May 1, 2023

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, May 1, 2023.

Roll Call.

Mayor Pro-Tem Ray Feuss in the Chair. Roll Call: Boesen, Nichols, Creighton - Smith, Chiles, Grieder, and Ms. Wilder.

Prayer or Moment of Silence.

Pledge of Allegiance - Kelley Felchle, City Clerk

Approval of Agenda as proposed or amended.

Approval of Minutes of April 17, 2023, Regular Session as proposed.

Feuss/ Chiles
that the agenda, as amended, by moving the ordinance directly after the Consent Agenda, moving Item No. 14 to the top of the Resolutions; and the minutes for April 17, 2023 Regular Session, and the minutes of April 18, 2023, Special Session, as proposed", be approved. Voice vote -Ayes: Seven. Motion carried.

Approval of Minutes of April 18, 2023, Special Session as proposed.

Proclamation declaring May 7-13, 2023 as World Migratory Bird Week.

Proclamation declaring May 6, 2023 as Downtown Waterloo Urban Farmers Market Opening Day.

Proclamation declaring April 28, 2023 as Exchange Club Day.

Proclamation declaring the month of May as Historic Preservation Month.

Life Saving Award For Sergeant's Matthew Woodward, Matthew Wertz and Officers Admir Babic, Lea Montalvo, Alex Bovy and Luke Lamere.

PUBLIC COMMENTS

Margaret Bass, 416 Sullivan, commented that she is a resident and is here on behalf of homeless people in Waterloo. She shared that the homeless population has tripled in Waterloo in the last several years. She shared that resources that help homeless individuals are limited in Waterloo. She asked the city to develop a plan to create a central response plan for helping the homeless.

Lawrence Stumme, 1008 Lois Lane, shared that he wanted to present four examples of problems in the community. If he runs out of time, Mr. Blackwell will complete the presentation. There is a house that burned down in August 2022 and the house remains unfixed. The second house has been vacant for several years and is a blight in the community. He asks that the city take these examples seriously and find the money to get these properties fixed.

Michael Blackwell, 5125 Millenium Drive, Cedar Falls, spoke about the unfinished clean up of various sites.

Todd Obadal, 124 Amity Drive, commented that he shared the viewpoints offered by the previous speakers. He shared that the council gets its power from the State of Iowa and has to operate within the bounds of the law.

Dwayne Ehilers, 1205 1/2 Bishop Street, commented that Code Enforcement had not cleaned up his property or street and he had to hire people to clean the street. He also caught people in the building. He further stated that people have dumped more junk on the street.

Colleen Tierney, 1933 Wimbly Road, commented that she is a realtor and shared that her home's assessed value has gone up to $300,000. She expressed frustration with the increase.

Mr. Chiles commented that assessed value is controlled by the county and advised those who are concerned about the increase to speak with the county. He reminded the citizens that council members are people too and we are all experiencing the same concerns. He stated that a lot of great things are happening and we must not discount the good because there is negative. He commented that another rental inspector was hired in order to take care of the citizens' housing concerns. He explained that to increase our population it takes work, investment, and strategy. He referenced the Walnut neighborhood as an example of turning blighted properties into new homes. He asked that the council approve a parking study for downtown.

Mr. Grieder commented that the Waterloo Safe Neighborhood Commission met last week and they had a meeting with some data scientists from ISU and the first of many community forums. He asked that adults volunteer for the commission to help come up with programs for young people this summer. He added that he is proud of Waterloo Community Schools.

Mr. Boesen commented that he wants to discuss development agreements. He shared that he would like to know the tax implications of the development agreement and know if the project creates jobs.

Ms. Wilder commented that she was supposed to have a Ward 3 meeting yesterday, but it was canceled because there was a missing child in her ward. She thanked the Waterloo police department, the community, and neighbors and reported the child was found and reunited with his family. She thanked the street department for helping fix roads in her ward that citizens had complaints about.

Mr. Nichols requested an overview of the 657A process in regard to the properties which were mentioned earlier.

Noel Anderson, Community Planning and Development Director explained the process of addressing and prioritizing blighted housing in the community and maintaining compliance with the terms of the state code.

Mr. Nichols questioned the turnaround time once the city has identified a property it wishes to take possession of.

Noel Anderson commented that it typically takes 60-90 days from the time the property is identified, for proper notifications to go out, and then get through the court system.

Ms. Creighton-Smith questioned the criteria for bumping a property up on this list.

Noel Anderson explained that they look at safety first, then visibility and reuse, and how it is impacting neighboring property values.

Grieder/Wilder
to close Public Comments. Voice vote-Ayes: Seven. Motion carried.

<u>CONSENT AGENDA</u>

Grieder/Nichols
that the following items on the consent agenda be received, placed on file and approved, including the bills payments for April 24, 2023 in the amount of $4,833,056.09 and May 1, 2023 in the amount of $1,227,447.57, be approved. Roll Call vote-Ayes: Seven. Motion carried.

<u>Bills Payment, Finance Committee Invoice Summary Report, a copy of which is on file in the office of the City Clerk.</u>

Resolution adopted and upon approval by Mayor assigned No. 2023-262.

<u>Resolution setting date of public hearing as May 15, 2023, for an amendment to the FYE 2023 Budget, and direct the City Clerk to publish notice.</u>

Resolution adopted and upon approval by Mayor assigned No. 2023-263.

<u>Resolution approving the request by Dieu Israel Kabangu, for tax exemptions on the construction of a new single family home valued at $210,000.00, for property located at 514 Johnson Street and located in the Consolidated Urban Revitalization Area (CURA).</u>

Resolution adopted and upon approval by Mayor assigned No. 2023-264.

<u>Resolution approving the request by Robin Rae, for tax exemptions on the construction of a new commercial building valued at $171,608.00, for property located at 2122 Hawthorne Avenue and located in the Consolidated Urban Revitalization Area (CURA).</u>

Resolution adopted and upon approval by Mayor assigned No. 2023-265.

Resolution approving the request of Robin Baldwin, for a waiver for a concrete driveway, located at 4235 Chico Drive, and authorizing the construction of a concrete driveway and placing a driveway or sidewalk on the city right-of-way on an unimproved street.

Resolution adopted and upon approval by Mayor assigned No. 2023-266.

Resolution approving the request of Tyler McCormack for a waiver for a concrete driveway, located at 307 W. Orange Road, with the elimination of the sidewalk section due to inability to meet grade requirements.

Resolution adopted and upon approval by Mayor assigned No. 2023-267.

Resolution approving the request of Reilly Benedict for a waiver for a concrete driveway, located at 225 Lichty Blvd., with the elimination of the sidewalk section due to inability to meet grade requirements.

Resolution adopted and upon approval by Mayor assigned No. 2023-268.

Resolution approving request of Katezza Phillips for a waiver for a concrete driveway, located at 307 Euclid Street, with the elimination of the sidewalk section due to inability to meet grade requirements.

Resolution adopted and upon approval by Mayor assigned No. 2023-269.

Resolution setting date of public hearing as May 15, 2023, to approve the request by the City of Waterloo to vacate approximately 0.8 acres of University Avenue frontage road located near University Avenue and Progress Avenue, subject to the retention of a public and private utility easement on, above and under the vacated area, in front of the former K-mart site at 3810 University Avenue, and direct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-270.

Resolution setting date of public hearing as May 15, 2023, to approve the request by Nihad Masic to vacate, sell, and convey approximately 1,428 square feet of city-owned right-of-way subject to the retention of a public utility easement, in the “M-1” Light Industrial District located southeast of 312 Kothe Avenue, to Nihad Masic in the amount of $700.00, and Alyssa Roney in the amount of $272.00, and direct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-271.

Resolution setting date of public hearing as May 15, 2023, to approve the request by Raymond Shepard to vacate, sell, and convey approximately 9,560 square feet of city-owned right-of-way in the “R-2" One and Two Family Residence District located north of 108 Bishop Avenue, to Raymond Shepard and Kenneth Cox in the amount of $2,000.00, Connie Johnson in the amount of $500.00, and Ryan and Kali Wilkinson in the amount of $500.00, and direct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-272.

Resolution setting date of public hearing as May 15, 2023, for the sale and conveyance of City property located near 3840 University Avenue in the amount of $1.00, and to approve a phased Development Agreement with Mann Road Storage, LLC, for the redevelopment of 2810 and 3840 University Avenue, with a minimum assessment agreement of $4,561,900.00, for the construction of climate-controlled storage units and a mixed-use commercial building, with a tax rebate schedule of ten (10) years at 50 percent, and direct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-273.

Resolution setting date of public hearing date as May 15, 2023, to approve the request by Iowa Heartland Habitat for Humanity to locally designate 415 Walnut Street as a Historic Landmark, and direct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-274.

Resolution setting date of public hearing as May 15, 2023, to approve the request for an Infrastructure Development Agreement with North Crossing, LLC, for the master buildout of North Crossing retail and medical district with a land exchange, and authorizing the sale and conveyance of City owned property, and instruct City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-275.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as May 25, 2023, and date of public hearing as June 5, 2023, in conjunction with the Street Department Seal Coat Program, and direct the City Clerk to publish said notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-276.

Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as May 25, 2023, and date of public hearing as June 5, 2023, in conjunction with the FY 2023 Greenbelt Lake REAP Grant Phase II, Contract No. 1085, and direct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-277.

Resolution resetting the date of bid opening as May 11, 2023, and date of public hearing as May 15, 2023, in conjunction with the FY 2023 Gates Park Improvements, Contract No. 1076, and direct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-278.

Leisure Services Commission board minutes of March 14, 2023.

Planning, Programming and Zoning Commission minutes of March 14, 2023.

Steven Hostetler
Board/Commission: Housing Appeals Board
Expiration Date: May 1, 2026
Renewal

Todd Eastman
Board/Commission: Housing Appeals Board
Expiration Date: May 1, 2026
Renewal

LaTonya Stokes
Board/Commission: Housing Appeals Board
Expiration Date: May 1, 2026
Renewal

Kenny Williams
Board/Commission: Housing Appeals Board
Expiration Date: May 1, 2026
Renewal

Mark Pregler
Board/Commission: Housing Appeals Board
Expiration Date: May 1, 2026
Renewal

Amy Wienands
Board/Commission: Telecommunications
Expiration Date: May 1, 2029
New

Liquor Licenses
1. Amigo Mexican Restaurant, 1415 E. San Marnan Dr., Class C Alcohol w/Outdoor Service and Sunday Sales, Renewal - Exp: 2/29/2024.
2. Ari'z, 504 Sycamore St., Class A Alcohol w/Catering and Sunday Sales, Renewal – Exp: 11/18/2023.
3. Half Pint Saloon, 1831 Independence Ave., Class C Alcohol w/Outdoor Service and Sunday Sales, Renewal – Exp: 4/18/2024.
4. Jim Lind Service, 230 E. Ridgeway Ave., Class B Alcohol w/Sunday Sales, Renewal – Exp: 4/7/2024.
5. La Michuacana, 1221 Franklin St., Class C Alcohol w/Sunday Sales, Renewal – Exp: 3/26/2024.
6. Kwik Stop 4, 515 Broadway St., Class E Alcohol w/Sunday Sale, Renewal – Exp: 5/7/2024.
7. Lost Island Theme Park, 2600 E. Shaulis Rd., Class C Alcohol w/Outdoor Service and Sunday Sales, New – Exp: 12/23/2023.
8. Your Pie, 126 E. Ridgway Ave., Special Class C Alcohol w/Outdoor Service and Sunday Sales, Renewal – Exp: 4/5/2024.
9. Lost Island Waterpark, 2225 E. Shaulis Rd., Class C Alcohol w/Outdoor Service and Sunday

Sales, Renewal - Exp: 1/12/2024.
10. Mersim's Kitchen, 126 E. Ridgeway Ave, Suite A, Class C Alcohol w/Outdoor Service and Sunday Sales, Renewal - Exp: 4/15/2024.
11. Smitty's Bar, 709 Jefferson St., Class C Alcohol w/Outdoor Service and Sunday Sales, Renewal - Exp: 4/26/2024.

Cigarette/Tobacco Permit New Application for Greenleaf Tobacco & Vape, 2313 Logan Avenue.

Theater License
1. Fantasy Theater, 1850 W. Airline Highway
2. Romeo and Juliets, 315 E. 4th Street
3. Romantix Adult Emporium, 1507 LaPorte Road
4. Marcus Midwest, LLC, 2450 Crossroads Blvd.

Motion approving Change Order No. 4 with Lodge Construction, Inc., of Clarksville, Iowa, for a net increase of $66,570.00, in conjunction with the FY 2021 Westdale Bioswale, Contract No. 997, and authorizing the Mayor and City Clerk to execute said document.

Motion to approve recommendation of appointment of Emily Seliga to the position of Administrative Secretary in the Community Planning and Development Department effective May 15, 2023.

Communication from the Police Department on the notice of the conclusion of employment of Dejana VanGundy, Records Clerk, effective March 31, 2023, with recommendation of approval of payout of $562.12 for unused benefits.

Bonds.

PUBLIC HEARINGS

FY 2023 Gates Park Improvements, Contract No. 1076.

Public Hearing canceled and rescheduled to a future date.

FY 2024 Levee Rip Rap Spraying, Contract No. 1083.

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

Motion carried.

HOLD HEARING - No comments on file.

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

Wilder/Chiles
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. 2023-279.

Wilder/Chiles
to receive, file, and instruct the City Clerk to read the bids and refer to the City Engineer for review.

Engineer's Estimate: $61,125.00
Bidder Bid Security Bid Amount
Landmark Turf Services, LLC, Dunkerton, IA 5% $48,142.00

<u>FY 2024 Sidewalk Inspection and Repair Program - Zone 3.</u>

Boesen/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 Pro-Tem called for written and oral comments and there were none.

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

Boesen/Wilder
Resolution authorizing proposed repairs to sidewalk. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-280.

Boesen/Wilder
Resolution adopting Proposed Resolution of Necessity, as proposed or amended. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-281.

<u>FY 2023 Fiber-to-Premise Feeder/Distribution and Backbone Network Project, Contract No. 1080.</u>

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

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

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

Nichols/Chiles
Resolution confirming approval of plans, specification, form of contract, etc., and authorizing to proceed. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-282.

Nichols/Chiles
to receive, file and instruct the City Clerk to read bids, and refer to the Consultant for review. Voice vote-Ayes: Seven. Motion carried.

Quanta Telcom Solutions, Loganville, GA - 5% - $79,660,051.38
API, Maple Lake, MN - 5% - $103,972,204.34
Michels Power, Neenah, WI - 5% - $110,132,352.00
ITG Communications, LLC, Hendersonville, TN - 5% - $83,414,108.91

<u>Asbestos Abatement Services Contract No. AB-2023-05-01P, for property located at 123 E. Parker Street, former Saint Mary's Villa.</u>

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

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

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

Boesen/Wilder
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. 2023-283.

Mr. Boesen expressed his disappointment in the bids as they are way over our estimate.

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

<u>Estimate: $100,000.00</u>
Abatement Specialties, Inc., Cedar Rapids, IA - 5% - $176.530.00
REW Services Corporation, Des Moines, IA - 5% - $167,530.00
Advanced Environmental, Waterloo, IA - 5% - $147,500.00

<u>Sale and conveyance of City-owned property in the amount of $1.00 to DMJ Development, LLC, and approving a Development and Minimum Assessment Agreement for the construction of a 14,000-square-foot trucking terminal with future 21,000-square-foot expansion.</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 Pro-Tem called for written and oral comments and there were none.

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

Nichols/Wilder
Resolution approving the sale and conveyance of city-owned property, located east of 115 Warp Drive, to DMJ Development, LLC, in the amount of $1.00, and authorizing the Mayor and City Clerk to execute said documents. Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-284.

Mr. Boesen thanked Noel Anderson, Community Planning and Development Director, for his timely response to his questions.

Nichols/Wilder
Resolution approving a Development and Minimum Assessment Agreement with DMJ Development, LLC, for the construction of a new 14,000 square foot truck terminal with a future 21,000 square foot industrial building expansion, with a minimum assessed value of $1,400,000.00 and rebate schedule of 75 percent for years one through three, 70 percent for years four and five, and 50 percent for years six through ten, 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. 2023-285.

<u>Request by Magnum Trucking for a Site Plan Amendment to the “M-2,P” Planned Industrial District to construct a 14,000 square foot trucking terminal and a future 21,000 square foot expansion, located east of 115 Warp Drive.</u>

Boesen/Nichols
to receive and file proof of publication of notice of public hearing.

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

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

Boesen/Nichols
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, to approve a request by the Magnum Trucking for a site plan amendment to the “M-2,P” Planned Industrial District to construct a 14,000 square foot trucking terminal and a future 21,000 square foot expansion, located east of 115 Warp Drive. Roll Call vote-Ayes: Seven. Motion carried.

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

Boesen/Nichols
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. 5696.

RESOLUTIONS

Boesen/Wilder
to recess for five minutes at 7:29 p.m. Voice vote-Ayes: Seven. Motion carried.

Boesen/ Wilder
to reconvene at 7:32 p.m. Voice vote-Ayes: Seven. Motion carried.

Resolution approving the request by CJ's Construction, Inc., on behalf of Hope M. Anderson, for the Final Plat of Paradise Estates First Addition, a 64-lot residential subdivision zoned "R-1" One and Two Family Residence District located north of 5643 Kimball Avenue.

Grieder/Wilder
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-286.

Barbara Henning, 138 Sidehill Drive, expressed concern for the length of the boulevard. She also welcomed the development to their neighborhood.

Cory Hodapp, Developer, commented that the tax evaluation was roughly 75-80 million dollar valuation on this development. The impact on the city, schools, community and businesses is a huge and that will keep giving year after year. He thanked staff for their hard work.

Buzz Anderson, 731 Prospect Blvd., thanked the council, Noel Anderson, and the planning commission. He hoped that this project would be a plus for the community.

Bob Manning, 2908 W. 3rd Street, Cedar Falls, spoke in favor of this development and is excited to see this happening in Waterloo.

Council members thanked everyone for working together on the project.

Resolution approving the Professional Services Agreement with Gov HR, USA, for a Compensation and Classification Study for non-bargaining employees, in an amount not to exceed, $28,500.00, and authorizing the Mayor to execute said document.

Boesen/Nichols
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-287.

Mr. Boesen requested an update on when the study would start and finish.

Lance Dunn, Human Resources Director, provided an overview of the timeline for the project.

Resolution approving award of bid to Trane U.S. Inc., of Clive, Iowa, in the amount of $626,245.00, approving the contract, bond, and certificate of insurance, in conjunction with the Trane Temperature Controls Update of all city buildings, and authorizing the Mayor and City Clerk to execute said document.

Boesen/Nichols
Roll call vote-Ayes: Seven. Motion Carried. Resolution adopted and upon approval by Mayor assigned No. 2023-288.

Resolution approving construction plans for grading, paving, and utilities serving the San Marnan Business Park Addition, as submitted by the Clapsaddle-Garber Associates, Inc., 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.

Nichols/Wilder
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-289.

Resolution approving a Cooperative Agreement with the Iowa Department of Transportation, in the amount of $11,970.00, in conjunction with the FY 2021 Highway 63 Enhancements from Washington Street to Parker Street, Contract No. 1029, and authorizing the Mayor and City Clerk to execute said document.

Nichols/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-290.

Resolution approving an Administrative Services Agreement with the Iowa Northland Regional Council of Governments, in an amount not to exceed $30,000.00, in conjunction with the Waterloo EDA Fiber Optic Grant, and authorizing the Mayor to execute said document.

Nichols/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-291.

Jamie Knutson, City Engineer, provided an overview of the services that INRCOG will provide under this contract.

Resolution approving Addendum No. 7 to the Professional Services Agreement with Robinson Engineering Company, of Independence, Iowa, originally executed July 30, 2018, in an amount not to exceed $20,930.00, in conjunction with the Westdale Subdivision Swale Design, and authorizing the Mayor to execute said document.

Boesen/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-292.

Resolution approving the renewal of a three-year software contract with Fifth Asset, Inc., DBA DebtBook, for the purpose of debt management, lease management, and subscription management, and authorizing the Finance Manager to execute said document.

Boesen/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-293.

Resolution appointing UMB Bank, N.A. of West Des Moines, Iowa, to serve as Paying Agent, Bond Registrar, and Transfer Agent, approving the Paying Agenda and Bond Registrar and Transfer Agent Agreement, and authorizing the Mayor and City Clerk to execute said document.

Boesen/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-294.

Resolution authorizing and providing for the issuance of $6,000,000.00 General Obligation Bonds, Series 2023A, and levying a tax to pay said bonds; approval of the Tax Exemption Certificate and Continuing Disclosure Certificate, and authorizing the Mayor and City Clerk to execute said documents.

Creighton-Smith/WilderRoll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-295.

Resolution approving a Professional Services Agreement with AECOM Technical Services, Inc., in an amount not to exceed $423,000.00, for project administration and inspection services associated with the Waterloo Regional Airport Pavement Rehabilitation of Taxiway Alpha East, Taxiway Echo, and Runway 12/30 and the Pavement Reconstruction of Taxiway Alpha West, and authorizing the Mayor and City Clerk to execute said documents.

Creighton-Smith/WilderRoll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-296.

Resolution approving four (4) FY 2024 Quarter 1 and Quarter 2 Mini event grants, in the amount of $10,200.00, as recommended by the Waterloo Convention and Visitors Bureau Board of Directors.

Creighton-Smith/Wilder
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-297.

Resolution approving eleven (11) FY 2024 Quarter 1 and Quarter 2 Hotel-Motel Event Grant requests, in a total amount of $184,000.00, as recommended by the Waterloo Convention and Visitors Bureau Board of Directors.

Wilder/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-298.

Resolution approving award of hotel/motel tax council discretionary funds to Waterloo Leisure Services in the amount of $30,000.00 for the USDA Bird Relocation Project.

Wilder/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-299.

Mr. Boesen requested a breakdown on future grants of who gets what money.

Emily Nyren, Experience Waterloo, outlined where the monies are going. She explained that she would provide the requested information.

Resolution approving the Refundable Advance for Construction Electrical Service Extension Proposal, in the amount of $18,594.73, for Speculative Use with MidAmerican Energy, for the construction and provision of electric lines along Warp Drive, in conjunction with the Waterloo Air and Rail Park Project, and authorizing the Mayor to execute said document.

Wilder/Nichols
Roll Call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-300.

ORDINANCES

An ordinance enacting a new youth mental health protection.
Motion to receive, file, consider, and pass for the second time an ordinance amending the City of Waterloo Code of Ordinances by enacting a new Chapter 12, Youth Mental Health Protection, of Title 3, Business and License Regulation.
Motion to suspend the rules.
Motion to receive, file, consider, and pass for the third time and adopt said ordinance.

Grieder/Wilder
motion to receive, file, consider, and pass for the second time an ordinance amending the City of Waterloo Code of Ordinances by enacting a new Chapter 12, Youth Mental Health Protection, of Title 3, Business and License Regulation. Voice vote-Ayes: One. Nays: Six (Boesen, Nichols, Creighton-Smith, Chiles, Wilder and Feuss). Motion failed.

Ray Feuss explained that at the Work Session this evening a resolution and new ordinance was proposed that will replace this ordinance, so this ordinance will more than likely be voted down tonight in order to introduce a new ordinance on May 15, 2023.

Karen Johnson, 209 Zachary Court, shared that there are many studies done that show that conversion therapy helps children. April Melton, 203 Westborn Road, asked how many people in the room believe they need to speak to each other more and have a dialogue. She explained that in 2020, a 3-judge panel of the 11th Circuit Court of Appeals affirmed a 2019 ruling that struck down Tampa's ordinance banning conversion therapy. Concluding that speech-based therapy is not medical conduct but merely the expression of a viewpoint. Ordinances were ruled unconstitutional because professionals have the right to speak to people. This ordinance and the newly proposed ordinance may still infringe on people's right to free speech. Jacob Talo, 566 Sheridan, listed the problems the city has and stated that the council is taking up issues that it does not have business being involved with. He further commented that this ordinance and ordinances like it censure speech.Janet Schuster, 210 Bourland, shared that licensed mental health counselors cannot impose their values on a patient. She pointed out that the board already has a complaint process so nothing needs to happen.John Harrell, 731 Magnolia Parkway, commented that his rights to express personal and religious views should not be silenced. Carol Teare, 1604 Audubon, commented that she is the minister for First

Baptist and that she supports the ordinance and thanked the council for taking this stand. Lizzie Zondo, 264 Southcrest Drive, asked the council to take a stand to support an ordinance banning conversion therapy. Judy Marshall, 316 Walnut Street, commented on a number of cultural influences that had negatively affected young people in the 60's and 70's. She is thankful for therapy and counselors that did their best to redirect those that got caught up in the culture. We are currently in an era not unlike those of the 60's and 70's, only this time it is an epidemic of sexual identity confusion being pushed so hard on them in various fronts. James Allison, 3608 Kingswood Pl, commented that there is no reason for the ordinance because licensing boards exist to cover all the things this ordinance says it will do. Marcella Gruver, 203 Miriam Drive, shared that she does not support the ordinance. Todd Obadal, 124 Amity Drive, shared that he does not believe the council has the authority to adopt this ordinance. Michael Bayer, 129 Prospect Circle, commented that he does not support the ordinance and shared several reasons why. Mike Knaap, 1141 Independence Avenue, commented that he supports the efforts of the city council. Al Manning, 1020 South Hill Drive, commented that his concern is for young people experiencing gender dysphoria and spoke against passing the ordinance. Mr. Grieder spoke in support of his ordinance and said that most importantly, we are going to protect kids from those who don't think they should exist, that they're nefarious, unbiblical, etc. Ms. Wilder commented she came out when she was twelve years old. She had no outside influences putting ideas in her head, she grew up going to church. This is just how she felt. She shared that she mentors kids and would never impose her beliefs on a child. She asks people to take a look at the hate that they try not to spew, that you really tend to spew. That is not Godly. Her grandmother told her that your church is in your heart and you're supposed to lead with love. A lot of the comments tonight do not lead with love.

Mr. Boesen encouraged everyone to take the time to watch the work session and read the proposed new ordinance. He further requested to see the number of proven cases in Waterloo prior to the May 15 meeting. He reiterated his previous comment that numbers are not protected by HIPPA and therefore the information should not be difficult to get. Ms. Creighton-Smith noted that to make comments on the proposed ordinance prior to May 15, is premature and ill-advised. She commented that there were a lot of statements made that are very hurtful and asked that everyone be mindful and cognizant of the way in which we continue to promote these systems of oppression in our beliefs and comments.

ADJOURNMENT

Wilder/Nichols
that the Council adjourn at 7:50 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk