

November 21, 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 21, 2016. Mayor Quentin Hart in the Chair. Roll Call: Jacobs, Morrissey, Powers, Lind, Amos, Schmitt, and Welper.

Prayer or Moment of Silence.

Pledge of Allegiance: Patrick Morrissey, Ward 3 Council Member

146778 - Welper/Schmitt

that the Agenda, as proposed, for the Regular Session, as amended, by adding the language, "including the release of approximately \$300,000 in revenue," to item six, on Monday, November 21, 2016, at 5:30 p.m., be accepted and approved. Voice vote-Ayes: Seven. Motion carried.

146779 - Welper/Schmitt

that the Minutes, as proposed, for the Regular Session on Monday, November 14, 2016, at 5:30 p.m., be accepted and approved. Voice vote-Ayes: Seven. Motion carried.

ORAL PRESENTATIONS

Tenesha Birden, 1754 Newell Street, commented on a lawsuit she was involved in with the city.

Jim Chapman, 224 Birtch, spoke in support of installing surveillance cameras in the city.

David Dwyer, 3145 W. 4th Street, shared research he has done on housing available in Waterloo and that Waterloo does not need more housing but needs to fix what it has.

146780 - Welper/Schmitt

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

CONSENT AGENDA

146781 - 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 21, 2016, in the amount of \$3,089,981.39 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. 2016-915.

2. Resolution approving the request from Joe Selesky for a waiver for a concrete driveway located at 2100 Touchae Street with the elimination of the sidewalk section due to the inability to meet grade requirements.

Resolution adopted and upon approval by Mayor assigned No. 2016-916.

3. Resolution approving the request from Steve Keys for a waiver for a concrete driveway to be located at 2086 Howard 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. 2016-917.

4. Resolution setting the date of public hearing as December 5, 2016 to approve preliminary plans, specifications, form of contract, etc. and setting the date of bid opening as Thursday, December 1, 2016 for asbestos abatement services at 820 Newell Street, 915 Newell Street,

3126 Franklin Street, 71 Franklin Street, 929 Linden Avenue, 426 Cherry Street, 310 Oak Street, 847 Dawson Street, 414 Thompson Street, and instruct City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2016-918.

b. Motion to approve the following:

1.	Travel Requests				
	Name & Title of Personnel	Class/Meeting	Destination	Date(s)	Amount not to Exceed
a.	Wayne Castle, Associate Engineer and Phillip Schuppert, Storm Water Specialist	2nd Annual Stormwater Summit	Marion, IA	Dec. 6-7, 2016	\$170.00
b.	Bob Ball, Chief Building Inspector	WI Commercial Building Code Refresher	Madison, WI	Feb. 27 - Mar. 1, 2017	\$1,205.00

2.	Approved Beer, Liquor, and Wine Applications				
	Name & Address of Business	Class	New or Renewal	Expiration Date	Includes Sunday
a.	Volks Haus, 324 E. 4th Street	C Liquor w/Outdoor Service	Renewal	11/22/2017	X
b.	Placita, 322 W. 4th Street	B Beer	Renewal	11/30/2017	X
c.	New Star Liquor, 1625 W. 4th Street	B Wine / C Beer / E Liquor	Renewal	12/10/2017	X
d.	Casey's General Store #2866, 51 E. Tower Park Drive **Ownership Update**	C Beer	Renewal	12/27/2017	X
e.	Casey's General Store #2866, 51 E. Tower Park Drive	C Beer	Renewal	12/27/2017	X

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

Appointee	Board/Commission	Expiration Date	New or Re-Appointment
Anesa Kajtazovic	Telecommunications Board	11/21/2022	New

4. Bonds

Mr. Lind questioned the New Star Liquor license and its relation to zoning.

Mayor Hart commented on the zoning of the business.

Roll call vote-Ayes: Seven. Motion carried.

RESOLUTIONS

146782 - Morrissey/Amos

that “Resolution approving certification to the Black Hawk County Auditor expenditures that qualify for reimbursement in the FY2016 Crossroads Waterloo Tax Increment District and place the certification on file”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-919.

146783 - Morrissey/Amos

that “Resolution approving certification to the Black Hawk County Auditor expenditures that qualify for reimbursement in the FY2016 Downtown Waterloo Urban Renewal and Redevelopment Tax Increment District and place the certification on file”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-920.

146784 - Morrissey/Amos

that “Resolution approving certification to the Black Hawk County Auditor expenditures that qualify for reimbursement in the FY2016 Martin Road Tax Increment District and place the certification on file”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-921.

146785 - Morrissey/Amos

that “Resolution approving certification to the Black Hawk County Auditor expenditures that qualify for reimbursement in the FY2016 East Waterloo Unified Urban Renewal & Redevelopment Tax Increment District and place the certification on file”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Mr. Lind questioned if public safety cameras would be a qualified expense.

Michelle Weidner, Chief Financial Officer, commented that she would check with the attorney.

Mr. Schmitt questioned if cameras would be a qualified expense for the Downtown TIF in the parking ramp.

Michelle Weidner explained that in 2012 the legislature added regulations to TIF funds for public use and does not recommend using TIF for cameras in the parking ramp.

Mr. Powers questioned if revenue bonds could be used for cameras in the downtown area because it may create safer environment for the public and economic development.

Michelle Weidner explained how revenue bonds work, that they carry a higher risk, and have a higher interest rate.

Mayor Hart explained that he has tasked Chief Trelka to make an assessment about safety in the downtown parking ramps.

David Dwyer, 3145 W. 4th Street, questioned if the reimbursement comes from the taxpayer.

Michelle Weidner explained that the funds come from businesses.

Resolution adopted and upon approval by Mayor assigned No. 2016-922.

146786 - Lind/Schmitt

that “Resolution approving certification to the Black Hawk County Auditor of expenditures that qualify for reimbursement including the release of approximately \$300,000 in revenue in the FY2016 Northeast Industrial Area Tax Increment District and place the certification on file”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Mr. Lind questioned how much money the city would receive.

Michelle Weidner explained that if the tax rate remains the same the city would receive approximately \$128,000.

Mr. Lind commented that he appreciates that the Mayor is willing to release funds from the TIF District.

Mr. Schmitt commented that he appreciates releasing funds from the TIF District.

Resolution adopted and upon approval by Mayor assigned No. 2016-923.

146787 - Schmitt/Amos

that “Resolution approving certification to the Black Hawk County Auditor expenditures that qualify for reimbursement in the FY 2016 Rath Area Tax Increment District and place the certification on file”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-924.

146788 - Schmitt/Amos

that “Resolution approving certification to the Black Hawk County Auditor expenditures that qualify for reimbursement in the FY2016 San Marnan Tax Increment District and place the certification on file”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2016-925.

146789 - Amos/Morrissey

that “Resolution approving a contract with HR Green for a Phase I Environmental Site Assessment of city owned property generally located west of the waste water treatment lagoon along Northeast Drive in the amount of \$2,900”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Mr. Jacobs requested an explanation of the item.

Noel Anderson, Community Planning and Development Director, explained that a prospective business is interested in the site and explained the contract.

Mayor Hart commented on the terms of the agreement.

Resolution adopted and upon approval by Mayor assigned No. 2016-926.

146790 - Amos/Morrissey

that “Resolution approving Supplemental Agreement No. 3 with AECOM for a net increase in the amount of \$14,500.00 for the Belt Filter Press Addition, Contract No. 869, and authorize the Mayor and City Clerk to execute said document”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Steve Hoambrecker, Waste Management Services Director, explained the need for increase to the agreement.

Resolution adopted and upon approval by Mayor assigned No. 2016-927.

ORDINANCES

146791 - 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 in conjunction with the Martin Road Development Plan Amendment No. 5 Expansion Area, to expand the boundaries of the TIF area”, be received, placed on file, considered and passed for the second time. Roll call vote-Ayes: Six. Nays: One (Lind). Motion carried.

Mr. Lind questioned a property that was not put back into the TIF District.

Aric Schroeder, City Planner, explained why the property was not put back into the TIF District because the property was split by the boundary.

Mr. Lind questioned if the new development in the area will add to the increment and will sunset in 20 years.

Aric Schroeder explained that the new increment would have a 20-year sunset. He further commented that two businesses are currently under construction.

Mr. Lind questioned if it is legal to reset the clock on the projects under construction.

Aric Schroeder explained that legal counsel was consulted and it is possible to renew the TIF District because the projects under construction have not yet met the minimum assessment.

David Dwyer, 3145 W. 4th St., requested funds be released from the TIF District.

146792 - Morrissey/Amos

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, Lind, and Schmitt). Motion failed.

OTHER COUNCIL BUSINESS

146793 - Schmitt/Lind

to approve Change Order No: 3 with Modern Builders, Inc. of Janesville, Iowa, for additional interior improvements to Hangar No: 4 occupied by Swieter Aircraft Services at Waterloo Regional Airport, for the replacement of an electrical box, conduit, and the repainting of six (6) doors in the hangar bay in the amount of \$975.00 and authorize the Mayor to sign the Change Order documents. Voice vote-Ayes: Seven. Motion carried.

146794 - Lind/Morrissey

to approve revocation of peddler permit issued to Karl Grigg. Roll call vote-Ayes: Seven. Motion carried.

Mr. Lind questioned the tickets issued to Karl Grigg.

David Zellhoefer, City Attorney, explained the tickets are for a peddler permit issued to Karl Grigg for selling goods at six corners.

Mr. Schmitt questioned how the individual was able to get a peddler permit.

David Zellhoefer explained that the peddler permit ordinance is outdated and vague but under the ordinance he was allowed to receive a permit.

Mr. Schmitt commented that the location typically has food vendors and questioned who monitors them.

David Zellhoefer explained the food vendors at the location.

Mr. Morrissey questioned if the revocation is site specific or city in general.

David Zellhoefer explained that he would not be able to peddle in the city for one year.

Mr. Morrissey questioned why two citations were issued.

David Zellhoefer explained the two citations.

Mayor Hart thanked city staff for their work on the matter.

ADJOURNMENT

146795 - Welper/Schmitt

that the Council adjourn at 6:11 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk