March 16, 2026

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, March 16, 2026.

Pre-Meeting Items

Roll Call.

Mayor Dave Boesen in the Chair. Mr. Schmitt, Mr. Morrow, Ms. Creighton-Smith, Ms. Berry, Mr. Martin and Mr. Simon. Mr. Salamanca joined at 5:48 p.m.

Prayer or Moment of Silence.

Pledge of Allegiance, Waterloo Boy Scouts Pack #3025.

Kelley Felchle, City Clerk, led the Pledge of Allegiance.

Approval of Agenda as proposed or amended.

Simon/Schmitt
that the agenda as amended, by removing Resolution No. 14 under Resolutions, be approved. Voice vote-Ayes: Six. Motion carried.

Approval of Minutes of the March 2, 2026, Council Regular Session, as proposed or amended.

Simon/Schmitt
that the minutes of the March 2, 2026, Council Regular Session, as proposed be approved. Voice vote-Ayes: Six. Motion carried.

CONSENT AGENDA

Simon/Martin
that the following items on the consent agenda, except for Items 9 and 11 to be discussed separately, be received and placed on file, including the payment of bills for March 9, 2026, in the amount of $4,467,208.21, be received and placed on file. Roll Call vote-Ayes: Six. 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. 2026-106.

Resolution approving the request by Skogman Homes, for tax exemptions on the construction of a new single-family home valued at $540,000.00, for property located at 122 Goldcrest Court and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2026-107.

Resolution approving the request by Skogman Homes, for tax exemptions on the construction of a new single-family home valued at $625,000.00, for property located at 128 Goldcrest Court and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2026-108.

Resolution approving the request by Skogman Homes, for tax exemptions on the construction of a new single-family home valued at $470,000.00, for property located at 125 Sunbird Court and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2026-109.

Resolution approving the request by Skogman Homes, for tax exemptions on the construction of a new single-family home valued at $487,750.00, for property located at 135 Sunbird Court and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2026-110.

Resolution approving the request by A C O Construction LC, for tax exemptions on the construction of a new single-family home valued at $350,000.00, for property located at 4467 Charm Drive and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2026-111.

Resolution approving the request by Refik Kajtazovic and Enisa Kajtazovic, for tax exemptions on the construction of a new single-family home valued at $370,000.00, for property located at 1727 Red Tail Drive and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2026-112.

Resolution approving the request by Yves M. Ngwangola and Brenda M. Buabulanda, for tax exemptions on the construction of a new duplex unit valued at $282,900.00, for property located at 612 Grindstone Circle and located in the City Limits Urban Revitalization Area (CLURA).

Resolution adopted and upon approval by Mayor assigned No. 2026-113.

Resolution approving request to seek proposals for Parking Operations and Management Services.

This item was removed from the consent agenda to be discussed separately.

Resolution approving submission of the Iowa DNR's IRA Urban Forestry Program Development grant application in the amount of $50,000.00, for updating Waterloo's tree inventory.

Resolution adopted and upon approval by Mayor assigned No. 2026-114.

Resolution setting the date of Public Hearing of the proposed tax levy for Fiscal Year 2027 on March 30, 2026 at 5:30 pm, as required by the state, and instruct the City Clerk to publish notice.

This item was removed from the consent agenda to be discussed separately.

Resolution setting date of public hearing as April 6, 2026, to approve a vacate request by Advanced Heat Treat to vacate approximately 650 square feet of Sewer and Utility Easement in the “M-1” Light Industrial District located at 2839 Burton Avenue, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2026-115.

Resolution setting date of public hearing as April 6, 2026, to approve an amendment to the City of Waterloo Zoning Ordinance No. 5079 to update terms and regulations as they apply to hobby farms, farm animals, tobacco and vape shops, and other changes and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2026-116.

Resolution approving preliminary plans, specifications, form of contract, etc., setting the date of bid opening as April 2, 2026, and date of public hearing as April 6, 2026, in conjunction with the FY 2026 Parkview Manor and W. 3rd Street Detention Basin, Contract No. 1137, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2026-117.

Resolution setting date of public hearing as April 6, 2026, for the sale and conveyance of city-owned property located west of 1425 Hawthorne Avenue, in the amount of $5,000.00, to E & C Investments, LLC, including approval of a Development Agreement for the construction of a single-family home with a $5,000.00 refund of the purchase price and a grant of $5,000.00 for infill housing incentive, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2026-118.

Motion to approve Change Order No.1 with Municipal Pipe Tool Co., of Hudson, Iowa, for a net decrease of $7,721.51, in conjunction with FY 2025 CIP Pipelining Phase V, Contract No. 1118, and authorizing the Mayor and City Clerk to execute said document.

Resolution approving Completion of Project and Recommendation of Acceptance of Work, and release of retainage in the amount of $65,313.25 for work performed by Municipal Pipe Tool Co., of Hudson, Iowa, in conjunction with the FY 2025 CIP Pipelining Phase V Project, Contract No. 1118, and receive and file a two-year maintenance bond, and authorizing the Mayor to execute said documents.

Resolution adopted and upon approval by Mayor assigned No. 2026-119.

Motion to approve Change Order No. 09 with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net increase of $102,000.00, 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 Application for Fireworks Display: Main Street Waterloo, July 3, 2026, Park Avenue Bridge, approximately 9:45 p.m.

Motion approving the appointment of **Aimee Biretz** to the position of Legal Assistant/Secretary in the Legal Department, effective March 17, 2026.

Motion to approve the appointment of **Jason Heffelmeier** from the current Civil Service List to the position of Solid Waste Technician in the Sanitation department, effective March 17, 2026.

Motion to approve the appointment of **Isaac Hoogestraat** from the current Civil Service List to the position of Downtown Area Maintenance II in the Leisure Services department, effective March 23, 2026.

Cigarette/Tobacco/Nicotine/Vapor Permits
Bamboo Ridge Campground, Inc., 4550 La Porte Road (Retail Tobacco).
Casey's 218 Pub, 4014 University Avenue
Hy-Vee Food Store #1, 2834 Ansborough Avenue (Retail Tobacco).
Hy-Vee Fast & Fresh #1, 3700 University Avenue (Retail Tobacco).
Hy-Vee Food Store #3, 1422 Flammang Drive (Retail Tobacco).
Hy-Vee Fast & Fresh #3, 1512 Flammang Drive (Retail Tobacco).
Hy-Vee Wine & Spirits, 1512 Flammang Drive (Retail Tobacco).
Sycamore Convenience, 617 Sydamore Street (Retail Tobacco).
Vape Time, LLC, 325 Franklin Street (Retail Tobacco).
Vape Time, LLC, 325 Franklin Street (Retail Device Permit).

Liquor Licenses
Ari'z Restaurant & More, 205 W. 4th Street, Class C w/Sunday Sales (Renewal) 04/07/2027.
Amalgamated Local 838 UAW, 2615 Washington Street, Class C w/Sunday Sales (Renewal) 02/28/2027.
Grout Museum, 503 South Street, Class C (5-Day Special Event) 04/18/2026.
Isle of Capri Casino, 777 Isle of Capri Blvd., Class C w/Sunday Sales (Ownership Updates) 04/30/2026.
Prime Mart, 3535 Marigold Drive, Class E w/Sunday Sales (Premises Update) 01/19/2027.
Red Carpet Golf, 1409 Newell Street, Class C w/Sunday Sales (Ownership Updates) 04/04/2026.
Sam's Club, 210 E. Tower Park Drive, Class E w/Sunday Sales (Renewal) 02/28/2027.
Spectra Venue Management, Class C w/Sunday Sales (Temp Unlicense Part of Premises) 01/31/2027.
The King Mexican Bar & Grill, 2060 Sovia Drive, Class C w/Outside Service and Sunday Sales (Modify Privilege) 11/16/2026.
Walmart Supercenter #1496, 1334 Flammang Drive, Class E w/Sunday Sales (Ownership Updates) 09/30/2026.

Bonds.

Schmitt/Simon

9. Resolution approving request to seek proposals for Parking Operations and Management Services. Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-120.

Mr. Schmitt commented that the current parking situation continues to trouble citizens, visitors and business owners. He questioned if, as part of this proposal for operations and services, could include some small changes to make our parking more friendly to those who visit downtown. He further asked if there is a committee that could review this and make sure we include downtown business owners on the committee.

Bridgett Wood, Finance Director, shared that in the RFP paperwork there is a section where they could offer suggestions. She explained that we recently did a parking study which led us to putting in the kiosks instead of keeping the meters, which did not always function properly.

Mr. Schmitt explained that his goal is to have an opportunity to have conversations before July about incorporating some changes because he has heard that the parking situation is not ideal.

Bridgett Wood confirmed that it could be part of the process.

Mr. Morrow shared that he has heard from several constituents that the parking situation is difficult to understand, and the kiosks are not as convenient as they thought they would be. He questioned if the city has considered managing the parking themselves.

Bridgett Wood commented that the City did manage the parking some time ago, and has found that there are cost savings by not keeping this internally.

Mr. Simon called for a work session, so the council could have the opportunity to review the raw data, such as usage numbers, tickets issues, etc., and to get feedback from the downtown business owners.

Bridgett Wood commented that she could have Republic Parking put something together for council.

Mr. Morrow added that he would like to see a comparison of revenue to expenses included in that discussion.

Ms. Creighton-Smith questioned if Republic Parking has, or could, provide the City with quarterly reports and evaluations because that information would be very useful to the council so we can continue to monitor its progress.

Mayor Boesen suggested looking into additional educational opportunities for the citizens so they can gain a better understanding of how to use the kiosks.

Ms. Berry concurred with the suggestions of receiving reports from Republic Parking.

Mr. Martin asked if there was a "How-to" on our city website on how to use the kiosks.

Bridgett Wood confirmed.

Schmitt/Simon

11. Resolution setting the date of Public Hearing of the proposed tax levy for Fiscal Year 2027 on March 30, 2026, at 5:30 p.m., as required by the state, and instruct the City Clerk to publish notice. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-121.

Mr. Schmitt shared his concern about the limited number of opportunities council has had to discuss the levy before certification.

Bridgett Wood explained that this item is to set the date of the public hearing for March 30 where the public and council can share their thoughts and concerns, and that the budget adoption hearing would be held near the end of April.

PUBLIC HEARINGS

General Obligation Bonds (ECP-1) the issuance of not to exceed $4,000,000.00 in General Oblication Bonds for essential corporate purposes.

Martin/Creighton-Smith
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.

Martin/Creighton-Smith
to close hearing. Voice vote-Ayes: Seven. Motion carried.

Martin/Creighton-Smith
Resolution instituting proceedings to take additional action for the issuance of not to exceed $4,000,000.00 General Obligation Bonds for essential corporate purposes. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-122.

Mr. Morrow requested an overview of these actions.

Bridgett Wood, Finance Director, provided an overview of each General Obligation Bond.

General Obligation Bonds - GCP-2 the issuance of not to exceed $969,149.00 General Obligation Bonds for General Corporate Purposes.

Martin/Creighton-Smith
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.

Martin/Creighton-Smith
to close hearing. Voice vote-Ayes: Seven. Motion carried.

Martin/Creighton-Smith
Resolution instituting proceedings to take additional action for the issuance of not to exceed $969,149.00 General Obligation Bonds. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-123.

General Obligation Bonds (GCP-3) the issuance of not to exceed $969,149.00, in General Obligation Bonds for teneral corporate purposes.

Martin/Creighton-Smith
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.

Martin/Creighton-Smith
to close hearing. Voice vote-Ayes: Seven. Motion carried.

Martin/Creighton-Smith
Resolution instituting proceedings to take additional action for the issuance of not to exceed $969,149.00 General Obligation Bonds. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-124.

General Obligation Bonds (GCP-4) the issuance of not to exceed $969,149.00, in General Obligation Bonds for general corporate purposes.

Martin/Creighton-Smith
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.

Martin/Creighton-Smith
to close hearings. Voice vote-Ayes: Seven. Motion carried.

Martin/Creighton-Smith
Resolution instituting proceedings to take additional action for the issuance of not to exceed $969,149.00 General Obligation Bonds. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-125.

FY2026 CIP Pipelinging Phase VA Project, Contract No. 1141

Schmitt/Simon
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.

Schmitt/Simon
to close the hearing. Voice vote-Ayes: Seven. Motion carried.

Schmitt/Simon
Resolution confirming approval of specifications, bid documents, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-126.

Schmitt/Simon
to receive, file, and instruct the City Clerk to read the bids, and refer to Public Works Director for review. Voice vote-Ayes: Seven. Motion carried.

Engineer's Estimate: Base Bid $1,180,602.50 - Alt. 1: $30,879.50 - Total Bid Amount: $1,139,482.00
Insituform Technologies USA, LLC, Chesterfield, MO - 5% - BB: $1,166,522.72 - Alt. 1: $29,596.00
National Power Rodding, Chicago, IL - 5% - BB: $1,469,509.15 - Alt 1: $42,206.00
Municipal Pipe Tool, Hudson, IA - 5% - BB: $975,236.75 - Alt 1: $32,057.30

Request by 205 E. 4th, LLC to designate 501 Sycamore Street as a Locally Designated Historic Landmark.

Morrow/Martin
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 Dryer, 3145 W. 4th Street, questioned how a site can be designated as historic.

Noel Anderson, Community Planning and Development Director, explained that they are asking for the local designation and as the City of Waterloo is a certified local government, we do have a local historic commission with the ability to review these studies and make a local designation.

David Deeds, JSA Development, explained that this is just another step to securing the financing to move this project forward.

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

Morrow/Martin
to receive, file, consider, and pass for the first time an ordinance to locally designate 501 Sycamore Street as a Historic Landmark. Roll Call vote-Ayes: Seven. Motion carried.

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

Morrow/Simon
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. 5826.

Request by C&S Properties to rezone approximately 0.49 acres from "R-4" Multiple Residence District to "C-2" Commercial District located at 911 South Street and 519 W. 7th Street.

Creighton-Smith/Schmitt
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.

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

Creighton-Smith/Martin
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 C&S Properties to rezone approximately 0.49 acres from "R-4" Multiple Residence District to "C-2" Commercial District located at 911 South Street and 519 W. 7th Street. Roll Call vote-Ayes: Seven. Motion carried.

Mr. Schmitt questioned the timing of the issue.

Tim Luce, C&S Properties, explained that this will be a three-to four-step process and though there is not an urgency, the sooner they get council approval the sooner they can move forward.

Creighton-Smith/Martin
to suspend the rules. Roll Call vote-Ayes: Five. Nays: Two. (Schmitt and Salamanca). Motion failed.

Airfield Lighting Control System Upgrade/Replacement, FAA AIP Project No. 3-19-0094-061.

Creighton-Smith/Berry
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.

Creighton-Smith/Simon
to close the hearing. Voice vote-Ayes: Seven. Motion carried.

Creighton-Smith/Berry
Resolution confirming approval of specifications, bid documents, form of contract, etc., and

authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-127.

Creighton-Smith/Martin
to receive, file, and instruct the City Clerk to read the bids. Voice vote-Ayes: Seven. Motion carried.

Engineer's Estimate: $95,000.00
KW Electric, Inc., Cedar Falls, IA - 5% - $89,998.00

Creighton-Smith/Martin
Resolution approving award of bid to KW Electric of Cedar Falls, Iowa in the amount of $89,998.00, approving the contract, bonds, and certificate of insurance, in conjunction with the Airfield Lighting Control System Upgrade/Replacement, FAA AIP Project No. 3-19-0094-061, 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. 2026–128.

Mr. Morrow requested an overview of this agenda item and item 9.

Steven Kjergaard, Airport Director, explained that all FAA AIP projects are a ninety-ten split, with the FAA covering ninety and the airport covering the remaining ten percent. He further explained that they airport has the funds to cover this and no city funds are being requested.

<u>Runway 18/36 Rehabilitation Within the Runway 12/30 Safety Area, FAA AIP Project No. 3-19-0094-059.</u>

Morrow/Schmitt
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.

Morrow/Schmitt
to close the hearing. Voice vote-Ayes: Seven. Motion carried.

Morrow/Schmitt
Resolution confirming approval of specifications, bid documents, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-129.

Morrow/Schmitt
to receive, file, and instruct the City Clerk to read the bids. Voice vote-Ayes: Seven. Motion carried.

Engineer's Estimate: $2,266,560.00
Aspro, Inc., Waterloo, IA - 5% - $2,147,750.00

Morrow/Schmitt

Resolution approving award of bid to ASPRO, Inc., of Waterloo, Iowa in the amount of $2,147,750.00, approving the contract, bonds, and certificate of insurance, in conjunction with the Runway 18/36 Rehabilitation Within the Runway 12/30 Safety Area, FAA AIP Project No. 3-19-0094-059, 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. 2026-130.

<u>FY 2026 Broadway Street Reconstruction Project, Contract No. 1144.</u>

Berry/Simon
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.

Berry/Simon
to close the hearing. Voice vote-Ayes: Seven. Motion carried.

Berry/Simon
Resolution confirming approval of specifications, bid documents, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-131.

Berry/Simon
to receive, file, and instruct the City Clerk to read the bids. Voice vote-Ayes: Seven. Motion carried.

Engineer's Estimate: $3,600,000.00
Owen Contracting, Inc., Cedar Falls, IA - 5% - $3,360,924.55
Peterson Contractors, Inc, Reinbeck, IA - 5% - $3,394,552.35
Boomerang Corp, Anamosa, IA - 5% - $3,483,330.60

Berry/Simon
Resolution approving award of bid to Owen Contracting, Inc. of Cedar Falls, Iowa in the amount of $3,360,924.55, approving the contract, bonds, and certificate of insurance, in conjunction with the FY 2026 Broadway Street Reconstruction Project, Contract No. 1144, 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. 2026-132.

Ms. Berry commented that there had been no larger project in her ward and thanked staff for their efforts to make this a success.

Mayor Boesen shared that he was excited about the first phase of Broadway, which won a state award because it is such a great project.

Ms. Creighton-Smith shared that she drives this route all the time, and she is very pleased that we are making this happen and thanked the staff for all of their hard work.

<u>FY 2026 Katoski Drive and Huntington Road Reconstruction Project, Contract No. 1123</u>

Martin/Simon
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 Dryer, 3145 W. 4th Street, questioned where the public can see the plans and the cost.

Jamie Knutson, City Engineer, commented that the plans had been posted on the website during the bidding period, which is now over. He further explained that there is an agreement with the schools that they will be paying roughly sixty-forty split.

Scott Slee 1119 Fleur Drive, requested clarity on who would be paying for the overtime for the construction.

Jamie Knutson everything was bid by square feet, square yard, square acre, etc. and not by hours.

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

Martin/Simon
Resolution confirming approval of plans, specifications, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-133.

Mr. Schmitt shared that he had received comments regarding unfriendly construction hours and questioning who was ultimately in charge of the contract.

Jamie Knutson, City Engineer, explained that the school district is in charge of the contractor performing the work. He stated that there is a city ordinance outlining when a contractor is allowed to work. He shared that with city contracted projects we bring a waiver request before council because contractors do sometimes need to work outside those restrictions.

Mr. Schmitt questioned what those guidelines are.

Jamie Knutson commented that he would have to look at the contract and get back to the council.

Ms. Creighton-Smith questioned if Katoski Drive was in disrepair previously.

Jamie Knutson explained that Katoski Drive and Huntington Road were initially scheduled for reconstruction about four years ago when we found out the schools were going to do something, so we held off on that project. Council was given a presentation on the proposed roundabouts and everyone agreed the roundabouts made good sense.

Mayor Boesen noted that Cedar Falls would be reconstructing their share within city limits.

Jamie Knutson confirmed and explained that originally we had planned to coordinate their plans with ours, but they were not able to get their plan designed in time. They have since indicated they will complete theirs within the next two years.

Mr. Simon questioned how much money the school committed to paying for the project.

Jamie Knutson explained that the amount was unspecified, but each had agreed to pay for their respective portion.

Mr. Simon commented that he had yet to find out how much the schools were going to pay.

Jamie Knutson confirmed that there is no definitive amount in the agreement and explained the reason why.

Mr. Simon questioned if Jamie Knutson knew how much the school voted that they would be willing to pay for the project.

Jamie Knutson reiterated that the contract that was approved was that each entity agreed to pay their portion of the project as outlined in the maps.

Mr. Simon and Mr. Knutson continued to discuss the agreement between the city and the schools.

Mr. Simon questioned if the designs were approved by both the school and engineering at the same time.

Jamie Knutson confirmed and explained that it was the same exact design that the council was presented with at the work session.

Ms. Creighton-Smith clarified that it was her understanding that we were going to make changes anyway and we are actually saving money because the schools have committed to sharing some of the cost.

Jamie Knutson confirmed.

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

Engineer's Estimate: $9,920,633.50
Boomerang, Corp. Anamosa, IA - 5% - $7,867,783.20
Peterson Contractors, Inc., Reinbeck, IA - 5% - $7,740,312.45
Owen Contracting, Inc., Cedar Falls, IA - 5% - $7,848,903.60

Jamie Knutson shared that, based on the bids received, the school's share is $4.6 million and the city's portion is $3.12 million.

<u>FY 2025 Consolidated Annual Performance and Evaluation Report (CAPER).</u>

Creighton-Smith/Martin
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.

Creighton-Smith/Martin
to close hearing. Voice vote-Ayes: Seven. Motion carried.

Creighton-Smith/Martin
Resolution approving the FY 2025 Consolidated Annual Performance and Evaluation Report (CAPER) for CDBG and HOME program activities, for the period of July 1, 2024, to June 30, 2025, and submission to the U.S. Department of Housing and Urban Development. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-134.

RESOLUTIONS

Resolution approving a Fleet Telematics Policy for the City of Waterloo Employee Handbook.

Morrow/Creighton-Smith
Roll Call vote-Ayes:Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-135.

David Dryer, 3145 W. 4th Street, asked about the Fleet Telematics Policy.

Missy Gearhart, Assistant Human Resources Director, explained the policy is to inform employees why the cameras are being placed in city vehicles.

Darrel Hartema, 158 Fletch Road, commented that twenty days ago a federal court and federal motor safety standards made a statement that any camera showing a driver of a vehicle must be consented to at each usage and the only thing it could be used for is safety.

Missy Gearhart commented that safety is the intention for the cameras, and noted that it is our Accident Review Committee who are implementing the policy.

Resolution approving an Assignment of Rebates and Waiver/Release to CPM Acquisition Corp. from Zydeco Investments, LLC, for property located at 4050 Leversee Road, and authorizing the Mayor to execute said document.

Morrow/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-136.

Resolution approving an Amendment to the Development and Minimum Assessment Agreement with WBM, LLC, dated December 19, 2022, to amend the minimum assessed value to $2,750,000.00, for the completion of the Phase II Improvements located at 2811, 2813, 2815, and 2817 Geraldine Road, and authorizing the Mayor and City Clerk to execute said document.

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

assigned No. 2026-137.

Mr. Simon requested an update on the item.

Noel Anderson, Community Planning and Development Director, explained that sometimes development agreements have phased projects, so we would have a minimum assessment for each phase. This particular agreement has now completed Phase 2 so we are raising the assessed value from $1,034,700.00 to $2,750,000.00 to update our records.

<u>Resolution authorizing the issuance of General Obligation Bonds, Series 2026, and levying a tax for the payment thereof.</u>

Creighton-Smith/Berry
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-138.

<u>Resolution approving a Professional Service Agreement with AECOM Technical Services of Waterloo, Iowa, in the amount of $137,300.00, in conjunction with the 5th Street and Commercial Street Parking Ramp Repairs, and authorizing the Mayor to execute said document.</u>

Creighton-Smith/Berry
Roll Call vote-Ayes: Six. Nays: One (Morrow). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-139

Mr. Morrow commented that he did not see any structural or safety references in the documents and questioned if this is a need or a want to ensure the city's money is being properly used.

Noel Anderson, Community Planning and Development Director, stated that Michelle Sweeney wth AECOM would be able to speak about the details of the repairs.

Michelle Sweeney, AECOM, shared that they did a repair evaluation to identify structural and safety repairs and a facade component as well.

Mr. Morrow asked for specific safety issues that were identified.

Michelle Sweeney stated that the railing in particular poses a fall risk.

Mr. Morrow asked if this has always been that way or had something happened to cause the call for change.

Michelle Sweeney noted that there have been no incidents, but the structure was built that way prior to existing code. She shared that there are also structural issues with the beam repairs that have been identified.

<u>Resolution approving Amendment No. 1 to the Marketing Agreement with Utility Service Partners Private Label, Inc., D/B/A Service Line Warranties of America, and authorizing the Mayor to execute said document.</u>

Creighton-Smith/Berry
Roll Call vote-Ayes: Smith. Motion carried. Resolution adopted and upon approval by Mayor

assigned No. 2026-140.

Mr. Simon commented on the mailer we have all received in the mail and explained that it is an added insurance offered. He explained that it is important that people know that they can always check with their insurance company to see if they are already covered and would like to see that wording added to the mailer.

Chad Coon, Water Works General Manager, shared that the mailers are reviewed ahead of time by the water works and city staff and any suggestions are shared with the company. He shared that the action tonight is to amend the privacy policy in the agreement and not the mailing itself, and said that he would talk with them about adding the requested wording.

Ms. Berry confirmed she had also received the mailers and asked if there was a deadline to purchase the coverage.

Chad Coon shared that it is a voluntary policy and that he does not believe that there is a deadline to act on any particular mailer received.

Ms. Creighton-Smith commented that it is important that people specifically ask for that coverage on their homeowners' policy because it is not always included.

<u>Resolution approving a Mutual Termination of Development Agreement, in relation to the Development Agreement dated October 16, 2023, with DLG Investments, LLC, for property located east of 2459 GT Drive, and authorizing the Mayor and City Clerk to execute said document.</u>

Berry/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-141.

<u>Resolution approving a Development Agreement with Ryan Meyers, for the construction of two duplexes, on infill lots located south of 333 Norris Court, including an infill grant of $20,000.00 upon substantial completion, and authorizing the Mayor and City Clerk to execute said document.</u>

Berry/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-142.

Mr. Morrow asked for clarification of substantial completion.

Noel Anderson, Community Planning and Development Director, this is the certificate of occupancy, and explained that this is the wording that the lawyers liked because there would still be landscaping, stormwater, etc.

Mr. Schmitt asked if there was a minimum assessed value.

Noel Anderson apologized that he did not have the document in front of him at the moment, and was unsure if there was a minimum assessment on the housing until the assessor had completed their review.

Resolution approving a Development Agreement with C&S Properties, LC with a Minimum Assessment Agreement of $500,000.00, including the CURA tax abatement for the construction of a new 4,800 square-foot commercial building located southwest of 814 South Street, and authorizing the Mayor and City Clerk to execute said document.

Berry/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-143.

Resolution approving an Amendment to a Development Agreement with Iowa Heartland Habitat for Humanity, for 212 Oaklawn, including a demolition reimbursement grant of up to $15,000.00 and asbestos abatement grant of up to $13,478.00, and authorizing the Mayor and City Clerk to execute said document.

Morrow/Simon
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-144.

Resolution approving the acceptance of a Deed and donation of real property to the City of Waterloo from FSPI LTD, for property located along Franklin Street and property located near Cedar Terrace Drive, and authorizing the Mayor and City Clerk to execute said documents.

Morrow/Simon
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-145.

Resolution approving a Novation and Amendment to the Minimum Assessment Agreement with 5 Bees, LLC and Black Hawk, LLC, for 1923 Black Hawk Street, in relation to the Development Agreement dated July 13, 2020, with 5 Bees, LLC, to substitute Black Hawk, LLC, for 5 Bees, LLC, and to approve a Minimum Assessment Agreement value of $523,000.00 for Phase IV Improvements, and authorizing the Mayor and City Clerk to execute said document.

Creighton-Smith/Martin
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-146.

David Dryer, 3145 W. 4th Street, asked that the city use language that citizens can understand. He further questioned the purpose of the agreement.

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

Resolution approving compensation in the amount of $20,233.00 to Pebble Hill, LLC, for the removal of 92.8 square-yards of concretepaving and 115.4 square yards of asphalt paving, for property located at 714 La Porte Road, in conjunction with the La Porte Road Phase II Reconstruction Project.

Creighton-Smith/Martin
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-147.

Mr. Morrow questioned if the pricing is standard for the concrete replacement.

Noel Anderson, Community Planning and Development Director, commented that this response addresses both this item and item 15. He provided an overview of the project, and that we are using federal and state dollars that include a lot of rules we have to follow and explained that the pricing is the most up-to-date price.

Resolution approving Amendment No. 3 to a Professional Services Agreement with INVISION Architecture, for an increase of $380,000.00 for the renovation of 100 E. 4th Street for the new Waterloo City Hall, and authorizing the Mayor to execute said document.

This item was removed by amendment.

Resolution approving compensation in the amount of $6,690.00 to Steelsmith Properties, LLC for the removal of 53.1 square-yards of concrete paving for property located at 1607-1621 La Porte Road, in conjunction with the La Porte Road Phase II Reconstruction Project.

Schmitt/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-148.

Resolution approving a Development Agreement with A.C.O Construction, LC, for the construction of a new single-family home on an infill lot located at 4467 Charm Drive, including a $5,000.00 infill housing incentive upon substantial completion, and authorizing the Mayor and City Clerk to execute said document.

Schmitt/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-149.

Resolution approving a Memorandum of Understanding between the United States Army Corps of Engineers, the Iowa State Historic Preservation Officer, the City of Waterloo, and the City of Waterloo Historic Preservation Commission, in conjunction with the White Water and Habitat Improvements Project on the Cedar River, and authorizing the Mayor and City Clerk to execute said document.

Schmitt/Creighton-Smith
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-150.

David Dryer, 3145 W. 4th Street, commented that the city is putting more money into recreation than into saving the taxpayers money.

Jamie Knutson, City Engineer, explained that four years ago, the state came out with a grant to provide recreational opportunities but due to the timeframe for design and construction, we passed at that time. We continued to work on the design and now everything has been submitted to the Corps of Engineers for the permit, should we decide to move forward. He further explained that there is no cost for this agreement, it is just the last part of the permit process.

Mayor Boesen clarified that nothing is set in stone.

Mr. Morrow questioned the probability that a course would happen.

Jamie Knutson commented that he is uncertain, and it is unknown whether the state will even offer another grant like the first one.

Noel Anderson, Community Planning and Development Director, commented that with federal road grant dollars, there is always a percentage of the funds that cannot be used for roads, and has to be used for trails and that could include water trails.

Jamie Knutson commented that as part of the design, it would be safeing the dangers of the recirculating dam. He further noted that this plan is much different than what Cedar Falls has put in, and highlighted the differences.

ORDINANCES

An ordinance approving a request by the City of Waterloo to vacate an approximately 72,145 square-foot platted easement located west and north of 2320 W. Airline Highway to allow for future development.

Creighton-Smith/Martin
to receive, file and consider and pass for the third time an ordinance approving a request by the City of Waterloo to vacate an approximately 72,145 square-foot platted easement located west and north of 2320 W. Airline Highway to allow for future development. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5827.

An ordinance approving a request by the City of Waterloo to rezone approximately 1.25 acres from “M-1” Light Industrial District to “B-P” Business Park District located south of US Highway 218 and east of Black Hawk Creek, at the easterly dead end of Falls Avenue.

Simon/Martin
to receive, file, consider, and pass for the second 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 1.25 acres from “M-1” Light Industrial District to “B-P” Business Park District located south of US Highway 218 and east of Black Hawk Creek, at the easterly dead end of Falls Avenue. Roll Call vote-Ayes: Seven. Motion carried.

Simon/Martin
to suspend the rules. Roll Call vote-Ayes: Six. Nays: One (Schmitt). Motion carried.

Mr. Schmitt requested that the City Attorney share with the newer council members when an ordinance should be read three times and when it is not necessary.

Martin Petersen, City Attorney, read from Iowa Code Section 380.3 and Chapter 4A, Section 18 of the Waterloo City Code of Ordinances, and commented that both the State and City codes leave the decision to waive the three readings strongly at the discretion of the council.

Simon/Martin
to consider and pass for the third time and adopt the ordinance. Roll Call vote-Ayes: Six. Nays: One (Schmitt). Motion carried. Ordinance adopted and upon approval by Mayor assigned No.

5828.

An ordinance amending the City of Waterloo Traffic Code by un-reserving Section 420 and adding a new Section 420, Approaching Certain Stationary Vehicles.

Creighton-Smith/Berry
to receive, file, consider, and pass for the second time an ordinance amending the City of Waterloo Traffic Code by un-reserving Section 420 and assigning a new Section 420, Approaching Certain Stationary Vehicles. Roll Call vote-Ayes: Seven. Motion carried.

Mr. Martin asked if this was just mirroring what the state code already says.

Rob Duncan, Chief of Police, confirmed.

Mr. Morrow questioned when the city was notified we needed to adopt this ordinance.

Rob Duncan explained this is not something we have to do. The law has already been in place since 2002 and by adopting this ordinance, it allows us to issue citations and the city level and keep the fines here.

Mayor Boesen shared that we have already written these citations, but most of the fine goes to the state and this will keep the fines locally.

Creighton-Smith/Berry
to suspend the rules. Roll Call vote-Ayes: Six. Nays: One (Schmitt). Motion carried.

Creighton-Smith/Berry
to consider and pass for the third time and adopt said ordinance. Roll Call vote-Ayes: Six. Nays: One (Schmitt). Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5829.

An ordinance amending the City of Waterloo Traffic Code by un-reserving Section 421 and adding a new Section 421, Use of Electronic Device while driving.

Berry/Martin
to receive, file, consider, and pass for the second time an ordinance amending the City of Waterloo Traffic Code by un-reserving Section 421 and adding a new Section 421, Use of Electronic Device while driving. Roll Call vote-Ayes: Seven. Motion carried.

LaTonya Graves, 607 E. Donald Street, questioned if this would include the car's dash screen.

Rob Duncan, Police Chief, clarified that this is for handheld devices.

Ms. Creighton-Smith shared that a group of Waterloo teenagers worked to bring this law forward and as a result, it was passed at the Iowa House and Senate.

Creighton-Smith/Berryt
to suspend the rules. Roll Call vote-Ayes: Six. Nays: One (Schmitt). Motion carried.

Creighton-Smith/Berry
to consider and pass for the third time and adopt said ordinance. Roll Call vote-Ayes: Six. Nays:

One (Schmitt). Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5830.

PUBLIC COMMENTS

The following individuals commented on various subjects.

Wayne Natham, 548 Cloverdale
Rev. Reetha Moore,1569 Oakwood Drive
Renae Carson, 1108 Vine
Aaron Stacey Roberts, 411 Almond
Morgan Kielly, Main Street Waterloo
George Meeks, 609 E. Donald Street

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

Ms. Creighton-Smith commented that the last council meeting was traumatic for her due to technical errors.

Mr. Martin shared that he is holding a series of community coffee events to meet with the public.

Ms. Berry shared that the next meeting for the combined Wards 3 and 4 will be held at the Jubilee United Methodist Church at 6:00p.m. on Thursday, March 26.

ADJOURNMENT

Simon/Martin
that the council adjourn at 7:44 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk