July 21, 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, July 21, 2025.

Roll Call.

Mayor Pro Tem Ray Feuss in the Chair. Roll Call: Mr. Boesen, Mr. Nichols, Ms. Creighton-Smith Mr. Chiles, Mr. Simon and Mr. Feuss. Ms. Wilder was absent.

Prayer or Moment of Silence.

Pledge of Allegiance, Steve Simon, At-Large Council Member.

Approval of Agenda as proposed or amended.

Nichols/Chiles
that the agenda as proposed be approved. Voice vote-Ayes: Six. Motion carried.

Approval of Minutes of the July 7, 2025, regular council session, as proposed or amended.

Nichols/Chiles
that the minutes of July 7, 2025, Regular Session, as proposed be approved. Voice vote-Ayes: Six. Motion carried.

PUBLIC COMMENTS

The following individuals commented on various subjects.

Mary Potter, Grout Museum
Aaron Stacey Roberts, 411 Almond
David Dryer, 3145 W. 4th Street
Star Rube, 512 Mulberry Street and Main Street Waterloo

Mr. Chiles commented that this coming Saturday, he and Mr. Boesen will hold their Ward 1 and Ward 2 office hours for citizens at Sidecar Coffee on Ridgeway.

Feuss/Chiles
to reconsider Items 7 and 12 from the July 7, 2025 council meeting. Roll Call vote-Ayes: Four. Motion carried. Nays: Boesen and Simon. Motion carried.

Nichols/Creighton-Smith
to close public comments. Voice vote-Ayes: Six. Motion carried.

CONSENT AGENDA

Nichols/Chiles
that the following items on the consent agenda be received and placed on file, including the payment of bills for July 14, 2025, in the amount of $5,063,034.08 and July 21, 2025, in the amount of $10,760,784.11, be received and placed on file. Roll Call vote-Ayes: Six. Motion

carried.

Mr. Boesen requested to consider consent agenda items 11 and 12 separately.

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: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-406.

Resolution setting date of public hearing as August 4, 2025, for an amendment to the FYE 2026 Budget, and direct the City Clerk to publish notice.

Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-407.

Resolution re-setting date of public hearing as August 4, 2025, to approve a vacate request by the City of Waterloo to vacate a 20-foot drainage easement on Lots 4 and 5 of Warp 2nd Addition in the "M-2,P" Planned Industrial District located at and adjacent to 4050 Leversee Road, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-408.

Resolution setting date of public hearing as August 4, 2025, to approve a rezone request by Malcolm Cleope to rezone approximately 0.27 acres of land from "C-2" Commercial District to "C-2, C-Z" Conditional Zoning District to allow for an aquaculture shrimp farming wholesale business located at 2625 Falls Avenue, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-409.

Resolution approving award of bid to BBB FLOW CO. DBA USTDW, of Walford, Iowa, in the amount of $205,950.00, approving the contract, bond and certificate of insurance, in conjunction with the FY 2025 Prefabricated Shelter, Contract No. 1113, and authorizing the Mayor and City Clerk to execute said document.

Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-410.

Resolution accepting FAA AIP Grant No. 3-19-0094-058-2025, in the amount of $93,670.00, for Update Pavement Maintenance Management System, and authorizing the Mayor and City Attorney to execute said document.

Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-411.

Resolution accepting FAA AIP Grant No. 3-19-0094-057-2025, in the amount of $2,205,204.00, for Replacement of Passenger Boarding Bridge and Fixed Walkway and Remark Terminal Apron, and authorizing the Mayor and City Attorney to execute said document.

Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-412.

Resolution to accept the Community Development Block Grant award with the Iowa Department of Economic Development, Contract No. 20-CVE 016 in an amount not to exceed $126,500.00, and authorizing the Mayor to execute said document.

Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-413.

Motion to approve Change Order No. 2 with Peters Construction Corporation of Waterloo, Iowa, for a total increase of $23,567.78, in conjunction with the FY 2024 Byrnes Aquatic Center, Contract No. 1077, and authorizing the Mayor to execute said document.

Motion to approve Change Order No. 05 with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net increase of $25,143.00, in conjunction with FY 2024 La Porte Road Improvements, Phase I Project, Contract No. 1016, DOT Contract No. STBG-SWAP-8155(760)--SG-07, and authorizing the Mayor and City Clerk to execute said document.

Motion to approve Change Order No. 08 with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net increase of $25,236.39, in conjunction with FY 2022 Park Avenue Bridge Replacement Project, Contract No. 1013, DOT Contract No. BRM-CHBP-8155(771)--NB-07, and authorizing the Mayor and City Clerk to execute said document.

This item was removed to discuss separately.

Motion to approve Change Order No. 07 with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net increase of $45,232.12, in conjunction with FY 2022 Park Avenue Bridge Replacement Project, Contract No. 1013, DOT Contract No. BRM-CHBP-8155(771)--NB-07, and authorizing the Mayor and City Clerk to execute said document.

This item was removed to discuss separately.

Motion to approve Recycling Yard License applications as listed in Exhibit A.

Communication from the Police Department on the notice of the conclusion of employment of Gregory Erie, Police Sergeant, effective June 30, 2025, with recommendation of approval of payout of $15,968.16 for unused benefits.

Camerion Campbell, Board/Commission: Community Development Board, Expiration Date: June 18, 2028, [Renewal].

Motion to approve appointment of **Aaron McClelland** to the position of Assistant Police Chief in the Waterloo Police Department, effective July 22, 2025.

Lisa Munoz, Board/Commission: Human Rights, Expiration Date: January 18, 2028, [Renewal].

Leisure Services Commission Board minutes of May 13, 2025.

Liquor Licenses

a. Benevolent & Protective Order of Elks#290, 407 E. Park Avenue, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp:06/30/2026.
b. Brenda's Park Road Inn, 306 Park Road, Classs C w/Sunday Sales (Renewal) Exp: 08/08/2026.
c. Cedar Ridge Distillery, 306 E. 4th Street, Class C w/Sunday Sales (New) Exp:08/05/2025
d. Chaser's Pub, 3005 University Avenue, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp:07/07/2026.
e. Kwik Star #723, 707 Broadway Street, Class B w/Sunday Sales (Renewal) Exp: 07/21/2026.
f. Kwik Star #723, 707 Broadway Street, Class B w/Sunday Sales (Premises Updates) Exp: 07/21/2026.
g. Kwik Star #724, 1105 Cedar Bend Street, Class B w/Sunday Sales (Renewal) Exp: 07/21/2026.
h. Kwik Star #724, 1105 Cedar Bend Street, Class B w/Sunday Sales (Premises Updates) Exp: 07/21/2026.
i. Kwik Star #732, 324 Fletcher Avenue, Class B w/Sunday Sales (Renewal) Exp: 07/21/2026.
j. Kwik Star #732, 324 Fletcher Avenue, Class B w/Sunday Sales (Premises Updates) Exp: 07/21/2026.
k. Kwik Star #569, 875 Fisher Drive, Class B, w/Sunday Sales (Renewal) Exp: 08/27/2026.
l. Light House Lounge, 1307 W. 5th Street, Class C w/Sunday Sales (Renewal) Exp: 06/28/2026.
m. Maple Lanes, 2608 University Avenue, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp:07/22/2026.
n. Studio 13 Waterloo, 304 W. 4th Street, Class C w/Outdoor Service and Sunday Sales (New) Exp:07/31/2026.
o. Yesway Store #1022, 1976 Franklin Street, Class E w/Sunday Sales (Renewal) Exp: 07/12/2026.

Cigarette/Tobacco/Nicotine/Vapor Permits

a. Bamboo Ridge Campground, Inc., 4550 LaPorte Road. (Retail Tobacco)
b. Behar Bar, 312 W. 4th Street. (Retail Tobacco)
c. BJ's Sports & Billards, 110 Ida Street. (Retail Tobacco)
d. Cork's Grocery, 1956 Lafayette Street. (Retail Tobacco)
e. Express Mart, 2027 Falls Avenue. (Retail Tobacco)
f. Family Dollar Stores #30944, 2206 Kimball Avenue. (Retail Tobacco)
g. New Star Fletcher, 315 Fletcher Avenue. (Retail Tobacco)

Bonds.

Item No. 11

Boesen/Simon
to approve Change Order No. 08 with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net increase of $25,236.39, in conjunction with FY 2022 Park Avenue Bridge Replacement Project, Contract No. 1013, DOT Contract No. BRM-CHBP-8155 (771)--NB-07, and authorizing the Mayor and City Clerk to execute said document. Roll Call vote-Ayes: Six. Motion carried.

Mr. Boesen requested an overview of these two items because they look very similar.

Jamie Knutson, City Engineer, shared that these are to install the city standard light poles on both the Park and 11th Street Bridge. The 11th Street Bridge is the less expensive one. He explained that when this project was bid we were unable to get our poles put into the bid at the time, so after the fact, they were able to work with the DOT and open change orders to do so. The purpose was to make them match the other poles in the city so that if something happened to them, they could be swapped out easily.

Mr. Simon questioned whose error it was to not include it in the original bid.

Jamie Knutson explained that it was no one's error. It was because the city poles could not be added to the bidding because it was a DOT letting, and they required generic bid items.

Item No. 12

Boesen/Simon
to approve Change Order No. 07 with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net increase of $45,232.12, in conjunction with FY 2022 Park Avenue Bridge Replacement Project, Contract No. 1013, DOT Contract No. BRM-CHBP-8155 (771)--NB-07, and authorizing the Mayor and City Clerk to execute said document. Roll Call vote-Ayes: Six. Motion carried.

PUBLIC HEARINGS

Asbestos Abatement Services, Contract AB-2025-07-09P.

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

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

Chiles/Nichols
to close hearing. Voice vote-Ayes: Six. Motion carried.

Chiles/Nichols
Resolution confirming approval of plans, specifications, form of contract, etc., and authorizing to

proceed. Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-414.

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

Engineer's Estimate: $40,000.00
All Star Environmental, LLC - 5% - $41,772.00
Site Services, Inc., Algona, IA - 5% - $49,600.00
Advanced Environmental Testing & Abatement, Inc., Waterloo, IA - 5% - $34,940.00

Chiles/Nichols
Resolution approving award of bid to Advanced Environmental, Inc. of Waterloo, Iowa, in the amount of $34,940.00, in conjunction with Asbestos Abatement Services, Contract AB-2025-07-09P, for properties located at 1712 E 4th Street, 708 Mobile Street, 127 Newell Street, 418-420 Courtland Street, 227 Ricker Street, 406 Randall Street, 718 W 2nd Street, and 411 Logan Avenue, and authorizing the Mayor and City Clerk to execute said document. Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-415.

Request by Cedar River Contractors on behalf of K-W Electric for a Site Plan Amendment for the construction of a 29,900 manufacturing warehouse and office building located east of 180 WARP Drive.

Nichols/Chiles
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Six. 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/Chiles
to close public hearing and receive and file recommendation of approval of the Planning, Programming and Zoning Commission. Voice vote-Ayes: Six. Motion carried.

Nichols/Chiles
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 Site Plan Amendment request by Cedar River Contractors on behalf of K-W Electric for the construction of a 29,900 manufacturing warehouse and office building located east of 180 WARP Drive. Roll Call vote-Ayes: Six. Motion carried.

Nichols/Chiles
to suspend the rules. Roll Call vote-Ayes: Six. Motion carried.

Nichols/Chiles
to consider and pass for the second and third times and adopt ordinance. Roll Call vote-Ayes: Six. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5800.

Request by the City of Waterloo to rezone approximately 0.19 acres from “C-2” Commercial

District to “R-3” Multiple Residence District to allow Iowa Heartland Habitat for Humanity to split two lots into three, but maintain a single zoning on the three lots located at 512 Almond Street.

Boesen/Nichols
to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Six. 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 the hearing and receive and file recommendation of approval of the Planning, Programming and Zoning Commission. Voice vote-Ayes: Six. Motion carried.

Boesen/Nichols
to receive, file, consider, and pass for the first time 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 request by the City of Waterloo to rezone approximately 0.19 acres from “C-2” Commercial District to “R-3” Multiple Residence District to allow Iowa Heartland Habitat for Humanity to split two lots into three, but maintain a single zoning on the three lots located at 512 Almond Street. Roll Call vote-Ayes: Six. Motion carried.

Mr. Boesen commented that he supports this change and that we should support Habitat for Humanity in any way we can.

Boesen/Nichols
to suspend the rules. Roll Call vote-Ayes: Six. Motion carried.

Boesen/Nichols
to consider and pass for the second and third times and adopt the ordinance. Roll Call vote-Ayes: Six. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5801.

Request by the City of Waterloo to vacate a twenty-foot drainage easement on Lots 4 and 5 of Warp 2nd Addition in the “M-2,P” Planned Industrial District located at and adjacent to 4050 Leversee Road.

Mr. Nichols commented that the hearing was canceled.

RESOLUTIONS

Resolution approving a Permanent Easement Agreement in the amount of $10,184.00, a temporary easement agreement in the amount of $790.00, and reimbursement for pavement removal in the amount of $6,628.00, totaling a just compensation amount of $17,602.00, with JP Management Corp, located at 1224 La Porte Road, in conjunction with the La Porte Road Phase II Reconstruction Project, and authorizing the Mayor and City Clerk to execute said documents.

Nichols/Chiles
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor

assigned No. 2025-416.

Resolution approving a Development Agreement with 3 Stooges, LLC, for the construction of an 8,200 square-foot commercial building, and construction of a future 8,200 square-foot building with a minimum assessed value of $1,000,00.00, with seven years of fifty percent tax rebates, and a land acquisition grant of $604,612.80, located south of 2661 Geraldine Road, and authorizing the Mayor and City Clerk to execute said document.

Nichols/Chiles
Roll Call vote-Ayes: Five. Nays: One (Boesen). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-417.

David Dryer, 3145 W. 4th Street, questioned why the city continues to make this type of development agreement.

Mr. Boesen commented that he is not in favor of buying the lots and giving them away for one dollar.

Mr. Simon shared that he is in favor of development but not for the amount of money we put up front and the large, long-term tax abatements.

Mr. Chiles questioned why the grant amount was so high.

Noel Anderson, Community Planning and Development Director, provided an overview of the project.

Mr. Chiles clarified that $604,000 of work has been put into this project already.

Council members continued to discuss the development agreement with 3 Stooges, LLC. with Noel Anderson.

Resolution authorizing sponsorship of the High Quality Jobs Tax Credit Application with the Iowa Economic Development Authority, for International Paper Company, for the addition of up to seventy-two jobs associated with their new business at 3230 Leversee Road, and rescind Resolution No. 2025-044 in its entirety.

Chiles/Nichols
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-418.

David Dryer, 3145 W. 4th Street, questioned why the number of jobs has decreased and if we would still give the same amount of money.

Noel Anderson, Community Planning and Development Director, provided an overview of the application.

Resolution approving a Development Agreement with RAP, LLC, for the construction of a 4,200 square foot commercial building with a minimum assessed value of $273,000.00, located south of 3135 Marnie Avenue, and authorizing the Mayor and City Clerk to execute said document.

Chiles/Nichols

Roll Call vote-Ayes: Five. Nays: Two (Boesen and Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-419.

David Dryer, 3145 W. 4th Street, commented that this habit of giving away property is a never-ending battle that needs to stop.

Mr. Boesen commented that he was not in favor of the agenda item and explained the incentives that he did not agree with.

<u>Resolution approving two Memorandums of Understanding with the Iowa Northland Regional Council of Governments, in the amount of $29,000.00, for preparation of grant writing and administration of an Economic Development Administration Public Works and Economic Adjustment Assistance grant for a water detention basin in the Waterloo Air and Rail Park, and authorizing the Mayor and City Clerk to execute said documents.</u>

Chiles/Nichols
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-420.
.

<u>Resolution approving a Professional Service Agreement with AECOM of Waterloo, Iowa, in conjunction with an Emergency Building Inspection of the building at 325 West Park Avenue in Waterloo, Iowa, which had a portion of the Southeast wall collapse and needed an "emergency building inspection" to provide the City of Waterloo with recommendations for building rehabilitation or demolition of the existing structure, in addition to verify public safety.</u>

Boesen/Nichols
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-421.

<u>Resolution approving construction plans for grading, paving, and utilities serving the San Marnan Business Park 1st Addition - Phase 2, as submitted by the Clapsaddle-Garber Associates, Inc., Sewage Treatment Agreement, DNR Form 29 (Nov 00) with the Department of Natural Resources, and final acceptance of construction plans subject to the review and acceptance by the Department of Natural Resources, and authorizing the Mayor to execute said documents.</u>

Boesen/Nichols
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-422.

<u>Resolution approving Supplemental Agreement No. 1, to a Professional Services Agreement with Foth Infrastructure and Environment, LLC, originally executed March 17, 2025, in an amount not to exceed $541,131.00, in conjunction with the FY 2026 Katoski Drive and Huntington Road Reconstruction, Contract No. 1123, and authorizing the Mayor to execute said document.</u>

Boesen/Nichols
Roll Call vote-Ayes: Five. Nays: One (Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-423.

Forest Dillavou, 1725 Huntington Road, commented that the citizens of Waterloo should have an idea of how much the city plans to spend on these roundabouts. He explained that this area is one of the wettest areas in Waterloo and, with more roundabouts and concrete, there will be nowhere for the water to go and that part of Waterloo will end up flooding.

Jamie Knutson, City Engineer, explained that two weeks ago council approved an agreement with the Waterloo School District to pay for their portion at an approximately 60/40 split, and the city's portion will come from local option dollars. He further explained that there will actually be a net decrease in pavement and addressed concerns about water retention management.

Mr. Boesen questioned how much the schools would pay for this project.

Jamie Knutson commented that until we get into the final design, there will be approximately a 60/40 split with the school paying 60 percent.

Council members continued to discuss water run-off concerns with Jamie Knutson.

<u>Resolution approving a Professional Services Agreement with Bolton & Menk of Oakdale, Minnesota, in the amount of $9,500.00, in conjunction with the Rental Car Quick Turnaround Facility Concept Development Project, and authorizing the Director of Aviation to execute said document.</u>

Chiles/Boesen
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-424.

Mr. Chiles shared his support of the work that Director Kjergaard's is doing at the airport.

<u>Resolution approving an Agreement with Routeware, Inc., of Portland, Oregon, in the monthly amount of $2,725.38 for 36 months, in conjunction with the ReCollect Software Program, and authorizing the Mayor to execute said document.</u>

Chiles/Boesen
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-425.

Mr. Simon questioned the number of current app users.

Randy Bennett, Public Works Division Manager, shared that to-date, 76.3% of people are using the app in comparison to the web, and there have been 848 calendar downloads so far this calendar year.

Mr. Boesen shared that his is pleased with the system and hopes more people sign up.

<u>Resolution approving the Audit Engagement Letter with BerganKDV for the fiscal year ending June 30, 2025, and authorizing the Mayor to execute said document.</u>

Chiles/Boesen
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-426.

<u>ADJOURNMENT</u>

Chiles/Nichols
that the council adjourn at 6:35 p.m. Voice vote-Ayes: Six. Motion carried.

Kelley Felchle
City Clerk