

February 6, 2017

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, February 6, 2017. Mayor Quentin Hart in the Chair. Roll Call: Jacobs, Morrissey, Powers, Lind, Amos, Schmitt, and Welper.

Prayer or Moment of Silence: Rev. Cathy Young, 3849 Trent Lane, Waterloo

Pledge of Allegiance: Kent Shankle, Director of Cultural & Arts Commission

145985 - Welper/Schmitt

that the Agenda, as amended, by switching the order of resolutions #9 and #13 because item #13 is the request and #9 is the award, for the Regular Session on Monday, February 6, 2017, at 5:30 p.m., be accepted and approved. Voice vote-Ayes: Seven. Motion carried.

145986 - Welper/Schmitt

that the Minutes, as proposed, for the Regular Session on Monday, January 23, 2017, at 5:30 p.m., be accepted and approved. Voice vote-Ayes: Seven. Motion carried.

Mayor Hart recognized Joyce Craft as the February 2017 Team Member of the Month.

ORAL PRESENTATIONS

Jim Chapman, 224 Bertch, expressed his concerns about racial comments made between elected officials and how it's been discussed in the media.

Ivan Valtchev, 527 E. Park Avenue, expressed dissatisfaction regarding references made about the Obama administration in emails between Mayor and Council.

Pastor Helen Seenster, commented on the need to pray for people in authority and commented on the need to do right.

Jessica Young, 318 W. 3rd Street Apt. 1, commented that she took a class on Diversity in America at Hawkeye and suggested those that represent the city could benefit from it.

LaTonya Graves, 607 E. Donald Street, commented on the need for everyone to work together and that elected officials need to come together as the community is trying to come together.

Martin Culpepper, 1731 Cottage Grove Avenue, commented on the lack of diversity among council members and department heads. He further commented that the lack of diversity and military experience impacts how city business is conducted.

Joyce Wilder, 226 Bates Street, commented on the need for city council members to work together and that what goes on in Washington D.C. should not happen in Waterloo.

Todd Obadal, 124 Amity Drive, questioned recycling being taken to the landfill and residents having to pay for recycling when the items were not recycled.

Mayor Hart commented that as Mayor, he accepts accountability for this, and apologizes for the inconvenience.

John Sherbon, 1715 Robin Road, thanked council and department heads for the work they do for the betterment of Waterloo.

Bill Kammeyer, 526 Home Park Boulevard, commented that the city and school systems state that diversity is strength, and he believes that it is not proving to be true and that the problems of today were not taking place when he was younger.

Monthly Mayor and Council Member Report:

Mayor Hart explained that Mayor and Council reports are a new feature of the meetings this year.

Mr. Schmitt thanked Mayor Hart and Michelle Weidner for the budget work session on the 5th

Monday in January. He further commented that he was not sure of the direction that has been given to department heads, but asked that department heads look at other communities to see how they are doing things.

Mr. Powers reported that he has attend Community Development, Planning and Zoning, Cultural & Arts board meetings along with the Police Department's business camera meeting. He commented on Captain Fangman's obvious understanding and leadership skills when giving the presentation on the use of cameras in businesses. He has also met and spoken with the Fire Chief and several city staff and department leaders on particular issues.

Mr. Morrissey reported that he appreciates his involvement with the monthly Ward 3 meetings and that from the meetings, good ideas pop up from citizens in his Ward. He mentioned that quiet zones and hobby farms are two areas of concern for Ward 3 residents.

Mayor Hart reported on his recent meetings to develop jobs and programs in our community.

Dennis Clark introduced Matt Mahler, the new General Manager of the Waterloo Water Works.

145987 - Welper/Schmitt

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

CONSENT AGENDA

145988 - 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 February 6, 2017, in the amount of \$3,223,740.08 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. 2017-57.

2. Resolution approving the request of Wendell Speller, for Speller's True Value, for tax exemptions on the renovation of a commercial building valued at \$45,000, for the property located at 1015-1027 E 4th Street, and located within the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2017-58.

3. Resolution approving the request of Ross and Jamelia Sanders for tax exemptions on the construction of a new single family home valued at \$258,871, for the property located at 305 Milwaukee Avenue, and located within the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2017-59.

4. Resolution approving the request of Charles Back for tax exemptions on the construction of home improvements valued at \$74,411, for the property located at 616 Wyoming Street, and located within the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2017-60.

5. Resolution approving the request of David Schake for tax exemptions on the construction of home improvements valued at \$40,000, for the property located at 2623 Idaho Street, and located within the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2017-61.

6. Resolution approving the request of Robert Duncan for tax exemptions on the construction of a new single family home valued at \$375,000, for property located at 1526 Falcon Ridge, and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2017-62.

7. Resolution approving the request of Jared Allen for tax exemptions on the construction of a new single family home valued at \$130,000, for property located at 5821 Summerland Drive, and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2017-63.

8. Resolution approving the request of Matthew and Katie Mahler for tax exemptions on the construction of a new single family home valued at \$302,904 for property located at 1131 Partridge Lane, and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2017-64.

9. Resolution approving assessment to property for work performed by the Waterloo Water Works, together with recommendation of approval by the Waterloo Water Works Board of Trustees; Address and amount to certify as follows: 1803 East Ridgeway Avenue - \$5,109.00 and 517 Conger Street - \$4,400.00.

Resolution adopted and upon approval by Mayor assigned No. 2017-65.

10. Resolution canceling assessment for 831 Knoll Avenue in the amount of \$158.80, and authorize City Clerk to notify Black Hawk County Treasurer of said cancellation.

Resolution adopted and upon approval by Mayor assigned No. 2017-66.

11. Resolution setting date of public hearing as February 20, 2017, for the sale and conveyance of city-owned property, located at 1003 Lafayette Street, through the Neighborhood Stabilization Program, to Karina Valdez, with a purchase price of \$130,000.00, and instruct City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2017-67.

12. Resolution approving preliminary specifications, bid documents, etc., and setting date of bid opening as February 23, 2017 and date of public hearing as February 27, 2017 for the FY 2017 Riverfront Stadium Flood Repair Project, and instruct City Clerk to publish notice of specifications, bid document, etc.

Resolution adopted and upon approval by Mayor assigned No. 2017-68.

13. Resolution approving preliminary specifications, bid documents, etc. and setting date of bid opening as March 2, 2017 and date of public hearing as March 6, 2017 for the FY 2017 CIP Pipelining, Phase IIIA Project, City Contract No. 919, and instruct City Clerk to publish notice of said hearing.

Resolution adopted and upon approval by Mayor assigned No. 2017-69.

14. Resolution approving preliminary plans, specifications, form of contract etc. and setting date of bid opening as March 2, 2017 and date of public hearing as March 6, 2017 for the FY 2018, 2017 Complaint Mowing with Complaint Snow Removal contract and instruct City Clerk to publish said notice.

Resolution adopted and upon approval by Mayor assigned No. 2017-70.

15. Resolution approving change of location from the Harold E. Getty Council Chambers to Waterloo Center for the Arts, located at 225 Commercial Street, for a City Council Work Session on February 11, 2017 from 10:00 a.m. to 2:00 p.m.

Resolution adopted and upon approval by Mayor assigned No. 2017-71.

b. Motion to approve the following:

1.	Travel Requests				
	Name & Title of Personnel	Class/Meeting	Destination	Date(s)	Amount not to Exceed
a.	Todd Gaede, Justin Gaede, Forrest Graves, and Dana Clement, Sewer Maintenance	Iowa Water Environment Association Collection Systems Conference	Marshalltown, Iowa	March 1-3, 2017	\$520.00
b.	Steve Isenhower and John Hyman, ICT	Introduction to ControlLogix	Waterloo, IA	February 23, 2017	\$840.00
c.	Craig Billerbeck, Lab Tech	Activated Sludge Overview	Kirkwood Community College, Cedar Rapids, IA	March 7, 2017	\$125.00
d.	Eric Thorson, City Engineer	2017 American Public Works Assoc. Spring Conference	West Des Moines, IA	March 29-31, 2017	\$475.00
e.	Matt Chesmore, Community Development (AMENDED)	Lead Inspector/Risk Assessor Recertification Training	Des Moines, IA	February 2-3, 2017	\$825.00
f.	Adrienne Miller, Economic Development Specialist	Heartland Economic Development Course	Blue Springs, MO	April 23-27, 2017	\$1,565.00
g.	Pat Treloar, Fire Chief (AMENDED)	Event Media Relations	Des Moines, IA	January 24 & 25 2017	\$222.93
h.	Sgt. Hoelscher, Sgt. Rasmussen, Officer Gann, Officer Erie, Police	Finding the Leader in You	Hawkeye Community College, Waterloo, IA	February 16-17, 2017	\$1,196.00
i.	Officer Bovy, Police	MCTC Midwest Counter Drug Training Center HWY Drug Investigations for Patrol	Johnston, IA	March 27-29, 2017	\$145.00
j.	Officer Erie and Investigator Gergen, Police	International Law Enforcement Educators Trainers Association	St. Louis, MO	March 20-24, 2017	\$2,245.00
k.	Investigator Koontz, Police	Social Media and Open Source Investigation course	Cedar Rapids, IA	March 6-8, 2017	\$300.00
l.	Wayne Castle, Associate Engineer	80th Annual Society of Land Surveyor's of Iowa Conference	Ames, IA	March 2-3, 2017	\$375.00
m.	Noel Anderson, Community Planning & Development Director	2017 Coalition	Washington, D.C.	June 12-14, 2017	\$1,830.00
	Greg Ahlhelm, Interim	International	Waterloo, IA	March 31,	\$135.00

n.	Building Official/Plans Examiner	Association of Plumbing & Mechanical Officials - HVAC Continuing Education		2017	
o.	Brian Baker, Chief HVAC Inspector	International Association of Plumbing & Mechanical Officials - Plumbing Continuing Education	Waterloo, IA	April 1, 2017	\$135.00
p.	Chris Ferguson, Fire Marshal	K-9 Recertification	Grand Rapids, MI	June 5-9, 2017	\$785.00
q.	Julie Dawson, Executive Director, Wanda Hill-Dorris and Janet Wessels, Housing Coordinator	Iowa National Association of Housing and Rehabilitation Officials 2017 Annual Conference/Training	West Des Moines	April 19-21, 2017	\$2,260.00

2.	Approved Beer, Liquor, and Wine Applications				
	Name & Address of Business	Class	New or Renewal	Expiration Date	Includes Sunday
a.	Beck's Taproom Grill, 3295 University Ave.	C Liquor/Outdoor Service/Brew Pub	Renewal	12/31/2017	X

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

Appointee	Board/Commission	Expiration Date	New or Re-Appointment
Doug Castenson	Cultural and Arts Commission	12/31/2019	New
Edward Ottesen	Historic Preservation Commission	2/3/2020	Re-Appointment

4. Motion to receive and place on file the 2015 Audit of the Waterloo Water Works.
5. Motion to approve Tobacco License for HAB Petroleum DBA BP Fuel, located at 127 Jefferson Street.
6. Motion to approve Exception to Burning Yard Waste Application submitted by Rebecca Abbas, 2048 Grand Blvd, to burn native prairie grass between March 1 and April 30, 2017.

Mr. Schmitt requested clarification of the location of item 2b6.

Pat Treloar, Fire Chief, explained that the site has been approved in the past and this will be the sixth year in a row the request has been received.

Mr. Lind questioned item 2b1, and requested that council receive an executive summary from staff regarding employee travel.

David Dryer, 3145 W. 4th Street, questioned the agenda topic for item 11 on consent resolutions.

Mayor Hart commented that budgets would be the topic for item 11.

David Dryer commented that he would like to know the breakdown of the travel request.

Mayor Hart commented that the travel information is on the internet and also on the Finance agenda.

Kelley Felchle, City Clerk, added that the details are available on the city website and that everything the council sees is available to the public.

Roll call vote-Ayes: Seven. Motion carried.

Mayor Hart introduced Doug Castenson, newly appointed to the Cultural and Arts Commission. He also recognized Ed Ottesen, not present, as a re-appointed member of the Historic Preservation Commission.

PUBLIC HEARINGS

145989 - Schmitt/Welper

that proof of publication of notice of public hearing on the 2017 Turf Maintenance Equipment, as published in the Waterloo Courier on January 23, 2017, be received and placed on file. Voice vote-Ayes: Seven. Motion carried.

David Dryer, 3145 W. 4th Street, commented that on item 20 the city is selling a Gator and that the city should consider purchasing a used item.

Paul Huting, Leisure Services Director, explained the cost of the new Gator and the trade value for the Gator being sold in item 20 and the reason why it is being traded and the use in its new location.

David Dryer further questioned if a Gator that is a few years old would be a way to save money.

Paul Huting commented that the city routinely replaces equipment when they have a lot of hours on them. With John Deere equipment, the city uses the state bid pricing, and it would be difficult for a dealer to match that pricing on any good used equipment.

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

145990 - Schmitt/Welper

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

145991 - Schmitt/Welper

that “Resolution confirming approval of specifications, bid document, form of contract, etc.”, be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-72.

145992 - Schmitt/Welper

that “Resolution authorizing to proceed”, be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-73.

145993 - Schmitt/Welper

Motion to receive and file and instruct City Clerk to read bids.

2017 Turf Maintenance Equipment

NEW UNITS:	Van Wall Equipment	Turfwerks
Jacobsen HR 700	NB	\$70,803.00

Wide Area Rough Mower		
John Deere 2653 B Utility Mower	\$31,121.00	NB
John Deere TX Gator Utility Vehicle	\$9,918.00	NB
John Deere 2500B Greens Mower	\$40,893.00	NB
OPTIONAL TRADES:		
Jacobsen R311 Mower	NB	7,000.00
John Deere 2653 A Mower	\$2,500.00	NB
John Deere 2500 A Greens Mower	\$3,000.00	NB
John Deere Turf Gator	\$2,500.00	NB

Voice vote-Ayes: Seven. Motion carried.

145994 - Schmitt/Welper

that “Resolution awarding bids in the amount of \$76,432.00 to Van Wall Equipment of Urbandale, Iowa, for the purchase of one (1) John Deere 2653B Utility Mower, one (1) John Deere TX Turf Gator, One (1) John Deere 2500B Greens Mower; and the amount of \$63,803.00 to TurfWerks of Johnston, Iowa, for the purchase of one (1) Jacobsen HR700 wide area rough mower, be adopted. Roll-call vote – Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-74.

145995 - Lind/Schmitt

that proof of publication of notice of public hearing on the purchase of two (2) Chevrolet Impala sedans for the Police Investigations Division, as published in the Waterloo Courier on January 23, 2017, 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.

145996- Lind/Schmitt

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

145997 - Lind/Schmitt

that “Resolution confirming approval of specifications, bid document, form of contract etc.”, be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-75.

145998 - Lind/Schmitt

that “Resolution authorizing to proceed”, be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-76.

145999 - Lind/Schmitt

Motion to receive and file and instruct City Clerk to read bids.

Bidder	Bid Security	Bid Amount
Community Motors Cedar Falls, IA	N/A	1 car - \$25,238.92 2 cars - \$50,477.84
Rydell Chevrolet Waterloo, IA	N/A	1 car - \$22,113.00 2 cars - \$44,226.00

Voice vote-Ayes: Seven. Motion carried.

146000 - Lind/Schmitt

that “Resolution awarding contract to Rydell Chevrolet of Waterloo, Iowa, in the amount of \$44,226, for the purchase of two (2) Chevrolet Impala sedans, be adopted. Roll-call vote – Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-77.

1146001 - Morrissey/Welper

that proof of publication of notice of public hearing on the FY 2017 Permeable Alley, Contract No. 905, as published in the Waterloo Courier on January 23, 2017, be received and placed on file. Voice vote-Ayes: Seven. Motion carried.

Mayor Hart requested an overview of the project.

Eric Thorson, City Engineer, provided an overview of the permeable alley paver project and noted that the surface of the alley will have permeable pavement so the storm water will soak into the ground.

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

146002 - Morrissey/Powers

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

146003 - Morrissey/Schmitt

that “Resolution confirming approval of plans, specifications, form of contract, etc.”, be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-78.

146004 - Morrissey/Welper

that “Resolution authorizing to proceed”, be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-79.

146005 - Morrissey/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
Vieth Construction Corp. Cedar Falls, IA	5%	Base Bid: \$147,509.90 Alt 1: \$157,609.90
Mike Dolan Concrete & Masonry Inc. Waterloo, IA	5%	Base Bid: \$135,697.37 Alt 1: \$141,709.87

Peterson Contractors, Inc. Reinbeck, IA	5%	Base Bid: \$170,745.30 Alt 1: 181,907.80
Boulder Contracting Grundy Center, IA	5%	Base Bid \$155,783.95 Alt 1: \$165,213.95
Hudson Hardware Hudson, IA	5%	Base Bid: \$160,512.54 Alt 1: \$171,937.54

Voice vote-Ayes: Seven. Motion carried.

Mayor Hart stepped out at 6:33 p.m.

146006 - Schmitt/Powers

that proof of publication of notice of public hearing on the request by CRF Rentals to rezone approximately 2.57 acres from “R-1” One and Two Family Residence District to “R-1, C-Z” Conditional One and Two Family Residence District for the purpose of allowing R-2 uses, a daycare, and or professional offices, located at 234 S. Hackett Road, as published in the Waterloo Courier on January 27, 2017, 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.

Mayor Hart returned at 6:33 p.m.

Esther Valtchev, 527 E. Park Avenue, requested if child care services have been requested at the location.

Chris Fischels, 4736 Yellowstone Drive, commented that the site would be excellent new office space and no inquiries for child care have been made.

146007 - Schmitt/Powers

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

146008 - Schmitt/Welper

that “an Ordinance amending Ordinance No. 5079, as amended, City of Waterloo Zoning Ordinance, by amending the Official Zoning Map referred to in Section 10-4-4, approving a Rezone of certain property, located at 234 S. Hackett Road”, be received, placed on file, considered and passed for the first time. Roll call vote-Ayes: Seven. Motion carried.

146009 - Schmitt/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.

Mayor Hart questioned if there is any urgency or time constraints to this project.

Chris Fischels commented that as soon as it is rezoned then construction can commence.

Mr. Lind questioned the conditional use for the building and if the residents agreed with the use.

Mayor Hart confirmed.

146010 - Schmitt/Welper

that “an Ordinance amending Ordinance No. 5079, as amended, City of Waterloo Zoning Ordinance, by amending the Official Zoning Map referred to in Section 10-4-4, approving a Rezone of certain property, located at 234 S. Hackett Road”, 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. 5384.

146011 - Lind/Amos

that proof of publication of notice of public hearing on the request by Jon Hauptly for a site plan amendment to the “C-P” Planned Commercial District to allow for the construction of an 12,000 square foot commercial building, with a 66-stall parking lot, located northeast of 1844 West Ridgeway Avenue, as published in the Waterloo Courier on January 27, 2017, 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.

146012 - Lind/Amos

that the hearing be closed and recommendation of approval of the Planning, Programming and Zoning Commission. Voice vote-Ayes: Seven. Motion carried.

146013 - Lind/Amos

that “an Ordinance amending Ordinance No. 5079, as amended City of Waterloo Zoning Ordinance, by amending the Official Zoning Map referred to in Section 10-4-4, approving a rezone of certain property”, be received, placed on file, considered and passed for the first time. Roll call vote-Ayes: Seven. Motion carried.

146014 - Lind/Morrissey

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

Mayor Hart questioned the urgency for the item.

Noel Anderson, Community Planning and Development Director, stated he was not aware of any urgency to suspend the rules.

146015 - Welper/Amos

that proof of publication of notice of public hearing on the demolition services for demolition of 820 Newell Street, 915 Newell Street, 71 Franklin Street, 929 Linden Avenue, 426 Cherry Street, 310 Oak Street, 847 Dawson Street, and 414 Thompson Street, as published in the Waterloo Courier on January 27, 2017, be received and placed on file. Voice vote-Ayes: Seven. Motion carried.

Ivan Valtchev, 527 East Park Avenue, expressed concern for demolishing the home located at 71 Franklin Street, and requested more information on the process for scheduling this home for demolition.

Chris Western, City Planner, explained the process for how homes end up on the demolition list.

Mayor Hart explained that a process exists for individuals to purchase homes on the list.

Mr. Morrissey commented that Mr. Western allowed him to enter the home and noted that it looks beautiful on the outside but the inside is in bad shape.

Bill Kammeyer, 526 Home Park Boulevard, questioned why the city does not put up a large sign stating that the homes are for sale as is.

Chris Western explained that he had the same idea a few years ago and lasted four to five months before they were stolen.

Mayor Hart questioned if the properties are listed somewhere.

Chris Western explained the homes are listed on the city website.

Mr. Schmitt asked if all city-owned property was listed on the website.

Chris Western commented that the vacant lots are listed, and those homes that can reasonably be rehabbed.

Jessica Young, 318 W. 3rd Street, Apt. 1, questioned if the Habitat for Humanity ReStore works with the city on the homes up for sale to remove items from the home.

Mayor Hart commented that the city is partnering with various entities in the area.

Noel Anderson, Community Planning and Development Director, confirmed and explained the partnership between Habitat for Humanity ReStore and the city.

Mr. Morrissey commented that there are a number of structures that are considered targeted structures, but not yet 657A, and that the Historic Preservation Commission will be receiving this information in the future.

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

146016 - Welper/Schmitt

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

146017 - Welper/Schmitt

that “Resolution confirming approval of plans, specifications, form of contract etc.”, be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Mr. Morrissey reported that the attached detailed report does not include certain properties that are listed in the resolution.

Chris Western explained that the detailed report has been corrected.

Resolution adopted and upon approval by Mayor assigned No. 2017-80.

146018 - Welper/Schmitt

that “Resolution authorizing to proceed”, be adopted. Roll-call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-81.

146019 - Welper/Schmitt

Motion to receive and file and instruct City Clerk to read bids.

Bidder	Bid Amount
Benton’s Sand & Gravel Cedar Falls, IA	\$118,450
Frickson Bros. Excavating Evansdale, IA	\$75,900
Peterson Contractors, Inc. Reinbeck, IA	\$189,140
Whole Excavation Hudson, IA	\$92,726
Lehman Trucking & Excavating, Inc. Waterloo, IA	\$108,675

Voice vote-Ayes: Seven. Motion carried.

146020 - Welper/Morrissey

that “Resolution awarding demolition services contract to Frickson Bros. Excavating for demolition services of 820 Newell Street, 915 Newell Street, 71 Franklin Street, 929 Linden Avenue, 426 Cherry Street, 310 Oak Street, 847 Dawson Street, and 414 Thompson Street, in the amount \$75,900.00, be adopted. Roll-call vote – Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-82.

RESOLUTIONS

146021 - Morrissey/Amos

that “Resolution approving submission of a grant application to the Waterloo Convention & Visitors Bureau (CVB) to support marketing and promotion of the Waterloo Center for the Arts, Phelps Youth Pavilion, and RiverLoop Facilities”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-83.

146022 - Morrissey/Amos

that “Resolution approving submission of grant application to the U.S. Department of Justice Office of Justice Programs for the Paul Coverdell, Forensic Science Improvement Grant Program”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-84.

146023 - Morrissey/Amos

that “Resolution approving Easement Acquisition Contract with Mervyn E. Hilpipre and La Rue Hilpipre for the acquisition of 7.15 acres of land, generally located at the southeast corner of Wagner and Airline Highway for sewer line improvements, in the amount of \$130,000, plus up to \$1,000 in closing costs, and authorize the Mayor and City Clerk to sign all necessary documents”, be adopted. Roll call vote-Ayes: Five. Nays: Two (Schmitt and Lind). Motion carried.

David Dwyer, 3145 W. 4th Street, expressed concern about item #11.

Noel Anderson explained the easement acquisition contract.

Mr. Lind requested an overview of how the city arrived at the terms of the agreement.

Noel Anderson provided a summary of the research that was done to support the pricing.

Mr. Lind expressed his concern on the pricing.

Resolution adopted and upon approval by Mayor assigned No. 2017-85.

146024 - Schmitt/Morrissey

that “Resolution approving an Encroachment Agreement with Deana Jolly to allow for an 8 foot x 12.5 foot patio, in city owned Hoover Street right of way located at 1155 Hawthorne Avenue”, be adopted.

Mr. Morrissey questioned if a super majority is needed to approve the item since it was denied by Planning and Zoning.

Dave Zellhoefer, City Attorney, explained that a super majority is not needed to approve the item.

Mr. Welper requested an explanation of the item.

Deena Jolly, 1155 Hawthorne Avenue, explained why she moved forward with pouring the patio.

Mr. Welper questioned if some of the patio will be removed.

Deena Jolly explained that she would be willing to remove the portion that is unacceptable.

Mr. Welper asked for clarification as to whether the contractor poured the patio without her permission.

Deanna Jolly clarified the contractor only did what the city told him he could do. She did not hire anyone to do the patio pavement, she did it herself.

Mr. Morrissey reviewed the attachments of the proposed patio which notes that she was told not to proceed.

Deena Jolly explained that she did not understand the process she needed to go through in order to get an easement and put in the patio anyway.

Mr. Welper commented that the council is just trying to be consistent and fair to everyone.

Deena Jolly stated that no one has complained.

Mayor Hart stated that Ms. Jolly has explained her reasoning and a vote will need to be taken.

Mr. Jacobs questioned what the permit was originally pulled for.

Eric Thorson, City Engineer, explained that the permit was pulled for the driveway and that staff would not have given a permit for the patio to encroach into the right of way.

Mr. Schmitt questioned if the contractor has been involved in the conversation.

Eric Thorson is not aware of the level of involvement the contractor has, the permit was only for the driveway.

Deena Jolly stated it was for the driveway, but the measurements she provided included the patio area. The inspector is the one who told her she could not have a driveway that wide.

Mr. Lind questioned if a proposed ordinance change that would have allowed an additional lane would have helped in this situation.

Aric Schroeder, City Planner, the proposed regulations were just covering private property and not within the right of way.

Mr. Lind questioned if building a sidewalk in the right of way would help the situation.

Aric Schroeder, commented that a private sidewalk extending across private property and through the right of way to the street may be permissible but would defer to Engineering.

Eric Thorson commented that an approach walk of two or three feet wide, could be considered.

Mr. Lind recommended tabling the item to allow the parties to work on a solution.

Mayor Hart requested confirmation from Engineering that the current size patio does not qualify as an approach walk.

Eric Thorson confirmed it does not.

Mr. Lind questioned if this was denied, could the party return with a sidewalk solution.

Mayor Hart explained that the direction to take, would be to have the Ms. Jolly and the Engineering Department work together to create an acceptable sidewalk instead of the 8 foot x 12.5 foot.

Deena Jolly commented that she believes it still would not work without the encroachment agreement.

Mr. Welper commented that he would like to work with her and stay within the ordinances and would like to work to create a happy medium.

Mayor Hart explained that the city is trying to work with her on an agreeable solution.

Mr. Lind asked again if tabling the item would be a good idea.

Mayor Hart stated that city staff will work to help find some type of solution.

Lind/Welper to table item #12 to February 27. Roll call vote: Ayes-Seven. Motion carried.

146025 - Schmitt/Morrissey

that “Resolution approving Waterloo Convention and Visitors Bureau Board of Directors recommendation to fund the FY2018 Partner Grants as follows: Dan Gable Wrestling Museum: \$16,311, Waterloo Community Playhouse/Black Hawk Children’s Theater: \$13,980, Waterloo Center for the Arts: \$22,299, Grout Museum District: \$24,283, Cedar Valley Arboretum & Botanic Gardens: \$5,727, Main Street Waterloo: \$7,400”, be adopted. Roll call vote-Ayes: Six. Abstain: (Schmitt - as he sits on a number of boards that serve those organizations). Motion carried.

David Dryer, 3145 W. 4th Street, questioned if the city owns the rewarded entities, and if not, why is the city giving money to the private entities, such as the Grout Museum.

Mayor Hart commented that the city does not own the entities.

Aaron Buzza, Waterloo Convention and Visitors Bureau, stated the dollars being used for this purpose are hotel-motel tax dollars, and state law requires hotel-motel tax dollars to be used for tourism related purposes only.

Mr. Lind questioned if the awards are scored based on whether or not attendees would be more likely to stay overnight in Waterloo.

Aaron Buzza explained how overnight stays are factored into scoring for the grants.

Mayor Hart clarified that the funds will be set aside for marketing money.

Aaron Buzza further explained how difference entities are scored.

Mr. Lind thanked Aaron for his explanation and noted that he thinks the way they score is a good idea.

Aaron Buzza explained that they have worked over the years to find a fair way to provide for the various entities.

Resolution adopted and upon approval by Mayor assigned No. 2017-86.

146026 - Schmitt/Morrissey

that “Resolution approving the request of XL Colt Farms for the 14-lot final plat of Audubon Hills First Addition located North of 1554 Dakota Drive”, be adopted. Roll call vote-Ayes: Five. Nays: Two (Schmitt and Lind). Motion carried.

Mr. Lind commented that the residents in the neighborhood are not in favor of the development and noted that the developer needs to add an extension to the road to improve traffic flow through the addition, which in turn would improve public safety.

Mr. Lind added that he opposes this item.

Mr. Jacobs commented that the plat has already been vetted by city staff and that he believes that it is unfair to state that this development is inferior to other developments in the area.

Noel Anderson provided an overview of the lot sizes and noted that several of the proposed lot sizes are similar in size to the majority of many of the existing lots in that area.

Noel explained the infrastructure planning that includes utilities, public safety and street layout.

Mr. Lind reiterated that 63 current residents do not like the proposed development plan.

David Ledermen, 540 Prospect Boulevard, commented that the development has been vetted by planning and zoning commission and city staff and believes that the lots fit within the area.

Mr. Schmitt commented that the primary concern is public safety and that the price range of the houses are lower than the current homes in the neighborhood. He questioned if it would be possible to expand the lot sizes by reducing the proposal by one lot.

David Ledermen commented that they cannot remove a lot from the plat to make the lots bigger and that the most expensive homes will be closest to the existing homes in the neighborhood.

Bob Manning, Black Hawk County Home Builders Association, explained that the homes are similar to the homes built on Sheridan Road and that the homes will be similar in size to homes and lots built on Wendy and Nancy Road, which is an active real estate in Waterloo. He further commented on issues with extending the roads through the development. He also commented that he does not believe council should have the ability to dictate to a developer how large lots should be when it has been vetted by Planning and Zoning and city staff.

Mr. Jacobs commented that the city needs space to build homes in Waterloo.

Mr. Lind explained the reasoning of the residents who shared their concern of the development.

Mr. Powers questioned how soon Red Trail Drive will be built and expressed that his concern is for traffic safety and the safety of children getting on the bus and playing in the neighborhood.

David Ledermen explained that it would take place in two construction seasons.

Mr. Powers asked if most of the homes are sold.

David Ledermen explained that they are not sold, but there is a lot of interest.

Mr. Powers commented that he believes that extending Red Tail to Blue Wing will help curb traffic.

David Ledermen noted that since there are only 14 lots, he believes that in one year they would be ready to extend Red Tail Drive.

Mr. Morrissey questioned if the preliminary plat has already been approved.

Mayor Hart confirmed.

Noel Anderson confirmed that no changes have been made between the preliminary and final plat.

Mr. Morrissey commented that the technical review committee had several concerns and asked if they have been satisfied.

Noel Anderson confirmed that the concerns have been alleviated.

Mr. Schmitt commented that Waterloo needs a variety of housing options in Waterloo and believes that Waterloo needs more options for higher end homes in Waterloo. He further commented that he supports Mr. Lederman but believes the drop between home values is too drastic for the area.

Mr. Jacobs commented that the color chart provided by Planning and Zoning shows that the lot sizes are comparable and believes the addition makes sense.

Resolution adopted and upon approval by Mayor assigned No. 2017-87.

146027 - Amos/Morrissey

that "Resolution approving the request by XL Colt Farms to dedicate a 30 foot and 50 foot wide permanent sanitary sewer easement, to allow for construction and future maintenance of a sanitary

sewer line, generally located between Audubon Park Sixth Addition and Audubon Hills First Addition”, be adopted. Roll call vote-Ayes: Five. Nays: Two (Schmitt and Lind). Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-88.

146028- Amos/morrissey

that “Resolution approving Construction Plans for Sanitary Sewer, Storm Sewer, and Paving Project, serving the Audubon Heights 6th Addition, as submitted by Wayne Claassen Engineering & Surveying, Inc.; and Sewage Treatment Agreement, DNR Form 28A (Sept 2010), with the Department of Natural Resources and the final acceptance of construction plans, subject to the review and acceptance by the DNR, 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. 2017-89.

146029 - Amos/Morrissey

that “Resolution approving Professional Services Agreement with Wayne Claassen Engineering & Surveying Inc., in an amount not to exceed \$56,000.00, for design and construction review services for FY 2017 Waterloo Boathouse Enhancements Phase I Project and authorize the Mayor to execute said document”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-90.

146030 - Morrissey/Powers

that “Resolution approving Amendment No. 1, of an existing Professional Services Agreement with AECOM Technical Services for design services associated with the Calendar Year-2017 construction program, in the amount of \$87,800, and direct the Mayor and City Clerk to fully execute said agreement”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-91.

146031 - Morrissey/Powers

that “Resolution approving a one month extension to the Memorandum of Agreement with Waterloo Community School District to extend technical and professional services in the operation of the Waterloo Educational Access Channel”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-92.

146032 - Morrissey/Powers

that “Resolution approving sale of used John Deere Gator to the Cedar Rapids Ball Club Inc., (Waterloo Bucks) in the amount of \$2,500.00”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-93.

146033 - Morrissey/Powers

that “Resolution awarding bid to Bill Colwell Ford of Hudson, Iowa for the purchase of six (6) Police patrol vehicles, in the amount of \$162,612.00”, be adopted. Roll call vote-Ayes: Seven. Motion carried.

Resolution adopted and upon approval by Mayor assigned No. 2017-94.

ORDINANCES

146034 - Lind/Amos

that “an Ordinance amending the 2008 City of Waterloo Traffic Code by Deleting Subsection (60) Cedar Street to Section 551, Parking Prohibited At All Times, and inserting in Lieu Thereof a New Subsection (60) Cedar Street, to Section 551, Parking Prohibited At All Times, As Follows: (60) Cedar Street - Northeast side from W. 4th Street to W. 2nd Street: southwest side from W. 6th Street to W. 5th Street; Both sides from W. 4th Street to W. 5th Street”, be received, placed on file, considered and passed for the first time. Roll call vote-Ayes: Seven. Motion carried.

Mr. Lind commented that it would be nice to have a map for parking ordinances.

Mr. Schmitt requested an overview of the ordinance.

Sandie Greco, Superintendent of Traffic, provided an overview of the proposed changes in the ordinance.

Mr. Schmitt questioned why the wording does not list Park Street.

Sandie Greco explained that was a previous section which has been deleted.

Mr. Lind questioned if the spaces are metered.

Sandie Greco commented that they are not metered at this time.

146035 - Lind/Schmitt

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

Mr. Schmitt questioned the timing for the ordinance.

Sandie Greco explained that they are already parking on the street.

Mr. Schmitt asked if a contractor went out and painted on city streets.

Sandie Greco confirmed, but explained she was unaware when or who did it.

Mayor Hart stated that everyone is in favor of more parking spaces, but the city must do a better job in making sure it is done within the guidelines.

146036- Lind/Morrissey

that “an Ordinance amending the 2008 City of Waterloo Traffic Code by Deleting Subsection (60) Cedar Street to Section 551, Parking Prohibited At All Times, and inserting in Lieu Thereof a New Subsection (60) Cedar Street, to Section 551, Parking Prohibited At All Times, As Follows: (60) Cedar Street - Northeast side from W. 4th Street to W. 2nd Street: southwest side from W. 6th Street to W. 5th Street; Both sides from W. 4th Street to W. 5th Street”, 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. 5385.

146037 - Morrissey/Amos

that “an Ordinance amending the 2007 Code of Ordinances of the City of Waterloo, Iowa, by repealing Title Seven, Chapter 1, Section 4 Curb Cuts, Subsection H, and Title Seven, Chapter Three, Section Four Permits, Subsection C in its entirety and enact in lieu thereof a new Title Seven, Chapter 1, Section 4 Curb Cuts, Subsection H Contractor's Bond, and Title Seven, Chapter Three, Section Four Permits, Subsection C Contractor's Bond”, be received, placed on file, considered and passed for the third time. Roll call vote-Ayes: Seven. Motion carried.

Ordinance adopted and upon approval by Mayor assigned No. 5386.

ADJOURNMENT

146038 - Welper/Jacobs

that the Council adjourn at 8:00 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk