

April 6, 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, April 6, 2026.

Pre-Meeting Items

Roll Call.

Mayor Dave Boesen in the Chair. Roll Call: Mr. Schmitt, Mr. Morrow, Ms. Creighton-Smith, Ms. Berry, Mr. Salamanca, Mr. Martin and Mr. Simon.

Prayer or Moment of Silence.

Pledge of Allegiance, Hector Salamanca Arroyo, Ward Council Member.

Approval of Agenda as proposed or amended.

Simon/Salamanca
that the agenda as presented be approved. Voice vote-Ayes: Seven. Motion carried.

Approval of Minutes of the March 16, 2026, Regular Council Session, as proposed or amended.

Simon/Salamanca
that the minutes of the March 16, 2026, Regular Council Session, be approved. Voice vote-Ayes: Seven. Motion carried.

CONSENT AGENDA

Simon/Salamanca
that the following items on the consent agenda, with the exception of removing items 6 and 8 from the consent agenda to be considered separately, be received and placed on file, including the payment of bills for March 23, 2026, in the amount of \$6,375,037.14, March 30, 2026, in the amount of \$2,248,199.85 and April 6, 2026, in the amount of \$3,428,787.39, 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. 2026-151.

Resolution setting date of public hearing as April 20, 2026, to approve the FY 2027 budget and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-152.

Resolution setting date of public hearing as April 20, 2026, to approve a request by BFA, Inc., on behalf of Wal-Mart to vacate 26,821 square feet of twenty-foot water line easement located at 1334 Flammang Drive, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seve. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-153.

Resolution setting date of public hearing as April 20, 2026, to approve a rezone request by the City of Waterloo to rezone approximately twenty-eight acres of land from "A-1" Agricultural District to "B-P" Business Park District, located west and northwest of 4634 Kimball 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. 2026-154.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as April 16, 2026, and date of public hearing as May 4, 2026, in conjunction with the Street Department Seal Coat Program, and direct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-155.

Resolution determining the necessity and setting date of public hearing as May 4, 2026, to approve the Amendment to the Downtown Waterloo Riverfront Urban Renewal and Redevelopment Plan, to update projects and project budgets to be included in the Plan, and setting date of consultation with taxing entities as April 17, 2026, and instruct the City Clerk to publish notice.

This item was removed and considered separately.

Resolution approving award of bid to Thome Excavating and Grading of La Porte City, Iowa, in the amount of \$9,177.00, approving contract, bond through cashiers check, and certificate of insurance for the demolition and site clearance of 233 Gable St. to make way for a new construction home using HOME Investment Partnerships funding provided by the U.S. Department of Housing and Urban Development, 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. 2026-156.

Resolution approving award of bid to Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of \$7,727,051.20, approving the contract, bond and certificate of insurance, in conjunction with the FY 2026 Katoski Drive and Huntington Road Reconstruction, Contract No. 1123, and authorizing the Mayor and City Clerk to execute said document.

This item was removed and considered separately.

Resolution approving award of bid to Municipal Pipe Tool Co., LLC, of Hudson, Iowa in the amount of \$975,236.75 and Bid Alternate No. 1 at \$32,268.70 for a total contract of \$1,007,505.45 and approving the contract, bonds, and certificate of insurance, in conjunction with the FY 2026 CIP Pipelining Phase VA, Contact No. 1141, 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. 2026-157.

Resolution returning Traffic Safety Improvement Program grant, in the amount of \$500,000.00, for Hammond Avenue and Shaulis Road roundabout.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-158.

Resolution accepting a Traffic Safety Improvement Program grant, in the amount of \$50,000.00, for purchasing temporary traffic control devices.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-159.

Resolution approving the award of hotel/motel tax council discretionary funds, in the amount of \$5,000.00, to the North End Arts and Music Fest.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-160.

Resolution approving the award of hotel/motel tax council discretionary funds to Main Street Waterloo, in the amount of \$20,000.00, for the Red, White & Loo Project.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-161.

Resolution approving the sale of used equipment/vehicles from the Fire and Rescue Department (Public Works fleet), via the Purple Wave website.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-162.

Motion to receive and place on file the City of Waterloo the Annual Comprehensive Financial Report for the fiscal year ended June 30, 2025.

Motion to approve Change Order No. 10 with Peterson Contractors, Inc., of Reinbeck, Iowa, for a net increase of \$194,185.50, 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 to execute said document.

Motion to approve an Exception to Burning Yard Waste Application by Steven Rieger, to burn approximately 100 acres of prairie grass at the 2100-2300 Block of Katoski Drive, SW corner of Huntington Road and Katoski Drive, prior to May 15, 2026, weather permitting.

Motion to approve an Exception to Burning Yard Waste Application by Iowa Natural Heritage Foundation - Bill Kohler, to burn approximately 20 acres of prairie property, located east of 530 W. Big Rock Road, between April - May 2026, weather permitting.

Motion to approve an Exception to Burning Yard Waste Application by Waterloo Leisure Services, to burn approximately 3.5 acres of prairie property, located at the north side of Lloyd Randall Park along the bike path, 9:00 a.m. between April - May 2026, weather permitting.

Motion to approve an Exception to Burning Yard Waste Application by Waterloo Leisure Services, to burn approximately 5.7 acres of prairie property, located north of West Ridgeway Road in the Katoski Greenbelt along the trail, 9:00 a.m. between April - May 2026, weather permitting.

Motion approving an Exception to Burning Yard Waste Application by Hawkeye Community College to burn approximately 14.3 acres on the Hawkeye Community College campus, April 12, 2026 to May 8, 2026, between 8:00 a.m. and 5:00 p.m.

Motion approving hiring of **James Bolger** to the position of Assistant Director in the Leisure Services Department, effective April 7, 2026.

Bailey Moore, Board/Commission: Library Board of Trustees, Expiration Date: June 30, 2032, [New-Full].

Richard L. Grimm, Board/Commission: Memorial Hall Commission, Expiration Date: February 16, 2029, [New-Full].

Jared Hottle, Board/Commission: Historic Preservation Commission, Expiration Date: February 16, 2029, [Renew-Full].

Communication from the Mayor's Office on the notice of the conclusion of employment of Britni Perkins, Executive Secretary, effective March 2, 2026, with recommendation of approval of payout of \$2,821.61 for unused benefits.

Communication from the Fire Department on the notice of the conclusion of employment of Chris Behrens, Engineer, effective March 13, 2026, with recommendation of approval of payout of \$12,172.48 for unused benefits.

Communication from the Police Department on the notice of the conclusion of employment of

Katelyn Christensen, Police Officer, effective March 1, 2026, with recommendation of approval of payout of \$4,098.66 for unused benefits.

Communication from the Police Department on the notice of the conclusion of employment of Brad Walter, Police Officer, effective April 1, 2026, with recommendation of approval of payout of \$6,510.60 for unused benefits.

Communication from the Fire Department on the notice of the conclusion of employment of Aaron Burger, Firefighter, effective February 24, 2026, with recommendation of approval of payout of \$865.34 for unused benefits.

Motion to receive and file Grout Museum funding reports of February 2026.

Motion to receive and file Leisure Services Commission Board minutes of February 10, 2026.

Motion to receive and file Veterans Memorial Hall Board minutes of February 25, 2026.

Liquor Licenses

Ali's Corner, 1117 E. 4th Street, Class E w/Sunday Sales (Renewal) 04/01/2027.

Babes Tap, 210 Division Street, Class C w/Sunday Sales (Renewal) 03/14/2027.

Cedar Valley Fish Market, 218 Division Street, Class C w/Sunday Sales (Renewal) 01/25/2027.

Dollar General #10073, 3815 University Avenue, Class C w/Sunday Sales (Renewal) 03/14/2027.

Grout Museum, 503 South Street, Special Class C w/Sunday Sales (New) 02/23/2027.

Hampton Inn, 2034 LaPorte Road, Class C w/Sunday Sales (Renewal) 03/31/2026.

Hy-Vee Food Store 1, 2834 Ansborough Avenue, Class E w/Sunday Sales (Renewal) 03/23/2026.

National Dairy Cattle Congress, Class C w/Sunday Sales (New) 03/05/2027.

Newton's Paradise Cafe, 128 E. 4th Street, Class C w/Sunday Sales (Renewal) 01/31/2027.

Sam's Club, 210 E. Tower Park Drive, Class E w/Sunday Sales (Ownership Updates) 02/28/2027.

Troy's Kimball, 3146 Kimball Avenue, Class C w/Sunday Sales (New) 03/31/2027.

Waterloo Softball Association, 1139 Josephine Street, Class C w/Sunday Sales (Renewal) 04/16/2026.

Cigarette/Tobacco/Nicotine/Vapor Permits

Dollar General Store #30998, 5570 Washington Street (Retail Tobacco).

Dollar General Store #20584, 1650 Idaho Street (Retail Tobacco).

Fareway Stores #951, 40 W. San Marnan Drive (Retail Tobacco).

Greenleaf Tobacco & E-Cigs, 1503 E. San Marnan Drive (Retail Tobacco).
Greenleaf Tobacco & Vape, 2313 Logan Avenue, (Retail Tobacco).
Greenleaf Tobacco & Vape, 1608 University Avenue, Ste. B, (Retail Tobacco).
Greenleaf Tobacco & E-Cigs, 1503 E. San Marnan Drive (Device Permit).
Greenleaf Tobacco & Vape, 1608 University Avenue (Device Permit).
Greenleaf Tobacco & Vape, 2313 Logan Avenue (Device Permit).
Kwik Star #380, 506 W. 9th Street (Retail Tobacco).
Kwik Star #715, 135 E. Ridgeway Avenue (Retail Tobacco).
Kwik Star #723, 707 Broadway Street (Retail Tobacco).
Kwik Star #724, 1105 Cedar Bend Street (Retail Tobacco).
Kwik Star #732, 324 Fletcher Avenue (Retail Tobacco).
Kwik Star #1004, 111 E. Donald Street (Retail Tobacco).
Metro Mart #1, 3201 W. 4th Street (Retail Tobacco).
Metro Mart #4, 2332 Falls Avenue (Retail Tobacco).

Bonds.

Item 6

Simon/Creighton-Smith

Resolution determining the necessity and setting date of public hearing as May 4, 2026, to approve the Amendment to the Downtown Waterloo Riverfront Urban Renewal and Redevelopment Plan, to update projects and project budgets to be included in the Plan and setting date of consultation with taxing entities as April 17, 2026, and instruct the City Clerk to publish notice. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-163.

Mr. Morrow commented that there was an increase in the value listed in the supporting documents and requested details of that change.

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

Item 8

Morrow/Schmitt

Resolution approving award of bid to Peterson Contractors, Inc. of Reinbeck, Iowa, in the amount of \$7,727,051.20, approving the contract, bond and certificate of insurance, in conjunction with the FY 2026 Katoski Drive and Huntington Road Reconstruction, Contract No. 1123, 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. 2026-164.

Mr. Morrow questioned if a written contract is in place for what the schools pay versus what the city pays and who is doing the design work.

Jamie Knutson, City Engineer, confirmed that a contract was approved by the previous council and shared that the city hired Foth Infrastructure to do the design work and the city would do the inspections, and he would bill the school for their portion of it once we have new construction. There will be ongoing payments for reimbursement throughout the project.

Mr. Morrow asked what the split was in the contract.

Jamie Knutson shared that the split is roughly sixty-forty, with sixty being the city's portion and forty being the schools.

PUBLIC HEARINGS

Request by Advanced Heat Treat to vacate approximately 650 square feet of public Sewer and Utility Easement in the "M-1" Light Industrial District located at 2839 Burton Avenue.

Schmitt/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.

Schmitt/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.

Schmitt/Simon

to receive, file and consider and pass for the first time an ordinance approving a 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. Roll Call vote-Ayes: Seven. Motion carried.

Schmitt/Simon

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

Schmitt/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. 5831

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.

Morrow/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.

Ed Olthoff, 1225 Downing, commented that he had recently moved to Waterloo and considered raising chickens, so he checked the ordinance and thinks that our ordinance seems extreme for two chickens. He then learned that there was a moratorium on new permits and decided to tune in to a televised Planning and Zoning hearing. After watching the meeting, he said that he thinks there needs to be more transparency before a vote. When he questioned his council person about this, they also were unaware that a hearing would be held on the matter.

Jacob Oltoff, 1332 Knoll Avenue, commented that he knows there are problems with some citizens not following the ordinance, but instead of punishing just those individuals, it seems like the reaction is to just remove permissions from all citizens. He provided a proposal for council to consider that addresses the number of animals, space needed, cleanliness and provisions for permitting similar to dogs and cats as well as fees for violations.

Morrow/Creighton-Smith

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

Aric Schroeder, City Planner, provided an overview of the moratorium for tobacco and vape shops and hobby farms. The committee participation included, in part, Waterloo Schools, Humane Society, Black Hawk County Health. He shared that the majority vote was to issue no new hobby farm permits and grandfather in any existing hobby farms. The ordinance also included a moratorium on issuance of new tobacco licenses that is set to run through May 5, 2026.

Ms. Creighton-Smith asked if Aric Schroeder could review the proposal that was just handed out by Mr. Olthoff to see if what we are doing aligns with what is happening in other areas.

Aric Schroeder stated that he could do that and asked the council members to consider passing the item on the first reading and an update could be provided at the next meeting to decide what action to take at that time.

Mr. Schmitt questioned why tobacco and vape shops and hobby farms are appearing in the same ordinance.

Aric Schroeder explained that though these are separate regulations, they fall under the same ordinance. Each has their own subcommittee that just happened to approve their amendments at the same time.

Mr. Schmitt shared that he would be very supportive of restricting or ending some of the tobacco and vape shops, within legal bounds. He commented that he remembers talking about having hobby farms and chickens within reasonable bounds, which was at the time considered to be a good and healthy thing. He said he agrees with Mr. Olthoff that there was not a lot of publicity on this, so people may not have known it was being discussed, and that it seems like good hobby farmers will potentially be penalized. He will vote yes on the first reading, but not to suspend the rules. He would like to see more publicity for this, so people can provide their input. He clarified that this is purely on hobby farms and not the tobacco and vape shop permits.

Mr. Simon questioned how many legal hobby farms exist in the community currently.

Aric Schroeder shared that there are approximately eight to ten legal hobby farms in the community.

Mr. Simon questioned if the city received additional inquiries to start hobby farms.

Aric Schroeder commented that it can vary, but during the moratorium two individuals reached out about starting hobby farms.

Ms. Berry thanked the citizens for sharing their concerns and shared that she did not even realize there were hobby farms in the city. She commented on the abundance of vape shops and said that some are even in neighborhoods. She questioned if there are ways to know where vape shops would be located.

Aric Schroeder shared that staff did map out the location of establishments with a tobacco license and are currently working on defining a threshold based on the percentage of dedicated retail floor space.

Mr. Morrow clarified that city staff would be able to review the proposal that was provided for hobby farms and come with suggestions or comments by the next reading.

Aric Schroeder confirmed.

The mayor and council members continued to discuss the effects of striking hobby farms from this amendment with the city clerk and city planner.

Schmitt/Creighton-Smith

to strike the references to hobby farms from the amendment as presented. Roll Call vote-Ayes: Three. Nays: Four (Creighton-Smith, Salamanca, Martin, Simon). Motion failed.

Morrow/Creighton-Smith

to receive, file and consider and pass for the first time an ordinance amending 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. Roll Call vote-Ayes: Four. Nays: Three. (Schmitt, Morrow, Creighton-Smith). Motion carried.

Morrow/Schmitt

to suspend the rules. Roll Call vote-Ayes: Four. Nays: Three (Schmitt, Morrow, Creighton-Smith). Motion failed.

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.

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

Creighton-Smith/Martin
Resolution approving the sale and conveyance of city-owned property located west of 1425 Hawthorne Avenue, E&C Investments, in the amount of \$5,000.00 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. 2026-165.

Mr. Salamanca requested an overview of the refund.

Noel Anderson, Community Planning and Development Director, provided an overview of the Elevate Housing Policy 2.0.

Creighton-Smith/Berry
Resolution approving a Development Agreement with E & C Investments, LLC 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. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-166.

2026-2028 Complaint mowing with complaint snow removal.

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

Creighton-Smith/Martin
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. 2026-167.

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

Adams Outdoor Contracting, Inc., Waterloo, IA - 5% - Alt A: \$1,549.99 - Alt B: \$1,549.99 - Alt C: \$58.49 - Alt D: \$103.40 - Alt. E: \$2,125.00 - Alt F: \$1,750.00
P&J Lawn Care, Waterloo, IA - 5% - Alt A: \$1,750.00 - Alt B: \$1,750.00 - Alt C: \$70.00 - Alt D: \$110.00 - Alt. E: \$2,100.00 - Alt F: \$2,100.00
Ethan's Home Maintenance, LLC - Waterloo, IA - 5% - Alt A: \$4,250.00 - Alt. B: \$3,500.00 - Alt. C: \$75.00 - Alt. D: \$75.00 - Alt. E: \$2,550.00 - Alt F: \$2,100.00

Creighton-Smith/Simon

Resolution approving the award of the bid to Adams Outdoor Contracting Inc., Waterloo, Iowa. Option A: \$1,549.49, Option B: \$1,549.49 per occurrence, Option C: \$58.49 per man-hour, and Option D: \$103.00 per man-hour, Option F: \$1,750.00. Awarding the bid to P & J Lawn Care of Waterloo, Iowa Option E: \$2,100.00 per occurrence approving the contracts, bonds, and certificates of insurance, in conjunction with the FY 2026-2028 Complaint Mowing with Complaint Snow Removal Contracts, 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. 2026-168.

FY 2026 Asphalt Overlay Program, Contract No. 1143.

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. 2026-169.

Morrow/Schmitt

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

Engineer's Estimate: \$1,900,000.00

Aspro, Inc., Waterloo, IA - 5% - \$1,626,527.23

Morrow/Schmitt

Resolution approving award of bid to Aspro, Inc. of Waterloo, Iowa in the amount of \$1,626,527.23, approving the contract, bonds, and certificate of insurance, in conjunction with the FY 2026 Asphalt Overlay Program, Contract No. 1143, 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. 2026-170.

FY 2026 800 Block Upton Avenue Sanitary and Water Main Extensions, Contract No. 1147.

Schmitt/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.

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

Schmitt/Creighton-Smith
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. 2026-171.

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

Engineer's Estimate: \$540,000.00
Aspro, Inc., Waterloo, IA - 5% - \$359,907.55
Peterson Contractors, Inc., Reinbeck, IA - 5% - \$370,005.15
Shift General Contracting, Cedar Rapid, IA - 5% - \$434,090.20

Schmitt/Creighton-Smith
Resolution approving award of bid to Aspro, Inc. of Waterloo, Iowa in the amount of \$359,907.55, approving the contract, bonds, and certificate of insurance, in conjunction with the FY 2026 800 Block Upton Avenue Sanitary and Water Main Extensions, Contract No. 1147, 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. 2026-172.

FY 2026 Parkview Manor and W. 3rd Street Detention Basin, Contract No. 1137.

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

Creighton-Smith/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. 2026-173.

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

Engineer's Estimate \$1,850,000.00
Lodge Construction, Clarksville, IA, 5%, \$1,580,420.28
Peterson Contractors, Inc., Reinbeck, IA, 5%, \$1,607,197.68
Pirc-Tobin, Alburnett, IA, 5%, \$1,832,771.05

Shift General Contracting, Cedar Rapids, IA, 5%, \$1,879,698.61

Levee Rip Rap Spraying, Contract No. 1150.

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

Morrow/Schmitt

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. 2026-174.

Morrow/Schmitt

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

Engineer's Estimate: \$59,598.00

Landmark Turf Services, LLC, Dunkerton, IA - 5% - \$57,078.00

Morrow/Schmitt

Resolution approving award of bid to Landmark Turf Services, LLC., of Dunkerton, Iowa, in the amount of \$57,078.00, approving the contract, bond and certificate of insurance, in conjunction with the Levee Rip Rap Spraying, Contract No. 1150, 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.2026-175.

RESOLUTIONS

Resolution approving an agreement with the Waterloo Water Works for water main replacements in conjunction with FY 2026 Upton Avenue Sanitary and Water Main Extensions, Contract No. 1147, and authorizing the Mayor and City Clerk to execute said document.

Simon/Martin

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-176.

Resolution approving an agreement with Pro-West & Associates, in an amount not to exceed \$948.89, to provide custom programming of the sidewalk inspection software, and authorizing the Mayor to execute said document.

Simon/Martin

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-177.

Resolution approving construction plans for private sanitary sewer serving the Hawkeye Community College Sustainability Center, as submitted by Robinson Engineering Co., Sewage Treatment Agreement, DNR Form 29 (Nov 00) with the Department of Natural Resources, and final acceptance of construction plans subject to the review and acceptance by the Department of Natural Resources, and authorizing the Mayor to execute said documents.

Simon/Martin

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-178.

Resolution approving a Professional Services Agreement with AECOM of Waterloo, Iowa, in the amount of \$680,000.00, in conjunction with the US Highway 63 Lift Station, Force Main, and Sanitary Sewer Improvements, Phase II Project, and authorizing the Mayor to execute said document.

Morrow/Berry

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-179.

Resolution approving a Professional Services Agreement with Entrust of Lisle, Illinois, in the amount of \$1,810.00, in conjunction with the Fiber Backbone Project, and authorizing the Mayor to execute said document.

Morrow/Berry

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-180.

Resolution approving a Development and Minimum Assessment Agreement with Advanced Heat Treat Company for the construction of a 18,000-square-foot addition with a minimum assessed value of \$3,653,260.00 at 2851 Burton Avenue, in the East Waterloo Unified TIF District, including a rebate schedule of year one at sixty-five percent, year two at sixty percent, and years three through seven at fifty percent, and authorizing the Mayor and City Clerk to execute said documents.

Morrow/Berry

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-181.

Resolution approving a Permanent Sanitary Sewer Easement Agreement in the amount of \$11,846.00, with Donaldson Company, Inc., successor by merger to EPCI Acquisition Corp., located at 2940 Airport Boulevard, in conjunction with the Waterloo Air and Rail Park Utility Improvements Project, and authorizing the Mayor to execute said document.

Berry/Creighton-Smith

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-182.

Resolution approving two Permanent Sanitary Sewer Easement Agreements in the total amount of \$19,065.00, with No Steps, LLC, located at 2834 West Airline Highway, in conjunction with the Waterloo Air and Rail Park Utility Improvements Project, and authorizing the Mayor and City Clerk to execute said documents.

Berry/Creighton-Smith

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-183.

Resolution accepting and approving an Acquisition Contract and a Deed to Convey Real Property to the City of Waterloo, for a Partial Right-of-Way Acquisition Contract in the amount of \$6,723.00, and a Temporary Easement Agreement in the amount of \$1,450.00, for a total compensation amount of \$8,173.00, with Lederman Bros. Prop. Mgmt. Co., LLC for the property located at 1801-1807 La Porte Road, in conjunction with the La Porte Road Phase III Reconstruction Project, and authorizing the Mayor and City Clerk to execute said documents.

Berry/Creighton-Smith

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-184.

Resolution authorizing sponsorship of the Business Incentives for Growth Application with the Iowa Economic Development Authority, for Advanced Heat Treat, for sale tax exemption for their new business expansion located at 2851 Burton Avenue, and authorizing the Community Planning and Development Director to execute said application.

Martin/Simon

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-185.

David Dryer, 3145 W. 4th Street, questioned the total amount of funding and rebates that are being provided to this business.

Noel Anderson, Community Planning and Development Director, provided an overview of the funding streams for the item.

Resolution approving a Temporary Easement Agreement in the amount of \$246.00 with Elizabeth A. Curran, located at 1432 Ingersoll Road, in conjunction with the Katoski Drive/Huntington Road reconstruction project, and authorizing the Mayor and City Clerk to execute said document.

Martin/Simon

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-186.

Resolution approving an Amendment to a Temporary Access Easement Agreement with McDonald's USA, LLC, located at and adjacent to 2222 Logan Avenue, and authorizing the Mayor and City Clerk to execute said document.

Martin/Simon

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-187.

Resolution accepting and approving an Acquisition Contract and a Deed to Convey Real Property to the City of Waterloo, for a Partial Right-of-Way Acquisition Contract in the amount of \$4,558.00, and a Temporary Easement Agreement in the amount of \$2,594.00, for a total compensation amount of \$7,152.00, with Pryor Enterprises, LC for the property located at 1955 La Porte Road, in conjunction with the La Porte Road Phase III Reconstruction Project, and

authorizing the Mayor and City Clerk to execute said documents.

Martin/Simon

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-188.

Resolution approving a Development Agreement with 5 Bees LLC, for the construction of a 10,000-square-foot building at 179 W. 18th Street and 2014 Black Hawk Street, including a \$310,000.00 acquisition grant and up to \$40,000.00 demolition grant, and authorizing the Mayor and City Clerk to execute said documents.

Schmitt/Berry

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-189.

Forest Dillavou, 1725 Huntington Road, commented that when the city is buying those two properties and tearing them down, we are taking away from the general fund because they are in the TIF district. It is another rip-off of taxpayers and some reconsideration needs to be given to the item.

John Brundrett, 121 Goldcrest Court and Developer for the project, shared that with this Development Agreement they are doing things differently, and they will pay full property taxes from day one and that the incentive that is being offered is in return for no tax abatement. He said that both buildings would be torn down and shared that one of the properties had a murder back in 2014, and a firebombing in the other building in 2019. He further shared that he met with Mr. Salamanca Arroyo and Mr. Schmitt and said that this property would pay six times the property taxes this year than the current property did and that is in the first year.

David Dryer, 3145 W. 4th Street, questioned if the taxes are going into the TIF or to the general fund.

Noel Anderson, Community Planning and Development Director, shared that there is a combined valuation of the existing property of about \$214,000.00 and commented that the majority of the taxes would go into the TIF and the rest into the debt service levy.

Mayor Boesen requested an update of the valuation of this property.

Noel Anderson said the new minimum assessed value will be \$850,000.00.

Mr. Morrow requested additional information on both short and long-term benefits to the city.

Noel Anderson provided an overview of the item.

Mr. Salamanca questioned the zoning of the property.

Noel Anderson shared that the property is zoned industrial.

Mr. Simon thanked the developer and Noel Anderson for the innovative Development Agreement.

Ms. Creighton-Smith commented that this area is both vital and visible.

Mr. Morrow clarified that each Development Agreement is formulated for the situation.

Noel Anderson confirmed.

Mayor Boesen commented that Mr. Brundrett has a proven track record in this area and noted that this is a ten to eleven year payback to get it online and get one hundred percent of the taxes back.

Noel Anderson confirmed.

Mr. Salamanca questioned what policies are in place to prevent code violations if an employee makes a deal with a contractor.

Noel Anderson shared that they have to set up the LLC in a different way to meet state code provisions.

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.

Salamanca/Martin

Roll Call vote-Ayes: Three. Nays: Four (Schmitt, Morrow, Salamanca, Simon). Motion failed. Resolution No. 2026-190.

LaTonya Graves, 607 E. Donald Street, questioned if the council has done their due diligence on the project to determine what the rebuild would cost versus a remodel.

Beverly Cosby, 315 Wendell Ct., commented that 620 Mulberry Street is a fire hazard waiting to happen and knows because she worked there for 15 years. The building is over 100 years old and when they moved people into the facility there were limitations on what they could do to upgrade the site. She shared that all the offices have one outlet with a power strip and that the building's heat cannot be regulated.

David Dryer, 3145 W. 4th Street, questioned the amount of engineering fees to date, how much the project will cost, and when the city will move into the new site.

Aaron Stacey Roberts, 411 Almond, questioned the amount of rent the city would pay on this building.

Forest Dillavou, 1725 Huntington Road, commented that we hired INVISION Architecture to see if we could make the new building work. They said we could, but now we are finding out that without major reconstruction it won't work. He further commented that we should not reward them with more money when they should have known what it takes to house a police department, and said that we need a different architect moving forward.

Noel Anderson, Community Planning and Development Director, provided a response to the various comments and questions asked during public comments.

Kate Payne, INVISION Architecture, shared that their fees were based on the original scope

that was defined and as the scope changed, the fees were revised.

Mr. Martin commented that he had a chance to meet with INVISION and walked through the building, and said that he was satisfied. He knows how bad the current City Hall and Carnegie Annex are, and said a change is needed.

Wayne Natham, 548 Cloverdale, commented that the architect will tell you that you need things in order to make more money.

Mr. Martin commented that moving will save us on utilities and maintenance, and that we have already signed an agreement with Mr. Blackwell, and now he owns this building, so we have to make it work.

Ms. Creighton-Smith commented that the council needs to move forward so that we can continue to work on this. This is something that we have to do, and she is in favor of moving forward.

Mr. Salamanca read from specific sections of the state and municipal code and commented that INVISION started work prior to the council's approval, which is a violation of the code, and he wants to know how that happened. He asked if staff or INVISION could confirm if any written authorization existed directing INVISION to proceed with work prior to council approval.

Greg Alhelm, Building Official, commented that he was not aware that they had begun work prior to council approval.

Kate Payne commented that they entered into the original agreement with the city after presenting a proposal to both Greg Alhelm and Noel Anderson. She said that they were told to proceed. She shared that this amendment was presented in November 2025, and had been asking that it be signed and returned and whether they should continue the work. She stated that they were given the authority to continue working by Mayor Hart.

Ms. Creighton-Smith clarified that this amendment is for the design.

Mr. Simon agreed with Mr. Salamanca and wants to understand how we got to the point that work continued without council approval so we can make sure it does not happen again.

Martin Petersen, City Attorney, read pertinent portions of the main agreement which was signed on January 20, 2025. The council members discussed the interpretation of the agreement with Martin Petersen, who explained that there are numerous legal theories and contract law that would address this issue. He stated it is clear that the firm was directed to move forward by a representative of the city, though it is complicated by the procedures outlined in the code that were not followed.

Mayor Boesen shared his disappointment that, back in October, the previous mayor gave approval to move forward and, in good faith, the architect sent the document to the city with those changes dated November 18, 2025. There were three council meetings before January 2026, to put those changes onto the agenda. For whatever reason, it was not, and it was not INVISION's fault. He said he personally feels we owe INVISION the money, but it is up to this council to decide.

ORDINANCES

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/Simon

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, by 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: Five. Nays: Two (Creighton-Smith, Salamanca). Motion carried.

Creighton-Smith/Simon

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

PUBLIC COMMENTS

The following individuals commented on various subjects.

Lori Eberhard, Main Street Waterloo Board, 512 Mulberry St., Renae Carson, 1108 Vine, Odell Sallis, Dellaton Asset Acquisition and 1542 Flammang Dr., Cassandra Creighton, East side of Waterloo, Aaron Stacey Roberts, 411 Almond, Maralyn Fagan, 1146 Ackermant, Beverly Cosby, 315 Wendell Ct., LaTonya Graves, 607 E. Donald St.

Ms. Berry commented that she appreciates the public comments shared tonight.

Mr. Martin asked that every council member look at the Community Vision Plan and then read aloud numbers 1, 6 and 8.

Ms. Creighton-Smith commented that the council needs to be very conscientious about perception and shared her concern about companies who may want to bring their businesses to Waterloo and may be watch the discord that we are seeing now.

Mr. Simon commented that having different opinions is not showing disrespect. He shared that he agrees with many comments made tonight, and he is committed to working together to move Waterloo forward.

Mr. Salamanca shared that as a city councilperson it is his sworn duty to ensure that he is accountable to the taxpayers and individuals that voted for him and that includes following proper procedures and the municipal code. He encouraged people to reach out, even those that disagree with his opinion, and that he would always respond. He then provided times and locations for his upcoming Coffee Hour and Ward 5 meeting.

Mr. Morrow commented that he researches every item that requires a decision. He also asked people to reach out to him, and he would share their concerns with the full council.

Mayor Boesen thanked Chief Duncan and the men and women of our police department as

they faced a very difficult weekend both Saturday and Sunday. They did their job and handled it with professionalism.

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

ADJOURNMENT

Simon/Creighton-Smith
that the council adjourn at 8:20 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk