March 3, 2025

The City Council of the City of Waterloo, Iowa, met in Regular Session at Harold E. Getty Council Chambers, Waterloo, Iowa, at 5:30 PM, on Monday, March 3, 2025.

Roll Call.

Mayor Quentin Hart in the Chair. Roll Call: Mr. Boesen, Mr. Nichols, Ms. Creighton-Smith, Mr. Chiles, Mr. Simon, Ms. Wilder and Mr. Feuss.

Prayer or Moment of Silence.

Pledge of Allegiance, Waterloo Boy Scouts Pack #3025.

Approval of Agenda as proposed or amended.

Feuss/Wilder
that the agenda as proposed be approved. Voice vote-Ayes: Seven. Motion carried.

Approval of Minutes of the February 6, 2025, Special Council Session and the February 17, 2025, Regular Council Session as proposed or amended.

Feuss/Wilder
that the minutes of February 6, 2025, Regular Council Session, as proposed, be approved. Voice vote-Ayes: Seven. Motion carried.

PUBLIC COMMENTS

The following individuals commented on various subjects.

Aaron Stacey Roberts, 411 Almond St.
Nick Wertz, Director of Immigrant Refugees at LSI in Waterloo, 3640 University Ave
Erin Good, 3640 University Avenue, Lutheran Services in Iowa
Mary Potter, Grout Museum Trustee and Water Works Trustee
David Sturch, 534 Glencoe Ave., and General Manager, MET Transit
Sam Blatt, Lafayette Street

Ms. Creighton-Smith commented that she wanted constituents to know that her heart is heavy and that she never thought that repealing protections would happen in the State of Iowa. She further commented that we are a nation of immigrants and that she is concerned that refugees are being denied protection and access to our country.

Ms. Wilder questioned what the city can do on the local level to let people know that they are valued.

Mayor Hart commented that it is important that we lead by example. We will continue to support many different activities and events for a wide range of diversities and influence. We can also continue to work with our state and federal legislature.

Mr. Boesen commented that he wanted to recognize the passing of Mike Allen. He had the privilege of attending QPR training sponsored by the Youth City Council, which was for suicide awareness. He said it was excellent training and encouraged people to take part if they have the opportunity.

Mayor Hart added to Mr. Boesen's comments regarding Mike Allen, sharing that he has known him all of his life and has stayed in touch all these years. He shared that in addition to the loss of Mike Allen, we also lost Curly Hultman, who was a Major General, and Waterloo East graduate. Mayor Hart provided details on Curly's services.

Feuss/Wilder
to close public comments. Voice vote-Ayes: Seven. Motion carried.

CONSENT AGENDA

Feuss/Wilder
that the following items on the consent agenda be received and placed on file, including the payment of bills for February 24, 2025, in the amount of $5,489,992.55, and March 3, 2025, in the amount of $1,221,276.62, be received and placed on file. Roll Call vote-Ayes: Seven. Motion carried.

Bills Payment, Finance Committee Invoice Summary Report, a copy of which is on file in the office of the City Clerk.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-120.

Resolution approving the award of hotel/motel tax council discretionary funds to the Waterloo Urban Farmers Market in the amount of $15,000.00.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-121.

Resolution setting date of the proposed levy public hearing as April 7, 2025, at 4:30 p.m. to approve the proposed levy rates as required by the state, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-122.

Resolution setting date of public hearing as March 17, 2025, to receive public comments on the CAPER (Consolidated Annual Performance Report), and direct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-123.

Resolution setting date of public hearing as April 7, 2025, to hear public comment and approval of the proposed funding recommendations set forth by the Waterloo Housing Authority on the proposed 5-year Annual plan, the 2025 Administrative Plan, and the 2025-2029 ACOP Plan, and directing the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-124.

Resolution setting date of public hearing as March 17, 2025, for approval of a Development Agreement with Iowa Heartland Habitat for Humanity, in conjunction with the sale and conveyance of 406 Randall Street located within the Church Row Neighborhood, with a grant of $5,000.00 for infill housing development for the addition of a new single-family home, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-125.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as March 27, 2025, and date of public hearing as April 7, 2025, in conjunction with the Passenger Boarding Bridge Project, FAA AIP 3-19-0094-057-2025, and direct City the Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-126.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as March 27, 2025, and date of public hearing as April 7, 2025, in conjunction with the Runway 18-36 Rehabilitation Within the Runway 12-30 Safety Area Project, FAA AIP 3-19-0094-0XX-2025, and direct the City Clerk to publish said notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-127.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as March 27, 2025, and date of public hearing as April 7, 2025, in conjunction with providing Janitorial Services at the Waterloo Regional Airport, and direct the City Clerk to publish said notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-128.

Resolution approving award of bid to Cahoy Pump Service, Inc., of Sumner, Iowa, in the amount of $349,931.00, approving the contract, bond and certificate of insurance, in conjunction with the FY 2024 Hawthorne Avenue Storm Sewer Lift Station Relief Well, Contract No. 1066, and authorizing the Mayor and City Clerk to execute said document.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-129.

Communication from the Street Department on the notice of the conclusion of employment of Timothy Steimel, Equipment Operator II, effective January 31, 2025 with recommendation of approval of payout of $1,745.25 for unused benefits.

Communication from the Fire Department on the notice of the conclusion of employment of Doug Dahlhauser, Fire Lieutenant, effective January 30, 2025 with recommendation of approval of payout of $13,600.95 for unused benefits.

Communication from the Leisure Services Department on the notice of the conclusion of employment of Ronald Willis, Golf Maintenance II, effective January 31, 2025 with recommendation of approval of payout of $3,321.01 for unused benefits.

Liquor Licenses
a. Buzz's Bar, 1016 Maynard Avenue, Class C w/Sunday Sales (Renewal) Exp:03/14/2026.
b. Cedar Valley Fish Market, 218 Division Street, Class C w/Sunday Sales (Renewal) Exp:01/25/2026.
c. Crossroads Cinema, 2450 Crossroads Boulevard, Class C w/Sunday Sales (Renewal) Exp: 03/14/2026.
d. El Patron Family Mexican Restaurant, 301 E. 4th Street, Class C w/Outdoor Service/Sunday Sales (Renewal) Exp: 02/28/2026.
e. Jim Lind Service, 230 E. Ridgeway Avenue, Class B w/Sunday Sales (Renewal) Exp: 04/07/2026.
f. King Star, 2035 Mitchell Avenue, Class B w Sunday Sales, (Renewal) Exp: 01/19/2026.
g. Laid Back Social Club, 501 Independence Avenue, Class C w/Sunday Sales (Renewal) Exp: 02/21/2026.
h. Local Bar Hop, 708 Jefferson Street, Class C w/Outdoor Service/Sunday Sales (Renewal) Exp: 02/21/2026.
i. National Cattle Congress, 250 Ansborough Avenue, Class C w/Outdoor Service/Catering/Sunday Sales (Renewal) Exp: 02/28/2026.
j. Waterloo Bucks, 850 Park Road, Class C w/Outdoor Service/Sunday Sales (Renewal) Exp: 11/01/2025.

Cigarette/Tobacco/Nicotine/Vapor Permits
a. New Star, 315 Fletcher Avenue.
b. Express Mart, 2027 Falls Avenue.

Jeremy Kruth, Board/Commission: Leisure Services, Expiration Date: March 3, 2028, [New].

Ellen Vanderloo, Board/Commission: Leisure Services, Expiration Date: March 3, 2028, [Renewal].

Sandie Greco, Board/Commission: Cultural and Arts Commission, Expiration Date: March 3, 2028, [Renewal].

Ras Smith, Board/Commission: Board of Adjustment, Expiration Date: March 3, 2030, [New].

PUBLIC HEARINGS

Sale and conveyance of City-owned property, a portion of Miriams Park, located east of 3843 Sager Avenue, to Waterloo Schools.

Feuss/Nichols
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments.

Kate Payne, Invision Architecture, shared that the request to transfer the property was driven by the expansion of the Waterloo High School project, and the drive that will go through Miriams Park is limited to buses only.

Dennis Juhl, 3905 Sager Avenue, commented that much of this is to help to decongest traffic on Katoski Drive, Progress, and Sager Avenue. He further questioned if the housing developments on the edge of Cedar Falls where the communities meet have been taken into consideration to the traffic flow in this area.

Mary Jo Juhl, 3905 Sager Avenue, commented on the need for green space for children and that the proposed roadway will be just a few feet from where families gather and children play. She asked the council to consider the safety of the children.

Lori Wright, 4009 Mark Drive, commented on the importance of the park to the neighborhood and questioned the efficiency and safety of putting in a road.

Jared Smith, 335 Cedar Street, Waterloo Community School Superintendent, commented that he appreciates the perspectives of the neighbors and the neighborhood and shared that they have explored all possible options and there is not another viable option for where those buses could go to pick up the students. He provided additional clarifying comments regarding the limited hours of operation of the controlled bus roadway.

Kate Payne, Invision Architecture, commented on the traffic studies that were conducted and noted that the studies were based on the number of cars the new school would generate and not the increased traffic from future development.

Connie Rummel, 4039 Sager, questioned where a parking lot would be located if a soccer field goes in. She shared that the neighbors want to see in writing that it will stay a green space after the project is completed, like they were told. She also asked for a crosswalk placed at the new roadway.

Kate Payne commented that there will be a soccer field, but no additional parking will be added. Soccer event parking will be the same as is used for football games.

Mayor Hart noted for the record that there are comments and a petition on file.

Feuss/Nichols

to close hearing and receive and file oral and written comments. Voice vote-Ayes: Seven. Motion carried.

Feuss/Nichols
Resolution authorizing the sale and conveyance of City-owned property, a portion of Miriams Park, located east of 3843 Sager Avenue, to Waterloo Schools, in the amount of $1.00, with the retention of an access easement and utility easement as shown on the Plat of Survey, subject to the land being deeded to Waterloo Schools for continued use as open space, as well as use for an injection well for cooling system of the adjacent school building, and new controlled-access roadway for the new high school, with any future changes to these restrictions requiring Waterloo City Council approval after request by the Waterloo Community Schools, and authorizing the Mayor and City Clerk to execute said documents. Roll Call vote-Ayes: Six. Nays: One (Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-130.

Jamie Knutson, City Engineer, shared that if the schools plan to do anything different with the site, they would have to come back to the city for review. They would potentially have to look at undergrounding the storm water, which will be very expensive. He addressed the traffic study was reviewed by himself and Traffic Engineer, Mohammad Elahi. The school made changes based on the city's comments.

Mr. Chiles thanked everyone for working to have dialogue and compromise. He questioned where the soccer field would be placed.

Kate Payne shared that the soccer field is planned on current school property.

Mr. Chiles commented on other compromises the school has made to address neighborhood concerns.

Mayor Hart reiterated that the road is controlled access for school buses only and this was in response to concerns presented.

Mr. Chiles provided comments as to why the school could not use the property on the south side of the school for bus access.

Mr. Boesen questioned if buses would be utilized for summer school as he has seen buses in the West High parking lot during the summer.

Zach Kelley, Director of Operations for Waterloo School District, commented that summer school had not been discussed but that it is likely that bus traffic would be less during summer school and therefore Huntington or Katoski could be utilized.

Mr. Boesen questioned if permanent lights would be installed at Progress and Sager.

Jamie Knutson shared that he would have to discuss that with Randy Bennett as it was not part of the discussion.

Mr. Boesen questioned if the city would have enough time to complete the various projects we must get done prior to the opening of the school and whether there is a plan to put a round about at the intersection of Greenhill and Katoski.

Jamie Knutson shared that he would be hiring a consultant for traffic design and would be looking at all options, including a roundabout. He further shared that the goal is to begin construction next spring and have everything completed before the school opens.

Mr. Boesen questioned if we have funding in place.

Jamie Knutson provided information on project funding.

Mr. Feuss commented that he lives one block from West High and understands the traffic concerns. However, this conversation is about a road for fourteen buses to have access to get in and out as safely as possible.

Mayor Hart commented that he would communicate with Mayor Laudick regarding the serious need to look at traffic.

Mr. Simon commented that he sees a lot of issues coming in the future with the school moving to this location. He is not in favor of destroying a park that was donated. He stated that he is in favor of the new school but that he does not believe that this is well-thought-out.

Ms. Wilder questioned if the neighbors would feel more at ease with the road coming in if there is a written agreement that the remaining space will stay green space.

Mr. Chiles commented that the park space will remain green space.

<u>Amendment to the East Waterloo Unified Urban Renewal and Redevelopment Plan, to update projects and project budgets to be included in the Plan, and other general updates to the Plan.</u>

Nichols/Boesen
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

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

Nichols/Wilder
to close hearing. Voice vote-Ayes: Seven. Motion carried.

Nichols/Wilder
Resolution affirming previous determination of an area of the City to be an area of slum and blight and 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. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-131.

Mr. Boesen questioned how it was determined that the MidPort site was determined that it was slum and blight.

Noel Anderson, Community Planning and Development Director, explained that the TIF district was adopted over twenty years ago, and provided information on particular homes and empty buildings that led to the decision.

Mr. Boesen commented that it is his understanding that this is a non-expiring TIF.

Noel Anderson confirmed.

Mr. Boesen questioned what is considered a good trade-off for city investment - to jobs, financially.

Noel Anderson explained that they don't normally look at the specifics of jobs in development agreements, rather the property tax base and what the repayment is.

<u>Sale and conveyance of city-owned property located at 1651 Sycamore Street.</u>

Boesen/Feuss
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments.

Forest Dillavou, 1725 Huntington Road, commented that the developers are getting rich off of the taxpayers.

Eric Poe, 1656 Sycamore Street, Crystal Distribution, shared that they are looking to invest in the neighborhood by putting the former church back onto the tax roll and potentially putting a daycare facility there for the betterment of that neighborhood.

Boesen/Feuss
to close hearing and receive and file oral comments. Voice vote-Ayes: Seven. Motion carried.

Boesen/Feuss
Resolution authorizing the sale and conveyance of city-owned property located at 1651 Sycamore Street, in the amount of $1.00 to Crystal Distribution Services, Inc., and authorizing the Mayor and City Clerk to execute said documents. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-132.

Mr. Boesen questioned where the 5,000-square-foot addition would go, if there would be adequate parking and if current zoning would allow for a daycare facility.

Eric Poe commented that it would go on the west side of the building and that he believed that there is adequate parking.

Noel Anderson, Community Planning and Development Director, confirmed that the zoning would allow for a daycare facility.

Mr. Chiles questioned when the work would begin.

Eric Poe shared their current plan.

Boesen/Feuss
Resolution approving a Development Agreement with Crystal Distribution Services, Inc., with a Minimum Assessment Agreement of $659,060.00 for the rehabilitation of the existing building, and construction of a 5,000-square-foot maintenance shop, and authorizing the Mayor and City Clerk to execute said document. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-133.

FY2025 CIP Pipelining Phase V, Contract No. 1118.

Creighton-Smith/Wilder
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

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

Creighton-Smith/Nichols
to close the hearing. Voice vote-Ayes: Seven. Motion carried.

Creighton-Smith/Nichols
Resolution confirming approval of specifications, bid documents, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-134.

Creighton-Smith/Nichols
to receive, file, and instruct the City Clerk to read the bids. Voice vote-Ayes: Seven. Motion carried.

Engineer's Estimate: Base Bid: $1,023,489.20 - Alt 1: $148,253.75 - Alt 2: $126,367.38

Insituform Technologies USA, LLC - Chesterfield, MO - 5% - Base: $1,425,239.41 - Alt 1: $159,972.70 - Alt 2: $156,352.00
National Power Rodding, Chicago, IL - 5% - Base: $1,330,109.70 - Alt 1: $192,066.50 - Alt 2: $164,670.75
Hydro-Klean, LLC, Des Moines, IA - 5% - Base: $913,987.03 - Alt 1: $128,166.65 - Alt 2: $108,519.75
Municipal Pipe Tool, Hudson, IA - 5% - Base: $839,160.75 - Alt 1: $142,325.75 - Alt 2: $120,432.25

Creighton-Smith/Nichols
Resolution approving award of bid to Municipal Pipe Tool Co., LLC of Hudson, Iowa in the amount of $981,486.50, approving the contract, bonds, and certificate of insurance, in conjunction with the FY2025 CIP Pipelining Phase V, Contract No. 1118, and authorizing the Mayor and City Clerk to execute said documents. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-135.

RESOLUTIONS

Resolution approving a Purchase Agreement with KnowBe4, Inc., in the amount of $31,414.50, for three years of security awareness and compliance training software and support, and authorizing the Mayor to execute said document.

Nichols/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No.2025-136.

Resolution approving an amendment to the Professional Services Agreement with AECOM Technical Services, Inc., of Waterloo, Iowa, in the amount of $438,900.00 (previously approved for $425,900.00), in conjunction with the Rehabilitate Runway 18/36 Design, and authorizing the Mayor and City Clerk to execute said document.

Nichols/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No.2025-137.

Resolution approving a contract with Black Hawk Sprinklers, Inc., of Waterloo, Iowa, in the amount of $27,430.00, in conjunction with the server room dry foam sprinkler system, and authorizing the Mayor to execute said document.

Nichols/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No.2025-138.

Mr. Boesen requested clarification on the item.

Chris Youngblut, IT Director, shared that the move to dry foam as opposed to traditional sprinklers is due to the large amount of data center technology in the facility.

Resolution approving Addendum No. 3 to the EN Communications Contract with EN Engineering, LLC of Warrenville, Illinois, in the amount of $459,592.00 plus $4,000.00 per month for inspectors' travel expenses, in conjunction with the EN Communications Contract - City of Waterloo Iowa - Project Management, Construction Management, Construction Inspection and Engineering Support Services 2025, and authorizing the Mayor to execute said document.

Feuss/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No.2025-139.

Resolution approving a Development Agreement with Crystal Distribution Services, Inc., with a Minimum Assessment Agreement of $24,538,570.00, seventy percent property tax rebates for fifteen years, and a $137,000.00 economic development grant, for the construction of a 42,000 square foot expansion, located at 1650 Sycamore Street, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Wilder
Roll Call vote-Ayes: Five. Nays: Two (Boesen and Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No.2025-140.

Mr. Boesen questioned how the tax rebates were decided.

Noel Anderson, Community Planning and Development Director, explained that the incentives are based on project size.

Mr. Boesen shared his concerns surrounding this project.

Request by A&D Auto Sales, LLC for an appeal of the City Engineer to allow automobiles to be parked in the city-owned right-of-way, located between the street and property line of 721-727 Birmingham Avenue in the “M-1” Light Industrial District.

Feuss/Wilder
Roll Call vote-Nays: Seven. Motion failed. Resolution No.2025-141.

Mr. Nichols requested an overview of the item.

Jamie Knutson, City Engineer, provided an overview of the item.

Resolution approving Supplemental Agreement No. 3 with AECOM Technical Services, Inc., of Waterloo, Iowa, in the amount of $199,700.00, in conjunction with the FY 2023 Sunnyside Creek Improvements Wet Detention Pond and Channel Stabilization Project, Contract No. 1062, and authorizing the Mayor to execute said document.

Boesen/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No.2025-142.

Mr. Boesen questioned if the agreement also includes the engineering to re-route the sanitary sewer.

Jamie Knutson, City Engineer, confirmed.

Resolution approving a Professional Services Agreement with Terracon Consultants, Inc., of Cedar Falls, Iowa, in the amount not to exceed $41,000.00 in conjunction with the FY 2024 Hawthorne Avenue Storm Sewer Lift Station Relief Well, Contract No. 1066, and authorizing the Mayor and City Clerk to execute said document.

Boesen/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No.2025-143.

Resolution approving an Construction Agreement with the Iowa Department of Transportation, in conjunction with the FY2023 Sunnyside Creek Improvements Wet Detention Pond and Channel Stabilization Project, Contract No. 1062, and authorizing the Mayor and City Clerk to execute said document.

Boesen/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No.2025-144.

ADJOURNMENT

Feuss/Boesen

that the council adjourn at 7:22 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk