October 6, 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, October 6, 2025.

Roll Call.

Mayor Quentin Hart in the Chair. Mr. Boesen, Ms. Creighton-Smith, Mr. Chiles, Mr. Simon, Ms. Wilder and Mr. Feuss. Mr. Nicholas was absent.

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 presented, be approved. Voice vote-Ayes: Six. Motion carried.

Mayor Hart commented that the first two public hearings have been canceled.

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

Feuss/Wilder
that the minutes of the September 15, 2025, Regular Session, as proposed, be approved. Voice vote-Ayes: Six. Motion carried.

PUBLIC COMMENTS

The following individuals commented on various subjects.

Aaron Stacey Roberts, 411 Almond
Jeanie Miller, Main Street Waterloo Board Member
Brianne Garrison, Let Love Lead Iowa non-profit organization
Wayne Natham, 548 Cloverdale

Mr. Chiles shared that the combined meeting for Ward 1 and 2 will take place at noon on the last Saturday of each month at the Ridgeway Sidecar coffee shop.

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

CONSENT AGENDA

Feuss/Wilder
that the following items on the consent agenda, including the payment of bills for September 22, 2025, in the amount of $4,236,553.05, and October 6, 2025, in the amount of $5,535,012.60, be received and placed on file. Roll Call vote-Ayes: Six. Motion carried.

Mr. Boesen requested consent agenda item number 19 be removed and considered separately.

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. 2025-534.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-535.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-536.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-537.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-538.

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).

Resolution adopted and upon approval by Mayor assigned No. 2025-539.

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).

Resolution adopted and upon approval by Mayor assigned No. 2025-540.

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).

Resolution adopted and upon approval by Mayor assigned No. 2025-541.

Resolution accepting improvements of Mustedan 1st Addition.

Resolution adopted and upon approval by Mayor assigned No. 2025-542.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-543.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-544.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-545.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-546.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-547.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-548.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-549.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-550.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-551.

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.

This item was removed from the consent agenda and considered separately.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-552.

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.

Resolution adopted and upon approval by Mayor assigned No. 2025-553.

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.

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.

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.

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.

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.

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.

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.

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.

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

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

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

Liquor Licenses
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.

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

Bonds.

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. Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-554.

Mr. Boesen questioned why we would be setting a public hearing to approve a TIF when both public hearings were canceled on the rezoning and development agreement.

Noel Anderson, Community Planning and Development Director, explained that the TIF actions will take longer, and that they anticipate the Orange School former site redevelopment would come back to council around the same timeframe as the date of public hearing.

PUBLIC HEARINGS

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.

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.

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

Feuss/Wilder
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.

Feuss/Wilder
to close hearing. Voice vote-Ayes: Six. Motion carried.

Feuss/Wilder
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. 2025-555.

Feuss/Chiles
to receive, file and instruct the City Clerk to read bids, and refer to the City Engineer for consideration. Voice vote-Ayes: Six. Motion carried.

Engineer's Estimate: $521,463.25
Brock Even Construction, LLC, Jesup, IA - 5% - $514,173.40
Midstate Solution, Baxter, IA - 5% - $230,786.93
Boulder Contracting, Grundy Center, IA - 5% - $371,161.48
Valentine Construction Co., Dubuque, IA - 5% - $259,963.11

<u>FY 2026 Winn Street Sanitary Sewer, Contract No. 1134.</u>

Wilder/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.

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

Wilder/Chiles
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. 2025-556.

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

Engineer's Estimate: $360,491.70
Lodge Construction, Clarksville, IA - 5% - $333,829.90
Denver Underground & Grading, Inc., Denver, IA - 5% - $287,973.60
Baker Enterprises, Inc. Waverly, IA - 5% - $294,767.60
Boomerang Copr., Anamosa, IA - 5% - $346,918.90

Wynn Company, LLC, Warsaw, IA - 5% - 363,775.50
Peterson Contractors, Inc. Reinbeck, IA - 5% - $280,613.50

Wilder/Chiles
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. Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-557.

<u>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.</u>

Boesen/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.

David Dryer, 3145 W. 4th Street, questioned if Xcel Electric already exists in Waterloo.

Noel Anderson, Community Planning and Development Director, shared that Xcel Electric is currently being run from a home and is expanding to build a building and hire more employees.

Haris Mumic, Owner, Xcel Electric, 1142 Columbus Drive, shared that there are currently five employees, himself included, with an additional employee starting by the end of the month. He explained the process that would take place to move the project forward pending the approval of acquiring the property.

Boesen/Chiles
to close the hearing and receive and file oral comments. Voice vote-Ayes: Six. Motion carried.

Boesen/Chiles
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. Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-558.

Mr. Chiles questioned if the city has any money invested in the project.

Noel Anderson, Community Planning and Development Director, provided an overview of development and infrastructure in the area. He shared that the developer of the business area, Harold Youngblut, built out the infrastructure of the area. The city had one portion of Cyclone Drive where RISE funds were used. The city has partnered with Harold Youngblut to continue that development. We have acquired some of the land to bring businesses out there to pay ourselves back through the tax increment financing.

Mr. Chiles commented that we have heard citizens ask if these types of opportunities are available to an individual, property owner or a business owner. He further commented that now we are looking to do this for a local business that wants to expand the operation and that this is within the purview of what the citizens have asked for.

Ms. Wilder asked Haris Mumic about how many potential jobs he would anticipate would be created if he got this space.

Haris Murmic shared that he isn't looking to get too large at this stage but is hoping that 2–3 additional employees or apprenticeships will be added to the business.

Boesen/Creighton-Smith
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. Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-559.

RESOLUTIONS

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.

Feuss/Wilder
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-560.

Jamie Knutson, City Engineer, provided an update on the construction project.

Mr. Chiles questioned if overhead electrical lines would be buried as part of the project.

Jamie Knutson confirmed that burring electrical will be included with the project.

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.

Feuss/Wilder
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-561.

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.

Feuss/Wilder
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-562.

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.

Chiles/Feuss
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-563.

David Dryer, 3145 W. 4th Street, questioned if the grant increased for infill housing development.

Mayor Hart commented that it was part of the Elevate Housing 2.0 and specifically targeted neighborhoods receive a different incentive based on the condition of the neighborhood and the efforts.

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.

Chiles/Feuss
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-564.

David Dryer, 3145 W. 4th Street, questioned why the owner does not just sell the property outright, and why the city is becoming a real estate agent.

Noel Anderson, Community Planning and Development Director, shared that it would be a good opportunity for the city to explore either rehabilitation or demolition and the creation of new infill lots.

Mr. Chiles commented that the neighbors will be very happy to see some progress. He shared that he would personally love to see the restored building go to Leisure Services and become some type of wedding venue, but whatever we decide to do with it is better than what it is now.

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.

Chiles/Feuss
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-565.

David Dryer, 3145 W. 4th Street, asked if Cedar Skyline Corporation is a private business.

Noel Anderson, Community Planning and Development Director, explained that Cedar Skyline is now Main Street. He provided background on the original grant, noting the city's requirement to re-approve those documents every time they refinance.

Mr. Boesen questioned how many times this loan has been refinanced.

Noel Anderson shared that he thinks it is refinanced about every five years.

Mayor Hart commented that we have first right of refusal if they decide to sell it.

<u>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.</u>

Creighton-Smith/Feuss
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-566.

David Dryer, 3145 W. 4th Street, questioned if any of the funds are covered by the FAA.

Noel Anderson, Community Planning and Development Director, commented that it is not covered with FAA dollars.

<u>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.</u>

Creighton-Smith/Feuss
Roll Call vote-Ayes: Five. Nays: One (Boesen). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-567.

<u>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.</u>

Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-568.

<u>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.</u>

Chiles/Wilder
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-569.

<u>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.</u>

Chiles/Wilder
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-570.

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.

Chiles/Wilder
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-571.

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.

Wilder/Feuss
Roll Call vote-Ayes: Four. Ayes: Two (Boesen and Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-572.

David Dryer, 3145 W. 4th Street, commented that this is a private business and the city should not be partnering with them as a public entity.

Forest Dillavou, 1725 Huntington Road, commented that this is one of the reasons we are the highest taxed city in the state of Iowa.

Todd Obadal, 124 Amity Drive, commented that we are giving seven hundred fifty million cash, plus extending seventy percent tax abatement for another five years on the original building, then adding another five years of abatement on the new million dollar portion. Tax Incremental Financing isn't just a giveaway. It's actually supposed to finance things that build the economy, not to entirely fund a private business's desire to expand. He asked the council to vote no on this because it is not tenable.

Dave Morgan, Singlespeed Brewery at 325 Commercial Street, commented that, if approved, this would create jobs, build the economy, create the third-largest brewery in Iowa, and will elevate hospitality and tourism for downtown Waterloo.

Lisa Skubal, Grow Cedar Valley, commented that she supports the project.

Mr. Feuss commented that he and his wife love breweries. They travel the country, site see, and check out the local breweries. He shared that this project is an incredible investment for Waterloo and asked council to vote yes.

Mr. Simon questioned if the job opportunities would be high-quality jobs.

Dave Morgan shared a breakdown of the types of high-quality jobs that will be created.

Mr. Simon questioned the viability of the businesses the city is being asked to invest taxpayer dollars in.

Dave Morgan commented that the pro forma that the accountants have put together shows profitability in three years.

Mr. Boesen commented that it bothers him that he was unaware of this project until he received letters of support from citizens prior to it being on the agenda. The public should not learn of something before the council does. He further shared that none of what is in the development agreement was discussed at the original meeting back in August. He would like to see it postponed until the next meeting, when Mr. Nichols is present, and he would like to schedule meetings with Mr. Morgan and Noel Anderson to discuss the differences in this development agreement.

Dave Morgan commented that a lot of the discrepancies Mr. Boesen spoke of were more likely a lack of clarity in the meeting. The funding for building modifications and equipment was exactly what was being talked about in the meeting that day. He shared that the individuals they are recruiting to come to town will have other options, so the quicker we move on with this, the better for both us and the city of Waterloo.

Creighton-Smith commented that she had been looking at how craft beers are contributing to the economy and the numbers are very strong and there is potential to put Iowa on the map with a global presence. She urges the council to vote yes.

Ms. Wilder has supported Single Speed from the beginning and questioned if the council does postpone the vote, how far it would set Mr. Morgan's efforts back.

Dave Morgan commented that he cannot speak for Peace Tree and Backpocket, but said that he has a letter of intent from them now that says if we get this approved, they are ready to come up and be a part of Waterloo.

Mr. Chiles commented that it is a challenge to our council because it is a lot of money to be absorbed by a TIF district at the same time as being very positive for our city. To him, this makes sense but acknowledges the difficulty in making a decision. He questioned what mitigation the city has in place if something were to go awry.

Noel Anderson, Community Planning and Development Director, provided information for the worst case scenario.

Mr. Boesen moved to postpone the vote for two weeks and asked that Noel Anderson schedule meetings so he could meet with Noel and Dave Morgan to review the changes in the agreement from August 28 to this week.

The motion died due to lack of a second.

<u>ADJOURNMENT</u>

Boesen/Feuss
that the council adjourn at 6:52 p.m. Voice vote-Ayes: Six. Motion carried.

Kelley Felchle
City Clerk