October 2, 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, October 2, 2023.

Roll Call.

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

Prayer or Moment of Silence.

Pledge of Allegiance, Jonathan Grieder, Ward 2 Council Member.

Approval of Agenda, as proposed or amended.

Feuss/Wilder
that the agenda, as amended to change the date of hearing in Consent Agenda Items No. 13 and 15, to October 16, 2023, be approved. Voice vote-Ayes: Seven. Motion carried.

Approval of Minutes of September 18, 2023, Council Regular Session as proposed or amended.

Feuss/Wilder
that the minutes for September 18, 2023, Regular Session, be approved. Voice voice-Ayes: Seven. Motion carried.

Proclamation declaring October 8-14, 2023 as Fire Prevention Week.

PUBLIC COMMENTS

Mary Potter, 207 Leland, shared that the Grout Museum is very important to the city and shared information regarding the Sewer Banquet. She also invited people to come to the Grout Museum on October 19 to have a free tour of the Grout Museum.

Casey Thomas, 309 Franklin Street, shared that a landlord evicted her because she would not allow the landlord to be her payee.

Dwayne Eilers, 1205 1/2 Bishop Street, commented on the poor condition of a road he travels.

Aaron Stacey Roberts, 411 Almond, commented on issues his family had in the past.

Lawrence Stumme, 1008 Lois Ln, spoke regarding dilapidated housing in Waterloo.

Michael Blackwell, 5125 Millennium Drive, Cedar Falls, spoke regarding the quality of life in various cities.

Bobby Jo Paige, Grundy County, spoke about the dilapidated housing in the north section of Waterloo.

Alicia Wilder, 1113 Bertch, shared that she wants to advocate for people who are struggling and need support, but still wants to show the progress that Waterloo has made and how much there is here to offer.

David Dryer, 3145 W. 4th Street, commented that he wants to thank the people who are investing in Waterloo.

Mr. Chiles shared the date of his upcoming Ward Meeting. He thanked the Veterans Affairs for opening a veterans clinic in his Ward and asked if a bench could be installed on University Avenue for the patients visiting the clinic.

Ms. Wilder shared that the grand opening of All in Grocers is tomorrow and the date and time for the opening.

Ms. Creighton-Smith thanked the citizens for keeping the council accountable by voicing their concerns.

Mayor Hart commented on the city's efforts to correct and improve a number of properties and projects that were commented on by the public. He refuted the falsehood that the city is not doing anything, or is taking too long.

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

<u>CONSENT AGENDA</u>

Feuss/Wilder
that the following items on the consent agenda be received and placed on file including the payment of bills for September 25, 2023, in the amount of $4,568,087.97, and October 2, 2023, in the amount of $1,810,540.78. Voice 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. 2023-580.

<u>Resolution approving a Veteran's Memorial Hall Designated Funds Agreement with the Waterloo Community Foundation to establish and maintain a charitable fund for the Foundation to support the City of Waterloo Veteran's Memorial Hall, and authorizing the Mayor to execute said document.</u>

Resolution adopted and upon approval by Mayor assigned No. 2023-581.

<u>Resolution approving the request by Labinot Gashi, for tax exemptions on the construction of a new twin home unit valued at $263,300.00, for property located at 4340 Mourning Dove Drive and located in the City Limits Urban Revitalization Area (CLURA).</u>

Resolution adopted and upon approval by Mayor assigned No. 2023-582.

Resolution resetting date of public hearing as October 16, 2023, in conjunction with the Waterloo Public Library 2023 Interior Renovation Project, Contract No. 28439, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-583.

Resolution approving preliminary plans, specifications, bid documents, etc., setting the date of bid opening as October 26, 2023, and date of public hearing as November 6, 2023, in conjunction with the FY 2024 Byrnes Aquatic Center, Contract No. 1077, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-584.

Resolution setting date of public hearing as October 16, 2023, to approve the request by the City of Waterloo to vacate, sell, and convey city-owned right-of-way located east of 1239 Sheldon Street at Becker Elementary School, to the Waterloo Community Schools, in the amount of $1.00, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-585.

Resolution setting date of public hearing as October 16, 2023, to approve the request by the City of Waterloo to vacate a ten-foot by seventy-five-foot Sanitary Sewer Easement at Becker Elementary School in the “R-2” One and Two Family Residence District, located at 1239 Sheldon Street, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-586.

Resolution setting date of public hearing as October 16, 2023, to approve a request by the City of Waterloo to vacate an eight-foot drainage and utility easement on a parcel of land and vacate 7,150 square feet of city-owned right-of-way in the “R-2” One and Two Family Residence District, located at the northwest corner of Maynard Avenue and Greenhill Road, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-587.

Resolution setting date of public hearing as October 16, 2023, for the sale and conveyance of sixty acres of city-owned property to PWM Companies, LLC, in the amount of $2,160,000.00, including a Development Agreement, with a grant schedule of a minimum of $40,000.00 annually, located east of 4342 Ansborough Avenue at the southeast corner of the Ansborough Avenue and Highway 20 Interchange, for the construction of commercial buildings, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-588.

Resolution resetting date of public hearing as October 16, 2023, for the sale and conveyance of city-owned property to A&K Ventures, LLC, in the amount of $1.00, with a phased Development and Minimum Assessment Agreement in the amount of $624,125.00, for the construction of a 6,500 square foot building and a 6,000 square foot addition, located northeast of 3151 Titan Trail, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-589.

Resolution resetting date of public hearing as October 16, 2023, for the sale and conveyance of city-owned property located at 3921 Midway Drive, in the amount of $15,000.00, to Dustin Arends d/b/a Arends Investments, including a Development Agreement, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-590.

Resolution setting date of public hearing as October 16, 2023, to approve a request by DLG Investments (Gray Transportation) for a Site Plan Amendment for an employee parking lot in the "M-2,P" Planned Industrial District located east of 2459 GT Drive, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-591.

Resolution setting date of public hearing as October 16, 2023, for the sale and conveyance of city-owned property to DLG Investments, LLC, (Gray Transportation), in the amount of $1.00, with a Development and Minimum Assessment Agreement in the amount of $125,000.00, for the construction of a forty stall employee parking lot, located east of 2459 GT Drive, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-592.

Resolution resetting date of public hearing as October 16, 2023, for the sale and conveyance of city-owned right-of-way to Grant Park, LLC, in the amount of $1.00, with a Development and Minimum Assessment Agreement in the amount of $2,200,000.00, with a rebate schedule of eighty percent for years one through five and seventy percent for years six through ten, located at 2775 Crossroads Boulevard, for the construction of a new 10,000 square foot commercial building, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-593.

Resolution setting date of public hearing as October 16, 2023, for the sale and conveyance of city-owned property to Steven and Yvonne Smith, in the amount of $5,000.00, with a Development Agreement and Development Grant of $5,000.00, located south of 437 Norris Court, for the construction of a new single-family home, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-594.

Resolution setting a date of public hearing as October 16, 2023, for a request by SKH Properties for a Site Plan Amendment to construct a 4,350 square foot medical office building in the "C-P" Planned Commercial District, located southeast of 4006 Johnathan Street at the corner of Tower Park Drive and Johnathan Street, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-595.

Resolution resetting date of public hearing as October 16, 2023, to approve a request by Freedom Truck and Trailer Wash, LLC, for a Site Plan Amendment for a truck and trailer washing facility in the "B-P" Business Park District located southwest of 3124 Titan Trail, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-596.

Resolution resetting date of public hearing as October 16, 2023, in conjunction with Asbestos Abatement Services, Contract No. AB-2023-07-02P, for property located at 212 Sunnyside Avenue and 1318 Martin Road, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-597.

Motion approving Final Quantity Summary with Boulder Contracting, LLC, of Grundy Center, Iowa, for a net increase of $168.61, in conjunction with the FY 2024 W. Airline Hwy. Railroad Crossing Repairs Project, Contract No. 1090, and authorizing the Mayor and City Clerk to execute said document.

Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Boulder Contracting, LLC, of Grundy Center, Iowa, in the amount of $60,725.36, in conjunction with the FY 2024 W. Airline Hwy. Railroad Crossing Repairs Project, Contract No. 1090, and receive and file a two-year maintenance bond.

Resolution adopted and upon approval by Mayor assigned No. 2023-598.

Resolution authorizing an exception to the City of Waterloo's Purchasing Procedures Policy for the purchase of a 2024 Chevy Equinox for the Waste Management Department, from Karl Chevrolet of Ankeny, Iowa, in the amount of $27,342.60.

Resolution adopted and upon approval by Mayor assigned No. 2023-599.

Resolution authorizing an exception to the City of Waterloo's Purchasing Procedures Policy for the purchase of two 2023 Chevy Silverado 1500 trucks, for Waterloo Fiber, from Karl Chevrolet of Ankeny, Iowa, in the amount of $85,463.40, and transferring the title of said vehicles to Waterloo Fiber upon receipt of payment of purchase price.

Resolution adopted and upon approval by Mayor assigned No. 2023-600.

Resolution approving the sale of used equipment from the Public Works and Waste Management Departments via the website PurpleWave.

Resolution adopted and upon approval by Mayor assigned No. 2023-601.

Motion to approve Change Order No. 1 with D.W. Zinser Co., Inc., of Walford, Iowa, for a net increase of $3,107.88, in conjunction with additional demolition work for property located at 1100 Sycamore Street under Contract No. D-2023-04-01P, and authorizing the Mayor to execute said document.

Motion approving Change Order No. 3 with Woodruff Construction of Waterloo, Iowa, for a total decrease of $65,810.59 in conjunction with the FY 2023 Gates Park Improvements Project, Contract No. 1076, and authorizing the Mayor and City Clerk to execute said document.

Motion approving the appointment of Justin Speakar to the position of ICT Foreman, in the Waste Management Services Department, effective October 3, 2023.

Communication from the Waste Management Services Department on notice of the conclusion of employment of Matthew Schaefer, Plant Maintenance Mechanic, effective September 6, 2023, with recommendation of approval of payout of $6,759.98 for unused benefits.

Leisure Services Commission Board minutes of August 8, 2023.

Complete Street Advisory Committee minutes of July 25, 2023.

Planning, Programming, and Zoning Commission minutes of August 8, 2023.

Liquor Licenses

a. Dad's Pub, 1106 La Porte Rd., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 6/30/2024.
b. Damon's Sports Bar and Grill, 2122 Kimball Ave., Class C Alcohol w/Sunday Sales (Renewal) Exp: 10/4/2024.
c. Fester's Pub, 324 E. 4th St., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 7/21/2024.
d. Petersen & Tietz Florists & Greenhouses, 2275 Independence Ave., Class B Native Wine w/Sunday Sales (Renewal) Exp: 10/8/2024.
e. The Brown Bottle, 209 W. 5th St., Class C Alcohol, Class C Alcohol w/Sunday Sales (Renewal) Exp: 10/21/2024.
f. Eventos VIP, 32 Lafayette St., Class C Liquor w/Sunday Sales (Renewal) Exp: 10/4/2023.
g. Three Amigos Family Restaurant, 2820 Falls Ave., Class C Alcohol w/Sunday Sales (Renewal) Exp: 8/24/2024.
h. Tobacco Outlet Plus #500, 1803 La Porte Rd., Class B Alcohol w/Sunday Sales (Renewal) Exp: 10/14/2024.
i. Wal-Mart Supercenter #1496, 1334 Flammang Dr., Class E Alcohol w/Sunday Sales (Renewal) Exp: 9/30/2024.
j. West Side Liquor, 919 W. 5th St., Class E Alcohol w/Sunday Sales (New) Exp: 10/14/2024.
k. Rudy's Tacos-Beer Hall-Lava Lounge, 2401 Falls Ave., Class C Alcohol w/Outdoor Service and Sunday Sales (Renewal) Exp: 9/27/2024.
l. Kwik Star #715, 135 E. Ridgeway Ave., Class E Alcohol w/Sunday Sales (New) Exp: 9/28/2024.

Bonds.

PUBLIC HEARINGS

Request by the City of Waterloo to vacate an existing forty-five-foot easement along the south property line of Lot 6 of Wagner Road Subdivision in the “M-1” Light Industrial District located north of 3488 Wagner Road.

Boesen/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.

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

Boesen/Chiles
to receive, file and consider and pass for the first time an ordinance approving a request by the City of Waterloo to vacate an existing forty-five-foot easement along the south property line of Lot 6 of Wagner Road Subdivision in the “M-1” Light Industrial District located north of 3488 Wagner Road. Roll call vote-Ayes: Seven. Motion carried.

Boesen/Chiles
to suspend the rules. Roll call vote-Ayes: Seven. Motion carried.

Boesen/Chiles
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. 5722.

Request by PWM Companies, LLC, for Site Plan Amendment for commercial/industrial development in the “B-P” Business Park District located north and east of 4719 Ansborough Avenue at the southeast corner of the Ansborough Avenue and US Highway 20 interchange.

Nichols/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.

Mike Macri, PWM Companies, LLC, provided an overview of the proposed project.

Mr. Chiles questioned if there are plans for dealing with traffic in that area as it is further developed.

Jamie Knutson, City Engineer, provided future infrastructure plans for the development site.

David Dryer, 3145 W. 4th Street, questioned why a hearing is being set tonight for this also. He further asked questions regarding financing for the project and use of the site.

Noel Anderson, Community Planning and Development Director, provided an overview of future steps for the site and infrastructure.

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

Nichols/Feuss
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 PWM Companies, LLC, for Site Plan Amendment for a commercial/industrial development including two 138,000 square foot buildings, one 20,000 square foot building, and one 5,000 square foot building in phase one and 425,000 square feet of buildings in future phases in the “B-P” Business Park District located north and east of 4719 Ansborough Avenue at the southeast corner of the Ansborough Avenue and US Highway 20 interchange. Roll call vote-Ayes: Seven. Motion carried.

Mr. Chiles questioned if there was still an agreement for the southeast portion of that lot.

Noel Anderson commented that the agreement was rescinded a few weeks ago.

Mr. Boesen questioned if the city would do something similar to North Crossing where we got quotes and an idea of what infrastructure costs would be.

Noel Anderson commented that the city will work with the developer on the advantages of using the RISE program since it is a certified site because it is a 70/30 match with the state.

Nichols/Feuss
to suspend the rules. Roll call vote-Ayes: Seven. Motion carried.

Nichols/Feuss
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. 5723.

<u>Request by M&MB Legacy for a Site Plan Amendment for a 5,990 square foot commercial building in the “M-2,P” Planned Industrial District, located southeast of 2425 GT Drive.</u>

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.

David Dryer, 3145 W. 4th Street, commented that he does not believe that this project has adequate parking.

Noel Anderson, provided an overview of the project and addressed parking planned for the site.

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

Feuss/Nichols
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 M&MB Legacy for a Site Plan Amendment for a 5,990 square foot commercial building in the "M-2,P" Planned Industrial District, located southeast of 2425 GT Drive. Roll call vote-Ayes: Seven. Motion carried.

Feuss/Nichols
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. 5724.

<u>Demolition and Site Clearance Services, Contract No. D-2023-09-06P, located at 1804 E. 4th Street, 637 Ankeny Street, 207 Lafayette Street, 208 Sunnyside Avenue, 212 Sunnyside Avenue, and 1318 Martin Road.</u>

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.

Mary Potter 207 Leland, questioned if the city could work on codes that might prevent these properties from having to be demolished.

Mayor Hart commented that the city has hired another full-time and one part-time inspector to help address these issues in a more timely manner. The city is also in partnership with Habitat for Humanity to work in this area as we did in the Walnut area.

Forest Dillavou, 1725 Huntington Road, commented that most of these houses have needed to come down for some time.

Odell Sallis, 2119 City View, questioned what is being offered to local residents to acquire these properties once they are demolished.

Mayor Hart provided comments regarding steps the city is taking to address housing issues in the city.

Chiles/Wilder

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

Chiles/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. 2023-602.

Ms. Creighton-Smith commented that there are definitely people in Ward 4 that want to purchase those properties and it will be good to get information out to the public.

Ms. Wilder commented that she is excited to see the properties coming down on Sunnyside Avenue.

Mr. Nichols expressed excitement for seeing these properties coming down and for the opportunities for citizens to be able to invest in their community and their neighborhoods.

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

Demolition and Site Clearance Services, Contract D-2023-09-06P
Estimate: $70,000.00
Lehman Trucking & Excavating, Inc., Waterloo, IA - 5% Bid Security - Bid Amount: $82,000.00
Veracity Excavating, LLC, LaPorte City, IA - 5% Bid Security - Bid Amount: $101,400.00
D. W. Zinser Company, Walford, IA - 5% Bid Security - Bid Amount: $149,700.00
Midwest Demolition Contractors, Inc., Walford, IA - 5% Bid Security - $144,485.00

Chiles/Creighton-Smith
Resolution approving award of bid to Lehman Trucking & Excavating, Inc., of Waterloo, Iowa, in the amount of $82,000.00, approving the contract, bond and certificate of insurance, in conjunction with Demolition and Site Clearance Services, Contract No. D-2023-09-06P, located at 1804 E. 4th Street, 637 Ankeny Street, 207 Lafayette Street, 208 Sunnyside Avenue, 212 Sunnyside Avenue, and 1318 Martin Road, 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. 2023-603.

<u>Sale and conveyance of city-owned property located at 628 W. Parker Street, in the amount of $11,000.00, to Kevin E. Rose and Michelle L. Rose, including a Development Agreement.</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 and receive and file oral and written comments. Voice vote-Ayes: Seven. Motion carried.

Boesen/Wilder
Resolution approving the sale and conveyance of city-owned property located at 628 W. Parker Street, in the amount of $11,000.00, to Kevin E. Rose and Michelle L. Rose, 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. 2023-604.

Boesen/Wilder
Resolution approving a Development Agreement with Kevin E. Rose and Michelle L. Rose, in conjunction with the rehabilitation of 628 W. Parker Street, 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. 2023-605.

<u>Sale and conveyance of city-owned property located at 1525 Oakwood Drive, in the amount of $15,100.00, to Castro Properties, LLC, including a Development Agreement.</u>

Creighton-Smith/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.

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

Creighton-Smith/Wilder
Resolution approving the sale and conveyance of city-owned property located at 1525 Oakwood Drive, in the amount of $15,100.00, to Castro Properties, 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. 2023-606.

Creighton-Smith/Wilder
Resolution approving a Development Agreement with Castro Properties, LLC, in conjunction with the rehabilitation of 1525 Oakwood Drive, 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. 2023-607.

<u>RESOLUTIONS</u>

<u>Resolution approving a Memorandum of Agreement with Elevate Housing Foundation of Waterloo, Iowa, for the continued provision of an embedded employee to provide mental health services to third parties during calls for service, and authorizing the Mayor and City Clerk to execute said document.</u>

Chiles/Creighton-Smith
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-608.

<u>Resolution approving a Memorandum of Understanding with the City of Cedar Falls for the five-</u>

year Consolidated Action Plan, as required by the United States Department of Housing and Urban Development, in order to maintain the Cedar Falls Waterloo HOME Consortium, and authorizing the Mayor and City Clerk to execute said document.

Chiles/Creighton-Smith
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-609.

Resolution approving a Lease Agreement with JSA Development, LLC, for rental of the Leisure Services downtown shop, and authorizing the Mayor and City Clerk to execute said document.

Chiles/Creighton-Smith
Roll call vote-Ayes: Seven. Motion Carried. Resolution adopted and upon approval by Mayor assigned No. 2023-610.

Mr. Boesen commented that though the lease increased by 12 percent, it is important to remember that there has not been an increase in several years. He shared that the building offers a good space for leisure services..

Paul Huting, Leisure Services Director, confirmed that they have been in the building since 2012 and there have been no increases during that time. He shared that future increases are capped at 3 percent and the landlord covers the utilities.

Resolution approving an Independent Contractor Agreement for Massage Therapy Services.

Feuss/Chiles
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-611.

Paul Huting, Leisure Services Director, provided an overview of the item.

David Dryer, 3145 W. 4th Street, commented that he is not in favor of this resolution because it is competition with a private business.

Forest Dillavou, 1725 Huntington Road, questioned if the service is being provided for free to members of the SportsPlex.

Paul Huting explained it would be an added fee if a member chooses to use the service.

Resolution approving a Professional Services Agreement with WHKS & Co., of Mason City, Iowa, in the amount of $142,250.00, in conjunction with the East Shaulis Road and Hammond Avenue Roundabout Design Project, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Chiles
Roll call vote-Ayes: Six. Nays: One (Boesen). Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-612.

David Dryer, 3145 W. 4th Street, questioned if the traffic flow is heavy enough to warrant a roundabout at this location.

Resolution approving Amendment No. 1 to the agreement with Willett, Hofmann, & Associates, Inc., of Cedar Rapids, Iowa, originally approved June 21, 2021, to amend the project end timeline from January 6, 2023, to December 31, 2023, in conjunction with the Downtown Traffic Camera and Fiber Optic Interconnect Project, Iowa Department of Transportation, Project No. STBG-SWAP-8155(769)--SG-07, and authorizing the Mayor to execute said document.

Feuss/Chiles
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-613.

Resolution approving an Iowa Clean Air Attainment Grant Agreement, in the amount of $1,100,000.00, in conjunction with the Broadway Street Traffic Adaptive System and connecting to Fiber Optic Interconnect Termini, US Hwy. 63 (Mullan) at Franklin, and Broadway Street at Airport Blvd., 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. 2023-614.

Resolution approving an Iowa Clean Air Attainment Grant Agreement, in the amount of $910,000.00, in conjunction with the Ansborough Avenue Traffic Adaptive System Termini, Ansborough Avenue at Downing Avenue, and Ansborough Avenue at Fisher/Fitzway Drive, 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. 2023-615.

Request by the City of Waterloo to dedicate a fifteen-foot utility easement along the south property line of Lot 6 of Wagner Road Subdivision, in the “M-1” Light Industrial District, located north of 3488 Wagner Road.

Boesen/Nichols
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-616.

Resolution approving a Development and Minimum Assessment Agreement with JSA Development, LLC, for the rehabilitation of 716 Commercial Street into commercial and residential space, including a grant of $105,000.00, plus $15,000.00 in infill housing incentives and rebates for fifteen years at seventy percent, with a minimum assessed value of $500,000.00 upon completion, 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. 2023-617.

David Dryer, 3145 W. 4th Street, commented for both Items 10 and 11, that if bond funds are needed to do a project we should not do the deal.

David Deeds, JSA Development 215 E. 4th Street, provided comments regarding items 10 and 11 and the development plans for each project.

Forest Dillavou, 1725 Huntington Road, commented that he does not support the projects associated with items 10 and 11.

Mr. Boesen commented that he supports these projects 100 percent.

Resolution approving a Development and Minimum Assessment Agreement with JSA Development, LLC, for the rehabilitation of 425 Franklin Street into commercial space, including a grant of $85,000.00, and rebates for fifteen years at seventy percent, with a minimum assessed value of $500,000.00 upon completion, 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. 2023-618.

Resolution approving a Professional Services Agreement with HR Green, in an amount not to exceed $15,500.00, to complete a Phase II Environmental Site Assessment for property located at 200 East Mullan Avenue, 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. 2023-619.

Resolution approving the Real Estate Purchase Agreement with Gary D. Church for property located at 1202 Sycamore Street, in the amount of $10,000.00 plus up to $2,000.00 in closing costs, and authorizing the Mayor and City Clerk to execute said document.

Chiles/Creigton-Smith
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No.2023-620.

Resolution approving an Early Access Agreement with Dustin Arends d/b/a Arends Investments, for demolition and earth moving activities at 3921 Midway Drive, and authorizing the Mayor and City Clerk to execute said document.

Chiles/Creigton-Smith
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No.2023-621.

Resolution approving a Professional Service Agreement with AECOM Technical Services, Inc., of Waterloo, Iowa, in the amount of $19,500.00 in conjunction with the Waterloo Convention Center Underground Parking Ramp Repairs Project, and authorizing the Mayor to execute said document.

Chiles/Creigton-Smith
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No.2023-622.

Resolution approving a Memorandum of Understanding with the Iowa Northland Regional Council of Governments, in the amount of $2,000.00, for preparation of the Reconnect Communities and Neighborhoods grant application.

Feuss/Creighton-Smith
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-623.

Resolution approving the Assignment of Development Agreement with Superior Properties, LLC, and Lincoln Savings Bank, for the Development Agreement originally approved on June 20, 2022, in conjunction with the development of property located at the southwest corner of Airline Highway and Geraldine Road, assigning the rebates for the project to Lincoln Savings Bank, and authorizing the Mayor and City Clerk to execute said document.

Feuss/Creighton-Smith
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-624.

Resolution concurring with the determination of the City Planner, approving a proposed change to the approved site plan in the "S-1" Shopping Center District for the construction of a 10,093 square foot retail strip center with forty-four parking spaces, as a Minor Site Plan Amendment, located at 2775 Crossroads Boulevard.

Feuss/Creighton-Smith
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-625.

Resolution approving a Development and Minimum Assessment agreement with SKH Properties, LLC, for the construction of a 4,350 square foot medical office building, with a rebates schedule of years one and two of ninety percent, years three and four of eighty-five percent and years five through ten at 80%, with a minimum assessed value of $714,200.00, located southeast of 4006 Johnathan Street at the corner of Tower Park Drive and Johnathan Street, and authorizing the Mayor and City Clerk to execute said document.

Creighton-Smith/Boesen
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-626.

David Dryer, 3145 W. 4th Street, explained why he does not support items 19 and 20.

Mr. Boesen requested an overview of the item.

Noel Anderson, Community Planning and Development Director, provided an overview and explained how the rebate schedules work.

Mr. Boesen questioned if in the future council could receive a matrix showing the cost of construction, new jobs, etc. so that incentives could be based more on job creation rather than permit valuations.

Resolution approving a Main Street Program Continuation Agreement with the Iowa Economic Development Authority, Main Street Waterloo, and the City of Waterloo, in conjunction with the Main Street Iowa Program, and authorizing the Mayor and City Clerk to execute said document.

Creighton-Smith/Boesen
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-627.

Resolution approving a Project Assistance Agreement and Mortgage between CJ's Construction, Inc., City of Waterloo and Broad of Trustees of the Waterloo Water Works, for the development of the first phase of Paradise Estates Edition, a 64-lot residential subdivision located north and east of 5805 Kimball Avenue (Orange Elementary School), and authorizing the Mayor and City Clerk to execute said documents.

Creighton-Smith/Boesen
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-628.

Resolution accepting an Iowa DOT Aviation Bureau Commercial Service Vertical Infrastructure Grant in the amount of $125,262.00, for the installation of doors and door alarms to support the upgrade of ALO's new Airport Security Program, and continue replacement of outdated Hangar Bay ceiling lights at the Waterloo Regional Airport, Contract No. 9-I-240-ALO-200, Project No. CNTRT-00005819, and authorizing the Mayor and City Clerk to execute said document.

Chiles/Creighton-Smith
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-629.

Resolution approving the acceptance of a FY 2024 Air Service Development Grant from the Iowa Department of Transportation - Aviation Bureau, in the amount of $48,000.00 for the CY 2024 marketing, advertising and promotion of the Waterloo Regional Airport beginning on or about January 1, 2024, via Contract No. CNTRT-00005884 and Project No. 9-I-240-ALO-135, at Waterloo Regional Airport, and authorizing the Mayor and Airport Director, to execute said document.

Chiles/Creighton-Smith
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-630.

ADJOURNMENT

Chiles/Feuss
that the meeting adjourn at 7:30 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk