



**THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, March 18, 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 - Nia Wilder, Ward 3 Council Member.

Approval of Agenda as proposed or amended.

Approval of Minutes of March 4, 2024, as proposed or amended.

Waterloo Police Department Live Saving Award presented to Officers Jessica Brownell, Cheyenne Shaw, and Keefe Williams.

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 preliminary plans, specifications, form of contract, etc., setting date of bid opening as April 18, 2024, and date of public hearing as May 6, 2024, in conjunction with the Street Department Seal Coat Program, and instruct the City Clerk to publish notice.
3. Resolution approving preliminary plans, specifications, bid documents, form of contract, etc., setting the date of bid opening as April 4, 2024, and date of public hearing as April 15, 2024, in conjunction with the 2024-2026 Wastewater Treatment Plant and Lagoon Mowing /Spraying Project, and instruct the City Clerk to publish notice.
4. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as April 4, 2024, and date of public hearing as April 15, 2024, in conjunction with the 2024-2025 Residential Lots/Miscellaneous Areas Mowing and Lot Maintenance Services Contract for city-owned lots generally maintained by the Planning and Zoning Department, and instruct the City Clerk to publish notice.
5. Resolution approving award of bid to Restoration Services of Waterloo, Iowa, in the amount of \$31,970.00, approving the contract, bonds, and certificate of insurance, in conjunction with the Hangar No. 4 Tuckpointing and Painting, IDOT FY-23 CSVI Project, and authorizing the Mayor and City Clerk to execute said documents.
6. Resolution approving award of bid to Adams Outdoor Contracting Inc., of Waterloo, Iowa, in the amount of \$79.99/acre Option A, \$79.99/acre Option C, \$249.99/acre Option D, and to Professional Lawn Care LLC, of Waterloo, Iowa in the amount of \$82.50/acre Option B, approving the contracts, bonds, and certificates of insurance, in conjunction with the 2024-2026 Right-of-Way Mowing Contract, and authorizing the Mayor and City Clerk to execute said documents.
7. Resolution approving award of bid to Mike Fereday Heating & Air Conditioning of Waterloo, Iowa, in the amount of \$26,753.00, approving the contract, bonds, and certificate of

insurance, in conjunction with the Hangar No. 4 HVAC Replacement, IDOT FY-23 CSVI Project, and authorizing the Mayor and City Clerk to execute said documents.

8. Resolution approving the submission of a public service grant application from Walmart, Inc., in the amount of \$5,000.00, for community outreach and education events, and authorizing the Fire Chief to execute said document.
9. Resolution approving the Economic Development Assistance Contract between the Iowa Economic Development Authority, Dignity Apparel, LLC, and the City of Waterloo for the High-Quality Jobs Application with the Iowa Economic Development Authority, for the addition of up to fifty-five jobs associated with their new business located at 2975 Airline Circle, and authorizing the Mayor to execute said document.
10. Motion to approve Final Quantity Summary with D & N Fence Co., Inc., of Cedar Rapids, Iowa, for a net decrease of \$1,588.75, in conjunction with the FY 2024 Trolley Car Trail Chain Link Fence Replacement Project, Contract No. 1093, and authorizing the Mayor to execute said document.
11. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by D & N Fence Co., Inc., of Cedar Rapids, Iowa, in the amount of \$105,811.25, in conjunction with the FY 2024 Trolley Car Trail Chain Link Fence Replacement Project, Contract No. 1093, and receive and file a two-year maintenance bond.
12. Motion to approve an Exception to Burning Yard Waste Application by Waterloo Leisure Services, to burn approximately 4 acres of native vegetation on property located west of the Greenbelt Lake parking area between March 25, 2024, and May 31, 2024, beginning at 10:00 a.m., weather permitting.
13. Complete Streets Advisory Committee minutes of November 26, 2023, and January 30, 2024.
14. Motion to receive and file Airport Board minutes of January 24, 2024.
15. Board of Adjustment Regular Meeting minutes of January 23, 2024, and February 13, 2024.
16. Motion to receive and file Community Development Board minutes of February 20, 2024.
17. Historic Preservation Commission minutes of December 19, 2023, and January 16, 2024.
18. **Casey Gardner**, Board/Commission: General Contractor Board, Expiration Date: February 16, 2027, Renewal.
19. Liquor Licenses
 - a. Daq King, 632 Sycamore St., Class C Alcohol w/Sunday Sales (New) Exp: 11/12/2024.
 - b. Doughy Joey's Peetza Joynt, 300 W. 4th St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 2/7/2025.
 - c. Spectra Venue Management (Convention Center), 200 W. 4th St., Class C Alcohol w/Outdoor Service, Catering and Sunday Sales (Renewal) Exp: 1/31/2025.

- d. Ali's Corner, 1117 E. 4th St., Class E Alcohol w/Sunday Sales (Renewal) Exp: 3/31/2025.
- e. Amalgamated Local 838 UAW, 2615 Washington St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 2/28/2025.
- f. Cadillac XBC, 650 La Porte Rd., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 3/27/2025.
- g. Grout Museum, 503 South St., Special Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 2/23/2025.
- h. Hampton Inn, 2034 La Porte Rd., Special Class C Alcohol w/Sunday Sales (Renewal) Exp: 1/31/2025.
- i. Jameson's Public House, 310 E. 4th St., Class C Alcohol w/Outdoor Service and Sunday Sales (New) Exp: 3/31/2025.
- j. New Star Fletcher, 315 Fletcher Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 1/29/2025.
- k. Snowden House, 306 Washington St., Special Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 12/14/2024.
- l. Uni Mart, 1615 Bishop Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 2/28/2025.
- m. El Patron, 30 E. 4th St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 2/28/2025.
- n. The Snack Shack, 4335 Texas St., Class E Alcohol w/Sunday Sales (Renewal) Exp: 11/4/2024.
- o. The Spot #3, 117 E. San Marnan Dr., Class E Alcohol w/Sunday Sales (New) Exp: 2/28/2024.

20. Bonds.

PUBLIC HEARINGS

- 1. Sale and Conveyance of city owned property located north of 216 Sunnyside Avenue to Iowa Heartland Habitat for Humanity in the amount of \$1.00, with a Development Agreement and a Grant of \$5,000.00 for infill housing development.**

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 authorizing the sale and conveyance of city-owned property located north of 216 Sunnyside Avenue, in the amount of \$1.00 to Iowa Heartland Habitat for Humanity, and authorizing the Mayor and City Clerk to execute said documents.

Resolution approving a Development Agreement with Iowa Heartland Habitat for Humanity for the construction of a single-family home, with a \$5,000.00 infill housing grant, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

- 2. Sale and conveyance of city-owned property located at 215 Locust Street, in the amount of \$5,000.00, to Marcelino Balion Perez, including a Development Agreement and Real Estate Contract.**

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 authorizing the sale and conveyance of city-owned property located at 215 Locust Street, in the amount of \$5,000.00, to Marcelino Balion Perez, and authorizing the Mayor and City Clerk to execute said documents.
Resolution approving a Development Agreement and Real Estate Contract with Marcelino Balion Perez for the rehabilitation of 215 Locust Street, including a refund of the \$5,000.00 purchase price and a \$5,000.00 infill housing grant upon completion of the project, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

3. FY 2024 Broadway Street Reconstruction Project, Contract No. 1095.

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 City Clerk to read bids.
Resolution approving award of bid to Cedar Valley Corporation, of Waterloo, Iowa, in the amount of \$4,576,538.79, approving the contract, bond and certificate of insurance, in conjunction with the FY 2024 Broadway Street Reconstruction Project, Contract No. 1095, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Jamie Knutson, City Engineer

4. FY 2024 Kingsley Avenue Reconstruction Project, Contract No. 1100.

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 City Clerk to read bids.
Resolution approving award of bid to Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of \$631,152.55, approving the contract, bond and certificate of insurance, in conjunction with the FY 2024 Kingsley Avenue Reconstruction Project, Contract No. 1100, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Jamie Knutson, City Engineer

5. FY 2024 Asphalt Overlay Program, Contract No. 1099.

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 City Engineer for review.

Submitted by: Jamie Knutson, City Engineer

RESOLUTIONS

1. Resolution approving a Professional Services Agreement with AECOM, of Waterloo, Iowa, in the amount of \$122,000.00, in conjunction with the FY 2024 Sergeant Road Trail Repairs Project, Contract No. 1091, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Jamie Knutson, City Engineer

2. Resolution approving a Development Agreement with Net Worth Investment, LLC, for the construction of a ten unit residential building on an infill lot located east of 2557 West 3rd Street, including a \$50,000.00 infill incentive upon substantial completion, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

3. Resolution approving a request by the City of Waterloo for the Final Plat of North Crossing 4th Addition, a 14-lot commercial subdivision located between Logan Avenue (US Highway 63) and East 4th Street, south of Ralston Road.

Submitted by: Noel Anderson, Community Planning and Development Director

4. Resolution approving the Termination of a Development and Minimum Assessment Agreement with GMJ2 Industries, LLC, for property located south of 2330 GT Drive, originally approved by Council on May 26, 2015, 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 document.

Submitted by: Noel Anderson, Community Planning and Development Director

5. Resolution approving a Subordination Agreement with Grand Investments, LLC for the benefit of Arbor Commercial Funding I, LLC, to refinance an existing mortgage dated May 15, 2015, filed June 3, 2015, under recorded document number 2015-19747, and replace the current subordination agreement file October 9, 2015, under recorded document number 2016-6852, for projects located at 21 and 45 West Jefferson Street, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

6. Resolution approving an Amendment to the Development and Minimum Assessment Agreement with Superior Properties, LLC, executed on June 20, 2022, in conjunction with the development of property located at the southwest corner of Airline Highway and Geraldine Road, to extend the completion timeline to April 30, 2024, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

7. Resolution authorizing the issuance of General Obligation Capital Loan Notes, Series 2024D, and levying a tax for the payment thereof.

Submitted by: Bridgett Wood, Finance Director

8. Resolution approving an agreement for a State and Community Highway Safety Grant, PAP

402-PS-2024, Task 04-00-53, in the amount of \$29,200.00, for Waterloo Bicycle Education and Enforcement, and authorizing the Mayor to execute said document.

Submitted by: Randy Bennett, Public Works Division Manager

9. Resolution approving an agreement with MidAmerican Energy, in the amount of \$4,182.54 for the purchase and installation of a streetlight to be located at 205 Southbrooke Drive, and authorizing the Mayor to execute said document.

Submitted by: Randy Bennett, Public Works Division Manager

ORDINANCES

1. **An ordinance amending the City of Waterloo Traffic Code by adding Subsection (75a) Coral Drive, to Section 551, Parking prohibited at all times on certain streets. (75a) Coral Drive - East side between Bismark Avenue and Harwood Avenue.**

Motion to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Traffic Code by adding Subsection (75a) Coral Drive, along the east side of Coral Drive between Bismark Avenue and Harwood Avenue, to Section 551 Parking prohibited at all times on certain streets.

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

2. **An ordinance amending the City of Waterloo Traffic Code by adding Subsection (23a) Axlewood Drive, to Section 551, Parking prohibited at all times on certain streets, East side of Axlewood Drive to Magnolia Parkway.**

Motion to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Traffic Code by adding Subsection (23a) Axlewood Drive, No Parking on the East side of Axlewood Drive to Magnolia Parkway, to Section 551, Parking prohibited at all times on certain streets.

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

OTHER COUNCIL BUSINESS

1. Hearing and Order Assessing Civil Penalty to Dollar General, 428 E. 1st Street, Waterloo, Iowa 50703, for sale of tobacco to minor violation-first offense.

Submitted by: Marty Petersen, City Attorney

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk

