October 20, 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 20, 2025.

Roll Call.

Mayor Quentin Hart in the Chair. Roll Call: Mr. Boesen, Mr. Nichols, Ms. Creighton-Smith, Mr. Chiles, Mr. Simon, Ms. Wilder and Mr. Feuss.

Prayer or Moment of Silence.

Pledge of Allegiance, Rob Nichols, At-Large Council Member.

Approval of Agenda as proposed or amended.

Feuss/Nichols
that the agenda as amended, by removing Resolution Item No. 6, be approved. Voice vote-Ayes: Seven. Motion carried.

Approval of Minutes of the October 6, 2025, Regular Council and Work Session as proposed or amended.

Feuss/Nichols
that the minutes of the October 6, 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 Street
Marry Potter, Grout Museum Trustee
Megan Butler, 818 Clough Street
LaTonya Graves, 607 E. Donald Street
Kristin Kruze, 703 Maynard Avenue
Forest Dillavou, 1725 Huntington Road
Beverly Cosby, 315 Wendell Court

Mr. Boesen commented that he emailed Mr. Knutson today for an update on San Marnan Drive and La Porte Road.

Jamie Knutson, City Engineer, provided an update on the two road construction projects.

Mr. Chiles requested an update on 310 Upland.

Noel Anderson, Community Planning and Development Director, provided an update of asbestos removal at 310 Upland.

Mr. Chiles shared that the Ward 1 and Ward 2 office hours would be at noon at the Ridgeway Drive Sidecar Coffee this Saturday.

Ms. Belinda Creighton-Smith shared that Ward 3 and Ward 4 will be at the Jubilee Freedom Center on Thursday at 6:00 p.m.

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

CONSENT AGENDA

Feuss/Nichols
that the following items on the consent agenda be received and placed on file, including the payment of bills for October 13, 2025, in the amount of $15,270,098.73, and October 20, 2025, in the amount of $3,928,993.19, be received and placed one file. Roll Call vote-Ayes: Seven. Motion carried.

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

Resolution adopted and upon approval by Mayor assigned No. 2025-573.

Resolution approving the request of Star Equipment, Ltd, for a waiver for a concrete driveway, located at 2625 W. Airline Highway, with the elimination of the sidewalk section due to inability to meet grade requirements.

Resolution adopted and upon approval by Mayor assigned No. 2025-574.

Resolution approving the request by James Duncan, for tax exemptions on the construction of a new single-family house valued at $300,000.00, for property located at 129 Axlewood Drive, and located in the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-575.

Resolution approving the request by Troy Seemann, for tax exemptions on the construction of a new single-family house valued at $280,000.00, for property located at 2230 Independence Avenue and located in the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-576.

Resolution approving the request by Chris Fischels, for tax exemptions on the construction of a new commercial building valued at $170,000.00, for property located at 1809 Black Hawk Street and located in the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-577.

Resolution approving award of bid to MidState Solution, LLC, of Baxter, Iowa, in the amount of $230,786.93, approving the contract, bonds, and certificate of insurance, in conjunction with the FY 2026 Sidewalk Infill, Sidewalk Ramp and Trail Repair Program - Zone 5A, Contract No. 1131, and authorizing the Mayor and City Clerk to execute said documents.

Resolution adopted and upon approval by Mayor assigned No. 2025-578.

Resolution setting date of public hearing as Monday, December 1, 2025, on an application for a State Revolving Fund loan and to make available to the public the contents of an environmental information document and the City's project plan, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2025-579.

Resolution setting date of public hearing as November 3, 2025, to approve a rezone request by Robson Homes to rezone approximately 37.07 acres from “R-3” Multiple Residence District to “R-3, R-P” Planned Multiple Residence District located east of Omaha Avenue, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2025-580.

Resolution setting date of public hearing as November 3, 2025, to approve a Site Plan Amendment request by Xcel Electric, LLC for the construction of a 5,000 square foot building in the “B-P” Business Park District located south of 3211 Titan Trail, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2025-581.

Resolution setting the date of public hearing as November 3, 2025, for the sale and conveyance of 420 Bayard Street in the Church Row Neighborhood to Iowa Heartland Habitat for Humanity, including a Development Agreement including a demolition agreement and grant of $7,500.00 for infill housing development, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2025-582.

Resolution approving the Provider Participation Agreement for FY 2027, and authorizing the Medical Supervisor, Jason Hernandez, to execute said agreement.

Resolution adopted and upon approval by Mayor assigned No. 2025-583.

Resolution approving the Ground Emergency Medical Transport (GEMT) program related IGT Fund Transfer Agreement for FY 2027, and authorizing the mayor to execute said document.

Resolution adopted and upon approval by Mayor assigned No. 2025-584.

Resolution approving award of hotel/motel tax council discretionary funds to the BMHG in the amount of $6,800.00.

Resolution adopted and upon approval by Mayor assigned No. 2025-585.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Landmark Turf Services, LLC, of Dunkerton, Iowa, in the amount of $54,208.00, in conjunction with the FY 2026 Levee Rip Rap Spraying, Contract No. 1120, and receive and file a two-year maintenance bond.

Resolution adopted and upon approval by Mayor assigned No. 2025-586.

Motion to approve Change Order No. 24 with ITG Communications, LLC, of Hendersonville, Tennessee, for a net increase of $1,028,028.66, 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. 25 with ITG Communications, LLC, of Hendersonville, Tennessee, for a net increase of $18,149.60, 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. 26 with ITG Communications, LLC, of Hendersonville, Tennessee, for a net decrease of $50,828.32, 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. 30 with ITG Communications, LLC, of Hendersonville, Tennessee, for a net increase of $648,926.06 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.

Communication from the Police Department on the notice of the conclusion of employment of David Bovy, Police Officer, effective October 3, 2025 with recommendation of approval of payout of $17,362.56 for unused benefits.

Communication from the Library Department on the notice of the conclusion of employment of David Eckert, Library Director, effective July 10, 2025, with recommendation of approval of payout of $11,705.12 for unused benefits.

Motion to approve the appointment of **Jonathan Gentz** from the current Civil Service List to the position of Equipment Operator II in the Street Department, effective October 21, 2025.

Motion to approve the appointment of **Michiel Derifield** from the current Civil Service List to the position of Equipment Operator II in the Street Department, effective October 21, 2025.

Motion to approve the appointment of **Mike Hackbarth** from the current Civil Service List to the position of Equipment Operator II in the Street Department, effective October 21, 2025.

Liquor Licenses
Chapala Mexican Restaurant, 900 La Porte Road, Class C, w/Outdoor Service and Sunday Sales (Renewal) 10/22/2026.
Family Dollar #30944, 2206 Kimball Avenue, Class B, w/Sunday Sales (Renewal) 07/31/2026.

Fester's Pub, 324 E. 4th Street, Class C, w/Outdoor Service and Sunday Sales (Renewal) 07/21/2026.
Placita, 321 W. 4th Street, Class C, w/Sunday Sales (Renewal) 09/28/2026.

Bonds.

PUBLIC HEARINGS

Request by Pella Building Systems on behalf of BKKS Holdings for a Site Plan Amendment to construct a storage facility in “M-2,P” Planned Industrial District located east of 155 Warp Drive.

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

Nichols/Feuss
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 Pella Building Systems on behalf of BKKS Holdings for a Site Plan Amendment to construct a storage facility in “M-2,P” Planned Industrial District located east of 155 Warp Drive. Roll Call vote-Ayes: Seven. Motion carried.

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

Nichols/Feuss
to consider and pass for the second and third times and adopt ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5805.

Request by Troy Morris for a Site Plan Amendment to allow for 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.

Feuss/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.

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

Feuss/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 Troy Morris to allow for 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. Roll Call vote-Ayes: Seven. Motion carried.

Mr. Boesen commented that he does not have enough parking but that he has worked out a plan with neighboring business owners for a solution.

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

Feuss/Chiles
to consider and pass for the second and third times and adopt ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5806.

<u>RESOLUTIONS</u>

<u>Resolution approving an Amendment to the Development and Minimum Assessment Agreement with Airline Storage, LLC, originally approved June 20, 2022, to extend the timeline for improvement completions, amend the minimum assessed value and allow for the sale of units on property located at 3318 West Airline Highway, and authorizing the Mayor and City Clerk to execute said document.</u>

Boesen/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-587.

Megan Butler, 818 Clough Street, questioned if the tax incentive would transfer to the new owner.

Noel Anderson, Community Planning and Development Director, provided an overview of the Amendment to the Development Agreement and explained that there would be no tax rebates until all three phases of the agreement are met, and at that point everyone paying taxes out there would become eligible for the five-years at fifty percent.

Mr. Boesen commented that in the amendment states that Mr. Anderson grants permission to sell the property, and he is curious as to why that does not have to come before the council.

Noel Anderson explained that with this amendment, the council is approving the sale of the properties so we do not have to come back for the sale of each unit. He commented that if, in the future, the council preferred that each unit come back individually, that could be done.

<u>Resolution approving an amendment to the Development Agreement with Half Dozen Properties for the construction of a new duplex located west of 720 Upton Avenue, with a Minimum Assessment Agreement, and authorizing the Mayor and City Clerk to execute said agreements.</u>

Boesen/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-588.

David Dreyer, 3145 W. 4th Street, questioned whether the narrowing of the hallway meets code.

Noel Anderson, Community Planning and Development Director, commented that it does meet both the building and fire codes.

<u>Resolution approving a Temporary Easement aAreement in the amount of $349.00, with La Porte Road DQ, Inc., located at 1506 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.</u>

Boesen/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-589.

<u>Resolution approving a Development Agreement with Iowa Heartland Habitat for Humanity for the construction of two single-family homes or a duplex on Oaklawn Avenue in the Church Row Neighborhood including a Demolition Agreement, an Acquisition Grant of $28,750.00, and Infill Housing Grant of $15,000.00, and authorizing the Mayor and City Clerk to execute said documents.</u>

Chiles/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-590.

David Dreyer, 3145 W. 4th Street, questioned if we know the cost of demolition.

Noel Anderson, Community Planning and Development Director, shared that the demolition will need to be bid on, but he could arrange for estimates to be sent to Mr. Dreyer via email.

Forest Dillavou, 1725 Huntington Road, commented that this is an example of where the city could give one of the hundreds of empty lots we already own to help Habitat, instead of spending taxpayer dollars for the purchase and demolition.

Mr. Boesen questioned what funding source would be used for the project.

Noel Anderson explained that this would be eligible for bonds or ARPA funds.

Mr. Boesen shared that he would prefer to use ARPA funds.

Mr. Simon requested clarification on which properties are identified to go to Habitat for Humanity for development.

Noel Anderson explained that they meet with Habitat for Humanity once or twice a month to discuss and prioritize certain areas. He shared that there is also a Dilapidated Housing Committee that meets once a month to review 657A properties and explained how the 657A process works.

Mr. Simon asked if the Dilapidated Housing Committee is made up of volunteers or if it is by appointment.

Noel Anderson explained that it is a staff committee where sometimes our partners, like Habitat for Humanity, come to talk with the staff. The committee is made up of staff from various departments within the city.

Mayor Hart explained that the partnership with Habitat for Humanity was formed years ago. He shared that though this property is purchased, it will triple the value that goes back on that property after it is built.

Mr. Chiles commented that projects like this improve neighborhoods and improved neighborhoods is how we transform neighborhoods and increase assessed values.

Resolution approving and accepting an Acquisition Contract and approving a Deed to sell real property to the City of Waterloo for a partial right-of-way acquisition, and Permanent and Temporary Easements Agreements with Price Investments, LLC, in the amount of $25,000.00, located at 1955 Locke Avenue, in conjunction with the La Porte Road Phase II Reconstruction Project, and authorizing the Mayor and City Clerk to execute said documents.

Chiles/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-591.

Resolution approving Ground Lease Agreements (2) of up to 50 years with Grand Husk Solar, of Chicago, Illinois, for approximately 759 acres at the Waterloo Regional Airport, effective upon execution of the agreement, for the development of solar fields in various locations, as defined within the agreement, with a one-time signing fee of $50/acre plus annual rent of $50/acre during the development term, $350/acre during the construction term, and $1,400/acre during the production term (subject to two-percent per year increase during the production term), and authorizing the Mayor and City Clerk to executed said document.

This item was removed from the agenda.

Resolution approving a Professional Services Agreement with Terracon Consultants, Inc., of Cedar Falls, Iowa, in the amount not to exceed $31,350.00 in conjunction with the FY 2026 EDA WARP Storm, Sanitary and Water Extensions, Contract No. 1138, and authorizing the Mayor and City Clerk to execute said document.

Chiles/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-592.

Resolution approving an Engineering Services Agreement with Strand Associates, to update the Waste Water Treatment Plant Facilities Plan from 2017, in an amount not to exceed

$275,000.00, and authorizing the Mayor to execute said document.

Chiles/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-593.

Resolution approving a Professional Services Agreement with Fehr Graham Engineering and Environmental for an amount not to exceed $4,500.00, to perform land surveying work at 360 Westfield Avenue, and authorizing the Mayor to execute said document.

Chiles/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-594.

ADJOURNMENT

Feuss/Chiles
that the council adjourn at 6:15 p.m. Voice vote-Ayes: Seven. Motion carried.

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Kelley Felchle
City Clerk