

January 25, 2016

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, January 25, 2016. Mayor Quentin Hart in the Chair. Roll Call: Jacobs, Jones, Schmitt, Lind, Morrissey, Welper, and Amos.

Moment of Silence.

Pledge of Allegiance: Mayor Quentin Hart.

145527 - Welper/Schmitt

that the Agenda, as amended to correct the name with whom the Development Agreement is with in Resolution No. 8, for the Regular Session on Monday, January 25, 2016, at 5:30 p.m., be accepted and approved. Voice vote-Ayes: Seven. Motion carried.

145528 - Welper/Schmitt

that the Minutes, as proposed, for the Regular Session on Monday, January 19, 2016, at 5:30 p.m., be accepted and approved. Voice vote-Ayes: Seven. Motion carried.

CONSENT AGENDA

145529 - Welper/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 January 25, 2016, in the amount of \$4,067,418.54, 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. 2016-059.

2. Resolution approving the request of Roberto Castro Aguirre for tax exemptions on the remodel of a single family home valued at \$50,000 for the property located at 721 Columbia Street and located within the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-060.

3. Resolution approving the request of James Humphry Jr. for tax exemptions on the remodel of a home valued at \$29,000 for the property located at 711 Hope Avenue and located within the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-061.

4. Resolution approving the request of Roof Development for tax exemptions on the construction a new single family home valued at \$128,000 for property located at 1019 Vermont Street, and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-062.

5. Resolution approving the request of Tracey A. Sherwin for tax exemptions on the construction a new twin home valued at \$159,900 for property located at 4006 Mourning Dove Drive, and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-063.

6. Resolution approving the destruction of wage garnishment records prior to 2005 and payroll items from 2009-2011, including: Payroll Deduction Registers, Payroll Tax Registers, Payroll Timecards, Payroll Pre-Tax Reports, ACH / Direct Deposit transmission reports, Flex Spending Enrollment and Receipts, Deferred Comp Registers, Payroll Quarterly Returns (941's, State, Unemployment), and W-2's.

Resolution adopted and upon approval by Mayor assigned No. 2016-064.

7. Resolution approving variance request by Roger Yoder to Section 5-2-6 of the Waterloo Code of Ordinances, Discharging Weapons, to allow Mr. Yoder

to target practice with a bow and arrow on his property located at 3741 Ranchero Road.

Resolution adopted and upon approval by Mayor assigned No. 2016-065.

- 8. Resolution setting the date of public hearing as February 8, 2016, and date of bid opening as February 4, 2016, on proposed plans, specifications, form of contract, estimate of cost, etc. in conjunction with the US 218 Video Detection Systems - Mitchell Avenue to West 18th Street project, and instruct the City Clerk to publish said notice.

Resolution adopted and upon approval by Mayor assigned No. 2016-066.

- 9. Resolution preliminarily approving specifications, bid documents, etc., and setting the date of bid opening as February 11, 2016 and the date of public hearing as February 15, 2016 for Turf Maintenance Equipment, and instruct City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2016-067.

- 10. Resolution preliminarily approving plans, specifications, form of contract, etc. and setting date of bid opening as February 18, 2016 and date of public hearing as February 22, 2016 for the F.Y. 2016 Flood Control Gatewell Repairs, Contract No. 895; and instruct City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2016-068.

- 11. Resolution preliminarily approving plans, specifications, form of contract, etc. and setting date of bid opening as February 18, 2016 and date of public hearing as February 22, 2016 for the F.Y. 2016 Midport Boulevard Extension Phase III, Contract No. 894; and instruct City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2016-069.

- 12. Resolution setting date of public hearing on the request of Edward Shaw to purchase vacant land acquired through 657A, generally located at 927 Mullan Avenue for the minimum bid of \$3,000, as February 8, 2016, and instruct City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2016-070.

b. Motion to approve the following:

1.	Travel Requests				
	Name & Title of Personnel	Class/Meeting	Destination	Date(s)	Amount not to Exceed
a.	Eric Thorson, City Engineer	American Public Works Spring Conference	West Des Moines, IA	April 6-8, 2016	\$464.00
b.	Bryan Foster, Forestry Specialist	Shade Tree Short Course	Ames, IA	February 24-25, 2016	\$260.00
c.	Tina Schellhorn-Electrical Foreman; Matt Vlasak-Signal Tech Foreman; Craig Hintzman-Signal Tech II; Roger Wooden-Electrician; Kelby Haynes-Electrician; Nate Alderman-Electrician	ARC Flash 7 NPA 70E, Basic Transformers and The DOE 2016 Impact	Waterloo, IA	February 10, 2016	\$840.00
d.	Mayor Quentin Hart	Cedar Valley Coalition	Washington, D.C.	February 21-24, 2016	\$2,070.00
e.	Officer Erie and Investigator Gergen	ILEETA Training Conference	Rosemont, IL	March 13-18, 2016	\$2,037.00

2.	Approved Beer, Liquor, and Wine Applications				
	Name & Address of Business	Class	New or Renewal	Expiration Date	Includes Sunday
	a. Casey's General Store #2866, 51 E. Tower Park Drive	B Native Wine / C Beer	Renewal	12/27/2016	X
	b. Grout Museum, 503 South Street	Special C Liquor w/Outdoor Services	Renewal	12/14/2016	X
	c. Snowden House, 306 Washington Street	Special C Liquor	Renewal	12/14/2016	X

Roll call vote-Ayes: Seven. Motion carried.

PUBLIC HEARINGS

145530 - Morrissey/Welper

that proof of publication of notice of public hearing on the Parking Lease Agreement with Lederman Bros. Property Management Company, LLC located adjacent to 403-405 Jefferson Street, as published in the Waterloo Courier on January 15, 2016, 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 and there were none.

145531 - Morrissey/Welper

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

145532 - Morrissey/Welper

that "Resolution terminating a parking lease agreement with Agape Rehabilitation Agency, P.C. D/B/A Agape Therapy originally approved on February 23, 2015 by Resolution No. 2015-132", be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-071.

145533 - Morrissey/Welper

that "Resolution approving a parking lease agreement with Lederman Bros. Property Management Company, LLC, to lease eight (8) City owned parking spaces located adjacent to 403-405 Jefferson Street and for the City to lease 8 parking spaces owned by Lederman Bros. Property Management Company, LLC located adjacent to 403-405 Jefferson Street expiring December 31, 2020, and automatically renewing on a year-to-year basis until terminated", be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-072.

145534 - Schmitt/Welper

that proof of publication of notice of public hearing on Leisure Services Chemical Storage Building Project, as published in the Waterloo Courier on January 12, 2016, 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 and there were none.

145535 - Schmitt/Welper

that the hearing be closed. Voice vote-Ayes: Seven. Motion carried.

145536 - Schmitt/Welper

that "Resolution confirming approval of specifications, bid documents, form of contract, etc. in conjunction with Leisure Services Chemical Storage Building Project", be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Mr. Lind questioned where funding for this project comes from.

Paul Huting, Leisure Services Director, explained that bond funds will pay for this project and will be combined with a project to build a sprayer filling station.

Michelle Weidner, Chief Financial Officer, explained the funding will come from the general debt service levy which is funded by property taxes.

Mr. Schmitt questioned which departments would utilize the chemical storage building and sprayer filling station.

Paul Huting explained that both facilities will be utilized by Parks and Leisure.

Resolution adopted and upon approval by Mayor assigned No. 2016-073.

145537 - Schmitt/Welper

that "Resolution authorizing to proceed in conjunction with Leisure Services Chemical Storage Building Project", be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-074.

145538 - Schmitt/Welper

Motion to receive and file and instruct City Clerk to read bids and refer to Leisure Services for review.

Bidder	Bid Security	Bid Amount
Woodruff Construction, Waterloo, IA	5%	\$ 365,200.00
Matt Construction, Sumner, IA	5%	\$ 276,594.00

Paul Huting, Leisure Services Director, provided an architect's estimate of \$289,733.00 for the base bid and all alternates which can be opted in or out depending on city budget.

Voice vote-Ayes: Seven. Motion carried.

RESOLUTIONS

145539 - Lind/Morrissey

that "Resolution in support of the Campbell Baking Co. Building (locally known as the Wonder Bread Building) to be nominated for the National Register of Historic Places, located at 325 Commercial Street and authorize Mayor to sign necessary documents", be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-075.

145540 - Lind/Morrissey

that "Resolution approving three-year License Fee Agreement with Advanced Systems, Inc. in the amount of \$12,500 with a three percent annual increase up to \$17,830, for Laserfiche document management software", be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-076.

145541 - Amos/Schmitt

that "Resolution approving application to the Waterloo Convention and Visitors Bureau in the amount of \$10,000 with a \$5,000 match by the City, for SportsPlex Event Hosting Equipment", be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-077.

145542 - Amos/Schmitt

that "Resolution approving Notice of Intent for NPDES coverage under general permit to the Iowa Department of Natural Resources for FY 2016 Midport Boulevard Extension - Phase III, Contract No. 894 and authorize Mayor to execute said document", be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-078.

145543 - Morrissey/Welper

that "Resolution approving Development Agreement with North Crossing, LLC for the redevelopment of the Logan Plaza and surrounding land, for the development of a multi-phased project with over 37,600 sq. ft. of medical, office, restaurant, and convenience store development, adding \$9.5 million in taxable value to the site, acquiring over 50 acres of development land for future projects, offering property tax rebates of 10 years at 50%, and \$8 million in City TIF funds over an 8-year period, and authorize Mayor to execute said agreement", be adopted. Roll call vote-Ayes: Six. Abstain: One (Lind) due to lack of information. Motion carried.

Noel Anderson, Community Planning and Development Director, explained the development agreement and the proposed project.

David Dryer, 3145 W. 4th Street, questioned if the revenue generated from this development will cover the expense of the incentive package over 8 years.

Willie Smith, 2260 Ashland Ave., thanked the Mayor and Noel Anderson for bringing the project forward. He suggested adding a restaurant that would be open 24 hours a day. He spoke in support of the developer.

Bruce W. Kaiser, 514 E. 2nd Street, questioned what guarantee the City has that the developer will do the project as submitted.

Mayor Hart explained that the development agreement will govern the project and the developer is from Waterloo and has other projects in the community.

Eric Johnson, Beecher Law Firm, Attorney for Ben Stroh, explained the developer has been working on the project for months. The project is a gray or brown field area and needs help. It has potential. He explained the incentives will not be given until the terms of the development agreement are met.

Mr. Schmitt questioned if the discussions between the medical offices, convenience store, and restaurants have been consummated. He noted the developer is making a personal guarantee.

Mr. Johnson responded that they are not but the developer is willing to take the risk as he feels the agreements will come through.

Mr. Jacobs spoke in support of the development. He questioned how additional projects within the TIF district will be funded. He questioned if a frontage road will be put in place.

Noel Anderson, Community Development Director, reported that some of the existing projects are nearing the end of their rebate and the city should be seeing some tax income from that area. There is hope that smaller projects will occur in the area which will require minimal cash investment by the city. He explained there is some discussion taking place regarding the possibility of a frontage road.

Mr. Lind asked for clarification that the developer is demolishing the existing building and will also be responsible for the infrastructure for the project.

Mr. Johnson clarified that the developer is taking on the demolition himself.

Willie Smith, 2260 Ashland Ave., encouraged all of the council to drive out and take a look at that area.

Noel Anderson explained the \$8 million would pay for the entire land purchase plus demolition and infrastructure costs for that area.

Mr. Lind questioned if the costs will ultimately be broken down so the public can clearly see where the monies are going.

Mr. Johnson explained the goal is that less than \$6 million will be used for property acquisition and will be fronted by the developer, Mr. Stroh. The demolition costs will be roughly a half a million dollars or greater and the carrying costs on this at 5% will be over a million dollars which Mr. Stroh will pay over a period of 8 years. He went on to say that this investment is no windfall for Mr. Stroh.

Mayor Hart added that a large portion of the Menard's property will come back to the city as development property as well.

Mr. Lind questioned if the medical offices would pay property taxes if the hospital owns them.

Mr. Johnson explained that the development agreement requires that all included property is subject to property taxes.

Mr. Lind asked for clarification on the City's investment and what is being developed.

Noel Anderson reminded council that, along with what's being developed, the city is getting a large portion of land back to use with other projects. He stated that as a result of this development agreement, the city has been able to create some short term projects along with the potential for long term projects.

Mr. Morrissey spoke in support of the project.

Mr. Schmitt spoke in support of the project. He questioned who CHMA Holdings was and if they were the owners of the bank. He questioned the amount currently coming out of this TIF district and how that will affect future projects in this area.

Noel Anderson, Community Planning and Development Director, stated that he was not familiar with CHMA Holdings. He went on to say that funds would be available for future projects in this area.

Mr. Schmitt questioned if Mr. Stroh's personal financial guarantee was vetted.

Mr. Johnson spoke for Mr. Stroh's tenure and reputation as a businessman Waterloo.

Mr. Hart expressed appreciation for the great questions being asked by council and expressed his desire to move forward with this item.

Mr. Schmitt asked for clarification the agreement.

Noel Anderson explained the agreement and the willingness of the developer to work with the city.

Mr. Morrissey questioned why the item does not require three readings.

Suzy Schares, City Clerk, explained the three readings are not required because the city is not selling property.

Resolution adopted and upon approval by Mayor assigned No. 2016-079.

ORAL PRESENTATIONS

Dave Nagle, Attorney, spoke regarding the Sunnyside South litigation.

Leah Morrison, 2210 Falls Ave., suggested having a transcriptionist to for police interviews and changing the way non-emergency 911 calls are handled.

Bruce W. Kaiser, 514 E 2nd Street, asked that snow be removed at curb cuts for safety issues in a timely fashion.

Willie Mae Wright, 327 Almond Street, thanked the Council and the Developer for the new project at Logan Plaza.

David Goodson, 226 Camel Ave., congratulated the Mayor and asked that the students he brought be allowed to take a picture with the Mayor.

Jim Chapman, 224 Bertch, expressed concern with the population growth and congratulated the Council on the project at the north.

John Sherban, 1715 Robin Rd., expressed concern with the traffic signals at Ansborough and Downing. He believes it is the same on Mitchell and Franklin Streets.

145544 - Welper/Morrissey

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

ADJOURNMENT

145545 - Welper/Morrissey

that the Council adjourn at 6:36 p.m. Voice vote-Ayes: Seven. Motion carried.

City Clerk/Human Resource Director