August 3, 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, August 3, 2026.

Pre-Meeting Items

Roll Call.

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

Prayer or Moment of Silence.

Pledge of Allegiance, Mayor Dave Boesen

Approval of Agenda as proposed or amended.

Simon/Martin
that the agenda be amended and approved as follows: Public Hearing Item No. 1; Motion to receive, file and instruct the City Clerk to read bids; Add "and refer to Engineering Department for further review." and delete "Resolution approving award of bid to MidState Solutions, LLC, of Baxter, Iowa, in the amount of $216,541.18, approving the contract, bond and certificate of insurance, in conjunction with the FY 2027 Sidewalk Infill, Sidewalk Ramp and Trail Repair Program - Zone 5B, Contract No. 1157, and authorizing the Mayor and City Clerk to execute said document". Voice vote-Ayes: Seven. Motion carried.

CONSENT AGENDA

Simon/Martin
that the following items on the consent agenda, with items 12, 15, 25 and 27 being removed and considered separately, be received and placed on file, including the payment of bills for July 20, 2026, in the amount of $6,033,910.25 and August 03, 2026, in the amount of $469,750.64. 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. 2026-400.

Resolution approving the request by Glen Martin III, for tax exemptions on the construction of a new single-family home valued at $369,000.00, for property located at 2020 Avon Avenue and located in the Consolidated Urban Revitalization Area (CURA).

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-401.

Resolution approving the request of Tracy Haskin for a waiver for an asphalt driveway, located at 1132 Byron Avenue, with the elimination of the sidewalk section for asphalt driveways.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-402.

Resolution approving the request of Kristi Forbes for a waiver for a concrete driveway, located at 545 Cloverdale Avenue with the elimination of the sidewalk section due to inability to meet grade requirements.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-403.

Resolution setting date of Public Hearing as August 17, 2026, to authorize the sale and conveyance of approximately 966 square-feet of City-owned property, located north and south of 1130 Ansborough Avenue, to Pebble Hill, LLC, a Delaware limited liability company, in the amount of $7,728.80, subject to the retention of an easement over, under, upon, and across the described tracts, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-404.

Resolution setting date of public hearing as August 17, 2026, to authorize the sale and conveyance of 315 E. 4th Street to Try Pie in the amount of $1.00, including a Development and Minimum Assessment Agreement in the amount of $565,000.00 for 315 E. 4th Street and 311 E. 4th Street, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-405.

Resolution setting the date of public hearing as August 17, 2026, to authorize the sale and conveyance of city-owned property located south of 3915 Valdez Drive to Raymond I. Harris and Clozelle R. Harris in the amount of $1,576.00, and instruct the City Clerk to publish public notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-406.

Resolution setting date of public hearing as August 17, 2026, to approve the request by the City of Waterloo to rezone approximately 4.86 acres from “R-3” Multiple Residence District to “R-2,R-P” Planned Residence District and “R-3,R-P” Planned Multiple Residence District for the development of sixteen lots and the expansion of Birdee Cottage, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-407.

Resolution setting date of public hearing as August 17, 2026, to approve a request by the City of Waterloo to vacate approximately 1,988 square feet of city-owned right-of-way of West 3rd Street at the intersection of Norton Street, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-408.

Resolution setting date of public hearing for August 17, 2026, to approve a request by the City of Waterloo to rezone approximately 10.67 acres from “C-1” Neighborhood Commercial District and “A-1” Agricultural District to “R-3,R-P” Planned Multiple Residence District for the development of fourteen lots of single-family homes and town homes located along West 3rd Street and Norton Street west of Sergeant Road, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-409.

Resolution approving award of bid to Wendler, Inc., of Amana, Iowa, in the amount of $2,966,361.40, approving the contract, bonds, and certificate of insurance, in conjunction with the FY23 Cattle Congress Sanitary Sewer Lift Station Reconstruction Project, Contract No. 1075, 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. 2026-410.

Resolution approving the award of bid to REW Services Corporation of Des Moines, Iowa, in the amount of $2,004,261.00, approving the contract, bond, and certificate of insurance, in conjunction with Asbestos Abatement Services, Contract AB-2026-06-01P (1442 Sycamore Street, former Rath buildings), and authorizing the Mayor and City Clerk to execute said documents.

This item was removed to be considered separately.

Resolution approving submission of a second Iowa DNR IRA Urban Forestry Program Development grant application in the amount of $50,000.00, for updating the City of Waterloo's tree inventory, and authorizing the Leisure Services Director to execute said document.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-411.

Resolution approving a renewal agreement with Manpower Group US, Inc., for rates and fees associated with the coordination of temporary staffing services and authorizing the Human Resource Director to execute said document.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-412.

Resolution approving Experience Waterloo Board recommendation for funding FY2027 Quarters 1 and 2 Hotel-Motel Tax Grant.

This item was removed to be considered separately.

Resolution approving award of hotel/motel tax council discretionary funds to the Leisure Services Department in the amount of $16,000.00 for advertisement for the SportsPlex.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-413.

Resolution approving award of hotel/motel tax council discretionary funds to the Leisure Services Department in the amount of $16,000.00 for advertisement for the golf courses.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-414.

Resolution approving award of hotel/motel tax council discretionary funds to the American Legion Becker-Chapman Post 138 in the amount of $20,000.00, for their roof renovation project.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-415.

Resolution approving Acknowledgment/Settlement Agreement for Tobacco Violation - 1st Offense with Hy-Vee Fast & Fresh #3, 1512 Flamming Drive, Waterloo, Iowa, and acceptance of a civil penalty in the amount of $300.00, and authorizing the Mayor and City Clerk to execute said document.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-416.

Resolution approving Acknowledgment/Settlement Agreement for Tobacco Violation -1st Offense with Bamboo Ridge Campground, 4550 LaPorte Road, and acceptance of a civil penalty in the amount of $300.00, and authorizing the Mayor and City Clerk to execute said document.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-417.

Resolution approving Acknowledgment/Settlement Agreement for Tobacco Violation - 1st Offense with Hy-Vee Fast & Fresh #1, 3700 University Avenue,and acceptance of a civil penalty in the amount of $300.00, and authorizing the Mayor and City Clerk to execute said document.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-418.

Resolution approving Acknowledgment/Settlement Agreement for Tobacco Violation - 1st Offense with Yes Way #1022, 1976 Franklin Street, and acceptance of a civil penalty in the amount of $300.00, and authorizing the Mayor and City Clerk to execute said document.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-419.

Resolution approving Acknowledgment/Settlement Agreement for Tobacco Violation - 2nd Offense with Smoke O's, 1509 Flamming Drive, and acceptance of a civil penalty in the amount of $1,500.00, and authorizing the Mayor and City Clerk to execute said document.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-420.

Motion to approve Application for Theater License for Marcus Crossroads Cinema, 2450 Crossroads Boulevard.

Motion approving the hiring of Ryan Stuber to the position of Clerk Specialist in the Clerk's office, effective August 10, 2026.

This item was removed to be considered separately.

Angie Fordyce, Board/Commission: Metropolitan Transit Authority, Expiration Date: August 3, 2029, New appointment.

Communication from the Human Rights Department on the notice of the conclusion of employment of Abraham Funchess, Human Rights Director, effective July 9, 2026, with recommendation of approval of payout of $19,333.26 for unused benefits.

This item was removed to be considered separately.

Communication from the Sanitation Department on the notice of the conclusion of employment of Monesha Dickens, Solid Waste Technician, effective June 11, 2026, with recommendation of approval of payout of $3,367.40 for unused benefits.

Communication from the Mayor's Office on the notice of the conclusion of employment of Tara Thomas Gettman, Director of Strategic Communication, effective June 30, 2026, with recommendation of approval of payout of $4,639.68 for unused benefits.

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

Motion to receive and file Leisure Services Commission Board minutes of May 12, 2026.

Motion to receive and file Planning, Programming, and Zoning Commission minutes of May 2026.

Liquor Licenses

Benevolent & Protective Order of Elks #290, 407 E. Park Avenue, Class C w/Outdoor Service, Catering and Sunday Sales (Renewal) Exp: 06/30/2027.

BJ's Bar and Billiards, 110 Ida Street, Class C w/Outdoor Service and Sunday Sales, (Renewal) Exp: 07/29/2026.

Casey's General Store #24276, 3035 Logan Avenue, Class E w/Sunday Sales (Renewal) Exp: 06/14/2027.

Dollar General #30998, 5570 Washington Street, Class B w/Sunday Sales (Renewal) Exp: 08/20/2027.

Dollar General #7136, 66 E. Tower Park Drive, Class B w/Sunday Sales (Renewal) Exp: 08/21/2027.

Kwik Star #229, 1717 E. San Marnan Drive, Class B w/Sunday Sales (Renewal) Exp: 09/24/2026.

Kwik Star #723, 707 Broadway Street, Class B w/Sunday Sales (Renewal) Exp: 07/21/2026.
Kwik Star #724, 1105 Cedar Bend Street, Class B w/Sunday (Renewal) Exp: 07/21/2026.
Kwik Star #732, 324 Fletcher Avenue, Class B w/Sunday Sales (Renewal) Exp: 07/31/2026.
Lucky Wife Wine Slushies, 4022 Sergeant Road, Class C w/Outdoor Service and Sunday Sales (5-Day) Exp: 08/23/2026.
Maple Lanes, 2608 University Avenue, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp: 07/22/2027.
Narey's 19th Hole, 2073 Logan Avenue, Class C w/Sunday Service (Renewal) Exp: 08/22/2026.
Riverloop Association, Inc., 327 W. 3rd Street, Class C w/Sunday Service (5-Day) Exp: 08/11/2026.
Studio 13 Waterloo, 304 & 308 W. 4th Street, Class C w/Outdoor Service and Sunday Sales (Renewal) Exp: 07/31/2026.
The Loft, 710 Jefferson Street, Class C w/Sunday Sales (Ownership Updates) Exp: 10/31/2026.
Waterloo Fraternal Order of Eagles, 201 E. 1st Street, Class F w/Outdoor Service and Sunday Sales (Renewal) Exp: 07/14/2027.

Cigarette/Tobacco/Nicotine/Vapor Permits
Express Mart, 2027 Falls Avenue (Device Permit).
New Star Fletch, 315 Fletcher Avenue (Device Permit).
Now & Forever Waterloo, 1976 Franklin Street (Retail Tobacco) (New).
Vape Time, 2829 University Avenue, (Device Permit) (New).

Bonds.

These items were removed to be considered separately.

Item #12.
Morrow/Schmitt
Resolution approving the award of bid to REW Services Corporation of Des Moines, Iowa, in the amount of $2,004,261.00, approving the contract, bond, and certificate of insurance, in conjunction with Asbestos Abatement Services, Contract AB-2026-06-01P (1442 Sycamore Street, former Rath buildings), and authorizing the Mayor and City Clerk to execute said documents. Roll Call vote-Ayes: Six. Nays: One (Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-421.

Mr. Morrow requested an overview of the project, including Rath TIF funding.

Mr. Simon questioned potential developers for the property.

Ms. Creighton-Smith questioned Federal participation/funding.

Mr. Schmitt commented regarding the previous success of projects in this area and investment in the city.

Mr. Salamanca requested information regarding the TIF funding.

Noel Anderson, Community Planning and Development, explained funding and project plans for asbestos removal and potential development interest when the buildings are demolished/removed.

Item #15.
Morrow/Schmitt
Resolution approving Experience Waterloo Board recommendation for funding FY2027 Quarters 1 and 2 Hotel-Motel Tax Grants. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-422.

Mr. Schmitt requested an overview of the grant program, where funds are coming from and how interest is generated for Waterloo.

Tavis Hall, Executive Director, Experience Waterloo, 716 Commercial Street, explained partner grants/mini grants.

Mr. Morrow commented that after further discussion and research of the applications, he supports the recommendations.

Item #25.
Morrow/Schmitt
Motion approving the hiring of Ryan Stuber to the position of Clerk Specialist in the Clerk's office, effective August 10, 2026. Roll Call vote-Ayes: Seven. Motion carried.

Mr. Schmitt questioned filling a position considering the council discussed a hiring freeze.

Lance Dunn, Human Resource Director, explained the position was new in that the job description was changed to allow for more responsibilities, but that this is not adding a position to the clerk staff.

Item #27.
Salamanca/Schmitt
Communication from the Human Rights Department on the notice of the conclusion of employment of Abraham Funchess, Human Rights Director, effective July 9, 2026, with recommendation of approval of payout of $19,333.26 for unused benefits. Roll Call vote-Ayes: Seven. Motion carried.

Mr. Salamanca requested an overview of earned/unearned benefits.

Lance Dunn, Human Resources Director, explained the benefits being paid out in this instance were benefits accrued during employment, which are paid out following the employee's final paycheck.

Mr. Simon questioned if the council was voting to approve the motion or simply acknowledging the payout.

Lance Dunn confirmed the council is acknowledging the payout to the employee for benefits earned that are then paid out to the employee per the Iowa Code.

PUBLIC HEARINGS

FY 2027 Sidewalk Infill, Sidewalk Ramp and Trail Repair Program - Zone 5B, Contract No. 1157.

Simon/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.

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

Simon/Martin
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. 2026-423.

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

Engineering Estimate: $393,399.29
Boulder Contracting, Grundy Center, Iowa - 5% - $244,936.27
Brock Even Construction, Jesup, Iowa - 5% - $304,466.10
Midstate Solution, Baxter, Iowa - 5% - $216,541.18

Hazard Mitigation Plan 2026 Update.

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

Schmitt/Salamanca
Resolution approving the Hazard Mitigation Plan 2026 Update, and authorizing the Mayor to execute said document. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-424.

Asbestos Abatement Services, Contract AB-2026-07-01P (70 Sycamore Street).

Schmitt/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.

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

Schmitt/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. 2026-425.

Schmitt/Berry
to receive, file, and instruct the City Clerk to read the bids and refer to the Community Planning and Development Director for review. Voice vote-Ayes: Seven. Motion carried.

Engineering Estimate: $320,000.00
Abatement Remediation Services, LLC, Cedar Rapids, Iowa - 5% - $299,757.00
Advanced Environmental, Waterloo, Iowa - 5% - $290,000.00
All Star Environmental, Dubuque, Iowa - 5% - $3,060,000.00
Environmental Property Solutions, Inc., Urbandale, Iowa - 5% - $423,000.00
Robinson Brothers Environmental, Dane, Wisconsin - 5% - $820,000.00
Site Services, Inc., Algona, Iowa - 5% - $378,000.00

Schmitt/Berry
Resolution approving award of bid to Advanced Environmental, of Waterloo, Iowa, in the amount of $288,950.00, approving the contract, bonds, and certificate of insurance, in conjunction with the Asbestos Abatement Services, Contract AB-2026-07-01P (70 Sycamore Street), 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. 2026-426.

<u>Sale and conveyance of 12,157 square feet of city-owned property at the north-west corner of Larkspur Drive and Cimmarron Lane.</u>

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.

Mike Moss, 5743 Blue Sage Road, addressed the council regarding the issue of an adjacent neighbor and presented a petition to the council in opposition to the sale and conveyance of said property.

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

Creighton-Smith/Berry
Resolution authorizing the sale and conveyance of 12,157 square feet of city-owned property at the north-west corner of Larkspur Drive and Cimmarron Lane, in the amount of $20,000.00 to E&C Investments, and authorizing the Mayor and City Clerk to execute said documents. Roll Call vote-Ayes: Three. Nays: Four (Morrow, Creighton-Smith, Salamanca and Simon). Resolution Failed and assigned Resolution No. 2027-427.

Mr. Morrow stated he visited the property in question and visited with the residents in the area and found that the residents are overwhelmingly against developing the green space and will not support the resolution.

Mr. Salamanca stated he also visited the property and that he too feels the property exhibits all aspects of a park and will not support the resolution.

Mr. Simon commented on the petition filed and input from the residents in the area.

Ms. Creighton-Smith questioned the expense to the city for maintenance.

Todd Derifield, Leisure Services Director, estimated a couple of thousand dollars a year for mowing along with a maintenance contract for the wetland area through the Iowa Department of Natural Resources.

Ms. Creighton-Smith suggested, due to the upkeep, the city should consider declaring this as a city park and questioned what the development would entail.

Noel Anderson, Community Planning & Development Director, explained the potential developer would like to build a single-family home valued at $430,000.00 on the property for resale.

Mr. Schmitt requested an overview of the history of the property.

Mr. Anderson explained the parcel was set aside for potential park purposes, but that the city has never recognized it as a city park. City staff has worked on and maintained the drainage way and wetland areas and would continue to own the wetland areas if sold. Noel Anderson stated part of their duties are property management and to create an additional tax base and that this parcel meets those needs while still maintaining green space.

Mr. Schmitt stated he is sympathetic to the residents, but is a proponent of infill housing and feels this space should have a home on it.

Mr. Morrow stated that both the DNR and the city have spent funds to develop a watershed area.

Mayor Boesen stated that if sold, the watershed area would remain. The residents offered to help maintain the property with the city, but the Mayor does not believe this is a viable offer.

<u>Sale and conveyance of city-owned property at 1050 Evergreen Avenue, 520-522 Archer Avenue, and 1228 Columbia Street to Rock Star Real Estate, LLC, and acquisition of vacant lots from Rock Star Real Estate, LLC.</u>

Morrow/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.

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

Morrow/Berry
Resolution authorizing the sale and conveyance of City-owned property at 1050 Evergreen Avenue, 520-522 Archer Avenue, and 1228 Columbia Street in the amount of $45,000.000 to Rock Star Real Estate, LLC, 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. 2026-428.

Morrow/Berry
Resolution approving a Development Agreement with Rock Star Real Estate, LLC for the rehab of the two single-family homes and one twin home and the City acquisition of three lots near 613 Randall Street fin the amount of $37,500.00, including a purchase price reimbursement payment of $15,000.00, and an infill grant of $20,000.00, and authorizing the Mayor and City Clerk to execute said document. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-429.

<u>RESOLUTIONS</u>

<u>Resolution approving a Second Amendment to the Development Agreement with EIC Enterprises, LLC, dated November 3, 2025, to extend the deadlines for moving the home located at 3280 Newell Street, and completion on construction of the home, and authorizing the Mayor and City Clerk to execute said document.</u>

Salamanca/Martin
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-430.

<u>Resolution approving an amendment to the Development Agreement with EIC Enterprises, LLC, to extend the completion deadline of the homes along Chalmers Avenue to October 31, 2026, and authorizing the Mayor and City Clerk to execute said document.</u>

Salamanca/Martin
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-431.

<u>Resolution approving the application by the City of Waterloo for the Certified Local Government Grant to receive funding for The Aqua Line: Waterloo Historic Walk project.</u>

Salamanca/Martin
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and, upon approval by the Mayor, assigned No. 2026-432.

David Dreyer, 3145 W. 4th Street requested information regarding the project.

Nick Hendrick, President Main Street Waterloo, 512 Mulberry Street, provided an overview of the project for a historic walking tour of downtown Waterloo.

Resolution approving a Professional Services Agreement with Vandewalle & Associates, Inc., in the amount of $72,000.00, in conjunction with the Downtown Master Plan Implementation, and authorizing the Mayor and City Clerk to execute said document.

Berry/Salamanca
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-433.

David Dreyer, 3145 W. 4th Street, requested an update on the services being provided with the agreement and who on the council is receiving updates from Vandewalle.

Mayor Boesen stated all of this information was presented at the work session and have been meeting with council to update and answer any questions.

Forrest Dillavou, 1725 Huntington Road, questioned if Backes has a license to operate in the City of Waterloo as required and if there are any licensed auctioneers in the City of Waterloo.

Mr. Salamanca explained the council has met with Vandewall and received updates regarding their projects, but feels council members can do a better job of showcasing the projects and sharing with the public.

Mr. Morrow explained he also met with Vandewall and that they would be providing additional information requested regarding past and present projects.

Ms. Creighton-Smith stated in the three years she has been on council that this information has been shared by Vandewalle, Mayor Hart and Mayor Boesen and that the council is receiving this information.

Mr. Simon stated he is familiar with Backes Auction and feels they are reputable as they are registered with seven different auctioneering associations.

Mayor Boesen responded that Backes operates an office out of the City of Raymond.

Mr. Schmitt stated all the council members have met with Vandewalle and that the work session information is available to the public via the City YouTube site.

Mr. Salamanca stated he researched the contract to make sure he had an understanding of the contract, any changes and to hold himself accountable.

Resolution approving a Professional Services Agreement with Backes Commercial Auctioneers to sell obsolete Fire/Rescue equipment, and authorizing the Fire Chief to execute said document.

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

assigned No. 2026-434.

Resolution accepting FAA AIP Grant No. 3-19-0094-059-2026, in the amount of $3,715,425.00, in conjunction with the Rehab (Mill and Asphalt Overlay) Partial Runway 18/36 Project; Rehab (Mill and Concrete Overlay) Partial Runway 18-36 (Approx. 81% of the Project), and authorizing the Mayor and City Attorney to execute said document.

Morrow/Schmitt
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-435.

Resolution accepting FAA AIP Grant No. 3-19-0094-060-2026, in the amount of $881,853.00, in conjunction with the Rehab (Mill and Asphalt Overlay) Partial Runway 18-36 Project; Rehab (Mill and Concrete Overlay) Partial Runway 18-36 (Approx. 19% of the Project), and authorizing the Mayor and City Attorney to execute said document.

Morrow/Schmitt
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-436.

Resolution approving an agreement with MidAmerican Energy Company, of Des Moines, Iowa, in the amount of $187,921.36, for the installation of streetlights on Katoski Drive and Greenhill Road, in conjunction with the Huntington Road. and Katoski Drive Reconstruction, Contract No. 1123, and authorizing the Mayor to execute said document.

Morrow/Schmitt
Roll Call vote-Ayes: Six. Nays: One (Simon). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-437.

Mr. Martin questioned how funds were budgeted for the project and if the funds were split 60/40 with the high school.

Jaime Knutson, City Engineer, confirmed there is a 60/40 split with the high school with no grant money.

Mr. Salamanca questioned if an invoice was presented by the schools for their portion of the project.

Mr. Knutson explained that once invoices are received, a reimbursement request is sent to the schools for their portion and that he has submitted a request to the schools for the design portion of the project.

Mr. Morrow questioned how long it typically takes to receive a response to requests.

Mr. Knutson explained he has not had to submit a request of this nature, so he has no timeframe to reference.

Mr. Simon questioned the city's portion of the $187,921.36.

Mr. Knutson explained this amount covers Greenhill and Downing. That additional amounts will be coming for the new school entrance and Huntington.

Mr. Simon questioned if this was in the original school budget or if this was an additional cost.

Mr. Knutson responded this was an additional cost as he would not have had the amounts until MidAmerican submitted their invoice, but that an estimated amount was included in the budget in the design portion.

Mayor Boesen requested a clarification of the streets included in this agreement.

Mr. Knutson clarified that this agreement is for Katoski/Greenhill and the other one would be Downing and Katoski.

Resolution to approve a ten-year Procurement Contract for body/in-car cameras, DFR, Tasers and digital evidence management system with Axon Enterprise, Inc., in the amount of $6,567,660.53, and authorizing the Mayor to execute said document.

Creighton-Smith/Simon
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-438.

David Dreyer, 3145 W. 4th Street, questioned what maintenance software is included in the agreement.

Assistant Chief, Aaron McClelland, explained various aspects of the contract, also covered in the work session, including technology, financing and cost savings over ten years for refreshing the contract.

Jackson Dewitt, St. Michael, Minnesota, Axon Enterprise, Inc., gave an overview of the components of the contract with Axon.

LaTonya Graves, 607 E. Donald Street questioned how body cameras are activated.

Mr. Dewitt explained various aspects of the body and vehicle cameras and activation/deactivation and recording/video.

M. Bailey, Sr., 325 E. Park Avenue, questioned if any competitive bids have been entertained or if there is any relief funding to help with the cost.

Robert Duncan, Chief of Police, explained their department has been working towards this agreement since 2021, including RFP's and that Axon's technology stood out all along. Chief Duncan stated that all automatic traffic enforcement funds are going towards paying for the equipment/technology, roughly $300,000.00 per year.

Mayor Boesen stressed that law enforcement agencies have moved to Axon due to the quality of the product and, as a city, we do not want to go backwards in protecting the citizens and officers.

Aaron McClelland explained advantages of technology offered by Axon that other companies do not offer.

Dennis Harbaugh, 6145 Kimball Avenue, questioned the specific Waterloo Police Department policy regarding activation of body cameras when approaching an individual without engaging their weapon.

Chief Duncan stated the policy, when interacting with the public, the cameras should be on, but that each individual case is looked at separately. On calls for service, the policy is that cameras shall be activated. Chief Duncan further explained that random audits are performed each month and that if it is found that cameras were not turned on, disciplinary action is taken.

Mayor Boesen questioned if dash cameras are activated after a certain speed.

Chief Duncan confirmed dash cams are automatically activated if the speed is over 70 mph.

Aaron Stacey Roberts, 411 Almond Street, questioned policy regarding disciplinary action if cameras are intentionally turned off.

Chief Duncan explained if officers are speaking with the public the cameras should be on, but if they are speaking with other officers or experiencing a traumatic incident, they are allowed to shut the cameras off.

Mayor Boesen explained cameras can also be activated remotely and watched live by the Watch Command.

Aimee Ellingson, 810 Conger Street, questioned abuse of the tools by the police department.

Mayor Boesen clarified that the Waterloo Police Department does not use Flock Cameras.

Jay Grote, 2229 Edgemont Avenue, stated the city signed a contract with Flock in 2021, coinciding with a contract with Axon, and requested Jackson's address for the record. Mr. Grote also questioned the retention and storage of video and the use of that video in subsequent investigations.

Mr. Dewitt gave his address as 2616 Kenwood Avenue, NE St. Michael, Minnesota. Mr. Dewitt explained Axon does not house or have access to video, that it is owned by the City of Waterloo and controlled by their policies.

Jeff Grell, 4422 Harbin Drive, questioned if the public could have input on the policies regarding equipment.

Chief Duncan responded that all policies are available on the police department's website, but that they don't have a specific organization that puts forth policy suggestions. Chief Duncan further explained they do employ Lexipol to help develop PD policy.

Marla Fagan, 1146 Ackermant Street, would also like to see the community or a board to provide input on the policies regarding this equipment.

Mr. Morrow thanked Assistant Chief McClelland for the extensive work and presentation in regard to the equipment contract and feels this is the best solution for this program and capabilities.

Ms. Creighton-Smith agrees that the public should share in input of policy for the program to give consideration to all demographics.

Mr. Salamanca questioned if camera footage is public record and asked if this is an extension of the contract as opposed to a new contract.

Chief Duncan confirmed it is public record unless it is a criminal case and that this is an extension to the contract with annual upgrades.

Mr. Salamanca questioned if, during the five years, the current system has been used, if there have been any failures.

Chief Duncan stated the system is state of the art and that they have not experienced any failures in the system.

Mr. Salamanca stated he feels having this technology is a win-win for the city and the citizens having access to video.

Ms. Creighton-Smith questioned if this included updated equipment.

Assistant Chief McClelland confirmed that this not only extends the contract to 2027, but that it also provides for replacing/updating equipment during that period.

Resolution to receive and place on file a Coordinated Contractors' Indemnity 28E Agreement Termination Notice with Iowa Northland Regional Council Of Governments.

Schmitt/Martin
Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-439. Mr. Salamanca briefly exited the meeting at 7:58 p.m. and returned at 8:00 p.m.

David Dreyer, 3145 W. 4th Street, questioned what is being terminated in the agreement.

Mayor Boesen explained that historically, INRCOG contracted licensing contractors for the entire county and that the agreement is being terminated to eliminate those services being duplicated. Going forward, the city will license contractors in the city.

Resolution approving roof construction/repairs proposal with Black Hawk Roof Company, Inc., in the amount of $99,000.00 for removal/replacement with EPDM roof at South Hills Pro Shop to include new gutter and downspouts, and authorizing the Mayor to execute said document.

Roll Call vote-Ayes: Six. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2026-440.

PUBLIC COMMENTS

The following individuals commented on various subjects:

M. Bailey, Sr., 325 E. Park Avenue / Marlin Fagan, 1146 Ackermant / La Tanya Graves, 607 E. Donald Street / Mindorf Smith, 317 Reed Street / Dennis Harbaugh, 6145 Kimball Avenue / Jay Grote, 2229 Edgemont Avenue / Lawrence Stumme, 1008 Lois Lane / Carolyn Belfy, 5036

Ansborough Avenue / Dorris Deitrick, 2009 City View Street / Bob Schilling, 720 Grindstone Circle / Aaron Stacey Roberts, 411 Almond / Beverly Cosby, 315 Wendell Court / Renae Carson 1108 Vine Street / Odell Salis, 2613 Idaho Street / Aimee Ellingson, 810 Conger Street.

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

Mr. Salamanca addressed communications received as Council Liaison to the Human Rights Commission. Mr. Salamanca stated that the Human Rights Department and its Director are under the supervision of the Mayor. He feels there has been miscommunication regarding the department and the Director and formally requested a work session regarding continuation of an executive position in this department. Mr. Salamanca also encouraged the public to research the budget for this department, any deficiencies and if the department was operating efficiently and in a fiscally responsible manner.

Ms. Berry stated she feels this issue is not about the person, but the requirement for local authorities' maintenance of an independent Civil Rights Commission to be changed by the State of Iowa from "shall have" to "may have" a Civil Rights Commission and the consequences on the city's existing ordinance and if that had been changed since the governor signed the bill into law in March. Ms. Berry encouraged the public to continue sharing their input and comments regarding the issue and will review if our current ordinance conflicts with the new law.

Mr. Morrow addressed the council regarding current and new wells and the monitoring of those systems for chemicals and nitrates.

Ms. Creighton-Smith addressed the council regarding her public meeting in Ward 3, including council member Berry regarding citizen concerns about nitrate levels, maintaining and monitoring our systems, considering the high rate of incidences of cancer in Iowa. She also commented she appreciates the comments expressed to continue/maintain the Human Rights Commission and feels we need a fully functioning office and board for Human Rights. Ms. Creighton-Smith also relayed information regarding her and Ms. Berry's efforts for a spending initiative for spending money and supporting businesses in their wards to build the tax base and ensure those monies stay in the community longer.

Mayor Boesen thanked employees and volunteers that participated in the Irish Fest.

<u>ADJOURNMENT</u>

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

Kelley Felchle
City Clerk