

December 1, 2014

The Council of the City of Waterloo, Iowa, met in Regular Session at Harold E. Getty Council Chambers, Waterloo, Iowa, at 5:30 p.m., on Monday, December 1, 2014. Mayor Ernest G. Clark in the Chair. Roll Call: Cole, Jones, Schmitt, Lind, Morrissey, Welper, and Hart.

Moment of Silence.

Pledge of Allegiance: Michelle Weidner, Chief Financial Officer

143908 - Hart/Schmitt

that the Agenda, as proposed, for the Regular Session on Monday, December 1, 2014, at 5:30 p.m., be accepted and approved. Voice vote-Ayes: Seven Motion carried.

143909 - Hart/Schmitt

that the Minutes, as proposed, for the Regular Session on Monday, November 24, 2014, at 5:30 p.m., be accepted and approved. Voice vote-Ayes: Seven. Motion carried.

CONSENT AGENDA

143910 - Hart/Schmitt

that the following items on the consent agenda be received, placed on file and approved:

a. Resolutions to approve the following:

- 1. Resolution approving Finance Committee Invoice Summary Report, dated December 1, 2014, in the amount of \$3,384,386.56 a copy of which is on file in the City Clerk’s office, together with recommendation of approval of the Finance Committee.

Resolution adopted and upon approval by Mayor assigned No. 2014-1017.

- 2. Request of Edin Obic for tax exemptions on the construction of a new single family dwelling valued at \$200,000 for property located at 1916 Red Tail Dr. and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2014-1018

- 3. Request of Lindsey Jackson for tax exemptions for the construction of a new single family dwelling valued at \$154,500 located at 1315 Dearborn Ave. and located in the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2014-1019.

- 4. Request of Fa Jun Sun for tax exemptions for the construction of a new single family dwelling valued at \$238,000 located at 151 Sabrina Circle and located in the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2014-1020.

b. Motion to approve the following:

Travel Requests				
Name & Title of Personnel	Class/Meeting	Destination	Date(s)	Amount not to Exceed
Beverly Cosby, FSS Coordinator	Family Self-Sufficiency Training	Des Moines, IA	01/26/15-01/28/15	\$1,397.00
Kent Shankle, Cultural & Arts Director	Museum Visits	Chicago, IL	12/09/14-12/10/14	\$320.00
Michelle Weidner, Chief Financial Officer	19th Annual Governmental GAAP Update	Webinar in office	12/4/14	\$180.00
Director Trelka, Lt. Payne, DNE Agent Austin & Inv. Berry	Narcotics Update Training	Denver, CO	12/9/14-12/13/14	\$2,402.00

Approved Beer, Liquor, and Wine Applications				
Name & Address of Business	Class	New or Renewal	Expiration Date	Includes Sunday
Mama Nick’s Circle Pizzeria, Inc. 1934 Washington St.	Class C Liquor	Renewal	09/09/15	X
Grout Museum 503 South St.	Special C (BW) Liquor & Outdoor Sales	Renewal	12/14/15	X

Roll call vote-Ayes: Seven. Motion carried.

PUBLIC HEARINGS

143911 - Schmitt/Hart

that proof of publication of notice of public hearing on request by Zlatko Kuduzovic to rezone 0.49 acres from "R-2" One and Two Family Residence District to "C-2" Commercial District, located at the northeast corner of Ansborough Avenue and Upton Avenue., as published in the Waterloo Courier on November 19, 2014, be received and placed on file. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of public hearing, the Mayor called for written and oral objections on file in the City Clerk's office.

Jeffrey Armstrong, 720 Upton Ave., expressed opposition to the rezone and commercial development & presented the city with a petition in opposition to the rezone.

Karen Johnson, 716 Upton Ave., spoke in opposition to the commercial development.

Mr. Schmitt questioned what options could be done with the land.

Noel Anderson, Community Planning & Development Director, explained that there is a small section that is commercial on the north side of Upton Ave.

143912 - Schmitt/Hart

that the hearing be closed and oral and written comments be received and placed on file and recommendation of approval of Planning, Programming and Zoning Commission. Voice vote-Ayes: Seven. Motion carried.

143913 - Schmitt/Hart

Motion to receive, file, and consider for the first time an Ordinance amending Ordinance No. 5070, as amended, City of Waterloo Zoning Ordinance, by amending the Official Zoning Map referred to in Section 10-4-4, approving a Rezone on Certain Property. Roll call vote-Ayes: Two. Nays: Five (Cole, Jones, Schmitt, Lind, and Morrissey). Motion failed.

RESOLUTIONS

143914 - Cole/Hart

that "Resolution approving Young Arena Lease and Use Agreement with Waterloo Black Hawks Hockey, LLC, with recommendation of approval from the Leisure Services Commission; and authorize the Mayor to execute said document", be adopted. Roll call vote-Ayes: Seven.

Mr. Schmitt questioned if the changes will affect public walking and skating.

Paul Huting, Leisure Services Director, responded that it is not anticipated.

Jim Walsh, City Attorney, noted that it may affect walking/skating during the construction phase.

Ms. Cole supports the build as it is being paid by Black Hawks Hockey and shared revenue, plus a positive effect for Hockey fans.

Mr. Jones echoed Ms. Cole's comments. He noted that the city has invested more than a million dollars in Young Arena over the last 7 years.

Steve Murphy, 124 Terrace Dr., expressed concern with the timing of the lease changes due to the upcoming budget. He also expressed concern with reinvesting in Youth Hockey.

Don Miller, 707 Stone Quarry Rd., expressed concern with the revenue share in the Young Arena contract.

Mayor Clark stated that he could set a time to go over the financial exposure with Mr. Miller.

Mr. Jones questioned what the financial exposure is at this time.

Mayor Clark stated that he can't predict the financial exposure.

David Dryer, 3145 w. 4<sup>th</sup> St., expressed concern with the overall Young Arena budget.

Jim Walsh, City Attorney, stated that the margin will go back into Young Arena and that the city does know the operational cost of Young Arena and it is figured, published and available every year to the citizens.

Mr. Jones asked if Mr. Huting could explain.

Paul Huting, Leisure Services Director, noted that we are close to breaking even.

Jack Black, 227 Downing Ave., spoke in support of the lease change due to the fans being brought into the area.

Mayor Clark stated that we have to consider the value of having an USHL franchise in our city and the overall benefit of having the Black Hawks here.

Resolution adopted and upon approval by Mayor assigned No. 2014-1021.

143915 - Morrissey/Cole

Motion approving Change Order No. 2 for a net increase of \$22,760.41 for work performed by Aspro, Inc. of Waterloo, Iowa for the F.Y. 2014 Asphalt Overlay Program, Contract No. 857; and authorize Mayor and City Clerk to execute said document. Voice vote-Ayes: Seven. Motion carried.

143916 - Morrissey/Cole

that "Resolution approving Completion of Project and Recommendation of Acceptance of Work performed by Aspro, Inc. of Waterloo, Iowa in the amount of \$1,983,644.55, for the F.Y. 2014 Asphalt Overlay Program, Contract No. 857, and receive and file two (2) year maintenance Bond", be adopted. Roll call vote-Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2014-1022.

143917 - Morrissey/Cole

that "Resolution approving the Tax Increment Finance (TIF) electronic submittal reports to the State of Iowa for Fiscal Year 2014", be adopted. Roll call vote-Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2014-1023.

#### ORDINANCES

143918 - Hart/Welper

that "an Ordinance amending the 2008 Traffic Code by deleting Subsection (100) Sager to Section 553, No Parking Here to Corner; and inserting in lieu thereof a new Subsection (100) Sager to Section 553, No Parking Here to Corner", be received, placed on file, considered and passed for the first time. Roll call vote-Ayes: Seven. Motion carried.

143919 - Hart/Welper

that rules requiring ordinances to be considered and voted for passage at two prior meetings be suspended. Roll call vote-Ayes: Seven. Motion carried.

143920 - Hart/Welper

that "an Ordinance amending the 2008 Traffic Code by deleting Subsection (100) Sager to Section 553, No Parking Here to Corner; and inserting in lieu thereof a new Subsection (100) Sager to Section 553, No Parking Here to Corner", be considered and passed for the second and third times and adopted. Roll call vote-Ayes: Seven.

Ordinance adopted and upon approval by Mayor assigned No. 5258.

#### ORAL PRESENTATIONS

Mr. Schmitt announced the 3<sup>rd</sup> annual Christmas Carol sing along at Gallagher Bluedorn that will raise money for the Boys & Girls Club.

Forest Dillavou, 1725 Huntington Road, expressed concern with landfill pumping water into our sanitary sewer system.

Josh Wilson, 2031 Saratoga Dr., questioned travel requests and expressed concern with the travel request sending Arts Director to Paris, France.

143921 - Hart/Morrissey

that the above oral comments be received and placed on file. Voice vote-Ayes: Seven. Motion carried.

#### ADJOURNMENT

143922 - Hart/Morrissey

that the Council adjourn at 6:13 p.m. Voice vote-Ayes: Seven. Motion carried.

---

Suzy Schares, CMC  
City Clerk/Human Resource Director