



**THE CITY COUNCIL OF WATERLOO, IOWA
Regular Session TO BE HELD AT
Harold E. Getty Council Chambers
Monday, October 16, 2023
5:30 PM**

**CITY OF WATERLOO
COMMUNITY VISION PLAN**

1. Fly the W: To develop a sense of pride and relationship between residents and the City of Waterloo, and then leverage that pride to communicate the City's attributes to external audiences.
2. Elevate Housing: Redevelop, renovate, or improve 800 residences in Waterloo in eight years by providing access to capital.
3. Celebrate and Connect Neighborhoods: To leverage Waterloo's rich tradition of neighborhoods by celebrating and connecting them with the community and region at large.
4. Waterloo Works: Grow a diverse and skilled workforce in Waterloo that connects people and employers for mutual growth.
5. Crossroads Doubledown: Re-energize the Crossroads Mall area into a sports/recreation-themed gravitational center.
6. Power Up Downtown: Keep Waterloo's core downtown evolving to meet the needs of future generations, supporting and showcasing arts and cultural opportunities and creating an experience like no other.
7. Sportstown USA: To generate excitement, develop youth, and drive investment and economic impact from year-round visitors.
8. Community of Opportunity: Eliminate barriers that keep Waterloo residents, and the community as a whole, from reaching its true potential, creating an equitable, thriving, and sustainable community for future generations.
Waterloo is a Community of Opportunity, where everyone can prosper.

GENERAL RULES FOR PUBLIC PARTICIPATION REGULAR SESSION AGENDA

- A. Iowa Code Chapter 21 gives the public the right to attend council meetings, but it does not require cities to allow public participation except during public hearings. The public

is required to follow the rules listed in this article when speaking during any meeting of the city council.

- B. At the presiding officer's discretion, individuals may address the presiding officer by stepping to the podium, and after recognition by the presiding officer, shall state their name, address, and group affiliation, if appropriate, and speak clearly into the microphone.
- C. Comments shall be germane and refrain from personal, impertinent, or slanderous remarks.
- D. Cell phones and electronic devices shall be set to silent prior to the start of the meeting.

RULES FOR PUBLIC COMMENT SECTION OF THE AGENDA

- A. Individuals shall speak one (1) time on only one (1) issue for a maximum of three (3) minutes During the public comment section of the agenda. The public shall not be required to pre-register to speak during public comment. Individuals shall only speak on matters not listed on the regular agenda for that date. Any matter presented shall be directed to the presiding officer and addressed, if necessary, after the meeting.
- B. Council members may speak during public comment portion of the agenda after the public has finished speaking
- C. City staff shall not be required to provide an immediate answer to a matter presented during a council meeting unless it specifically pertains to an item on the agenda

RULES FOR PUBLIC COMMENT DURING PUBLIC HEARINGS

Individuals may speak during the public comment portion of a scheduled public hearing for a maximum of three (3) minutes or may submit written comments to the city clerk by four o'clock (4:00) P.M. on the day of the public hearing. Groups of citizens with similar viewpoints are encouraged to select a representative to share the viewpoint of the group.

RULES FOR PUBLIC COMMENT DURING AGENDA ITEMS

At the discretion of the presiding officer, individuals may speak for a maximum of three (3) minutes when the council discusses agenda items. This section does not apply to businesses or parties directly involved in agenda items.

Roll Call.

Prayer or Moment of Silence.

Pledge of Allegiance, Mayor Quentin Hart.

Approval of Agenda, as proposed or amended.

Approval of Minutes of October 2, 2023, Regular Session as proposed or amended.

Proclamation declaring October 18, 2023 as Domestic Violence Awareness Month.

Proclamation declaring Friends of the Library Week as October 15-21, 2023.

Proclamation declaring October 21, 2023 as Thriving Together Day.

PUBLIC COMMENTS

Iowa Code Chapter 21 gives the public the right to attend council meetings but it does not require cities to allow public participation except during public hearings. The City of Waterloo encourages the public to participate during the Oral Presentations by following the rules listed on the front of the agenda.

CONSENT AGENDA

The consent agenda is reserved for routine resolutions and motions, acted upon by roll call vote on a single motion without discussion. Council shall either vote yea or nay when the roll is called. Council members may request that an item be removed from the consent agenda and considered separately. Such a request does not require a second. The public shall be prohibited from requesting that items listed on the consent agenda be removed and considered separately. The public may contact council members with questions regarding consent agenda items. 1-4A-16(A)(8).

1. Bills Payment, Finance Committee Invoice Summary Report, a copy of which is on file in the office of the City Clerk.
2. Resolution approving the request of Inona Fairchild for a waiver for a concrete driveway, located at 2558 Indendence Avenue, with the elimination of the sidewalk section due to inability to meet grade requirements.
3. Resolution approving the request by Colby Kriepps, for tax exemptions on the construction of a new single-family home valued at \$574,900.00, for property located at 122 Sunbird Court and located in the City Limits Urban Revitalization Area (CLURA).
4. Resolution setting date of public hearing as November 6, 2023 on the proposed reallocation of not to exceed \$300,000 Unspent Proceeds of the General Obligation Bonds, Series 2022B, and instruct the City Clerk to publish notice.
5. Resolution approving preliminary plans, specifications, form of contract, etc., setting date of bid opening as November 9, 2023, and date of public hearing as November 20, 2023, in conjunction with the Waterloo Center for the Arts Chiller Replacement, and instruct the City Clerk to publish said notice.
6. Resolution setting the date of public hearing as November 6, 2023, on the request by the City of Waterloo to vacate approximately 1.43 acres of excess right-of-way along the south side of West San Marnan Drive between Bankers Boulevard and Hurst Drive, and instruct the City Clerk to publish notice.
7. Resolution setting date of public hearing as November 6, 2023, on the request by IPE1031REV279, LLC, (Cardinal Construction) to rezone approximately 2.48 acres from "C-P" Planned Commercial District, "B-P" Business Park District, and "R-4,R-P" Planned Residence District to "C-P" Planned Commercial District located at 945 Tower Park Drive, and instruct the City Clerk to publish notice.

8. Resolution setting date of public hearing as November 6, 2023, for the sale and conveyance of city-owned property to M&MB Legacy, LLC, in the amount of \$1.00, with a Phased Development and Minimum Assessment Agreement in the amount of \$265,000.00, for the construction of a 5,000 square foot industrial and a 4,000 square foot future expansion, located south of 2330 GT Drive, and instruct the City Clerk to publish notice.
9. Motion approving Final Quantity Summary with Lodge Construction, Inc., of Clarksville, Iowa, for a net increase of \$58,041.10, in conjunction with the FY 2021 Westdale Bioswale, Contract No. 997, and authorizing the Mayor and City Clerk to execute said document.
10. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Lodge Construction, Inc., of Clarksville, Iowa, in the amount of \$444,700.10, in conjunction with the FY 2021 Westdale Bioswale, Contract No. 997, and receive and file a two-year maintenance bond.
11. Motion approving Final Quantity Summary with Arends Excavating, of Waterloo, Iowa, for a decrease of \$215.00, in conjunction with the FY 2021 Leverssee Road Lift Station, Contract No. 983, and authorizing the Mayor and City Clerk to execute said document.
12. Resolution approving Completion of Project and Recommendation of Acceptance of Work for work performed by Arends Excavating, of Waterloo, Iowa, in the amount of \$583,757.02, in conjunction with the FY 2021 Leverssee Road Lift Station, Contract No. 983, and receive and file a two-year maintenance bond.
13. Resolution approving cancellation of assessments for properties listed on Exhibit A, and authorizing the City Clerk to notify the Black Hawk County Treasurer of said cancellation.
14. Resolution providing support for the Waterloo Regional Airport five-Year and Long Range Needs Analysis for the Waterloo Regional Airport's Capital Improvement Program, for FY 2024 thru FY 2033, as supported by the Waterloo Airport Board, and instruct the staff to submit to the Federal Aviation Administration.
15. Resolution approving a Hotel/Motel Mini-Grant application to the Waterloo Convention and Visitors Bureau in an amount of \$3,000.00, to fund the ABATE Iowa STEAM event.
16. Motion approving the Annual Financial Report for City Streets, for the fiscal year ended June 30, 2023, and authorizing transmittal to the Iowa Department of Transportation.
17. Communication from the Fire Department on the notice of the conclusion of employment of Onazi Agbese, Paramedic, effective August 26, 2023, with recommendation of approval of payout of \$2,760.80 for unused benefits.
18. Communication from the Engineering Department on the notice of the conclusion of employment of Danielle DeNeui, Storm Water Specialist, effective September 29, 2023, with recommendation of approval of payout of \$907.40 for unused benefits.
19. Communication from the Code Enforcement Department on the notice of the conclusion of employment of Susan Moody, Code Enforcement Officer, effective October 6, 2023, with recommendation of approval of payout of \$5,066.38 for unused benefits.

20. Board of Adjustment Regular Meeting minutes of August 22, 2023.
21. Community Development Board minutes of July 2023.
22. Historic Preservation Commission minutes of August 15, 2023.
23. Waterloo Housing Authority Board minutes of September 18, 2023.
24. **Darrell Caldwell Sr.** Board/Commission: General Contractor Board Expiration Date: October 16, 2026 (New)
25. Liquor Licenses
 - a. Eventos VIP, 32 Lafayette St., Class C Alcohol w/Sunday Sales (Renewal) Exp: 10/4/2024.
 - b. M&J Caribbean Restaurant, 926 LaPorte Rd., Class C Alcohol w/Sunday Sales (New) Exp: 9/7/2024.
 - c. Mersim's, 126 E. Ridgeway Ave., Class C Alcohol w/Outside Service and Sunday Sales (New) Exp: 9/7/2024.
 - d. Carpenter's Diner, 518 Jefferson St., Class C Alcohol w/Sunday Sales (New) Exp: 10/31/2024.
 - e. The Next Level, 229 E. 4th St., Class C Alcohol w/Outdoor Service and Sunday Sales (New) Exp: 9/30/2024.
 - f. Express Mart, 2027 Falls Ave., Class E Alcohol w/Sunday Sales (New) Exp: 6/11/2024.
 - g. Fareway #951, 40 W. San Marnan Dr., Class E Alcohol w/Sunday Sales (Renewal) Exp: 11/15/2024.
 - h. Hy-Vee Fast 7 Fresh #1, 3700 University Ave., Class B Alcohol w/Sunday Sales (New) Exp: 11/1/2024.
 - i. Hy-Vee Wine and Spirits #1, 2126 Kimball Ave., Class E Alcohol w/Sunday Sales (Renewal) Exp: 11/14/2024.
 - j. Jameson's Public House, 310 E. 4th St., Class C Alcohol w/Outdoor Service, Caterina and Sunday Sales (Renewal) Exp: 11/2/2024.
 - k. Kwik Star #1004, 111 E. Donald St., Class B Alcohol w/Sunda Sales (Renewal) Exp: 10/14/2024.
 - l. Longhorn Steakhouse #5374, 1425 E. San Marnan Dr., Class C Alcohol w/Sunday Sales (Renewal) Exp: 8/31/2024.

26. Bonds.

PUBLIC HEARINGS

1. **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 new 6,500 square foot building and a future 6,000 square foot addition, located northeast of 3151 Titan Trail.**

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close the public hearing and receive and file oral and written comments.

Resolution approving the sale and conveyance of city-owned property, located northeast

of 3151 Titan Trail, to A&K Ventures, LLC, in the amount of \$1.00, and authorizing the Mayor and City Clerk to execute said documents, and rescinding Resolution No. 2023-474.

Resolution approving a Development Agreement and Minimum Assessment Agreement with A&K Ventures, LLC, for the construction of a new 6,500 square foot building and a future 6,000 square foot expansion, with a minimum assessed value of \$624,125.00 for Phase I, and authorizing the Mayor and City Clerk to execute said document, and rescinding Resolution No. 2023-475.

Submitted by: Noel Anderson, Community Planning and Development Director

2. 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.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file

Motion to close hearing and receive and file oral and written comments.

Resolution approving 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, and authorizing the Mayor and City Clerk to execute said documents, and rescinding Resolution No. 2023-565.

Resolution approving a Development Agreement with Dustin Arends d/b/a Arends Investments, in conjunction with the demolition of the existing home at 3921 Midway Drive and construction of a duplex on the property, and authorizing the Mayor and City Clerk to execute said document, and rescinding Resolution No. 2023-566.

Submitted by: Noel Anderson, Community Planning and Development Director

3. 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.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close hearing and receive and file oral and written comments.

Resolution approving the sale and conveyance of city-owned property, located at 2775 Crossroads Boulevard to Grant Park, LLC, in the amount of \$1.00, and authorizing the Mayor and City Clerk to execute said documents, and rescinding Resolution No. 2023-514.

Resolution approving a Development Agreement and Minimum Assessment Agreement with Grant Park, LLC, for the construction of a new 10,000 square foot commercial building, with a minimum assessed value of \$2,200,000.00, and authorizing the Mayor and City Clerk to execute said document, and rescinding Resolution No. 2023-515.

Submitted by: Noel Anderson, Community Planning and Development Director

4. Asbestos Abatement Services, Contract No. AB-2023-07-02P, for property located at 212 Sunnyside Avenue and 1318 Martin Road.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close hearing and receive and file oral and written comments.

Resolution affirming prior approval of plans, specifications, form of contract, etc., and authorizing to proceed.

Motion to receive, file, and instruct the City Clerk to read bids.

Resolution affirming prior award of contract to Site Services, Inc., of Algona, Iowa, in the amount of \$8,560.00, in conjunction with Asbestos Abatement Services, Contract No. AB-2023-07-02P, for properties located at 212 Sunnyside Avenue and 1318 Martin Road, and affirming prior authorization of Mayor and City Clerk to execute said document.

Motion to approve Change Order No. 1 with Site Services, Inc., of Algona, Iowa, for a net increase of \$1,125.00, in conjunction with additional asbestos abatement work for property located at 212 Sunnyside Avenue under Contract No. AB-2023-07-02P, and authorizing the Mayor to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

5. 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 rescinding Ordinance No. 5711.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close public hearing and receive and file oral and written comments and recommendation of approval of the Planning, Programming and Zoning Commission.

Motion 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 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 rescinding Ordinance No. 5711.

Motion to suspend the rules.

Motion to consider and pass for the second and third times and adopt ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

6. Waterloo Public Library 2023 Interior Renovations Project, Contract No. 28439.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close hearing and receive and file oral and written comments.

Resolution affirming prior approval of plans, specifications, form of contract, etc., and authorizing to proceed.

Motion to receive, file, and instruct the City Clerk to read bids.

Resolution affirming prior award of contract to Woodruff Construction of Waterloo, Iowa, base bid amount of \$289,700.00 with Alternate 2 deducted in the amount of \$25,000.00 for a total award of bid in the amount of \$264,700.00, approving the contract, bonds, and certificate of insurance, in conjunction with the Waterloo Public Library 2023 Interior Renovations Project, Contract No. 28439, and affirming prior authorization of Mayor and City Clerk to execute said document.

Submitted by: David Eckert, Library Director

7. FY 2022 ICAIF Airline Passenger Terminal Building - Parking Lot Canopy Project.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close the hearing and receive and file oral and written comments.

Resolution confirming approval of specifications, bid documents, etc., and authorizing to proceed.

Motion to receive and file and instruct the City Clerk to read bids, and refer to the Director of Aviation for further review.

Submitted by: Keith Kaspari, Director of Aviation

8. 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.

Motion to receive and file proof of publication of notice of public hearing

HOLD HEARING - No Comments on File

Motion to close hearing and receive and file oral and written comments and recommendations of approval of the Planning, Programming and Zoning Commission.

Motion to receive, file and consider and pass for the first time an ordinance approving a 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.

Motion to suspend the rules.

Motion to consider and pass for the second and third times and adopt the ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

9. Request by the City of Waterloo for the vacate, sale and conveyance of Linbud Lane right-of-way for \$1.00 to the Waterloo Community Schoos, in the "R-3" Multiple Residence District located east of 1239 Sheldon Street at Becker Elementary School.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close the hearing and receive and file oral and written comments and recommendations of approval of the Planning, Programming, and Zoning Commission.

Motion to receive, file consider, and pass for the first time an ordinance approving a request by the City of Waterloo to vacate Linbud Lane right-of-way, located east of 1239 Sheldon Street at Becker Elementary School, subject to the retention of a public utility easement over, under, upon, and across said entire parcel.

Motion to suspend the rules.

Motion to consider and pass for the second and third times and adopt the ordinance.

Resolution authorizing the sale and conveyance of Linbud Lane right-of-way, located east of 1239 Sheldon Street at Becker Elementary School, to the Waterloo Community Schools, in the amount of \$1.00, subject to the retention of a public utility easement over, under, upon, and across said entire parcel and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

10. 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.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close hearing and receive and file oral and written comments, and recommendation of approval of the Planning, Programming and Zoning Commission.

Motion to receive, file and consider and pass for the first time an ordinance approving 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, subject to the retention of an easement for drainage and public utilities on the North 8 feet of Lot 15 of Hickory Court Addition, and subject to the retention of an easement for access and maintenance of the sound wall on the North 25 feet of Lot 15 of Hickory Court Addition.

Motion to suspend the rules.

Motion to consider and pass for the second and third times and adopt said ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

11. 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.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close public hearing and receive and file oral and written comments and recommendation of approval of the Planning, Programming and Zoning Commission.

Motion 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 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.

Motion to suspend the rules.

Motion to consider and pass for the second and third times and adopt the ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

12. 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.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close hearing and receive and file oral and written comments.

Resolution approving the sale and conveyance of city-owned property, located east of 2459 GT Drive, to DLG Investments, LLC, in the amount of \$1.00, and authorizing the Mayor and City Clerk to execute said documents.

Resolution approving a Development and Minimum Assessment Agreement with DLG Investments, LLC, for the construction of a forty-stall employee parking lot, located east of 2459 GT Drive, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

13. 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.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close public hearing and receive and file oral and written comments and recommendation of approval of the Planning, Programming and Zoning Commission.

Motion 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 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, subject to a condition that sidewalk be constructed along Tower Park Drive east of Winn Street to Jonathan Street.

Motion to suspend the rules.

Motion to consider and pass for the second and third times and adopt ordinance.

Submitted by: Noel Anderson, Community Planning and Development Director

14. Sale and conveyance of approximately sixty acres of city-owned property to PWM Companies, LLC, in the amount of approximately \$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.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close hearing and receive and file oral and written comments.

Resolution approving the sale and conveyance of approximately sixty acres of city-owned property located east of 4342 Ansborough Avenue at the southeast corner of the Ansborough Avenue and Highway 20 Interchange, to PWM Companies, LLC, in the amount of \$36,000.00 per acre, approximately \$2,160,000.00, for the construction of commercial buildings, and authorizing the Mayor and City Clerk to execute said documents.

Resolution approving a Development Agreement with PWM Companies, LLC, for the construction of two new 138,000 square foot buildings, with a grant schedule of a minimum of \$40,000.00 annually, and authorizing the Mayor and City Clerk to execute said document.

Submitted by: Noel Anderson, Community Planning and Development Director

15. 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.

Motion to receive and file proof of publication of notice of public hearing.

HOLD HEARING - No comments on file.

Motion to close hearing and receive and file oral and written comments.

Resolution approving the sale and conveyance of city-owned property, located south of 437 Norris Court, to Steven and Yvonne Smith, in the amount of \$5,000.00, and authorizing the Mayor and City Clerk to execute said documents, subject to the retention of an easement for drainage and public utilities on the North eight feet of Lot 15 of Hickory Court Addition, and subject to the retention of an easement for access and maintenance of the sound wall on the North twenty-five feet of Lot 15 of Hickory Court Addition.

Resolution approving a Development Agreement including a Development Grant in the amount of \$5,000.00 with Steven and Yvonne Smith, for the construction of a new single-family home, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

RESOLUTIONS

1. Resolution approving the request by VI2, LLC, for an Encroachment Agreement for a portion of West San Marnan Drive right-of-way located in the "C-1, C-Z" Conditional Zoning District to allow for the installation of a parking lot south of 1039 Peoples Square, and authorizing the Mayor and City Clerk to execute said documents.

Submitted by: Noel Anderson, Community Planning and Development Director

ADJOURNMENT

Motion to adjourn.

Kelley Felchle
City Clerk