3,953.57 for unused benefits.

23. Communication from the Airport Department on the notice of the conclusion of employment of Keith Kaspari, Airport Director, effective January 26, 2024, with recommendation of approval of payout of \$14,975.40 for unused benefits.
24. Communication from the Community Development Department on the notice of the conclusion of employment of Anita Rousselow, Administrative Secretary, effective February 2, 2024, with recommendation of approval of payout of \$2,021.01 for unused benefits.
25. Communication from the Housing Authority Department on the notice of the conclusion of employment of Julie Dawson, Housing Authority Director, effective January 31, 2024, with recommendation of approval of payout of \$10,538.56 for unused benefits.
26. Communication from the Traffic Department on the notice of the conclusion of employment of Susan Holmes, Administrative Secretary, effective January 26, 2024, with recommendation of approval of payout of \$9,797.34 for unused benefits.
27. **Matthew Gilbert** Board/Commission: Historic Preservation Commission Expiration Date: February 6, 2026 (Amended Term)
28. **Terry Pearson Stevens** Board/Commission: Historic Preservation Commission Expiration Date: February 6, 2026 (Amended Term)
29. **Ed Ottesen** Board/Commission: Historic Preservation Commission Expiration Date: February 6, 2026 (Amended Term)
30. Liquor Licenses
 - a. Babes Tap, 210 Division St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 3/14/2025.
 - b. Cedar Valley Fish Market, 218 Division St., Special Class C Alcohol w/Sunday Sales (Renewal) Exp: 1/25/2025.
 - c. ML Golf-Gates Park Golf Course, 820 E. Donald St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 2/28/2025.
 - d. Prime Mart, 3535 Marigold Dr., Class E Alcohol w/Sunday Sales (Renewal) Exp: 1/19/2025.
 - e. Elitte Cafe' Bar, 1108 Jefferson St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 2/7/2025.
 - f. Hy-Vee Market Cafe' #3, 1422 Flammang D., Class C Alcohol w/Catering and Sunday Sales (Renewal) Exp: 3/15/2025.
 - g. Buzz's Bar, 1016 Maynard Ave., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 3/14/2025.
 - h. Crossroads Cinema, 2450 Crossroads Blvd., Class C Alcohol w/Sunday Sales (Renewal) Exp: 3/14/2025.
 - i. Danny's On Donald, 1125 W. Donald St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 10/4/2024.
 - j. Laid Back Social Club, 501 Independence Av., Class C Alcohol w/Sunday Sales (Renewal) Exp: 2/21/2025.
 - k. ML Golf-Irv Warren Memorial Golf Course, 1000 Fletcher Ave., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 2/28/2025.

- l. ML Golf-South Hills Golf Course, 1830 E. Shaulis Rd., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 2/28/2025.
 - m. SingleSpeed Brewing, 325 Commercial St., Class C Alcohol w/Outdoor Service, Catering and Sunday Sales (Renewal) Exp: 12/31/2024.
 - n. Sycamore Convenience, 617-619 Sycamore St., Class E Alcohol w/Sunday Sales (Renewal) Exp: 3/11/2025.
 - o. Tokyo Japanese Steakhouse, 1931 Sears St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 2/13/2025.
 - p. Local Bar Hop, 708 Commercial St., Class C Alcohol w/Outdoor Service and Sunday Sale (New) Exp: 1/31/2025.
31. Motion to approve a Cigarette/Tobacco/ Nicotine/Vapor Permit Application for The Spot III, 117 E. San Marnan Drive.

PUBLIC HEARINGS

1. Issuance of not to exceed \$8,500,000.00 Sewer Revenue Capital Loan Notes, Series 2024A (State of Iowa Revolving Fund Loan).

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 Instituting Proceedings to Take Additional Action for the Issuance of not to exceed \$8,500,000.00 Sewer Revenue Capital Loan Notes, Series 2024A (State of Iowa Revolving Fund Loan).

Submitted by: Bridgett Wood, Finance Director

2. 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.

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 recommendations 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 Turnkey Associates, on behalf of 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.

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

3. 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 46,000 square feet, and a future option on Lot 2, Waterloo Air and Rail Park 1st Addition, located south of 115 Warp Drive.

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 115 Warp Drive, to NADROJ Realty, LLC, in the amount of \$1.00, and authorizing the Mayor and City Clerk to execute said documents.

Resolution approving a Development and Minimum Assessment Agreement with NADROJ Realty, LLC, for the construction of a new building of approximately 46,000 square feet, with a minimum assessed value of \$1,800,000.00 and property tax rebate schedule of five years at fifty percent, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

- 4. Sale and conveyance of city-owned 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.**

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 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 authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

- 5. 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.**

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 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.

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

RESOLUTIONS

1. Resolution of the City of Waterloo, Iowa, authorizing official banking signatures.

Submitted by: Aaron McClelland, Captain

2. Resolution approving a request by JSA Development for an Encroachment Agreement to allow for the installation of decorative lights along the public sidewalk along East Park Avenue in the "C-2" Commercial District at 425 Franklin Street.

Submitted by: Noel Anderson, Community Planning and Development Director

3. Resolution approving the Real Estate Purchase Agreement with Zachary Beschorner for property located at 1103 Commercial Street, in the amount of \$45,920.00 plus up to \$2,000.00 in closing costs, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

4. Resolution approving a Purchase Agreement with Landscape Forms, Inc., of Kalamazoo, Michigan, in the amount of \$51,179.46 in conjunction with the FY 2024 Gates Park Renovation Amenities purchase, and authorizing the Mayor to execute said documents.

Submitted by: Travis Nichols, Facilities/Project Manager

5. Resolution approving a Professional Service Agreement with Terracon Consultants of Cedar Falls, Iowa, in conjunction with construction observation and materials testing, with a cost estimate of \$6,692.50, in conjunction with the FY 2024 Byrnes Aquatic Center, Contract No. 1077, and authorizing the Mayor to execute said documents.

Submitted by: Travis Nichols, Facilities/Project Manager

6. Resolution approving changes to the City Travel and Meeting Policy, effective February 20, 2024.

Submitted by: Bridgett Wood, Finance Director

7. Resolution to amending a Letter of Intent originally executed on August 10, 2023, with Trillium Transportation Fuels, LLC, of Houston, Texas, for a second extension of ninety days with no additional charge, for the design, construction, and operation of a renewable natural gas project at the City Waste Water Treatment plant and anaerobic lagoon, and authorizing the Mayor to execute said document.

Submitted by: Randy Bennett, Public Works Division Manager

8. Resolution approving Amendment No. 3 to the Professional Services Agreement originally executed December 8, 2022, with Strand Associates Inc., of Madison, Wisconsin, for bidding-related services associated with the Third Party Renewable Natural Gas Project, and authorizing the Mayor to execute said document.

Submitted by: Randy Bennett, Public Works Division Manager

9. Resolution approving a Real Estate Purchase Agreement with Nationstar Mortgage, LLC, and a deed to sell real property to the City of Waterloo, in the amount of \$22,000.00, including closing costs and fees, located at 233 Gable Street and authorizing the Mayor to execute said documents.

Submitted by: Jennifer Coon, Administrative Secretary

CLOSED SESSION

1. 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