March 26, 2019, 4:00 PM

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 First Street SE, Cedar Rapids, Iowa. Present, Mayor Bradley G. Hart, Council members Marty Hoeger, Scott Olson, Tyler Olson, Scott Overland, Ann Poe, Dale Todd, Ashley Vanorny and Susie Weinacht. Also present were Acting City Manager Casey Drew and City Attorney Jim Flitz.

The invocation was given by Public Safety Chaplain Steve Schoepf.

Pledge of Allegiance.

Good News announcements.

Mayor Hart and Council member Weinacht presented a Proclamation recognizing 2019 as the 150th anniversary of the Cedar Rapids Fire Department.

Mayor Hart and Council member Vanorny presented a Proclamation declaring April 2019 as Child Abuse Prevention Month.

Mayor Hart and Council member Poe presented a Proclamation declaring April 8-12, 2019 the Week of the Young Child.

Resolutions and motions were adopted with all Council members and Mayor Hart voting “Aye” unless noted.

1. A public hearing was held to consider the authorization of the issuance of not to exceed $24,800,000 General Obligation Bonds (Essential Corporate Purpose -1) – FY19 GO Bonds for Budgeted Projects and the Refunding of Series 2011B (Michele Tamerius). No comments or objections were heard or filed.

0294-03-19

   a. Resolution instituting proceedings to take additional action for the issuance of not to exceed $24,800,000 General Obligation Bonds (Essential Corporate Purpose-1).

   Council member Hoeger moved to approve; seconded by Council member S. Olson.

   Result: Approved.

2. A public hearing was held to consider the authorization of the issuance of not to exceed $700,000 General Obligation Bonds (Essential Corporate Purpose Urban Renewal-2) – FY19 GO Bonds for Budgeted Projects (Michele Tamerius). No comments or objections were heard or filed.

0295-03-19

   a. Resolution instituting proceedings to take additional action for the issuance of not to exceed $700,000 General Obligation Bonds (Essential Corporate Purpose Urban Renewal-2).

   Council member Todd moved to approve; seconded by Council member T. Olson.

   Result: Approved.
3. A public hearing was held to consider the authorization of the issuance of not to exceed $1,000,000 General Obligation Bonds (General Corporate Purpose-3) – FY19 GO Bonds for Budgeted Projects (Michele Tamerius). No comments or objections were heard or filed.

**0296-03-19**

a. Resolution instituting proceedings to take additional action for the issuance of not to exceed $1,000,000 General Obligation Bonds (General Corporate Purpose-3).

| Council member Overland moved to approve; seconded by Council member Vanorny. |
| Result: **Approved.** |

4. A public hearing was held to consider the authorization of the issuance of Not to Exceed $1,000,000 General Obligation Bonds (General Corporate Purpose-4) – FY19 GO Bonds for Budgeted Projects (Michele Tamerius). No comments or objections were heard or filed.

**0297-03-19**

a. Resolution instituting proceedings to take additional action for the issuance of not to exceed $1,000,000 General Obligation Bonds (General Corporate Purpose-4).

| Council member T. Olson moved to approve; seconded by Council member Weinacht. |
| Result: **Approved.** |

5. A public hearing was held to consider the authorization of the issuance of not to exceed $1,000,000 General Obligation Bonds (General Corporate Purpose-5) – FY19 GO Bonds for Budgeted Projects (Michele Tamerius). No comments or objections were heard or filed.

**0298-03-19**

a. Resolution instituting proceedings to take additional action for the issuance of not to exceed $1,000,000 General Obligation Bonds (General Corporate Purpose-5).

| Council member S. Olson moved to approve; seconded by Council member Poe. |
| Result: **Approved.** |

6. A public hearing was held to consider the authorization of the issuance of not to exceed $1,000,000 General Obligation Bonds (General Corporate Purpose-6) – FY19 GO Bonds for Budgeted Projects (Michele Tamerius). No comments or objections were heard or filed.

**0299-03-19**

a. Resolution instituting proceedings to take additional action for the issuance of not to exceed $1,000,000 General Obligation Bonds (General Corporate Purpose-6).

| Council member Vanorny moved to approve; seconded by Council member Todd. |
| Result: **Approved.** |

7. A public hearing was held to consider the authorization of the issuance of not to exceed $1,000,000 General Obligation Bonds (General Corporate Purpose-7) – FY19 GO Bonds for Budgeted Projects (Michele Tamerius). No comments or objections were heard or filed.

**0300-03-19**

a. Resolution instituting proceedings to take additional action for the issuance of not to exceed $1,000,000 General Obligation Bonds (General Corporate Purpose-7).

| Council member Poe moved to approve; seconded by Council member Overland. |
| Result: **Approved.** |
8. A public hearing was held to consider the authorization of the issuance of not to exceed $14,000,000 Sewer Revenue Bonds – FY19 Revenue Bonds for Budgeted Projects (Michele Tamerius). No comments or objections were heard or filed.

0301-03-19  
a. Resolution instituting proceedings to take additional action for the issuance of not to exceed $14,000,000 Sewer Revenue Bonds.

Council member Hoeger moved to approve; seconded by Council member S. Olson.  
Result: Approved.

9. A public hearing was held to consider the authorization of the issuance of not to exceed $10,500,000 Water Revenue Bonds – FY19 Revenue Bonds for Budgeted Projects and the Refunding of Series 2011D (Michele Tamerius). No comments or objections were heard or filed.

0302-03-19  
a. Resolution instituting proceedings to take additional action for the issuance of not to exceed $10,500,000 Water Revenue Bonds.

Council member T. Olson moved to approve; seconded by Council member Hoeger.  
Result: Approved.

10. A public hearing was held to consider a request by BraineTrust Storage LLC for an Urban Revitalization Area designation for the redevelopment of property at 1005 3rd Avenue SW and 328 Rockford Road SW (Caleb Mason). No comments or objections were heard or filed.

0303-03-19  
a. Resolution approving the BraineTrust Urban Revitalization Area Plan.

Council member Weinacht moved to approve; seconded by Council member Overland.  
Result: Approved.

b. First Reading: Ordinance establishing the BraineTrust Urban Revitalization Area designation.  

Council member Todd moved the approval of the Ordinance on its first reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for action at a later date; seconded by Council member Vanorny.  
Result: Approved.

11. A public hearing was held to consider a request by MH Legacy, LLC for an Urban Revitalization Area designation for the redevelopment of property at 245 2nd Street SW (Caleb Mason). No comments or objections were heard or filed.

0304-03-19  
a. Resolution approving the 245 2nd Street SW Urban Revitalization Area Plan.

Council member S. Olson moved to approve; seconded by Council member Weinacht.  
Result: Approved.

b. First Reading: Ordinance establishing the 245 2nd Street SW Urban Revitalization Area.  

Council member Overland moved the approval of the Ordinance on its first reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for action at a later date; seconded by Council member T. Olson.  
Result: Approved.
12. A public hearing was held to consider a Development Agreement with HOA Hotels LLC and HOA Hotels Iowa CY LLC for the adaptive reuse of the former Guaranty Bank at 222 3rd Street SE (Caleb Mason). No comments or objections were heard or filed.

0305-03-19

a. Resolution authorizing execution of a Development Agreement with HOA Hotels LLC and HOA Hotels Iowa CY LLC for the adaptive reuse of the former Guaranty Bank at 222 3rd Street SE.

Council member Poe moved to approve; seconded by Council member Hoeger.

Result: Approved.

13. A public hearing was held to consider a Development Agreement with HOA Hotels LLC and HOA Hotels Iowa AC LLC for the construction of a new hotel on vacant land in the 300 block of 3rd Avenue SE (Caleb Mason). No comments or objections were heard or filed.

0306-03-19

a. Resolution authorizing execution of a Development Agreement with HOA Hotels LLC and HOA Hotels Iowa AC LLC for the construction of a new hotel on vacant land in the 300 block of 3rd Avenue SE.

Council member Todd moved to approve; seconded by Council member Poe.

Result: Approved.

14. A public hearing was held to consider the continuation of right-of-way acquisition for an approved public improvement project for the Earhart Lane SW Extension from Walford Road to Wright Brothers Boulevard Phase 2 project (Rita Rasmussen). Comments were heard. No written comments or objections were filed.

0307-03-19

a. Resolution to continue a previously approved public improvement project and to proceed with the acquisition or condemnation of agricultural property and property interests not yet acquired for the Earhart Lane SW Extension from Walford Road to Wright Brothers Boulevard Phase 2 project.

Council member Weinacht moved to approve; seconded by Council member S. Olson.

Result: Approved.

15. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Bender Pool ADA Compliance project (estimated cost is $676,300) (Jeff Koffron). No comments or objections were heard or filed.

0308-03-19

a. Resolution adopting plans, specifications, form of contract and estimated cost for the Bender Pool ADA Compliance project.

Council member T. Olson moved to approve; seconded by Council member Todd.

Result: Approved.

Motion to approve the agenda.

Council member Vanorny moved to approve; seconded by Council member Poe.

Result: Approved.
Motion to approve the consent agenda.
Council member Overland moved to approve; seconded by Council member Hoeger.
Result: Approved.

16. Motion to approve the minutes.
Council member Overland moved to approve; seconded by Council member Hoeger.
Result: Approved.

0309-03-19 17. Resolution adopting the Utilities Department – Water Division Fiscal Year 2020 fee schedule beginning July 1, 2019 for various services and miscellaneous services.
Council member Overland moved to approve; seconded by Council member Hoeger.
Result: Approved.

0310-03-19 18. Resolution adopting the Utilities Department – Water Pollution Control Division Fiscal Year 2020 rates beginning July 1, 2019 for wastewater that is hauled directly to the Water Pollution Control Facility for treatment.
Council member Overland moved to approve; seconded by Council member Hoeger.
Result: Approved.

0311-03-19 19. Resolution adopting the Utilities Department – Water Pollution Control Division Fiscal Year 2020 rates beginning July 1, 2019 for flat sewer rates to be charged for un-metered water supplies being discharged into the City sanitary sewer system.
Council member Overland moved to approve; seconded by Council member Hoeger.
Result: Approved.

0312-03-19 20. Resolution adopting the Utilities Department – Solid Waste & Recycling Division Fiscal Year 2020 fee schedule beginning July 1, 2019 for nuisance abatement and service charges.
Council member Overland moved to approve; seconded by Council member Hoeger.
Result: Approved.

0313-03-19 21. Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified Projects.
Council member Overland moved to approve; seconded by Council member Hoeger.
Result: Approved.

0314-03-19 22. Resolution approving the updated Bond Disclosure Policy.
Council member Overland moved to approve; seconded by Council member Hoeger.
Result: Approved.

0315-03-19 23. Resolution approving the updated Post Issuance Compliance Policy.
Council member Overland moved to approve; seconded by Council member Hoeger.
Result: Approved.
<table>
<thead>
<tr>
<th>Date</th>
<th>Resolution</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>0316-03-19</td>
<td>Resolution authorizing the Finance Department to issue payment of $1,211,503.12 to DoubleTree by Hilton for calendar year 2018 for the Convention Center and Arena capital reserve set aside funds and operating funds.</td>
<td>Council member Overland moved to approve; seconded by Council member Hoeger. Result: <strong>Approved.</strong></td>
</tr>
<tr>
<td>0317-03-19</td>
<td>Resolution authorizing the transfer of Hotel Motel reserve funds in the amount of $83,680.41 to fund the fiscal year 2018 Ice Arena operating loss.</td>
<td>Council member Overland moved to approve; seconded by Council member Hoeger. Result: <strong>Approved.</strong></td>
</tr>
<tr>
<td>0318-03-19</td>
<td>Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the FY 2018 Sidewalk Repair Program – Contract No. 1 project.</td>
<td>Council member Overland moved to approve; seconded by Council member Hoeger. Result: <strong>Approved.</strong></td>
</tr>
<tr>
<td>0319-03-19</td>
<td>Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the Northwood Drive NE from Glass Road NE to South of Brookland Drive NE Roadway Reconstruction project. (Paving for Progress)</td>
<td>Council member Overland moved to approve; seconded by Council member Hoeger. Result: <strong>Approved.</strong></td>
</tr>
<tr>
<td>0320-03-19</td>
<td>Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the Northwood Drive NE from South of Brookland Drive NE to 42nd Street NE Roadway Reconstruction project. (Paving for Progress)</td>
<td>Council member Overland moved to approve; seconded by Council member Hoeger. Result: <strong>Approved.</strong></td>
</tr>
<tr>
<td>0321-03-19</td>
<td>Resolution establishing stop control on Harrison Court NW at the intersection of L Avenue.</td>
<td>Council member Overland moved to approve; seconded by Council member Hoeger. Result: <strong>Approved.</strong></td>
</tr>
<tr>
<td>0322-03-19</td>
<td>Resolution rescinding Resolution No. 1455-11-11, which established two-hour parking on 2nd Street SW from 1st Avenue W to 2nd Avenue SW.</td>
<td>Council member Overland moved to approve; seconded by Council member Hoeger. Result: <strong>Approved.</strong></td>
</tr>
<tr>
<td>0323-03-19</td>
<td>Resolution establishing “No Parking Anytime” on 5th Street SE from 5th Avenue to 150 feet south in connection with the 4th Avenue SE and 5th Avenue SE from 3rd Street to 5th Street and 5th Street SE from 4th Avenue to 5th Avenue Roadway Improvements project.</td>
<td>Council member Overland moved to approve; seconded by Council member Hoeger. Result: <strong>Approved.</strong></td>
</tr>
</tbody>
</table>
32. Resolution authorizing a Systems Analyst III to attend the Tyler Connect EnerGov Conference in Dallas, TX from April 7-10, 2019 for an estimated amount of $3,879.24.

| Result: Approved |

33. Resolution setting a public hearing for April 9, 2019 to consider the disposition of City-owned property at 720 1st Avenue NW and inviting competitive redevelopment proposals.

| Result: Approved |

34. Resolution setting a public hearing for April 9, 2019 to consider the disposition of City-owned property at 1028 and 1032 5th Street SE and inviting competitive redevelopment proposals.

| Result: Approved |

35. Resolution setting a public hearing for May 14, 2019 regarding a proposed urban revitalization area at Center Point Road NE south of 32nd Street NE, as requested by MW Properties, LLC.

| Result: Approved |

36. Motions setting public hearing dates and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results for:

| a. April 9, 2019 – TIF 2nd St 1st-3rd Av UFG Land project (estimated cost is $108,000). |
| Result: Approved |

| b. April 9, 2019 – 2019 Downtown Sidewalk Repair and Intersection Improvement Project (estimated cost is $215,000). |
| Result: Approved |

| c. April 9, 2019 – 3rd Avenue SE from 1st Street to 5th Street Pavement Rehabilitation and One-Way to Two-Way Conversion project (estimated cost is $2,300,000). (Paving for Progress) |
| Result: Approved |

| d. April 9, 2019 – Parks ADA DOJ Settlement Items Compliance project (estimated cost is $994,400). |
| Result: Approved |
37. Motion assessing a civil penalty for violation of State Code regarding the sale of alcohol to minors against:
   a. Kwik Shop #563, 1001 1st Avenue SW (first offense – $500).
   Council member Overland moved to approve; seconded by Council member Hoeger.
   Result: Approved.

38. Motion approving the beer/liquor/wine applications of:
   a. Buffalo Wild Wings, 2020 Edgewood Road SW.
   b. Casey’s General Store #2780, 5555 Edgewood Road NE.
   c. Casey’s General Store #2792, 9001 6th Street SW.
   d. Discount Liquor, 2933 1st Avenue SE.
   e. Fat Wally’s, 429 2nd Avenue SE.
   f. Hawkeye Downs, 4400 6th Street SW.
   g. HuHot Mongolian Grill, 4444 1st Avenue NE.
   h. Hy-Vee #7 Club Room, 5050 Edgewood Road NE.
   i. Jersey’s Pub & Grub, 5761 C Street SW.
   j. NewBo City Market, 1100 3rd Street SE (5-day Class C License for an event).
   k. Nick’s Bar & Grill, 4958 Johnson Avenue NW (5-day license for an event at the Teamsters Hall, 5000 J Street SW).
   l. Roscoe’s Pizza, 212 Edgewood Road NW.
   Council member Overland moved to approve; seconded by Council member Hoeger.
   Abstain, item 38f: Council member Poe.
   Result: Approved.

39. Resolutions approving:
   0328-03-19
   a. Payment of bills.
   Council member Overland moved to approve; seconded by Council member Hoeger.
   Result: Approved.

   0329-03-19
   b. Payroll.
   Council member Overland moved to approve; seconded by Council member Hoeger.
   Result: Approved.

   0330-03-19
   c. Transfer of funds.
   Council member Overland moved to approve; seconded by Council member Hoeger.
   Result: Approved.

40. Resolution reappointing the following individual:
   0331-03-19
   a. Reappointing Korlin Kazimour (effective through April 3, 2023) to the Civil Service Commission.
   Council member Overland moved to approve; seconded by Council member Hoeger.
   Result: Approved.

41. Resolution approving the special event application for:
   0332-03-19
   Council member Overland moved to approve; seconded by Council member Hoeger.
   Result: Approved.
42. Resolutions approving assessment actions:

- **0333-03-19**
  Council member Overland moved to approve; seconded by Council member Hoeger.
  Result: Approved.

- **0334-03-19**
  Council member Overland moved to approve; seconded by Council member Hoeger.
  Result: Approved.

- **0335-03-19**
  Council member Overland moved to approve; seconded by Council member Hoeger.
  Result: Approved.

43. Resolution accepting subdivision improvements and approving Maintenance Bond:

- **0336-03-19**
  a. Storm sewer in 5th Avenue Commons and 2-year Maintenance Bond submitted by Bushman Excavating, Inc. in the amount of $3,000.
  Council member Overland moved to approve; seconded by Council member Hoeger.
  Result: Approved.

44. Resolution accepting project, approving Performance Bond and authorizing final payment:

- **0337-03-19**
  a. 16th Avenue SE from 4th Street SE to 5th Street SE Pavement Improvements project, final payment in the amount of $59,338.97 and 4-year Performance Bond submitted by Boomerang Corp. (original contract amount was $1,259,525.92; final contract amount is $1,186,779.44). (Paving for Progress)
  Council member Overland moved to approve; seconded by Council member Hoeger.
  Result: Approved.

45. Resolutions approving actions regarding purchases, contracts and agreements:

- **0338-03-19**
  a. Contract with CJ Moyna & Sons, Inc. for the concrete and asphalt crushing project for the Engineering Division for an amount not to exceed $461,500.
  Council member Overland moved to approve; seconded by Council member Hoeger.
  Result: Approved.

- **0339-03-19**
  b. Amendment No. 6 to the contract with ProSource Technologies, LLC for right-of-way acquisition support services for the Engineering Division to reflect the cost for additional services for an amount not to exceed $300,000 (original contract amount was $300,000; total contract amount with this amendment is $600,000).
  Council member Overland moved to approve; seconded by Council member Hoeger.
  Result: Approved.

- **0340-03-19**
  c. Contract with Rathje Construction Company for emergency sanitary sewer repairs on 19th Street NE at A Avenue NE for the Engineering Division for an amount not to exceed $82,900.
  Council member Overland moved to approve; seconded by Council member Hoeger.
  Result: Approved.

- **0341-03-19**
  d. Fleet Services Division purchase of a used utility tractor from City Tractor Company in the amount of $52,660.
  Council member Overland moved to approve; seconded by Council member Hoeger.
  Result: Approved.
e. Amendment No. 2 to the contract with Health Solutions, LLC for wellness program services for the Human Resources Department to reflect the additional cost of services not to exceed $46,005 (original contract amount was $260,000; total contract amount with this amendment is $331,005).

Council member Overland moved to approve; seconded by Council member Hoeger.
Abstain: Mayor Hart.
Result: **Approved.**

f. Amendment No. 3 to the Rental Agreement with Koch Office Group for the rental of a Lanier digital copier for Ushers Ferry for an annual amount not to exceed $500 (original contract amount was $30,000; total contract amount with this amendment is $74,500).

Council member Overland moved to approve; seconded by Council member Hoeger.
Result: **Approved.**

g. Amendment No. 2 to renew the contract with Bituminous Materials & Supply, L.P. for road oil products for various City departments for an annual amount not to exceed $225,000 (original contract amount was $225,000; renewal contract amount is $225,000).

Council member Overland moved to approve; seconded by Council member Hoeger.
Result: **Approved.**

h. Amendment No. 1 to renew the contract with CJ Moyna & Sons, Inc. for quarry products for various City departments for an annual amount not to exceed $100,000 (original contract amount was $100,000; renewal contract amount is $100,000).

Council member Overland moved to approve; seconded by Council member Hoeger.
Result: **Approved.**

i. Amendment No. 1 to renew the contract with Crawford Quarry Company for quarry products for various City departments for an annual amount not to exceed $100,000 (original contract amount was $100,000; renewal contract amount is $100,000).

Council member Overland moved to approve; seconded by Council member Hoeger.
Result: **Approved.**

j. Amendment No. 1 to renew the contract with Kings Material, Inc. for concrete products for various City departments for an annual amount not to exceed $800,000 (original contract amount was $800,000; renewal contract amount is $800,000).

Council member Overland moved to approve; seconded by Council member Hoeger.
Abstain: Mayor Hart.
Result: **Approved.**

k. Amendment No. 3 to renew the contract with L.L. Pelling Company for asphalt products for various City departments for an annual amount not to exceed $850,000 (original contract amount was $800,000; renewal contract amount is $850,000).

Council member Overland moved to approve; seconded by Council member Hoeger.
Result: **Approved.**

l. Amendment No. 1 to renew the contract with Wendling Quarries, Inc. for quarry products for various City departments for an annual amount not to exceed $100,000 (original contract amount was $100,000; renewal contract amount is $100,000).

Council member Overland moved to approve; seconded by Council member Hoeger.
Result: **Approved.**
m. Traffic Engineering Division purchase of seven traffic signal poles from Valmont Industries in the amount of $52,864.

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.

n. Amendment No. 10 to the Professional Services Agreement with Stanley Consultants, Inc. in an amount not to exceed $1,395,000 for the Cedar Rapids Flood Mitigation System – East Side Phase 1 Consulting Services project (original contract amount was $3,959,599; total contract amount with this amendment is $15,791,488).

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.

o. Change Order No. 18 in the amount of $29,971.59 with Rathje Construction Company for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project (original contract amount was $2,214,135.10; total contract amount with this amendment is $2,787,133.93). (Paving for Progress)

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.

p. Change Order No. 5 in the amount of $28,200 with Boomerang Corp. for the C Street SW North of Highway 30 Anaerobic Sewer Capacity Improvements project (original contract amount was $914,757.50; total contract amount with this amendment is $1,013,007.50).

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.

q. Change Order No. 5 Final (Revised) deducting the amount of $22,107.69 with Hunt Construction Company, Inc. for the FY 2018 Sidewalk Repair Program – Contract No. 2 project (original contract amount was $152,076.80; total contract amount with this amendment is $187,951.71).

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.

r. Change Order No. 6 in the amount of $16,760 with Boomerang Corp. for the Johnson Avenue NW Improvements from 1st Avenue SW to Midway Drive NW project (original contract amount was $5,276,786.90; total contract amount with this amendment is $5,541,827.06). (Paving for Progress)

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.

s. Change Order No. 7 in the amount of $13,986.61 with Dave Schmitt Construction Co., Inc. for the Memorial Drive SE from McCarthy Road to Mount Vernon Road SE Roadway and Utility Improvements project (original contract amount was $1,384,435.15; total contract amount with this amendment is $1,597,968.25). (Paving for Progress)

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.
<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>0357-03-19</td>
<td>Change Order No. 13 in the amount of $10,665.59 with Rathje Construction Company for the Memorial Drive SE from Mount Vernon Road to Bever Avenue Roadway and Utility Improvements project (original contract amount was $2,961,441.41; total contract amount with this amendment is $3,151,788.22). (Paving for Progress)</td>
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<td>Council member Overland moved to approve; seconded by Council member Hoeger.</td>
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<tr>
<td>0358-03-19</td>
<td>Change Order No. 6 in the amount of $21,332.20 with Boomerang Corp. for the O Avenue NW Roadway Improvements Phase 1 project (original contract amount was $3,303,191; total contract amount with this amendment is $3,388,014.24). (Paving for Progress)</td>
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<td>Council member Overland moved to approve; seconded by Council member Hoeger.</td>
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<tr>
<td>0359-03-19</td>
<td>Settlement Agreement and Release with Shive-Hattery, Inc. in connection with the design services for ADA compliance for Parks and Recreation facilities and sites.</td>
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<td>Council member Overland moved to approve; seconded by Council member Hoeger.</td>
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<tr>
<td>0360-03-19</td>
<td>Development Agreement with Boyson Road Development, LLC for a mixed-use development at 765 Boyson Road NE.</td>
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<td>Council member Overland moved to approve; seconded by Council member Hoeger.</td>
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<tr>
<td>0361-03-19</td>
<td>Purchase Agreement in the amount of $1 and accepting an Easement for Permanent Storm Sewer and a Temporary Grading Easement for Construction from Adam J. Hoge and Stephanie L. Hoge from land located at 1243 Apache Trail NW in connection with the Apache Trail NW Storm Sewer Improvements project.</td>
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<td>Council member Overland moved to approve; seconded by Council member Hoeger.</td>
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<tr>
<td>0362-03-19</td>
<td>Purchase Agreement in the amount of $930 and accepting a Permanent Easement for Retaining Wall and a Temporary Grading Easement for Construction from George Owen Bunnell and Deborah L. Bunnell from land located at 3300 O Avenue NW in connection with the O Avenue NW Improvements Phase II &amp; III from 16th Street NW to Edgewood Road NW project. (Paving for Progress)</td>
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<td>Council member Overland moved to approve; seconded by Council member Hoeger.</td>
</tr>
<tr>
<td>0363-03-19</td>
<td>Purchase Agreement in the amount of $3,920 and accepting a Permanent Easement for Retaining Wall and a Temporary Grading Easement for Construction from Edward Hanson and Jarred Hanson from land located at 1600 24th Street NW in connection with the O Avenue NW Improvements Phase II &amp; III from 16th Street NW to Edgewood Road NW project. (Paving for Progress)</td>
</tr>
<tr>
<td></td>
<td>Council member Overland moved to approve; seconded by Council member Hoeger.</td>
</tr>
</tbody>
</table>
aa. Purchase Agreement in the amount of $2,090 and accepting a Permanent Easement for Retaining Wall and a Temporary Grading Easement for Construction from Kasey Krumm from land located at 3200 O Avenue NW in connection with the O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW project. (Paving for Progress)

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.

ab. Purchase Agreement in the amount of $4,495 and accepting a Warranty Deed for right-of-way, a Permanent Easement for Storm Sewer, and a Temporary Grading Easement for Construction from ABBEHEALTH, Inc. from land located at 1805 O Avenue NW in connection with the O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW project. (Paving for Progress)

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.

ac. Accepting a Warranty Deed for the dedication of street right-of-way along the north side of 60th Avenue SW and east of 26th Street SW, as requested by Archer Daniels Midland Company, and a Public Improvements Petition and Assessment Agreement for sidewalk improvements along 60th Avenue SW and Willow Creek Drive SW.

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.

ad. Accepting a Warranty Deed for the dedication of street right-of-way along the west side of Center Point Road NE and south of 42nd Street NE as requested by In-Laws, LLC.

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.

ae. Special Warranty Deed conveying City-owned property at 245 2nd Street SW to MH Legacy, LLC.

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.

af. Rejecting all bids for the CEMAR Trail: Phase 1A PCC Sidewalk/Trail on H Avenue NE from the Cedar Lake Loop Trail (West of Shaver Road NE) to Oakland Road NE project (estimated cost was $1,150,000).

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.

ag. Awarding and approving contract in the amount of $1,711,175.66, plus incentive up to $50,000, bond and insurance of Pirc-Tobin Construction, Inc. for the 10th Street SE from 5th Avenue to 8th Avenue Pavement and Streetscaping project (estimated cost is $1,820,000).

Council member Overland moved to approve; seconded by Council member Hoeger.

Result: Approved.

46. Report on bids for the TIF 2nd St 1st-3rd Av UFG Land project (estimated cost is $108,000) (Brenna Fall).

47. Report on bids for the Cherokee Trail (Phase 1) from Stoney Point Road to Sharon Lane NW project (estimated cost is $425,000) (Brenna Fall).

49. Report on bids for the Mt. Vernon Road SE from 38th Street to East Post Road project (estimated cost is $2,000,000) (Doug Wilson). (Paving for Progress)

0371-03-19 a. Resolution awarding and approving contract in the amount of $1,871,272.25, plus incentive up to $35,000, bond and insurance of Boomerang Corp. for the Mt. Vernon Road SE from 38th Street to East Post Road project.

Council member Todd moved to approve; seconded by Council member T. Olson.
Result: Approved.

50. Report on bids for the Satellite Kitchen Addition at Ice Arena project (estimated cost is $492,074) (Brent Schlotfeldt and Mike Silva).

0372-03-19 a. Resolution awarding and approving contract in the amount of $255,095, bond and insurance of Kleiman Construction Inc. for the Satellite Kitchen Addition at Ice Arena project.

Council member Vanorny moved to approve; seconded by Council member Overland.
Result: Approved.

0373-03-19 51. Presentation and Resolution authorizing support of a Business Financial Assistance Application from Iowa Fluid Power to the Iowa Economic Development Authority and providing local match funds through the Local Match – Economic Development Program for an expansion project at 1610 Blairs Ferry Road NE (Caleb Mason).

Council member Weinacht moved to approve; seconded by Council member T. Olson.
Result: Approved.


Council member Overland moved the approval of the Ordinance on its second reading; seconded by Council member Poe.
Result: Approved.

Council member S. Olson moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Todd.
Result: Adopted.


Council member Hoeger moved the approval of the Ordinance on its second reading; seconded by Council member T. Olson.
Result: Approved.

Council member S. Olson moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Weinacht.
Result: Adopted.

Council member Vanorny moved the approval of the Ordinance on its second reading; seconded by Council member Hoeger.

Result: Approved.

Council member S. Olson moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Todd.

Result: Adopted.


Council member Poe moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.

Result: Approved.

Council member S. Olson moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Vanorny.

Result: Adopted.

56. Ordinance amending Chapter 61 of the Municipal Code, Traffic Regulations, by adding Section 61.139 regarding opening doors into moving traffic.

Council member T. Olson moved the approval of the Ordinance on its first reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for action at a later date; seconded by Council member Todd.

Result: Approved.


Council member Overland moved the approval of the Ordinance on its first reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for action at a later date; seconded by Council member Hoeger.

Result: Approved.


Council member Todd moved the approval of the Ordinance on its first reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for action at a later date; seconded by Council member Weinacht.

Result: Approved.

Council comments were heard.

Motion to adjourn.

Council member Overland moved to approve; seconded by Council member T. Olson.

Result: Approved.
City Council adjourned at 5:19 p.m. to meet Tuesday, April 9, 2019 at 12 noon.

Amy Stevenson, City Clerk