October 16, 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 16, 2023.

Roll Call.

Mayor Pro Tem Ray Feuss 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, Mayor Pro Tem Ray Feuss.

Approval of Agenda, as proposed or amended.

Grieder/Nichols
that the agenda, as proposed, be approved. Voice vote-Ayes: Seven. Motion carried.

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

Grieder/Nichols
that the minutes for the October 2, 2023, Regular Session be approved. Voice vote-Ayes: Seven. Motion carried.

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

Wayne Natham, 548 Cloverdale, questioned how many TIF areas the City of Waterloo has at this time.

Mr. Fuess asked Mr. Natham to reach out to Noel Anderson for a response.

Mary Potter Grout Museum Board member, and several patrons of the Grout Museum shared information regarding the Church Row Neighborhood Newsletter and the Thursday night walk-thru at the Grout Museum, which is free of charge.

Michelle Feltes, 209 Mulberry Street, made comments regarding evictions of underserved community members that have been evicted after complaining to City staff with regards to landlords and unfit living conditions and asked that the Council advocate for renters.

LaTayna Graves thanked the Council members for serving the citizens of Waterloo and doing a good job.

Jessica Rucker, Main Street Waterloo, provided the Council with a review of a meeting with Waterloo business owners where they shared issues about the homeless population in the downtown area and asked that the Council look at remedies to support the businesses.

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

Lawrence Stumme, 1008 Lois Lane, spoke regarding housing needs in Waterloo and the underserved community.

David Dryer, 3145 W. 4th Street, questioned development agreements and the sale of properties and feels the City needs to do more for people rehabbing properties.

Matthew Carpenter, 518 Jefferson Street, announced the reopening of Carpenters Diner with a ribbon cutting on November 1, 2023.

Mr. Chiles questioned if the Ridgeway eastbound warning light could be fixed and if there is information on the repaving of Ridgway Avenue.

Jamie Knutson, City Engineer, explained the light is still under warranty and that they are working on getting parts to fix it, and that paving Ridgeway is on the five-year Capital Improvements list.

Mr. Chiles commented on Breast Cancer Awareness month, provided information regarding his Ward 1 meeting plans to discuss fiber, and asked that citizens participate in the parking study.

Mr. Boesen asked that the meters in front of the post office be removed to assist citizens in utilizing Post Office services.

Ms. Wilder wished the Carpenters Diner good luck and thanked citizens for bringing issues to the council meetings.

Ms. Creighton-Smith commented that she appreciates people coming to meetings with information and questions the legality of landlords evicting or retaliating against tenants who complain.

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

<u>CONSENT AGENDA</u>

Grieder/Wilder

that the following items on the consent agenda be received and placed on file including the payment of bills for October 9, 2023, in the amount of $4,656,809.73, and October 16, 2023, in the amount of $3,808,893.55. Roll Call vote-Ayes: Seven. Motion carried.

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

Resolution adopted and upon approval by Mayor assigned No. 2023-631.

Resolution approving the request of Inona Fairchild for a waiver for a concrete driveway, located at 2558 Independence Avenue, with the elimination of the sidewalk section due to inability to meet grade requirements.

Resolution adopted and upon approval by Mayor assigned No. 2023-632.

Resolution approving the request by Colby Krieps, 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).

Resolution adopted and upon approval by Mayor assigned No. 2023-633.

Resolution setting date of public hearing as November 6, 2023, on the proposed reallocation of not to exceed $300,000.00 Unspent Proceeds of the General Obligation Bonds, Series 2022B, and instruct the City Clerk to publish notice.

Resolution adopted and upon approval by Mayor assigned No. 2023-634.

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.

Resolution adopted and upon approval by Mayor assigned No. 2023-635.

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.

Resolution adopted and upon approval by Mayor assigned No. 2023-636.

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.

Resolution adopted and upon approval by Mayor assigned No. 2023-637.

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.

Resolution adopted and upon approval by Mayor assigned No. 2023-638.

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.

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.

Resolution adopted and upon approval by Mayor assigned No. 2023-639.

Motion approving Final Quantity Summary with Arends Excavating, of Waterloo, Iowa, for a decrease of $215.00, in conjunction with the FY 2021 Leversee Road Lift Station, Contract No. 983, 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 Arends Excavating, of Waterloo, Iowa, in the amount of $583,757.02, in conjunction with the FY 2021 Leversee Road Lift Station, Contract No. 983, and receive and file a two-year maintenance bond.

Resolution adopted and upon approval by Mayor assigned No. 2023-640.

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.

Resolution adopted and upon approval by Mayor assigned No. 2023-641.

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.

Resolution adopted and upon approval by Mayor assigned No. 2023-642.

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.

Resolution adopted and upon approval by Mayor assigned No. 2023-643.

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.

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.

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.

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.

Board of Adjustment Regular Meeting minutes of August 22, 2023.

Community Development Board minutes of July 2023.

Historic Preservation Commission minutes of August 15, 2023.

Waterloo Housing Authority Board minutes of September 18, 2023.

Darrell Caldwell Sr. Board/Commission: General Contractor Board Expiration Date: October 16, 2026 (New)

Liquor Licenses

a. Eventos VIP, 32 Lafeyette 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.

Bonds.

PUBLIC HEARINGS

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.

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

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

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

Chiles/Grieder
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-644.

Chiles/Grieder
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-645.

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.

Grieder/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.

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

Grieder/Wilder
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-646.

Grieder/Wilder
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-647.

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.

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

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

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

Nichols/Wilder
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-648.

Nichols/Wilder
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-649.

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

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

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

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

Nichols/Wilder
Resolution affirming prior 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. 2023-650.

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

Asbestos Abatement, Contract No. AB-2023-07-02P
Estimate: $26,000.00
All Star Environmental, Dubuque, IA - 5% Bid Security - Bid Amount: $10,995.00
ECCO Midwest, Hasting, MN - 5% Bid Security - Bid Amount: $18,120.00
Site Services, Inc., Algona, IA - 5%Bid Security - Bid Amount: $8,560.00
Advanced Environmental, Waterloo, IA - 5% Bid security - Bid Amount $12,300.00

Nichols/Wilder
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-651.

Nichols/Wilder
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. Roll call vote-Ayes: Seven. Motion carried.

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.

Boesen/Nichols

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/Nichols
to close hearing and receive and file recommendations of approval of the 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 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. Roll call vote-Ayes: Seven. Motion carried.

Boesen/Nichols
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 the ordinance. Roll call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5725.

<u>Waterloo Public Library 2023 Interior Renovations Project, Contract No. 28439.</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 affirming prior 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. 2023-652.

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

Waterloo Public Library 2023 Interior Renovation Project, Contract No. 28439.
Engineer's Estimate: $270,000.00
Woodruff Construction, Waterloo, IA - 5% Bid Security - Bid Amount: $289,700.00

Mr. Boesen requested a review of funding for the project.

David Eckert, Library Directory explained grant funds were used for the renovations with no cost to the city.

Creighton-Smith/Wilder
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-653.

<u>FY 2022 ICAIF Airline Passenger Terminal Building - Parking Lot Canopy Project.</u>

Grieder/Creighton-Smith
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.

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

Grieder/Creighton-Smith
Resolution confirming approval of specifications, bid documents, etc., and authorizing to proceed. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-654.

Grieder/Creighton-Smith
to receive and file and instruct the City Clerk to read bids, and refer to the Director of Aviation for further review. Voice vote-Ayes: Seven. Motion carried.

Terminal Parking Canopy Structures, Contract No. 0004232
Engineer's Estimate: Base Bid- $1,995,460; Add Alt 1: $260,000.00 ; Add Alt 2: $36,000.00; Add Alt 3: $160,000.00; Add Alt 4: $40,000.00
King Construction & Overhead Door, Inc., Iowa Falls, IA
5% Security - Base Bid: $938,750; Add Alt 1: $49,250; Add Alt 2: $77,800; Add Alt 3: $161,250; Add Alt 4: $35,600.
Larson Construction Co., Inc., Independence, IA
5% Security - Base Bid: $2,308,900; Add Alt 1: $190,000; Add Alt 2: $55,000; Add Alt 3: $90,000; Add Alt 4: $24,000.
Peters Construction Corp., Waterloo, IA
5% Security - Base Bid: $2,157,863; Add Alt 1: $170,070; Add Alt 2: $54,921; Add Alt 3: $137,210; Add Alt 4: $42,858.

<u>Request by the City of Waterloo to vacate a ten-foot by seventy-five-foot Sanitary Sewer</u>

Easement at Becker Elementary School in the “R-2” One and Two Family Residence District, located at 1239 Sheldon Street.

Grieder/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.

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

Grieder/Chiles
to receive, file 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. Roll call vote-Ayes: Seven. Motion carried.

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

Grieder/Chiles
to consider and pass for the second and third times and adopt the ordinance. Roll call vote-Ayes: Seven. Motion carried. Ordinance was adopted and upon approval by Mayor assigned No. 5726.

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 Schools, in the “R-3” Multiple Residence District located east of 1239 Sheldon Street at Becker Elementary School.

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

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

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

Nichols/Wilder
to receive, file consider, and pass for the first time an ordinance 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. Roll call vote-Ayes: Seven. Motion carried.

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

Nichols/Wilder
to consider and pass for the second and third times and adopt the ordinance. Roll call vote-Ayes: Seven. Motion carried. Ordinance adopted and upon approval by Mayor assigned No. 5727.

Nichols/Wilder
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-655.

<u>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.</u>

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

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

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

Chiles/Nichols
to receive, file 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. Roll call vote-Ayes: Seven. Motion carried.

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

Chiles/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. 5728.

<u>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.</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 and receive and file recommendations of approval of the Planning, Programming, and Zoning Commission. Voice vote-Ayes: Seven. Motion carried.

Creighton-Smith/Wilder
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. Roll call vote-Ayes: Seven. Motion carried.

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

Motion to consider and pass for the second and third times and adopt the ordinance. Roll call vote-Ayes: Seven. Motion carried. Ordinance was adopted and upon approval by Mayor assigned No. 5729.

<u>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.</u>

Grieder/Nichols
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.

Mr. Boesen questioned how much value is the value of the land being conveyed for a dollar and the amount of taxes it will generate.

Noel Anderson, Community Planning and Development Director, explained the amount being conveyed is 0.60 acres and that he would need to calculate the value based on the minimum assessed value of $125,000.00. Noel Anderson further explained this is for employee parking due to an expansion and adding employees.

Mr. Chiles questioned if there was potential for another building to be built here.

Noel Anderson explained that all lots are for commercial development, but that on this small of a lot, it would be difficult to build a building.

Grieder/Nichols

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

Grieder/Nichols
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-656.

Grieder/Nichols
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-657.

<u>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.</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 and receive and file recommendations of approval of the Planning, Programming, and Zoning Commission. Voice vote-Ayes: Seven. Motion carried.

Creighton-Smith/Wilder
to receive, file, consider and pass for the first time an ordinance amendment to Ordinance No. 5079, as amended, City of Waterloo Zoning Ordinance, by amending the Official Zoning Map referred to in Section 10-4-4, approving a request by 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. Roll call vote-Ayes: Seven. Motion carried.

Creighton-Smith/Wilder
to suspend the rules. Roll call vote-Ayes: Seven. Motion carried.

Creighton-Smith/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. 5730.

<u>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</u>

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.

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

Nichols/Wilder
This being the time and place of the public hearing, the Mayor called for oral or written comments.

Mike McCree, CRE was present to respond to questions.

Mr. Chiles requested the Council be provided a copy of the Department of Transportation analysis.

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

Nichols/Wilder
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-658.

Nichols/Wilder
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-659.

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.

Grieder/Nichols
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.

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

Grieder/Nichols

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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-660.

Grieder/Nichols
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. Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-661.

RESOLUTIONS

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.

Boesen/Nichols
Roll call vote-Ayes: Seven. Motion carried. Resolution adopted and upon approval by Mayor assigned No. 2023-662.

ADJOURNMENT

Grieder/Boesen
that the meeting adjourns at 7:00 p.m. Voice vote-Ayes: Seven. Motion carried.

Kelley Felchle
City Clerk