November 3, 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, November 3, 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, Belinda Creighton-Smith, Ward 4 Council Member.

Approval of Agenda as proposed or amended.

Feuss/Wilder
that the agenda, as amended by removing items 27 and 28 from the consent agenda, item 7 in public hearings and items 8 and 9 under resolutions, be approved. Voice vote-Ayes: Seven. Motion carried.

Approval of Minutes of the October 20, 2025, Regular Council Session as proposed or amended.

Feuss/Wilder
that the minutes of the October 20, 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; Mary Potter, Grout Museum Board; Dan Yates, 1650 Golden Valley; Megan Butler, 818 Clough; Ritch Kurtenbach, 238 Normandy and Black Hawk County Supervisor; Renee Carson, 1108 Vine; David Dreyer, 3145 W. 4th Street; Wayne Natham, 548 Cloverdale; LaTonya Graves, 607 E. Donald Street

Mr. Feuss thanked Jessica Rucker, Executive Director of Main Street Waterloo, for coming to give a presentation about the incentive program.

Ms. Wilder encouraged everyone to get out to vote.

Mr. Boesen commented that he would like to look again at the ordinance regarding parking around the convention center.

Mayor Hart responded to a comment made claiming Waterloo doesn't have much outside of bars and restaurants. He shared several assets the city has, including the newly renovated Convention Center, SportsPlex, Center for the Arts, Young Arena, museums and many others.

Mr. Simon echoed Ms. Wilder's comments and encouraged everyone to take a good look at the candidates.

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

CONSENT AGENDA

Feuss/Wilder
that the following items on the consent agenda, including the payment of bills for October 27, 2025, in the amount of $2,726,903.69, and November 3, 2025, in the amount of $5,778,804.95, be received and placed on 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. 2025-595.

Resolution approving the request by Jordan Haas, for tax exemptions on the construction of a new condominium valued at $279,900.00, for property located at 4102 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-596.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4104 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-597.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4106 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-598.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4107 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-599.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4108 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-600.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4109 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-601.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4112 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-602.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4113 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-603.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4114 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-604.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4115 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-605.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4116 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-606.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4117 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-607.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4118 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-608.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4119 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-609.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4122 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-610.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4123 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-611.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4124 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-612.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4125 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-613.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4126 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-614.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4127 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-615.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4128 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-616.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4135 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-617.

Resolution approving the request by Robson Homes Inc., for tax exemptions on the construction of a new condominium valued at $200,000.00, for property located at 4137 Omaha Avenue and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-618.

Resolution approving the request by Saj Mukhtar, for tax exemptions on the construction of a new single-family home valued at $440,000.00, for property located at 2319 Osage Avenue and located in the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-619.

Resolution approving the request by Black Hawk LLC, for tax exemptions on the construction of a new commercial building valued at $535,000.00, for property located at 1923 Black Hawk Street and located in the Consolidated Urban Revitalization Area (CURA).

Resolution adopted and upon approval by Mayor assigned No. 2025-620.

Resolution setting date of public hearing as November 17, 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.

This item was removed by amendment.

Resolution setting date of public hearing as November 17, 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, including a Development Agreement for the construction of seventy single-family homes, and instruct the City Clerk to publish public notice.

This item was removed by amendment.

Resolution setting date of public hearing as December 1, 2025 to approve entering into a long-term ground lease with Grand Husk Solar to lease approximately 759 acres of Airport-owned land, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2025-621.

Resolution approving submission of a Highway Safety Improvement Program (HSIP) grant application in the amount of $420,000.00, for snow protection of red signal lights.

Resolution adopted and upon approval by Mayor assigned No. 2025-622.

Resolution authorizing additional fund transfer for FY25, as listed in Exhibit "A" as required by law.

Resolution adopted and upon approval by Mayor assigned No. 2025-623.

Resolution authorizing fund transfer for FY26, as listed in Exhibit "A" as required by law.

Resolution adopted and upon approval by Mayor assigned No. 2025-624.

Resolution approving the award of hotel/motel tax council discretionary funds to the Cedar Valley Irish Cultural Association in the amount of $6,250.00.

Resolution adopted and upon approval by Mayor assigned No. 2025-625.

Motion to approve Final Quantity Summary with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net increase of $938,981.71, in conjunction with the FY 2020 University Avenue Reconstruction Phase 3 Project, Contract No. 971, and authorizing the Mayor and City Clerk to execute said document.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of $15,326,632.08, in conjunction with the FY 2020 University Avenue Reconstruction Phase 3 Project, Contract No. 971, and receive and file a two-year maintenance bond.

Resolution adopted and upon approval by Mayor assigned No. 2025-626.

Motion to approve Change Order No. 1 with Thome Excavating & Grading of La Porte City, Iowa, for a net increase of $2,820.00, in conjunction with additional demolition work for property located at 222 Randall Street in conjunction with Demolition and Site Clearance Services Contract No. D-2025-06-03P.

Motion to approve Change Order No. 3 with Peters Construction Corporation of Waterloo, Iowa, for a total increase of $24,552.89, in conjunction with the FY 2024 Byrnes Aquatic Center, Contract No. 1077, and authorizing the Mayor to execute said document.

Motion to approve Change Order No. 31 with ITG Communications, LLC, of Hendersonville, Tennessee, for a net increase of $44,845.42. 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. 32 with ITG Communications, LLC, of Hendersonville, Tennessee, for a net increase of $51,109.97. 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. 33 with ITG Communications, LLC, of Hendersonville, Tennessee, for a net increase of $42,373.57. 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. 1 with Lehman Trucking & Excavating, Inc. of Waterloo, Iowa, for a net increase of $750.00, for additional demolition work for property located at 100 E. 9th Street, in conjunction with Demolition and Site Clearance Services Contract RD-2025-08-02P.

Motion to receive and file Airport Board minutes of September 17, 2025.

Motion to receive and file Grout Museum funding reports of July, August, and September 2025.

Motion to receive and file Leisure Services Commission Board minutes of September 9, 2025.

Motion to approve the appointment of **Logan Cinnamon** from the current Civil Service List to the position of City Forester in the Leisure Services Department, effective November 10, 2025.

Jessica Rucker, Board/Commission: Community Development Board, Expiration Date: March 1, 2029, [Renewal].

Liquor Licenses
Capella Magna, LLC, 622 Commercial Street, Class C w/Sunday Sales (Renewal) 11/30/2026.
Carpenter's Diner, 518 Jefferson Street, Class C w/Sunday Sales (Renewal) 11/02/2026.
Casey's #2879, 3260 University Avenue, Class E w/Sunday Sales (Premises Updates) 09/30/2026.
Dollar General #4698, 2935 Logan Avenue, Class C w/Sunday Sales (Ownership Update) 07/14/2026.
Fareway Stores #951, 40 W. San Marnan Drive, Class E w/Sunday Sales (Renewal) 11/15/2026.
Hy-Vee #1 Clubroom, 2834 Ansborough Avenue, Class C w/Sunday Sales (Renewal)10/16/2026.
Hy-Vee Fast & Fresh #1, 3700 University Avenue, Class B w/Sunday Sales (Renewal) 10/31/2026.
The Loft, 710 Jefferson Street, Class C w/Sunday Sales (Renewal) 10/31/2026.
Three Amigos Family Restaurant, 2820 Falls Avenue, Class C w/Sunday Sales (Renewal) 08/24/2026.
West Side Liquor, 919 West 5th Street, Class E w/Sunday Sales (Renewal) 10/29/2026.

Cigarette/Tobacco/Nicotine/Vapor Permits
BP Fuel, 127 Jefferson Street. (Retail Tobacco)
Casey's 218 Pub, 4014 University Avenue. (Retail Tobacco)
King Star, 2035 E. Mitchell Avenue. (Retail Tobacco)

PUBLIC HEARINGS

Request by Xcel Electric LLC for a Site Plan Amendment for the construction of a 5,000 square foot building in the “B-P” Business Park District located south of 3211 Titan Trail.

Nichols/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 and there were none.

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

Nichols/Wilder
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 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. Roll Call vote-Ayes: Seven. Motion carried.

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

Nichols/Wilder
to consider and pass for the second and third times and adopt the ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5807.

<u>Amendment No. 7 to the Martin Road Urban Renewal Development Plan, to remove a property from the TIF area.</u>

Feuss/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.

Megan Butler, 818, Clough, questioned if there is enough money in the budget to build new roads and infrastructure for items 2 and 3.

Noel Anderson, Community Planning and Development Director, provided a history of the property acquisitions and explained that a lot of infrastructure is already there and that grant funds are available to help fund the development.

Mayor Hart provided additional information making this a special site to develop.

David Dreyer, 3145 W. 4th, commented that items 2 through 7 do not benefit the taxpayers, schools or the county because the money stays in the TIF.

Mr. Boesen clarified for the public that items 2 and 3 are removing a property from the TIF area.

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

Feusks/Nichols
Resolution affirming previous determination of an area of the City to be an economic development area, determining that the development or redevelopment of said area is necessary in the interest of public health, safety or welfare, designating said area as appropriate for an urban renewal project, and approving the plan amendment. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-627.

Feuss/Nichols
to receive, file, consider and pass for the first time an ordinance providing that the general property taxes levied and collected each year on all property located within the newly described Martin Road Urban Renewal Development Plan Area, in the City of Waterloo, County of Black Hawk, State of Iowa, by and for the benefit of the State of Iowa, City of Waterloo, County of Black Hawk, Waterloo Community School District and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies, advanced to and indebtedness, including bonds issued or to be issued, incurred by said City in connection with said Urban Renewal Project. Roll Call vote-Ayes: Seven. Motion carried.

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

Feuss/Nichols
to consider and pass for the second and third times and adopt the ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5808.

<u>Amendment No. 9 to the San Marnan Urban Renewal and Redevelopment Plan, to remove a property from the TIF area.</u>

Feuss/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 and there were none.

Feuss/Nichols
to close hearing. Voice vote-Ayes: Seven. Motion carried.

Feuss/Nichols
Resolution affirming previous determination of an area of the City to be an economic development area, determining that the development or redevelopment of said area is necessary in the interest of the public health, safety or welfare, designating said area as appropriate for an urban renewal project, and approving the plan amendment. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-628.

Feuss/Nichols
to receive, file, consider and pass for the first time an ordinance providing that the general property taxes levied and collected each year on all property located within the newly described

San Marnan Urban Renewal and Redevelopment Plan Area, in the City of Waterloo, County of Black Hawk, State of Iowa, by and for the benefit of the State of Iowa, City of Waterloo, County of Black Hawk, Waterloo Community School District and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies, advanced to and indebtedness, including bonds issued or to be issued, incurred by said City in connection with said Urban Renewal Project. Roll Call vote-Ayes: Seven. Motion carried.

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

Feuss/Nichols
to consider and pass for the second and third times and adopt the ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5809.

<u>Amended and Restated South Waterloo Unified Urban Renewal and Redevelopment Plan.</u>

Nichols/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.

Megan Butler, 818 Clough, questioned how many different areas are needed for large businesses and are we expecting large businesses in this area as well.

Noel Anderson, Community Planning and Development Director, provided an overview of the TIF districts and the various types of large businesses going into those areas.

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

Nichols/Wilder
Resolution affirming previous determination of an area of the City to be an economic development area, determining that the development or redevelopment of said area is necessary in the interest of the public health, safety or welfare, designating said area as appropriate for an urban renewal project, and approving the plan amendment. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-629.

Mr. Boesen questioned if the purpose of the action was to merge two TIF Districts into one South Unified TIF District.

Noel Anderson, Community Planning and Development Director, confirmed and provided the benefit of the merge.

Nichols/Wilder
to receive, file, consider and pass for the first time an ordinance providing that the general property taxes levied and collected each year on all property located within the newly described

Amended and Restated South Waterloo Unified Urban Renewal and Redevelopment Plan Area, in the City of Waterloo, County of Black Hawk, State of Iowa, by and for the benefit of the State of Iowa, City of Waterloo, County of Black Hawk, Waterloo Community School District and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies, advanced to and indebtedness, including bonds issued or to be issued, incurred by said City in connection with said Urban Renewal Project. Roll Call vote-Ayes: Five. Nays: Two (Boesen and Simon). Motion carried.

Nichols/Wilder
to suspend the rules. Roll Call vote-Ayes: Five. Nays: Two (Boesen and Simon). Motion failed.

<u>Amendment to the Downtown Waterloo Riverfront Urban Renewal and Redevelopment Plan for the 2025 Expansion Area.</u>

Boesen/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.

Megan Butler, 818 Clough, spoke in support of the TIF District.

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

Boesen/Wilder
Resolution affirming previous determination of an area of the City to be an area of slum and blight and an economic development area, determining that the development or redevelopment of said area is necessary in the interest of the public health, safety or welfare, designating said area as appropriate for an urban renewal project, and approving the plan amendment. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-630.

Boesen/Wilder
to receive, file, consider and pass for the first time an ordinance providing that the general property taxes levied and collected each year on all property located within the newly described Downtown Waterloo Riverfront Urban Renewal and Redevelopment Plan 2025 Expansion Area, in the City of Waterloo, County of Black Hawk, State of Iowa, by and for the benefit of the State of Iowa, City of Waterloo, County of Black Hawk, Waterloo Community School District and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies, advanced to and indebtedness, including bonds issued or to be issued, incurred by said City in connection with said Urban Renewal Project. Roll Call vote-Ayes: Seven. Motion carried.

Boesen/Wilder
to suspend the rules. Roll Call vote-Ayes: Seven. Motion carried.

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

5810.

Baltimore Fields Urban Renewal Plan.

Feuss/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.

David Dreyer, 3145 W. 4th Street, questioned if a map exists for the TIF District.

Noel Anderson, Community Planning and Development Director, commented on the boundary of the TIF District.

David Dreyer questioned if this was the same property that was sold to a developer for one dollar.

Noel Anderson provided an overview of the development agreement.

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

Feuss/Wilder
Resolution determining an area of the City to be an economic development area, determining that the development or redevelopment of said area is necessary in the interest of the public health, safety or welfare, designating said area as appropriate for an urban renewal project, and approving the plan. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-631.

Feuss/Wilder
to receive, file, consider and pass for the first time an ordinance providing that the general property taxes levied and collected each year on all property located within the described Baltimore Fields Urban Renewal Area, in the City of Waterloo, County of Black Hawk, State of Iowa, by and for the benefit of the State of Iowa, City of Waterloo, County of Black Hawk, Waterloo Community School District and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies, advanced to and indebtedness, including bonds issued or to be issued, incurred by said City in connection with said Urban Renewal Project. Roll Call vote-Ayes: Four. Nays: Three (Boesen, Chiles and Simon). Motion carried.

Feuss/Wilder
to suspend the rules. Roll Call vote-Ayes: Four. Nays: Three (Boesen, Chiles and Simon). Motion failed.

Highland Meadows Urban Renewal Plan.

This item was removed by amendment.

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.

Boesen/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.

Megan Butler, 818 Clough, questioned if most of the homes in that area are already sold and if any enhancements anticipated.

Noel Anderson, Community Planning and Development Director, provided an update on the development agreement. He explained that the developer is putting in all the infrastructure, but the city is required to help with the infrastructure heading to the north and could also head to the east.

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

Boesen/Feuss
to receive, file, consider, and pass for the first time an ordinance amending Ordinance No. 5079, as amended, City of Waterloo Zoning Ordinance, by amending the Official Zoning Map referred to in Section 10-4-4, approving a request by Robson Homes for a rezone of approximately 37.07 acres from “R-3” Multiple Residence District to “R-3, R-P” Planned Multiple Residence District located east of Omaha Avenue. Roll Call vote-Ayes: Seven. Motion carried.

Mr. Boesen questioned at what phase they would need to build another inlet for fire services.

Noel Anderson, Community Planning and Development Director, commented it would be in the next phase or two.

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

Boesen/Feuss
to consider and pass for the second and third times and adopt the ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5811.

<u>Sale and conveyance of 420 Bayard Street in the Church Row Neighborhood to Iowa Heartland Habitat for Humanity, including a Development Agreement, Demolition Agreement and a grant of $7,500.00 for infill housing development.</u>

Nichols/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 and there were none.

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

Nichols/Wilder
Resolution authorizing the sale and conveyance of 420 Bayard Street in the Church Row Neighborhood to Iowa Heartland Habitat for Humanity, in the amount of $1.00, 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. 2025-632.

Nichols/Wilder
Resolution approving a Development Agreement with Iowa Heartland Habitat for Humanity, with a grant of $7,500.00 for infill housing development for the construction of one new residential unit, including a Demolition Agreement, 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. 2025-633.

RESOLUTIONS

Resolution approving a Second Amendment to the Development and Minimum Assessment Agreement with VI 2, LLC to allow for a minimum assessment in the amount of $386,610.00, and authorizing the Mayor and City Clerk to execute said documents.

Feuss/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-634.

Resolution approving a Development Agreement with EIC Enterprises for the relocation of the home at 3280 Newell Street to a property at the corner of Campbell Avenue and Lawnhill Avenue, including an Infill Housing Grant of $10,000.00, and authorizing the Mayor and City Clerk to execute said documents.

Feuss/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-635.

David Dryer, 3145 W. 4th Street, commented that there should be a standard for development agreements with a take it or leave it approach.

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

Ms. Creighton-Smith questioned the estimated value of the home once it is moved.

Noel Anderson explained that he can check with the assessor on what the new value will be on the home.

Forest Dillavou, 1725 Huntington Road, commented that he would rather see the home moved to one of the city-owned lots.

Mr. Boesen questioned if the city would be responsible for removing the foundation.

Noel Anderson clarified that they did not deny the ability to move this house to Community Development, and explained that the city would remove the foundation where the house sat at the farmstead.

Resolution approving a Development Agreement with 205 E. 4th LLC (JSA Development) for the approximate $56 million redevelopment of the historic Black's Building into an approximate 130-room national brand hotel, with up to twenty-five residential units, and commercial space, to provide reimbursement grant funds in the amount of $14 million, with no tax rebates or abatement, and a management agreement for the Park Avenue parking ramp, with a new minimum assessed value of $8 million for the Black's Building, and authorizing the Mayor and City Clerk to execute said documents.

Nichols/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-636.

David Dryer, 3145 W. 4th Street, commented that he did not understand the math on the incentives and requested clarification.

David Deeds, JSA Development, delivered a presentation on the development plans for the redevelopment of the Black's Building.

Resolution approving a Subordination Agreement with FDP WTC, LLC and State Bank of Cherry, in conjunction with the Courtyard by Marriot at Techworks, located at 250 Westfield Avenue, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-637.

Mr. Boesen questioned how much money was being moved last in line of the agreement.

Noel Anderson, Community Planning and Development Director, explained that he did not have the exact amount available but would get that number to council. He commented that these are second and third mortgages that we are subordinating so we will not be at the front of the line.

Resolution approving an Amendment to a Development Agreement, originally executed February 21, 2022, with Iowa Heartland Habitat for Humanity, to extend the deadline for the completion of one home in the development agreement, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-638.

Resolution approving a Second Amendment to the Development Agreement with Debra Kay Hodges Harmon, originally executed December 7, 2020, concerning the rehabilitation of 1644 Logan Avenue to extend the timeline of completion to December 31, 2025, and remove a requirement for fencing, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Wilder
Roll Call vote-Ayes: Five. Nays: Two (Chiles and Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-639.

Mr. Boesen questioned why they are asking to remove the fence requirement.

Noel Anderson, Community Planning and Development Director, explained that the applicant requested the requirement be removed.

Mayor Hart questioned why there was a fence requirement to begin with.

Noel Anderson explained that the developer initially requested a fence as part of the list of improvements.

Resolution approving a Third Amendment to the Development and Minimum Assessment Agreement with 1515 Sycamore, LLC, originally executed April 15, 2024, for the rehabilitation of 1515 Sycamore Street, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-640.

Resolution approving a Development Agreement with Crossroads Square Partners, LP, for the rehabilitation of 1820 East Ridgeway Avenue with property tax rebates for ten years, with eighty percent for year one, seventy percent for year two, sixty percent for year three, fifty percent for year four, forty percent for years five and six, thirty percent for years seven and eight, and twenty percent for years nine and ten, and a Minumum Assessment Agreement of $5,800.000.00, and authorizing the Mayor and City Clerk to execute said document.

This item was removed by amendment.

Resolution approving a Development Agreement with Camelot Apartments Partners, LP, for the rehabilitation of 1650 Camelot Drive with property tax rebates for ten years, with eighty percent for year one, seventy percent for year two, sixty percent for year three, fifty percent for year four, forty percent for years five and six, thirty percent for years seven and eight, and twenty percent for years nine and ten, and a Minumum Assessment Agreement in the amount of $5,800.000.00, and authorizing the Mayor and City Clerk to execute said document.

This item was removed by amendment.

Resolution approving a Professional Services Contract with Schumacher Elevator for the replacement of the Waterloo Public Library elevator in the amount of $275,301.00, and authorizing the Mayor to execute said document.

Nichols/Wilder
Roll Call vote-Ayes: Six. Mr. Chiles abstained due to a business relationship. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-641.

Resolution approving a Three-Year Marketing and Sponsorship Agreement with Panther Sports Properties/Learfield Communications of Kansas City, Missouri, in the amount of $15,700.00 in year one; $16,485.00 in year two; $17,309.00 in year three, and authorizing the Mayor to execute said document.

Nichols/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-642.

David Dreyer, 3145 W. 4th Street, questioned what the city will get with this agreement.

Steven Kjergaard, Director of Aviation, explained that this is an agreement with University of Northern Iowa for sporting events.

Megan Butler, 818 Clough, questioned if we have offered the job to the UNI marketing or athletics department to keep the money local.

Mike Murry, Panther Sports Properties, provided an overview of the program.

David Deeds, Airport Board Chair, explained the marketing strategy is to capture additional market share in Black Hawk County.

Resolution approving a Professional Services Agreement with Pro-West & Associates, of Walker, Minnesota, in an amount not to exceed $5,793.64, in conjunction with the Utility Network Readiness Assessment, and authorizing the Mayor to execute said document.

Nichols/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-643.

David Dreyer, 3145 W. 4th Street, questioned why MidAmerican Energy could not help the city with this issue.

Jamie Knutson, City Engineer, provided an overview of the item and explained that this is an agreement with the city's GIS provider for upgrades to the system maping and it has nothing to do with MidAmerican Energy.

Resolution approving an agreement with MidAmerican Energy Company, of Des Moines, Iowa, in the amount of $10,109.47, for the installation of a transformer in conjunction with the La Porte Road Improvements, and authorizing the Mayor to execute said document.

Feuss/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-644.

Mr. Boesen questioned if there was a timeline when this will be up and running.

Jamie Knutson, City Engineer, shared that he is uncertain if this is a transformer they have on hand or will need to order but knows they

Resolution approving Addendum No. 7, in the amount of $9,095.00, with EN Communications, 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 to execute said document.

Feuss/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-645.

David Dreyer, 3145 W. 4th Street, questioned how much money has been invested, have we made anything back yet and is there a projected final cost.

Jamie Knutson, City Engineer, explained this is for the design work to add fiber to additional areas.

Ritch Kurtenbach, 238 Normandy and Waterloo Fiber Utility Board, shared that they are currently over three million dollars under budget for the project. However, there are condos, apartments and new developments that were not included in the initial build and this is bringing fiber to those areas.

Resolution approving Addendum No. 8, in the amount of $10,340.00, with EN Communications, 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 to execute said document.

Feuss/Nichols
Roll Call vote-Ayes: ____. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-646.

Resolution approving Addendum No. 9, in the amount of $6,970.00, with EN Communications, 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 to execute said document.

Roll Call vote-Ayes: ____. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-647.

ORDINANCES

An ordinance repealing City of Waterloo Traffic Code of Ordinances Subsection (A) (3) Commercial Street and 5th Street (W) of Section 539 No Turn Allowed at Red Light.

Boesen/Wilder
to receive, file, consider, and pass for the first time an ordinance repealing City of Waterloo Traffic Code of Ordinances Subsection (A) (3) Commercial Street and 5th Street (W) of Section 539 No Turn Allowed at Red Light. Roll Call vote-Ayes: Seven. Motion carried.

Boesen/Wilder
to suspend the rules. Roll Call vote-Ayes: Seven. Motion carried.

Boesen/Wilder

to consider and pass for the second and third times and adopt said ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5812.

An ordinance amending the City of Waterloo Traffic Code of Ordinances by adding Subsection (41a) Sager Avenue, south side in an easterly direction from Tiffany Place to Section 553, No Parking Here to Corner.

Boesen/Wilder
to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Traffic Code of Ordinances by adding Subsection (41a) Sager Avenue, south side in an easterly direction from Tiffany Place to Section 553, No Parking Here to Corner. Roll Call vote-Ayes: Seven. Motion carried.

Boesen/Wilder
to suspend the rules. Roll Call vote-Ayes: Seven. Motion carried.

Boesen/Wilder
to consider and pass for the second and third times and adopt said ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5813.

An ordinance amending Ordinance No. 4708, providing that general property taxes shall no longer be divided on certain property located within the Amended Martin Road Development Area.

Wilder/Feuss
to receive, file, consider, and pass for the first time, an ordinance amending Ordinance No. 4708, providing that general property taxes shall no longer be divided on certain property located within the Amended Martin Road Development Area of the City of Waterloo, County of Black Hawk, State of Iowa (removing Martin Road Amendment No. 1 Area from division of taxes effective July 1, 2026. Roll Call vote-Ayes: Seven. Motion carried.

David Dreyer, 3145 W. 4th Street, requested clarification.

Noel Anderson, Community Planning and Development Director, explained that this action is to release portions of the TIF that are at their twenty-year sunset. He shared that there is approximately $10,146,630.00 in taxable increment value that will be released, equating to $401,254.00. He then provided the breakdown of dollars going to the various entities.

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

Wilder/Feuss
to consider, and pass for the second and third times and adopt said ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5814.

An ordinance amending the City of Waterloo Fire Code of Ordinances by modifying Section 104.7.2 to require third-party review for all new fire protection system installations.

Feuss/Wilder
to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Fire Code Ordinances by modifying Section 104.7.2, to require third-party review for all new fire protection system installations. Roll Call vote-Ayes: Seven. Motion carried.

Mr. Boesen questioned if third-party review would be allowed as long as they are certified.

Bill Beck, Fire Chief, confirmed that it was agreed that, as long as they have a certified fire engineer, they would be okay and would not be required to use any one company.

Mr. Boesen stated that in a work session presentation it was indicated that we were going to use the same company we have used before.

Bill Beck commented that it was more of an issue that there are not a lot of companies to choose from.

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

Feuss/Wilder
to consider and pass for the second and third times and adopt said ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5815.

ADJOURNMENT

Feuss/Wilder
that the council adjourn at 7:12 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk