

November 14, 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, November 14, 2016. Mayor Quentin Hart in the Chair. Roll Call: Jacobs, Morrissey, Lind, Amos, Schmitt, and Welper. Mr. Powers joined via telephone at 5:54 p.m.

Prayer or Moment of Silence.

Pledge of Allegiance: Bruce Jacobs, Ward 2 Council Member.

146747 - Welper/Schmitt

that the Agenda, as amended by adding a resolution authorizing sale and conveyance of the vacated alley within the former Bowl-In block, generally located in the block bounded by Mullan Avenue, Jefferson Street, West 1st Street, and Highway 218, to Hawkeye Community College, in the amount of \$1.00, Resolution authorizing sale and conveyance of the vacated alley within the former Bowl-In block, generally located in the block bounded by Mullan Avenue, Jefferson Street, West 1st Street, and Highway 218, to Hawkeye Community College, in the amount of \$1.00, and approving a development agreement with Hawkeye Community College, for the Regular Session on Monday, November 14, 2016, at 5:30 p.m., be accepted and approved. Voice vote-Ayes: Six. Motion carried.

146748 - Welper/Schmitt

that the Minutes, as proposed, for the Regular Session on Monday, November 7, 2016, at 5:30 p.m., be accepted and approved. Voice vote-Ayes: Six. Motion carried.

Mayor Hart recognized Optimist Flag Football Player and Coach of the Year.

ORAL PRESENTATIONS

Jim Chapman, 224 Bertch, commented that the City of Waterloo has many empty houses and those people need incentives as well.

Marsha Burton, 1510 Lyon Avenue, commented on Advanced Systems leaving the City of Waterloo and explained the need for more businesses coming to the City of Waterloo.

Forest Dillavou, 1725 Huntington Road, commented on authorized funds spent on SportsPlex last week on the Finance Committee agenda and questioned where the funds spent at the facility come from.

Paul Huting, Leisure Services Director, the funds came from the SportsPlex budget.

Sam Neil, 514 Kingbard Boulevard, commented on the need for the city to take pride in its image.

David Dryer, 3145 W. 4th Street, commented on the fire at the Graystone Building, which is owned by the city, and expressed a need for the building to be put on the National Register of Historic Places.

Tracey Southall, 621 Vermont Street, commented on the peddler who has set up at the liquor store on the six corners area.

Dave Zellhoefer, City Attorney, a hearing will be held next week on the revocation of their peddler permit.

Mayor Hart commented that the city recently had its second largest building valuation growth and is working on finding and making improvements.

146749 - Welper/Schmitt

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

Mr. Powers joined the meeting via telephone at 5:54 p.m.

CONSENT AGENDA

146750 - 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 November 14, 2016, in the amount of \$4,416,647.39 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. 2016-890.

2. Resolution approving the request of Panther Builders for tax exemptions on the construction of a new single family home valued at \$260,000 for property located at 5915 Summerland Drive, and located in the City Limits Urban Revitalization Area (CLURA), and rescinding resolution No. 2016-829.

Resolution adopted and upon approval by Mayor assigned No. 2016-891.

3. Resolution approving the request of James Moeller for tax exemptions on the construction of a new single family home valued at \$229,064 for property located at 1107 Sandpiper Court, and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-892.

4. Resolution approving the request of Heidi and Joshua Verhagen for tax exemptions on the construction of a new single family home valued at \$170,000 for property located at 5629 Summerland Drive, and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-893.

5. Resolution approving the request of DS Rentals LLC for tax exemptions on the construction of a new single family home valued at \$180,000 for property located at 5633 Summerland Drive, and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-894.

6. Resolution approving the request of DS Rentals LLC for tax exemptions on the construction of a new single family home valued at \$150,000 for property located at 5739 Summerland Drive, and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-895.

7. Resolution approving the request of DS Rentals LLC for tax exemptions on the construction of a new single family home valued at \$150,000 for property located at 5741 Summerland Drive, and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-896.

8. Resolution approving the request of Bruce Vaughn Sr. for tax exemptions on the construction of home improvements valued at \$31,000 for the property located at 615 Cottage Street and located within the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-897.

9. Resolution approving the request of DS Rentals LLC for tax exemptions on the construction of a new single family home valued at \$110,000 for the property located at 2164 Burton Ave. and located within the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2016-898.

10. Resolution setting the date of public hearing as November 28, 2016 for a request by Midwest Development Company for a site plan amendment in the "R-3,R-P" Planned Multiple

Residence District for Lots C-1, C-2, and C-3 of the Southland Park Third Addition to allow for the construction of 8 single family homes, and instruct City Clerk to publish pertinent notice.

Resolution adopted and upon approval by Mayor assigned No. 2016-899.

- 11. Resolution setting the date of public hearing at November 28, 2016 to approve a request by INVISION Architecture on the behalf of North Crossing, LLC for a site plan amendment to the “C-P” Planned Commercial District to allow for the construction of a 35,000 SF medical office, located at the northeast corner of Highway 63 (Logan Avenue) and East Donald Street, and instruct City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2016-900.

- 12. Resolution accepting an easement for a public highway from B&R Oil Corporation and Gary C. Ritter and Holley Ritter, located at the southeast corner of West Mullan Avenue and Commercial Street, otherwise known as 100 Commercial Street.

Resolution adopted and upon approval by Mayor assigned No. 2016-901.

- 13. Resolution approving the request from Main Street Waterloo to host their annual Winter Wonder'Loo celebration on Saturday, November 26, 2016 from 4:00 P.M. to 7:00 P.M. in Downtown Waterloo at Newton's Park and at the Black's Building, and request that Sycamore Street from Park Ave to E. 4th Street be closed to traffic to accommodate the event.

Resolution adopted and upon approval by Mayor assigned No. 2016-902.

- 14. 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. 2016-903.

b. Motion to approve the following:

1.

Travel Requests				
Name & Title of Personnel	Class/Meeting	Destination	Date(s)	Amount not to Exceed
a. Michelle Weidner, CFO	21st Annual Governmental GAAP Update	Webinar – in office	12/1/2016	\$180.00

2.

Approved Beer, Liquor, and Wine Applications					
	Name & Address of Business	Class	New or Renewal	Expiration Date	Includes Sunday
a.	Three Amigos Family Restaurant, 2820 Falls Avenue	C Liquor	Renewal	08/24/2017	X
b.	Hurricane Grill and Wings, 2027 Crossroads Blvd.	C Liquor w/ Outdoor Service	Renewal	09/30/2017	X
c.	Kings & Queens, 304 W. 4th Street	C Liquor	New	11/15/2017	

3. Mayor Hart’s recommendation of the following appointments:

Appointee	Board/Commission	Expiration Date	New or Re-Appointment
Jim Petersen	Memorial Hall Commission	12/31/2018	New
Tom Powers	Complete Streets Advisory Committee	None	New

Roll call vote-Ayes: Seven. Motion carried.

Mayor Hart welcomed LeAnn Even as the new Deputy City Clerk.

Mayor Hart welcomed Scott Buchanan as Maintenance Electrician in the Traffic Department.

PUBLIC HEARINGS

146751 - Schmitt/Welper

that proof of publication of notice of public hearing on Martin Road Development Plan Amendment No. 4 Removal Area, to remove properties from the TIF area, as published in the Waterloo Courier on November 1, 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.

146752 - Schmitt/Welper

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

146753 - Schmitt/Lind

that “Resolution affirming previous determination of an area of the City to be an economic development area, determining that the development or redevelopment of said area is necessary in the interest of the public health, safety or welfare, designating said area as appropriate for an urban renewal project, and approving the plan amendment”, be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Mr. Schmitt requested an overview.

Noel Anderson, Community Planning and Development Director, explained that a timeline exists for utilizing TIF for development and the recommendation is to release the vacant land and add it back in to continue development.

Mr. Schmitt requested an example of the area in question.

Noel Anderson explained this is the vacant land near the old greyhound park and Mauer Eye Clinic of Ridgeway Avenue.

Mr. Jacobs questioned if the land has infrastructure in place.

Noel Anderson explained that all of the infrastructure is not currently in place but will have more built in 12-18 months. He further explained that the 2008 flood and recession has slowed momentum in the area but progress is coming back.

Resolution adopted and upon approval by Mayor assigned No. 2016-904.

146754 - Schmitt/Lind

that “an Ordinance providing that general property taxes levied and collected each year on all property located within the newly described Martin Road Development Plan Area, in the City of Waterloo, County of Black Hawk, State of Iowa, by and for the benefit of the State of Iowa, City of Waterloo, County of Black Hawk, Waterloo Community School District and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by said City in connection with said urban renewal Project”, be received, placed on file, considered and passed for the first time. Roll call vote-Ayes: Seven. Motion carried.

146755 - Schmitt/Lid

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

146756 - Schmitt/Lind

that “an Ordinance providing that general property taxes levied and collected each year on all property located within the newly described Martin Road Development Plan Area, in the City of Waterloo, County of Black Hawk, State of Iowa, by and for the benefit of the State of Iowa, City of Waterloo, County of Black Hawk, Waterloo Community School District and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by said City in connection with said urban renewal Project”, be considered and passed for the second and third times and adopted. Roll call vote-Ayes: Seven. Motion carried.

Ordinance adopted and upon approval by Mayor assigned No. 5373.

146757 - Morrissey/Amos

that proof of publication of notice of public hearing on Martin Road Development Plan Amendment No. 5 Expansion Area, to expand the boundaries of the TIF area, as published in the Waterloo Courier on November 1, 2016, be received and placed on file. Voice vote-Ayes: Seven. Motion carried.

Marsha Burton, 1510 Lyon, questioned if the TIF area could go where Advanced Systems is located.

Mayor Hart commented that this item would not have anything to do with Advanced Systems and conversation should remain focused on the item at hand.

Randy Herod, 111 Highland Boulevard, believes that an opportunity exists to identify a portion of the funds tied up in the TIF to use the funds on installing surveillance cameras to help stop crime.

Steve Murphy, 124 Terrace Drive, asked council to release a portion of the TIF funds to help bring relief to tax payers and that the funds should be used towards public safety.

David Dyer, 3145 W. 4th Street, spoke in favor of releasing a portion of the TIF district and putting the funds toward purchasing cameras to help public safety.

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

146758 - Morrissey/Amos

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

146759 - Morrissey/Amos

that “Resolution affirming previous determination of an area of the City to be an economic development area, determining that the development or redevelopment of said area is necessary in the interest of the public health, safety or welfare, designating said area as appropriate for an urban renewal project, and approving the plan amendment”, be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-905.

146760 - Morrissey/Amos

that “an Ordinance providing that general property taxes levied and collected each year on all property located within the newly expanded Martin Road Development Plan Area, in the City of Waterloo, County of Black Hawk, State of Iowa, by and for the benefit of the State of Iowa, City of Waterloo, County of Black Hawk, Waterloo Community School District and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by said City in connection with said urban renewal Project”, be received, placed on file, considered and passed for the first time. Roll call vote-Ayes: Six. Nays: One (Lind). Motion carried.

Mr. Lind commented that he would like to propose an amendment to the ordinance language.

146761 - Lind/Schmitt

that “an ordinance providing that fifty percent of general property taxes levied and collected each year on all property located within the newly expanded Martin Road Development Plan Area, in the City of Waterloo, County of Black Hawk, State of Iowa, by and for the benefit of the State of Iowa, City of Waterloo, County of Black Hawk, Waterloo Community School District and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by said City in connection with said urban renewal Project” Roll call vote: Ayes: Three. Nays: Four (Welper, Amos, Powers, and Morrissey). Motion Failed.

Michelle Weidner, Chief Financial Officer, explained the TIF actions on the agenda and the impact of Mr. Lind’s motion on the TIF district. She cautioned council on using funds for long-term growth and gain for spending it today and not have the money to pay for future projects.

Mayor Hart questioned what will happen to the district in 2019.

Michelle Weidner explained that in 2019 the Martin Road District will release 4.6 million to taxing entities and explained that a small slice will be released to use to spend on cameras but the majority of the 50 percent will go to schools and county.

Jim Chapman, 224 Bertch, questioned the total amount of money currently in the TIF.

Mayor Hart explained that, after conversation about the amendment, council would take questions on the ordinance as a whole.

Mr. Lind commented that he would like the council to try something different.

Forrest Dillavou, 1725 Huntington Rd., approached the podium to speak.

Mayor Hart stated that a hearing was held earlier with opportunities to speak and he would not allow him to speak at this particular time.

Mr. Lind clarified that the only thing that can be amended with this motion is the amount being levied.

Michelle Weidner confirmed.

Forrest Dillavou, 1725 Huntington Rd., expressed his belief that TIFs do not necessarily expire since they can be transformed into other things.

146762 - Morrissey/Welper

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

146763 - Morrissey/Amos

to recess for up to five minutes. Voice vote-Ayes: Seven. Motion carried. Council recessed at 6:25 p.m.

146764 - Morrissey/Amos

to reconvene at 6:30p.m.

146765 - Lind/Schmitt

that proof of publication of notice of public hearing on request to sell and convey the former vacated alley portion within the former Bowl-In block in the amount of \$1.00 to Hawkeye Community College, along with a Development Agreement, as published in the Waterloo Courier on November 8, 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.

146766 - Lind/Schmitt

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

146767 - Lind/Schmitt

that "Resolution authorizing sale and conveyance of the vacated alley within the former Bowl-In block, generally located in the block bounded by Mullan Avenue, Jefferson Street, West 1st Street, and Highway 218, to Hawkeye Community College, in the amount of \$1.00, and approving a development agreement with Hawkeye Community College", be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-906.

RESOLUTIONS

146768 - Schmitt/Morrissey

that "Resolution approving Professional Services Agreement with Pro-West and Associates, Inc. of Walker, MN, in an amount not to exceed \$24,590 to provide a GIS (Geographic Information Systems) needs assessment and implementation plan", be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-907.

146769 - Schmitt/Morrissey

that "Resolution approving installation of a 25 MPH speed hump in the 800 block of Idaho Street", be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-908.

146770 - Schmitt/Morrissey

that "Resolution approving REAP Grant Agreement #17-R4-EB, Waterloo Boathouse Enhancements with the Iowa Dept. of Natural Resources for a state grant of \$200,000 to be used for improvements to the Waterloo Boathouse", be adopted. Roll call vote-Ayes: Seven. Motion carried.

Mr. Schmitt requested an overview of the item.

Paul Huting, Leisure Services Director, explained how the grant funds will be used.

Mr. Schmitt questioned if docks will be part of the project.

Paul Huting explained that the improvements would primarily be used for renting the facility.

Mr. Morrissey questioned what would happen if a flood would hit the area again.

Paul Huting explained that the improvements would be designed to be tolerant to floods.

Mayor Hart questioned what the challenges are for the area.

Paul Huting explained that the parking lot is very muddy and that the boat launch is paved but full of potholes. The grant would help to repave the facilities and connect to the bike trail. It would be most conducive to people wanting to hold a wedding or party at the site.

Resolution adopted and upon approval by Mayor assigned No. 2016-909.

146771 - Jacobs/Morrissey

that “Resolution approving award of bid to Don's Truck Sales Inc, of Fairbank Iowa, for the purchase of one (1) Ford F450 truck with Pup Garbage Compactor in the amount of \$81,043.25”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-910.

146772 - Jacobs/Morrissey

that “Resolution authorizing an exception to the City of Waterloo purchasing procedures to approve the purchase of one (1) John Deere 544K wheel loader from Murphy Tractor, Waterloo, Iowa in the amount of \$113,900”, be adopted. Roll call vote-Ayes: seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-911.

146773 - Jacobs/Morrissey

that “Resolution approving the Preliminary and Final Plat of a Minor Plat of Survey of Parcel "V" of Lot 63 of Summerland Park First Addition”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-912.

146774 - Lind/Morrissey

that “Resolution approving a variance to the requirements of the Subdivision Ordinance, Section 11-3-2 Preliminary Plats and Section 11-3-3 Final Plats, relating to the approval of the Minor Plat of Survey of Parcel "V" of Lot 63 of Summerland Park First Addition”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-913.

146775 - Lind/Morrissey

that “Resolution terminating an existing lease with Robby Wagner approved on March 3, 2008, by Resolution No. 2008-168 and approving the request by Kristen Johnston to lease 8 acres of city owned land along Bishop Avenue just south of the Blowers Creek drainage way for 1 year with option to renew for 1 year”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Mr. Schmitt requested an overview of the item.

Noel Anderson explained the agreement.

Mr. Amos commented that he has complaints that horses have gotten out at the property and nobody was able to contact the owner and police had to help round up the horses.

Noel Anderson commented that his office or Animal Control could be contacted.

Mayor Hart commented that their contact information should be provided to planning and posted on the fence.

Resolution adopted and upon approval by Mayor assigned No. 2016-914.

OTHER COUNCIL BUSINESS

146776 - Morrissey/Amos

that “Motion to approve Change Order #3 in the amount of \$2,800.00 to Lodge Construction of Clarksville, Iowa, in conjunction with the Sherwood Recreation Area, Phase 2 Improvements ”, be adopted. Voice vote-Ayes: Seven. Motion carried.

ADJOURNMENT

146777 - Welper/Schmitt

that the Council adjourn at 6:43 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk