NOTICE OF PUBLIC MEETING

The Adel City Council will meet in regular session at Adel City Hall, 301 S. 10th St., Adel, Iowa, Monday, April 22, 2019, at 6:00 PM

AGENDA

COMMENTS FROM THE PUBLIC

CONSENT AGENDA

a) Consider Approval of City Council Minutes Dated April 9, 2019
b) Consider Approval of Resolution No. 19-34, Supporting the Redesignation of the Raccoon River Valley Trail as an “Iowa Great Place”
c) Consider Approval of Resolution No. 19-35, Adopting a Procurement Policy for Federal Grant Funded Projects for the City of Adel
d) Consider Approval of Resolution No. 19-36, Closure of Adel Library Parking Lot for Library Summer Reading Kickoff Event
e) Consider Approval of Resolution No. 19-37, Closure of City Parking Lot for Adel Rotary Bike Rodeo Event
f) Consider Approval of Change Order No. 003 for the East Annex Sanitary Utility Improvements – Bid Package No. 1 – Lift Station
g) Consider Approval of Change Order No. 004 for the East Annex Sanitary Utility Improvements – Bid Package No. 1 – Lift Station

DEPARTMENT HEAD REPORT

NEW BUSINESS

a) Consider Approval of Ordinance No. 335, Amending the Zoning Ordinance of the City of Adel, Iowa, by Amending the PUD Ordinance for Property Located at the Intersection of HWY 169 and 302nd Place, City of Adel, Dallas County, Iowa (Cramer & Associates – Southbridge PUD) – Second Reading
b) Consider Approval of Resolution No. 19-32, Approving Construction Contract and Bond on the Storm Water Utility Improvements – Phase 1, Section 4 – North 15th Street Project
c) Consider Approval of Resolution No. 19-38, Opposing Proposed Legislative Changes in City Finance and Property Tax Reform (HF773, SF634, or Any Related Measures)
d) Closed Session pursuant Iowa Code Section 21.5(1)(c). The Council May Enter into Closed Session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

OTHER BUSINESS

4/19/2019 2:04:16 PM
NOTICE OF PUBLIC MEETING

The Adel City Council will meet in regular session at Adel City Hall, 301 S. 10th St., Adel, Iowa, Monday, April 22, 2019, at 6:00 PM

AGENDA

COMMENTS FROM THE PUBLIC

CONSENT AGENDA

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f) Consider Approval of Change Order No. 003 for the East Annex Sanitary Utility Improvements - Bid Package No. 1 – Lift Station
g) Consider Approval of Change Order No. 004 for the East Annex Sanitary Utility Improvements – Bid Package No. 1 – Lift Station

After conferring with Mayor Jim Peters, the consent agenda has been expanded to include additional items that City staff believe are relatively routine and non-controversial. If a council member would like to discuss a consent agenda item, it may be pulled from the consent agenda upon request. City staff is recommending approval of the entire consent agenda.

DEPARTMENT HEAD REPORT

NEW BUSINESS

a) Consider Approval of Ordinance No. 335, Amending the Zoning Ordinance of the City of Adel, Iowa, by Amending the PUD Ordinance for Property Located at the Intersection of HWY 169 and 302nd Place, City of Adel, Dallas County, Iowa (Cramer & Associates – Southbridge PUD) – Second Reading

This ordinance amends the Southbridge PUD just south of 302nd Place in between HWY 169 and Old Portland Road. The first reading was approved on April 9. City staff is recommending approval of the second reading and waiving the third reading.

b) Consider Approval of Resolution No. 19-32, Approving Construction Contract and Bond on the Storm Water Utility Improvements – Phase 1, Section 4 – North 15th Street Project

This resolution, which was prepared by Ahlers & Cooney, approves the construction contract and bond for the fourth storm water project on North 15th Street. This resolution was deferred on April 9 due to USDA-RD comments, but the minor issues on the documents have been rectified. McClure Engineering and Ahlers & Cooney have reviewed the documents. City staff is recommending approval.
c) Consider Approval of Resolution No. 19-38, Opposing Proposed Legislative Changes in City Finance and Property Tax Reform (HF773, SF634, or Any Related Measures)

This resolution opposes the Iowa Legislature’s current property tax reform bills due to the significant and detrimental impact on city services. The Iowa League of Cities and many other entities are registered against the bills. City staff is recommending approval.

d) Closed Session pursuant Iowa Code Section 21.5(1)(c). The Council May Enter into Closed Session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

OTHER BUSINESS
The Adel City Council met in regular session at the Adel Public Library, 303 S. 10th Street, Adel, Iowa on Tuesday, April 9, 2019 at 6:00 p.m. Mayor Peters called the meeting to order and the following answered roll: Ockerman, Christensen, McAdon, Miller, and Selby.

Staff Present: City Attorney Stone, City Administrator Brown, Accounting Clerk Light, Lieutenant Book, Public Works Director Overton, and Parks & Recreation Director Schenck.

**PROCLAMATION**

1. Arbor Day – Friday, April 26, 2019

**PUBLIC HEARING**

1. Amendment of Southbridge PUD Located at the Intersection of HWY 169 and 302nd Place
   - Motion by Ockerman, seconded by Miller, to open the public hearing.
   - Roll: Ayes - Unanimous. Motion carried.
   - Written comments were received by Rose & Gene Richardson – 25121 River Bye Road, Adel.
   - Oral comments were received by Doug Mandernach with Civil Design Advantage, 3405 SE Crossroads Drive, Grimes; Kristine Fasano, 31104 N. Ave., Adel; Jessica Reynolds, 1929 Roebling Road, Adel; Rozalyn Boyer, 1932 Roebling Road, Adel; Jeff Grove, 25107 Calico Creek Lane, Adel; Scott Burnham, 30438 Little Pine Lane, Adel; Tom Horn, 30480 Old Portland Road, Adel; David Barton, 24678 River Bye Road, Adel; Patty Freeman, 24720 River Ridge Road, Adel; Robert Cramer with Cramer & Associates, 3100 SW Brookside Drive, Grimes; and Jeanne Harbison, 30652 River Bye Lane, Adel.
   - Motion by Christensen, seconded by Ockerman, to close the public hearing.
   - Roll: Ayes - Unanimous. Motion carried.

2. Rezoning of Cramer & Associates’ Land Located Southeast of the HWY 169 – 302nd Place Intersection Between HWY 169 and Old Portland Road from A-1 to R-1
   - Motion by Christensen, seconded by Ockerman, to open the public hearing.
   - Roll: Ayes - Unanimous. Motion carried.
   - No written comments were received.
   - Oral comments were received by Doug Mandernach with Civil Design Advantage, 3405 SE Crossroads Drive, Grimes; Robert Cramer with Cramer & Associates, 3100 SW Brookside Drive, Grimes; Frank Fasano, 31104 N. Ave., Adel; Andy Mumma, 25047 Calico Creek Lane, Adel; Darren Freeman, 24720 River Ridge Road, Adel; Kristine Fasano, 31104 N. Ave., Adel; Ryan Steinfeldt, 24668 Quail Ave., Adel; and Jeff Grove, 25107 Calico Creek Lane, Adel.
   - Motion by Miller, seconded by Ockerman, to close the public hearing.
   - Roll: Ayes - Unanimous. Motion carried.

**COMMENTS FROM THE PUBLIC**

1. Andy Mumma, 25047 Calico Creek Lane – Asked for the City Limits sign south on HWY 169 to be moved.

**CONSENT AGENDA**

a) Consider Approval of City Council Minutes Dated March 12, 2019
b) Consider Approval of City Council Minutes Dated March 25, 2019
c) Consider Approval of March Bills and March 31, 2019 Treasurer’s Report
d) Consider Approval of Ahlers & Cooney, P.C. March 2019 Invoice to be Applied to Retainer
e) Consider Approval of Class E Liquor License, Class B Wine Permit, Class C Beer Permit (Carryout Beer) for Fareway Stores, Inc.

f) Consider Approval of Pay Estimate No. 01 for the Adel Water Utility Improvements Project – Bryan and Rapids Street Water Main Replacement

g) Consider Approval of Pay Estimate No. 02 for the Adel Water Utility Improvements Project – Phase 1 – Part B, Section 1 – Raw Water Transmission Main

h) Consider Approval of Pay Estimate No. 02 for the Adel Water Utility Improvements Project – Phase 1 – Part B, Section 3 – Wells 5 & 6 – Site Work, Well House, and Equipment

i) Consider Approval of Pay Estimate No. 02 for the Adel East Annex Sanitary Utility Improvements Project – Bid Package No. 2 – Sanitary Sewer and Force Main

j) Consider Approval of Special Event Application – Adel Partners Chamber of Commerce, 2019 Sweet Corn Festival – August 9 & 10, 2019

k) Consider Approval of Setting a Public Hearing Date for Fiscal Year 2018-2019 Budget Amendments – May 14, 2019 at 6:00 p.m.

l) Consider Approval of Setting a Public Hearing Date for a Sign Moratorium – May 14, 2019 at 6:00 p.m.

m) Consider Approval of Resolution No. 19-27, Approving Budget Transfers for City Attorney Services

Motion by Ockerman, seconded by McAdon, to approve the consent agenda.

Roll: Ayes – Unanimous. Motion carried.

DEPARTMENT HEAD REPORT

Second Council Meeting – April 22, 2019 at 6:00 p.m.

NEW BUSINESS

a) Consider Approval of Ordinance No. 335, Amending the Zoning Ordinance of the City of Adel, Iowa, by Amending the PUD Ordinance for Property Located at the Intersection of HWY 169 and 302nd Place, City of Adel, Dallas County, Iowa (Cramer & Associates – Southbridge PUD) – First Reading

Motion by Ockerman, seconded by McAdon, to approve the first reading of Ordinance No. 335.

Christensen noted that the PUD already exists. This amendment adjusts the streets to match the DOT’s alignment along HWY 169 and adds approximately eight acres. Selby agreed that the roads need to line up per DOT’s requirements for HWY 169.

Roll: Ayes – Unanimous. Motion carried. The second reading will be held on April 22 at 6:00 p.m.

b) Discussion / Possible Action of Ordinance No. 336, Amending the Zoning Ordinance of the City of Adel, Iowa, by Changing the Zoning Classification of Property Located Southeast of the HWY 169 – 302nd Place Intersection Between HWY 169 and Old Portland Road, City of Adel, Dallas County, Iowa, from A-1 (Existing Agriculture District) to R-1 (Single Family Residential – High Density) – First Reading

Motion by Ockerman, seconded by McAdon, to approve the first reading of Ordinance No. 336.

The council discussed the ordinance for approximately 25 minutes. These minutes represent a summary of each council member’s considerations.

Christensen stated this area had been annexed only one year ago and that the developer suggested it would take ten years to develop. He could not support rezoning this large of an area since it had only been one year. Christensen suggested this area should be rezoned in smaller sections. The City must work with the school district and DOT to address traffic safety concerns. He supports smart growth. The school district does not necessarily need to comply with a particular zoning.

Selby stated that the City needs to know what the school is doing. She stated the City needs to know what will happen with HWY 169. Both of those factors should be known before the City takes further action.
Ockerman stated the City annexed Cramer’s 300 acres last April fully aware of the developer’s concept plan. The City’s Future Land Use Plan was amended last September to accommodate that concept plan. Infrastructure was in a good place. He believes the City must follow its normal policies and approve this.

McAdon stated the City’s job is to manage development. If the school chooses this area for a new elementary school, it should know that the area is zoned appropriately. The developer cannot plan for a lift station unless the zoning is in place. The DOT needs additional traffic to act on HWY 169 improvements. This entire area should be planned together.

Miller stated that the City has great plans for water, sewer, and roads. Growth will not happen as quickly anymore due to the tax abatement changes. It would be helpful to know where the school is going.

Roll: Ayes - McAdon, Miller, and Ockerman. Nays - Selby and Christensen. Motion fails due to lack of ¾ positive vote, which was required because the City’s Planning & Zoning Commission did not recommend. Mayor Peters noted that, for reconsideration, Selby or Christensen must request it at this meeting or at the April 22 meeting.

c) Discussion / Possible Action of Setting a Public Hearing to Rezone a Portion of Cramer & Associates’ Land from A-1 to R-1 – May 14, 2019 at 6:00 p.m.
Motion by Ockerman, seconded by Christensen, to set a public hearing to rezone a portion of Cramer & Associates’ Land from A-1 to R-1 on May 14, 2019 at 6:00 p.m.
Roll: Ayes - Unanimous. Motion carried.

d) Consider Approval of Resolution No. 19-28, Approving Preliminary Plat – Sargent’s Second Addition
Motion by Ockerman, seconded by Christensen, to approve Resolution No. 19-28.

Ockerman stated that McClure Engineering and Public Works Director Overton are recommending a dry sewer system for this plat.

Jay Koester with Abaci Consulting, 101 NE Circle Drive, Grimes, stated that the developer disputes the need to install the dry sewer at this time. Koester stated that the City of Waukee waived its right. Koester stated that easements are fine, but a dry system will be costly and ineffective.

Jeff Schug with McClure Engineering, 1360 NW 121st Street, Clive, stated that McClure’s recommendation of a 3” pressurized line with grinder pumps later is feasible and of reasonable cost.

Christensen stated that the City’s Water & Sewer Committee met yesterday to review this and recommended approval of McClure’s recommendation.

Roll: Ayes - Unanimous. Motion carried.

e) Consider Approval of Resolution No. 19-29, Approving a Water Leak Credit Policy
Motion by Miller, seconded by Christensen, to approve Resolution No. 19-29.
Roll: Ayes - Christensen, McAdon, Miller, and Ockerman. Nays - Selby. Motion carried.

f) Consider Approval of Resolution No. 19-30, Ordering Construction of Certain Public Improvements, and Fixing a Date for Hearing Thereon and Taking of Bids Therefor – Water Systems Improvements 2017, Water Treatment Plant
Motion by Ockerman, seconded by McAdon, to approve Resolution No. 19-30.
Roll: Ayes - Unanimous. Motion carried.

g) Consider Approval of Resolution No. 19-31, Authorizing an Interfund Loan to the Local Option Sales Tax Fund – Purchase of Land from Stephen H. McCalley for Evans Park Addition
Motion by McAdon, seconded by Christensen, to approve Resolution No. 19-31.
Roll: Ayes – Unanimous. Motion carried.

h) Consider Approval of Resolution No. 19-32, Approving Construction Contract and Bond on the Storm Water Utility Improvements – Phase 1, Section 4 – North 15th Street Project

Motion by Ockerman, seconded by Miller, to postpone consideration of Resolution No. 19-32 to April 22, 2019 at 6:00 p.m.

Roll: Ayes – Unanimous. Motion carried.


Motion by McAdon, seconded by Miller, to approve Engagement Agreement with Ahlers & Cooney.

Roll: Ayes – Unanimous. Motion carried.

j) Consider Approval of Resolution No. 19-33, Ordering Construction of the 2019 Adel City Hall Window Replacement Project, and Fixing a Date for Hearing Thereon and Taking Bids Therefor

Motion by McAdon, seconded by Ockerman, to approve Resolution No. 19-33.

Roll: Ayes – Unanimous. Motion carried.

k) Consider Approval of Change Order No. 002 for the Adel East Annex Sanitary Utility Improvements Project – Bid Package No. 1 – Lift Station

l) Consider Approval of Pay Estimate No. 01 for the Adel East Annex Sanitary Utility Improvements Project – Bid Package No. 1 – Lift Station

Motion by Ockerman, seconded by Christensen, to approve Change Order No. 002 and Pay Estimate No. 01 for the Adel East Annex Sanitary Utility Improvements Project – Bid Package No. 1 – Lift Station.

Roll: Ayes – Unanimous. Motion carried.

OTHER BUSINESS

1. Mayor Peters stated that he would be writing a letter to the City of Waukee in support of extending the Adel-Waukee Annexation Moratorium 28E Agreement that expires in 2021.

2. Meeting adjourned at 8:19 p.m.

______________________________
James F. Peters, Mayor

Attest: _______________________
Anthony Brown, Acting City Clerk

4/12/2019 9:50:52 AM
Resolution No. 19-34

A RESOLUTION SUPPORTING THE REDESIGNATION OF THE RACCOON RIVER VALLEY TRAIL AS AN “IOWA GREAT PLACE”

WHEREAS, the Raccoon River Valley Trail (RRVT) features a 72-mile trail loop, which is believed to be the longest paved loop in the United States, and consists of more than 89 miles of paved surface for bicycling, running, and other forms of recreational activities; and

WHEREAS, the RRVT is a special and highly valued public resource that enriches each community along the trail, draws residents from across Iowa and the U.S., and provides health and recreation benefits to people of all ages, abilities, and socio-economic backgrounds; and

WHEREAS, with Resolution No. 14-42 in 2014, the City of Adel, Iowa previously supported the RRVT’s application to the Iowa Department of Cultural Affairs for designation as an “Iowa Great Place,” which recognized the efforts of a local group of communities acting to enhance the trail while retaining the historic and unique features of the railroad bed on which it resides; and

WHEREAS, the RRVT was designated as an “Iowa Great Place” for five years, which expired in December 2018; and

WHEREAS, the Adel Partners Chamber of Commerce (Chamber) has agreed to spearhead the application process for redesignation of the RRVT as an “Iowa Great Place” for an additional five years; and

WHEREAS, the City supports the regional collaboration among the 14 communities along the RRVT for the purposes of economic and cultural development and believes the Chamber’s efforts for redesignation of the RRVT as an “Iowa Great Place” will continue to enhance the opportunities provided to those communities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ADEL, IOWA, that the City of Adel does hereby endorse the Adel Partners Chamber of Commerce’s application for redesignation of the Raccoon River Valley Trail as an “Iowa Great Place” to support the regional collaboration among the 14 communities along the RRVT for the purposes of economic and cultural development.

Passed and approved this 22nd day of April, 2019.

James F. Peters, Mayor

Attest: ____________________________
Angela Leopard, City Clerk
RESOLUTION No. 19-35

A RESOLUTION ADOPTING A PROCUREMENT POLICY FOR FEDERAL GRANT FUNDED PROJECTS FOR THE CITY OF ADEL

PROCUREMENT POLICY FOR FEDERAL GRANTS

PURPOSE

The purpose of this Procurement Policy is to ensure that sound business judgement is utilized in all federally-funded procurement transactions and that supplies, equipment, construction and services are obtained efficiently and economically and in compliance with applicable state and federal laws and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition.

APPLICATION

This policy applies to procurement of all supplies, equipment, construction and services of and for the City of Adel related to the implementation and administration of a federal grant award. All procurement will be done in accordance with 2 CFR Part 200, Uniform Administrative Requirements for Federal Awards. Where federal funds are being used to fund a public improvement, as defined by Iowa Code Chapter 26.2(3), adherence to Chapter 26 is required in addition to compliance with the federal regulations. In those situations where Chapter 26 and the federal regulations both apply, the most restrictive requirements shall be followed.

POLICY

METHODS OF PROCUREMENT

Procurement under grants shall be made by one of the following methods, as described herein: (a) micro-purchases; (b) small purchase procedure; (c) sealed bids (formal advertising); (d) competitive proposals; (e) noncompetitive proposals.

A. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed $3,000\(^1\). To the extent practicable, the City of Adel will distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the City of Adel considers the price to be reasonable.

B. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies, or other property, costing in aggregate more than $3,000\(^2\) but not more than $150,000\(^3\). If small purchases procedures are used for procurement under a grant, price or rate quotations shall be

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\(^1\) This amount may be amended from time to time. The threshold amount can be found at 2 CFR 200.67.

\(^2\) See 2 CFR 200.67.

\(^3\) This amount may be amended from time to time. The threshold amount can be found at 48 CFR 2.101.
obtained from an adequate number of qualified sources. Small purchase procedures may not be used in purchases related to public improvements under Iowa Code Chapter 26 where competitive quotes or competitive bids are required.

C. In procurement by sealed bids (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction under a federal grant award. Where federal funds are being used to fund a public improvement, as defined by Iowa Code Chapter 26.2(3), adherence to Chapter 26 is required in addition to compliance with the federal regulations. In these circumstances, the most restrictive requirements shall be followed.

1. In order for formal advertising to be feasible, appropriate conditions must be present, including, at a minimum, the following:

   (a) A complete, adequate and realistic specification or purchase description is available.

   (b) Two or more responsible bidders are willing and able to compete effectively for the City of Adel’s business; and

   (c) The procurement lends itself to a firm-fixed-price contract, and the selection of the successful bidder can be made principally on the basis of price.

2. When sealed bids are used for procurement under a grant, the following requirements apply:

   (a) A sufficient time prior to the date set for opening of bids, bids shall be solicited (publicly advertised) from an adequate number of known suppliers.

   (b) The invitation for bids, including specification and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation for bids.

   (c) All bids shall be opened publicly at the time and place stated in the invitation for bids.

   (d) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in the bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to
determine low bid when prior experience of the City of Adel indicates that such
discounts are generally taken.

(e) Any or all bids may be rejected if there are sound documented business reasons in
the best interest of the program.

D. Procurement by competitive proposals is normally conducted with more than one source
submitting an offer, and either a fixed-price or cost-reimbursable type contract is
awarded, as appropriate. Competitive proposals are generally used when conditions are
not appropriate for the use of sealed bids, and when the project falls within the definition
of a public improvement and competitive quotations are required by Chapter 26 of the
Iowa Code. In those situations where Chapter 26 and the federal regulations both apply,
the most restrictive requirements shall be followed. If the competitive proposals method
is used for a procurement under a federal grant, the following requirements apply:

1. Requests for Proposals shall be publicized and identify all evaluation factors and their
relative importance. Any response to publicized requests for proposals shall be
considered to the maximum extent practical.

2. Requests for Proposals shall be solicited from an adequate number of qualified
sources.

3. The City of Adel shall have a written method for conducting evaluations of the
proposals received and for selecting awardees.

4. Awards will be made to the responsible offeror whose proposal will be most
advantageous to the procuring party, with price (other than architectural/engineering
services) and other factors considered. Unsuccessful offerors will be promptly
notified in writing.

5. The City of Adel may use competitive procedures for qualification-based
procurement of architectural/engineering (A/E) professional services whereby
competitors’ qualifications are evaluated and the most qualified competitor is
selected, subject to negotiation of fair and reasonable compensation. The method,
where price is not used as a selection factor, can only be used in the procurement of
A/E professional services. It cannot be used to procure other types of services (e.g.,
administration professional services) even though A/E firms are a potential source to
perform the proposed effort.

E. Procurement by noncompetitive proposals is procurement through solicitation of a
proposal from only one source. Noncompetitive proposals may not be used in purchases
related to public improvements under Iowa Code Chapter 26. Noncompetitive proposals
may be used only when the award of a contract is infeasible under micro-purchases, small
purchase procedures, sealed bids (formal advertising), or competitive proposals. Circumstances under which a contract may be awarded by noncompetitive proposals are limited to the following:

1. The item is available from only a single source;
2. After solicitation of a number of sources, competition is determined inadequate;
3. A public exigency or emergency exist when urgency for the requirement will not permit a delay incident to competitive solicitation; or
4. The awarding agency expressly authorizes noncompetitive proposals.

F. The City of Adel will take all necessary affirmative steps to assure that contracts be awarded to qualified small and minority firms, women business enterprises, and labor surplus area firms when possible.

CONTRACT PRICING

A. The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.

B. The City of Adel shall perform some form of cost/price analysis for every procurement action, including modification, amendments or change orders.

CONTRACT PROVISIONS

The City of Adel will ensure that federally funded procurement contracts contain the applicable provisions described in Appendix II to 2 CFR Part 200 – Contract Provisions for Non-Federal Entity Contracts Under Federal Awards. The City of Adel will also ensure that contracts are not awarded to suspended or debarred parties listed on the government wide exclusions in the System for Award Management (SAM).

PROCUREMENT RECORDS

The City of Adel shall maintain records sufficient to detail the significant history of procurement, including the rational for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
Passed and Adopted this ______ day of ______________, 2019.

________________________
James F. Peters, Mayor

ATTEST

________________________
Angela Leopard, City Clerk

01571428-1\10113-1000
RESOLUTION NO. 19-36

RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS ADEL PUBLIC LIBRARY SUMMER READING KICKOFF

WHEREAS, Iowa Code Section 364.12(2) states "a city shall keep all public grounds, streets, sidewalks, alleys, bridges, culverts, overpasses, underpasses, grade crossing separations and approaches, public ways, squares, and commons open, in repair and free from nuisance;" and

WHEREAS, Iowa Code Section 364.12(2)(a) states "public ways and grounds may be temporarily closed by resolution;" and

WHEREAS, the Adel Public Library has requested closure of the following streets and parking spaces from 8:00 a.m. to 1:00 p.m. on the dates listed below, in conjunction with the special event known as Adel Public Library Summer Kickoff.

Adel Library Parking Lot, Wednesday June 5, 2019 8:00 a.m. – 1:00 p.m.
Rain Date: Thursday June 6, 2019 8:00 a.m. – 1:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Iowa Code Section 364.12(2)(a), the City Council of the City of Adel, Iowa does hereby temporarily close the streets as stated above.

Dated this date: __________________________

James F. Peters, Mayor

ATTEST:

____________________________
Angela Leopard, City Clerk
RESOLUTION NO. 19-

RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS ADEL ROTARY BIKE RODEO

WHEREAS, Iowa Code Section 364.12(2) states "a city shall keep all public grounds, streets, sidewalks, alleys, bridges, culverts, overpasses, underpasses, grade crossing separations and approaches, public ways, squares, and commons open, in repair and free from nuisance;" and

WHEREAS, Iowa Code Section 364.12(2)(a) states "public ways and grounds may be temporarily closed by resolution;" and

WHEREAS, the Adel Rotary has requested closure of the following streets and parking spaces from 5:00 p.m. to 1:00 p.m. on the dates listed below, in conjunction with the special event known as Adel Rotary Bike Rodeo.

City Hall Parking Lot – 5:00 p.m. Friday May 3, 2019 – 1:00 p.m. Saturday May 4, 2019.
Rain Date: 5:00 p.m. Saturday May 4, 2019 – 1:00 p.m. Sunday May 5, 2019.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Iowa Code Section 364.12(2)(a), the City Council of the City of Adel, Iowa does hereby temporarily close the streets as stated above.

Dated this date: ____________________________

James F. Peters, Mayor

ATTEST:

______________________________
Angela Leopard, City Clerk
**CONTRACT CHANGE ORDER**

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For Contracted Project:

- East Annex Sanitary Utility Improvements
- Bid Package No. 1 - Lift Station
- Adel, Iowa

You are hereby requested to comply with the following changes below from the original contracted plans and specifications.

<table>
<thead>
<tr>
<th>Description of Changes</th>
<th>ADJUSTMENT to Contingency Allowance</th>
<th>DECREASE in Contract Price</th>
<th>INCREASE in Contract Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deduct water service line corporation, saddle, curb stop/box/rod, and 150 linear feet of water service piping from contract.</td>
<td>$(1,500.00)</td>
<td>$ -</td>
<td>$ -</td>
</tr>
</tbody>
</table>

**Totals:**

- Contingency Allowance Remaining: $39,917.77
- Net Change to Contract Price: $0
- Updated Contract Price: $1,336,000.00

**Justification:** Xenia Rural Water requires this work to be completed internally, rather than by contractors. Remaining water service piping and internal connections required to provide water to the lift station building will remain in the contract.

The Amount of the Contingency Allowance will be **INCREASED** by the Sum of:

- One Thousand, Five Hundred and 00/100 Dollars

The Total Remaining Contingency Allowance including this and previous Change Orders will be:

- Thirty-Nine Thousand, Ninth Hundred Seventeen and 77/100 Dollars

The Amount of the Contract will be **UNCHANGED.**

- One Million, Three Hundred Thirty-Six Thousand and 00/100 Dollars

The Total Contract Price including this and previous Change Orders will be:

- One Million, Three Hundred Thirty-Six Thousand and 00/100 Dollars

The Contract Period provided for Substantial Completion will be **UNCHANGED.**

- 8/31/2019

This Document will become a Supplement to the Contract dated December 11, 2018, and all Provisions will apply hereeto.

**Requested By:** Synergy Contracting, LLC

**Recommended By:** Synergy Contracting, LLC

**Accepted By:** McClure Engineering Co.

**Owner:** City of Adel, IA

**Approved by Funding Agency:** USDA Rural Development

This information will be used as a record of any changes to the Original Construction Contract.
# CONTRACT CHANGE ORDER

For Contracted Project:  
**East Annex Sanitary Utility Improvements**  
Bid Package No. 1 - Lift Station  
Adel, Iowa

Owner:  
City of Adel, IA  
301 S. 10th Street, Adel, IA 50003

Contractor:  
Synergy Contracting, LLC  
1120 2nd Street NE  
Bondurant, IA 50035

Change Order Number: 004  
MEC Project Number: 20317006-01  
Contract Date: 12/11/2018  
Date of Issuance: 4/15/2019  
Effective Date: 4/15/2019

Original Contract Price: $1,336,000.00  
Current Contract Price: $1,336,000.00  
Current Contingency Allowance: $39,917.77  
Current Final Completion Date: 10/31/2019

You are hereby requested to comply with the following changes below from the original contracted plans and specifications.

<table>
<thead>
<tr>
<th>Description of Changes</th>
<th>ADJUSTMENT to Contingency Allowance</th>
<th>DECREASE in Contract Price</th>
<th>INCREASE in Contract Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payment for additional clearing and grubbing performed on-site (0.333 acres * $5,900/acre).</td>
<td>$1,965.00</td>
<td>$-</td>
<td>$-</td>
</tr>
</tbody>
</table>

**Totals:**  
Contingency Allowance Remaining: $37,952.77  
Net Change to Contract Price: $-  
Updated Contract Price: $1,336,000.00

**Justification:** Additional clearing and grubbing was performed on-site. Payment is based on the unit price per acre for the Bid Package #2 - Sanitary Sewer and Force Main contractor given the sites are adjacent and similar in nature.

The Amount of the Contingency Allowance will be **DECREASED** by the Sum of:  
One Thousand, Nine Hundred Sixty-Five and 00/100 Dollars  
$1,965.00

The Total Remaining Contingency Allowance Including this and previous Change Orders will be:  
Thirty-Seven Thousand, Nine Hundred Fifty-Two and 77/100 Dollars  
$37,952.77

The Amount of the Contract will be **UNCHANGED.**  
One-Million, Three-Hundred Thirty-Six Thousand and 00/100 Dollars  
$1,336,000.00

The Total Contract Price including this and previous Change Orders will be:  
One-Million, Three-Hundred Thirty-Six Thousand and 00/100 Dollars  
$1,336,000.00

The Contract Period provided for Substantial Completion will be **UNCHANGED.**  
8/31/2019

This Document will become a Supplement to the Contract dated December 11, 2018, and all Provisions will apply hereto.

Requested By:  
Synergy Contracting, LLC  
4/15/19

Recommended By:  
McClure Engineering Co.  
4/15/19

Accepted By:  
City of Adel, IA  
4/15/19

Approved by Funding Agency:  
USDA Rural Development  
4/15/19
The Adel Planning and Zoning meet at City Hall on Wednesday, February 13, 2019 At 6:30 PM.

Commissioners present were: Tom Waltz, Kent McAdon, Rebecca Reed, Jonathan Fokken, and Code Compliance Officer Steve Nichols. Absent: Todd Cook, Melody Marshall, and Stephanie Poole. Doug Mandernach representing Robert Cramer was also present along a couple of citizens of Adel and several members of the rural community.

Minutes for February 13, 2019 Public Hearing Meeting

I. Discussion / Possible Action on Amending the Proposed Southbridge PUD. Mandernach presented the changes to the Board. The primary changes were more commercial lots, some single family lots on the southeast corner of the original PUD. The southern boundary was moved down to move the future road exit onto Highway 169 further south. Members of the audience that came forward was asking about the retention and the new culvert that was being installed. It was explained that the retention is based on holding back the future run off and releasing it at a controlled rate that is approved by Adel’s engineers and the DNR. There didn’t seem to be any other concerns. Fokken made a motion to approve the amended P.U.D and recommended sending it to Council for Council approval, second by Reed. Motion passed unanimously.

II. Discussion / Possible Action on the rezoning request by Cramer and Associates on land south of the Southbridge PUD from A-1 (existing agricultural) to R-1 (single family residential-high density) Nichols explained that the request for rezoning this section of land matches what our Land Use Plan shows and has been approved by council. There would be a correction that the City could rezone or asked to be rezoned in the southwest corner next to the Fasano property which shows a lower density when a Plat is brought forward. Several members of the rural community came forward not supporting this rezoning. Reasons that were given: safety on Highway 169 when adding more housing, finish filling in what Adel has before allowing more development, want Adel to step back and have more strategic planning, creating more eye sore new homes that has already been built in the Southbridge Plat 1, need to pave Old Portland Road from Kading properties to 302nd Street, get DOT on board first before we go further to the south and one even thinks Adel will be responsible for any deaths or accidents that occur on Highway 169 with farm machinery. Waltz made a motion to leave the land zoned as agricultural until a plat is brought forward for development, second by Fokken. Passed unanimously.

Meeting adjourned at 8:15 PM

Respectfully, Steve Nichols
ORDINANCE NO. 335

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF ADEL, IOWA, BY AMENDING THE PUD ORDINANCE FOR PROPERTY LOCATED AT THE INTERSECTION OF HWY 169 AND 302ND PLACE, CITY OF ADEL, DALLAS COUNTY, IOWA

WHEREAS, the Zoning Ordinance of the City of Adel allows for the development of a Planned Unit Development (PUD) to promote and encourage development or redevelopment of tracts of land on a planned, unified basis;

WHEREAS, a PUD was approved for the property located at the intersection of Hwy 169 and 302nd Place by Ordinance No. 327;

WHEREAS, the Developer and City wish to amend the legal description of the PUD ordinance to include additional property on the south end of the development;

WHEREAS, the Developer and City wish to amend the PUD Plan for this property to include a revised site plan and revised regulations for development;

WHEREAS, pursuant to Section 165.53(2)(D) of the Adel Code of Ordinances, substantial changes to a PUD require approval by ordinance following planning and zoning commission review;

WHEREAS, the City Council finds this PUD Amendment to be consistent with and in furtherance of the City’s comprehensive plan, zoning ordinance, subdivision ordinance, and platting requirements.

NOW, THEREFORE, be it ordained by the City Council of the City of Adel, Iowa, that:

SECTION 1. PUD LEGAL DESCRIPTION AMENDED. The legal description contained within Ordinance No. 327 shall be replaced with the following legal description:

A PART OF GOVERNMENT LOTS 5, 6, 11 AND 12 IN SECTION 6, TOWNSHIP 78 NORTH, RANGE 27 WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF ADEL, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 5; THENCE SOUTH 89°00'05" EAST ALONG THE NORTH LINE OF SAID GOVERNMENT LOTS 5 AND 6, A DISTANCE OF 1919.00 FEET TO THE CENTERLINE OF OLD PORTLAND ROAD; THENCE SOUTH 4°13'55" EAST ALONG SAID CENTERLINE, 251.00 FEET; THENCE SOUTHEASTERLY CONTINUING ALONG SAID CENTERLINE AND A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 477.50 FEET, WHOSE ARC LENGTH IS 254.21 FEET AND WHOSE CHORD BEARS SOUTH 20°57'02" EAST, 251.22 FEET;
THENCE SOUTH 35°36'59" EAST CONTINUING ALONG SAID CENTERLINE, 323.11 FEET; THENCE SOUTH 35°45'11" EAST CONTINUING ALONG SAID CENTERLINE, 262.71 FEET; THENCE SOUTH 54°14'49" WEST, 40.00 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 33.77 FEET AND WHOSE CHORD BEARS NORTH 74°27'15" WEST, 31.26 FEET; THENCE SOUTH 60°09'54" WEST, 88.40 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 41.80 FEET AND WHOSE CHORD BEARS SOUTH 12°08'57" WEST, 37.10 FEET; THENCE SOUTH 54°14'49" WEST, 60.00 FEET; THENCE NORTH 35°45'11" WEST, 11.18 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 36.74 FEET AND WHOSE CHORD BEARS NORTH 77°51'03" WEST, 33.52 FEET; THENCE SOUTH 60°03'04" WEST, 537.51 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE EASTERLY WHOSE RADIUS IS 30.00 FEET, WHOSE ARC LENGTH IS 52.23 FEET AND WHOSE CHORD BEARS SOUTH 10°10'25" WEST, 45.88 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 2030.00 FEET, WHOSE ARC LENGTH IS 8.95 FEET AND WHOSE CHORD BEARS SOUTH 39°34'40" EAST, 8.95 FEET; THENCE SOUTH 50°32'55" WEST, 60.00 FEET; THENCE NORTHWESTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 1970.00 FEET, WHOSE ARC LENGTH IS 29.66 FEET AND WHOSE CHORD BEARS NORTH 39°52'57" WEST, 29.66 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 30.00 FEET, WHOSE ARC LENGTH IS 41.70 FEET AND WHOSE CHORD BEARS NORTH 80°07'53" WEST, 38.42 FEET; THENCE SOUTH 60°03'04" WEST, 52.76 FEET; THENCE NORTH 29°56'56" WEST, 60.00 FEET; THENCE NORTH 60°03'04" EAST, 26.86 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 30.00 FEET, WHOSE ARC LENGTH IS 54.45 FEET AND WHOSE CHORD BEARS NORTH 8°03'20" EAST, 47.28 FEET; THENCE NORTHWESTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 1970.00 FEET, WHOSE ARC LENGTH IS 162.67 FEET AND WHOSE CHORD BEARS NORTH 46°18'20" WEST, 162.62 FEET; THENCE NORTHWESTERLY ALONG A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 530.00 FEET, WHOSE ARC LENGTH IS 121.83 FEET AND WHOSE CHORD BEARS NORTH 42°05'10" WEST, 121.56 FEET; THENCE SOUTH 79°23'04" WEST, 404.05 FEET; THENCE NORTH 71°29'15" WEST, 40.06 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 500.00 FEET, WHOSE ARC LENGTH IS 127.38 FEET AND WHOSE CHORD BEARS NORTH 78°47'10" WEST, 127.04 FEET; THENCE NORTH 86°05'05" WEST, 220.24 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 500.00 FEET, WHOSE ARC LENGTH IS 276.88 FEET AND WHOSE CHORD BEARS SOUTH 78°03'04" WEST, 273.36 FEET; THENCE SOUTH 62°11'13" WEST, 197.52 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 50.00 FEET, WHOSE ARC LENGTH IS 23.34 FEET AND WHOSE CHORD BEARS SOUTH 75°33'34" WEST, 23.13 FEET; THENCE SOUTH 89°55'49" WEST, 71.87 FEET TO THE WEST LINE OF SAID GOVERNMENT LOT 12; THENCE NORTH 0°04'14" WEST ALONG THE WEST LINE OF SAID GOVERNMENT LOTS 12 AND 5, A DISTANCE OF 1325.75 FEET TO THE POINT OF BEGINNING AND CONTAINING 58.64 ACRES (2,554,262 SQUARE FEET).
The property shall remain under PUD zoning.

SECTION 2. MASTER PLAN AMENDMENT. The regulations contained within Ordinance No. 327 are replaced with the regulations contained within this Ordinance.

A. Master Plan Exhibit. The rezoning exhibit as prepared by CDA and dated January 29, 2019, is hereby adopted as the PUD Master Plan. The Master Plan and those additional guidelines as identified herein shall constitute the zoning requirements of the property. In the event of a conflict between the written terms of this Ordinance and the notations on the Master Plan, the written text of the Ordinance shall prevail.

B. Design Standards. The intent is to create building facades throughout this development that are varied and designed to provide visual interest to pedestrians and to establish a unique identity for the development. The architecture shall attempt to express a creative presentation by careful attention to exterior building materials and details, use of window/door layout, and change in building mass within the plane and roof design to lessen the plainness of appearance which can be characteristic of large commercial buildings. Building design, materials, trim, detailing, and colors shall provide continuity amongst buildings to unite all structures within the development into one project concept.

1. All sides to each building shall receive high quality materials, finishes, and details (360 degree architectural treatment).

2. All commercial and multi-family buildings shall have a minimum of 50% brick or stone (or high quality veneer). This percentage is calculated on each elevation excluding the roof, windows, and doors. Textured block can be used for this percentage when mixed in with other materials.

3. All HVAC equipment will be screened from view.

4. Roof lines shall be broken in elevation.

5. Wall lines shall be broken up to avoid large blank walls.

6. Trash enclosures shall be constructed of the same materials as the main building which it serves. Access gates should provide 100% screening of the interior of the enclosure. Chain link gates with screening are specifically not allowed.

7. Signs within the development shall be monument type. No pole or pylon signs will be permitted.

C. Conditions. The following conditions, restrictions, and regulations are adopted as a part of this approval:
1. Underlying zoning regulations. Unless otherwise specified herein, the development of the land shall be in accordance with the provisions of the following zoning districts:

   a. Area A: C-3 zoning district
   b. Area B: R-4 zoning district
   c. Area C: R-5 zoning district
   d. Area D: R-4 zoning district
   e. Area E: C-1 zoning district

2. Zoning Requirements Waived or Amended.

   a. Area A: The requirements of Section 165.45(6) are amended as follows: minimum front yard depth shall be reduced from 20 ft. to 0 ft. along Common Place only; minimum side yard width is 0 ft.

   b. Area B: The requirements of Table 165.39(6) are amended as follows: minimum front yard depth shall be reduced from 30 ft. to 25 ft.; minimum rear yard depth shall be reduced from 35 ft. to 25 ft.; minimum side yard width is 10 ft. on each side.

   c. Area C: A maximum land use intensity ratio of 4.0 shall be permitted.

   d. Area D:

      i. The requirements of Table 165.39(6) are amended as follows: minimum front yard depth shall be reduced from 30 ft. to 15 ft.; minimum rear yard depth shall be reduced from 35 ft. to 20 ft.; minimum side yard width shall be reduced from 10 ft. to 5 ft. on each side; minimum lot frontage shall be reduced from 90 ft. to 46 ft.; minimum lot area is reduced from 10,000 sq. ft. to 3,750 sq. ft..

      ii. The requirements of Section 165.39(2)(C) are amended as follows: multi-family dwellings are allowed when part of a townhouse residential complex of two or more such buildings, and provided such complex shall not exceed sixteen (16) dwelling units on each acre of lot area.

   e. Sign regulations: the requirements of Section 165.55, Sign Regulations, shall be amended to require monument signs within the PUD area. No pole or pylon signs shall be allowed within the development.
3. General Conformance to Subdivision Ordinance. Unless otherwise specified herein, the development of the land shall be in accordance with the Subdivision Ordinance of the City of Adel.

4. Subdivision Requirements Waived or Amended.

   a. The requirements of Section 166.32(12), sidewalks, are amended as follows: Developer shall install an 8 ft. wide sidewalk for a length of 3500 ft. within the Southbridge PUD. The exact location of the trail shall be determined in consultation with the City. The location shall be identified prior to approval of the final plat. The remaining sidewalks within the Development shall be standard 5 ft. wide sidewalks.

D. Use Restrictions. Permissible uses shall include the following:

1. Area A: C-3 permissible uses
2. Area B: R-4 permissible uses
3. Area C: single-family attached dwelling units (townhouses)
4. Area D: single-family detached dwelling units
5. Area E: elementary school use only

E. Roadway Construction & Improvements.

   1. Private road: Developer agrees to maintain ownership and maintenance of the main boulevard through the commercial portion of Southbridge Plat 3 included in area A as shown on the PUD Master Plan. This is the portion from Highway 169 east to the first public roadway that goes south. The roadway is currently identified as Common Place. Developer shall be responsible for the ongoing maintenance of this roadway. The roadway shall be constructed to the City’s specifications for public roadways, however, due to its connection with public streets. All remaining roadways within the Development shall be dedicated and accepted by the City of Adel as public streets.

   2. Improvements to Old Portland Road: Developer agrees to pave the unimproved section of Old Portland Road immediately adjacent to Southbridge Plat 3. This will be a 7” thick, 24’ wide PCC rural pavement section. This obligation is made in lieu of putting 50% of the cost of a full roadway section with curb/gutter and sewer into an escrow account. This will be the Developer’s full obligation of road improvements for this portion of Old Portland Road.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
SECTION 4. SEVERABILITY CLAUSE. If any section provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

First Reading Passed: April 9, 2019
Second Reading Passed: ________________________________
Third Reading Passed: ________________________________

Passed and adopted this _____ day of _____________, 2019.

__________________________
James F. Peters, Mayor

ATTEST:

__________________________
Angela Leopard, City Clerk

I, Angela Leopard, City Clerk of the City of Adel, Iowa, do hereby certify that the foregoing ordinance was passed and approved by the City Council of the City of Adel on the _____ day of _____________, 2019 and was published in the ____________, a newspaper of general circulation in the said City of Adel on the _____ day of _____________, 2019.

__________________________
Angela Leopard, City Clerk
PROPERTY DESCRIPTION

A PART OF GOVERNMENT LOTS 5, 11 AND 12 IN SECTION 8, TOWNSHIP 78 NORTH, RANGE 27 WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF Adel, POLK COUNTY, IOWA AND NEARLY DESCRIED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 5; THEN TO SOUTH 89°00'05" WEST ALONG SAID CENTERLINE, 251.00 FEET; THENCE SOUTH 35°45'11" EAST CONTINUING ALONG SAID CENTERLINE, 323.11 FEET; THENCE SOUTH 41°13'55" EAST ALONG SAID CENTERLINE, 251.00 FEET; THENCE SOUTH 89°55'49" WEST, 71.87 FEET TO THE WEST END OF SAID GOVERNMENT LOTS 5, 6, 11 AND 12 IN SECTION 6, TOWNSHIP 78 NORTH, RANGE 27 WEST.

PARTICULARLY DESCRIBED AS FOLLOWS:

THENCE NORTH 29°56'56" WEST, 60.00 FEET; THENCE NORTH 60°03'04" EAST, 26.86 FEET; THENCE NORTHERLY ALONG SAID CENTERLINE 262.71 FEET; THENCE SOUTH 54°14'49" WEST, 40.00 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 1970.00 FEET, WHOSE ARC LENGTH IS 29.66 FEET AND WHOSE CHORD BEARS SOUTH 75°33'34" WEST, 23.13 FEET; THENCE SOUTH 89°55'49" WEST, 71.87 FEET TO THE WEST END OF SAID GOVERNMENT LOTS 5, 6, 11 AND 12 IN SECTION 6, TOWNSHIP 78 NORTH, RANGE 27 WEST.

THENCE NORTH 29°56'56" WEST, 60.00 FEET; THENCE NORTH 60°03'04" EAST, 26.86 FEET; THENCE NORTHERLY ALONG SAID CENTERLINE 262.71 FEET; THENCE SOUTH 54°14'49" WEST, 40.00 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 1970.00 FEET, WHOSE ARC LENGTH IS 29.66 FEET AND WHOSE CHORD BEARS SOUTH 75°33'34" WEST, 23.13 FEET; THENCE SOUTH 89°55'49" WEST, 71.87 FEET TO THE WEST END OF SAID GOVERNMENT LOTS 5, 6, 11 AND 12 IN SECTION 6, TOWNSHIP 78 NORTH, RANGE 27 WEST.

THENCE NORTH 29°56'56" WEST, 60.00 FEET; THENCE NORTH 60°03'04" EAST, 26.86 FEET; THENCE NORTHERLY ALONG SAID CENTERLINE 262.71 FEET; THENCE SOUTH 54°14'49" WEST, 40.00 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 1970.00 FEET, WHOSE ARC LENGTH IS 29.66 FEET AND WHOSE CHORD BEARS SOUTH 75°33'34" WEST, 23.13 FEET; THENCE SOUTH 89°55'49" WEST, 71.87 FEET TO THE WEST END OF SAID GOVERNMENT LOTS 5, 6, 11 AND 12 IN SECTION 6, TOWNSHIP 78 NORTH, RANGE 27 WEST.

THENCE NORTH 29°56'56" WEST, 60.00 FEET; THENCE NORTH 60°03'04" EAST, 26.86 FEET; THENCE NORTHERLY ALONG SAID CENTERLINE 262.71 FEET; THENCE SOUTH 54°14'49" WEST, 40.00 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 1970.00 FEET, WHOSE ARC LENGTH IS 29.66 FEET AND WHOSE CHORD BEARS SOUTH 75°33'34" WEST, 23.13 FEET; THENCE SOUTH 89°55'49" WEST, 71.87 FEET TO THE WEST END OF SAID GOVERNMENT LOTS 5, 6, 11 AND 12 IN SECTION 6, TOWNSHIP 78 NORTH, RANGE 27 WEST.
NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of the City of Adel, State of Iowa.

Date of Meeting: April 22, 2019

Time of Meeting: 6:00 o'clock P.M.

Place of Meeting: Council Chambers, City Hall, 301 S. 10th Street, Adel, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

Storm Water Utility Improvements – Phase 1, Section 4 – North 15th Street

♦ Resolution approving construction contract and bond.

Such additional matters as are set forth on the additional _____________ page(s) attached hereto.

(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

City Clerk, Adel, Iowa
April 22, 2019

The City Council of the City of Adel, State of Iowa, met in ___________ session, in the Council Chambers, City Hall, 301 S. 10th Street, Adel, Iowa, at 6:00 o'clock P.M., on the above date. There were present Mayor ______________, in the chair, and the following named Council Members:

________________________________________

________________________________________

Absent: __________________________________

**********
Council Member __________ introduced the following Resolution entitled "RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND", and moved its adoption. Council Member _______________ seconded the motion to adopt. The roll was called and the vote was,

AYES: __________________________________________

__________________________________________

NAYS: _________________________________________

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ADEL, IOWA:

That the construction contract and bond executed and insurance coverage for the construction of certain public improvements described in general as Storm Water Utility Improvements – Phase 1, Section 4 – North 15th Street, and as described in detail in the plans and specifications heretofore approved, and which have been signed by the Mayor and Clerk on behalf of the City be and the same are hereby approved as follows:

Contractor: ____________________________________________ of ________________________________

Date of contract: ____________________________________________

Bond surety: _________________________________________

Date of bond: ____________________________________________

Portion of project: ____________________________________________
PASSED AND APPROVED, this ______ day of ___________________, 2019.

__________________________________________
Mayor

ATTEST:

__________________________________________
City Clerk
CERTIFICATE

STATE OF IOWA )
COUNTY OF DALLAS )

I, the undersigned City Clerk of the City of Adel, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the City showing proceedings of the City Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of public hearing and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of the agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the City hereto affixed this __________ day of ___________, 2019.

City Clerk, City of Adel, State of Iowa

(SEAL)
Resolution No. 19- 38

A RESOLUTION OPPOSING PROPOSED LEGISLATIVE CHANGES IN CITY FINANCE AND PROPERTY TAX REFORM (HF773, SF634, OR ANY RELATED MEASURES)

WHEREAS, the City Council of the City of Adel, Iowa believes that, in the spirit of Home Rule, city budgeting and spending is best left in the hands of locally elected governments; and

WHEREAS, the City of Adel is a growing city that takes great care to provide quality city services while remaining committed to conservative spending and responsible fund balances; and

WHEREAS, increasing city taxes are often the result of State mandates such as pension contributions and property tax rollbacks; and

WHEREAS, the property tax reform bills under consideration (currently HF773, SF634, or any related measures), which implement revenue growth caps, ending fund balance caps, and limit the permitted use of the Trust and Agency Levy, were developed with little input from stakeholders and may result in unintended consequences; and

WHEREAS, upon careful review and consideration of these proposals, the Adel City Council has determined that proposed revenue growth caps, proposed caps on ending fund balances, limits on the use of Trust & Agency Levy, and other property tax reform changes are unnecessary, are not in the best interest of taxpayers, and would have a negative impact on municipal services and citizens across Iowa, especially those in the City of Adel.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ADEL, IOWA, that:

1. The City of Adel opposes limitations on the authority of locally elected officials.
2. The City opposes proposed caps on property tax revenue growth.
3. The City opposes proposed caps on city ending fund balances.
4. The City opposes limitations on the permitted use of the Trust & Agency Levy for costs of pensions and employee benefits.
5. The City’s opposition is based on the following considerations:
   a. The City has demonstrated fiscal responsibility by maintaining a stable property tax levy over many years.
   b. City budgeting and spending should be determined and controlled at the local
level in the spirit of Home Rule.

c. Proposed limitations would require the City of Adel to issue more debt, cut or delay services and staffing across all departments, and severely impact the City’s ability to respond to growth efficiently and effectively.

d. Increasing annual expenditures are often the result of rising insurance costs, which are necessary to retain talented employees, and State mandates such as the City’s contributions to the Iowa Public Employees Retirement System.

e. Since each city has differing needs, goals, and financial considerations, uniform and arbitrary caps are not appropriate.

Passed and approved this 22\textsuperscript{nd} day of April, 2019.

\[
\begin{array}{c}
\text{James F. Peters, Mayor}
\end{array}
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Attest:

\[
\begin{array}{c}
\text{Angela Leopard, City Clerk}
\end{array}
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