THE CITY COUNCIL OF WATERLOO, IOWA
Regular Session TO BE HELD AT
Harold E. Getty Council Chambers
Monday, April 1, 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.

Approval of Agenda as proposed or amended.

Approval of Minutes of March 18, 2024, Regular Session, 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 a request by Natasha Lash for tax exemptions on the construction of a new twin home unit valued at $269,900.00, for property located at 4148 Omaha Avenue, and located in the City Limits Urban Revitalization Area (CLURA).

3. Resolution setting date of public hearing as April 15, 2024, to approve the FY 2025 budget, and instruct the City Clerk to publish notice.

4. Resolution setting the date of public hearing as April 15, 2024, for the sale and conveyance of City-owned property to Gearheart Moore Holdings, LLC, in the amount of $1.00, with a Development and Minimum Assessment Agreement for renovation of the former Rath Administration Building, and instruction the City Clerk to publish notice.

5. Resolution setting date of public hearing as April 15, 2024, for the sale and conveyance of approximately 93.7 acres of city-owned property to PWM Companies, LLC, in the amount of $1.00, including a Development Agreement, with a grant schedule for reimbursement of infrastructure improvements, located east of 4342 Ansborough Avenue at the southeast corner of the Ansborough Avenue and Highway 20 Interchange, for the construction of commercial buildings, rescinding Resolution 2023-658, and instruct the City Clerk to publish notice.

6. Resolution setting date of public hearing as May 6, 2024, to approve proposed repairs, in conjunction with the FY 2025 Sidewalk Inspection and Repair Program – Zone 4, and approve a request to send out notification to property owners of proposed sidewalk repairs and estimate of costs, and instruct the City Clerk to publish notice.

7. 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 FY 2025 Levee Rip Rap Spraying Project, Contract No. 1104, and instruct the City Clerk to publish notice.

8. Resolution approving award of bid to Aspro, Inc., of Waterloo, Iowa, in the amount of $3,819,933.40, approving the contract, bonds, and certificate of insurance, in conjunction

with the FY 2024 Asphalt Overlay Program, Contract No. 1099, and authorizing the Mayor and City Clerk to execute said documents.

9. Resolution approving an application from the City of Waterloo, Iowa, to the Black Hawk Metropolitan Planning Organization, for a Carbon Reduction Program funding grant for the North Elk Run Road Widening project.

10. Resolution approving submission of an application to the Black Hawk County Metropolitan Area Transportation Policy Board for Surface Transportation Block Grant Program Funding Grant application, in the amount of $1,702,458.00, in conjunction with the Ridgeway Avenue and Hammond Avenue Intersection Roundabout Project.

11. Resolution approving submission of the Iowa Grade Crossing Surface Repair Fund application, along with the Iowa Northern Railway, to the Iowa Department of Transportation, in conjunction with the 11th Street Railroad Crossing Surface Repair Project, with the City being responsible for the cost of traffic control and twenty-percent of the construction cost, and authorizing the Mayor to execute said document.

12. Resolution approving a grant award with HUD, Office of Lead Hazard Control and Healthy Homes, in the amount of $1,999,991.00, in conjunction with Community Development, and authorizing the Mayor to execute said document.

13. Motion to approve Change Order No. 11 with ITG Communications, LLC, of Hendersonville, Tennessee, for a net increase of $72,112.07, in conjunction with the FY 2023 Construction of a Fiber-to-the-Premise Feeder/Distribution and Backbone Network Project, Contract No. 1088, and authorizing the Mayor and City Clerk to execute said document.

14. Motion to approve Change Order No. 1 with Peters Construction Corporation, of Waterloo, Iowa, for a net increase of $6,038.00, in conjunction with the Waterloo Convention Center Restroom Renovation Project, and authorizing the Mayor to execute said document.

15. Motion approving the appointment of Kyle Frost from the current Civil Service List to the position of Sewer Maintenance Worker in the Waste Management Services Department, effective April 2, 2024, pending pre-employment physical and drug testing.

16. Communication from the Police Department on the notice of the conclusion of employment of Mitchell McGee, Police Officer, effective March 15, 2024, with recommendation of approval of payout of $16,982.38 for unused benefits.

17. Communication from the Waste Management Services Department on the notice of the conclusion of employment of Howard Brooks, Waste Water Operator, effective March 21, 2024, with recommendation of approval of payout of $1,827.60 for unused benefits.

18. Exception to Burning Yard Waste Application by William Beck to burn invasive grass species on a former pasture located at 1994 Newell, between August 15 and October 15, 2024.

19. Motion to receive and file Community Development minutes of March 19, 2024.

20. <u>Liquor Licenses</u>

a. Hometown Foods, 1010 E Mitchell Avenue, Class E Alcohol w/Sunday Sales (Renewal) Exp: 4/30/2025.
b. Mughal, Inc., 735 Logan Avenue, Class E Alcohol w/Sunday Sales (Renewal) Exp: 4/23/2025.

PUBLIC HEARINGS

1. 2025-2026 Complaint mowing with complaint snow removal.

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 P&J Lawn Care of Waterloo, Iowa Option A: $1,700.00, Option B: $1,700.00 per occurrence, Option C: $65.00 per man-hour, and Option D: $145.75 per man-hour, approving the contracts, bonds, and certificates of insurance, in conjunction with the FY 20245-2026 Complaint Mowing with Complaint Snow Removal Contracts, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Marty Petersen, City Attorney

RESOLUTIONS

1. Resolution approving a Professional Service Agreement with Invision of Waterloo, Iowa, in the amount of $65,000.00, in conjunction with the Public Market Renovations Project, and authorizing the Mayor to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

2. Resolution approving a Development and Minimum Assessment Agreement with River Plaza Investments, LLC, for renovation of an existing commercial building into no less than 56 residential units with a $5,000.00 infill housing incentive per unit, having a minimum assessed value of $6,730,000.00, with rebates of fifty percent for ten years, located at 10 West 4th Street, in the Downtown TIF District, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

3. Resolution approving a Professional Services Agreement with HR Green, in an amount not to exceed $125,500.00, to perform professional consulting services as a qualified environmental professional to assist with the management and implementation of a CERCLA Section 104(K) Cleanup Grant from the Environmental Protection Agency pertaining to environmental cleanup of former Rath buildings at 1442 Sycamore Street, and authorizing the Mayor to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

4. Resolution approving an Amendment to the Development Agreement with Waterloo Development Corporation, originally executed September 5, 2023, amending the

anticipated budget from $2,895,704.00 to $3,163,958.50 in section 6 and the grant maximum amount from $2,695,704.00 to $2,963,958.50, and authorizing Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

5. Resolution approving an Amendment to the Development Agreement with FDP WTC, LLC, originally executed January 11, 2016, to change the assessed value to $8,000,000.00, forgive interest payments during the pandemic, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

6. Resolution approving the Real Property Charitable Donation Agreement with FDP WTC, LLC for approximately 2.25 acres within the Techworks Campus, and authorizing Mayor and City Clerk to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

7. Resolution approving the Cost-Share Grant Contract with the Iowa Department of Agriculture and Land Stewardship, for the Water Quality Initiative Program grant amount of $400,000.00, in conjunction with the FY 2023 Sunnyside Creek Improvements Wet Detention Pond and Channel Stabilization Project, Contract No. 1062, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Jamie Knutson, City Engineer

8. Resolution approving Supplemental Agreement No. 1, with AECOM, of Waterloo, Iowa, in the amount of $49,500.00, in conjunction with the FY 2024 Martin Luther King Jr. Drive Wetland A Restoration Project, Contract No. 1109, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Jamie Knutson, City Engineer

9. Resolution approving a Professional Services Agreement Amendment No. 1, with HR Green, in the amount not to exceed $84,000.00, in conjunction with the FY 2021 Shaulis Road Reconstruction - Hess Road to Hwy. 218 Project, Contract No. 1020, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Jamie Knutson, City Engineer

10. Resolution approving Supplemental Agreement No. 1 with Entrust Solutions Group (Magellan), of Denver, Colorado, in conjunction with the FY 2023 Construction of a Fiber-to-the-Premise Feeder/Distribution and Backbone Network Project, Contract No. 1088, and authorizing the Mayor and City Clerk to execute said document.

    Submitted by: Jamie Knutson, City Engineer

11. Resolution approving Supplemental Agreement No. 9 to a Professional Services Agreement with Wayne Claassen Engineering and Surveying, Inc., of Waterloo, Iowa, originally executed October 10, 2016, in an amount not to exceed $9,000.00, in conjunction with the FY 2017 Hammond Avenue Bridge Replacement Over Sink Creek Project, Contract No. 922, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Jamie Knutson, City Engineer

12. Resolution approving Sourcewell Contract No. 020221-SAM with SamSara Software of San Francisco, California, in the amount of $13,572.50 for the first year, and payments thereafter of $13,432.50 annually for a 36-month term, in conjunction with fleet tracking software for the Public Works Street Department, and authorizing the Mayor to execute said document.

    Submitted by: Randy Bennett, Public Works Division Manager

13. Resolution Approving Distribution of Preliminary Official Statement for $5,280,000* General Obligation Capital Loan Notes, Series 2024B; $720,000* Taxable General Obligation Capital Loan Notes, Series 2024C; and $20,000,000* General Obligation Capital Loan Notes, Series 2024D (*Dollar Amounts Subject to Change).

    Submitted by: Bridgett Wood, Finance Director

14. Resolution accepting a Professional Services Proposal from Advanced Environmental Testing and Abatement, Inc., in the amount of $13,490.00, for asbestos removal in the northeast section of the library, and authorizing the Mayor to execute said document.

    Submitted by: David Eckert, Library Director

15. Resolution approving Supplemental Agreement No. 1 to a Professional Services Agreement originally executed on March 20, 2023, with AECOM Technical Services of Waterloo, Iowa, in an amount not to exceed $21,000.00, in conjunction with conceptual design and visual renderings of proposed improvements at Riverfront Stadium, and authorizing the Mayor to execute said documents.

    Submitted by: Paul Huting, Leisure Services Director

ORDINANCES

1. **An ordinance amending the payment of fees under the Rental Housing Code.**

    Motion to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Code of Ordinances by repealing Subsection 5A(2), Payment of Fees, of Chapter 7, Rental Housing, Title 9, Building Regulations, and amending Subsection 6A(2) of Chapter 7, Rental Housing, Title 9 Building Regulations.
    Motion to suspend the rules.
    Motion to receive, file, consider, and pass for the second and third times and adopt the ordinance.

    Submitted by: Kelley Felchle, City Clerk

OTHER COUNCIL BUSINESS

1. Hearing and Order Assessing Civil Penalty to the Snack Shack, 4335 Texas Street, Waterloo, Iowa 50702, for sale of tobacco to minor violation-first offense.
    Motion to open the hearing.
    Motion to close the hearing.
    Motion to approve an order assessing civil penalty to the Snack Shack, 4335 Texas Street, Waterloo, Iowa 50702, for sale of tobacco to minor violation-first offense.

Submitted by: Marty Petersen, City Attorney

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk