THE CITY COUNCIL OF WATERLOO, IOWA
REGULAR SESSION TO BE HELD AT
Harold E. Getty Council Chambers
Monday, October 6, 2025
5:30 PM

CITY OF WATERLOO
COMMUNITY VISION PLAN

1. Fly the W: To develop a sense of pride and relationship between residents and the City of Waterloo, and then leverage that pride to communicate the City's attributes to external audiences.
2. Elevate Housing: Redevelop, renovate, or improve 800 residences in Waterloo in eight years by providing access to capital.
3. Celebrate and Connect Neighborhoods: To leverage Waterloo's rich tradition of neighborhoods by celebrating and connecting them with the community and region at large.
4. Waterloo Works: Grow a diverse and skilled workforce in Waterloo that connects people and employers for mutual growth.
5. Crossroads Doubledown: Re-energize the Crossroads Mall area into a sports/recreation-themed gravitational center.
6. Power Up Downtown: Keep Waterloo's core downtown evolving to meet the needs of future generations, supporting and showcasing arts and cultural opportunities and creating an experience like no other.
7. Sportstown USA: To generate excitement, develop youth, and drive investment and economic impact from year-round visitors.
8. Community of Opportunity: Eliminate barriers that keep Waterloo residents, and the community as a whole, from reaching its true potential, creating an equitable, thriving, and sustainable community for future generations. Waterloo is a Community of Opportunity, where everyone can prosper.

<u>GENERAL RULES FOR PUBLIC PARTICIPATION REGULAR SESSION AGENDA</u>

A. Iowa Code Chapter 21 gives the public the right to attend council meetings, but it does not require cities to allow public participation except during public hearings. The public is required to follow the rules listed in this article when speaking during any meeting of the city council.
B. At the presiding officer's discretion, individuals may address the presiding officer by stepping to the podium, and after recognition by the presiding officer, shall state their

name, address, and group affiliation, if appropriate, and speak clearly into the microphone.

C. Comments shall be germane and refrain from personal, impertinent, or slanderous remarks.

D. Cell phones and electronic devices shall be set to silent prior to the start of the meeting.

RULES FOR PUBLIC COMMENT SECTION OF THE AGENDA

A. Individuals shall speak one (1) time on only one (1) issue for a maximum of three (3) minutes During the public comment section of the agenda. The public shall not be required to pre-register to speak during public comment. Individuals shall only speak on matters not listed on the regular agenda for that date. Any matter presented shall be directed to the presiding officer and addressed, if necessary, after the meeting.

B. Council members may speak during public comment portion of the agenda after the public has finished speaking

C. City staff shall not be required to provide an immediate answer to a matter presented during a council meeting unless it specifically pertains to an item on the agenda

RULES FOR PUBLIC COMMENT DURING PUBLIC HEARINGS

Individuals may speak during the public comment portion of a scheduled public hearing for a maximum of three (3) minutes or may submit written comments to the city clerk by four o'clock (4:00) P.M. on the day of the public hearing. Groups of citizens with similar viewpoints are encouraged to select a representative to share the viewpoint of the group.

RULES FOR PUBLIC COMMENT DURING AGENDA ITEMS

At the discretion of the presiding officer, individuals may speak for a maximum of three (3) minutes when the council discusses agenda items. This section does not apply to businesses or parties directly involved in agenda items.

Roll Call.

Prayer or Moment of Silence.

Pledge of Allegiance, Dave Boesen, Ward 2 Council Member.

Approval of Agenda as proposed or amended.

Approval of Minutes of the September 15, 2025, Regular Council Session as proposed or amended.

PUBLIC COMMENTS

Iowa Code Chapter 21 gives the public the right to attend council meetings but it does not require cities to allow public participation except during public hearings. The City of Waterloo encourages the public to participate during the Oral Presentations by following the rules listed on the front of the agenda.

CONSENT AGENDA

The consent agenda is reserved for routine resolutions and motions, acted upon by roll call vote on a single motion without discussion. Council shall either vote yea or nay when the roll is called. Council members may request that an item be removed from the consent agenda and considered separately. Such a request does not require a second. The public shall be prohibited from requesting that items listed on the consent agenda be removed and considered separately. The public may contact council members with questions regarding consent agenda items. 1-4A-16(A)(8).

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

2. Resolution approving Acknowledgment/Settlement Agreement for Tobacco Violation - Second Offense with Kwik Star #580, 506 W. 9th Street, Waterloo, Iowa, and acceptance of a civil penalty in the amount of $1,500.00, and authorizing the Mayor and City Clerk to execute said document.

3. Resolution approving the request of Tim Frederick for a waiver for a concrete driveway, located at 2523 W. 3rd Street, with the elimination of the sidewalk section due to inability to meet grade requirements.

4. Resolution approving request of Michael Cole, for a waiver for a concrete driveway, located at 707 Belle Street, and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on City-owned right-of-way on an unimproved street.

5. Resolution approving the request of James Varney for a waiver for a concrete driveway, located at 1057 Dundee Avenue, with the elimination of the sidewalk section due to inability to meet grade requirements.

6. Resolution approving the request by Cedar Valley 4 Rent LLC, for tax exemptions on the construction of a new commercial building valued at $400,000.00, for property located at 339 W. 13th Street and located in the Consolidated Urban Revitalization Area (CURA).

7. Resolution approving the request by Jeffrey Dow, for tax exemptions on the construction of a new condominium unit valued at $269,000.00, for property located at 4133 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

8. Resolution approving the request by Natesh Yepuri, for tax exemptions on the construction of a new single-family house valued at $549,900.00, for property located at 1825 Red Tail Drive and located in the City Limits Urban Revitalization Area (CLURA).

9. Resolution accepting improvements of Mustedan 1st Addition.

10. Resolution setting date of public hearing as October 20, 2025, to approve a Site Plan Amendment request by Pella Building Systems on behalf of BKKS Holdings, to construct a storage facility in “M-2,P” Planned Industrial District located east of 155 Warp Drive, and instruct the City Clerk to publish notice.

11. Resolution setting date of public hearing as October 20, 2025, to approve a request by Troy Morris for a Site Plan Amendment to allow for additional uses including a restaurant, ice cream shop, and sign shop in a former funeral home in the “S-1” Shopping Center District located at 3146 Kimball Avenue, and instruct the City Clerk to publish notice.

12. Resolution approving the award of bid to Midwest Demolition Contractors, Inc. of Walford, Iowa, in the amount of $224,700.00, approving the contract, bond, and certificate of insurance, in conjunction with Demolition and Site Clearance Services, Contract No. D-2025-08-01P, at 310 Upland Drive, and authorizing the Mayor and City Clerk to execute said documents.

13. Resolution approving the award of bid to Lehman Trucking & Excavating, Inc. of Waterloo, Iowa, in the amount of $317,375.00, approving the contract, bond, and certificate of insurance, in conjunction with Demolition and Site Clearance Services, Contract No. RD-2025-08-02P, at 100 E. 9th Street and 1117 Lincoln Street, and authorizing the Mayor and City Clerk to execute said documents.

14. Resolution determining the necessity and setting date of public hearing as November 3, 2025, to approve Amendment No. 7 to the Martin Road Urban Renewal Development Plan, to remove a property from the TIF area, and setting date of consultation with taxing entities as October 17, 2025, and instruct the City Clerk to publish notice.

15. Resolution determining the necessity and setting date of public hearing as November 3, 2025, to approve Amendment No. 9 to the San Marnan Urban Renewal and Redevelopment Plan, to remove a property from the TIF area, and setting date of consultation with taxing entities as October 17, 2025, and instruct the City Clerk to publish notice.

16. Resolution determining the necessity and setting date of public hearing as November 3, 2025, to approve the Amended and Restated South Waterloo Unifed Urban Renewal and Redevelopment Plan, and setting date of consultation with taxing entities as October 17, 2025, and instruct the City Clerk to publish notice.

17. Resolution determining the necessity and setting date of public hearing as November 3, 2025, to approve the Amendment to the Downtown Waterloo Riverfront Urban Renewal and Redevelopment Plan for the 2025 Expansion Area, and setting date of consultation with taxing entities as October 17, 2025, and instruct the City Clerk to publish notice.

18. Resolution determining the necessity and setting date of public hearing as November 3, 2025, to approve the Baltimore Fields Urban Renewal Plan, and setting date of consultation with taxing entities as October 17, 2025, and instruct the City Clerk to publish notice.

19. Resolution determining the necessity and setting date of public hearing as November 3, 2025, to approve the Highland Meadows Urban Renewal Plan, and setting date of consultation with taxing entities as October 17, 2025, and instruct the City Clerk to publish notice.

20. Resolution accepting an IDOT Air Service Development Grant Agreement, in the amount of $48,000.00, for the promotion of passenger air service from the Waterloo Regional Airport, and authorizing the Mayor and Director of Aviation to execute said document.

21. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Vieth Construction Corporation, of Cedar Falls, Iowa, in the amount of $97,126.10, in conjunction with the FY 2025 Idaho Street Fiber Hut, Contract No. 1112, and receive and file a two-year maintenance bond.

22. Motion to approve Change Order No. 1 with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net increase of $20,788.75, in conjunction with the FY 2026 Airport Fence Relocation, Contract No. 1133, and authorizing the Mayor to execute said document.

23. Motion approving Change Order No. 2 with Matt Construction, Inc. of Sumner, Iowa, for a total increase of $3,930.59 in conjunction with the FY 2025 South Hills Golf Course Maintenance Building Contract No. 1130, and authorizing the Mayor to execute said document.

24. Motion approving Change Order No. 2 to the Professional Agreement with Terracon, Inc., in an amount not to exceed $25,000.00, for additional construction observation, in conjunction with FY 2024 Hawthorne Avenue Storm Sewer Lift Station Relief Well, Contract No. 1066, and authorizing the Mayor to execute said document.

25. Motion to approve Change Order No. 27 with ITG Communications, LLC, of Hendersonville, Tennessee, for a net increase of $120,066.36, 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.

26. Motion to approve Change Order No. 28 with ITG Communications, LLC, of Hendersonville, Tennessee, for a net increase of $61,411.83, 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.

27. Motion to approve Change Order No. 29 with ITG Communications, LLC, of Hendersonville, Tennessee, for a net increase of $83,074.31, 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.

28. Motion to approve Final Quantity Summary with Vieth Construction Corporation, of Cedar Falls, Iowa, for a net increase of $4,856.30, in conjunction with the FY 2025 Idaho Street Fiber Hut, Contract No. 1112, and authorizing the Mayor and City Clerk to execute said document.

29. Motion approving appointment of **Daniel Greer** from Interim Street Director to the position of Street Director in the Street Department division of Public Works, effective October 7, 2025.

30. **Cathy Schuler,** Board/Commission: Main Street Waterloo, Expiration Date:N/A, [New].

31. Motion to receive and file Leisure Services Commission Board minutes of August 12, 2025.

32. Motion to receive and file Airport Board minutes of August 13, 2025.

33. **<u>Liquor Licenses</u>**
    The Brown Bottle, 209 W. 5th Street, Class C, w/Sunday Sales (Renewal)10/21/2026.
    The Brown Derby Ballroom, 618 Sycamore Street, Class C, w/Living quarters and Sunday Sales (New) 09/30/2026.
    Casey's #2879, 3260 University Avenue, Class E, w/Sunday Sales (Renewal) 09/30/2026.
    Casey's 218 Pub, 4010-4018 University Avenue, Class C w/Outdoor Service and Sunday Sales (Renewal) 09/30/2026.

Chilito's Mexican Bar & Grill, 441 E. Tower Park Drive, Class C w/Outdoor Service/Sunday Sales (Renewal) 08/07/2026
Damon's Sports Bar & Grill, 2122 Kimball Avenue, Class C w/Sunday Sales (Renewal) 10/04/2026.
Danny's on Donald, 2401 Falls Avenue, Class C w/Outdoor Service and Sunday Sales (Renewal) 10/04/2026.
Family Dollar Store #30944, 2206 Kimball Avenue, Class B w/Sunday Sales (Ownership Updates) 07/31/2026.
Family Dollar Store #32879, 1608 University Avenue, Class B w/Sunday Sales (Ownership Updates) 03/07/2026.
Karma Bar, 309 West 4th Street, Class C w/Outdoor Service and Sunday Sales (Renewal) 10/14/2026.
K-ZAR, Inc., 1761 Independence Avenue, Class E w/Sunday Sales (Renewal) 10/13/2026.
Rudy's Tacos-Beer Hall-Lava Lounge, Class C w/Outdoor Service and Sunday Sales (Renewal) 09/27/2026.
Studio 13 Waterloo, 304 & 308 West 4th Street, Class C w/Sunday Sales (Renewal) 07/31/2026.
Walmart Super Center, 1335 Flammang Drive, Class E w/Sunday Sales (Renewal) 09/30/2026.

34. **Cigarette/Tobacco/Nicotine/Vapor Permits**
K-Zar, Inc., 1761 Independence Avenue. (Retail Tobacco)

35. Bonds.

PUBLIC HEARINGS

1. **Request by Midwest Development Co., 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.**

Public hearing is canceled.

Submitted by: Noel Anderson, Community Planning and Development Director

2. **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 approximately seventy single-family homes.**

Public hearing is canceled.

Submitted by: Noel Anderson, Community Planning and Development Director

3. **FY 2026 Sidewalk Infill, Sidewalk Ramp and Trail Repair Program - Zone 5A, Contract No. 1131.**

Motion to receive and file proof of publication of notice of public hearing.
HOLD HEARING - No comments on file.
Motion to close hearing and receive and file oral and written comments.
Resolution confirming approval of plans, specifications, form of contract, etc., and authorizing to proceed.

Motion to receive, file and instruct the City Clerk to read bids, and refer to the City Engineer for consideration.

Submitted by: Oumie Ceesay, Associate Engineer

4. **FY 2026 Winn Street Sanitary Sewer, Contract No. 1134.**

   Motion to receive and file proof of publication of notice of public hearing.
   HOLD HEARING - No comments on file.
   Motion to close hearing and receive and file oral and written comments.
   Resolution confirming approval of plans, specifications, form of contract, etc., and authorizing to proceed.
   Motion to receive, file and instruct City Clerk to read bids.
   Resolution approving award of bid to Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of $280,613.50, approving the contract, bond and certificate of insurance, in conjunction with the FY 2026 Winn Street Sanitary Sewer, Contract No. 1134, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Oumie Ceesay, Associate Engineer

5. **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 authorize the Mayor and City Clerk to execute said documents.**

   Motion to receive and file proof of publication of notice of public hearing.
   HOLD HEARING - No comments on file.
   Motion to close the hearing and receive and file oral and written comments.
   Resolution authorizing 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, and authorizing the Mayor and City Clerk to execute said documents.
   Resolution approving a Development Agreement with Xcel Electric LLC for the construction of a 4,000 square foot building located to the southwest of 3211 Titan Trail and conveyance of the property southwest of 3211 Titan Trail for $1.00, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

RESOLUTIONS

1. Resolution approving a Permanent Easement Agreement in the amount of $4,858.00, and reimbursement for pavement removal in the amount of $983.00, totaling a just compensation amount of $5,841.00, with Beverly Realty, LLC, located at 1507 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.

   Submitted by: Noel Anderson, Community Planning and Development Director

2. Resolution approving a Permanent Easement Agreement in the amount of $4,097.00, with Kingu Properties, LLC, located at 1419 La Porte Road, in conjunction with the La Porte Road Phase II Reconstruction Project, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

3. Resolution approving a Permanent Easement Agreement and Temporary Easement Agreement in the amount of $1,802.00, with Casey's Marketing Company, located at 1604 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.

   Submitted by: Noel Anderson, Community Planning and Development Director

4. Resolution approving a Development Agreement with Iowa Heartland Habitat for Humanity for the construction of a new single family home located at the southwest corner of Randall Street and Norimer Street, in the Church Row Neighborhood, including an infill housing grant of $7,500.00, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

5. Resolution approving the acceptance of a Donation of Real Property Agreement to the City of Waterloo from Hope Martin Anderson Revocable Trust, for property located at 2500 W. 4th Street, and authorizing the Mayor to execute said documents.

   Submitted by: Noel Anderson, Community Planning and Development Director

6. Resolution approving the Cedar Skyline Corporation (doing business as Main Street Waterloo) parking lot loan refinancing and continued loan guarantee, by the City of Waterloo, in an amount not to exceed $124,981.54, and authorizing the Mayor and City Clerk to execute said documents.

   Submitted by: Noel Anderson, Community Planning and Development Director

7. Resolution approving a Supplement Agreement No. 2 in an amount not to exceed $25,000.00, for AECOM Techincal Services, Inc. to perform on-call planning and engineering services at the Waterloo Regional Airport, and authorizing the Mayor to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

8. Resolution approving a First Amendment to a Real Estate Purchase Agreement with John. R. Wolfe and Margaret A. Wolfe, amending the timeline on the purchase of Tract 2 property, and authorizing the Mayor and City Clerk to execute said document.

   Submitted by: Noel Anderson, Community Planning and Development Director

9. Resolution approving a Design Services Agreement with Invision Architecture, not to exceed $8,500.00, for planning and design services related to new fuel site locations and Public Works facility updates, and authorizing the Mayor to execute said document.

   Submitted by: Randy Bennett, Public Works Division Manager

10. Resolution approving a Professional Services Contract with Nutri-Ject Systems Inc., of Hudson, Iowa in the amount of $79,847.09, for sludge storage tank cleaning and final land application of biosolids, for the bottom 4 feet of tank solids plus $9,446.26 per foot for solids above the bottom 4 feet, in an amount not to exceed $98,739.61, and authorizing the Mayor to execute said document.

Submitted by: Randy Bennett, Public Works Division Manager

11. Resolution approving Supplemental Agreement No. 3 to the Professional Services Agreement with AECOM, Inc., of Waterloo, Iowa, in an amount not to exceed $44,600.00 for construction-related services, in conjunction with the FY 2026 Winn Street Sanitary Sewer, Contract No. 1134, and authorizing the Mayor to execute said document.

    Submitted by: Jamie Knutson, City Engineer

12. Resolution approving an agreement with Pro-West & Associates, in an amount not to exceed $3,835.80, to provide Sidewalk Inspection Application updates, and authorizing the Mayor to execute said document.

    Submitted by: Jamie Knutson, City Engineer

13. Resolution approving a third amendment to the Development Agreement and Minimum Assessment Agreement with Bread to Beer LLC., (Single Speed Brewing Company), to provide a grant of $750,000.00 and an additional five-years of tax rebates at seventy percent for the additional improvements made to the site at 325 Commercial Street, and a new Minimum Assessment value of $4,000,000.00, and authorizing the Mayor and City Clerk to execute said documents.

    Submitted by: Noel Anderson, Community Planning and Development Director

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk