

December 1, 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, December 1, 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, Steve Simon, At-Large Council Member.

Approval of Agenda as proposed or amended.

Feuss/Simon

that the agenda as amended, removing Resolution Item #11 and correcting the dollar amount in Resolution Item #16 to read \$4,050,000.00, be approved. Voice vote-Ayes: Seven. Motion carried.

Approval of Minutes of the November 17, 2025, Regular Council Session, and the November 24, 2025, Council Special Session, as proposed or amended.

Feuss/Simon

that the minutes of the November 17, 2025, Regular Council Session, and the November 24, 2025, Special Session as proposed, be approved. Voice vote-Ayes: Seven. Motion carried.

PUBLIC COMMENTS

The following individuals commented on various subjects.

Arron Stacey Roberts, 411 Almond, Mary Potter, Grout Museum Trustee, Megan Butler, 818 Clough, Jessica Rucker, Main Street Waterloo

Feuss/Wilder

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

CONSENT AGENDA

Feuss/Wilder

that the following items on the consent agenda be received and placed on file, including the payment of bills for November 24, 2025, in the amount of \$6,208,048.85, and December 1, 2025, in the amount of \$7,345,187.66, 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.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor

assigned No. 2025-681.

Resolution approving Acknowledgment/Settlement Agreement for Tobacco Violation -Second Offense with the National Cigar Store, 617 Sycamore Street, Waterloo, Iowa 50703, and acceptance of a civil penalty in the amount of \$1,500.00, 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. 2025-682.

Resolution approving the request by Correunta Ford, for tax exemptions on the construction of a new single-family home valued at \$285,000.00, for property located at 114 Axlewood Drive and located in the Consolidated Urban Revitalization Area (CURA).

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-683.

Resolution setting the date of public hearing as December 15, 2025, to authorize the sale and conveyance of 1.04 acres east of 2123 Commercial Street to R&M Metals Properties, LLC, in the amount of \$4,678.96, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-684.

Resolution setting date of public hearing as December 15, 2025, to authorize the sale and conveyance of 217-221 W. 5th Street to The Battery Building, LLC, in the amount of \$1.00, for the approximate \$6.63 million rehabilitation of an approximately 16,700 square foot three-story building, into residential and commercial space, including approval of a Development and Minimum Assessment Agreement, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-685.

Resolution setting date of public hearing as December 15, 2025, for the sale and conveyance of approximately 4.22 acres of city-owned property, located east of 4050 Leverage Road, in the amount of \$1.00, to RNK Investments, LLC, including a Phased Development and Minimum Assessment Agreement, for the construction of a 12,000 square foot commercial building, and a future 12,000 square foot expansion, with an approximate value of \$1,500,000.00, located southeast of 180 Warp Drive, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-686.

Resolution setting date of public hearing as December 15, 2025, for a Site Plan Amendment by RNK Investments, LLC, for the construction of a 12,000 square foot commercial building, and a future 12,000 square foot expansion, located in the "M-2,P" Planned Industrial District located northeast of 4050 Leverage Road, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-687.

Resolution setting date of public hearing as December 15, 2025, for the sale and conveyance of approximately twelve acres of City-owned property in the amount of \$1.00 to Wahawk Power,

LLC, for the construction of an 80,000 square-foot data center, with an accessory water treatment area and substation, having a minimum assessed value of \$6,000,000.00, located north of 570 West Shaulis Road, including a Development Agreement and Minimum Assessment Agreement with rebate schedule of ten-years at fifty-percent, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-688.

Resolution setting the date of hearing as December 15, 2025 to approve a twenty-five year lease agreement with an option for a ten-year renewal, with 205 E 4th, LLC, to lease/manage the Park Avenue Parking Ramp, located at 310 East Park Avenue, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-689.

Resolution accepting storm sewer improvements at 1900 W. Ridgeway Avenue, from Casey's General Store.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-690.

Motion to approve Change Order No. 08 with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net increase of \$101,242.50, in conjunction with FY 2024 La Porte Road Improvements, Phase I Project, Contract No. 1016, DOT Contract No. STBG-SWAP-8155(760)--SG-07, and authorizing the Mayor and City Clerk to execute said document.

Motion to approve Change Order No. 10 with Woodruff Construction of Waterloo, Iowa, for a total decrease of \$114,745.87, in conjunction with the FY 2023 Gates Park Improvements Project, Contract No. 1076, and authorizing the Mayor to execute said document.

Motion to receive and place on file the 2024 Audit of the Waterloo Water Works.

Motion to receive and place on file the 2024 Operating Report of the Waterloo Water Works.

Motion to receive and file the 2026 Budget of the Waterloo Water Works and authorize the City Clerk to file said documents with Black Hawk County Auditor.

Motion to receive and file the 2026 Budget of Waterloo Fiber and authorize the City Clerk to file said documents with Black Hawk County Auditor.

Motion to approve the appointment of **Barkley Hill** from the current Civil Service List to the position of Equipment Operator II in the Street Department, effective December 2, 2025.

Motion to approve the appointment of **Senada Muhic** from the current Civil Service List to the position of Compliance Supervisor in the Housing Authority Department, effective December 2, 2025.

Motion to approve the appointment of **Haris Tricic** from the current Civil Service List to the position of Equipment Operator II in the Street Department, effective December 2, 2025.

Communication from the Leisure Services Department on the notice of the conclusion of employment of Neal Miller, Downtown Maintenance, effective November 5, 2025, with recommendation of approval of payout of \$1,152.08 for unused benefits.

Communication from the Community Development Department on the notice of the conclusion of employment of Stacey Wright, Administrative Secretary, effective October 31, 2025, with recommendation of approval of payout of \$1,729.53 for unused benefits.

Liquor Licenses

1850 Patio & Grill, 1850 Ridgeway Avenue, Class C w/Outdoor Service and Sunday Sales (Renewal) 10/31/2026.

Express Mart, 2027 Falls Avenue, Class E w/Sunday Sales (Renewal) 10/30/2026.

Kwik Star #17, 135 East Ridgeway Avenue, Class E w/Sunday Sales (Renewal) 10/03/2026.

New Star Liquor, 1625 West 4th Street, Class E w/Sunday Sales (Renewal) 12/10/2026.

Wine & Spirits #1, 2126 Kimball Avenue, Class E w/Sunday Sales (Renewal) 11/14/2026.

Bonds.

Boesen/Feuss

to receive and file the 2026 Budget of Waterloo Fiber and authorize the City Clerk to file said documents with the Black Hawk County Auditor. Voice vote-Ayes: Seven. Motion carried.

Mr. Boesen questioned the increase in both wages and salaries and the lease of the building.

Eric Lage, General Manager, provided an overview of the cost increases.

PUBLIC HEARINGS

Cattle Congress Lift Station application for a State Revolving Fund loan.

Feuss/Chiles

to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

David Dreyer, 3145 W. 4th Street, questioned if the city has cash on hand to pay for things rather than borrowing.

Randy Bennett, Public Works Division Manager, explained that there are things that they pay for with cash, including their CIPP projects.

This being the time and place of the public hearing, the Mayor called for written and oral comments.

Creighton-Smith/Chiles

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

Creighton-Smith/Chiles

Resolution approving submission of an application for the Cattle Congress Lift Station State Revolving Fund Loan, and authorizing the Assistant Director/Treatment Operations Supervisor for Waste Management Services to execute said document. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-691.

Grand Husk Solar long-term land lease with the Waterloo Regional Airport.

Chiles/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.

David Dreyer, 3145 W. 4th Street, questioned if the city will be receiving funds as a result of the lease.

Steven Kjergaard, Airport Director, provided an overview of the lease.

Chiles/Feuss

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

Chiles/Feuss

Resolution approving a long-term ground lease of approximately 759 acres of Airport-owned property, to Grand Husk Solar, in the amount of \$50.00 per acre upon signing, \$50.00 per acre per year through the development term, \$350.00 per acre per year through the construction term, and \$1,400.00 per acre per year through the production term, and authorizing the Mayor and City Clerk to execute said documents.

Mr. Boesen commented that he contacted the Airport Director over the weekend because there was no documentation attached related to this lease agreement. He was told the item would be removed from the agenda, but tonight there is a 69-page lease agreement he has not had the opportunity to read.

Steven Kjergaard, Director of Aviation, explained that the late addition was because he had not received council concurrence until today.

Boesen/Simon

to postpone the item until the next council meeting. Roll Call vote-Ayes: Seven. Motion carried.

Request by the City of Waterloo to rezone approximately 0.33 acres from "C-1, C-Z" Conditional Zoning District to "R-2" One and Two Family Residence District located at 541 Albany Street.

Chiles/Wilder

to receive and file proof of publication of notice of public hearing. Voice vote-Ayes: Seven. Motion carried.

This being the time and place of the public hearing, the Mayor called for written and oral comments and there were none.

Boesen/Simon

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

Chiles/Wilder

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 the City of Waterloo to rezone approximately 0.33 acres from "C-1, C-Z" Conditional Zoning District to "R-2" One and Two Family Residence District located at 541 Albany Street. Roll Call vote-Ayes: Seven. Motion carried.

Chiles/Wilder

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

Chiles/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. 5816.

Request by Luke and Megan Finley to rezone approximately 1.18 acres from "A-1" Agricultural District to "R-1" One and Two Family Residence District located east of 930 East Orange Road.

Nichols/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.

Luke Finley, introduced himself and stated that he and his wife would reside in the home.

Nichols/Chiles

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

Nichols/Chiles

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 Luke and Megan Finley to rezone approximately 1.18 acres from "A-1" Agricultural District to "R-1" One and Two Family Residence District located east of 930 East Orange Road. Roll Call vote-Ayes: Seven. Motion carried.

Nichols/Chiles

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

Nichols/Chiles

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. 5817

Sale and conveyance of approximately 6.29 acres of city-owned property, located directly north of 3470 West Airline Highway, including a Development Agreement.

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 and there were none.

Feuss/Wilder

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

Feuss/Wilder

Resolution approving the sale and conveyance of 6.29 acres of city-owned property, located directly north of 3470 West Airline Highway, to International Paper Company, 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. 2025-692.

Feuss/Wilder

Resolution approving an Amendment to the Development Agreement with International Paper Company, to sell 6.29 acres of city-owned property, located directly north of 3470 West Airline Highway, 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. 2025-693.

RESOLUTIONS

Resolution adopting a policy on the prohibition of the use of excessive force.

Creighton-Smith/Boesen

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-694.

David Dreyer, 3145 W. 4th Street, questioned if we already had this policy in place.

Mayor Hart confirmed and stated that this is to change some of the language to mirror the states.

Resolution approving the suspension of Civil Service hiring practices for entrance level positions as authorized by Iowa Code section 400.12A for the time period of January 7, 2026 through January 6, 2027.

Creighton-Smith/Boesen

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-695.

David Dreyer, 3145 W. 4th Street, questioned why the civil service rules are being suspended.

Missy Gearhart, Assistant Human Resources Director, provided an overview of the suspension process.

Resolution approving Supplemental Agreement No. 2 with AECOM, Inc., in the amount of \$1,364,500.00, in conjunction with the FY 2026 La Porte Road Improvements, Phase II, Contract No. 1128, and authorizing the Mayor and City Clerk to execute said document.

Creighton-Smith/Boesen

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-696.

Resolution approving Supplemental Agreement No. 2, to a Professional Services Agreement with Foth Infrastructure and Environment, LLC, originally executed March 17, 2025, in an amount not to exceed \$81,000.00, in conjunction with the FY 2026 Katoski Drive and Huntington Road Reconstruction, Contract No. 1123, and authorizing the Mayor to execute said document.

Chiles/Creighton-Smith

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-697.

Forest Dillavou, 1725 Huntington Road, requested an overview of the funding for the item.

Jamie Knutson, City Engineer, explained that each entity will pay a percentage. The city's portion is three quarters of the cost. He further explained that this is only for landscaping inside the middle of the roundabout.

Mr. Simon commented that he can see why people have concerns about funding for the project

Mr. Boesen commented that he believes the dollar amount for the design of the roundabout is excessive and questioned if the city has invoiced the schools for work done so far.

Jamie Knutson commented that the schools have not yet been invoiced.

Resolution approving an Agreement for the Iowa Clean Air Attainment Program funding grant with the Iowa Department of Transportation, in the amount of \$700,000.00 in conjunction with the construction of a roundabout at Hammond Avenue and Ridgeway Avenue, and authorizing the Mayor and City Clerk to execute said document.

Chiles/Creighton-Smith

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-698.

David Dreyer, 3145 W. 4th Street, commented that he has sat longer at a stop light than at that 4-way stop and that he has also sat at a roundabout for a considerable amount of time, so he does not believe that this will be beneficial to the environment.

Safia Elahi, Traffic Director, provided an overview of the agenda item.

Mr. Chiles commented that when he was first elected to council four years ago, this intersection was one of the first complaints he was made aware of. This is a gift to Waterloo, and we should be proud that we will get people through that intersection more quickly.

Ms. Creighton-Smith commented that she believes the city did a study regarding the traffic congestion at this intersection.

Mr. Simon commented that when traffic is particularly heavy, there may be occasions when you might have to stop at the roundabout.

Resolution approving an Agreement for the Carbon Reduction Program funding grant with the Iowa Department of Transportation, in the amount of \$1,332,000.00, in conjunction with the construction of a roundabout at Hammond Avenue and Ridgeway Avenue, and authorizing the Mayor and City Clerk to execute said document.

Chiles/Creighton-Smith

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-699.

Resolution approving an Agreement with EN Engineering, LLC of Lisle, IL, in the amount of \$1,295,460, in conjunction with the Waterloo Fiber Project, and authorizing the Mayor and City Clerk to execute said document.

Nichols/Wilder

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-700.

Mr. Boesen commented on costs associated with the project that he feels are out of line.

Randy Bennett, Public Works Division Manager, provided an overview of how the staffing and

compensation of the services function under the agreement. He further explained that there is a wind down clause in the agreement that would allow for the city to end the contract early if construction wraps up early.

Mr. Simon questioned who dictates the number of workers at any given month.

Randy Bennett explained that it is primarily the workload.

Mr. Simon questions how the work is monitored.

Randy Bennett provided an overview of how the work is monitored.

Mr. Simon questioned how long the agreement would last and if we were still ahead of schedule.

Randy Bennett explained that one of the reasons the contract has been extended is new development, such as Paradise Estates. He shared that we are still ahead of schedule and anticipates this will be done by the end of next year.

Resolution approving a Temporary Easement Agreement in the amount of \$197.00 with Chatha Properties, LLC, located at 1008 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.

Nichols/Wilder

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-701.

Resolution Resolution accepting and approving an Acquisition Contract and approving a Deed to sell real property to the City of Waterloo for a partial right-of-way acquisition, in the amount of \$4,256.00, a Temporary Easement Agreement in the amount of \$4,244.00, a total compensation amount of \$8,500.00, with Steelsmith Properties, LLC, located at 1911 East Mitchell Avenue and 820 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.

Nichols/Wilder

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-702.

Resolution approving an Amendment to the Development Agreement with Dhani RE Investments, LLC, originally approved on July 7, 2025, regarding property located at 512 North Barclay, to change the purchase price of the property from \$15,000.00 to \$5,000.00, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Boesen

to postpone this item until December 15, 2025. Roll Call vote-Ayes: Six. Nays: One (Chiles). Motion carried.

Ms. Creighton-Smith questioned why the price was reduced for the project.

Noel Anderson, Community Planning and Development Director, provided background on the request to reduce the price and stated that if council chooses to deny the developer's request,

they will go back out to bid.

Ms. Creighton-Smith questioned if this has happened in the past.

Noel Anderson commented that it is unusual, and they have never had this happen before.

Mayor Hart questioned if the dollar amount should be reduced what happens to the incentives.

Noel Anderson explained that if the price reduction is approved, the developer would make five thousand dollars after the incentive was paid.

Forest Dillavou, 1725 Huntington Road, commented that this is setting a policy.

David Dreyer, 3145 W. 4th Street, commented that he believes that this is a bad precedence for the city to set.

Mr. Nichols questioned if this does go back out to RFP is this person able to apply for the next RFP.

Noel Anderson explained that if they do go out again, a nonrefundable down payment could be required with the original bid to discourage someone from trying to change it.

Mr. Simon questioned if they had started work on this property.

Aric Schroeder, City Planner, commented that he is unaware of any activity and the city has not yet deeded the property to him.

Mayor Hart commented that several years ago, the county asked the city to take a look at targeted areas and try to incent and raise the values around those areas.

Mr. Feuss questioned if the original agreement had a timeline for completion.

Aric Schroeder did not have the agreement available, but stated it is based on conveyance, so the timeline to start has not begun. He further shared that it is usually four or six months to commence and fourteen months to complete.

Mr. Boesen commented that he cannot approve this request and shared that if it does go back out to bid under a new agreement, the incentive would go up to seventy-five hundred dollars.

Aric Schroeder commented that the other potential way that the city would be out is if we rebid it and received no bids. This property will take a lot of work, and the bidder's estimated cost to rehab the property was around seventy-thousand dollars. If no bids are received, the city will pay the cost of demolition.

Mr. Chiles questioned if there were any stipulations in this agreement that, if someone reneges, would the city get anything out of it. In addition, should this bidder be ineligible to rebid.

Noel Anderson explained that there is no claw-back since he has not paid us any money yet. If council chooses to deny this and wants to let staff know whether to go back to RFP and not allow this developer to bid because he would be deemed as not a responsible bidder.

Mayor Hart shared clarifying comments regarding the agreement and incentive program.

Council members discussed the RFP and bidding process with Noel Anderson.

Resolution approving a Development Agreement with New Era Rentals, LLC, for the rehabilitation of the home at 1303 W. 4th Street located in the Church Row Neighborhood, including a grant of \$7,500.00, and authorizing the Mayor and City Clerk to execute said document.

This item was removed and rescheduled for December 15, 2025.

Resolution accepting and approving an Acquisition Contract and approving a Deed to Convey Real Property to the City of Waterloo, for a Partial Right-of-Way Acquisition dContract in the amount of \$1,308.00; a Permanent Easement Agreement in the amount of \$5,799.00, and a Temporary Easement Agreement in the amount of \$786.00, for a total compensation amount of \$7,893.00, with Metro Investments Waterloo, LLC, for the property located at 1326 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/Creighton-Smith

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-703.

Resolution approving a Temporary Easement Agreement in the amount of \$715.00 with Metro Investments Waterloo, LLC, located at 1329 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/Creighton-Smith

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-704.

Resolution accepting and approving an Acquisition Contract and approving a Deed to convey real property to the City of Waterloo for a partial right-of-way acquisition in the amount of \$3,315.00; a Permanent Easement Agreement in the amount of \$12,282.00; and a Temporary Easement Agreement in the amount of \$465.00; removal of pavement in the amount of \$9,626.00, for a total compensation amount of \$25,688.00, with Metro Investments Waterloo, LLC, for the property located at 1328 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/Creighton-Smith

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-705.

Resolution approving a right-of-entry agreement with RNK Investments, LLC, to enter onto city-owned property to begin construction of a 12,000 square foot commercial building, and authorizing the Mayor and City Clerk to execute said document.

Nichols/Creighton-Smith

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor

assigned No. 2025-706.

David Dreyer, 3145 W. 4th Street, questioned why the developer should have access to the property if the property has not yet been transferred to them.

Noel Anderson, Community Planning and Development Director, commented that there were two actions on the consent agenda for this developer, a site plan amendment and a development agreement to convey land to them. They wanted to get ahead of the weather to begin dirt work and the right-of-entry gives them that ability, while ensuring the city is protected with indemnity and insurance in case they get insured out there prior to it being deeded to them.

Resolution approving an Amendment to the Development Agreement and Minimum Assessment Agreement in the amount of \$4,050,000.00 with Baltimore Fields, LLC, for a new residential subdivision located between Hawthorne Avenue and Eureka Street, and authorizing the Mayor and City Clerk to execute said document.

Nichols/Creighton-Smith

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2025-707.

Mr. Boesen commented that the original development agreement was April 17, 2023, and asked for an update on where we are currently on the project and further commented that two amendments have now moved the start date out to June 1, 2026. He questioned why the city would provide TIF incentives prior to approving the TIF.

Kevin Fittro, Baltimore Fields, LLC, explained that, due to the change in weather, they were unable to start paving, and this amendment pushes the time frame to begin the paving and start housing by June 1. He stated they are committed to being done with the state for tax credits by December 31, 2027, and are moving along with their time frame just as they said they would.

Noel Anderson, Community Planning and Development Director, explained that it is not uncommon for projects with a lot of actions moving at different speeds and the ultimate goal is to get them done and bring the projects to Waterloo.

ORDINANCES

Baltimore Fields Urban Renewal Plan.

Feuss/Nichols

to receive, file and consider and pass for the third 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: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5818.

David Dreyer, 3145 W. 4th Street, questioned where the money would come from to pay the developer if this falls through.

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

Forrest Dillavou, 1725 Huntington Road, questioned if there is a penalty if they do not build by the deadline.

Noel Anderson commented that eighteen houses will be built, and they have workforce housing state tax credits which keeps them to the timeline, or they will lose their investment tax credit, reimbursement of sales service and use tax and the incentives of Waterloo.

Mr. Boesen clarified to Mr. Dreyer how the funding works once the debt is certified.

An ordinance amending the City of Waterloo Code of Ordinances Subsection 6(A)(2), Disposal of Yard Waste, of Chapter 3, Solid Waste Collection and Disposal, Title 4, Public Health and Safety.

Chiles/Wilder

to receive, file, consider, and pass for the first time an ordinance amending the City of Waterloo Code of Ordinances Subsection 6(A)(2), Disposal of Yard Waste, of Chapter 3, Solid Waste Collection and Disposal, Title 4, Public Health and Safety. Roll Call vote-Ayes: Seven. Motion carried.

David Dreyer, 3145 W. 4th Street, questioned if this will affect the yard waste dump site or is this just the cans in front of the house.

Randy Bennett, Public Works Division Manager, explained that this gives the city the option to extend service collection for the compost site and/or curbside collection.

Mr. Boesen commented that he would like to see verbiage stating that schedules will be mailed out or made available upon request.

Randy Bennett, Public Works Division Manager, commented that even though the language is not included, staff mails out schedules anytime one is requested.

Chiles/Wilder

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

Chiles/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. 5819.

Amended and Restated South Waterloo Unified Urban Renewal and Redevelopment Plan.

Feuss/Chiles-Smith

to consider and pass for the second 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: Six. Nays: Two (Boesen and Simon). Motion carried.

Mr. Chiles requested an overview of why we are doing this.

Noel Anderson, Community Planning and Development Director, provided an overview of the ordinance and explained why this action is being requested.

Noel Anderson and Jamie Knutson addressed various questions from council members about the infrastructure timelines and various development projects.

Forrest Dillavou, 1725 Huntington Road, questioned why there was a special meeting last week on this ordinance and why could they not both be held at this meeting.

Mayor Hart explained that there is a sense of urgency for these five projects.

Council members and Mayor Hart continued to discuss the cost of development and projections for the land.

Feuss/Nichols

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

ADJOURNMENT

Simon/Feuss

that the council adjourn at 7:21 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk