

May 19, 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, May 19, 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, Dave Boesen, Ward 2 Council Member.

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 April 5, 2025, Regular Council Session, as proposed or amended.

Feuss/Wilder

that the minutes of the April 5, 2025, Regular Session, as proposed be approved. Voice vote-Ayes: Seven. Motion carried.

PUBLIC COMMENTS

Mary Potter, 1416 W. 4th and the Grout Museum / Aaron Stacey Roberts, 411 Almond / Ellen Vanderloo, 3608 Inverness / Samantha Price, 512 Mulberry Street - Main Street Waterloo / Bill McGee, 1619 Columbia Street / Matthew Carpenter, 518 Jefferson Street

Council members Boesen, Chiles, and Mayor Hart discussed various concerns regarding the parking changes, and provided information regarding ward meetings and other city matters.

Feuss/Nichols

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

CONSENT AGENDA

Feuss/Chiles

that the following items on the consent agenda be received and placed on file, including the payment of bills for May 12, 2025, in the amount of \$2,665,990.55, and May 19, 2025, in the amount of \$8,047,471.80, 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.

Resolution adopted and upon approval by Mayor assigned No.2025-292.

Resolution approving the request of Shane Barker, for a waiver for a concrete driveway, located at 2319 Osage Avenue, and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on the city right-of-way on an unimproved street.

Resolution adopted and upon approval by Mayor assigned No.2025-293.

Resolution setting the date of public hearing as June 2, 2025, for the sale and conveyance of city-owned property located south of 115 Warp Drive in the amount of \$1.00, to 3 Stooges, LLC, with a Development Agreement including ten years of fifty percent tax rebates, and a Minimum Assessment Agreement of \$3,200,000.00, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No.2025-294.

Resolution setting date of public hearing as June 2, 2025, for the sale and conveyance of city-owned property located at 1131 Bertch Avenue, in the amount of \$5,000.00, to E & C Investments, LLC (Cesar E. Barrios-Garcia), including approval of a Development Agreement for the construction of a single-family home including \$5,000.00 refund of the purchase price and a grant of \$5,000.00 for infill housing development, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No.2025-295.

Motion to approve Final Quantity Summary with Brock Even Construction, LLC, of Jesup, Iowa, for a net decrease of \$19,618.59, in conjunction with the FY 2025 Sidewalk Repair Assessment Program - Zone 4, Contract No. 1111, and authorizing the Mayor to execute said document.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Brock Even Construction, LLC, of Jesup, Iowa, in the amount of \$188,929.56, in conjunction with the FY 2025 Sidewalk Repair Assessment Program - Zone 4, Contract No. 1111; and receive and file a two-year maintenance bond.

Resolution adopted and upon approval by Mayor assigned No.2025-296.

Motion to approve Change Order No. 1 with K & W Electric Inc., of Cedar Falls, Iowa, for a net decrease of \$6,627.00, in conjunction with the CCTV portion of the Terminal Security Upgrades Project, IDOT CSVI Project No. 9I240ALO200, and authorizing the Mayor to execute said document.

Motion to approve Change Order No. 1 with K & W Electric, Inc., of Cedar Falls, Iowa, for a net decrease of \$15,869.00, in conjunction with the Access Control System (ACS) portion of the Terminal Security Upgrades Project, Project No. 9I240ALO200, and authorizing the Mayor to execute said document.

Motion to approve the appointment of **Neal Miller** from the current Civil Service List to the position of Downtown Area Maintenance II, in the Leisure Services Department, effective no later than May 21, 2025, pending drug screening and physical examination.

Communication from the Police Department on the notice of the conclusion of employment of Sanda Odobasic, Police Officer, effective May 2, 2025, with recommendation of approval of payout of \$5,048.30 for unused benefits.

Communication from the Police Department on the notice of the conclusion of employment of Stacy Hesse, Police Officer, effective May 2, 2025, with recommendation of approval of payout of \$16,814.64 for unused benefits.

Motion to receive and file Complete Streets Committee minutes of November 2024 and January and February 2025.

Motion to receive and file Historic Preservation Commission minutes of December 2024 and January, February and March 2025.

Motion to receive and file Planning, Programming, and Zoning Commission minutes of December 2024 and January 2025.

Motion to receive and file Board of Adjustment minutes for October and November 2024 and January, February, and March 2025.

Liquor Licenses

a. El Mercadito, Inc., 520 La Porte Road, Class C w/Sunday Sales (New) Exp: 06/20/2025.

b. Hickory House, 315 Park Road, Class C w/Sunday Sales (New) Exp: 05/23/2025.

c. The Isle Casino Hotel Waterloo, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp: 04/30/2026.

d. LJ's Neighborhood Bar & Grill, 3550 Kimball Avenue, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp: 04/30/2026.

e. Lolo Food Market, 1916 E. Mitchell Avenue, Class B w/Sunday Sales (New) Exp: 06/30/2025.

f. Main Street Waterloo, E. 4th Street/Mulberry, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp: 08/29/2025.

g. Main Street Waterloo, E. 4th Street/Mulberry, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp: 08/08/2025.

h. Main Street Waterloo, E. 4th Street/Mulberry, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp: 07/18/2025.

i. Main Street Waterloo, E. 4th Street/Mulberry, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp: 06/13/2025.

j. Main Street Waterloo, E. 4th Street/Mulberry, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp: 05/13/2025.

- k. Main Street Waterloo, E. 4th Street/Mulberry, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp: 08/30/2025.
- l. Poppy's Sports Pub, 2026 Bopp Street, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp: 02/09/2026.
- m. Smitty's Bar, 709 Jefferson Street, Class C w/Sunday Sales (New) Exp: 05/26/2025.
- n. Walgreens #10855, 1850 Logan Avenue, Class E w/Sunday Sales (New) Exp: 06/16/2025.
- o. Walgreens #07455, 111 W. Ridgeway Avenue, Class E w/Sunday Sales (New) Exp: 06/16/2025.

Cigarette/Tobacco/Nicotine/Vapor/Device Permits

- a. Casey's #2427, 3035 Logan Avenue. (Retail Tobacco)
- b. Casey's #2866, 51 E. Park Tower Drive. (Retail Tobacco)
- c. Casey's #2867, 2424 Ranchero Road. (Retail Tobacco)
- d. Casey's #2879, 3260 University Avenue. (Retail Tobacco)
- e. Casey's #2880, 1604 La Porte Road. (Retail Tobacco)
- f. Casey's #3880, 1900 W. Ridgeway Avenue. (Retail Tobacco)
- g. Cedar Corner, The, 4335 Texas Street. (Retail Tobacco)
- h. Dollar General Store #20584, 1650 Idaho Street. (Retail Tobacco)
- i. Dollar General Store #21528, 428 E. First Street. (Retail Tobacco)
- j. Dollar General Store #10073, 3815 University Avenue. (Retail Tobacco)
- k. Dollar General Store #4698, 2935 Logan Avenue. (Retail Tobacco)
- l. Dollar General Store #7136, 66 E. Tower Park Drive. (Retail Tobacco)
- m. Dollar General Store #7162, 820 W. 5th Street. (Retail Tobacco)
- n. Hy-Vee Fast & Fresh 1, 3700 University Avenue. (Retail Tobacco)
- o. Hy-Vee Wine & Spirits 1, 2126 Kimball Avenue. (Retail Tobacco)
- p. Hy-Vee Food Store 1, 2834 Ansborough Avenue. (Retail Tobacco)
- q. Hy-Vee Fast & Fresh 3, 1512 Flammang Drive. (Retail Tobacco)
- r. Hy-Vee Food Store 3, 1422 Flammang Drive. (Retail Tobacco)
- s. Kwik Stop 4, 515 Broadway Street. (Retail Tobacco)
- t. Logan Avenue Convenience Store, 735 Logan Avenue. (Retail Tobacco)
- u. Logan Avenue Convenience Store, 735 Logan Avenue. (Device Permit)
- v. Neighborhood Mart, 2100 Lafayette Street. (Retail Tobacco)
- w. New Star Liquor, 1625 W. 4th Street. (Retail Tobacco)
- x. Prime Mart 3, 1008 La Porte Road. (Retail Tobacco)
- y. Prime Mart 7, 1309 Lafayette Street. (Retail Tobacco)
- z. Spot #3, The, 117 E. San Marnan Drive. (Retail Tobacco)
- aa. Uni Mart, 1615 Bishop Avenue. (Retail Tobacco)

Motion to approve Application for Fireworks Display: My Waterloo Days, June 6, 2025, Top floor Park Avenue Parking Ramp, beginning at 9:45.

Motion to approve Application for Fireworks Display: Waterloo Bucks Ball Club, June 6 and 21, July 4, 5, 12 and 19, August 2, and 7, 2025, Riverfront Stadium, beginning at 10:00 p.m.

Motion to approve Application for Fireworks Display: Mayor's Fireworks, July 5, 2025, Park Avenue Bridge, beginning at 9:45 p.m.

Bonds.

PUBLIC HEARINGS

FYE 2025 Budget Amendment.

Boesen/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 and there were none.

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

Boesen/Nichols
Resolution approving FYE 2025 Budget Amendment. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-297.

Request by Mizu Ramen Iowa, LLC, for a Site Plan Amendment to allow for changes in use in the "C-1, C-Z" Conditional Zoning District located at 1021 Peoples Square.

Nichols/Chiles
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/Creighton-Smith
to close public hearing and receive and file recommendation of approval of the Planning, Programming and Zoning Commission. Voice vote-Ayes: Seven. Motion carried.

Nichols/Creighton-Smith
to receive, file, consider and pass for the first time an Ordinance amendment to 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 request by Mizu Ramen Iowa, LLC for a Site Plan Amendment to allow for changes in use in the "C-1, C-Z" Conditional Zoning District located at 1021 Peoples Square. Roll Call vote-Ayes: Seven. Motion carried.

Mr. Boesen commented that at the Planning and Zoning Commission, it was brought up by a tenant in People's Square that they were concerned that there would not be enough parking.

Noel Anderson, Community Planning and Development Director, provided an overview of the plans for adequate parking for the development.

Mr. Simon questioned if there were concerns about plumbing issues in the area.

Noel Anderson shared that plumbing and sanitation are addressed through the permitting process.

to suspend the rules. Roll Call vote-Ayes: Seven. Motion carried.

Nichols/Creighton-Smith

to consider and pass for the second and third times and adopt the ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 8794.

RESOLUTIONS

Resolution approving Addendum No. 5, in the amount of \$14,210.00, with Entrust Solutions Group, of Denver, Colorado, in conjunction with the FY 2023 Construction of a Fiber-to-the-Premise Feeder/Distribution and Backbone Network Project, Contract No. 1088, and authorizing the Mayor to execute said document.

Chiles/Nichols

Roll Call vote-Ayes: Six. Nays: One (Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-298.

Mr. Boesen commented that he felt the figures for the addendums are high.

Resolution approving a Professional Services Agreement with Eocene Environmental Group, of North Liberty, Iowa, in the amount of \$8,830.00, in conjunction with the FY 2024 Sergeant Road Trail Repairs Project, Contract No. 1091, and authorizing the Mayor to execute said document.

Chiles/Nichols

Roll Call vote-Ayes: Six. Nays: One (Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-299.

Resolution approving Addendum No. 4, in the amount of \$124,210.00, with Entrust Solutions Group, of Denver, Colorado, in conjunction with the FY 2023 Construction of a Fiber-to-the-Premise Feeder/Distribution and Backbone Network Project, Contract No. 1088, and authorizing the Mayor and City Clerk to execute said document.

Chiles/Nichols

Roll Call vote-Ayes: Six. Nays: One (Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-300.

Resolution approving Addendum No. 6, in the amount of \$3,155.00, with Entrust Solutions Group, of Denver, Colorado, in conjunction with the FY 2023 Construction of a Fiber-to-the-Premise Feeder/Distribution and Backbone Network Project, Contract No. 1088, and authorizing the Mayor to execute said document.

Chiles/Nichols

Roll Call vote-Ayes: Six. Nays: One (Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-301.

Resolution approving a Professional Services Agreement with AECOM Technical Services, Inc., of Waterloo, Iowa, in an amount not to exceed \$260,100.00, in conjunction with the FY 2025 Biennial Bridge Review Program, and authorizing the Mayor to execute said document.

Boesen/Nichols

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-302.

Resolution approving documents, and adopt and levy the Final Schedule of Assessments, in conjunction with the FY 2025 Sidewalk Repair Assessment Program - Zone 4, Contract No. 1111, and instruct the City Clerk to publish notice.

Boesen/Nichols

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-303.

Resolution approving an Early Access Agreement with 3 Stooges, LLC, to allow certain development activities on land located south of 115 Warp Drive, and authorizing the Mayor and City Clerk to execute said document.

Boesen/Nichols

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-304.

Resolution approving a Development Agreement with Twin Card Holdings LLC, with a Minimum Assessment Agreement of \$135,000.00, and the CURA tax abatement, for the construction of a 4,500-square-foot building southwest of 1010 Commercial Street, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Wilder

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-305.

Mr. Boesen questioned where parking would be located for the project.

Noel Anderson, Community Planning and Development Director, explained that this is being built as a storage facility in conjunction with the other buildings to the north and northwest, so all parking is connected.

Mr. Simon questioned if we knew what they would be storing in the building and the type of vehicles going in and out.

Mr. Boesen, Mr. Simon, and Mr. Anderson discussed the project.

Resolution approving a Public Mural Agreement with Main Street Waterloo and Isaac Campbell Creative LLC (Artist), for the placement and maintenance of a mural on the wall of the East Park Avenue Parking Ramp at 310 East Park Avenue, 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. 2025-306.

Resolution approving a Farm Lease Agreement, expiring December 31, 2025, with Michael S. Cook, to farm approximately 5.25 acres of land for \$1,050.00, located south of 2080 Northeast Drive, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Wilder

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-307.

Mr. Boesen questioned how the price per acre is determined for the farm lease.

Noel Anderson, Community Planning and Development Director, provided an explanation of how the lease price is determined.

Resolution approving a Farm Lease Agreement, expiring December 31, 2025, with Michael S. Cook, to farm approximately 7 acres of land for \$1,400.00, located on multiple lots near 2330 GT Drive, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Wilder

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-308.

Resolution approving a Farm Lease Agreement, expiring December 31, 2025, with Michael S. Cook, to farm approximately 3.7 acres of land for \$370.00, located adjacent to 3133 Rocky Road, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Wilder Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-309.

Resolution declaring a moratorium on the issuance of a special permit or variance for hobby farms in the City of Waterloo, Black Hawk County, Iowa.

Feuss/Wilder

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-310.

Mayor Hart directed Noel Anderson, Community Planning and Development Director, to set meetings with staff this week to begin work.

Resolution declaring a moratorium on the issuance of new tobacco permits in the City of Waterloo, Black Hawk County, Iowa.

Feuss/Wilder

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-311.

Mr. Boesen and Mr. Nichols commented that they would like to assist with discussions of the moratorium.

ORDINANCES

Ordinance establishing grades for the City of Waterloo FY 2025 Sidewalk Repair Assessment Program – Zone 4, Contract No. 1111.

Motion to receive, file, consider, and pass for the first time an ordinance establishing grades for the City of Waterloo FY 2025 Sidewalk Repair Assessment Program – Zone 4, Contract No. 1111.

Motion to suspend the rules.

Motion to receive, file, consider, and pass for the second and third times and adopt said ordinance.

Chiles/Nichols

to receive, file, consider and pass for the first time an Ordinance establishing grades for the City of Waterloo FY 225 Sidewalk Repair Assessment Program - Zone 4, Contract No. 1111. Roll Call vote-Ayes: Seven. Motion carried.

Chiles/Nichols

to suspend the rules. Roll Call vote-Ayes: Seven. Motion carried.

Chiles/Nichols

to receive, file, consider, and pass for the second and third times and adopt said ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 8795.

ADJOURNMENT

Feuss/Boesen

that the council adjourn at 6:20 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk