CITY OF CEDAR RAPIDS, IOWA
MINUTES OF THE CITY COUNCIL
REGULAR SESSION

May 14, 2019, 12:00 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 City Manager Jeff Pomeranz and City Attorney Liz Jacobi.

The invocation was given by Public Safety Chaplain Taha Tawil.

Pledge of Allegiance.

Good News announcements.

Mayor Hart and Council member Poe presented a Proclamation declaring May 2019 as National Preservation Month.

Mayor Hart and Council member S. Olson presented a Proclamation declaring May 2019 as Building Safety Month.

Mayor Hart and Council member Overland presented a Proclamation declaring May 19-25, 2019 as National Public Works Week.

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 establishment of an urban revitalization area east of Center Point Road NE, south of 32nd Street NE, as requested by MW Properties, LLC for the Three Pines senior housing project (Lauren Freeman and Jennifer Pratt). No comments or objections were heard or filed.

0478-05-19


<table>
<thead>
<tr>
<th>Council member Weinacht moved to approve; seconded by Council member Hoeger.</th>
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</thead>
<tbody>
<tr>
<td>Result: <strong>Approved.</strong></td>
</tr>
</tbody>
</table>

b. First Reading: Ordinance establishing the Three Pines Urban Revitalization Area.

<table>
<thead>
<tr>
<th>Council member S. 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 Poe.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Result: <strong>Approved.</strong></td>
</tr>
</tbody>
</table>
2. A public hearing was held to consider the proposed Commerce Park Urban Renewal Area and an Ordinance relating to the collection of tax increments within the proposed Commerce Park Urban Renewal Area along and west of 6th Street SW and south of Wright Brothers Boulevard SW (Lauren Freeman and Jennifer Pratt). No comments or objections were heard or filed.

0479-05-19


<table>
<thead>
<tr>
<th>Council member Vanorny moved to approve; seconded by Council member Overland.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Result: <strong>Approved.</strong></td>
</tr>
</tbody>
</table>

b. First Reading: Ordinance relating to the collection of tax increments within the proposed Commerce Park Urban Renewal Area.

<table>
<thead>
<tr>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Result: <strong>Approved.</strong></td>
</tr>
</tbody>
</table>

3. A public hearing was held to consider a Development Agreement with Nan Ran, Inc. for the proposed River Ridge Square development project (Jennifer Pratt). No comments or objections were heard or filed.

0480-05-19

a. Resolution authorizing execution of a Development Agreement with Nan Ran, Inc.

<table>
<thead>
<tr>
<th>Council member Hoeger moved to approve; seconded by Council member Weinacht.</th>
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</thead>
<tbody>
<tr>
<td>Result: <strong>Approved.</strong></td>
</tr>
</tbody>
</table>

4. A public hearing was held to consider a Development Agreement with New Buffalo Land Co. LLC for the proposed River Ridge Square development project (Jennifer Pratt). No comments or objections were heard or filed.

0481-05-19

a. Resolution authorizing execution of a Development Agreement with New Buffalo Land Co. LLC.

<table>
<thead>
<tr>
<th>Council member Overland moved to approve; seconded by Council member T. Olson.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Result: <strong>Approved.</strong></td>
</tr>
</tbody>
</table>

5. A public hearing was held to consider a change of zone from S-RM1, Suburban Residential Medium Single Unit District, and S-MC, Suburban Mixed Use Community Center District, to I-LI, Light Industrial Zone District, with a Planned Unit Development Overlay for property located at 1610 Blairs Ferry Road NE as requested by Blairs Buildings LLC (Dave Houg). No comments or objections were heard or filed.

0481-05-19

a. First Reading: Ordinance granting a change of zone from S-RM1, Suburban Residential Medium Single Unit District, and S-MC, Suburban Mixed Use Community Center District, to I-LI, Light Industrial Zone District, with a Planned Unit Development Overlay for property located at 1610 Blairs Ferry Road NE as requested by Blairs Buildings LLC.

<table>
<thead>
<tr>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Result: <strong>Approved.</strong></td>
</tr>
</tbody>
</table>
6. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Edgewood Road NE from Highway 100 to Blairs Ferry Road Roadway Improvements project (estimated cost is $710,000) (Brenna Fall). One comment was heard. No written comments or objections were filed.

0482-05-19

a. Resolution adopting plans, specifications, form of contract and estimated cost for the Edgewood Road NE from Highway 100 to Blairs Ferry Road Roadway Improvements project.

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

Result: Approved.

7. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Prairie Grass Lane NE from Milburn Road to West of Windy Meadow Circle Roadway Construction project (estimated cost is $120,000) (Brenna Fall). No comments or objections were heard or filed.

0483-05-19

a. Resolution adopting plans, specifications, form of contract and estimated cost for the Prairie Grass Lane NE from Milburn Road to West of Windy Meadow Circle Roadway Construction project.

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

Result: Approved.

Public comments were heard.

Motion to approve the agenda.

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

Result: Approved.

Motion to approve the consent agenda.

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

Result: Approved.

8. Motion to approve the minutes.

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

Result: Approved.

0484-05-19


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

Result: Approved.

0485-05-19

10. Preliminary Resolution for the replacement of bituminous fiber sanitary sewer services (Orangeburg) for the Center Point Road NE from 29th Street to J Avenue Intersection Reconstruction and One-Way to Two-Way Conversion project. (Paving for Progress)

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

Result: Approved.
<table>
<thead>
<tr>
<th>Date</th>
<th>Resolution Details</th>
</tr>
</thead>
</table>
| 0486-05-19 | 11. Preliminary Resolution for the replacement of bituminous fiber sanitary sewer services (Orangeburg) for the Old Marion Road NE from South of Regent Street to C Avenue Pavement Rehabilitation project. (Paving for Progress)  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: Approved. |
| 0487-05-19 | 12. Preliminary Resolution for the replacement of bituminous fiber sanitary sewer service (Orangeburg) for the Peace Avenue NW Improvements from Midway Drive to Jacolyn Drive project. (Paving for Progress)  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: Approved. |
| 0488-05-19 | 13. Resolution accepting the Cedar Rapids Nutrient Reduction and Solids Facilities Plan and the Cedar Rapids Nutrient Reduction Feasibility Study and authorizing the Utilities Department to file the Feasibility Study with the Iowa Department of Natural Resources.  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: Approved. |
| 0489-05-19 | 14. Resolution approving a schedule for permit fees accompanying Chapter 33, Building Code, Chapter 34, Electrical Code, Chapter 35, Plumbing Code, and Chapter 36, Mechanical Code, to update and clarify fee language in regards to accessory structures and trade fees.  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: Approved. |
| 0490-05-19 | 15. Resolution of support for the Brucemore Mansion Envelope Restoration Project's application for funding from the Iowa Department of Economic Development Enhance Iowa Fund and state historic tax credits.  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: Approved. |
| 0491-05-19 | 16. Resolution setting a public hearing for May 28, 2019 to consider the disposition of City-owned property at 2000 Mount Vernon Road SE (former Ambroz Recreation building) and inviting competitive redevelopment proposals.  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: Approved. |
| 0492-05-19 | 17. Resolution setting a public hearing for May 28, 2019 to consider the continuation of the disposition of excess City-owned property described as a nonconforming vacant lot located at 419 9th Avenue SW.  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: Approved. |
18. Resolution setting a public hearing for May 28, 2019 to consider the vacation of a 707-square-foot parcel located at 130 Collins Road NE as requested by Chipokas Army Building, LLC.

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

19. Motion authorizing publication of a public notice that on May 28, 2019 a Resolution will be considered to execute a lease contract with Blackline Safety Corp. for 80 gas monitors for the Water Pollution Control Facility.

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

20. Motions setting public hearing dates for:
   a. May 28, 2019 – to consider the Fiscal Year 2019 Budget Amendment.

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

   b. May 28, 2019 – to consider public comments regarding identification of community development needs, program funding for development of proposed activities, and specific budget allocations for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, prior to adopting an Annual Action Plan for the period of July 1, 2019 to June 30, 2020.

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

   c. May 28, 2019 – to consider an amendment to the Future Land Use Map in the City’s Comprehensive Plan for property located south of Wright Brothers Boulevard SW and east of Earhart Lane SW from U-LI, Urban Low Intensity, and UR, Urban Reserve Overlay, to U-MI, Urban Medium Intensity, as requested by Krivanek Farm, LLC and Deborah A. and David Krivanek.

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

   d. May 28, 2019 – to consider a change of zone from A-AG, Agriculture District, to S-RLF, Suburban Residential Low Flex District, and S-MC, Suburban Mixed-Use Community Center District, for property located south of Wright Brothers Boulevard SW and east of Earhart Lane SW as requested by Krivanek Farm, LLC, and Deborah A. and David Krivanek.

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

   e. May 28, 2019 – to consider a change of zone from S-MC, Suburban Mixed-Use Community Center District, to S-MR, Suburban Mixed-Use Regional Center District, for property located at 2727 16th Avenue SW as requested by the City.

   Council member Vanorny moved to approve; seconded by Council member Poe.
   Result: Approved.
21. 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. May 28, 2019 – 2019 City Pavement Maintenance: 3rd Avenue SE: 5th Street to 19th Street; 3rd Street SE: 5th Avenue to 8th Avenue; 12th Avenue SE: 2nd Street to 7th Street; 6th Street SW: 66th Avenue to 76th Avenue project (estimated cost is $2,000,000).
   
   Council member Vanorny moved to approve; seconded by Council member Poe.
   
   Result: **Approved.**

   b. May 28, 2019 – Valley Brook Drive SE Storm Sewer Improvements project (estimated cost is $100,000).
   
   Council member Vanorny moved to approve; seconded by Council member Poe.
   
   Result: **Approved.**

   c. May 28, 2019 – Water Distribution Building Roof Replacement project (estimated cost is $490,000).
   
   Council member Vanorny moved to approve; seconded by Council member Poe.
   
   Result: **Approved.**

   d. May 28, 2019 – WPCF Effluent Return Pipeline Replacement project (estimated cost is $300,000).
   
   Council member Vanorny moved to approve; seconded by Council member Poe.
   
   Result: **Approved.**

22. Motions assessing civil penalties for violation of State Code regarding the sale of tobacco/vapor products to minors against:
   a. Hy-Vee C-Store #3, 2300 Bowling Street SW (first offense – $300).
   b. River Rat Vapes, 84 16th Avenue SW (first offense – $300).
   
   Council member Vanorny moved to approve; seconded by Council member Poe.
   
   Result: **Approved.**

23. Motion approving the beer/liquor/wine applications of:
   a. Avacentre – Cedar Rapids, 2121 Bowling Street SW.
   b. Brewhemia, 1202 3rd Street SE.
   c. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre – Cedar Rapids, 475 1st Street SW).
   d. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre – Cedar Rapids, 475 1st Street SW).
   e. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre – Cedar Rapids, 475 1st Street SW.).
   f. Chrome Horse Slophouse & Saloon, 1201 3rd Street SE (5-day permit for an event at McGrath Power Sports, 4645 Center Point Road NE).
   g. Cross Roads Bistro, 232 16th Avenue SW (new – change in corporation).
   h. CVS/Pharmacy #8526, 4116 Center Point Road NE.
   i. CVS/Pharmacy #8532, 2711 Mount Vernon Road SE.
   j. Della Viti Cedar Rapids, 203 1st Avenue SE.
   k. Doubletree by Hilton Cedar Rapids Convention Complex, 350 1st Avenue NE.
   l. Elmcrest Country Club, 1000 36th Street NE.
   m. Fraternal Order of Eagles Post #2272, 1735 11th Street NW.
n. Hy-Vee Market Cafe #1, 1843 Johnson Avenue NW.
o. McGrath Amphitheatre – Cedar Rapids, 475 1st Street SW (5-day license for an event).
p. McGrath Amphitheatre – Cedar Rapids, 475 1st Street SW (5-day license for an event).
q. Mount Mercy University, 1330 Elmhurst Drive NE.
r. Olive Garden Italian Restaurant #1475, 367 Collins Road NE.
s. Pei’s Mandarin, 3287 6th Street SW.
t. Pilot Travel Center #1092, 8950 Earhart Lane SW.
u. Red Robin America’s Gourmet Burgers & Spirits, 4625 1st Avenue SE.
v. Residence Inn South, 730 33rd Avenue SW.
w. Saucy Focaccia, 5100 Fountains Drive NE, Suite 100.
x. Southside Steakhouse, 1810 6th Street SW.
y. St. Ludmila Catholic Church, 211 21st Avenue SW (5-day license for an event).
z. Third Base Brewery, 500 Blairs Ferry Road NE.
aa. Time Out Lounge, 3230 16th Avenue SW.
bb. Tobacco Outlet Plus #560, 2846 Mount Vernon Road SE.
c. US Cellular Center, 370 1st Avenue NE.
dd. Wild Hog Saloon & Eatery, 350 Commercial Drive (5-day permit for an event at Metro Harley Davidson, 2415 Westdale Drive SW).

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

24. Resolutions approving:

<table>
<thead>
<tr>
<th>Resolution number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0494-05-19</td>
<td>a. Payment of bills.</td>
</tr>
<tr>
<td>Result: <strong>Approved.</strong></td>
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<tr>
<td>Result: <strong>Approved.</strong></td>
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</table>

25. Resolution appointing the following individual:

<table>
<thead>
<tr>
<th>Resolution number</th>
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<tbody>
<tr>
<td>0496-05-19</td>
<td>a. Appointing Kelly Lamb (effective through June 30, 2020) to the Affordable Housing Commission.</td>
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<tr>
<td>Council member Vanorny moved to approve; seconded by Council member Poe.</td>
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<tr>
<td>Result: <strong>Approved.</strong></td>
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</table>

26. Resolutions approving the special event applications for:

<table>
<thead>
<tr>
<th>Resolution number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0497-05-19</td>
<td>a. Cedar Rapids Downtown Farmers’ Market (includes road closures) on May 25, June 1, June 15, July 6, July 20, August 3, August 17 and September 21, 2019.</td>
</tr>
<tr>
<td>Council member Vanorny moved to approve; seconded by Council member Poe.</td>
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<tr>
<td>Result: <strong>Approved.</strong></td>
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</tr>
<tr>
<td>Council member Vanorny moved to approve; seconded by Council member Poe.</td>
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<tr>
<td>Result: <strong>Approved.</strong></td>
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</table>
0499-05-19  
c.  Houby Days Parade (includes road closures) on May 18, 2019.  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: **Approved.**

0500-05-19  
d.  Cruisin Mt. Trashmore (includes road closures) on May 18, 2019.  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: **Approved.**

0501-05-19  
e.  3rd Annual Masonry Car, Truck, & Bike Show (includes road closures) on June 1, 2019.  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: **Approved.**

0502-05-19  
f.  RipRoar Youth Triathlon Cedar Rapids (includes road closures) on June 22, 2019.  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: **Approved.**

27. Resolutions approving assessment actions:

0503-05-19  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: **Approved.**

0504-05-19  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: **Approved.**

0505-05-19  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: **Approved.**

0506-05-19  
d.  Levy assessment – Water Division – delinquent municipal utility bills – eight properties.  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: **Approved.**

28. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:

0507-05-19  
a.  8th Avenue Bridge Over the Cedar River Miscellaneous Repairs project, final payment in the amount of $4,500.15 and 4-year Performance Bond submitted by Minturn, Inc. (original contract amount was $78,474; final contract amount is $90,003).  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: **Approved.**

0508-05-19  
b.  2018 Internal Inspection of Large Diameter Sanitary Sewer project, final payment in the amount of $17,125.18 and 4-year Performance Bond submitted by Ace Pipe Cleaning, Inc. (original contract amount was $373,500; final contract amount is $342,503.61).  
Council member Vanorny moved to approve; seconded by Council member Poe.  
Result: **Approved.**
0509-05-19  c. Cedar Rapids Ice Arena ADA Compliance Project, final payment in the amount of $21,695.60 and 2-year Performance Bond submitted by Woodruff Construction, LLC (original contract amount was $163,700; final contract amount is $433,912).

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

Result: Approved.

0510-05-19  d. J Street SW Sanitary Sewer Point Repair project and 4-year Performance Bond submitted by Connolly Construction, Inc. (original contract amount was $25,870; final contract amount is $21,404.11).

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

Result: Approved.

0511-05-19  e. Waconia Avenue SW from Waconia Lane to Willow Creek Drive, Sanitary Sewer, Water Main, Street and Sidewalk Improvements project, final payment in the amount of $152,212.89 and 4-year Performance Bond submitted by Langman Construction, Inc. (original contract amount was $3,156,051.62; final contract amount is $3,044,257.84).

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

Result: Approved.

0512-05-19  f. Wright Brothers Boulevard SW Sanitary Sewer Point Repairs project, 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was $38,950; final contract amount is $49,839.35).

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

Result: Approved.

29. Resolution approving a final plat:

0513-05-19  a. LTRI First Addition for land located north of 33rd Avenue SW and east of Edgewood Road SW.

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

Result: Approved.

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

0514-05-19  a. Purchase of National Flood Insurance Program coverage through Selective Insurance Company of America at a cost not to exceed $150,000 for one year.

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

Result: Approved.

0515-05-19  b. Fire Department purchase of self-contained breathing apparatus units from Sandry Fire Supply, L.L.C. in the amount of $114,005.36.

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

Result: Approved.

0516-05-19  c. Amendment No. 1 to the contract for an online training platform with TargetSolutions Learning, LLC, in the amount of $40,523.88 (original contract amount was $17,293.40; total contract amount with this amendment is $57,817.28).

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

Result: Approved.

0517-05-19  d. Fleet Services Division purchase of a 2019 Arbor Pro lift from All Access Equipment in the amount of $99,972 for use by the Forestry Division.

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

Result: Approved.
<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Result</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>0518-05-19</td>
<td>e. Rescinding Resolution No. 0450-04-19, which authorized the purchase of an Arbor Pro lift from ArborCare LLC in the amount of $90,000 for use by the Forestry Division, due to the lift no longer being available. Council member Vanorny moved to approve; seconded by Council member Poe.</td>
<td><strong>Approved</strong></td>
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<tr>
<td>0519-05-19</td>
<td>f. Contract with B.G. Brecke, Inc. for an estimated amount of $72,386.50 for emergency replacement of approximately 330 feet of water main in the 1500 block of E Avenue NW. Council member Vanorny moved to approve; seconded by Council member Poe.</td>
<td><strong>Approved</strong></td>
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<tr>
<td>0520-05-19</td>
<td>g. Professional Services Agreement with HR Green for an amount not to exceed $51,300 for the Blairs Ferry Elevated Tank Demolition project. Council member Vanorny moved to approve; seconded by Council member Poe.</td>
<td><strong>Approved</strong></td>
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<tr>
<td>0521-05-19</td>
<td>h. Amendment No. 1 to the Professional Services Agreement with HDR Engineering, Inc. specifying an increased amount not to exceed $236,010 for design services in connection with the FY19 Stormwater Master Plan Update project (original contract amount was $295,554; total contract amount with this amendment is $531,564). Council member Vanorny moved to approve; seconded by Council member Poe.</td>
<td><strong>Approved</strong></td>
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<tr>
<td>0522-05-19</td>
<td>i. Amendment No. 3 to the Professional Services Agreement with Iowa Soybean Association in the amount of $28,325 for the Middle Cedar Partnership Project Iowa Soybean Association Subcontract (original contract amount was $125,000; total contract amount with this amendment is $236,251). Council member Vanorny moved to approve; seconded by Council member Poe.</td>
<td><strong>Approved</strong></td>
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<tr>
<td>0523-05-19</td>
<td>j. Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed $50,000 for Title V Reporting and Air Permitting for the Water Pollution Control Facility. Council member Vanorny moved to approve; seconded by Council member Poe.</td>
<td><strong>Approved</strong></td>
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<tr>
<td>0524-05-19</td>
<td>k. Change Order No. 1 in the amount of $42,437.20 with Unzeitig Construction Company for the NW Water Plant HVAC Improvements – Building 20 project (original contract amount was $1,628,500; total contract amount with this amendment is $1,670,937.20). Council member Vanorny moved to approve; seconded by Council member Poe.</td>
<td><strong>Approved</strong></td>
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<tr>
<td>0525-05-19</td>
<td>l. Amending Resolution No. 0396-04-19 to correct the retainage/final payment amount for the Water Pollution Control Sludge Screen Process Improvements project with WRH, Inc. (original contract amount was $857,300; final contract amount is $925,664.29). Council member Vanorny moved to approve; seconded by Council member Poe.</td>
<td><strong>Approved</strong></td>
<td></td>
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</tbody>
</table>
m. Agreement for Traffic Safety Improvement Program Funding in the amount of $500,000 with the Iowa Department of Transportation (IDOT) for the U.S. 151 (Williams Boulevard SW) and Dean Road Roundabout project.

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

n. RISE Grant application submission to the Iowa Department of Transportation (IDOT) for the construction of turn lanes and pavement tapering along 6th Street SW.

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

o. Certificates of Authority and Authorizations for Entry for Construction in connection with the Army Corps of Engineers' Cedar River flood risk management project. (Flood)

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

p. Agreement to Terminate Development Agreement with Intermec Technologies Corporation in connection with its office facility at 601 3rd Street SE.

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

q. Purchase Agreement in the amount of $16,790 and accepting a Permanent Easement for Retaining Wall and a Temporary Grading Easement for Construction from Meth-Wick Community, Inc. from land located at 1650 Koehler Drive 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 Vanorny moved to approve; seconded by Council member Poe.
Result: Approved.

r. Purchase Agreement in the amount of $4,995 and accepting a Permanent Easement for Retaining Wall and a Temporary Grading Easement for Construction from Ben Joseph Nedderman from land located at 2714 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 Vanorny moved to approve; seconded by Council member Poe.
Result: Approved.

s. Purchase Agreement in the amount of $1,600 and accepting a Permanent Easement for Retaining Wall and a Temporary Grading Easement for Construction from Jerry W. Osten from land located at 3208 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 Vanorny moved to approve; seconded by Council member Poe.
Result: Approved.

t. Purchase Agreement in the amount of $4,280 and accepting a Permanent Easement for Retaining Wall and a Temporary Grading Easement for Construction from Larry E. and Ruth A. Van Deusen from land located at 1607 20th Street 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 Vanorny moved to approve; seconded by Council member Poe.
Result: Approved.
u. Purchase Agreement in the amount of $2,840 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Maureen Ingram from land located at 1837 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 Vanorny moved to approve; seconded by Council member Poe.

Result: Approved.

v. Purchase Agreement in the amount of $2,135 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Derek Walker and Tara Walker from land located at 2011 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 Vanorny moved to approve; seconded by Council member Poe.

Result: Approved.

w. Accepting Warranty Deeds for right-of-way from Faith Bible Church from land located at 1800 46th Street NE and 4801 Ozark Street NE in connection with the Curb Ramp Repair Project.

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

Result: Approved.

x. Accepting a Warranty Deed from Hunter Companies LLC for the dedication of street right-of-way along the south side of Blairs Ferry Road NE and the west half of Sammi Drive NE.

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

Result: Approved.

y. Accepting a Warranty Deed from Northtowne Lot 5 LLC for the dedication of street right-of-way along the south side of Blairs Ferry Road NE.

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

Result: Approved.

z. Corrective Special Warranty Deed with 245 Kingston, LLC for property at 245 2nd Street SW.

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

Result: Approved.


a. Resolution direct the sale of $22,015,000 (subject to adjustment per terms of offering) General Obligation Bonds, Series 2019A.

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

Result: Approved.

b. Resolution directing the sale of $6,560,000 (subject to adjustment per terms of offering) Taxable General Obligation Bonds, Series 2019B.

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

Result: Approved.
c. Resolution directing the sale of $13,430,000 (subject to adjustment per terms of offering) Sewer Revenue Bonds, Series 2019C.

<table>
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<tr>
<th>Resolution</th>
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<tbody>
<tr>
<td>Council member Todd moved to approve; seconded by Council member Poe.</td>
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<tr>
<td>Result: <strong>Approved.</strong></td>
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</table>

0543-05-19  
d. Resolution directing the sale of $9,665,000 (subject to adjustment per terms of offering) Water Revenue Bonds, Series 2019D.

<table>
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<th>Resolution</th>
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<tbody>
<tr>
<td>Council member Weinacht moved to approve; seconded by Council member T. Olson.</td>
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<tr>
<td>Result: <strong>Approved.</strong></td>
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</table>

0544-05-19  
e. Resolution authorizing the redemption of outstanding Taxable General Obligation Bonds, Series 2011B, dated June 8, 2011, and directing that notice be given.

<table>
<thead>
<tr>
<th>Resolution</th>
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<tbody>
<tr>
<td>Council member Hoeger moved to approve; seconded by Council member S. Olson.</td>
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<tr>
<td>Result: <strong>Approved.</strong></td>
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</table>

0545-05-19  

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<tbody>
<tr>
<td>Council member Vanorny moved to approve; seconded by Council member Overland.</td>
</tr>
<tr>
<td>Result: <strong>Approved.</strong></td>
</tr>
</tbody>
</table>

32. Report on bids for the Beaver Hollow Lift Station Improvements project (estimated cost is $490,000) (Dave Wallace).

0546-05-19  
a. Resolution awarding and approving contract in the amount of $437,282, plus incentive up to $5,000, bond and insurance of Boomerang Corp. for the Beaver Hollow Lift Station Improvements project.

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<tbody>
<tr>
<td>Council member T. Olson moved to approve; seconded by Council member Poe.</td>
</tr>
<tr>
<td>Result: <strong>Approved.</strong></td>
</tr>
</tbody>
</table>

33. Report on bids for the 21st Avenue SW from 12th Street to 13th Street Water Main, Drainage and Street Improvements project (estimated cost is $810,000) (Dave Wallace).

0547-05-19  
a. Resolution awarding and approving contract in the amount of $689,537, plus incentive up to $10,000, bond and insurance of Rathje Construction Company for the 21st Avenue SW from 12th Street to 13th Street Water Main, Drainage and Street Improvements project.

<table>
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<tr>
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<tbody>
<tr>
<td>Council member T. Olson moved to approve; seconded by Council member Vanorny.</td>
</tr>
<tr>
<td>Absent: Council member S. Olson.</td>
</tr>
<tr>
<td>Result: <strong>Approved.</strong></td>
</tr>
</tbody>
</table>

34. Report on bids for the Wright Brothers Boulevard SW at Interstate 380 Westbound Turn Lane project (estimated cost is $200,000) (Brenna Fall).

0548-05-19  
a. Resolution awarding and approving contract in the amount of $189,402.01, bond and insurance of Rathje Construction Company for the Wright Brothers Boulevard SW at Interstate 380 Westbound Turn Lane project.

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<tr>
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<tbody>
<tr>
<td>Council member Weinacht moved to approve; seconded by Council member Hoeger.</td>
</tr>
<tr>
<td>Absent: Council member S. Olson.</td>
</tr>
<tr>
<td>Result: <strong>Approved.</strong></td>
</tr>
</tbody>
</table>
35. Report on bids for the Ellis Harbor Sidewalk Repairs Project for the Parks & Recreation Department (estimated cost is $175,000) (Steve Krug).

0549-05-19

a. Resolution awarding and approving contract in the amount of $213,131, bonds and insurance of Possibilities Unlimited LLC for the Ellis Harbor Sidewalk Repairs Project.

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

36. Report on bids for the Ice Arena Parking and Stoops ADA Project for the Facilities Maintenance Division (estimated cost is $235,713) (Jeff Koffron).

0550-05-19

a. Resolution awarding and approving contract in the amount of $244,490, bonds and insurance of Midwest Concrete Inc. for the Ice Arena Parking and Stoops ADA Project.

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

0551-05-19

37. Presentation and Resolution authorizing the Fleet Services Division to purchase one 2019 Lenco BearCat G2 armored rescue vehicle from Lenco Armored Vehicles in the amount of $268,102 for use by the Police Department (Chief Jerman and Lt. Charlie Fields).

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

0552-05-19

38. Presentation and Resolution approving a project term sheet outlining preliminary terms and directing the City Manager to negotiate a Development Agreement with Banjo Apartments LLC for the construction of a mixed-use building on the block bounded by 4th and 5th Avenues SE and 5th and 6th Streets SE (Jennifer Pratt).

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

0553-05-19

39. Presentation and Resolution of support authorizing City participation for housing projects located at 2700 33rd Avenue SW and 145 16th Avenue SW proposed by LTRI, LLC and REM Iowa under the City’s Community Benefit – Economic Development Program (Jennifer Pratt).

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

0554-05-19

40. Presentation and Resolution authorizing sponsorship of a Business Financial Assistance Application to Iowa Economic Development Authority by Future Line LLC for the construction of a new industrial building 550 60th Avenue SW and providing matching funds through the City’s Local Match – Economic Development Program (Jennifer Pratt).

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

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 Overland.

Result: Adopted.

Ordinance repealing Chapter 34 of the Municipal Code, Electrical Code, and enacting and adopting in lieu thereof a new Chapter 34 and the 2017 edition of the National Electrical Code with modifications.

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

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 Poe.

Result: Adopted.


Council member Overland 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 Hoeger.

Result: Adopted.


Council member Todd 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 Hoeger.

Result: Adopted.
45. Ordinance repealing Chapter 51 of the Municipal Code and enacting and adopting in lieu thereof a new Chapter 51, Alcoholic Beverages, to clarify certain sections and remove outdated language and regulations covered by State Code.

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

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.

46. Ordinance renaming Bellamy Court NW to Bellamy Street NW northerly from Sandhurst Drive NW as requested by the Traffic Engineering Division.

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 Weinacht.

Result: Approved.

Mayor Hart recused himself from the discussion and abstained from voting on Item No. 47 and turned the meeting over to Mayor Pro Tempore Weinacht to chair.

47. Ordinance amending Chapter 61 of the Municipal Code, Traffic Regulations, by deleting Section 61.138 therefrom and enacting in its place a new Section 61.138 regarding Automated Traffic Enforcement and the means for challenging an automated traffic citation (Chief Jerman and Cody Estling).

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 S. Olson.

Abstain: Mayor Hart.

Result: Approved.

Mayor Pro Tempore Weinacht returned the meeting to Mayor Hart to chair.

Public comments were heard.

Council comments were heard.

Motion to adjourn.

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

Result: Approved.

City Council adjourned at 2:49 p.m. to meet Tuesday, May 28, 2019 at 4 p.m.

Amy Stevenson, City Clerk