

September 15, 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, September 15, 2025.

Roll Call.

Mayor Pro Tem Ray Feuss 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, Kelley Felchle, City Clerk.

Approval of Agenda as proposed or amended.

Nichols/Boesen

that the agenda as amended, by moving Resolution Item Nos. 6 and 7 to the Consent Agenda, and removing Resolution Item No. 3, be approved. Voice vote-Ayes: Seven. Motion carried.

Approval of Minutes of September 2, 2025, Regular Council Session as proposed or amended.

Nichols/Boesen

that the minutes of the September 2, 2025, Regular Session meeting, as proposed, be approved. Voice vote-Ayes: Seven. Motion carried.

PUBLIC COMMENTS

The following individuals commented on various subjects.

Aaron Stacey Roberts, 411 Almond Avenue
Mary Potter, Grout Museum Board Member
Todd Obadal, 124 Amity Drive
LaTonya Graves, 607 E. Donald Street

Ms. Creighton-Smith commented that Wards 3 and 4 will have a meeting at the Jubilee Freedom Center this Thursday at 6:00 p.m. She thanked the Public Works staff for their repair to a fire hydrant on Oliver Street.

Mr. Boesen shared his disappointment with regard to the access road from Sager to behind the new high school. The people of the neighborhood were made promises by the city and the school board that the road would be paved and would be bus traffic only, and that has not been the case.

Mr. Simon commented that he had received complaints and photos from people about the traffic in that area as well, and questioned what can be done to correct it, and said that it does not look good for the city to have made promises that have not been kept.

Mr. Feuss commented that the question would need to be asked of Astor Williams or someone

with the school.

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

CONSENT AGENDA

Nichols/Wilder
that the following items on the consent agenda, including the payment of bills for September 8, 2025, in the amount of \$6,129,461.96, and September 15, 2025, in the amount of \$3,935,676.34, be received and placed on file.

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. 2025-505.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as October 2, 2025, and date of public hearing as October 6, 2025, in conjunction with the FY 2026 Sidewalk Infill, Sidewalk Ramp and Trail Repair Program - Zone 5A, Contract No. 1131, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2025-506.

Resolution setting the date of public hearing as October 6, 2025, for the sale and conveyance of approximately 24.3 acres of city-owned property, located at the southwest corner of Kimball Avenue and West Orange Road, in the amount of \$1.00, to Midwest Development Company, with a Development Agreement for the construction of seventy single-family homes, and instruct the City Clerk to publish public notice.

Resolution adopted and upon approval by Mayor assigned No. 2025-507.

Resolution setting date of public hearing as October 6, 2025, to authorize the sale and conveyance of a portion of the property to the southwest of 3211 Titan Trail, to Xcel Electric LLC, in the amount of \$1.00, for the construction of a 4,000 square foot building, including a Development Agreement, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2025-508.

Resolution setting date of public hearing as October 6, 2025, to approve a rezone request by Midwest Development Company on behalf of the City of Waterloo to rezone approximately 24.27 acres from "R-1" One and Two Family Residence District to "R-1, R-P" Planned Residence District to construct seventy homes located south of Orange Road and west of Kimball Avenue, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2025-509.

Resolution approving a Title VI Non-Discrimination Agreement with the Iowa Department of Transportation, and authorizing the Mayor and Human Rights Director to execute said document.

Resolution adopted and upon approval by Mayor assigned No. 2025-510.

Resolution approving a Standard Title VI/Non-Discrimination Assurances agreement with the United States Department of Transportation, and authorizing the Mayor and Human Rights Director to execute said document.

Resolution adopted and upon approval by Mayor assigned No. 2025-511.

Resolution approving cancellation of sidewalk assessments for properties located at 1029 Grant Avenue, in the amount of \$316.73, 1412 Commercial Street, in the amount of \$1,024.72, and authorizing the City Clerk to notify Black Hawk County Treasurer of said cancellation.

Resolution adopted and upon approval by Mayor assigned No. 2025-512.

Resolution approving the award of the bid to Aspro, Inc., of Waterloo, Iowa, in the amount of \$24,750.00, approving the contract and certificate of insurance, in conjunction with the FY 2025 Furgerson Fields Basketball Court Overlay Project, and authorizing the Mayor to execute said document.

Resolution adopted and upon approval by Mayor assigned No. 2025-513.

Resolution approving award of hotel/motel tax council discretionary funds to the Friends of NCC in the amount of \$12,000.00.

Resolution adopted and upon approval by Mayor assigned No. 2025-514.

Resolution approving Hotel/Motel Grant award in the amount of \$3,000.00 to Main Street Waterloo for funding for the Main Street Iowa Fall meeting and \$15,000.00 to Experience Waterloo for event barriers.

Resolution adopted and upon approval by Mayor assigned No. 2025-515.

Resolution awarding bid to Iowa Wall Systems, Inc., of Waterloo, Iowa, in the amount of \$12,100.00, in conjunction with the Veterans Memorial Hall painting and Hall Repair, and authorizing the Mayor to execute said document.

Resolution adopted and approved upon approval by Mayor assigned No. 2025-516.

Resolution to award bid to Don Gardner Construction of Waterloo, Iowa, in the amount of \$24,785.00, in conjunction with the remodel of the Waterloo Convention Center Skywalk between the Hotel and Convention Center, and authorizing the Mayor to execute said document.

Resolution adopted and upon approval by Mayor assigned No. 2025-517.

Motion approving Change Order No.2 with Baker Enterprises, Inc., of Waverly, Iowa, for a net increase of \$79,800.00, in conjunction with FY 2025 W.A.R.P. 4th Addition, Contract No. 1114, and authorizing the Mayor and City Clerk to execute said document.

Hector Salamanca Arroyo, Board/Commission: Historic Preservation Commission, Expiration Date: April 18, 2028, [Renewal].

Ivan Valtchev, Board/Commission: Historic Preservation Commission, Expiration Date: April 18, 2028, [Renewal].

Nicholas Hedrick, Board/Commission: Historic Preservation, Expiration Date: April 15, 2028, [Renewal].

Liquor Licenses

Casey's #2880, 1604 La Porte Road, Class C w/Sunday Sales (Renewal) Exp: 09/30/2026.

Chilitos Mexican Bar & Grill, 441 E. Tower Park Drive, Class C w/Sunday Sales (Ownership Update) Exp: 08/07/2026.

Dollar General #4698, 2935 Logan Avenue, Class B w/Sunday Sales (New) Exp: 07/14/2026.

Dollar General #20584, 1650 Idaho Street, Class B w/Sunday Sales (Ownership Update) Exp: 11/06/2026.

Friendship Village, 600 Park Lane, Class F w/Outdoor Service and Sunday Sales Renewal) Exp: 10/18/2025.

Kwik Star #1004, 111 E. Donald Street, Class B w-Sunday Sales (Renewal) Exp: 10/21/2026.

Lounge Bar, LLC, 32 Lafayette Street, Class C w/Sunday Sales (Ownership update) Exp: 07/09/2026.

Maui Wowi Iowa, 257 Ansborough Avenue, Class C w/Outdoor Service and Sunday Sales (New) (5-Day) Exp: 09/21/2025.

Narey's 19th Hole, 2073 Logan Avenue, Class C w/Sunday Sales (Renewal) Exp: 08/22/2026.

National Dairy Cattle Congress, 250 Ansborough Avenue, Class C w/Sunday Sales (Unlicense Location) Exp: 02/28/2026.

Queen of Peace Church, 320 Mulberry Street, Class C w/Outdoor Service and Sunday Sales (New) (5-Day) Exp: 09/18/2025.

Tobacco Outlet Plus #500, 1803 La Porte Road, Class B w/Outdoor Service (Renewal) Exp: 10/14/2026.

Tobacco Outlet Plus #500, 1803 La Porte Road, Class B w/Outdoor Service (Premises Update) Exp: 10/14/2026.

Bonds.

PUBLIC HEARINGS

FY 2026 Sidewalk Repair Assessment Program - Zone 5A, Contract No. 1127.

Boesen/Wilder

to receive and file proof of publication 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/Wilder

to close the hearing. Voice vote-Ayes: Seven. Motion carried.

Boesen/Wilder

Resolution adopting Proposed Resolution of Necessity, as proposed or amended. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-518.

Boesen/Wilder

Resolution approving proposed construction of sidewalk improvements. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-519.

Boesen/Wilder

Resolution to fix the value of lots. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-520.

Boesen/Wilder

Resolution to adopt proposed plat and schedule of assessments and estimate of costs. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-521.

FY 2026 Sidewalk Repair Assessment Program - Zone 5A, Contract No. 1127.

Nichol/Creighton-Smith

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.

David Dryer, 3145 W. 4th Street, questioned where the zone is located.

Jamie Knutson, City Engineer, explained the boundary of the zone.

Nichols/Creighton-Smith

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

Nichols/Creighton-Smith

Resolution confirming approval of plans, specifications, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-522.

Nichols/Creighton-Smith

to receive, file and instruct City Clerk to read bids. Voice vote-Ayes: Seven. Motion carried.

Engineer's Estimate: \$87,278.84

Brock Even Construction, LLC, Jesup, IA - 5% - \$76,843.42

Nichols/Creighton-Smith

Resolution approving award of bid to Brock Even Construction, of Jesup, Iowa, in the amount of \$76,843.42, approving the contract, bond and certificate of insurance, in conjunction with the FY 2026 Sidewalk Repair Assessment Program - Zone 5A, Contract No. 1127, 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. 2025-523.

Ansborough Avenue CMAQ, Traffic Signal Fiber Optic Installation from Downing Avenue south 2.7 miles to Fischer Drive, Contract No.07-8155-784.

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.

David Dryer, 3145 W. 4th Street, questioned if new fiber cables will have to be laid or if they can use the residential fiber to pay for the project.

Safiah Elahi, Traffic Operations Director, confirmed that existing fiber can be used, and said that grant funding is available to help cover the project.

Boesen/Nichols

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

Boesen/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. 2025-224.

Mr. Boesen questioned if the cost of the project will be lower since we're using existing fiber.

Safia Elahi explained that the project cost will not be affected.

Randy Bennett, Public Works Division Manager, clarified that the \$524,947.50 for this project and the \$774,627.00 for the Broadway Street project are both fully paid for with the grant.

Boesen/Nichols

Resolution approving award of bid to K&W Electric of Cedar Falls in the amount of \$524,947.50, approving the contract, bonds, and certificate of insurance, in conjunction with the Ansborough Avenue CMAQ, Traffic Signal Fiber Optic Installation from Downing Avenue south 2.7 miles to Fischer Drive, Contract No.07-8155-784, 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. 2025-225.

Broadway Street CMAQ Traffic Signals, Fiber Optic Installation, Broadway Street, US 63 north 4.2 miles to US 218, Contract No.07-8155-785.

Nichols/Creighton-Smith

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 the hearing. Voice vote-Ayes: Seven. Motion carried.

Nichols/Creighton-Smith
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. 2025-526.

Nichols/Creighton-Smith
Resolution approving award of bid to K&W Electric of Cedar Falls in the amount of \$774,627.00 approving the contract, bonds, and certificate of insurance, in conjunction with the Broadway Street CMAQ Traffic Signals, Fiber Optic Installation, Broadway Street, US 63 north 4.2 miles to US 218, Contract No.07-8155-785, 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. 2025-527.

Demolition and Site Clearance Services, Contract No. D-2025-08-01P.

Chiles/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.

Beverly Cosby, 315 Wendell Ct, questioned the address of the properties for demolition. She explained that she is concerned that some of the homes on the list are not part of this demolition and asked how long a home will stay on the list.

Aric Schroeder, City Planner, commented that it can vary and explained the steps a property has to go through prior to being demolished, and the average is six months to one year to demolish a property.

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

Chiles/Wilder
Resolution confirming approval of plans, specifications, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-528.

Chiles/Wilder
to receive, file, and instruct the City Clerk to read bids and refer to the Community Planning and Development Director for further review. Voice vote-Ayes: Seven. Motion carried.

Engineer's Estimate: \$170,000.00
Midwest Demolition Contractors, Inc., Walford, IA - 5% - \$224,700.00
Peterson Contractors, Inc. Reinbek, IA -5% - \$283,200.00
DeCarlo Demolition Co., Des Moines, IA - 5% - \$242,600.00
Lehman Trucking & Excavating, Inc., Waterloo, IA - 5% - \$301,570.00

Demolition and Site Clearance Services, Contract No. RD-2025-08-02P.

Wilder/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.

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

Wilder/Chiles
Resolution confirming approval of plans, specifications, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-529.

Wilder/Chiles
to receive, file, and instruct the City Clerk to read bids and refer to the Community Planning and Development Director for further review. Voice vote-Ayes: Seven. Motion carried.

Engineer's Estimate: \$140,000.00
DeCarlo Demolition Co., Des Moines, IA - 5% -\$324,011.00
Lehman Trucking & Excavating, Inc., Waterloo, IA - 5% - \$317,375.00

RESOLUTIONS

Request by E & A Properties, LLC, for an appeal of the City Engineer to allow for automobiles to be parked in the city-owned right-of-way of West 16th Street northeast of Jefferson Street, in the "M-1" Light Industrial District.

Chiles/Creighton-Smith
Roll Call vote-Ayes: Six. Nays: One (Boesen). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-530.

Mr. Boesen requested an overview.

Jamie Knutson, City Engineer, explained that by ordinance he is not allowed to approve paving for parking, only council has that authority. He is not opposed to the work being done as it meets all the requirements for storm water in our site plan.

Mr. Boesen questioned where they would take their snow.

Jamie Knutson commented that it is his understanding that E&A Properties did not intend to pave the right-of-way for a while and would not be able to use it for parking until it was paved.

Noel Anderson, Community Planning and Development Director, commented that future action would still need to come before council as this is not their property.

Resolution approving a Development Agreement with Iowa Heartland Habitat for Humanity for the rehabilitation of 627 W. 3rd Street, including an acquisition grant of \$33,500.00, and authorizing the Mayor and City Clerk to execute said documents.

Chiles/Creighton-Smith

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-531.

Forest Dillavou, 1725 Huntington Drive, commented that the city should have acquired the property through 657A, condemned it, then given it away rather than spending taxpayer dollars.

David Dryer, 3145 W. 4th Street, commented that Thorson Rentals paid \$33,500.00 for the property, and now we're going to pay them and then give it away. This needs to stop.

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

Andy Conger, Construction Director at Habitat for Humanity, commented that they really want to acquire the properties that are headed down a path, before they go through the 657A process.

Mr. Boesen questioned how the project would be funded.

Noel Anderson commented that the project could be funded with either bond funds or ARPA grant funding.

Mr. Simon questioned why the property could not be acquired through 657A.

Noel Anderson commented that he would need to look back at his notes, but he does not think it was vacant long enough. Many times, while waiting for the timeline criteria to be met, the property inevitably gets worse, and we end up having to demolish the structure rather than rehabilitate. Habitat for Humanity decided to move ahead with the acquisition to rehab it versus us potentially spending \$30,000.00 to demolish it.

Mr. Simon questioned when it would be decided that the funds would be paid for with bonds or grants.

Noel Anderson explained that they are currently working on the ARPA project, so fairly quickly.

Mr. Feuss commented that it saves the city money in the end to partner with Habitat to find homes that are not to the point of the 521 Pine address discussed at the work session.

Mr. Chiles commented that he would like to see more accountability to prevent properties from falling into disarray.

Resolution to approve an American Rescue Plan Act Subrecipient Agreement in the amount of \$500,000.00, with Iowa Heartland Habitat for Humanity, and authorizing the Community Planning and Development Director to execute said document.

This item was removed from the agenda by an amendment.

Resolution approving a request by Brent Bohlen for an Encroachment Agreement to allow a patio, pergola, and fence in the city-owned alley right-of-way in the "R-1" One and Two Family Residence District, located at 130 Columbia Circle, 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. 2025-532.

Resolution approving an addendum to the current contract with Per Mar Security for the Waste Management Services Plant, extending the contract for three (3) years and outlining rate increases each year, 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. 2025-533.

Resolution awarding bid to Iowa Wall Systems, Inc. of Waterloo, Iowa, in the amount of \$12,100.00, in conjunction with the Veterans Memorial painting and Hall Repair, and authorizing the Mayor to execute said document.

This item was moved to the consent agenda by an amendment.

Resolution to award bid to Don Gardner Construction of Waterloo, Iowa, in the amount of \$24,785.00, in conjunction with the remodel of the Waterloo Convention Center Skywalk between the Hotel and Convention Center, and authorizing the Mayor to execute said document.

This item was moved to the consent agenda by an amendment.

ADJOURNMENT

Nichols/Boesen

that the council adjourn at 6:19 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk