

July 19, 2010

The Council of the City of Waterloo, Iowa, met in Regular Session at City Hall Council Chambers, Waterloo, Iowa, at 5:30 p.m., on Monday, July 19, 2010. Mayor Ernest G. Clark in the Chair. Roll Call: Cole, Getty, Jones, Greenwood, Schmitt, Welper, Hart.

Moment of Silence.

Pledge of Allegiance: Jim Quint, MIS Manager.

134875 - Hart/Welper

that the Agenda, as amended by changing item 13 to approve and pass for the third time and to amend #6 of the public information portion of the agenda adding the payout amount of \$2,186.35, for the Regular Session on Monday, July 19, 2010, at 5:30 p.m., be accepted and approved. Ayes: Seven. Motion carried.

134876 - Hart/Welper

that the Minutes, as proposed, for the Regular Session on Monday, July 12, 2010, at 5:30 p.m., be accepted and approved. Ayes: Seven. Motion carried.

Mayor Clark recognized Paul Huting, Leisure Services Director for 30 years of service.

Mayor Clark presented Lorie Glover who is the new Black Hawk County Emergency Management Agency Coordinator as of July 1, 2010.

CONSENT AGENDA

134877 - Hart/Schmitt

that the following items on the consent agenda be received, placed on file and approved:

a. Resolutions to approve the following:

1. Schedule AP642, pp. 1-104, dated July 19, 2010, in the amount of \$4,589,174.82, a copy of which is on file in the City Clerk's office, together with recommendation of approval of the Finance Committee.

Resolution adopted and upon approval by Mayor assigned No. 2010-614.

2. The Grout Museum District's request to hold 1st Annual Summer Bash: Science Circus on Thursday, July 29, 2010 to Saturday, July 31, 2010 at the River Loop Expo Grounds, together with recommendation of the Chief of Police.

Submitted by Daniel J. Trelka, Chief of Police.

Resolution adopted and upon approval by Mayor assigned No. 2010-615.

3. Main Street Waterloo's request of street closings to accommodate the Waterloo Downtown Farmers Market on Saturday, July 31, 2010 from 6:00 a.m. - 1:00 p.m.; closing of Jefferson Street between W. Park Avenue & W. 3rd Street; closing of W. 3rd Street between Jefferson Street and Bluff/Washington Street; and the closing of Bluff/Washington Street between W. 3rd Street & W. Park Avenue, together with recommendation of the Chief of Police.

Submitted by Daniel J. Trelka, Chief of Police.

Resolution adopted and upon approval by Mayor assigned No. 2010-616.

b. Motion to approve the following:

1. Recommendation of appointment of Crager Cook to the position of Park Maintenance II Forestry, effective July 20, 2010.  
Submitted by Paul Huting, Leisure Services Director

2. Recommendation of appointment of Travis Nichols to the position of Construction Foreman, effective July 20, 2010.  
Submitted by Paul Huting, Leisure Services Director

3. Recommendation of appointment of Michael Heichel to the position of Garage Mechanic, effective August 2, 2010.  
Submitted by Mark Rice, Superintendent of Central Garage

4. Recommendation of appointment of the following with approval of Mayor Buck Clark:

Appointee	Board/Commission	Expiration Date	New or Re-Appointment
Pat Becker	Waterloo Metropolitan Transit Authority Board	July 1, 2012	Re-Appointment
Jack Good	Waterloo Metropolitan Transit Authority Board	July 1, 2012	Re-Appointment
Steve Abbott	Waterloo Metropolitan Transit Authority Board	July 1, 2012	Re-Appointment
Karol Erdmann	Board of Library Trustees	June 30, 2016	New Appointment
Mike Robinson	Board of Library Trustees	June 30, 2016	New Appointment

5. Beer License Permit Application  
 Class B  
 Waterloo RAGBRAI, 4550 Hess Road (New) (7/29/2010 to 8/3/2010)

6. Outdoor Service Area Application  
 Waterloo RAGBRAI, 4550 Hess Road  
 Screaming Eagles, 228 E. 4<sup>th</sup> Street (Expansion of area)  
 Jameson's Public House, 310 East 4<sup>th</sup> Street (Expansion of area)

7. Bonds

Ayes: Seven. Schmitt Abstained on bill payment for payment to Schmitt Telecom Motion carried.

PUBLIC HEARINGS

134878 - Schmitt/Welper

that proof of publication of notice of public hearing on Police Department Body Armor Replacement Program, as published in the Waterloo Courier on July 6, 2010, be received and placed on file. Ayes: Seven. Motion carried.

134879 - This being the time and place of public hearing, the Mayor called for written and oral objections and there were none.

Schmitt/Welper

that the hearing be closed and oral and written comments be received and placed on file. Ayes: Seven. Motion carried.

134880 - Schmitt/Welper

that "Resolution confirming approval of specifications, bid document, etc. in conjunction with Police Department Body Armor Replacement Program", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-617.

134881 - Schmitt/Welper

that "Resolution authorizing to proceed in conjunction with Police Department Body Armor Replacement Program", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-618.

134882 - Schmitt/Welper

to receive, file and instruct City Clerk to open and read bids and refer to Police Chief for review:

Bidder	Bid Bond	Bid Amount
Galls - An Aramark Company 2680 Palumbo Drive Lexington KY 40509		
Kieck's Career Apparel 2323 Mt. Vernon Rd SE Cedar Rapids IA 52403		
OMB's Express Police Supply 11333 Strang Line Road Lenexa KS 66215		
Uniform Den East 5803 N 2 <sup>nd</sup> Street Loves Park IL 61111		

Ayes: Seven. Motion carried.

134883 - Getty/Schmitt

that proof of publication of notice of public hearing on F.Y. 2011 Ridgeway Avenue and La Porte Road Intersection Improvements, Contract No. 775, as published in the Waterloo Courier on July 7, 2010, be received and placed on file. Ayes: Seven. Motion carried.

134884 - This being the time and place of public hearing, the Mayor called for written and oral objections and there were none.

Getty/Schmitt

that the hearing be closed and oral and written comments be received and placed on file. Ayes: Seven. Motion carried.

134885 - Getty/Schmitt

that "Resolution confirming approval of plans, specifications, form of contract, etc. in conjunction with F.Y. 2011 Ridgeway Avenue and La Porte Road Intersection Improvements, Contract No. 775", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-619.

134886 - Getty/Schmitt

that "Resolution ordering construction in conjunction with F.Y. 2011 Ridgeway Avenue and La Porte Road Intersection Improvements, Contract No. 775", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-620.

134887 - Cole/Welper

that proof of publication of notice of public hearing on Reallocation of \$15,000.00 of General Obligation Bonds, Series 2008A to pay the cost of replacing an emergency warning siren that was struck by lightning, as published in the Waterloo Courier on July 15, 2010, be received and placed on file. Ayes: Seven. Motion carried.

134888 - This being the time and place of public hearing, the Mayor called for written and oral objections and there were none.

Cole/Welper

that the hearing be closed and oral and written comments be received and placed on file. Ayes: Seven. Motion carried.

134889 - Cole/Welper

that "Resolution instituting proceedings to take additional action and approving reallocation of said bond in conjunction with Reallocation of \$15,000.00 of

General Obligation Bonds, Series 2008A to pay the cost of replacing an emergency warning siren that was struck by lightning", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-621.

#### RESOLUTIONS

134890 - Greenwood/Schmitt

that "Resolution approving agreement with Greater Cedar Valley Alliance to support "Fulfilling the Vision" Campaign for Economic Vitality at a cost of \$28,500.00 plus incentives for a total not to exceed \$85,000.00-Submitted by Mayor Buck Clark", be adopted. Ayes: Seven.

Mr. Jones stated I do support supporting the Alliance but this agreement has an incentive clause and I think incentive clauses in general are just not the right thing to be doing in an Alliance with any city and I know we are going along the same lines as Cedar Falls but in my opinion I don't think this is the right thing to be doing and I am hoping that the Alliance itself can work through these issues. Because it is an agreement, it takes both parties to agree to the incentives. I am hoping the Alliance can work through these issues during this year and work with all the cities to come up with the same uniform type of agreement that is more across the board and hopefully without incentives because all they do is cause problems. With an Alliance we are all collectively working for the same goal. It is not supposed to aim for any particular city.

Mr. Getty stated I thought when we had discussed this we were talking to match our sister city with \$25,000 and I see now that it is \$28,500. How did we come up with the extra \$2,500? Mayor Clark stated Mr. Getty it has always been higher. Our wording and our language reflect the same as Cedar Falls but our numbers have always been higher. During all of the work sessions that we have had the wording and all of these that we have proposed have always been higher because of our population difference. So we are matching Cedar Falls in terminology but not in the numbers.

Resolution adopted and upon approval by Mayor assigned No. 2010-622.

134891 - Getty/Cole

that "Resolution approving recommendation of acceptance of bid from Ultramax of Rapid City, South Dakota for the Police Departments FY 11 Ammunition needs-Submitted by Dan Trelka, Chief of Police", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-623.

134892 - Getty/Cole

that "Resolution approving request from William A. and Christine A. Hall to dedicate a 1,765 square foot Storm Sewer Easement at 2320 West 9th Street, generally located at the northwest corner of Easton Avenue and West 9th Street-Submitted by Noel Anderson, Community Planning & Development Director", be adopted. Ayes: Seven.

Mr. Welper thanked the Hall's for donating their property for the easement. Mayor Clark stated he would second that. This was a situation that came up for some street improvement and in the process they found a better way to actually get rid of some wastewater and they agreed to work with us.

Resolution adopted and upon approval by Mayor assigned No. 2010-624.

134893 - Getty/Cole

that "Resolution approving agreement with AECOM of Waterloo, Iowa in an amount not to exceed \$9,500.00 for construction related services in conjunction with F.Y. 2010 Riverview Recreation Area OHV Park Parking Lot and Fencing Improvements, Contract No. 789-Submitted by Paul Huting, Leisure Services Director", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-625.

134894 - Cole/Welper

that "Resolution approving recommendation of award of contract in the amount of \$295,459.00 to Huff Contracting, Inc. of Waterloo, Iowa in conjunction with F.Y. 2010 Young Arena Expansion Project Phase I-Submitted by Paul Huting, Leisure Services Director", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-626.

134895 - Cole/Welper

that "Resolution approving Contract for the Disaster Recovery Business Rental Assistance Program for Coco Transportation, LLC at 1414 Lafayette Street in the amount of \$48,000.00; Jam Audio Recording at 501 Sycamore Street in the amount of \$3,834.00; Sarajlija Bakery and Grocery at 1206 W. 9th Street in the amount of \$24,000.00; and Two 4 Tots at 622 Sycamore Street in the amount of \$8,400.00, and authorize Mayor to execute said documents-Submitted by Aric Schroeder, City Planner", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-627.

134896 - Cole/Welper

that "Resolution approving Contract for the Disaster Recovery Business Rental Assistance Program for River Plaza Athletic Club at 10 W. 4th Street in an amount of up to \$50,000.00; and Midtown Development at 501 Sycamore Street in an amount of up to \$50,000.00, and authorize Mayor to execute said documents-Submitted by Aric Schroeder, City Planner", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-628.

134897 - Cole/Welper

that "Resolution approving Contract for the Disaster Recovery Business Rental Assistance Program for Galleria De Paco & Coffee Shop at 622 Commercial Street in the amount of \$7,365.27, and authorize Mayor to execute said document-Submitted by Aric Schroeder, City Planner", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-629.

#### ORDINANCES

134898 - Greenwood/Schmitt

that "an Ordinance amending the 2008 Traffic Code of the City of Waterloo, Iowa by repealing Section 353 and amending Section 343 to read as follows: It is hereby established that the fees for cash patrons for all parking ramps shall be set by Resolution of the City Council", be received, placed on file, considered and passed for the third time and adopted. Ayes: Seven. Motion carried.

Mr. Hart stated I did one call while I was away by a lady who owns a beauty salon downtown and she is concerned about the impact the fee or raising the fees will have on the senior citizens that come and patron her shop.

Ordinance adopted and upon approval by Mayor assigned No. 5000.

#### OTHER COUNCIL BUSINESS

134899 - Schmitt/Cole

that "Resolution establishing a special event parking fee and increasing parking fees for parking meters and cash patrons in the parking ramps-Submitted by Suzy Schares, City Clerk", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-630.

134900 - Schmitt/Cole

that "Resolution setting date of hearing as August 2, 2010 to approve a rezoning request of approximately 0.45 acres of land from "R-1" One and Two Family Resident District to "S-1" Shopping Center District for property located north of 2102 Kimball Avenue generally located near the northwest corner of Kimball Avenue and West Ridgeway Avenue for the purpose of bringing the existing legal non-conforming commercial parking lot to the Kimball Ridge Shopping Center into compliance with the Zoning Ordinance-Submitted by Aric Schroeder, City Planner", be adopted. Ayes: Seven.

Mr. Welper stated I realize that we are just setting the date of hearing on this but I have been contacted by three people on this in regards to the brick wall that is behind where this restaurant is going. Reading the information, it says that no additional barrier is needed but the calls that I have been receiving, there is question about the deterioration of that wall. So with that I will present the question at the hearing. Mayor Clark stated actually Mr. Welper there is a gentleman here to speak to this tonight and he thought we were passing this tonight. Mr. Hurtado why don't you go ahead and come up. Let's address this now since you are here and rather during oral comments we will discuss it now.

Rick Hurtado, 1830 W. 3<sup>rd</sup> Apt. B. Waterloo, Iowa, I have a property there next to that wall and that wall has been there since like 1962. I have talked to people about this Hurst family and it didn't go to good. It needs something done with it. It is not going to fall down. The whole shopping center is a pit. The black top is bad, where the sidewalk goes around the businesses; it's been cracked where they patched it. Around the back the garbage is terrible. It has a two-hour parking limit and they park here but it is not enforced. We would like to see something done. I have a list here for all you Council members. Mayor Clark stated as I explained to you Mr. Hurtado, tonight we are not doing anything but setting the date of hearing. We appreciate your comments and I am sure we will take them into consideration. We all want new businesses and growth but we do need the place to conform.

Resolution adopted and upon approval by Mayor assigned No. 2010-631.

134901 - Schmitt/Cole

that "Resolution setting date of hearing as August 2, 2010 to approve a site plan amendment request to the "S-1" Shopping Center District for property located north of 2102 Kimball Avenue generally located at the north end of the Kimball Ridge Shopping Center near the northwest corner of Kimball Avenue and West Ridgeway Avenue for the purpose of construction a 2,543 square foot coffee shop/restaurant-Submitted by Aric Schroeder, City Planner", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-632.

134902 - Welper/Cole

that "Resolution preliminary approving construction of sidewalk improvements in conjunction with F.Y. 2011 Sidewalk Repair Assessment Program - Zone 10, Contract No. 781", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-633.

134903 - Welper/Hart

that "Resolution fix value of lots in conjunction with F.Y. 2011 Sidewalk Repair Assessment Program - Zone 10, Contract No. 781", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-634.

134904 - Welper/Hart

that "Resolution adopting preliminary plat and schedule of assessments and estimate of costs in conjunction with F.Y. 2011 Sidewalk Repair Assessment Program - Zone 10, Contract No. 781", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-635.

134905 - Welper/Hart

that "Resolution of Necessity (Proposed) to set date of hearing as August 9, 2010 and City Clerk instructed to publish notice of same", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-636.

134906 - Greenwood/Schmitt

to instruct City Engineer to prepare plans, specifications, form of contract, etc. in conjunction with F.Y. 2011 Sidewalk Repair Assessment Program - Zone 10, Contract No. 781, be received, placed on file and approved. Ayes: Seven. Motion carried.

134907 - Greenwood/Schmitt

that plans, specifications, form of contract, etc. in conjunction with F.Y. 2011 Sidewalk Repair Assessment Program - Zone 10, Contract No. 781, be received and placed on file. Ayes: Seven. Motion carried.

134908 - Greenwood/Schmitt

that "Resolution preliminarily approving plans, specifications, form of contract, etc. in conjunction with above described project", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-637.

134909 - Greenwood/Schmitt

that "Resolution setting date of hearing and bid opening on plans, specifications, form of contract, etc. as August 9, 2010 at 5:30 p.m. in the City Hall Council Chambers on the above described project", be adopted and City Clerk instructed to publish notice of same. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-638.

134910 - Hart/Getty

to instruct Contract and Grants Coordinator to prepare plans, specifications, form of contract, etc. in conjunction with Demolition and Site Clearance Project, Contract No. 171-D-EDI-08-02-10 for the following properties: 1828 Franklin Street, Sycamore Street site clearance, 215 Courtland Street, 411 Archer Street, 318-320 Irving Street, 160 Dawson Street and 438 W. Airline Highway, be received, placed on file and approved. Ayes: Seven. Motion carried.

134911 - Hart/Getty

that plans, specifications, form of contract, etc. in conjunction with Demolition and Site Clearance Project, Contract No. 171-D-EDI-08-02-10 for the following properties: 1828 Franklin Street, Sycamore Street site clearance, 215 Courtland Street, 411 Archer Street, 318-320 Irving Street, 160 Dawson Street and 438 W. Airline Highway, be received and placed on file. Ayes: Seven. Motion carried.

134912 - Hart/Getty

that "Resolution preliminarily approving plans, specifications, form of contract, etc. in conjunction with above described project", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-639.

134913 - Hart/Getty

that "Resolution setting date of hearing and bid opening on plans, specifications, form of contract, etc. as July 26, 2010 at 5:30 p.m. in the City Hall Council Chambers on the above described project", be adopted and City Clerk instructed to publish notice of same. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-640.

134914 - Getty/Hart

to instruct Leisure Services Director to prepare specifications, bid document, etc. in conjunction with Young Arena Ice Floor Cover, be received, placed on file and approved. Ayes: Seven. Motion carried.

134915 - Getty/Hart

that specifications, bid document, etc. in conjunction with Young Arena Ice Floor Cover, be received and placed on file. Ayes: Seven. Motion carried.

134916 - Getty/Hart

that "Resolution preliminarily approving specifications, bid document, etc. in conjunction with above described project", be adopted. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-641.

134917 - Getty/Hart

that "Resolution setting date of hearing and bid opening on specifications, bid document, etc. as August 2, 2010 at 5:30 p.m. in the City Hall Council Chambers on the above described project", be adopted and City Clerk instructed to publish notice of same. Ayes: Seven.

Resolution adopted and upon approval by Mayor assigned No. 2010-642.

ORAL PRESENTATIONS

Mary Potter, Church Row Neighborhood Association, stated because it has been reported that I will be bringing a petition tonight, I thought I better be here. I have in front of me the signatures of quite a number of residence, over 225, from our neighborhood that are requesting that you deny the liquor license for the establishment 437 Sullivan, which is Five Star Snacks and Liquor. One of our

neighbors wrote a letter to you and at the end of this letter it says I am not opposed to business in the neighborhood but would like to see the ones that promote integrity in the community not trashiness. Bottom line is that I do not want to be forced my kids in house across the street from a liquor store. We have three liquor stores within three blocks of a residential neighborhood plus other in the neighborhood that sell liquor. The thing that is bothering us the most is that the things happening at that store are not just the sale of liquor. Our neighbors are very concerned. We see lots of fights out there. We see lots of activities that should not be going on at a liquor store. One of the things that has bothered us is that we have been told that the owner has told its employees, do not report anything to the police that goes on. We do not want anything on our police log. We have also known that people have been asked that if they come into the store and somebody wants a single cigarette, somebody is underage, that they are to do it and if they do not they will be fired. We think this is inappropriate and we think there are people making money from this liquor store and not doing what is good for the neighborhood. We question very much how the liquor store got its license there. At the time it first came in, two of the principals came to our neighborhood meeting and assured us it was really a snack store and that liquor was its secondary business. We know this is not the case. I was at a meeting several months ago where you as the City Council had many people turning out to ask you to put a liquor license back in force that you were ready to not renew and the people all spoke about this wonderful place and how there were no problems there. Shortly after that problems started to ensue. You had now given them a liquor license and it is my understanding that this place is now going to be closed. I would hope that before you even consider renewing this license, you contact some of these 225 people and by the way, I have people still calling my office and asking to sign. We were not prepared to bring this tonight so some of my sheets are still out. I am sure this will exceed the number I have tonight. But I think you need to visit with these people. I think you need to know exactly what is going on in this neighborhood. You need to know why the neighbors are concerned. If this was a good business and was only selling liquor, only selling snacks, you would not see me standing here. So before you jump the gun and say oh next time there is going to be fifty people out here in support of this liquor store, I think you need to talk to the 250, the 350 people who do not want it there and find out why they do not want it there. I think you need to talk to some of the former employees who have either quit or been terminated because of the activities that should not be going on in that store. And for their defiance of the management who are saying this is our store you will do what we tell you to, I think that we need to clean up our neighborhood. We are very very aware that a liquor store is not responsible for keeping the neighborhood clean, but we also know that the kind of people that are being attracted by this store are littering out neighborhood, are causing violence in the neighborhood, are leading to things happening in the neighborhood that are not good for the neighborhood. Our neighborhood is besieged by lots of crime at this point. We've had robberies, we've had shootings, we've had all kinds of things. We are doing what we can to clean it up. Our police force is doing an admiral job. We know they are there all the time. They are talking to people. They are coming on scene and taking care of the issue. We are very proud of our police department and what they are doing for us. We think now it is time for the Council to step up and say we have to have a way to end some of this and one of the ways is to deny the liquor license. We do not intend to put someone out of business if they are doing a good business. This is just not a good business for the area where it is, for our neighborhood. We need to have a stop to it and if the denial of this license can lead to that I think that is a step in the right direction. I will submit these to you and I can get you more of them. There are names on there and I can get you names of former employees. I can get you other names that I think it behooves you at the very least to table this until you are very comfortable that the neighbors are wrong and the owner is correct. Until that time I would hope that you continue to table this at each meeting.

Mayor Clark stated actually it is not on the Council agenda tonight. It will be on next weeks. I encouraged you to come tonight to get to the Council a week before the formal issuing of the license or voting on the license. I appreciate you coming. Thanks you as I always do for all the good work you are doing in the Church Row Neighborhood. You are doing a fabulous job over there. I know the police department are working with you on a lot of issues and I am sure we will take this into consideration. Thanks you for coming and if you get more signatures and would like to come next week just bring more signatures.

Rick Hurtado, stated I live about three blocks from one of these liquor stores and I won't go down there after 12:00 a.m. It is bad

Earl Ramos, 912 Lilac Lane in Cedar Falls, Iowa, and Sara Larson, 1210 W. 3<sup>rd</sup> Street, lives three blocks from the liquor store.

Mr. Ramos, stated I guess the reason that we are here tonight is because we both work for the same company. There has been a lot of bad talk lately on the news and on the street from people. They are saying and we've heard stuff on the

news so far is we've sold drugs out of there and single cigarettes. I know I've been with the company three years. I've never been asked to do anything illegal. I've never sold single cigarettes. We've also heard that we're soliciting prostitutes. It was on KWWL. And that is definitely not activity that takes place there. Originally when I came to Waterloo I came for work and I actually helped myself build the stores and work on them to develop the different stores that our owner owns. And I know that this is definitely not something that we are out to do, to ruin a neighborhood or anything like that. We have done a petition our self to see who from the neighborhood to see who likes us and kind of get a feel for the neighborhood. We have over 600 signatures. I would also like to leave those with you. And as Mary said, definitely contact some of the people to see why. It's not just the liquor store. If any of you have been in there we have groceries, cosmetics, milk, cereal, baked goods, candy. I mean there's a wide variety of stuff. We have a general merchandise section that's full of \$1.00 items. I know myself that if the store were to lose its license and close or something like that I will be out of a job. And it would definitely effect me and my family.

Mayor Clark, asked Mr. Ramos are the majority of the petitioners neighbors or are they from all over?

Mr. Ramos, stated we have a lot from the neighborhood. Like I said there is 600 plus signatures. There's a lot from the neighborhood and a lot from around the neighborhood. We definitely get a lot of visitors there and we have a lot of repeat customers also.

Mayor Clark, stated we will definably take your petition and put that on file with the other petition. Possibly what could come of this is depending on the councils actions next week whether to approve or deny the liquor license you will at least be aware that there are some neighborhood issues.

Ms. Larson, stated Mayor I have lived in that neighborhood since 1999 and it started way before the liquor store was opened. I would like to invite Mary come into the store. I work on Fletcher Street, that is another one of our stores, and there is more other things on Sullivan than what there is in mine. Like I said, I've seen ongoing problems. If someone is a target, Dollar General on Elm Street then. Maybe the people who own apartment complexes should be more selective and have applications. I don't want to be responsible for what people are doing and have the liquor store get blamed on for what these people are doing the same. But its not like I said the trouble hasn't been there. The police department has cleaned up a lot in probably the last 2 ½ years. I've seen a change. My car used to get broke into and my neighbors car. Its really not happening near as much. But it is a bad area and very high in rental properties from Sullivan all the way down to South Street and over.

134918 - Getty/Cole

that the above oral comments be received and placed on file. Ayes: Seven. Motion carried.

134919 - Hart/Cole

that the council adjourn to Executive Session at 6:15 p.m. Ayes: Seven. Motion carried.

City Attorney Jim Walsh stated that discussion of acquisition of property is an approved topic of Executive Session pursuant to Iowa Code Section 21.5(1)(j)(2009).

#### E X E C U T I V E   S E S S I O N

134920 - Hart/Getty

that the council adjourn Executive Session at 6:32 p.m. Ayes: Seven. Motion carried.

134921 - Hart/Greenwood

motion to proceed. Ayes: Seven. Motion carried.

#### ADJOURNMENT

134922 - Hart/Greenwood

that the Council adjourn at 6:32 p.m. Ayes: Seven. Motion carried.