July 1, 2024

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, July 1, 2024.

Roll Call.

Mayor Quentin Hart in the Chair. Roll Call: Mr. Boesen, Mr. Nichols, Ms. Creighton-Smith, Mr. Chiles, Mr. Simon, Ms. Wilder and Mr. Feuss.

Prayer or Moment of Silence.

Pledge of Allegiance, Rob Nichols At-Large Council Member.

Approval of Agenda as proposed or amended.

Feuss/Chiles
that the agenda, as amended, by removing Consent Agenda Item No. 12 for further discussion, and the complete removal of Resolution Item No. 2, be approved. Voice vote-Ayes: Seven. Motion carried.

Approval of Minutes of June 17, 2024, Regular Council Session as proposed or amended.

Feuss/Chiles
that the minutes for the June 17, 2024, Regular Session, as proposed, be approved. Voice vote-Ayes: Seven. Motion carried.

Resolution approving appointment of Robert Duncan to the position of Police Chief, along with an Employment Agreement for the same, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Nichols

Ms. Creighton-Smith requested, in light of what happened yesterday, that the council not take action on this item tonight so that the community has an opportunity to show a pause of respect and then honor. She commented that she does not feel comfortable doing anything at this time.

Creighton-Smith/Wilder
to table this item until Monday, July 8, 2024, at 5:30 p.m. Roll Call vote-Ayes: Two. Nays: Five (Boesen, Nichols, Chiles, Simon, Feuss). Motion failed.

Mr. Boesen commented that he empathizes with the tragedy that happened this weekend, but now, more than ever, we need a police chief in place and has nothing but confidence in Chief Duncan.

Mr. Feuss concurred with Mr. Boesen and stated that, hopefully, soon-to-be Chief Duncan has the experience, the resume and the backing of our police department.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-378.

PUBLIC COMMENTS

The following individuals commented on various subjects.

Aaron Stacy Roberts, 411 Almond Street
David Dryer, 3145 W. 4th Street
Kaleen Hanson, 740 Skyview Road

Mr. Chiles commented that his Ward 1 meetings are held on the last Saturday of each month. He shared that he had been contacted by a citizen who reported speeding in their neighborhood, and they had requested to have a speed trailer placed at Pelican and Park Haven.

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

CONSENT AGENDA

Feuss/Chiles
that the following item on the consent agenda as requested by Council member Boesen to remove item No. 12 to be considered for separate discussion, including payment of bills for June 24, 2024, in the amount of $6,581.857.34, and July 1, 2024, in the amount of $7,363,114.48, be received and placed on file. Voice 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. 2024-379.

Resolution approving the request by Matthew O'Connor, for tax exemptions on the construction of a new single family home valued at $296,354.00, for property located at 117 Coral Drive and located in the Consolidated Urban Revitalization Area (CURA).

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-380.

Resolution approving the request by Babic Properties, for tax exemptions on the construction of a twin home valued at $330,000.00, for property located at 3752-3754 Ravenwood Circle and located in the City Limits Urban Revitalization Area (CLURA).

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-381.

Resolution approving the request of David Moon for a waiver for a concrete driveway, located at 1326 Longfellow 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. 2024-382.

Resolution setting the date of the public hearing as July 15, 2024, to approve a request by Lola Burt for the vacate, sale and conveyance of approximately 6,682 square feet of city-owned right-of-way located east of 522 Albany 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. 2024-383.

Resolution setting date of public hearing as July 15, 2024, on the proposed funding recommendation set forth by the Community Development Board for the FFY 24-28 Waterloo/Cedar Falls HOME Consortium Five Year Consolidated Plan/Annual Action Plan, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-384.

Resolution setting date of public hearing as July 15, 2024, in conjunction with the FY 2024 La Porte Road Improvements, Contract No. 1016, IDOT Agreement No. HDP-8155(787)--71-07, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-385.

Resolution setting date of public hearing as July 15, 2024, for the sale and conveyance of city-owned property located east of 427 Rath Street, in the amount of $10.00, to Ronald Lee Kisner, Jr., including a Development Agreement and Real Estate Contract, and instruct the City Clerk to publish notice.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-386.

Resolution approving cancellation of assessment for properties listed on Exhibit A, and authorizing the City Clerk to notify Black Hawk County Treasurer of said cancellation.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-387.

Resolution approving the Experience Waterloo Board recommendation for funding a hotel-motel mini-grant application for the 100th Iowa Women's Amateur Championship, in the amount of $2,000.00.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-388.

Resolution approving Acknowledgment/Settlement Agreement-Affirmative Defense for Tobacco Violation - First Offense with Hometown Food, 1010 E. Mitchell Avenue, Waterloo, Iowa 50702, and acceptance of Affirmative Defense Certificate, with no civil penalty required, 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. 2024-389.

Resolution authorizing an exception to the City of Waterloo Purchasing Policy for the purchase of two New Way Sidewinder Automated Side Loaders, in the amount of $758,000.00, from Elliott Equipment, for the Sanitation Department.

Feuss/Chiles
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-391.

Mr. Boesen commented that a purchasing policy exception, especially one of this size, needs to have council approval prior to the city receiving ownership of vehicles and questioned how the vehicles are being funded. He noted that the optics are not good, and at a minimum, council needs to have prior communication.

Randy Bennett, Public Works Division Manager, explained that the vehicles are being funded through the Sanitation operating budget. The purchase was made through Sourcewell, which is a pre-bidding site that has been approved by the council. He stated that he understands and agrees about optics, and provided details of how the vehicles came to be in city possession.

Mayor Hart reiterated the need to provide council with a heads-up on large purchases such as this.

Mr. Simon requested an overview of Sourcewell for the public.

Randy Bennett provided an overview of how Sourcewell works.

Resolution authorizing an exception to the City of Waterloo Purchasing Policy for the purchase of a Chevy Colorado and a Chevy Equinox, in the amount of $62,686.19, from Karl Chevrolet, for the Motor Pool and Building Inspections.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-390.

Motion approving a letter of support for Main Street Waterloo's application for the Great American Main Street Award.

Motion to approve the appointment of **Darrell Taylor** to the position of Curator/Assistant Director in the Culture & Arts Department, effective July 2, 2024.

Communication from the Fire Department on the notice of the conclusion of employment of Jeffrey Palmer, Fire Engineer, effective June 20, 2024, with recommendation of approval of payout of $11,366.23 for unused benefits.

Communication from the Police Department on the notice of the conclusion of employment of Joseph Leibold, Police Chief, effective 6/21/2024 with recommendation of approval of payout of $38,007.76 for unused benefits.

Katy Susong, Board/Commission: Airport Board, Expiration Date:6/30/2028 [First Full].

Arlene Humble, Board/Commission: Airport Board, Expiration Date:6/30/2027 [Amended].

Motion to receive and file Leisure Services Commission Board minutes of May 14, 2024.

Board of Adjustment meeting minutes of April 23, 2024.

Historic Preservation Commission minutes of April 16, 2024 and May 21, 2024.

Planning, Programming, and Zoning Commission minutes of April 9, 2024.

Liquor Licenses

a. Plezi Bar and Entertainment, 504 Sycamore St., Class C Alcohol w/Catering and Sunday Sales (New) Exp: 6/30/2025.
b. Applebee's Neighborhood Grill & Bar, 2780 Crossroads Blvd., Class C Alcohol w/Sunday Sales (Renewal) Exp: 6/23/2025.
c. Kwik Star #723, 707 Broadway St., Class B Alcohol w/Sunday Sales (Renewal) Exp: 7/21/2025.
d. Kwik Star #732, 324 Fletcher Ave., Class B Alcohol w/Sunday Sales (Renewal) Exp: 7/31/2025.

PUBLIC HEARINGS

Request by J&R Real Estate Holdings, LLC, to rezone approximately 2.69 acres from “R-2” One and Two Family Residence District to “C-P” Planned Commercial District to remodel the former St. Johns School and Church into nineteen residential units and commercial space for a daycare and community center located at 1721–1729 Mulberry Street.

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

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

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

Feuss/Wilder
to receive, file, consider, and pass for the first time an ordinance amending Ordinance No. 5079, as amended, City of Waterloo Zoning Ordinance, by amending the Official Zoning Map referred to in Section 10-4-4, approving a request by J&R Real Estate Holdings, LLC, to rezone approximately 2.69 acres from “R-2” One and Two Family Residence District to “C-P” Planned Commercial District to remodel the former St. Johns School and Church into nineteen residential units and commercial space for a daycare and community center located at 1721–1729 Mulberry Street. Roll Call vote-Ayes: Seven. Motion carried.

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

Feuss/Wilder
to consider and pass for the second and third times and adopt the ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5765.

<u>Request by Walnut Baptist Church for a Site Plan Amendment to convert an office building into a religious facility at the former Grainger Industries building in the “B-P” Business Park District located at 827 Fisher Drive.</u>

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

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

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

Nichols/Wilder
to receive, file, consider and pass for the first time an ordinance 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 Walnut Baptist Church for a Site Plan Amendment to convert an office building into a religious facility at the former Grainger Industries building in the “B-P” Business Park District located at 827 Fisher Drive. Roll Call vote-Ayes: Seven. Motion carried.

Mr. Boesen commented that he supports the item but noted this is another building that will fall off of our tax rolls.

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

Nichols/Wilder
to consider and pass for the second and third times and adopt said ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5766.

Request by Ryan Companies for a Site Plan Amendment to construct a 223,148.23 square foot office/warehouse in the "M-2,P" Planned Industrial District located east of 3280 Newell Street.

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

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

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

Chiles/Wilder
to receive, file, consider and pass for the first time an ordinance amendment to Ordinance No. 5079, as amended, City of Waterloo Zoning Ordinance, by amending the Official Zoning Map referred to in Section 10-4-4, approving a request by Ryan Companies for a Site Plan Amendment to construct a 223,148.23 square foot office/warehouse in the "M-2,P" Planned Industrial District located east of 3280 Newell Street. Roll Call vote-Ayes: Seven. Motion carried.

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

Chiles/Wilder
to consider and pass for the second and third times and adopt said ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No.5767.

Request by Fall Auto, LLC, to rezone approximately 1.81 acres from "C-2" Commercial District to "C-2,C-Z" Conditional Zoning District, to allow for an auto repair facility with incidental auto sales, located at 2424 Falls Avenue.

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

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

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

Wilder/Feuss
to receive, file, consider, and pass for the first time an ordinance amending Ordinance No. 5079, as amended, City of Waterloo Zoning Ordinance, by amending the Official Zoning Map referred to in Section 10-4-4, approving a request by Fall Auto, LLC, to rezone approximately 1.81 acres from “C-2” Commercial District to “C-2,C-Z” Conditional Zoning District, to allow for an auto repair facility with incidental auto sales, located at 2424 Falls Avenue. Roll Call vote-Ayes: Seven. Motion carried.

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

Wilder/Feuss
to receive, consider, file, and pass for the second and third times and adopt said ordinance. Roll Call vote-Ayes: Feuss. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5768.

<u>Asbestos Abatement Services Contract No. AB-2024-06-01P, for property located at 123 E. Parker Street, former Saint Mary's Villa (rebid).</u>

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

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

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

Creighton-Smith/Chiles
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. 2024-392.

Mr. Chiles supports the item.

Mr. Boesen commented on the competitive bids received.

Aric Schroeder, City Planner, provided an overview.

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

Estimate: $150,000.00
All Star Environment, LLC, Dubuque, IA - 5% - $135,679.00
Earth Services & Abatement, Des Moines, IA - 5% - $174,550.00
New Horizons Enterprises, LLC, Lincoln, NE - 5% - $207,707.00
Abatement Specialties, LLC, Cedar Rapids, I A - 5% - $197,500.00
REW Services Corp, Des Moines, IA - 5% - $147,500.00

ECCO Midwest, Hastings, MN - 5% - $205,222.00
AAA Budget Environmental, Monticello, IA - 5% - $198,989.00
Advanced Environmental, Waterloo, IA - 5% - $138,500.00

Mayor Hart questioned the process if change orders come through with such close competitive bids.

Aric Schroeder explained what staff would be looking for to ensure any change order would be for something every bidder would need to submit.

Mr. Simon requested that contractors bid information be tracked showing the number of bids and the number of change orders.

Creighton-Smith/Chiles
Resolution approving award of bid to All Star Environmental, LLC of Dubuque, Iowa, in the amount of $135,679.00, in conjunction with Asbestos Abatement Services, Contract No. AB-2024-06-01P, for property located at 123 E. Parker Street, the former Saint Mary's Villa (rebid), 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. 2024-393.

<u>RESOLUTIONS</u>

<u>Resolution approving an amendment to the Professional Services Agreement with Invision Architecture of Waterloo, Iowa, in conjunction with the Public Market Renovations Project, originally executed April 1, 2024, and authorizing the Mayor to execute said document.</u>

Chiles/Wilder

David Dryer, 3145 W. 4th Street, questioned who will pay for the improvements to the building.

Noel Anderson, Community Planning and Development and Director, explained that both the city and the developer would pay for the updates.

Forest Dillavou, 1725 Huntington Road, asked that the city make sure we can recover tax payers dollars if agreement isn't fulfilled.

Chiles/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-394.

<u>Resolution approving a Development and Minimum Assessment Agreement with FDP OC, LLC, for the rehabilitation of 503 Commercial Street into a multi-story, mixed-use building of approximately seventy-eight apartment units on the upper levels and a retail storefront on the ground floor, including the Infill Housing Incentive of $5,000.00 per residential unit, property tax rebates with a schedule of eighty-five percent for twenty years, payment of up to fifty percent for removal of exterior paneling shall not exceed $50,000.00 and a Minimum Assessment Agreement of $7,500,000.00, and authorizing the Mayor and City Clerk to execute said documents.</u>

Removed by amendment.

Resolution approving an Acquisition Contract to acquire 2,063 square feet of right-of-way, in the amount of $13,000.00 and up to $1,200.00 in closing costs, with Doris R. Foster, located at 500 Lakeside Street, in conjunction with the East 4th Street Reconstruction Project, and authorizing the Mayor and City Clerk to execute said documents.

Chiles/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-395.

Resolution to rename Penneys Street to Gina Boulevard, located between East San Marnan Drive and Crossroads Boulevard.

Chiles/Wilder

Council members discussed the renaming of the street with Noel Anderson, Community Planning and Development Director.

Roll Call vote-Ayes: Six. Nays: One (Boesen). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-396.

Resolution approving a Professional Services Agreement with HR Green, in an amount not to exceed $5,100.00, to complete a phase I Environmental Site Assessment for a city-owned lot on the Techworks Campus, and authorizing the Mayor to execute said document.

Wilder/Chiles

David Dryer, 3145 W. 4th Street, questioned if this is for indoor and outdoor courts.

Noel Anderson, Community Planning and Development Director, confirmed.

Mr. Chiles questioned if the million dollar grant the city received would help fund this project.

Noel Anderson explained that the EPA grant would not cover this parcel, as this project will commence before the federal dollars become available at their fiscal year, which begins October 1.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-397.

Resolution approving a Professional Services Agreement with AECOM, Waterloo, Iowa, in the amount of $379,500.00, in conjunction with the South Waterloo Business Park final design, and authorizing the Mayor and City Clerk to execute said document.

Wilder/Chiles

Mr. Chiles questioned if this includes signage.

Jamie Knutson, City Engineer, confirmed.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-398.

Resolution approving a Settlement Agreement with Kevin Kalsem, Trustee on behalf of the Roger T. Kalsem Trust, in the amount of $12,119.00, in conjunction with the FY 2023 Hammond Avenue Bridge Replacement, Contract No. 922, and authorizing the Mayor and City Clerk to execute said document.

Wilder/Chiles
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-399.

Resolution approving Addendum to Agreement No.1038172 with UniFirst, of Chicago, Illinois, originally executed September 6, 2022, and set to expire on November 20, 2027, to add required PPE shirt item No. 03HKHT FR Cat 2 ATPV 8.3, ANSI Class 3 at $3.25 each per week per wearer, in conjunction with the UniFirst Uniform Agreement, Contract No. 2491, and authorizing the Mayor to execute said document.

Nichols/Feuss
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-400.

Resolution approving a Professional Services Agreement with AECOM Technical Services, Inc., of Waterloo, Iowa, in the amount of $17,500.00, in conjunction with the FY 2024 IDOT Vertical Infrastructure Grant, and authorizing the Mayor and City Clerk to execute said document.

Nichols/Feuss
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-401.

Resolution to approve the 28E agreements with Elk Run Heights and Cedar Township to provide Fire and EMS protection and authorizing the Mayor and City Clerk to execute said documents.

Nichols/Feuss

Mr. Boesen requested clarification on the increase.

Bill Beck, Fire Chief, commented that the increase is 3 percent.

Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2024-402.

ORDINANCES

An ordinance amending Title 8, Public Utilities, Chapter 3, Sewer Regulations, Article A, User Charges and Fees of Section 2, Determination of Rates and Charges, to Increase Sewer Rates.

Feuss/Boesen
to receive, file and consider and pass for the first time an ordinance amending Title 8, Public Utilities, Chapter 3, Sewer Regulations, Article A, User Charges and Fees of Section 2,

Determination of Rates and Charges. Roll Call vote-Ayes: Seven. Motion carried.

David Dryer, 3145 W. 4th Street, commented that with this rate change, Waterloo will no longer be among the lowest rates.
Bridgett Wood, Finance Director, explained that even with the increase, Waterloo will be the 10th lowest for water and sewer out of the 10 largest cities in Iowa.

Mr. Boesen questioned the discrepancy of the percentages shown in the packet.

Bridgett Wood explained that the numbers in the ordinance hadn't been updated since 2015, which is why the percentages looked so high.

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

Feuss/Boesen
to consider and pass for the second and third times and adopt the ordinance. Roll Call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5769.

OTHER COUNCIL BUSINESS

Hearing and Order assessing the civil penalty to King Star, 2035 E. Mitchell Avenue, Waterloo, Iowa 50702, for sale of tobacco to minor violation-first offense.
Motion to open the hearing.
Motion to close the hearing.
Motion to approve an order assessing the civil penalty to King Star, 2035 E. Mitchell Avenue, Waterloo 50702, for the sale of tobacco to minor violation-first offense.

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

Dave Zellhoefer, City Attorney, provided an overview of the order to assess the civil penalty.

Feuss/Boesen
to close the hearing and receive and file the City Attorney's comments. Voice vote-Ayes: Seven. Motion carried.

Feuss/Nichols
to approve an order assessing the civil penalty to King Star, 2035 E. Mitchell Avenue, Waterloo 50702, for the sale of tobacco to minor violation-first offense. Voice vote-Ayes: Seven. Motion carried.

ADJOURNMENT

Feuss/Wilder
that the council adjourn at 7:02 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk