

September 12, 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, September 12, 2016. Mayor Quentin Hart in the Chair. Roll Call: Jacobs, Morrissey, Powers, Amos, Schmitt, and Welper.

Absent: Lind

Prayer or Moment of Silence.

Pledge of Allegiance: Julie Dawson, Housing Authority Director

146530 - Welper/Schmitt

that the Agenda, as proposed, for the Regular Session on Monday, September 12, 2016, at 5:30 p.m., be accepted and approved. Voice vote-Ayes: Six. Motion carried.

146531 - Welper/Schmitt

that the Minutes, as proposed, for the Regular Session on Tuesday, September 6, 2016, at 5:30 p.m., be accepted and approved. Voice vote-Ayes: Six. Motion carried.

Mayor Hart read a Proclamation declaring September 17-23, 2016 as Constitution Week.

Presentation to City of Waterloo by Bob Hellman.

Mayor Hart recognized employee Cheryl Huddleston for 30 years of service.

CONSENT AGENDA

146532 - 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 September 12, 2016, in the amount of \$2,298,961.70, 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. 2016-717.

2. Resolution approving the request from the Waterloo Schools Foundation to hold their annual Trick or Trot 5K and 1 Mile run on October 15th, 2016 starting at 9:00 a.m. at Lou Henry Elementary and surrounding streets.

Resolution adopted and upon approval by Mayor assigned No. 2016-718.

3. Resolution approving the request from West High School to hold its Homecoming Parade around West High on September 23, 2016 starting at 2:15 p.m.

Resolution adopted and upon approval by Mayor assigned No. 2016-719.

4. Resolution approving the request of Luci Coppage for tax exemptions on the remodel of a home valued at \$33,395 for the property located at 321 Reed Street and located within the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-720.

5. Resolution approving the request of Basic Properties LLC for tax exemptions on the construction of home improvements valued at \$10,138.32 for the property located at 2864 Independence Ave. and located within the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-721.

6. Resolution approving the request of Michael S. Cook for tax exemptions on the construction of home improvements valued at \$40,000 for the property located at 149 Mohawk St. and located within the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-722.

7. Resolution approving the request from Joshua Jebe for a waiver for a concrete driveway to be located at 809 Fairview Avenue and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on City right of way on an unimproved street.

Resolution adopted and upon approval by Mayor assigned No. 2016-723.

- 8. Resolution approving the request from Joshua Jebe for a waiver for a concrete driveway to be located at 813 Fairview Avenue and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on City right of way on an unimproved street.

Resolution adopted and upon approval by Mayor assigned No. 2016-724.

- 9. Resolution preliminarily approving plans, specifications, form of contract, etc. and setting date of bid opening as October 6, 2016 and date of public hearing as October 10, 2016 for the F.Y. 2017 Bridge Deck Repair and Overlay Program, Contract No. 879; and instruct City Clerk to publish notice of plans, specifications, form of contract, etc.

Resolution adopted and upon approval by Mayor assigned No. 2016-725.

- 10. Resolution preliminarily approving plans, specifications, form of contract etc. for the rental of four (4) motor graders to support snow removal operations and setting date of bid opening as September 22, 2016 and date of public hearing as September 26, 2016, and instruct City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2016-726.

- 11. Resolution approving cancellation of special assessments for properties listed on Exhibit A, and authorize City Clerk to notify Black Hawk County Treasurer of said cancellations.

Resolution adopted and upon approval by Mayor assigned No. 2016-727.

b. Motion to approve the following:

1.	Travel Requests				
	Name & Title of Personnel	Class/Meeting	Destination	Date(s)	Amount not to Exceed
a.	Officers Rulapaugh, Girsch, and McClelland	Firearms Instructor Recertification	Johnston, IA	October 14, 2016	\$495.00
b.	Lt. McClelland	Rifle Instructor Recertification	Johnston, IA	October 13, 2016	\$190.00

2.	Approved Beer, Liquor, and Wine Applications				
	Name & Address of Business	Class	New or Renewal	Expiration Date	Includes Sunday
a.	Ali's Liquor, 1117 E. 4th Street	B Wine / C Beer / E Liquor	Renewal	09/03/2017	X
b.	Firewater Cafe', 712 Jefferson Street	C Liquor w/Outdoor Service	New	07/31/2017	
c.	A & S Petroleum (King Star), 127 Jefferson Street	B Wine / C Beer	Renewal	06/29/2017	X

- 3. to approve recommendation of appointment of Justin Tuitjer to the position of Solid Waste Technician in the Sanitation Department, effective September 20, 2016, pending completion of pre-employment physical and testing.
- 4. to approve a fireworks display at Columbus High School, 3231 W. 9th Street, on September 23, 2016 during their half-time show for the Columbus High School Homecoming Football game.
- 5. to approve Cigarette/Tobacco/Nicotine/Vapor Permit Application for Central Iowa Vapors, 2829 University Avenue.

Roll call vote-Ayes: Six. Motion carried.

PUBLIC HEARINGS

146533 - Schmitt/Welper

that proof of publication of notice of public hearing on the F.Y. 2017 Sergeant Road Trail Bridge No. 1 Replacement, Contract No. 917, as published in the Waterloo Courier on August 29, 2016, be received and placed on file. Voice vote-Ayes: Six. Motion carried.

This being the time and place of public hearing, the Mayor called for written and oral objections and there were none.

146534 - Schmitt/Welper

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

146535 - Schmitt/Welper

that “Resolution confirming approval of plans, specifications, form of contract, etc. in conjunction with the F.Y. 2017 Sergeant Road Trail Bridge No. 1 Replacement, Contract No. 917”, be adopted. Roll-call vote-Ayes: Six. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-728.

146536 - Schmitt/Welper

that “Resolution authorizing to proceed in conjunction with the F.Y. 2017 Sergeant Road Trail Bridge No. 1 Replacement, Contract No. 917”, be adopted. Roll-call vote-Ayes: Six. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-729.

146537 - Schmitt/Welper

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

Bidder	Bid Security	Bid Amount
Peterson Contractors, Inc. Reinbeck, IA	5%	\$80,213.75
Vieth Construction Corp. Cedar Falls, IA	5%	\$90,993.10
Benton’s Sand & Gravel Cedar Falls, IA	5%	\$69,120.05
Boulder Contracting Grundy Center, IA	5%	\$69,990.78
Lodge Construction Inc. Clarksville, IA	5%	\$66,155.27

Voice vote-Ayes: Six. Motion carried.

RESOLUTIONS

146538 - Morrissey/Powers

that “Resolution approving Reconstruction and Overlay Street Improvement lists for 2017”, be adopted. Roll call vote-Ayes: Six. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-730.

146539 - Morrissey/Powers

that “Resolution approving construction plans for Paving, Sanitary Sewer and Storm Sewer serving Greenbelt Plat No. 7 Titan Trail, as submitted by VJ Engineer, of Cedar Falls, Iowa”, be adopted. Roll call vote-Ayes: Six. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-731.

146540 - Amos/Morrissey

that “Resolution approving the grant from the Iowa Department of Transportation's Office of Aviation, with Contract No: 18516 and Project No: 9I170ALO200, for the FY-2017 Commercial Service Vertical Infrastructure (CSVI) program, for the physical improvements to the General Aviation Terminal Building, and Hangar No: 5, at Waterloo Regional Airport, and authorize the Mayor and City Clerk to execute the grant documents”, be adopted. Roll call vote-Ayes: Six. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-732.

146541 - Amos/Morrissey

that “Resolution approving a contract with HR Green for on-site visits by staff to observe the progress of the various stages of demolition of the remaining rail road spur at the former Chamberlain Manufacturing site in the amount of \$3,000, and rescinding Resolution No. 2016-666 that authorized on-site visits in the amount of \$1,500, and authorize the Mayor to execute the same”, be adopted. Roll call vote-Ayes: Six. Motion carried.

Mr. Schmitt questioned the increase.

Noel Anderson, Community Planning and Development Director, explained that additional cost.

Resolution adopted and upon approval by Mayor assigned No. 2016-733.

ORDINANCES

146542 - Schmitt/Welper

that “an Ordinance amending the 2008 Traffic Code by Amending Subsection (47) Glenwood Street to Section 553, No Parking Here To Corner by adding North side in the 800 block in a Westerly direction from Mohawk Street and North side in the 900 block in a Easterly direction from Mohawk Street”, be received, placed on file, considered and passed for the first time. Roll call vote-Ayes: Six. Motion carried.

146543 - Schmitt/Welper

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

146544 - Schmitt/Welper

that “an Ordinance amending the 2008 Traffic Code by Amending Subsection (47) Glenwood Street to Section 553, No Parking Here To Corner by adding North side in the 800 block in a Westerly direction from Mohawk Street and North side in the 900 block in a Easterly direction from Mohawk Street”, be considered and passed for the second and third times and adopted. Roll call vote-Ayes: Six. Motion carried.

Ordinance adopted and upon approval by Mayor assigned No. 5367.

146545 - Morrissey/Amos

that “an Ordinance amending the 2007 Code of Ordinances of the City of Waterloo, Iowa, by repealing Title 9, Chapter 2, Section 2 Codes Adopted, Subsection A and enacting in lieu thereof a new Title 9, Chapter 2, Section 2 Codes Adopted, Subsection A, and repealing Title 9, Chapter 2, Section 8 Amendments, and enacting in lieu thereof a new Title 9, Chapter 2, Section 8 Amendments”, be received, placed on file, considered and passed for the first time. Roll call vote-Ayes: Six. Motion carried.

Mr. Welper questioned the fire alarm suppression plan review.

Pat Treloar, Fire Chief, explained that this type of review is required for larger projects and the ordinance amendment is to define when this type of review is applicable.

John Sherbon, 1715 Robin Road, requested more clarification on the ordinance change.

Pat Treloar explained that the city is looking to adopt the 2015 International Fire Code.

Mayor Hart clarified that a work session was held on the changes on September 6, 2016.

David Dryer, 3145 W. 4th Street, questioned the ordinance change and what the cost to taxpayers will be.

Mayor Hart explained that there has already been a work session on this item and council would be more than willing to sit down and address any concerns that the public may have. He added that, due to the many variables between projects and the extent of the code, costs could only be determined on a case by case basis.

Pat Treloar stated that uniformity and consistency is the goal in adopting the 2015 International Fire Code.

Mayor Hart asked if contractors or builders can contact the Fire Department.

Pat Treloar affirmed that his department is available to answer any and all questions from contractors regarding the adoption of this code.

146546 - Morrissey/Amos

that rules requiring ordinances to be considered and voted for passage at two prior meetings be suspended. Roll call vote-Ayes: Three. Nays: Three (Jacobs, Amos, Schmitt). Motion failed.

Mr. Schmitt questioned if there are timeliness issues.

Pat Treloar expressed the goal of having this code in place by October 1, 2016. He explained that, while there is not a real urgency with this, moving forward as quickly as possible is desirable in order to meet that goal and bring the city in line with other communities that have already adopted this code.

Mayor Hart asked how this impacts new construction.

Pat Treloar explained that a notice would need to be given letting contractors know of the change.

Mr. Schmitt questioned if buildings are currently being built using the 2015 standards.

Pat Treloar affirmed that contractors are currently building according to the 2015 code.

Mr. Schmitt expressed his support for not suspending the rules in an effort to offer as much notice as possible to those who will be affected by this.

Pat Treloar stated that it is crucial that the fire code and building code are adopted at the same time.

146547 - Morrissey/Welper

that “an Ordinance amending the 2007 Code of Ordinances of the City of Waterloo, Iowa, by repealing Chapter 1, Building Code, and Article A, Building Contractors, of Chapter 1, Building Code, of Title 9, Building Regulations, in their entirety; and enacting in lieu thereof new Chapter 1, Building Code, and Article A, Building Contractors, of Chapter 1, Building Code, of Title 9, Building Regulations”, be received, placed on file, considered and passed for the first time. Roll call vote-Ayes: Six. Motion carried.

146548 - Morrissey/Welper

that rules requiring ordinances to be considered and voted for passage at two prior meetings be suspended. Roll call vote-Ayes: One. Nays: Jacobs, Morrissey, Powers, Amos, Schmitt. Motion failed.

Mr. Schmitt questioned if there are timeliness issues.

Noel Anderson explained that there are no timeliness issues with this item.

OTHER COUNCIL BUSINESS

146549 - Schmitt/Welper

that the arbitrage test results reflecting that no payment is due to the Internal Revenue Service for the General Obligation Bonds Series 2009A, issued in June 2009 or for the General Obligation Bonds Series 2011A, issued in June 2011, be received, placed on file and approved. Voice vote-Ayes: Six. Motion carried.

ORAL PRESENTATIONS

146550 - Schmitt/Welper

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

Mayor Hart read an email from Terry Stevens, 1629 Ackermant Street regarding debris at the Logan Plaza Construction site.

Noel Anderson explained that the debris remains on the site because the contractor's plans are to use the debris as construction material in this project.

Jamie Hanson, P.O. Box 82, Dewar, IA, commented on the difficulty he had pushing wheelchair bound individual in Downtown Waterloo.

Mayor Hart expressed appreciation for the reminder of what is important when focusing on issues relating to our community.

Jim Chapman, 224 Bertch, commented on the forum held by Mr. McFadden on September 8, 2016.

Forest Dillavou, 1725 Huntington Road, commented on recycling and patching roads.

Bruce Kaeser, 500 Sycamore Street, commented on the need to ensure ADA compliance in downtown Waterloo

David Dryer, 3145 W. 4th Street, commented on the progress of getting traffic cameras in Waterloo.

Mayor Hart questioned if Dryer is in favor of the traffic cameras.

David Dryer commented that he is in favor of having cameras to help stop crime but is not in favor of spending money.

ADJOURNMENT

146551 - Welper/Amos

that the Council adjourn at 6:17 p.m. Voice vote-Ayes: Six. Motion carried.

Kelley Felchle, Deputy City Clerk