

Cedar Rapids, Iowa, January 6, 2011; 12:00 Noon

Council met for an informational workshop in City Hall, 3851 River Ridge Drive NE, North Conference Room. Present, Mayor Corbett, Council members Karr, Podzimek, Shey, Shields, Swore and Vernon. Also present was City Manager Jeff Pomeranz. Absent, Council members Gulick and Wieneke.

A presentation was given by Jim Juranitch of Plasma Power LLC regarding plasma arc technology and the proposal to build a power plant in Marion.

Council adjourned at 1:06 PM.

Alissa Kaiser, Deputy City Clerk

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

January 11, 2011, 5:30 PM

City Council met in Regular Session in the Hiawatha City Hall Council Chambers, 101 Emmons Street, Hiawatha, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Pomeranz and City Attorney Sheronick.

The invocation was given by Fire Chaplain Rick Gail.

Pledge of Allegiance.

Council member Shey moved to approve the Agenda; seconded by Council member Gulick. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried. It was the unanimous consent of the Council to reconsider the vote approving the agenda. City Manager Pomeranz requested that Item Number 20 (Resolution granting permission for a proposed handrail extension to encroach onto portions of the existing right-of-way on the 12th Avenue side of 1150 6th Street SE as requested by Oakhill Jackson Brickstone, L.P.) be removed from the Consent Agenda and moved to Regular Agenda for discussion and requested that Item Number 33 (Presentation of Rebuild Iowa Office's Voluntary Acquisition Program Process Review Audit by Liz Van Zomeren) be scratched from the Agenda. Council member Wieneke requested that Item Number 14a. (Resolution appointing Monica Vernon as Mayor Pro-Tempore) be removed from the Consent Agenda and moved to the Regular Agenda for discussion. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted:

A public hearing was held to consider the vacation of a portion of an existing utility easement at 701 10th Street SE (a portion of vacated 6th Avenue SE right-of-way located between 8th Street SE and 10th Street SE), as requested by Mercy Medical Center. No comments or objections were heard or filed.

0001-01-11, vacating a portion of an existing utility easement at 701 10th Street SE (a portion of vacated 6th Avenue SE right-of-way located between 8th Street SE and 10th Street SE) as requested by Mercy Medical Center.

A public hearing was held to consider the vacation of a 2,007 square-foot parcel of excess City-owned right-of-way located southwesterly of and adjacent to 2615 Williams Boulevard SW (also known as Plat of Survey No. 1650 Parcel A) as requested by the City of Cedar Rapids. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance vacating a 2,007 square-foot parcel of excess City-owned right-of-way located southwesterly of and adjacent to 2615 Williams Boulevard SW (also known as Plat of Survey No. 1650 Parcel A) as requested by the City of Cedar Rapids, was presented and read the first time.

Council member Swore 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 Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the vacation of a 70-foot by 140-foot parcel of excess City-owned right-of-way located south of and adjacent to 1721 2nd Street SW and north of and adjacent to 1803 2nd Street SW (also known as Plat of Survey 1597 Parcel A) as requested by the City of Cedar Rapids. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance vacating a 70-foot by 140-foot parcel of excess City-owned right-of-way located south of and adjacent to 1721 2nd Street SW and north of and adjacent to 1803 2nd Street SW (also known as Plat of Survey 1597 Parcel A) as requested by the City of Cedar Rapids, was presented and read the first time.

Council member Vernon 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 Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider granting a change of zone for property north of 33rd Avenue SW and west of Samuel Court SW from A, Agriculture Zone District to RMF-1, Multiple Family Residence Zone District as requested by Morris Wood, LLC. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property north of 33rd Avenue SW and west of Samuel Court SW from A, Agriculture Zone District to RMF-1, Multiple

Family Residence Zone District as requested by Morris Wood, LLC, was presented and read the first time.

Council member Vernon 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 Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider granting a change of zone for property west of I-380 and south of Kenworth Court SW from C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District as requested by R. L. French Land Development, Inc. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property west of I-380 and south of Kenworth Court SW from C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District as requested by R. L. French Land Development, Inc, was presented and read the first time.

Council member Wieneke 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 Gulick. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the plans, specifications, form of contract and estimated cost for the WPCF Roughing Filter #2 Dome Replacement and Concrete Repair project (Engineer's estimated cost is \$1,446,000). No comments or objections were heard or filed.

0002-01-11, adopting plans, specifications, form of contract and estimated cost for the WPCF Roughing Filter #2 Dome Replacement and Concrete Repair project (Engineer's estimated cost is \$1,446,000).

A public hearing was held to consider the plans, specifications, form of contract and estimated cost for the Veteran's Memorial Stadium Repairs project. No comments or objections were heard or filed.

0003-01-11, adopting plans, specifications, form of contract and estimated cost for the Veteran's Memorial Stadium Repairs project.

Public comments were heard.

Council member Weineke moved to approve the Consent Agenda; seconded by Council member Gulick. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. January 25, 2011 – to consider public comments regarding identification of community development needs, program funding for development of proposed activities, and program performance for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, prior to developing an Annual Action Plan for program year FY11 funding;
- b. January 25, 2011 – to continue the disposition of excess City-owned property described as a 2,007 square-foot parcel of vacated right-of-way and a 15,328 square-foot vacant parcel located southwesterly of and adjacent to 2615 Williams Boulevard SW (legally described as Plat of Survey No. 1650 Parcel A & Parcel B) as requested by the City of Cedar Rapids;
- c. January 25, 2011 – to consider the vacation of the alley located southwesterly of 3rd Street NE, northeasterly of 2nd Street NE and between 1st Avenue NE and A Avenue NE (also known as Plat of Survey No. 1670 Parcel A), and that portion of 3rd Street NE located between the northwesterly right-of-way line of 1st Avenue NE and the southeasterly right-of-way line of A Avenue NE (also known as Plat of Survey No. 1669 Parcel A) as requested by the City of Cedar Rapids; and
- d. January 25, 2011 – to consider a Parking Asset Lease Agreement with the Renaissance Group, Inc. doing business as the Cedar Rapids Downtown District.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for January 25, 2011 and advertising for bids by publishing notice to bidders for the Water Pollution Control Facility A-1 Clarifier Rehabilitation project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on February 9, 2011 (Engineer's estimated cost is \$1,300,000).

Motion approving the beer/liquor/wine applications of:

- a. Al & Irene's BBQ House, 2020 North Town Lane NE;
- b. El Kahir Embassy Club, 1400 Blairs Ferry Road NE;
- c. Hawkeye Convenience Store East, 1581 1st Avenue SE;
- d. Otis' Tailgators Sports Bar, 3969 Center Point Road NE; and
- e. Todd's on the Go, 235 Edgewood Road NW.

Motion assessing (5) civil penalties for violation of State Code regarding the sale of cigarettes to minors against the following permit holders:

- a. Hy-Vee #4, 1556 1st Avenue NE, \$1,500
- b. Hy-Vee #2, 279 Collins Road NE, \$1,500

- c. Hy-Vee Gas #7, 3935 Blairs Ferry Road NE, \$300
- d. Cedar Rapids Marriott, 1200 Collins Road NE, \$300; and
- e. Point Tobacco and Liquor, 2000 Wiley Blvd. SW, Suite 106, \$300.

0004-01-11, approving payment of bills.

0005-01-11, approving payroll.

0006-01-11, approving transfer of funds to various departments.

0007-01-11, appointing Karl Cassell (effective through June 30, 2011) to the Voluntary Property Acquisition Advisory Committee.

0008-01-11, vote of thanks to Blake Jones for serving as the City of Cedar Rapids representative on the Corridor Metropolitan Planning Organization.

0009-01-11, vote of thanks to Edward Bertch for serving on the Grants and Programs Citizens Advisory Committee.

0010-01-11, accepting work and fixing amount to be assessed for the Wright Brothers Boulevard SW from 6th Street to Prairie View Lane Pavement Improvements project.

0011-01-11, accepting work and fixing amount to be assessed for the Ridgewood Meadows Sidewalk Infill Project (Viola Gibson Sidewalk Infill Project).

0012-01-11, accepting water system improvements for Phase I (Lots 1 - 42) of Crescent View 1st Addition and approving Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$148,545.

0013-01-11, accepting water system improvements in Whispering Pines 6th Addition and approving Maintenance Bond submitted by Rathje Construction Co., Inc. in the amount of \$10,872.

0014-01-11, accepting water system improvements in Whispering Pines 7th Addition and approving Maintenance Bond submitted by Rathje Construction Co., Inc. in the amount of \$20,715.

0015-01-11, accepting sanitary sewer improvements at the Archer Daniels Midland (ADM) Dry Grind Plant and approving Maintenance Bond submitted by Bowker Mechanical Contractors, LLC in the amount of \$164,599.

0016-01-11, accepting U.S. Cellular Center Temperature Controls Replacement project, final payment in the amount of \$13,545.24 to Control Installations of Iowa, Inc. (Final contract amount is \$270,904.79).

0017-01-11, accepting FY 2010 Sidewalk & Ramp Program, Contract No. 1, final payment in the amount of \$7,362.87 to TJ Construction Unlimited, Inc. (Final contract amount is \$147,257.47).

0018-01-11, accepting Detention Basin Repair Program, Phase II, final payment in the amount of \$9,240.33 to BWC Excavating, LC (Final contract amount is \$184,806.66).

0019-01-11, accepting 5th Avenue SE & 10th Street SE and Wenig Road NE & 42nd Street NE Traffic Signal Upgrade project, final payment in the amount of \$6,193.88 to Price Industrial Electric, Inc. (Final contract amount is \$123,877.56).

0020-01-11, accepting the FY10 Repair of Water Service Lines project, approving Maintenance Bond and authorizing final payment of retainage to B.G. Brecke, Inc. in the amount of \$21,553.60 (Final contract amount is \$488,455.24).

0021-01-11, authorizing Pauline Kikuts and Chuck Graham to attend Intergraph Records Management System Administrator training in Newport News, VA for a total amount of \$7,382.

0022-01-11, accepting a Warranty Deed in consideration of \$10 and other valuable consideration and a Utility Easement agreement in consideration of \$1 and other valuable consideration as submitted by 1815 First Avenue Development, LLC for additional 1st Avenue SE right-of-way and a utility easement adjoining property located at 1809 and 1847 1st Avenue SE.

0023-01-11, accepting a bid in the amount of \$80,101 from Scott and Gail Nau and approving a Quit Claim Deed for the disposition of 5.4 acres (more or less) of excess City-owned property located northeast of Eleanor Court SE, west of Valley View Drive SE and southeast of Broadview Drive SE.

0024-01-11, amending Resolution No. 1443-12-10 which authorized the execution of a Professional Services Agreement with Environmental Design International for a Hazardous Materials Survey within the footprint of the proposed Cedar Rapids Convention Complex for an amount not to exceed \$65,98 to correctly reflect that the amount of the approved contract is not to exceed \$54,398.50.

0025-01-11, amending Resolution No. 1424-12-10 which authorized the execution of a Professional Services Agreement with Snyder and Associates, Inc. in an amount not to exceed \$86,842 for design services in connection with the Kirkwood Boulevard Bridge at US Highway 30 Sidewalk Improvements project to correctly reflect that the amount of the approved contract is not to exceed \$95,600.

0026-01-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 17 properties in connection with the HUD Community Development Block Grant (FLOOD).

0027-01-11, Amendment No. 1 to renew Agreement for Miscellaneous Painting Services with D.A. Bunch Company for the Water Pollution Control Facility for the estimated annual expenditure of \$50,000 (original contract amount is \$90,000; renewal contract amount is \$50,000).

0028-01-11, Amendment No. 2 to renew Agreements for Pool Chemicals with Hydrite Chemical Co. and Pool Tech Midwest, Inc. for Aquatics for the estimated annual expenditure of \$54,000 (original contract amount is \$53,365.24; renewal contract amount anticipated to be approximately \$54,000).

0029-01-11, Amendment No. 7 to the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$19,141 for design services in connection with the 33rd Avenue SW, from Coyote Road to Remington Street Reconstruction project (original contract amount is \$257,710; total contract amount with this amendment is \$385,475).

0030-01-11, Amendment No. 1 to the Professional Services Agreement with Shoemaker & Haaland Professional Engineers specifying an increased amount not to exceed \$76,233.02 for design services in connection with the 34th Street SE at Indian Creek Tributary Bridge Replacement project (original contract amount is \$64,084.64; total contract amount with this amendment is \$140,317.69).

0031-01-11, Amendment No. 1 to a 28E Agreement with Iowa Network Services (INS) and the Iowa Telecommunications and Technology Commission, operating the Iowa Communications Network (ICN) for installation of handholes and conduit in the amount of \$36,829.16 in connection with the Joint Communications Network (JCN) project.

0032-01-11, Change Order No. 2 in the amount of \$12,821.48 plus 2.5 additional working days with Rathje Construction Company for the 38th Street NE Sidewalks From E Avenue to C Avenue (Both Sides) and from C Avenue to B Avenue (North Side) project (original contract amount is \$81,203.50; total contract amount with this amendment is \$94,084.96).

0033-01-11, Change Order No. 2 in the amount of \$39,741.02 with Horsfield Construction, Inc. & Subsidiary for the 6th Street SW Corridor Improvements from Waconia Avenue to Prairie Creek project (original contract amount is \$5,364,048.14; total contract amount with this amendment is \$5,404,028.16).

0034-01-11, Change Order No. 5 in the amount of \$39,893.40 with Peterson Contractors, Inc. for the East Post Road Over Indian Creek Bridge Replacement project (original contract amount is \$2,294,712.11; total contract amount with this amendment is \$2,361,857.68).

0035-01-11, Professional Services Agreement with Solum Lang Architects, LLC in an amount not to exceed \$299,225 for design services in connection with the Fire Station #3 project.

0036-01-11, Easement Quote Agreement in the amount of \$4,000 and accepting two Easement Grants from Hawkeye Land Co. for a non-exclusive easement for overhead electric wirelines in connection with the East Well Field Electric Grid Voltage Conversion project.

0037-01-11, Purchase Agreement in the amount of \$265 and accepting an Easement for Water Main Utility from TRI-BIN INC. from land located at 1105 60th Avenue SW in connection with the Locust Road SW from 66th Avenue SW to 600 Feet North of 60th Avenue SW Reconstruction project.

0038-01-11, Agreement with the Chicago Central & Pacific Railroad Company (CC&PRR) and the Iowa Department of Transportation (IDOT) for construction of railroad crossing safety improvements at the CC&PRR crossing at Interstate 380 and Blairs Ferry Road NE

0039-01-11, Fleet Services Division purchase of one Hydraulic Log Loader from Aspen Equipment Co. for the total amount of \$37,685.

0040-01-11, Amendment No. 13 to the Agreement for Emergency Structure Demolition - Sinclair Property with D.W. Zinser Company to reflect additional cost for an additional 123,085 cubic yards of fill dirt for the amount not to exceed \$947,754.50 (original contract amount is \$7,725,000; total contract amount with this amendment is \$20,985,854.50) (FLOOD).

0041-01-11, Amendment No. 5 to the Contract Agreement with the Iowa Department of Economic Development (IDED) increasing the grant award by an amount not to exceed \$2,900,000 for administration costs funded under the Community Development Block Grant (CDBG) program (original contract amount is \$95,474,137; total contract price with this amendment is \$156,242,461) (FLOOD).

0042-01-11, Amendment No. 4 to the Professional Services Agreement with Ryan Companies US, Inc. specifying an annual increase in hourly rates and authorizing Stage 2 activities, as provided for by the original agreement, in connection with the Paramount Theatre Flood Recovery project (original contract amount is \$3,260,778; total contract amount with this amendment is \$3,260,778) (FLOOD).

0043-01-11, Amendment No. 2 to the Professional Services Agreement with Ryan Companies US, Inc. specifying an annual increase in hourly rates as provided for by the original agreement, in connection with the Cedar Rapids Public Library project (original contract amount is \$2,059,574; total contract price with this amendment is \$2,059,574) (FLOOD).

0044-01-11, Amendment No. 7 to the Professional Services Agreement with Ryan Companies US, Inc. specifying an annual increase in hourly rates as provided for by the original agreement, in connection with the Select Facilities Flood Recovery project (current contract amount is \$5,170,677; total contract amount with this amendment is \$5,170,677) (FLOOD).

0045-01-11, Memorandum of Understanding with the Department of Army for receiving credit for work associated with construction of the City's Preferred Flood Management Strategy along the east side of the Cedar River (FLOOD).

0046-01-11, Professional Services Agreement with Neumann Monson PC in an amount not to exceed \$400,000 for design services in connection with the Time Check Recreation Center (PRE069) project and the A Street Maintenance Shop (PRE119) project (FLOOD).

0047-01-11, Agreement to Extend Agreement for Professional Services with Thoms Consulting, LLC supporting the administration of the Jumpstart Business Recovery Programs for an amount not to exceed \$12,000 (original contract amount was \$16,000; total contract amount with this extension is \$28,000) (FLOOD).

Discussion: Council member Wieneke

0048-01-11, appointing Monica Vernon as Mayor Pro-Tempore. Nays, Council members Gulick, Podzimek and Wieneke.

Discussion: Dave Elgin

A discussion was held regarding a request for a proposed handrail extension to encroach onto portions of the existing right-of-way on the 12th Avenue side of 1150 6th Street SE as requested by Oakhill Jackson Brickstone, L.P. It was the consensus of Council to defer action on this item and place a motion setting a public hearing to consider the vacation of this property on the January 25, 2011 agenda.

Report on bids for the WPC Facility Laboratory HVAC System Upgrades project. (Pat Ball)

Bids were received on January 5, 2011:

Modern Piping, Inc.	Cedar Rapids, IA	\$575,000.00
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0049-01-11, awarding and approving contract in the amount of \$575,000, bond and insurance of Modern Piping, Inc. for the WPC Facility Laboratory HVAC System Upgrades project (Engineer's opinion of probable cost is \$489,800).

Report on bids for the Demolition and Cleanup of Flood Damaged Properties for demolition and cleanup services of 69 flood damaged properties. (Pat Ball)

Bids were received on January 5, 2011:

BWC Excavating, LC	Solon, IA	351,502.15
Kelly Demolition, LLC	Mt. Vernon, IA	356,006.00
Young's General Contracting	Poplar Bluff, MO	427,978.00
Landwehr Construction, Inc.	St. Cloud, MN	492,250.00
Active Thermal Concepts	Hiawatha, IA	530,330.00

Ceres Environmental Services	Brooklyn Park, MN	700,623.00
Rathje Construction Co.	Marion, IA	776,300.00
DRC Emergency Services	Mobile, AL	Error in submittal

0050-01-11, awarding and approving contract for the amount not to exceed \$351,502.15, bond and insurance of BWC Excavating, LC for the Demolition and Cleanup of Flood Damaged Properties (FLOOD). Abstain, Council member Gulick.

Report on bids for the 2010 Raising Seminole Valley Vertical Wells project. (Pat Ball)

Bids were received on January 5, 2011:

The Northway Corporation	Marion, IA	\$191,342.00
Municipal Well & Pump	Waupun, WI	\$215,767.00
Gingerich Well & Pump, LLC	Kalona, IA	\$227,000.00
Layne Christensen Co.	Grimes, IA	\$244,000.00

0051-01-11, awarding and approving contract in the amount of \$215,767, bond and insurance of Municipal Well & Pump for the 2010 Raising Seminole Valley Vertical Wells project. (Engineer's opinion of probable cost is \$220,100) (FLOOD).

Discussion: Rob Davis

0052-01-11, requesting the Corridor Metropolitan Planning Organization (MPO) transfer up to \$250,000 of FY 2011 Surface Transportation Project (STP) Funds from Cedar Rapids' project to construct Tower Terrace Road NE from Robins Road to Council Street to the Iowa Department of Transportation (IDOT) for a 50% local metro area match to prepare an Interchange Justification Report (IJR) for Interstate 380 and Tower Terrace Road. Nay, Council member Karr.

Discussion: Sandi Fowler

A discussion was held regarding Council Committee structure. It was the consensus of Council to direct staff to create five Council committees: Development Committee, Finance & Administrative Services Committee, Flood Recovery Committee, Infrastructure Committee, and Public Safety Committee.

Discussion: Sandi Fowler

0053-01-11, Appropriation Agreement in the amount of \$2,100,000 between the Iowa Finance Authority and the City of Cedar Rapids for the rehabilitation and renovation of a federal courthouse and to meet flood mitigation standards.

Public comments were heard.

Various comments and concerns were expressed by the City Council and City Manager on a variety of topics. Discussions were held.

City Council adjourned at 7:05 PM to meet Tuesday, January 25, 2011 at 5:30 PM.

Amy Stevenson, City Clerk

Nay, Council member Gulick
Nay, Council member Karr
Nay, Council member Podzimek
Nay, Council member Wieneke
Abstain, Council member Gulick

Cedar Rapids, Iowa, January 18, 2011, 5:00 p.m.

City Council met for a Budget Work Session in City Hall, 3851 River Ridge Drive NE, North Conference Room. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz, Finance Director Casey Drew and Financial Analyst Heidi Stiffler. Absent, Council member Shey.

Budget highlights were presented by City Manager Jeff Pomeranz.

Council adjourned at 7:00 p.m.

Alissa Kaiser, Deputy City Clerk

Cedar Rapids, Iowa, January 20, 2011, 5:00 p.m.

City Council met for a Budget Work Session in City Hall, 3851 River Ridge Drive NE, North Conference Room. Present, Mayor Corbett (left at 5:10 p.m.), Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz, Finance Director Casey Drew and Financial Analyst Heidi Stiffler.

One motion was approved with all Council members voting “Aye”:

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing for January 25, 2011 and advertising for bids by publishing notice to bidders for the following bids: City Services Facility – Council Chambers – Millwork, Bid #0111-137; City Services Facility – Council Chambers – Furniture, Bid #0111-138; City Services Facility – Council Chambers – Electrical, Bid #0111-139; City Services Facility – Council Chambers – Acoustical Ceiling, Bid #0111-140; City Services Facility – Council Chambers – HVAC, Bid #0111-141; City Services Facility – Council Chambers – Carpet, Bid #0111-142; City Services Facility – Council Chambers – Doors & Hardware, Bid #0111-143; and City Services Facility – Council Chambers – Framing/Drywall, Bid #0111-144 and authorizing the Purchasing Manager, or designee, to receive and open the bids and publicly announce the results on January 31, 2011 (Estimate of cost is \$182,000).

Budget Overviews of the following Departments and Commissions were presented to the City Council by City Manager Pomeranz: Library, Veterans Memorial, Civil Rights, Fire, Police, Code Enforcement Division, Public Works, Community Development, Parks & Recreation, Information Technology, Finance, Human Resources, City Attorney, City Manager, Mayor and City Council, City Clerk. Budget overviews of the following areas were also presented by City Manager Pomeranz: Contingent Fund, Gateway Maintenance, Downtown District, Capital Replacement, Band, Pooled Revenues and Dam Operations.

Council adjourned at 6:55 p.m.

Alissa Kaiser, Deputy City Clerk

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

January 25, 2011, 5:30 PM

City Council met in Regular Session in the Hiawatha City Hall Council Chambers, 101 Emmons Street, Hiawatha, Iowa. Present, Mayor Corbett, Council members Karr, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Pomeranz and City Attorney Flitz. Absent, Council members Gulick and Podzimek.

The invocation was given by Police Chaplain Brian Fink.

Pledge of Allegiance.

A presentation of the FY 2010 Independent Audit Report was given by Sarah Bohnsack of McGladrey and Pullen, LLP.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted:

A public hearing was held to consider public comments regarding identification of community development needs, program funding for development of proposed activities, and program performance for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, prior to developing an Annual Action Plan for program year FY11 funding. No objections were heard or filed.

A public hearing was held to continue the disposition of excess City-owned property described as a 2,007 square-foot parcel of vacated right-of-way and a 15,328 square-foot vacant parcel located southwesterly of and adjacent to 2615 Williams Boulevard SW (legally described as Plat of Survey No. 1650 Parcel A & Parcel B) as requested by the City of Cedar Rapids. No objections were heard or filed.

0054-01-11, to continue the disposition of excess City-owned property described as a 2,007 square-foot parcel of vacated right-of-way and a 15,328 square-foot vacant parcel located southwesterly of and adjacent to 2615 Williams Boulevard SW (legally described as Plat of Survey No. 1650 Parcel A & Parcel B) as requested by the City of Cedar Rapids.

A public hearing was held to consider the vacation of the alley located southwesterly of 3rd Street NE, northeasterly of 2nd Street NE and between 1st Avenue NE and A Avenue NE (also known as Plat of Survey No. 1670 Parcel A), and that portion of 3rd Street NE located between the northwesterly right-of-way line of 1st Avenue NE and the southeasterly right-of-way line of A Avenue

NE (also known as Plat of Survey No. 1669 Parcel A) as requested by the City of Cedar Rapids. No objections were heard or filed.

Ordinance No. _____, being an Ordinance vacating the alley located southwesterly of 3rd Street NE, northeasterly of 2nd Street NE and between 1st Avenue NE and A Avenue NE (also known as Plat of Survey No. 1670 Parcel A), and that portion of 3rd Street NE located between the northwesterly right-of-way line of 1st Avenue NE and the southeasterly right-of-way line of A Avenue NE (also known as Plat of Survey No. 1669 Parcel A) as requested by the City of Cedar Rapids, was presented and read the first time.

Council member Swore 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 Wieneke. Approved, Ayes, Council members Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider a Parking Asset Lease Agreement with the Renaissance Group, Inc. doing business as the Cedar Rapids Downtown District. No objections were heard or filed.

A public hearing was held to consider the plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility A-1 Clarifier Rehabilitation project (Engineer's estimated cost is \$1,300,000). No objections were heard or filed.

0055-01-11, adopting plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility A-1 Clarifier Rehabilitation project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the following bids: City Services Facility–Council Chambers–Millwork; City Services Facility–Council Chambers–Furniture; City Services Facility–Council Chambers–Electrical; City Services Facility–Council Chambers–Acoustical Ceiling; City Services Facility–Council Chambers–HVAC; City Services Facility–Council Chambers–Carpet; City Services Facility–Council Chambers–Doors & Hardware; and City Services Facility–Council Chambers–Framing/Drywall (estimate of cost stated on the agenda was \$172,000, Sandy Pumphrey announced that there was a math error and that number should state \$182,000). One comment was heard. No objections were heard or filed.

0056-01-11, adopting plans, specifications, form of contract and estimated cost for the following bids: City Services Facility–Council Chambers–Millwork; City Services Facility–Council Chambers–Furniture; City Services Facility–Council Chambers–Electrical; City Services Facility–Council Chambers–Acoustical Ceiling; City Services Facility–Council Chambers–HVAC; City Services Facility–Council Chambers–Carpet; City Services Facility–Council Chambers–Doors & Hardware; and City Services Facility–Council Chambers–Framing/Drywall.

Public comments were heard.

Council member Wieneke moved to approve the Agenda; seconded by Council member Vernon. City Manager Pomeranz requested that the following changes be made:

- #8f The motion setting a public hearing for property at 1719 Aaron Drive NW be modified to read “to consider the vacation and disposition of City-owned right-of-way.” The word disposition was omitted in error on this action.
- #8g The motion setting a public hearing for property located northwesterly and adjacent to 12th Avenue SE and between 6th Street SE and 7th Street SE be modified to read “to consider the temporary encroachment and future vacation and disposition of a 2-foot by 65-foot parcel of existing City-owned right-of-way.” This is at the request of the petitioner Oakhill Jackson Brickstone, L.P.
- #19 The resolution authorizing City Council to approve funding of Entrepreneurial Development Center, Inc. (EDC) in FY 2011 for the amount of \$40,000 be scratched from the agenda.
- #26 The number of CDBG buyouts be changed from 46 to 43 because of final review that revealed a need to change the awards on three properties.
- #27s The published resolution incorrectly states that the contract amendment is for the HMGP program, rather than CDBG. A corrected resolution will be substituted.

Council member Karr requested that Item Numbers 27s. (Resolution authorizing execution of Amendment No. 5 to the Agreement for Flood Related - Acquisition Services for Construction Study Area and Neighborhood Revitalization Area with ProSource Technologies, Inc.) and 27t. (Resolution authorizing execution of Amendment No. 5 to the Agreement for Flood Related - Acquisition Services for HMGP Greenway Area with ProSource Technologies, Inc.) be removed from the Consent Agenda and moved to the Regular Agenda for discussion. Ayes, Council members Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Weineke moved to approve the Consent Agenda; seconded by Council member Vernon. Ayes, Council members Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. February 8, 2011 – to consider an Ordinance amending Chapter 33E of the Municipal Code, the Sign Code, deleting the reference to County Health Department in section 33E.20, billboards and replacing with reference to the City of Cedar Rapids Municipal Codes;
- b. February 8, 2011 – to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, Subsection 32.04.030.A.46 and the Permitted Use Table (Table 32.04-1) regarding Large Wind Energy Conservation Systems;
- c. February 8, 2011 – to consider granting a change of zone for property at 202 and 214 Blairs Ferry Rd NE from R-1, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by Leo and Jean Bauer;

- d. February 8, 2011 – to consider a Parking Asset Lease Agreement with the Renaissance Group, Inc. doing business as the Cedar Rapids Downtown District;
- e. February 8, 2011 – to consider the vacation of the alley southeasterly of 3rd Avenue SE, northwesterly of 4th Avenue SE and between 1st Street SE and 2nd Street SE as requested by the City of Cedar Rapids to accommodate the Paramount Theatre Flood Recovery and Renovation project;
- f. February 8, 2011 – to consider the vacation and disposition of a 60 square-foot parcel of excess City-owned right-of-way located west of and adjacent to 1719 Aaron Drive NW as requested by Kennene Real Estate Exchange, LC; and
- g. February 8, 2011 – to consider the temporary encroachment and future vacation and disposition of a 2-foot by 65-foot parcel of excess City-owned right-of-way located northwesterly and adjacent to 12th Avenue SE and between 6th Street SE and 7th Street SE (to be known as Plat of Survey No. 1682) as requested by Oakhill Jackson Brickstone, L.P.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing for February 8, 2011 and advertising for bids by publishing notice to bidders for the City Services Facility – Council Chambers – Audio/Visual and authorizing the Purchasing Manager, or designee, to receive and open the bids and publicly announce the results on February 9, 2011 (Estimate of cost is \$250,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for February 8, 2011 and advertising for bids by publishing notice to bidders for the Cedar Rapids Convention Complex Demolition, Site Work and Utility Package project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on February 16, 2011 (Architect’s estimated cost is \$2,000,000).

Motion approving the beer/liquor/wine applications of:

- a. Clarion Hotel and Convention Center, 525 33rd Avenue SW;
- b. Flamingo, 1211 Ellis Blvd NW;
- c. Hy-Vee #7, 5050 Edgewood Road NE;
- d. Irish Democrat, 3207 1st Avenue SE;
- e. Londoner, 3325 Center Point Road NE;
- f. Sip N Stir, 1119 1st Avenue SE; and
- g. Viking Lounge, 1971 16th Avenue SW.

Motion assessing a \$300 civil penalty against Gyro Hut, 1455 Mt. Vernon Road SE, for first violation of State Code regarding the sale of cigarettes to minors.

0057-01-11, approving payment of bills.

0058-01-11, approving payment of payroll.

0059-01-11, appointing Jeffrey A. Pomeranz (effective through December 31, 2011) to the Area Ambulance Board of Directors.

0060-01-11, adopting and levying final schedule of assessments and providing for the payment thereof for the Wright Brothers Boulevard SW from 6th Street to Prairie View Lane Pavement Improvements project.

0061-01-11, adopting and levying final schedule of assessments and providing for the payment thereof for the Ridgewood Meadows Sidewalk Infill Project (Viola Gibson Sidewalk Infill Project).

0062-01-11, accepting water system improvements in Woods Edge 1st Addition and approving Maintenance Bond submitted by Bowker Mechanical Contractors LLC in the amount of \$22,784.78.

0063-01-11, accepting concrete pavement in Ma & Pa's First Addition and approving Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$9,825.

0064-01-11, accepting the 12" Water Main Replacement Crossing Union Pacific Railroad Parallel to Bowling Street SW project, accepting Performance Bond and authorizing final payment in the amount of \$5,340.83 to Eastern Iowa Excavating & Concrete, LLC (Final contract amount is \$106,818.51).

0065-01-11, Amendment No. 2 to Agreement for Environmental Remediation and Demolition Services – Nuisance Structures with Rathje Construction Company, to deduct \$18,940 as the final change order for demolition services, accepting Performance Bond and authorizing final payment in the amount of \$8,753.70 to Rathje Construction Company for the Environmental Remediation and Demolition Services – Nuisance Structures (Final contract amount is \$175,074).

0066-01-11, adopting Cedar Rapids City Council Committees structure, responsibilities, and operational guidelines.

0067-01-11, authorizing Police Investigator Joseph Schmitz to attend The International Association of Computer Investigative Specialists Basic Certified Forensic Examiner (BCFE) Course in Maitland, Florida for an estimated amount of \$6,313.

0068-01-11, authorizing the removal of parking meters and establishing new bus stop zones, on the east and west sides of 3rd Street SE between 3rd and 4th Avenues.

0069-01-11, accepting Warranty Deed in consideration of \$1 and other valuable consideration and a Utility Easement agreement in consideration of \$1 and other valuable consideration as submitted by Human Services Campus of East Central Iowa for additional 8th Avenue SE right-of-way and a utility easement adjoining property located on the north side of 8th Avenue SE between 3rd Street SE and 4th Street SE.

0070-01-11, authorizing the proposed flood protection to encroach onto portions of existing public easements at 418 2nd Street NE as requested by Quaker Manufacturing, LLC.

0071-01-11, approving the Final Plat for D & S Novak Addition at 10400 Club Road.

0072-01-11, authorizing the Parks and Recreation Department to increase FTE's by .4 to fund a Temporary Project Manager for flood recovery (FLOOD).

0073-01-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 43 properties in connection with the HUD Community Development Block Grant (FLOOD).

0074-01-11, Amendment No. 1 to the Professional Services Agreement with A & J Associates, P.C. specifying an increased amount not to exceed \$5,800 for additional engineering services for the WPC Facility Laboratory HVAC System Upgrades project (original contract amount is \$31,000; total contract amount with this amendment is \$36,800).

0075-01-11, Amendment No. 1 to the Professional Services Agreement with Shoemaker & Haaland Professional Engineers in the amount of \$19,790 for the Water Main Replacement East of the C Street Crossing of US Highway 30 project (original contract amount is \$53,072.25; total contract amount with this amendment is \$72,862.25).

0076-01-11, Amendment No. 1 to renew Agreement for Auto Parts Program with Carquest Auto Parts and Sadler Power Train for Fleet Services for the estimated annual expenditure of \$250,000 (original contract amount was \$205,000; renewal contract amount is \$250,000).

0077-01-11, Supplemental Agreement No. 2 to the Contract for Professional Services with Howard R. Green Company specifying a change in the initial phase of the larger project and scope of services (no change in maximum contract amount) for design services for the Collins Road NE (IA 100) from Twixt Town Road to F Avenue project (original contract amount is \$1,353,577; total contract amount with this amendment \$1,483,229).

0078-01-11, Change Order No. 6 in the amount of \$36,435.70 with Gee Grading & Excavating, Inc. for the Williams Boulevard SW Improvements (Iowa 922/U.S. 151 Business) 8th Avenue to 16th Avenue project (original contract amount is \$1,355,126.52; total contract amount with this amendment is \$1,437,097.94).

0079-01-11, purchase of server hardware, software and support from Hewlett-Packard for the new Arbitrator Video System for the amount of \$51,528.62.

0080-01-11, Professional Services Agreement with Stanley Consultants, Inc. in an amount not to exceed \$58,000 for design services in connection with the Well Field 15kV Electric Cable Replacement Project.

0081-01-11, purchase of merchandise from Titleist for resale at the 4 golf course clubhouses in the amount of \$28,419.50 (sole source).

0082-01-11, Donation and Acceptance Agreement for the establishment of the Cedar Rapids Amphitheater Fund with the Greater Cedar Rapids Community Foundation.

0083-01-11, Agreement for the purchase and installation of vehicle Digital Video Recording Systems with Elliott Equipment Company for Solid Waste & Recycling Operations for the amount not to exceed \$145,134.

0084-01-11, Agreement with the Cedar Rapids Community School District establishing a School Resource Officer Program.

0085-01-11, Professional Services Agreement with Hall and Hall Engineers, Inc. in an amount not to exceed \$28,200 for design services in connection with the Detention Basin Repair Program project.

0086-01-11, Federal Aid Agreement in the amount of \$132,353 with the Iowa Department of Transportation (IDOT) for a Safe Routes to School Program Project in connection with the Harrison Elementary Sidewalks project.

0087-01-11, Agreement in the amount of \$1 from Timberland Partners XX, LLP, a Minnesota limited liability partnership, to construct on-street parallel parking for property at 254 Northpointe NE in connection with the Northland Avenue NE Reconstruction and Sidewalk Extension North of Collins Road NE to Blairs Ferry Road NE Sidewalk project.

0088-01-11, Non-Franchise Utility License Agreement with Iowa Network Services, Inc. for installing fiber optic cable and multiple ducts to provide for future expansion at various locations throughout the City's rights-of-way.

0089-01-11, Supplemental Agreement with the Iowa Department of Transportation (IDOT) in an estimated amount of \$40,000 for the 1st Avenue East from the Cedar River to 17th Street SE Hot Mix Asphalt (HMA) Joint and Crack Sealing project.

0090-01-11, Amendment No. 1 to the Professional Services Agreement with Stanley Consultants, Inc. specifying an increased amount not to exceed \$5,000 for additional engineering services for the Water Pollution Control Facility Generator Controls Upgrade project (original contract amount is \$83,000; total contract amount with this amendment is \$88,000) (FLOOD).

0091-01-11, Amendment No. 2 to the Agreement for Demolition Services for Flood Damaged Structures with Young's General Contracting, Inc. to reflect additional cost for quantities that exceed the original estimates for the amount not to exceed \$227,421.08 (original contract amount is \$948,941.28; total contract amount with this amendment is \$1,176,362.36) (FLOOD).

0092-01-11, Amendment No. 5 to the Grant Agreement with the Iowa Department of Economic Development (IDED) for the Expanded Business Recovery Program (Jumpstart 2 Business) providing for an additional \$30,000,000 (original grant award was \$7,500,000; total grant award with this amendment is \$50,000,000) (FLOOD).

0093-01-11, Amendment No. 2 to the Professional Services Agreement with Terracon Consultants, Inc. specifying an increased amount not to exceed \$54,550 for professional geotechnical services in connection with the Cedar Rapids Public Library project (original contract amount is \$36,050; total contract amount with this amendment is \$99,950).

0094-01-11, Amendment No. 3 to the Professional Services Agreement with OPN Architects, Inc. in an amount not to exceed \$155,300 for design services in connection with the Cedar Rapids Public Library project (FLOOD).

0095-01-11, Development Agreement with Interstate Power & Light Company for the disposition of 1800 10th Street SE (FLOOD).

0096-01-11, Fleet Services purchase of one New Holland L175 skid-steer loader from Kromminga Motors for the amount of \$26,200 (FLOOD).

0097-01-11, Professional Services Agreement with Terracon Consultants, Inc. in an amount not to exceed \$88,300 for environmental consulting services in connection with the Central Fire Station Relocation project (FLOOD).

0098-01-11, Professional Services Agreement with Terracon Consultants, Inc. in an amount not to exceed \$36,200 for environmental services in connection with the Animal Control Facility Flood Recovery project (FLOOD).

0099-01-11, Amendment No. 5 to the Agreement for Flood Related - Acquisition Services for Construction Study Area and Neighborhood Revitalization Area with ProSource Technologies, Inc. specifying an increased amount not to exceed \$693,900 to reflect an additional scope of work to collect ICC funds on behalf of the City for 257 demolished properties (original contract amount is \$4,859,200; total contract amount with this amendment is \$8,647,550) (FLOOD). Nays, Council members Karr and Vernon.

0100-01-11, Amendment No. 5 to the Agreement for Flood Related - Acquisition Services for HMGP Greenway Area with ProSource Technologies, Inc. specifying an increased amount not to exceed \$145,800 to reflect an additional scope of work to collect ICC funds on behalf of the City for 54 demolished properties (original contract amount is \$193,050; total contract amount with this amendment is \$602,350) (FLOOD). Nays, Council members Karr and Vernon.

Report on bids for the Veteran's Memorial Stadium Repairs project. (Rob Davis)

Bids were received on January 19, 2011:

Vector Construction, Inc., Cedar Rapids, IA	\$ 98,325.00
Tricon General Construction, Dubuque, IA	\$152,000.00
SPS Infrastructure, Inc., St. Paul, MN	\$157,948.00
Point Builders, LLC, Cedar Rapids, IA	\$174,996.00

0101-01-11, awarding and approving contract in the amount of \$98,325, bond and insurance of Vector Construction, Inc. for the Veteran's Memorial Stadium Repairs project.

Report on bids for the Garage Demolition and Cleanup of Flood Damaged Properties for Demolition and Cleanup Services of 135 Flood Damaged Properties. (Pat Ball)

Bids were received on January 12, 2011:

Kelly Demolition LLC, Mt. Vernon, IA	\$51,970
DW Zinser Company, Walford, IA	\$82,800
Dave Schmitt Construction, Cedar Rapids, IA	\$99,975
Young's General Contracting, Poplar Bluff, MO	\$180,420
Active Thermal Concepts, Hiawatha, IA	\$437,400

0102-01-11, awarding and approving contract for the amount not to exceed \$51,970, bond and insurance of Kelly Demolition LLC for the Garage Demolition and Cleanup of Flood Damaged Properties (FLOOD).

Discussion: Mayor Corbett

0103-01-11, requesting a special election be held on May 3, 2011 on the adoption of a local option sales and services tax for the purpose of providing federally required match of 35 percent and for construction of the City's preferred flood protection plan which protects both the east and west sides of the Cedar River and property tax relief from a portion of the tax being utilized for road repair and construction.

Discussion: Caleb Mason

0104-01-11, Development Agreement with Green Development, LLC for the redevelopment of two City-owned commercial properties in the Consolidated Central Urban Renewal Area (Riverside/Oak Hill Jackson HAND) at 624 and 629 12th Avenue SE (FLOOD).

Discussion: Greg Eyerly

0105-01-11, authorizing demolition of buildings at Quality Chef Complex at 327 11th Avenue SE, 309 11th Avenue SE, 1114 3rd Street SE and 1120 3rd Street SE except the warehouse and to direct the contractor to demolish the Day Building while attempting to save the façade (FLOOD).

A presentation of Rebuild Iowa Office's Voluntary Acquisition Program Process Review Audit was given by Liz Van Zomeren, Housing Specialist, Rebuild Iowa Office (FLOOD).

Ordinance No. 001-11, being an Ordinance granting a change of zone for property north of 33rd Avenue SW and west of Samuel Court SW from A, Agriculture Zone District to RMF-1, Multiple Family Residence Zone District as requested by Morris Wood, LLC, was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Karr. Approved, Ayes, Council members Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Vernon 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 Wieneke. Adopted, Ayes, Council members Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 002-11, being an Ordinance granting a change of zone for property located west of I-380 and south of Kenworth Court SW from C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District as requested by R. L. French Land Development, Inc., was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Vernon. Approved, Ayes, Council members Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Vernon 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 Wieneke. Adopted, Ayes, Council members Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 003-11, being an Ordinance vacating public ways and grounds in and to the property described as a 70-foot by 140-foot parcel of excess City-owned right-of-way located south of and adjacent to 1721 2nd Street SW and north of and adjacent to 1803 2nd Street SW (also known as Plat of Survey 1597 Parcel A) as requested by the City of Cedar Rapids, was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Karr. Approved, Ayes, Council members Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Vernon 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 Swore. Adopted, Ayes, Council members Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

0106-01-11, rescinding Resolution No. 1029-09-10 which accepted the bid for said property in the amount of \$8,000 from Joseph Zachar III and authorized execution and recordation of a Quit Claim Deed and authorizing new action to be taken including accepting bid and execution of a new Quit Claim Deed.

Public comments were heard.

Mayor Corbett announced the members and officers for each of the five Cedar Rapids City Council Committees.

Council member Vernon moved to go into closed session at 8:15 PM to discuss a personnel matter; seconded by Council member Wieneke. Council was polled. Ayes, Council members Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Vernon moved to come out of closed session; seconded by Council member Shields. Council was polled. Ayes, Council members Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 8:27 PM to meet Tuesday, February 8, 2011 at 5:30 PM.

Amy Stevenson, City Clerk

Nay, Council member Karr
Nay, Council member Vernon
Absent, Council member Gulick
Absent, Council member Podzimek

Cedar Rapids, Iowa, January 27, 2011, 5:00 p.m.

City Council met for a Budget Work Session in City Hall, 3851 River Ridge Drive NE, North Conference Room. Present, Mayor Corbett (left at 5:50 p.m.), Council members Gulick (present by phone until 6:15 p.m.), Karr, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz, Finance Director Casey Drew and Financial Analyst Heidi Stiffler. Absent, Council member Tom Podzimek.

Budget Overviews of the following Departments presented to the City Council by City Manager Jeff Pomeranz: Golf, Facility Maintenance, Fleet Maintenance, Joint Communications, Sewer, Solid Waste & Recycling, Transit, Water and Water Pollution Control. Budget overviews of the following areas were also presented by City Manager Pomeranz: Risk Management, Capital Improvement Projects and Department funding requests not included in FY12 budget.

Council adjourned at 6:50 p.m.

Alissa Kaiser, Deputy City Clerk

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

February 8, 2011, 5:30 PM

City Council met in Regular Session in the Hiawatha City Hall Council Chambers, 101 Emmons Street, Hiawatha, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Pomeranz and City Attorney Flitz.

The invocation was given by Fire Chaplain Phil Saunders.

Pledge of Allegiance.

Recognition was given by former Marion Mayor Vic Klopfenstein to those attending the Council meeting from the Russian Friendship Force-Open World Program.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted:

A public hearing was held to consider a proposed Amendment No. 2 to the Amended and Restated Consolidated Central Urban Renewal Area Plan which would incorporate the existing Mid-Town Urban Renewal Area. No comments or objections were heard or filed.

0107-02-11, approving Amendment No. 2 to the Amended and Restated Consolidated Central Urban Renewal Area Plan which would incorporate the existing Mid-Town Urban Renewal Area.

A public hearing was held to consider adoption of an amended tax increment ordinance for the Consolidated Central Urban Renewal Area to reflect the proposed Amendment No. 2 to the Plan. No comments or objections were heard or filed.

A public hearing was held to consider an Ordinance amending Chapter 33E of the Municipal Code, the Sign Code, deleting the reference to County Health Department in section 33E.20, billboards and replacing with reference to the City of Cedar Rapids Municipal Codes. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance amending Chapter 33E of the Municipal Code, the Sign Code, deleting the reference to County Health Department in section 33E.20, billboards and replacing with reference to the City of Cedar Rapids Municipal Codes, was presented and read the first time.

Council member Wieneke 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 Swore. Approved, Ayes,

Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, Subsection 32.04.030.A.46 and the Permitted Use Table (Table 32.04-1) regarding Large Wind Energy Conservation Systems. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, Subsection 32.04.030.A.46 and the Permitted Use Table (Table 32.04-1) regarding Large Wind Energy Conservation Systems, was presented and read the first time.

Council member Podzimek 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 Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider granting a change of zone for property at 202 and 214 Blairs Ferry Rd NE from R-1, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by Leo and Jean Bauer. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 202 and 214 Blairs Ferry Rd NE from R-1, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by Leo and Jean Bauer, was presented and read the first time.

Council member Vernon 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 Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider a Parking Asset Lease Agreement with the Renaissance Group, Inc. doing business as the Cedar Rapids Downtown District. One comment and one objection were heard. No written comments or objections were filed.

0108-02-11, authorizing execution of a Parking Asset Lease Agreement with the Renaissance Group, Inc. doing business as the Cedar Rapids Downtown District.

A public hearing was held to consider the vacation of the alley southeasterly of 3rd Avenue SE, northwesterly of 4th Avenue SE and between 1st Street SE and 2nd Street SE (also known as Plat of Survey No. 1635 Parcel A) as requested by the City of Cedar Rapids to accommodate the Paramount Theatre Flood Recovery and Renovation project. Comments and objections were heard. Two written objections were filed.

Ordinance No. _____, being an Ordinance vacating the alley southeasterly of 3rd Avenue SE, northwesterly of 4th Avenue SE and between 1st Street SE and 2nd Street SE (also known as Plat of Survey No. 1635 Parcel A) as requested by the City of Cedar Rapids to accommodate the Paramount Theatre Flood Recovery and Renovation project, was presented and read the first time.

Council member Vernon 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 Podzimek. Approved, Ayes, Council members Gulick, Podzimek, Shey, Swore, Vernon, Wieneke and Mayor Corbett. Nays, Council members Karr and Shields.

A public hearing was scheduled to consider the vacation and disposition of a 60 square-foot parcel of excess City-owned right-of-way located west of and adjacent to 1719 Aaron Drive NW as requested by Kennene Real Estate Exchange, L.C. The public hearing was cancelled at the request of the Cedar Rapids Public Works Department and will be rescheduled for a later date.

A public hearing was held to consider the temporary encroachment and future vacation of a 2-foot by 65-foot parcel of existing City-owned right-of-way located northwesterly of and adjacent to 12th Avenue SE and between 6th Street SE and 7th Street SE (to be known as Plat of Survey No. 1682) as requested by Oakhill Jackson Brickstone, L.P. No comments or objections were heard or filed.

0109-02-11, granting the temporary encroachment of existing City-owned right-of-way located northwesterly of and adjacent to 12th Avenue SE and between 6th Street SE and 7th Street SE (to be known as Plat of Survey No. 1682) as requested by Oakhill Jackson Brickstone, L.P.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the City Services Facility – Council Chambers – Audio Visual project (Estimate of cost is \$250,000). No comments or objections were heard or filed.

0110-02-11, adopting plans, specifications, form of contract and estimated cost for the City Services Facility – Council Chambers – Audio Visual project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar Rapids Convention Complex Demolition, Site Work and Utility Package project. (Architect's estimate of cost is \$2,000,000). No objections were heard or filed.

Council member Gulick moved to amend the Resolution adopting plans, specifications, form of contract and estimated cost for the Cedar Rapids Convention Complex Demolition, Site Work and Utility Package project to incorporate language which states an addendum shall be issued for this project to authorize bidders to submit bids with or without a Project Labor Agreement; seconded by Council member Shey. Ayes, Council members Gulick, Karr, Shey and Wieneke. Nays, Council members Podzimek, Shields, Swore, Vernon and Mayor Corbett. Motion failed.

0111-02-11, adopting plans, specifications, form of contract and estimated cost for the Cedar Rapids Convention Complex Demolition, Site Work and Utility Package project. Nays, Council members Gulick, Karr, Shey and Wieneke.

Public comments were heard.

Council member Wieneke moved to approve the Agenda; seconded by Council member Swore. City Manager Pomeranz requested that Item Number 32 (Resolution authorizing the commitment and use of FEMA alternate project funds in the amount of \$568,128.34 to be used towards the demolition of damaged replica exhibit buildings and to design and construct a lodge at Ushers Ferry Historic Village) be scratched from the agenda. Council member Vernon requested that Item Number 26 (Resolution concluding the Residential Property Disposition Program for the rehabilitation of properties acquired by the City through the Voluntary Property Acquisition Program) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Vernon moved to approve the Consent Agenda; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. February 22, 2011 – to consider amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates;
- b. February 22, 2011 – to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates;
- c. February 22, 2011 – to consider amending Chapter 24 of the Municipal Code, Solid Waste, by repealing existing rates and establishing new rates;

- d. February 22, 2011 – to consider disposition of City-owned property which is located in an urban renewal area at 1106 2nd Street SE (adjacent to CSPA Building) and is inviting competitive proposals from any persons interested in undertaking to acquire this real property, as allowed by the urban renewal plan and the 100-year floodplain regulations;
- e. February 22, 2011 – to consider the fiscal year 2012 annual budget and the ten year capital improvement program budget;
- f. February 22, 2011 – to consider the proposition to issue not to exceed \$40,859,000 General Obligation Bonds (Essential Corporate Purpose);
- g. February 22, 2011 – to consider the proposition to issue not to exceed \$5,291,000 General Obligation Bonds (Essential Corporate Purpose-Flood);
- h. February 22, 2011 – to consider the proposition to issue not to exceed \$76,000 General Obligation Bonds (General Corporate Purpose);
- i. February 22, 2011 – to consider the proposition to issue not to exceed \$1,000,000 General Obligation Bonds (General Corporate Purpose);
- j. February 22, 2011 – to consider the proposition to authorize a Loan Agreement and the issuance of not to exceed \$36,615,000 General Obligation Refunding Capital Loan Notes;
- k. February 22, 2011 – to consider the proposition to authorize a Loan and Disbursement Agreement and the issuance of not to exceed \$6,400,000 Sewer Revenue Capital Loan Notes to evidence the obligations of the City thereunder;
- l. February 22, 2011 – to consider the proposition to issue not to exceed \$6,885,000 Water Revenue Bonds; and
- m. February 22, 2011 – to consider the proposition to issue not to exceed \$10,000,000 General Obligation Bonds (US Cellular Center Project).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for February 22, 2011 and advertising for bids by publishing notice to bidders for the 18th Street SW, North of 33rd Avenue SW, Wetland Mitigation project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on February 23, 2011 (Engineer's estimated cost is \$128,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for February 22, 2011 and advertising for bids by publishing notice to bidders for the Locust Road SW from 66th Avenue SW to 600 Feet North of 60th Avenue SW Reconstruction project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on March 2, 2011 (Engineer's estimated cost \$1,000,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for February 22, 2011 and advertising for bids by publishing notice to bidders for the 2011 Phase 1 Medical District Street Improvements project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on March 2, 2011 (Engineer's estimated cost is \$195,000).

Motion filing plans, specifications, form of contract, estimated cost, and advertising for bids by publishing notice to bidders for the following bids: City Services Facility – Council

Chambers – Millwork; City Services Facility – Council Chambers – Furniture, and authorizing the Purchasing Manager, or designee, to receive and open the bids and publicly announce the results on February 14, 2011 (Estimate of cost is \$66,000).

Motion approving the beer/liquor/wine applications of:

- a. American Legion Hanford Post #5, 4719 J Street SW (new-previous license lapsed);
- b. Chrome Horse Slop House & Saloon, 1202 3rd Street SE;
- c. Down Town Field House, 401 1st Street SE;
- d. Hawkeye Convenience Store – Noelridge, 1120 Old Marion Road NE;
- e. Hot Harry's Fresh Burrito's, 4862 1st Avenue NE;
- f. May City Bowl, 1648 Trent Street SW;
- g. Osaka Japanese Steak House, 5001 1st Avenue SE, Suite 104 (new-new ownership);
- h. St. Andrew's Golf Club, 1866 Blairs Ferry Road NE;
- i. Sushi House, 2665 Edgewood Parkway SW, Suite 100;
- j. Tomaso's Pizza, 3234 Center Point Road NE;
- k. Toxic, 616 2nd Avenue SE (new – following a six month license); and
- l. Vineria Wine Shop, 264 Blairs Ferry Road NE.

0112-02-11, approving payment of bills.

0113-02-11, approving payment of payroll.

0114-02-11, approving transfer of funds to various departments.

0115-02-11, appointing Craig Seeley Jr. (effective through June 30, 2013) to the Storm Water Commission.

0116-02-11, intent to assess for Solid Waste & Recycling clean up costs at one property.

0117-02-11, levy assessment for Solid Waste & Recycling clean up costs at six properties.

0118-02-11, accepting sanitary sewer improvements in Woods Edge First Addition and approving Maintenance Bond submitted by Bowker Mechanical Contractors LLC in the amount of \$25,270.65.

0119-02-11, accepting storm sewer improvements in Woods Edge First Addition and approving Maintenance Bond submitted by Bowker Mechanical Contractors LLC in the amount of \$52,526.05.

0120-02-11, accepting concrete pavement in Woods Edge First Addition and approving Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$36,745.50.

0121-02-11, accepting sanitary sewer improvements in Stoney Point Meadows North Second Addition and approving Maintenance Bond submitted by Rathje Construction Co., Inc. in the amount of \$57,868.

0122-02-11, accepting storm sewer improvements in Stoney Point Meadows North Second Addition and approving Maintenance Bond submitted by Rathje Construction Co., Inc. in the amount of \$64,114.

0123-02-11, accepting concrete pavement in Stoney Point Meadows North Second Addition and approving Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$110,000.

0124-02-11, accepting sanitary sewer improvements in College Farms Third Addition and approving Maintenance Bond submitted by Bowker Mechanical Contractors, LLC in the amount of \$119,507.

0125-02-11, accepting storm sewer improvements in College Farms Third Addition and approving Maintenance Bond submitted by Bowker Mechanical Contractors, LLC in the amount of \$42,081.

0126-02-11, accepting Portland Concrete Cement paving in College Farms Third Addition and approving Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$117,934.55.

0127-02-11, accepting sanitary sewer improvements in Wilderness Estates Eighth Addition and approving Maintenance Bond submitted by Bowker Mechanical Contractors, LLC in the amount of \$15,998.

0128-02-11, accepting storm sewer improvements in Wilderness Estates Eighth Addition and approving Maintenance Bond submitted by Bowker Mechanical Contractors, LLC in the amount of \$41,433.

0129-02-11, accepting Portland Concrete Cement paving in Wilderness Estates Eighth Addition and approving Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$64,531.

0130-02-11, accepting Ellis Boulevard NW from I Avenue to E Avenue, E Avenue NW from Ellis Boulevard to 5th Street, 5th Street NW from E Avenue to C Avenue Force Main Improvements (Phase 5) project, final payment in the amount of \$116,425.82 to Dave Schmitt Construction Company (Final contract amount is \$2,328,516.30).

0131-02-11, accepting Flood Related Structure Demolition (Zone 1, RACM), final payment in the amount of \$45,174.33 to Kelly Demolition, LLC (Final contract amount is \$903,085.73) (FLOOD).

Resolutions (3) accepting refunds from the Union Pacific Railroad Company for overpayment on railroad surface improvement projects, with a total amount of \$4,241.07 due to the City of Cedar Rapids:

0132-02-11, accepting surface repair of railroad crossing on 8th Avenue SW, F.R.A. #190-520-F (Iowa Crossing 3899), final reimbursement by the Union Pacific Railroad Company of \$1,332.30.

0133-02-11, accepting surface repair of the railroad crossing on 6th Avenue SE, F.R.A. #190-503-P (Iowa Crossing No. 10040), final reimbursement by the Union Pacific Railroad of \$1,893.26.

0134-02-11, accepting surface repair of the railroad crossing on B Avenue NW, F.R.A. #190-516-R (Iowa Crossing No. 10081), final reimbursement by the Union Pacific Railroad of \$1,015.51.

0135-02-11, authorizing partial payment of retainage in the amount of \$1,461,408.17 to Miron Construction Co., Inc. for the Water Plants Disinfection System Improvements Project.

0136-02-11, authorizing City Council to approve funding of Entrepreneurial Development Center, Inc. (EDC) in fiscal year 2011 in the amount of \$100,000.

0137-02-11, accepting a Warranty Deed in consideration of \$1.00 and other valuable consideration as submitted by the International Church of Foursquare Gospel for additional 26th Street NW right-of-way adjoining property at 2322 26th Street NW.

0138-02-11, rescinding Resolution No. 1308-7-80, which established a "2 hour parking, 8:00 AM to 5:00 PM, except Saturday's, Sundays, and Holidays" zone on both sides of 7th Avenue SE between 3rd Street and the 4th Street railroad tracks and authorizing installation of parking meters in this same area.

0139-02-11, authorizing a temporary encroachment for construction of a wall by Quaker Manufacturing, LLC, on City-owned right-of-way located northwest of and adjacent to B Avenue NE, in connection with construction of flood protection at 418 2nd Street NE.

0140-02-11, authorizing execution of the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 38 properties in connection with the HUD Community Development Block Grant (FLOOD).

0141-02-11, Amendment No. 4 to renew Agreement for Elevator Services with KONE, Inc. for all city facilities for the annual expenditure not to exceed \$51,216 (original contract amount was \$75,576; renewal contract amount is \$51,216).

0142-02-11, Amendment No. 1 to the Personal Services Agreement with Frew Nations Group, LLC, specifying an increased amount not to exceed \$2,808,007 to add additional construction management services in connection with the Cedar Rapids Convention Complex project (original contract amount remains as a percentage of final project cost; total amount of contract price, including the Amendment, increases by an amount not to exceed \$2,808,007).

0143-02-11, Change Order No. 3 in the amount of \$74,846.20 with Peterson Contractors, Inc. for the 1st Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC Pavement Widening with HMA Resurfacing project (original contract amount is \$7,661,700.36; total contract amount with this amendment is \$8,083,484.43).

0144-02-11, Professional Services Agreement with Control System Integrators, Inc. to provide integration services on an as needed basis for a total annual amount not to exceed \$100,000.

0145-02-11, Matching Grant Agreement with the Hall-Perrine Foundation for the construction of the Cedar Rapids Downtown Riverfront Amphitheater for a maximum amount of \$1,000,000.

0146-02-11, Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. in an amount not to exceed \$246,000 for design services in connection with the Williams Boulevard SW from 1st Avenue to Menards Entrance and Edgewood Road SW from Williams Boulevard to 29th Avenue, Corridor Complete Streets Improvements project.

0147-02-11, Form of Agreement for Utility Relocation with Interstate Power and Light Company in the amount of \$231,023.61 in connection with the 3rd Street SE Reconstruction and Streetscape Improvements from 8th Avenue SE to 14th Avenue SE project.

0148-02-11, Parking Space Agreement with Intermecc Technologies Corporation for up to 200 parking spaces in the Fourth Avenue Parkade for a three year period (February 1, 2011 – January 21, 2014) with option to renew agreement for two additional three year periods.

0149-02-11, Amendment No. 1 to extend Agreement and to reflect the additional estimated costs through April 30, 2011 for Flood Related Debris Monitoring Services – Sinclair Property with Beck Disaster Recovery, Inc. for the amount not to exceed \$100,000 (original amount is \$211,302; total amount with this amendment is \$311,302); (FLOOD)

0150-02-11, Amendment No. 7 to the Professional Services Agreement with OPN Architects, Inc. specifying an increase not to exceed \$452,350 for design services in connection with the Paramount Theatre Flood Recovery project (original contract amount is \$3,453,500; total contract amount with this amendment is \$3,940,820) (FLOOD).

0151-02-11, Amendment No. 6 to the Contract Agreement with the Iowa Department of Economic Development (IDED) increase the grant award by an amount not to exceed \$7,374,255 for the voluntary acquisition and demolition of parcels funded under the Community Development Block Grant (CDBG) program (original contract amount is \$95,474,137; total contract amount with this amendment is \$163,616,716) (FLOOD).

0152-02-11, Change Order No. 2 in the amount of \$121,086 with Rice Lake Construction Group for the 2011 Cedar Rapids Water Pollution Control Facility, Permanent Flood Repairs – Package 1, Main Lift, SCADA Fiber Optic Network & CCTV/Security project (original contract amount is \$2,938,000; total contract amount with this amendment is \$3,131,318.37) (FLOOD).

0153-02-11, Addendum No. 2 to Agreement for Administrative Services for Small Business Disaster Recovery Financial Assistance Program with the Chamber of Commerce Foundation (FLOOD). Abstain, Council member Gulick.

0154-02-11, Addendum No. 1 to Agreement for Administrative Services for Extended Jumpstart Business Recovery Programs with Transitions Made Better, Inc. (FLOOD).

0155-02-11, Professional Services Agreement with French-Reneker-Associates, Inc. for an amount not to exceed \$145,100 for East and West Well Fields Well Raising Engineering Services (FLOOD).

0156-02-11, Professional Services Agreement for Archaeological Services – Flood Recovery with The Louis Berger Group for the amount not to exceed \$35,000 (FLOOD).

0157-02-11, Professional Services Agreement with Neumann Monson PC in an amount not to exceed \$37,000 for design services in connection with the Lodge at Ushers Ferry project (FLOOD).

0158-02-11, concluding the Residential Property Disposition Program for the rehabilitation of properties acquired by the City through the Voluntary Property Acquisition Program.

Report on bids for the WPCF Roughing Filter #2 Dome Replacement and Concrete Repair project. (Pat Ball)

Bids were received on February 2, 2011:

Tricon General Construction	Dubuque, IA	\$1,720,000
Vector Construction, Inc.	Cedar Rapids, IA	\$1,964,000

0159-02-11, awarding and approving contract in the amount of \$1,720,000, bond and insurance of Tricon General Construction for the 2011 WPCF Roughing Filter #2 Dome Replacement and Concrete Repair project (Engineer's opinion of probable cost is \$1,446,000). Nays, Council members Shields and Swore.

Report on bids for the following: City Services Facility – Council Chambers – Millwork; City Services Facility – Council Chambers – Furniture; City Services Facility – Council Chambers – Electrical; City Services Facility – Council Chambers – Acoustical Ceiling; City Services Facility – Council Chambers – HVAC; City Services Facility – Council Chambers –

Carpet; City Services Facility – Council Chambers – Doors & Hardware; and City Services Facility – Council Chambers – Framing/Drywall. (Diane Rodenkirk)

Bids were received on January 31, 2011:

City Services Facility – Council Chambers – Furniture

M. Hanson & Company	Cedar Rapids	\$13,000.73 (Exec & jury box chairs only)
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City Services Facility – Council Chambers – Electrical

Justice Electric Co.	Cedar Rapids	\$105,225
Duball Electric Inc.	Cedar Rapids	\$108,775

City Services Facility – Council Chambers – Acoustical Ceiling

Harger's Acoustics, Inc.	Ely	\$27,675
Acoustics by Washburn, LLC	Fairfax	\$30,430

City Services Facility – Council Chambers – HVAC

Climate Engineers, Inc.	Cedar Rapids	\$14,900
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City Services Facility – Council Chambers – Carpet

Carpet King Carpet One	Marion	\$3,182.48
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City Services Facility – Council Chambers – Doors & Hardware

Olmstead Construction	Cedar Rapids	\$6,958
Connerley Construction LLC	Cedar Rapids	\$3,500 per door

City Services Facility – Council Chambers – Framing/Drywall

Pearson Wall Systems	Cedar Rapids	\$7,950
Connerley Construction LLC	Cedar Rapids	\$13,000
Olmstead Construction	Cedar Rapids	\$16,882

0160-02-11, rejecting the bid received for the City Services Facility – Council Chambers – Millwork.

0161-02-11, awarding and approving contract for the amount of \$13,000.73, bond and insurance of M. Hanson & Company for the executive chairs and the jury box chairs for the City Services Facility – Council Chambers – Furniture.

0162-02-11, awarding and approving contract for the amount \$105,225, bond and insurance of Justice Electric Co. for the City Services Facility – Council Chambers – Electrical.

0163-02-11, awarding and approving contract for the amount of \$27,675, bond and insurance of Harger's Acoustics, Inc. for the City Services Facility – Council Chambers – Acoustical Ceiling.

0164-02-11, awarding and approving contract for the amount of \$14,900, bond and insurance of Climate Engineers, Inc. for the City Services Facility – Council Chambers – HVAC.

0165-02-11, awarding and approving contract for the amount of \$3,182.48, bond and insurance of Carpet King Carpet One for the City Services Facility – Council Chambers – Carpet.

0166-02-11, awarding and approving contract for the amount of \$6,958, bond and insurance of Olmstead Construction for the City Services Facility – Council Chambers – Doors & Hardware.

0167-02-11, awarding and approving contract for the amount of \$7,950, bond and insurance of Pearson Wall Systems for the City Services Facility – Council Chambers – Framing/Drywall.

Discussion: Matthew Widner

0168-02-11, establishing CDBG Project Management Program to oversee commercial and miscellaneous residential CDBG demolition activities for one year for an amount not to exceed \$507,800 which includes up to six temporary staff members and supporting equipment as approved eligible for IDDED/HUD reimbursement. Nay, Council member Swore.

Presentation by John Frew regarding the Cedar Rapids Convention Complex project.

Ordinance No. 004-11, being an Ordinance vacating public ways and grounds in and to the property described as the alley located southwesterly of 3rd Street NE, northeasterly of 2nd Street NE and between 1st Avenue NE and A Avenue NE, and that portion of 3rd Street NE located between the northwesterly right-of-way line of 1st Avenue NE and the southeasterly right-of-way line of A Avenue NE as requested by the City of Cedar Rapids was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Podzimek 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

0169-02-11, establishing an easement for access and utilities over portions of the alley located southwesterly of 3rd Street NE, northeasterly of 2nd Street NE and between 1st Avenue NE and A Avenue NE.

Ordinance No. 005-11, being an Ordinance vacating the public ways and grounds in and to the property described as a 2,007 square-foot parcel of excess City-owned right-of-way located southwesterly of and adjacent to 2615 Williams Boulevard SW as requested by the City of Cedar Rapids was presented and read the second time.

Council member Podzimek moved the approval of the Ordinance on its second reading; seconded by Council member Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Podzimek 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public comments were heard.

Comments were expressed by Council members on a variety of topics.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 8:11 PM to meet Tuesday, February 22, 2011 at 5:30 PM.

Amy Stevenson, City Clerk

Nay, Council member Gulick
Nay, Council member Karr
Nay, Council member Shey
Nay, Council member Shields
Nay, Council member Swore
Nay, Council member Wieneke
Abstain, Council member Gulick

-----Original Message-----

From: Stevenson, Amy
Sent: Thursday, February 10, 2011 3:14 PM
To: cbmartincrg@mchsi.com
Cc: City Council; Kaiser ,Alissa; Miller, Wanda
Subject: Library Lease - Westdale Mall

Hi Carol, at Tuesday's Council meeting you stated that you were trying to locate a copy of the Library lease for the Westdale Mall location. This lease is between the Library Board of Trustees and Cedar Rapids Properties, Inc. (Westdale). Since the lease is not approved by the City Council the City Clerk's Office would not have this lease on file in our office. Amendment No. 3 to the Library Lease was provided to us by the Library staff and is attached for your review. Please let me know if you have questions or if I can be of further assistance. Thank you.

Amy Stevenson
City Clerk, Cedar Rapids City Clerk's Office City of Cedar Rapids, 3851 River Ridge Drive NE,
Cedar Rapids, IA 52402

Office: (319) 286-5061
Fax: (319) 286-5130
E-mail: a.stevenson@cedar-rapids.org

Web site: www.cedar-rapids.org

----- Original Message -----

From: Julie Sina <JulieSi@cedar-rapids.org>
To: cbmartincrg@mchsi.com
Cc: Gail Loskill <G.Loskill@cedar-rapids.org>
Sent: Thu, 10 Feb 2011 12:59:26 -0600 (CST)
Subject: FW: Hall Perrine Cedar Rapids Downtown Riverfront Amphitheater Agreement

Hello Carol,
I hope you are keeping warm during this cold snap.

What follows is information in regard to the Hall Perrine Amphitheater Matching Funds Agreement:

The \$1,000,000 from Hall Perrine is a matching grant whereby the foundation will award one dollar for every one dollar raised for the project.

Thus far the City has secured (including the Hall Perrine grant) \$1,778,625 resulting in a balance of \$221,375 to secure. The donations are as follows: Aegon and Rockwell Collins contributed \$225,000 each, CRST \$100,000, Alliant \$180,000 in kind (which counts toward the

matching grant), the balance of the funds raised is in smaller donations from businesses and individuals.

With the approval of the FY12 CIP budget \$672,000 will be allocated to the Amphitheater Project: of this amount \$507,000 is the amount needed to secure the \$2 million RECAT grant and the \$165,000 is the gap that the City may cover should fund raising fall short. The Parks and Recreation Commission along with staff have formed a committee to raise the balance needed and feel confident this will happen.

If you have further questions, please feel free to contact me.

Thank you.

Julie Sina
Director, Parks and Recreation
City of Cedar Rapids, 3601 42nd St. NE, Cedar Rapids, IA 52402

Office: (319) 286-5734
Fax: (319) 294-1970
juliesi@cedar-rapids.org<<mailto:juliesi@cedar-rapids.org>>

Ms. Bilisland,
The City has a contract with Ament, Inc. for consulting design in the amount of \$199,700. Of that contract, \$183,355 has been expended to date.

I believe this should complete the information you requested at City Council meeting last week. Thanks.

Robert Davis, P.E.
City of Cedar Rapids Public Works Dept
319-286-5802
r.davis@cedar-rapids.org

From: Billie [<mailto:hapybrat@mchsi.com>]
Sent: Wednesday, February 16, 2011 7:47 PM
To: Davis, Rob
Subject: Re: 5131 Council St NE - Progress and schedule update

thank you so very much...billie

----- Original Message -----

From: [Davis, Rob](#)

To: [Billie](#)

Sent: Wednesday, February 16, 2011 5:07 PM

Subject: RE: 5131 Council St NE - Progress and schedule update

I will get that information for you by 2/18. If there is anything else, please let me know.

Robert Davis, P.E.

City of Cedar Rapids Public Works Dept

319-286-5802

r.davis@cedar-rapids.org

From: Billie [<mailto:hapybrat@mchsi.com>]

Sent: Wednesday, February 16, 2011 3:24 PM

To: Davis, Rob

Subject: Re: 5131 Council St NE - Progress and schedule update

thank you for the information...I realize that you were not at the meeting, but Dave Elgin was...I would also like you to send me information on the amount of money for any engineering company that would have worked the project...thank you again...billie bilisland

----- Original Message -----

From: [Davis, Rob](#)

To: hapybrat@mchsi.com

Sent: Tuesday, February 15, 2011 9:35 AM

Subject: RE: 5131 Council St NE - Progress and schedule update

Ms. Bilisland,

This email follows up on your question at last week's Council meeting. The plan to relocate 51st Street northerly to across from Park Place NE has not changed. The design has been essentially completed over the past 2 years. The City has begun negotiating for some minor (by comparison to the Pei's lot) acquisitions. As the Collins Road project (which initiated the need for 51st Street relocation) is not ready to proceed here, construction funding for 51st Street is not available, and acquisition staff has additional work with the flood projects, 51st Street acquisitions are not a top priority currently. We would expect some to be completed in 2011.

51st Street's construction schedule is undetermined, due to mentioned construction funding need. 51st Street relocation will need to be completed prior to Collins Road being reconstructed to 6 lanes, which is also awaiting funding and has an undetermined construction schedule.

I wasn't at the Council meeting to hear your exact questions. Please let me know if this response has addressed all your questions. Thanks.

Robert Davis, P.E.

City of Cedar Rapids Public Works Dept

319-286-5802

r.davis@cedar-rapids.org

Cedar Rapids, Iowa, February 11, 2011; 11:00 AM

City Council met for a Special Session in City Hall, 3851 River Ridge Drive NE, North Conference Room. Present, Mayor Corbett, Council members Gulick, Karr, Shields, Swore and Wieneke. Council members Shey and Vernon participated and voted on the Resolution by way of telephone. Also present was City Manager Jeff Pomeranz. Absent, Council member Podzimek.

Council member Wieneke moved to approve the Agenda; seconded by Council member Gulick. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Report on bids for the City Services Facility – Council Chambers – Audio Visual Project. (Diane Rodenkirk)

Bids were received on February 9, 2011:

Bids received:

Pratt Audio-Visual & Video Corporation	Hiawatha, IA	\$124,690.00
Sound Concepts, Inc.	Cedar Rapids, IA	\$134,147.81
ECS, Inc.	Davenport, IA	\$152,250.00
Communication Engineering Company	Hiawatha, IA	\$154,788.00
D.B. Acoustics, Inc.	Marion, IA	\$164,980.00

The following resolution was approved with all Council members voting “Aye”:

0170-02-11, awarding and approving contract for the amount not to exceed \$124,690, bond and insurance of Pratt Audio-Visual & Video Corporation for City Services Facility – Council Chambers – Audio Visual Project.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Meeting adjourned at 11:05 AM.

Amy Stevenson, City Clerk

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

February 22, 2011, 5:30 PM

City Council met in Regular Session in the Hiawatha City Hall Council Chambers, 101 Emmons Street, Hiawatha, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Pomeranz and City Attorney Sheronick.

The invocation was given by Police Chaplain Tim Carter.

Pledge of Allegiance.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted:

A public hearing was held to consider the fiscal year 2012 annual budget and the ten year capital improvement program budget. Two objections were heard and two written objections were filed.

A public hearing was held to consider amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates. One objection was heard. No written comments or objections were filed.

A public hearing was held to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates. One objection was heard. No written comments or objections were filed.

A public hearing was held to consider amending Chapter 24 of the Municipal Code, Solid Waste, by repealing existing rates and establishing new rates. No comments or objections were heard or filed.

A public hearing was held to consider the proposition to issue not to exceed \$40,859,000 General Obligation Bonds (Essential Corporate Purpose). No comments or objections were heard or filed.

0171-02-11, instituting proceedings to take additional action for the issuance of not to exceed \$40,859,000 General Obligation Bonds (ECP).

A public hearing was held to consider the proposition to issue not to exceed \$5,291,000 General Obligation Bonds (Essential Corporate Purpose-Flood). No comments or objections were heard or filed.

0172-02-11, instituting proceedings to take additional action for the issuance of not to exceed \$5,291,000 General Obligation Bonds (ECP). (FLOOD)

A public hearing was held to consider the proposition to issue not to exceed \$76,000 General Obligation Bonds (General Corporate Purpose). Two comments were heard. No objections were heard or filed.

0173-02-11, instituting proceedings to take additional action for the issuance of not to exceed \$76,000 General Obligation Bonds (GCP).

A public hearing was held to consider the proposition to issue not to exceed \$1,000,000 General Obligation Bonds (General Corporate Purpose). No comments or objections were heard or filed.

0174-02-11, instituting proceedings to take additional action for the issuance of not to exceed \$1,000,000 General Obligation Bonds (GCP).

A public hearing was held to consider the proposition to authorize a Loan Agreement and the issuance of not to exceed \$36,615,000 General Obligation Refunding Capital Loan Notes. No comments or objections were heard or filed.

0175-02-11, instituting proceedings to take additional action for the issuance of not to exceed \$36,615,000 General Obligation Refunding Capital Loan Notes.

A public hearing was held to consider the proposition to authorize a Loan and Disbursement Agreement and the issuance of not to exceed \$6,400,000 Sewer Revenue Capital Loan Notes to evidence the obligations of the City thereunder. No comments or objections were heard or filed.

0176-02-11, instituting proceedings to take additional action for the issuance of not to exceed \$6,400,000 Sewer Revenue Capital Loan Notes (SRF).

A public hearing was held to consider the proposition to issue not to exceed \$6,885,000 Water Revenue Bonds. No comments or objections were heard or filed.

0177-02-11, instituting proceedings to take additional action for the issuance of not to exceed \$6,885,000 Water Revenue Bonds.

A public hearing was held to consider the proposition to issue not to exceed \$10,000,000 General Obligation Bonds (US Cellular Center Project). No comments or objections were heard or filed.

0178-02-11, instituting proceedings to take additional action for the issuance of not to exceed \$10,000,000 General Obligation Bonds (U.S. Cellular Project).

A public hearing was held to consider disposition of City-owned property which is located in an urban renewal area at 1106 2nd Street SE (adjacent to CSPS Building) as allowed by the

urban renewal plan and the 100-year floodplain regulations. No comments or objections were heard or filed.

A public hearing was held to consider the plans, specifications, form of contract and estimated cost for the 18th Street SW, North of 33rd Avenue SW, Wetland Mitigation project (Engineer's estimated cost is \$128,000) No comments or objections were heard or filed.

0179-02-11, adopting plans, specifications, form of contract and estimated cost for the 18th Street SW, North of 33rd Avenue SW, Wetland Mitigation project.

A public hearing was held to consider the plans, specifications, form of contract and estimated cost for the Locust Road SW from 66th Avenue SW to 600 Feet North of 60th Avenue SW Reconstruction project (Engineer's estimated cost is \$1,000,000) No comments or objections were heard or filed.

0180-02-11, adopting plans, specifications, form of contract and estimated cost for the Locust Road SW from 66th Avenue SW to 600 Feet North of 60th Avenue SW Reconstruction project.

A public hearing was held to consider the plans, specifications, form of contract and estimated cost for the 2011 Phase 1 Medical District Street Improvements project (Engineer's estimated cost is \$195,000). No comments or objections were heard or filed.

0181-02-11, adopting plans, specifications, form of contract and estimated cost for the 2011 Phase 1 Medical District Street Improvements project.

Public comments were heard.

Council member Wieneke moved to approve the Agenda; seconded by Council member Karr. Council member Shields requested that Item Number 28 (Resolutions accepting the fair market value for damages due to loss of access and parking as a result of the alley vacation in connection with the Paramount Theatre Flood Recovery project) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Vernon moved to approve the Consent Agenda; seconded by Council member Wieneke. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. March 8, 2011 – to consider the vacation and disposition of public ways and grounds in and to the property described as a 60 square-foot parcel of existing City-owned right-of-way located west of and adjacent to 1719 Aaron Drive NW

(also known as Plat of Survey 1667 Parcel A) as requested by Kennene Real Estate Exchange, LC.;

- b. March 8, 2011 – to consider amending the Future Land Use Map in the City's Comprehensive Plan from Low Density Residential to Office, for property at 711 and 715 10th Avenue SE as requested by Community Health Free Clinic for property owned by Linda S. Floyd;
- c. March 8, 2011 – to consider granting a change of zone for property located at 711 and 715 10th Avenue SE from R-TN, Traditional Neighborhood Residence Zone District and RMF-1, Multiple Family Residence Zone District to O-S, Office/Service Zone District as requested by Community Health Free Clinic for property owned by Linda S. Floyd;
- d. March 22, 2011 – to consider the annexation of property located south of Beverly Road SW and west of Pro Farmer Road and owned by James and Amber Dostal;
- e. March 22, 2011 – to consider the Public Housing Agency (PHA) 5-Year Plan, the Public Housing Agency (PHA) Annual Plan and amendments to the (PHA) Section 8 Housing Choice Voucher (HCV) Program Administrative Plan, including the Family Self-Sufficiency Action Plan and the Homeownership Option Plan;
- f. March 22, 2011 – to consider amending the FY10 Annual Action Plan for the Community Development Block Grant (CDBG) Program to reallocate \$30,000 in funding from an approved parking lot rehabilitation project to gym floor rehabilitation as requested by The Salvation Army; and
- g. April 12, 2011 – to consider a request for an Urban Revitalization Area designation for construction of a commercial/light industrial facility adjacent to Interstate 380 just south of Kenworth Court SW.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for March 8, 2011 and advertising for bids by publishing notice to bidders for the Five Seasons Parkade Lighting Retrofit project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on March 16, 2011 (Engineer's estimated cost is \$180,000).

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for March 8, 2011 and advertising for bids by publishing notice to bidders for Fiber Optic Cabling Material and authorizing the Purchasing Manager, or designee, to receive and open the bids and publicly announce the results on March 16, 2011 (Estimate of cost is \$1,700,000).

Motion approving the beer/liquor/wine applications of:

- a. Break Room, 3108 1st Avenue NE;
- b. Bushwood's Sports Bar & Grill, 350 Edgewood Road NW;
- c. Deanoz Sports Bar & Grill, 3707 1st Avenue SE;
- d. Hy-Vee Drugstore #5, 2001 Blairs Ferry Road NE;
- e. JM O'Malley's, 1502 H Avenue NE (outdoor service from March 13 – 19, 2011 for events on March 13, 17, 19, 2011);
- f. Just Jules Pub & Restaurant, 835 Center Point Road NE;
- g. Paddy O'Rourke's, 608 16th Street NE (outdoor service for March 17 – 18, 2011);
- h. Parlor City Pub & Eatery, 1125 3rd Street SE;
- i. Pancho's Mexican Grill, 4701 1st Avenue SE #1;
- j. Road Ranger #147, 1430 1st Avenue NE;

- k. Road Ranger #148, 550 Wilson Avenue SW;
- l. Road Ranger #149, 2349 Blairs Ferry Road NE;
- m. Road Ranger #150, 3330 16th Avenue SW;
- n. Road Ranger #151, 380 Blairs Ferry Road NE;
- o. Sammy's Lounge, 5519 Center Point Road NE (new – change in ownership);
- p. St. Matthew's Church, 2310 1st Avenue NE (5 – day license for an event on March 5, 2011, at Regis Middle School, 735 Prairie Drive NE);
- q. Target Store T-1768, 1030 Blairs Ferry Road NE;
- r. 3rd Base Sports Bar & Brewery, 500 Blairs Ferry Road NE;
- s. Ting's Red Lantern, 540 Boyson Road NE; and
- t. Zins, 227 2nd Avenue SE.

0182-02-11, approving payment of bills.

0183-02-11, approving payment of payroll.

0184-02-11, approving the special event application for the SAPADAPASO's St. Patrick's Day Parade on March 17, 2011.

0185-02-11, approving the special event application for the Czech Village Association's St. Joseph's Day Parade on March 19, 2011.

0186-02-11, intent to assess for Utilities - Water Division delinquent municipal utility bills at 25 properties.

0187-02-11, accepting sanitary sewer in 76th Avenue Industrial Park Second Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$485.

0188-02-11, accepting storm sewer in 76th Avenue Industrial Park Second Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$41,427.

0189-02-11, accepting concrete pavement in 76th Avenue Industrial Park Second Addition and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$75,000.

0190-02-11, accepting sanitary sewer in Human Services Campus of East Central Iowa site and approving 2-year Maintenance Bond submitted by Bowker Mechanical Contractors, LLC in the amount of \$19,875.

0191-02-11, accepting storm sewer in Wilderness Estates Seventh Addition; approving 2-year Maintenance bond submitted by Maxwell Construction in the amount of \$41,882; authorizing reimbursement to Steenhoek, Ltd. in the amount of \$8,375.05 for storm pipe.

0192-02-11, accepting 3rd Avenue and 14th Street SE Storm Sewer Connection project, final payment in the amount of \$3,007.86 to Pirc-Tobin Construction, Inc. (Final contract amount is \$60,157.10).

0193-02-11, accepting Demolition Services for Flood Damaged Structures, final payment in the amount of \$58,818.12 to Young's General Contracting, Inc. (Final contract amount is \$1,176,362.36) (FLOOD).

0194-02-11, rescinding Resolution No. 1431-12-10 for final payment and authorizing execution of Amendment No. 6 to agreement for Flood Related Structure Demolition with Kelly Demolition, LLC, in an amount of \$40,376.29 and Amendment No. 7 in an amount of \$79,741.64 as the final change order for demolition services and accepting project and performance bond and authorizing issuance of final payment for the amount of \$32,404.23 to Kelly Demolition, LLC for the Flood Related Structure Demolition (SE & SW, RACM) (Final contract amount is \$630,162.05) (FLOOD).

0195-02-11, rescinding Resolution No. 0432-03-98, which established "No Parking Bus Stop" at a series of downtown locations; recommending the placement of on-street parking meters in areas previously approved for bus stop zones, specifically on the north side of 2nd Avenue SE in the 300 block.

0196-02-11, supporting a Low Income Housing Tax Credit application for development of a new 60-unit senior 55 and older housing apartment complex to be located north of A'Hearn Drive NE and west of Council Street NE as requested by Anchor Housing Development, LLC.

0197-02-11, supporting a Low Income Housing Tax Credit application for the substantial rehabilitation of Raintree Apartments, preservation of 72 units of existing stock of affordable housing, as requested by Dominion, Inc.

0198-02-11, authorizing execution of the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 27 properties in connection with the HUD Community Development Block Grant (FLOOD).

0199-02-11, extending the deadline of the Personal Possessions Replacement Program for Renters from February 28, 2011 to March 30, 2011 (FLOOD).

0200-02-11, authorizing the commitment and use of FEMA alternate project funds in the amount of \$549,973.92 to be used towards the demolition of badly damaged replica exhibit buildings and to design and construct a lodge at Ushers Ferry Historic Village (FLOOD).

0201-02-11, Amendment No. 8 to the Professional Services Agreement with Ryan Companies US, Inc. specifying an increased amount not to exceed \$95,766 for construction management services in connection with the Select Facilities Flood Recovery project (original contract amount is \$5,170,677; total contract amount with this amendment is \$5,266,443).

0202-02-11, Amendment No. 1 to the Professional Services Agreement with Strand Associates, Inc. for a not to exceed amount of \$18,000 for additional engineering services on

the J Avenue Water Treatment Plant Process Improvements Study (original contract amount is \$148,000; total contract amount with this amendment is \$166,000).

0203-02-11, Amendment No. 1 to renew Agreement for Liquid Handling System Services with Prime Mechanical, Inc. for the Water Pollution Control Facility for an amount not to exceed \$100,000 for the two-year renewal period (original contract amount was \$140,000; renewal contract amount is \$100,000).

0204-02-11, Real Estate Contract in the amount of \$141,000 with Alice Mary Smith, Cynthia Alice Thompson-Adhikari and Nancy Lorraine Thompson for a portion of real property located at 120 2nd Street NE, in connection with the Cedar Rapids Convention Complex project.

0205-02-11, Professional Services Agreement with Ament, Inc. in an amount not to exceed \$302,900 for design services in connection with the 76th Avenue SW Improvements from Edgewood Road SW to CRANDIC Railroad Crossing project.

0206-02-11, 28E Agreement with the City of Marion, Iowa, for sidewalk construction and associated work in the estimated amount of \$17,543.20 in connection with the Northland Avenue NE Reconstruction and Sidewalk Extensions from 600' North of Collins Road to Blairs Ferry Road project.

0207-02-11, Retaining William Prowell for legal services with respect to the purchase of the Crowne Plaza Five Seasons Hotel property in an amount not to exceed \$35,000.

0208-02-11, Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$56,154 for the 2011 WPCF Roof Replacement project engineering services.

0209-02-11, Purchase of computer equipment (desktops, monitors, laptops, printers, workstations, server, etc.) from Hewlett-Packard Company in the amount of \$400,000 for FY 2011.

0210-02-11, Memorandum of Agreement with Priority One to establish performance expectations as the City and Priority One work cooperatively to attract and retain businesses and promote overall economic development.

0211-02-11, Amendment No. 11 to Agreement for Temporary Climate Control Services with Polygon US Corporation to extend the term of the agreement through April 30, 2011 for the Paramount Theatre for the amount not to exceed \$28,841.20 (original amount is \$5,012,526.18; total amount with amendment is \$8,921,752.28) (FLOOD).

0212-02-11, Professional Services Agreement with Sebesta Blomberg & Associates, Inc. in an amount not to exceed \$126,291 for building systems commissioning services in connection with the Cedar Rapids Public Library Flood Recovery project (FLOOD).

0213-02-11, Professional Services Agreement with Sebesta Blomberg & Associates, Inc. in an amount not to exceed \$76,542 for building systems commissioning services in connection with the Central Fire Station Flood Recovery project (FLOOD).

0214-02-11, Professional Services Agreement with Sebesta Blomberg & Associates, Inc. in an amount not to exceed \$107,375 for building systems commissioning services in connection with the Paramount Theatre Flood Recovery project (FLOOD).

0215-02-11, Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$129,000 for the Water Department FEMA Eligible Architectural Flood Repairs and Flood Mitigation project (FLOOD).

0216-02-11, Police Department purchase of Gas Masks and Accessories from WW Grainger, Inc. for the total amount of \$35,124.30 (FLOOD).

0217-02-11, accepting fair market value in the amount of \$9,300 for damages due to loss of access and parking as a result of the alley vacation from property located at 330 1st Street SE, owned by Enlighten Technologies, Inc., in connection with the Paramount Theatre Flood Recovery project (FLOOD).

0218-02-11, accepting fair market value in the amount of \$27,000 for damages due to loss of access and parking from property located at 320 First Street SE, owned by Craig D. Bowman (Fee Owner) and Alice M. Risk (Contract Purchaser), as a result of the alley vacation in connection with the Paramount Theatre Flood Recovery project (FLOOD).

Report on Bids for the Cedar Rapids Convention Complex Demolition, Site Work, and Utility Package project. (Sandy Pumphrey)

Bids were received on February 16, 2011:

DW Zinser Company	Walford, IA	\$874,000
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0219-02-11, awarding and approving contract in the amount of \$874,000, bond and insurance of DW Zinser Company for the Cedar Rapids Convention Complex Demolition, Site Work, and Utility Package project. Nays, Council members Gulick, Shey and Wieneke.

Report on bids for the A-1 Clarifier Rehabilitation project. (Pat Ball)

Bids were received on February 9, 2011:

WRH, Inc	Cedar Rapids, IA	\$1,261,400
TLC Diversified, Inc	Palmetto, FL	\$1,415,650
Tricon General Construction	Dubuque, IA	\$1,496,650
Rice Lake Construction	Deerwood, MN	\$1,598,800
Staab Construction Corp	Marshfield, WI	\$1,626,000

0220-02-11, awarding and approving contract in the amount of \$1,261,400, bond and insurance of WRH, Inc. for the A-1 Clarifier Rehabilitation project (Engineer's opinion of probable cost is \$1,300,000).

Report on bids for the City Services Facility (City Hall) – Council Chambers – Millwork, Bid #0211-152 and City Services Facility (City Hall) – Council Chambers – Furniture, Bid #0211-153. (Diane Rodenkirk)

Bids were received on February 14, 2011:

City Services Facility – Council Chambers – Millwork, Bid #0211-152

Company Name	Location	Price
Connerley Construction LLC	Cedar Rapids, IA	\$80,000

City Services Facility – Council Chambers – Furniture, Bid #0211-153

Company Name	Location	Price
Commercial Concepts & Furnishings	Independence, MO	\$5,688.96
Office Max	Naperville, IL	\$6,047.56
M. Hanson & Company, Inc.	Cedar Rapids, IA	\$8,162.12
Welter Storage	Cedar Rapids, IA	\$9,552.00

0221-02-11, awarding and approving contract for the amount not to exceed \$80,000, bond and insurance of Connerley Construction LLC for the City Services Facility (City Hall) – Council Chambers – Millwork.

0222-02-11, awarding and approving contract for the amount not to exceed \$5,688.96, bond and insurance of Commercial Concepts & Furnishings for the City Services Facility (City Hall) – Council Chambers – Furniture.

Discussion: Angie Charipar

0223-02-11, requesting a special election be held on May 3, 2011 and establishing ballot language regarding the extension of a local option sales and services tax to establish and maintain a flood protection system for both the east and west side of the Cedar River, existing street improvements and property tax relief.

0224-02-11, approving a variance request in accordance with Section 31.10 (h) of the City Subdivision Ordinance, and approving the extension of City approval periods for the Preliminary Plat and Final Plat of Diamond V. Mills Addition, for property located at 2575 60th Avenue SW.

Discussion: Casey Drew

0225-02-11, approving the elimination of six Building Maintenance Worker II positions and creating four Building Maintenance Worker I positions as well as reclassifying one Building Maintenance Worker III to a Building Maintenance Worker I and one Building Maintenance worker II to a Building Maintenance Worker I.

Discussion: Paula Mitchell

0226-02-11, supporting development of 20 rent-to-own single-family homes, and authorizing the negotiation of a development agreement for disposition of 20 City-owned parcels to serve as the City's matching contribution to secure financing from the Iowa Finance Authority as requested by Skogman Homes, Community Housing Initiatives, and the Affordable Housing Network, Inc.

Presentation by Sandi Fowler regarding City Council Committees.

Ordinance No. 006-11, being an Ordinance amending Chapter 33E of the Municipal Code, the Sign Code, deleting the reference to County Health Department in section 33E.20, billboards and replacing with reference to the City of Cedar Rapids Municipal Codes was presented and read the second time.

Council member Shey moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Podzimek 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 007-11, being an Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, Subsection 32.04.030.A.46 regarding Large Wind Energy Conservation Systems was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Podzimek 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 008-11, being an Ordinance granting a change of zone for property at 202 and 214 Blairs Ferry Road NE from R-1, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by Leo and Jean Bauer was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Podzimek 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 Gulick. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. _____, being an Ordinance vacating the alley southeasterly of 3rd Avenue SE, northwesterly of 4th Avenue SE and between 1st Street SE and 2nd Street SE (also known as Plat of Survey No. 1635 Parcel A) as requested by the City of Cedar Rapids to accommodate the Paramount Theatre Flood Recovery and Renovation project was presented and read the second time.

Council member Gulick moved the approval of the Ordinance on its second reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for passage at a later date; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public comments were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 8:20 PM to meet Tuesday, March 8, 2011 at 5:30 PM.

Alissa Kaiser, Deputy City Clerk

Nay, Council member Gulick
Nay, Council member Shey
Nay, Council member Wieneke

Cedar Rapids, Iowa, March 3, 2011; 8:30 a.m.

City Council met for a Special Session in City Hall, 3851 River Ridge Drive NE, North Conference Room. Present, Mayor Pro Tempore Vernon, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore and Wieneke. Also present were Christine Butterfield, Community Development Director; Paula Mitchell, Grant Programs Manager; and Dale Todd (on behalf of Hatch Development Group). Absent, Mayor Corbett.

The following resolution was approved with all Council members voting "Aye":

0227-03-11, support for development of Cedar Rapids Greystone Homes, 18 rent-to-own condominium-style homes located at 1221 4th Avenue SE and 906 12th Street SE, and authorizing the negotiation of a development agreement for provision of \$150,000.00 in funding to serve as the City's matching contribution to secure financing from the Iowa Finance Authority as requested by Hatch Development Group.

Council member Gulick moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

Meeting adjourned at 8:55 a.m.

Amy Stevenson, City Clerk

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

March 8, 2011, 5:30 p.m.

City Council met in Regular Session in the Hiawatha City Hall Council Chambers, 101 Emmons Street, Hiawatha, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney James Flitz. Absent, Council member Shey.

The invocation was given by Fire Chaplain Phil Saunders.

Pledge of Allegiance.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider the vacation and disposition of public ways and grounds in and to the property described as a 60 square-foot parcel of existing City-owned right-of-way located west of and adjacent to 1719 Aaron Drive NW (also known as Plat of Survey 1667 Parcel A) as requested by Kennene Real Estate Exchange, LC. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance vacating public ways and grounds in and to the property described as a 60 square-foot parcel of existing City-owned right-of-way located west of and adjacent to 1719 Aaron Drive NW (also known as Plat of Survey 1667 Parcel A) as requested by Kennene Real Estate Exchange, LC., was presented and read the first time.

Council member Gulick 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider amending the Future Land Use Map in the City's Comprehensive Plan from Low Density Residential to Office, for property at 711 and 715 10th Avenue SE as requested by Community Health Free Clinic for property owned by Linda S. Floyd. One comment was heard. No objections were heard or filed.

0228-03-11, amending the Future Land Use Map in the City's Comprehensive Plan from Low Density Residential to Office, for property at 711 and 715 10th Avenue SE as requested by Community Health Free Clinic for property owned by Linda S. Floyd.

A public hearing was held to consider granting a change of zone for property located at 711 and 715 10th Avenue SE from R-TN, Traditional Neighborhood Residence Zone District and

RMF-2, Multiple Family Residence Zone District to O-S, Office/Service Zone District as requested by Community Health Free Clinic for property owned by Linda S. Floyd. Five letters of support were filed. No objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property located at 711 and 715 10th Avenue SE from R-TN, Traditional Neighborhood Residence Zone District and RMF-2, Multiple Family Residence Zone District to O-S, Office/Service Zone District as requested by Community Health Free Clinic for property owned by Linda S. Floyd, was presented and read the first time.

Council member Karr 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the plans, specifications, form of contract and estimated cost for the Five Seasons Parkade Lighting Retrofit project (Engineer's estimated cost is \$180,000). No comments or objections were heard or filed.

0229-03-11, adopting plans, specifications, form of contract and estimated cost for the Five Seasons Parkade Lighting Retrofit project.

A public hearing was held to consider the specifications, form of contract and estimated cost for Fiber Optic Cabling Material (Estimated cost is \$1,700,000). No comments or objections were heard or filed.

0230-03-11, adopting specifications, form of contract and estimated cost for Fiber Optic Cabling Material.

Public comments were heard.

Council member Wieneke moved to approve the Agenda; seconded by Council member Karr. City Manager Pomeranz requested that the public hearing date for Item Number 8 (Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date and advertising for bids for the 8th Avenue SE Water Main Replacement from Cedar River Bridge to 3rd Street SE (Phase I) project) be corrected to state public hearing will be held March 22, 2011. Council member Gulick requested that Item Numbers 19 (Resolution adopting the 10 year FY2012 – 2021 Capital Improvement Program Budget) and 20 (Resolution adopting the FY2012 budget) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Vernon. Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. March 22, 2011 – to consider the vacation of public ways and grounds in and to a 10,999 square-foot Easement for Public Highway located at the south end of West Post Road SW adjoining the northerly right-of-way line of Highway 30 (Plat of Survey No. 1595 Parcel A) as requested by Thomas Dostal Developers, Inc.;
- b. March 22, 2011 – to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to clarify defined terms and the table of permitted uses; and
- c. April 12, 2011 – to consider submittal of the FY12 Consolidated Transit Funding Application to the Iowa Department of Transportation and Federal Transit Administration.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for March 22, 2011 and advertising for bids by publishing notice to bidders for the 8th Avenue SE Water Main Replacement from Cedar River Bridge to 3rd Street SE (Phase I) project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on March 23, 2011 (Engineer's estimated cost is \$200,000).

Motion approving the beer/liquor/wine applications of:

- a. Beef O'Brady's Family Sports Pub, 5240 Edgewood Road NE #100;
- b. Bulicek's Deli & Brew, 1616 6th Street SW;
- c. Capone's, 1201 3rd Street SE (New - formerly Village Bank);
- d. Cedar Rapids Jaycees, 225 5th Avenue SW (New - flood rebuild);
- e. Cedar Rapids Ball Club, 950 Rockford Road SW;
- f. Chrome Horse Slop House & Saloon, 1202 3rd Street SE (Outdoor service for an event on March 17, 2011);
- g. Fiesta Del Sol Bar & Grill, 4801 1st Avenue SE;
- h. Godfather's Pizza, 2833 Blairs Ferry Road NE;
- i. Guppy's on the Go, 235 Edgewood Road NW;
- j. Homeport, 624 Center Point Road NE;
- k. Hometown Inn & Suites, 3315 Southgate Court SW (New);
- l. Hy-Vee Gas #7, 3935 Blairs Ferry Road NE;
- m. Lone Star Steak House, 4545 1st Avenue SE;
- n. Meadow Ridge Golf Driving Range, 6677 16th Avenue SW (New - seasonal license);
- o. Metro Buffet II, 2745 Blairs Ferry Road NE;
- p. Parlor City Pub & Eatery, 1125 3rd Street SE (Outdoor service for events on March 17-18, 2011);
- q. Playtime Tap, 933 14th Avenue SW; and
- r. Starlite Room, 3300 1st Avenue NE.

0231-03-11, approving payment of bills.

0232-03-11, approving payment of payroll.

0233-03-11, approving transfer of funds to various departments.

0234-03-11, appointing John Schnipkoweit (effective through June 30, 2014) and reappointing William Bogert (effective through June 30, 2015) to the Corridor Metropolitan Planning Organization.

0235-03-11, intent to assess for Solid Waste & Recycling clean up costs at three properties.

0236-03-11, intent to assess for Utilities - Water Division delinquent municipal utility bills at 25 properties.

0237-03-11, accepting sanitary sewer in Applewood Hills Estates Third Addition and approving 2-year Maintenance Bond submitted by Schrader Excavating & Grading Co., Inc. in the amount of \$11,856.

0238-03-11, accepting concrete pavement in Applewood Hills Estates Third Addition and approving 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$35,239.

0239-03-11, accepting 17th Street SE from 7th Avenue to Mount Vernon Road Storm Sewer Extension and 17th Street SE South of 8th Avenue SE Water Main Extension project, final payment in the amount of \$9,441.54 to Rathje Construction Company, Inc. (Final contract amount is \$188,830.78).

0240-03-11, accepting Edgewood Road SW, from CRANDIC Railroad to South of US Highway 30 Interchange – PCC Pavement, Grade/New project, final payment in the amount of \$30,000 to CJ Moyna & Sons, Inc. (Final contract amount is \$2,246,037.61).

0241-03-11, accepting Kirkwood Boulevard SW From Kirkwood Court SW to Highway 30/151 & Miller Avenue SW Re-Alignment, Phase I project, final payment in the amount of \$38,866.42 to DW Zinser Company (Final contract amount is \$777,328.40).

0242-03-11, accepting FHWA Roadway Project Group #2 for miscellaneous flood repairs on 1st Street SE, 3rd Street SE, and 15th Street NW project, final payment in the amount of \$5,421.96 to Rathje Construction Company (Final contract amount is \$180,731.84) (FLOOD).

0243-03-11, accepting 4th Avenue SE Parkade Flood Recovery project, final payment in the amount of \$52,763.64 to Miron Construction Company, Inc. (Final contract amount is \$1,055,272.82) (FLOOD).

0244-03-11, Amendment No. 9 to agreement for Environmental Remediation Services of Flood Damaged Structures in an amount of \$337,264.38, final payment in the amount of \$109,404.21 to Lindstrom Environmental, Inc. (Final contract amount is \$2,187,978.38) (FLOOD).

0245-03-11, agreement with Interstate Power and Light Company in the amount of \$55,466.60 for utility relocations as part of the 2nd Avenue SE vacation between 10th Street SE and 12th Street SE in connection with the PCI Medical Mall project.

0246-03-11, agreement with Mediacom Communications Corporation in the amount of \$22,914.35 for utility relocations as part of the 2nd Avenue SE vacation between 10th Street SE and 12th Street SE in connection with the PCI Medical Mall project.

0247-03-11, agreement with MidAmerican Energy Company in the amount of \$5,884.79 for utility relocations as part of the 2nd Avenue SE vacation between 10th Street SE and 12th Street SE in connection with the PCI Medical Mall project.

0248-03-11, agreement with Qwest Communication in the amount of \$56,479.50 for utility relocations as part of the 2nd Avenue SE vacation between 10th Street SE and 12th Street SE in connection with the PCI Medical Mall project.

0249-03-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property at 610 G Avenue NW for the rehabilitation of properties through the Residential Property Disposition program.

0250-03-11, Development Agreement with Duraclean Specialist, Inc. for property at 2033 D Avenue SW for the rehabilitation of properties through the Residential Property Disposition program.

0251-03-11, Development Agreement with Cedar Valley Habitat for Humanity for property at 1511 8th Street NW for the rehabilitation of properties through the Residential Property Disposition program.

0252-03-11, Development Agreement with Cedar Valley Habitat for Humanity for property at 806 D Avenue NW for the rehabilitation of properties through the Residential Property Disposition program.

0253-03-11, establishing maximum General Administration and Project Delivery costs related to the Agreement for Administrative Services for Expanded Jumpstart Business Recovery Program with Transitions Made Better, Inc.

0254-03-11, Certificate of Completion per Exhibit B of the Agreement for Private Redevelopment with J. Rettenmaier USA LP and JRS Pharma LP with respect to the construction of a new dietary oat fiber plant.

0255-03-11, authorizing extension of a temporary encroachment for relocation of approximately 392 feet of gas main utility by MidAmerican Energy Company on City-owned land

located on the northerly side of 12th Avenue SW and east of C Street SW (also known as Riverside Park), in connection with the Riverside Park Relocation Along 12th Avenue SE project.

0256-03-11, authorizing submittal of application to the Iowa Department of Natural Resources to seek Land and Water Conservation Fund financial assistance from the National Park Service in the amount of 50% of the actual cost of a trail relocation project in connection with the Indian Creek Trunk Sewer Replacement project.

0257-03-11, establishing the Utilities Department – Water Division fee schedule beginning July 1, 2011 for FY12 for miscellaneous services.

0258-03-11, establishing the Utilities Department – Solid Waste Division fee schedule beginning July 1, 2011 for FY12 for nuisance abatement and service charges.

0259-03-11, establishing the Utilities Department – Water Pollution Control rates for FY12 for wastewater from un-metered water supplies that are discharged into the City sanitary sewer system.

0260-03-11, establishing Utilities Department – Water Pollution Control rates for FY12 for wastewater that is hauled directly to the Water Pollution Control Department for treatment.

0261-03-11, Memorandum of Agreement with Linn County to jointly develop and implement flood mitigation strategies for the public buildings on Mays Island (FLOOD).

0262-03-11, Amendment No. 2 to the Local Option Sales Tax (LOST) Rental Rehabilitation Administrative Plan to establish a \$900,000 set-aside within the existing \$25,000,000 program budget to provide an additional \$10,000 per unit specifically for the mitigation of identified environmental hazards (FLOOD).

0263-03-11, referring to the Linn County Compensation Commission (in accordance with eminent domain proceedings) for compensation of damages due to loss of access from land located at 320 First Street SE, owned by Craig D. Bowman (Fee Owner) and Alice M. Risk (Contract Purchaser), in connection with the Paramount Theatre Flood Recovery project (FLOOD).

0264-03-11, referring to the Linn County Compensation Commission (in accordance with eminent domain proceedings) for compensation of damages due to loss of access from land located at 330 First Street SE, owned by Enlighten Technologies, Inc., in connection with the Paramount Theatre Flood Recovery project (FLOOD).

0265-03-11, accepting the award of a Community Development Block Grant (CDBG) in an amount not to exceed \$9,085,000 in connection with 2,500 lineal feet of flood wall northeast of B Avenue NE associated with the City's flood management strategy along the east side of the Cedar River (FLOOD).

0266-03-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 32 properties in connection with the HUD Community Development Block Grant (FLOOD).

0267-03-11, Amendment No. 1 to the Professional Services Agreement with Ament, Inc., specifying an increased amount not to exceed \$239,744 for architectural and engineering design services in connection with the City Services Facility (City Hall) project (original contract amount is \$410,000; total contract amount with this amendment is \$649,744).

0268-03-11, Amendment No. 2 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$30,000 for engineering design services in connection with the Flood Management Structure and Outdoor Amphitheatre project (original contract amount is \$670,000; total contract amount with this amendment is \$700,000).

0269-03-11, Amendments No. 2 to renew Agreements for turf care products with John Deere Landscapes, D&K Products, River City Turf, Pace Supply and Floratine Central Turf Products for the Parks & Recreation Department for an estimated annual amount not to exceed \$100,000 (original contract amounts is \$100,000; total contract amounts with amendments is \$300,000).

0270-03-11, Amendment No. 2 to the Agreement for residential water meters with Ferguson Waterworks for an estimated annual amount of \$201,000 (original contract amount is \$134,000; total contract amount with this amendment is \$619,000).

0271-03-11, Amendment No. 1 to the Agreement for motor repair with Janda Motor Services for a total annual amount not to exceed \$50,000 (original contract amount is \$57,000; total contract amount with this amendment is \$132,000).

0272-03-11, Amendment No. 2 to the Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$8,000 for the Cedar Rapids Utilities Department East Well Field Electric Grid Voltage Conversion project (original contract amount is \$58,000; total contract amount with amendments is \$86,000).

0273-03-11, Change Order No. 4 in the amount of \$30,868.36 with Peterson Contractors, Inc. for the 1st Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC Pavement Widening with HMA Resurfacing project (original contract amount is \$7,661,700.36; total contract amount with this amendment is \$8,114,352.79).

0274-03-11, Amendment to the contract with Perspective Consulting Partners to expand the scope to include conducting a market analysis and competitive bid process for Life and Long

Term Disability Insurance (original contract amount is \$105,000; total contract amount with amendment is \$120,000).

0275-03-11, Federal Aid Agreement No. 09-SRTS-011 with the Iowa Department of Transportation (IDOT) in the amount of \$117,220 for a Safe Routes to School Program Project in connection with the Polk Elementary Sidewalks project.

0276-03-11, Agreements for Water Division purchases of pipe, hydrants, valves, distribution materials and service materials with Brown Supply Co., Clow Valve Company, First Supply, Griffin Pipe Products Company, HD Supply Waterworks, M & H Valve Co. and Schimberg Co. for a total estimated annual amount of \$400,000.

0277-03-11, Human Resources Agreement for Temporary Employment Services with Express Employment Professionals for a total annual amount not to exceed \$50,000.

0278-03-11, Public Works purchase of trees for Spring planting from Smith Massman Landscape & Design for the total amount of \$15,719 and Murphy Lawn Care LLC for a total amount of \$46,019.

0279-03-11, Amendment No. 5 to the Professional Services Agreement with Ryan Companies US, Inc. specifying a release of contingency funds in the amount of \$15,120 for construction management services in connection with the Paramount Theatre Flood Recovery project (original contract amount is \$3,260,778; total contract amount with this amendment is \$3,260,778) (FLOOD).

0280-03-11, Amendment No. 7 to the Contract Agreement with the Iowa Department of Economic Development (IDED) to increase the grant award by an amount not to exceed \$1,082,914 for the voluntary acquisition and demolition of parcels funded under the Community Development Block Grant (CDBG) program (original contract amount is \$95,474,137; total contract amount with this amendment is \$164,699,630) (FLOOD).

0281-03-11, adopting the 10 year FY 2012 – 2021 Capital Improvement Program Budget.

0282-03-11, adopting the FY 2012 budget.

Report on bids for the 18th Street SW, North of 33rd Avenue SW, Wetland Mitigation project. (Doug Wilson)

Bids were received on February 23, 2011:

Gee Grading & Excavating, Inc., Cedar Rapids, IA	\$54,694.00
Abode Construction, Inc., Cedar Rapids, IA	\$73,469.31
Pirc-Tobin Construction, Inc., Alburnett, IA	\$73,997.00
DeLong Construction, Inc., Washington, IA	\$77,834.00
Borst Brothers Construction, Inc., Marion, IA	\$87,058.75
Dave Schmitt Construction, Inc., Cedar Rapids, IA	\$90,874.40

Peterson Contractors, Inc., Reinbeck, IA	\$97,874.10
Rathje Construction Company, Marion, IA	\$97,889.00
Tschiggfrie Excavating, Dubuque, IA	\$112,337.55
Miene Septic Service, Inc., Marion, IA	\$1,032,559.70

0283-03-11, awarding and approving contract in the amount of \$54,694 plus incentive up to \$750, bond and insurance of Gee Grading & Excavating, Inc., for the 18th Street SW, North of 33rd Avenue SW, Wetland Mitigation project.

Report on bids for the Locust Road SW from 66th Avenue SW to 600 Feet North of 60th Avenue SW Reconstruction project. (Doug Wilson)

Bids were received on March 2, 2011:

Horsfield Construction, Inc., Epworth, IA	\$625,268.25
Streb Construction Co., Inc., Iowa City, IA	\$665,000.00
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$696,920.30
Rathje Construction Co., Marion, IA	\$699,259.00
Gee Grading & Excavating, Inc., Cedar Rapids, IA	\$722,612.89
City Wide Construction Corp., Cedar Rapids, IA	\$738,398.75
Metro Pavers, Inc., Iowa City, IA	\$741,418.19
Pirc-Tobin Construction, Inc., Alburnett, IA	\$758,095.00
BWC Excavating, LC, Solon, IA	\$802,972.01
Connolly Construction, Inc., Peosta, IA	\$883,099.10
Tschiggfrie Excavating, Dubuque, IA	\$896,819.35

0284-03-11, awarding and approving contract in the amount of \$625,268.25 plus incentive up to \$23,600, bond and insurance of Horsfield Construction, Inc. for the Locust Road SW from 66th Avenue SW to 600 Feet North of 60th Avenue SW Reconstruction project.

Report on bids for the 2011 Phase 1 Medical District Street Improvements project. (Doug Wilson)

Bids were received on March 2, 2011:

City Wide Construction Corp. (Cedar Rapids, IA)	\$178,282.25
Rathje Construction Co. (Marion, IA)	\$198,385.75
Tschiggfrie Excavating (Dubuque, IA)	\$225,185.90

0285-03-11, awarding and approving contract in the amount of \$178,282.25 plus incentive up to \$10,500, bond and insurance of City Wide Construction Corp. for the 2011 Phase 1 Medical District Street Improvements project.

Discussion: John Frew

0286-03-11, Real Estate Contract in the amount of \$45,000 with First Financial Center, Ltd. for relocation assistance plus \$20,000 Uniform Relocation Assistance and Real Estate Property Acquisition Policies Act of 1970 (URA) in lieu of payment to the tenant at 123 3rd Street NE, in connection with the Cedar Rapids Convention Complex project.

Discussion: Drew Westberg

0287-03-11, Amendment No. 1 to the \$35,000,000 Financial Assistance Award between the City of Cedar Rapids and the Economic Development Administration (EDA).

Discussion: Drew Westberg

0288-03-11, agreement to terminate an existing Air Rights Lease with the Cedar Rapids Downtown District for a skywalk over and above 1st Avenue.

Presentation: Dee Baird, President Priority One and John Lohman

0289-03-11, authorizing a financial commitment for a Regional Partnership Sponsorship to the Corridor Business Alliance in the amount of \$20,000.

Ordinance No. 009-11, being an Ordinance vacating the alley southeasterly of 3rd Avenue SE, northwesterly of 4th Avenue SE and between 1st Street SE and 2nd Street SE (also known as Plat of Survey No. 1635 Parcel A) as requested by the City of Cedar Rapids to accommodate the Paramount Theatre Flood Recovery and Renovation project, was presented and read the third time.

Council member Wieneke moved the adoption of the Ordinance as read; seconded by Council member Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

0290-03-11, establishing an Access and Utility Easement and Underground Utility Easement over portions of the alley southeasterly of 3rd Avenue SE, northwesterly of 4th Avenue SE and between 1st Street SE and 2nd Street SE (also known as Plat of Survey No. 1635 Parcel A).

Ordinance No. _____, being an Ordinance amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates, was presented and read the first time.

Council member Gulick 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 Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. _____, being an Ordinance amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates, was presented and read the first time.

Council member Gulick 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 Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. _____, being an Ordinance amending Chapter 24 of the Municipal Code, Solid Waste, by repealing existing rates and establishing new rates, was presented and read the first time.

Council member Gulick 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 Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. _____, being an Ordinance adopting an amended tax increment for the Consolidated Central Urban Renewal Area to reflect the proposed Amendment No. 2 to the Plan, was presented and read the first time.

Council member Vernon 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 Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public comments were heard.

The following Council Committee Reports were given: Flood Recovery Committee (Chair, Council member Karr) and Public Safety Committee (Council member Wieneke chaired the meeting in Council member Shields absence and presented the report). All Committee Chairs announced the proposed monthly meeting date, time and location for each Committee.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 6:32 p.m. to meet Tuesday, March 22, 2011 at 5:30 p.m.

Amy Stevenson, City Clerk

Absent, Council member Shey.

-----Original Message-----

From: Davis, Rob

Sent: Friday, March 11, 2011 12:24 PM

To: cbmartincrg@mchsi.com

Cc: Gulick, Kris G.; Dufoe, Michael D.

Subject: CDBG Funding Inquiry - Flood Protection System - Item 31 on March 8th City Council Agenda

Carol,

The City did have submit application (and have it approved) to re-allocate funds to the flood wall by Quaker. Those funds are then depleted against Otis Road project. So, an application would have to be re-submitted for Otis Road. I think the timeline may shed light for you. The Otis Road project application was submitted about 2 years before the award. Closer to the time of the grant award, the Cedar River levee/flood wall project arose and it would have qualified for funding had it been submitted at the same time as Otis Road.

Yes, the final signed resolution will have the Dec 14, 2010 date.

I'll be out of the office next week. If you need additional information, Mike Dufoe in our office will be glad to assist you.

Robert Davis, P.E.

City of Cedar Rapids Public Works Dept

319-286-5802

r.davis@cedar-rapids.org

-----Original Message-----

From: cbmartincrg@mchsi.com [mailto:cbmartincrg@mchsi.com]

Sent: Friday, March 11, 2011 8:48 AM

To: Davis, Rob

Cc: Gulick, Kris G.

Subject: Re: CDBG Funding Inquiry - Flood Protection System - Item 31 on March 8th City Council Agenda

I wondered why a grant which was applied for a certain project, can be transferred to another project? It would seem to me that grant would have to used for that project or lost as we have with others several years ago. A new application would have to be applied for. How can you continue to pursue funding for the Otis road project, when you already had it, but used it for another project? I would also think that since the date on the resolution was wrong you might have to have council amend it. We didn't pass a resolution on Dec. 14, 2011 as I don't believe it is Dec. yet...Thank you

Carol Martin

----- Original Message -----

From: Rob Davis <RobD@cedar-rapids.org>

To: cbmartincrg@mchsi.com

Sent: Wed, 9 Mar 2011 15:19:53 -0600 (CST)

Subject: CDBG Funding Inquiry - Flood Protection System - Item 31 on March 8th City Council Agenda

Carol,

I understand you had some comments, or possibly questions, from last night's City Council meeting. Is there some assistance Public Works Department can provide you on this topic?

Robert Davis, P.E.

City of Cedar Rapids Public Works Dept

319-286-5802

r.davis@cedar-rapids.org

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

March 22, 2011, 5:30 p.m.

City Council met in Regular Session in the Hiawatha City Hall Council Chambers, 101 Emmons Street, Hiawatha, Iowa. Present, Mayor Pro Tempore Vernon, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore and Wieneke (Mayor Corbett arrived at 6:18 p.m.). Also present were City Manager Jeff Pomeranz and City Attorney James Flitz.

The invocation was given by Police Chaplain Rick Gail.

Pledge of Allegiance.

Resolutions were adopted with all Council members and Mayor Pro Tempore Vernon voting "Aye" unless noted. Mayor Corbett arrived late and voted only on Resolution No. 0376-03-11 and Ordinance Nos. 011-11 through 016-11.

A public hearing was held to consider the annexation of property located south of Beverly Road SW and west of Pro Farmer Road and owned by James and Amber Dostal. No comments or objections were heard. One objection was filed.

0291-03-11, approving the annexation of property located south of Beverly Road SW and west of Pro Farmer Road and owned by James and Amber Dostal. Nays, Council members Gulick and Podzimek.

A public hearing was held to consider the vacation of public ways and grounds in and to a 10,999 square-foot Easement for Public Highway located at the south end of West Post Road SW adjoining the northerly right-of-way line of Highway 30 (Plat of Survey No. 1595 Parcel A) as requested by Thomas Dostal Developers, Inc. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance vacating the public ways and grounds in and to a 10,999 square-foot easement for Public Highway located at the south end of West Post Road SW adjoining the northerly right-of-way line of Highway 30 (Plat of Survey No. 1595 Parcel A) as requested by Thomas Dostal Developers, Inc., was presented and read the first time.

Council member Karr 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 Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

A public hearing was held to consider the Public Housing Agency (PHA) Annual Plan and amendments to the (PHA) Section 8 Housing Choice Voucher (HCV) Program Administrative Plan, including the Family Self-Sufficiency Action Plan and the Homeownership Option Plan. No comments or objections were heard or filed.

0292-03-11, amending the Public Housing Agency (PHA) Annual Plan and amendments to the (PHA) Section 8 Housing Choice Voucher (HCV) Program Administrative Plan, including the Family Self-Sufficiency Action Plan and the Homeownership Option Plan.

A public hearing was held to consider amending the FY10 Annual Action Plan for the Community Development Block Grant (CDBG) Program to reallocate \$30,000 in funding from an approved parking lot rehabilitation project to gym floor rehabilitation as requested by The Salvation Army. No comments or objections were heard or filed.

0293-03-11, amending the FY10 Annual Action Plan for the Community Development Block Grant (CDBG) Program to reallocate \$30,000 in funding from an approved parking lot rehabilitation project to gym floor rehabilitation as requested by The Salvation Army.

A public hearing was held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to clarify defined terms and the table of permitted uses. No comments or objections were heard or filed.

Ordinance No. 010-11, being an Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to clarify defined terms and the table of permitted uses, was presented and read the first time.

Council member Swore moved the approval of the Ordinance on its first reading; seconded by Council member Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

Council member Shey moved that the rule requiring three readings on three different days be suspended and the Ordinance be approved on its second reading; seconded by Council member Wieneke. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Nay, Council member Podzimek.

Council member Shey moved that the Ordinance be adopted on its third and final reading; seconded by Council member Wieneke. Adopted, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Nay, Council member Podzimek.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 8th Avenue SE Water Main Replacement from Cedar River Bridge to 3rd Street SE (Phase I) project. No comments or objections were heard or filed.

0294-03-11, adopting plans, specifications, form of contract and estimated cost for the 8th Avenue SE Water Main Replacement from Cedar River Bridge to 3rd Street SE (Phase I) project.

Council member Gulick moved to approve the Agenda; seconded by Council member Wieneke. City Manager Pomeranz requested that Item Number 8e (Motion setting a public hearing date for April 12, 2011 to consider annexation of property located north of O Avenue NW and west of Edgewood Drive as requested by Wilmar Development Company) be scratched from the agenda. Council member Swore requested that Item Number 9 (Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for April 12, 2011 and advertising for bids by publishing notice to bidders for the Roosevelt Stair project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on April 20, 2011) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Motion carried as amended.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Karr. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. April 12, 2011 – to consider the vacation and disposition of public ways and grounds in and to a 2,800 square-foot parcel of right-of-way located in the alley between 8th Avenue and 10th Avenue SW and between 2nd Street and 3rd Street SW (also known as Plat of Survey No. 1668 Parcel A) as requested by Linn County, Iowa;
- b. April 12, 2011 – to consider an Ordinance granting a non-exclusive natural gas utility franchise to Mid American Energy Company, an Iowa corporation;
- c. April 12, 2011 – to consider granting a change of zone for property at 3235 Oakland Road NE from R-3, Single Family Residence Zone District to C-2, Community Commercial Zone District as requested by Hy-Vee, Inc.;
- d. April 12, 2011 – to consider granting a change of zone for property at the city block between 8th and 9th Avenue SE and 8th and 9th Street SE from C-2, Community Commercial Zone District, O-S, Office/Service Zone District and RMF-2, Multiple Family Residence Zone District to C-2, Community Commercial Zone District and O-S Office/Service Zone District as requested by Mercy Medical Center and Mercy Hospital;
- e. April 12, 2011 – to consider a lease for 99 years for financing purposes, of the former Federal Courthouse to be the new City Hall building, to Courthouse II Co., ownership of which entity may later be assigned;
- f. April 12, 2011 - to consider a lease, for financing purposes, of the new City Hall building (former Federal Courthouse) back to the City of Cedar Rapids, by Courthouse II Co. or its assignee;

- g. April 12, 2011 – to consider granting a change of zone for property at 629 12th Avenue SE from O-S, Office/Service Zone District to C-1, Mixed Neighborhood Convenience Zone District as requested by Green Development 12th Avenue LLC and the City of Cedar Rapids (FLOOD); and
- h. April 12, 2011 – to consider granting a change of zone for property at 624 12th Avenue SE from RMF-2, Multi-Family Residence Zone District to C-1, Mixed Neighborhood Convenience Zone District as requested by Green Development 12th Avenue LLC and the City of Cedar Rapids (FLOOD).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for April 12, 2011 and advertising for bids by publishing notice to bidders for the Cedar Rapids Convention Complex – Primary Steel Bid Package project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on April 20, 2011 (Architect's estimated cost is \$3,300,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for April 12, 2011 and advertising for bids by publishing notice to bidders for the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on April 13, 2011 (Engineer's estimated cost is \$132,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for April 12, 2011 and advertising for bids by publishing notice to bidders for the J Avenue Chlorine System Improvements project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on April 27, 2011 (Engineer's estimated cost is \$470,000).

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for April 12, 2011 and advertising for bids by publishing notice to bidders for the Demolition Services for Flood Damaged Structures and authorizing the Purchasing Manager, or designee, to receive and open bids and publicly announce the results on April 13, 2011 (Estimated cost is \$610,000) (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. Buffalo Wild Wings Grill & Bar, 2210 Edgewood Road SW;
- b. City of Cedar Rapids Ellis Golf Course, 1401 Zika Avenue NW;
- c. City of Cedar Rapids Ellis Softball Complex, 2000 Ellis Blvd NW;
- d. City of Cedar Rapids Jones Golf Course, 2901 Fruitland Blvd SW;
- e. City of Cedar Rapids Kirkwood Softball Complex, 8701 Welty Lane SW (new - City of Cedar Rapids has a usage agreement with Kirkwood for the facility);
- f. City of Cedar Rapids Tait Cummins Sports Complex, 3000 C Street SE;
- g. City of Cedar Rapids Twin Pines Golf Course, 3800 42nd Street NE;
- h. Fat Wally's, 429 2nd Avenue SE;
- i. Field House Cedar Rapids, 1140 Blairs Ferry Road NE;
- j. Hawkeye Downs Bingo Hall, 4400 6th Street SW;

- k. Hawkeye Downs Expo Hall, 4400 6th Street SW;
- l. Hawkeye Downs Grand Stand, 4400 6th Street SW;
- m. Hawkeye Downs South Arena, 4400 6th Street SW;
- n. Hawkeye Downs Sinclair, 4713 6th Street SW;
- o. HuHot Mongolian Grill, 4444 1st Avenue NE, Suite #560;
- p. Hy-Vee Drug Store #1, 1520 6th Street SW;
- q. Hy-Vee Drug Store #2, 1440 32nd Street NE;
- r. Jersey's Pub & Grub, 5761 C Street SW;
- s. La Cantina, 102 2nd Street SE (outdoor service for sidewalk café);
- t. Mulligan's Pub, 1060 Old Marion Road NE, Suite A;
- u. Shawn Ryan's Irish Pub, 715 2nd Avenue SE;
- v. Tomaso's Pizza, 212 Edgewood Road NW; and
- w. Too Can's Tiki Bar, 329 2nd Avenue SE (new - following a six month license).

0295-03-11, approving payment of bills.

0296-03-11, approving payment of payroll.

0297-03-11, approving the special event application for the Live Healthy Linn 5K Fun Run/Walk on April 9, 2011.

0298-03-11, extending a vote of thanks to Cynthia Marsh for serving on the River Recreation Commission.

0299-03-11, intent to assess for Utilities - Water Division delinquent municipal utility bills at 25 properties.

0300-03-11, levy assessment for Utilities – Water Division delinquent municipal utility bills 20 properties.

0301-03-11, accepting sanitary sewer in Prairie Ridge Business Park Fifth Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$63,793.

0302-03-11, accepting storm sewer in Prairie Ridge Business Park Fifth Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$86,541.

0303-03-11, accepting Portland Cement Concrete pavement in Prairie Ridge Business Park Fifth Addition and approving 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$20,171.85.

0304-03-11, accepting sanitary sewer in Ridgewood Meadows Eighth Addition and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$22,425.52.

0305-03-11, accepting storm sewer in Ridgewood Meadows Eighth Addition and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$31,520.75.

0306-03-11, accepting Portland Cement Concrete pavement in Ridgewood Meadows Eighth Addition and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$75,000.

0307-03-11, accepting sanitary sewer in Ridgewood Meadows Seventh Addition and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$43,938.86.

0308-03-11, accepting sanitary sewer in Ridgewood Meadows Sixth Addition and approving 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$24,396.27.

0309-03-11, accepting sanitary sewer in Wilderness Estates Seventh Addition and approving 2-year Maintenance Bond submitted by Maxwell Construction, Inc. in the amount of \$72,162.

0310-03-11, accepting Hot Mix Asphalt pavement in Wilderness Estates Seventh Addition and approving 4-year Maintenance Bond submitted by L.L. Pelling Company, Inc. in the amount of \$132,362.

0311-03-11, accepting sanitary sewer in Whispering Pines Sixth Addition and approving 2-year Maintenance Bond submitted by Rathje Construction Company, Inc. in the amount of \$10,022.

0312-03-11, accepting storm sewer in Whispering Pines Sixth Addition and approving 2-year Maintenance Bond submitted by Rathje Construction Company, Inc. in the amount of \$62,929.

0313-03-11, accepting Portland Cement Concrete pavement in Whispering Pines Sixth Addition and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$32,000.

0314-03-11, accepting sanitary sewer in Whispering Pines Seventh Addition and approving 2-year Maintenance Bond submitted by Rathje Construction Company, Inc. in the amount of \$19,414.

0315-03-11, accepting storm sewer in Whispering Pines Seventh Addition and approving 2-year Maintenance Bond submitted by Rathje Construction Company, Inc. in the amount of \$39,757.

0316-03-11, accepting Portland Cement Concrete pavement in Whispering Pines Seventh Addition and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$50,000.

0317-03-11, accepting water system improvements in Blackberry 1st Addition and approving Maintenance Bond submitted by Rathje Construction Co., Inc. in the amount of \$34,401.

0318-03-11, approving the Final Plat for Bedard's First Addition at 7414 Worcester Road.

0319-03-11, approving the Final Plat for Valley View Second Addition at 300 Madeira Drive.

0320-03-11, Development Agreement with Cedar Valley Habitat for Humanity for property at 1000 I Avenue NW.

0321-03-11, Development Agreement with Cedar Valley Habitat for Humanity for property at 1006 10th Street NW.

0322-03-11, Development Agreement with Cedar Valley Habitat for Humanity for property at 1130 9th Street NW.

0323-03-11, Development Agreement with Colony Heating and Air Conditioning for property at 1136 10th Street NW.

0324-03-11, Development Agreement with Colony Heating and Air Conditioning for property at 1705 2nd Street SW.

0325-03-11, Development Agreement with Colony Heating and Air Conditioning for property at 2138 C Street SW.

0326-03-11, Development Agreement with Hernandez Family Homes for property at 1640 9th Street NW.

0327-03-11, Development Agreement with Scallon Custom Homes for property at 716 8th Street NW.

0328-03-11, Development Agreement with Scallon Custom Homes for property at 1106 J Avenue NW.

0329-03-11, authorizing the City Manager to pursue a Redevelopment Agreement with Legion Arts for the disposition of property purchased through the Voluntary Property Acquisition Program at 1106 2nd Street SE (adjacent to CSPS Building). Abstain, Council member Gulick.

0330-03-11, amending Resolution No. 0227-03-11 which supported the Cedar Rapids Greystone Homes project as proposed by Hatch Development Group to correct an address (changing 906 12th Street SE to 906 10th Street SE).

0331-03-11, declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects.

0332-03-11, accepting project, Performance Bond and authorizing final payment in the amount of \$21,183.93 to Dolan Excavating, LLC for the West Post Road NW (North of) from E Avenue to F Avenue Sanitary Sewer Extension project (original contract amount is 337,247.70; final contract amount is \$423,678.61).

0333-03-11, accepting work and fixing amount to be assessed for the 60th Avenue SW from Edgewood Road SW to Willow Creek SW Pavement Improvements Project.

0334-03-11, authorizing Tenant Relocation Assistance benefit payments to be drawn from an allocated program amount of \$11,586,444 for tenants that currently occupy properties being voluntarily acquired in connection with the City's Community Development Block Grant (CDBG) program.

0335-03-11, accepting a Corrective Warranty Deed from Gerald and Darlene Maas for property located at 4530 C Avenue NE in connection with the Collins Road NE (Hwy 100) from Council Street NE to 1st Avenue project.

0336-03-11, authorizing the dues payment of \$48,725.98 to the Corridor Metropolitan Planning Organization for FY11 (July 1, 2010 – June 30, 2011).

0337-03-11, authorizing the payment for unpaid rent in the amount of \$1,961.36 to Alice Mary Smith, Cynthia Alice Thompson-Adhikari and Nancy Lorraine Thompson for previously acquired portion of real property at 120 2nd Street NE in connection with the Cedar Rapids Convention Complex project.

0338-03-11, accepting the Affidavit for Service Line Reimbursement from the property owner at 716 9th Avenue SW agreeing to reimburse the City on a monthly installment basis for the replacement of the water service line.

0339-03-11, accepting the Affidavit for Service Line Reimbursement from the property owners at 718 9th Avenue SW agreeing to reimburse the City on a monthly installment basis for the replacement of the water service line.

0340-03-11, authorizing execution of the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 23 properties in connection with the HUD Community Development Block Grant (FLOOD).

0341-03-11, Amendment No. 1 to the Agreement for Architectural and Engineering Services with OPN Architects, Inc. specifying an increased amount not to exceed \$181,300 for architectural and engineering services in connection with the Cedar Rapids Convention Complex project (original contract amount is \$3,780,000; total contract amount with this amendment is \$3,861,300).

0342-03-11, Amendment No. 2 to the Professional Services Agreement with OPN Architects, Inc. specifying an increased amount not to exceed \$101,300 to provide additional design and construction administration services for the Roosevelt Stair project coordinated with the Cedar Rapids Convention Complex project (original contract amount is \$3,680,000; total contract amount with this amendment is \$3,962,600).

0343-03-11, Amendment No. 2 to the Professional Services Agreement with Frew Nations Group, LLC, specifying an increased amount not to exceed \$79,400 to provide construction management services for the Roosevelt Stair Project coordinated with the Cedar Rapids Convention Complex project (original contract amount remains as an amount of 6% of project costs less project management fees; total contract amount with this amendment increases by an amount not to exceed \$2,887,407).

0344-03-11, Amendment No. 4 to renew Agreement for Road Oil with Bituminous Material & Supply, LP for the Public Works Department for the estimated annual amount of \$250,000 (original contract amount is \$250,000; renewal contract amount is \$250,000).

0345-03-11, Amendment No. 2 to renew Agreement for Flexible Crack and Joint Sealant Material with Logan Contractors Supply, Inc. for the Public Works Department for the estimated annual amount of \$50,000 (original contract amount is \$50,000; renewal contract amount is \$50,000).

0346-03-11, Amendment No. 1 to renew Agreement for Anti-Icing Products with Cryotech Deicing Technology, Gee Asphalt Systems, Heffron Services, Inc., Ossian, Inc. and Prairie Supply for the Public Works Department for the estimated annual amount of \$25,000 (original contract amount is \$20,000; renewal contract amount is \$25,000).

0347-03-11, Amendment No. 1 to renew Agreement for Magnesium Chloride with Gee Asphalt Systems and Heffron Services, Inc., for the Public Works Department for the estimated annual amount of \$25,000 (original contract amount is \$30,000; renewal contract amount is \$25,000).

0348-03-11, Amendment No. 3 to renew Agreement for Quarry Products with Crawford Quarry Company, Martin Marietta Materials and Wendling Quarries, Inc. for Public Works Department for the estimated annual amount of \$350,000 (original contract amount is \$350,000; renewal contract amount is \$350,000).

0349-03-11, Amendment No. 3 to renew Agreement for Concrete Products with Croell Redi-Mix/Croell Concrete Products, Hawkeye Ready Mix, Inc., King's Material, Inc. and Metro Ready Mix L.C. for the Public Works Department for the estimated annual amount of \$385,000 (original contract amount is \$350,000; renewal contract amount is \$385,000).

0350-03-11, Amendment No. 4 to renew Agreement for Asphalt Products with L.L. Pelling Company for the Public Works Department for the estimated annual amount of \$400,000 (original contract amount is \$400,000; renewal contract amount is \$400,000).

0351-03-11, Amendment No. 1 to Resolution No. 0164-02-10 to authorize extension of the City's lease agreement with Pac-Van, Inc. from June 1, 2010 through February 28, 2011 in an amount of \$12,080, and Amendment No. 2 to authorize extension from March 1, 2011 through December 31, 2012 in an amount not to exceed \$32,370 with optional one month extensions thereafter (original lease agreement amounts are \$43,856.60, total amended lease agreement amounts are \$88,306.60).

0352-03-11, Amendment No. 1 to the Food Concession Products Agreement with Myers-Cox Company to reflect additional products and price adjustments for the 2011 season for the amount not to exceed \$100,000 (original amount is estimated at \$70,000 annually; total amount with amendment is estimated to be \$100,000 annually).

0353-03-11, Amendment No. 2 to the Beverage Concession Products Agreement with Pepsi Americas to reflect price adjustments for the 2011 season for the amount not to exceed \$80,000 (original amount is estimated to be \$70,000 annually; total amount with amendment is estimated to be \$80,000 annually).

0354-03-11, Amendment No. 2 to renew Agreement for Mowing Services with Berns Brothers Mowing Inc. for the Public Works Department for a total annual expenditure not to exceed \$35,000 (original contract amount is \$25,000; renewal contract amount is \$35,000).

0355-03-11, Professional Services Agreement with Terracon Consultants, Inc. in an amount not to exceed \$49,950 for environmental consulting services in connection with the new City Hall (former Federal Courthouse) project.

0356-03-11, Agreement for Utility Relocation with McLeodUSA Telecommunications Services, LLC d/b/a PAETEC Business Services, in the amount of \$83,084.90 for relocating fiber optic cable in connection with the PCI Medical Mall project.

0357-03-11, Purchase Agreement in the amount of \$1 and accepting a Trustee Warranty Deed for right-of-way from Wal-Mart Real Estate Business Trust from land located at 3601 29th Avenue SW in connection with the 33rd Avenue Reconstruction project.

0358-03-11, Public Works Department – Maintenance/Sewer purchase of a closed-circuit motorized video inspection system and PVR2 flash drive recorder for sanitary sewer line inspection from Flexible Pipe Tool Company through the State of Minnesota Department of Transportation Equipment Contract for a total amount of \$55,587.

0359-03-11, Public Works Department purchase of traffic marking paint to be used for roadway markings from Vogel Paint & Wax Co., Inc. in an amount not to exceed \$38,480.

0360-03-11, awarding and approving contract in the amount of \$52,389 plus incentive up to \$2,600, bond and insurance of Dave Schmitt Construction for the 2nd Avenue SE Water Main Relocation and Sanitary Sewer Manhole Reconstruction project (Engineer's estimated cost is \$51,854).

0361-03-11, Grant Agreement for the FY2010 Assistance to Firefighters Grant for Self-Contained Breathing Apparatus, Exhaust Systems and Hose for a total amount of \$446,406 (federal share is \$357,125; City's share is \$89,281 funded from FY11 Fire Department Capital Equipment Funding).

0362-03-11, Fleet Services purchase of one Toro Sand Pro for the amount of \$4,100 and one John Deere 2653B Lawn Mower for the amount of \$22,862.98 from Van Wall Equipment for the total amount of \$26,962.98.

0363-03-11, Finance Department purchase of additional Oracle/PeopleSoft Enterprise Portal license for a one-time cost of \$36,770 and purchase of the related software support in an annual amount of \$8,089.40 for the total cost of \$44,859.40.

0364-03-11, Information Technology Agreement for Professional IT Services with McGladrey for a total estimated annual amount not to exceed \$100,000.

0365-03-11, Professional Services Agreement for Convention Complex Hazardous Materials Abatement with D.W. Zinser Company for an amount not to exceed \$159,750.

0366-03-11, authorizing Downtown Parking Management, Inc. (entity created by the Cedar Rapids Downtown District which will manage the parking system) to execute the Parking Assets Lease and Sale Agreement approved by Resolution No. 0108-02-11 on February 8, 2011.

0367-03-11, Software Agreement for enhancement of investigative tools with CLEAR Services in the amount of \$23,004 as requested by the Police Department.

0368-03-11, Utilities Department – WPC division purchase of one 75hp and one 60hp Lightnin Gearboxes from Trident Process, Inc. for the total amount of \$121,550 (sole source).

0369-03-11, Utilities Department – WPC division purchase of Jamesbury Ball Valves and Operators from Schimberg Co. for the total amount of \$29,910 (sole source).

0370-03-11, Consent Agreement and Final Order with the United States Environmental Protection Agency Region 7 which requires WPC to pay \$3,500 civil penalty and completion of Supplemental Environmental Project (SEP) with a minimum cost of \$13,125.

0371-03-11, Change Order No. 3 in the amount of \$37,530.67 with Rice Lake Construction Group for the Cedar Rapids Water Pollution Control Facility, Permanent Flood Repairs – Package 1, Main Lift, SCADA, Fiber Optic Network & CCTV/Security project (original contract amount is \$2,938,000; total contract amount with this change order is \$3,168,849.04) (FLOOD).

0372-03-11, Change Order No. 3 in the amount of \$31,461.24 with Nelson Electric Co., for the Ellis Harbor Electrical System project (original contract amount is \$192,500.00; total contract amount with this amendment is \$223,961.24) (FLOOD).

0373-03-11, Engineering Agreement for Temporary HVAC Equipment at the Paramount Theatre with Modern Piping, Inc. for the total amount of \$259,900 (FLOOD). Abstain, Council member Swore.

Discussion: Council member Swore.

Council member Podzimek moved the adoption of the motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for April 12, 2011 and advertising for bids by publishing notice to bidders for the Roosevelt Stair project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on April 20, 2011 (Architect's estimated cost is \$600,000); seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Motion carried.

Report on bids for Fiber Optic Cabling Material project. (Diane Rodenkirk)

Bids were received on March 16, 2011 (all vendors did not submit pricing on each item, see bid tab for bid information):

Electrical Engineering and Equipment Co. (Cedar Rapids, IA)
Graybar Electric (Cedar Rapids, IA)
Terry Durin Company (Cedar Rapids, IA)
Van Meter Industrial (Cedar Rapids, IA)
Wesco Distribution, Inc. (Cedar Rapids, IA)

Report on bids for the Five Seasons Parkade Lighting Retrofit project. (Doug Carper)

Bids were received on March 16, 2011:

Justice Electric Co. (Cedar Rapids, IA)	\$173,500.00
Paulson Electric Company, Inc. (Cedar Rapids, IA)	\$175,700.00
Hawkeye Electrical Contractors (Hiawatha, IA)	\$178,888.00
Price Industrial Electric (Hiawatha, IA)	\$192,550.00
Hoddy Gates Electrical Service, Inc. (Central City, IA)	\$214,868.75

0374-03-11, awarding and approving contract in the amount of \$173,500 plus incentive up to \$4,500, bond and insurance of Justice Electric Co. for the Five Seasons Parkade Lighting Retrofit project.

Discussion: Julie Sina

0375-03-11, authorizing Golf Operations to eliminate one full-time Administrative Assistant II position and add one permanent ½ time Customer Service Representative II and one seasonal ½ time Secretary IV, reducing total FTE's by .212.

Presentation by Pat Ball regarding the 2011 City Clean Up.

Ordinance No. 011-11, being an Ordinance vacating public ways and grounds in and to the property described as a 60 square-foot parcel of existing City-owned right-of-way located west of and adjacent to 1719 Aaron Drive NW (also known as Plat of Survey 1667 Parcel A) as requested by Kennene Real Estate Exchange, LC., was presented and read the second time.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

0376-03-11, authorizing the disposition of the property described as a 60 square-foot parcel located west of and adjacent to 1719 Aaron Drive NW (also known as Plat of Survey 1667 Parcel A) to Kennene Real Estate Exchange, LC.

Ordinance No. 012-11, being an Ordinance granting a change of zone for property at 711 and 715 10th Avenue SE from R-TN, Traditional Neighborhood Residence Zone District and RMF-2, Multiple Family Residence Zone District to O-S, Office/Service Zone District as requested by Community Health Free Clinic and Linda S. Floyd, was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 013-11, being an Ordinance adopting an amended tax increment ordinance for the Consolidated Central Urban Renewal Area to reflect the proposed Amendment No. 2 to the Plan, was presented and read the second time.

Council member Swore moved the approval of the Ordinance on its second reading; seconded by Council member Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Karr. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 014-11, being an Ordinance amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates, was presented and read the second time.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Karr. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 015-11, being an Ordinance amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates, was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Karr. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 016-11, being an Ordinance amending Chapter 24 of the Municipal Code, Solid Waste, by repealing existing rates and establishing new rates, was presented and read the second time.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public comments were heard.

The following Council Committee Reports/Announcements were given: Development Committee (Chair, Council member Vernon); Finance & Administrative Services Committee (Chair, Council member Gulick); Flood Recovery Committee (Chair, Council member Karr); Infrastructure Committee (Chair, Council member Swore); and Public Safety Committee (Chair, Council member Shields).

City Manager and City Council communications were heard.

Council member Shields moved to adjourn; seconded by Council member Gulick. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 6:48 p.m. to meet Tuesday, April 12, 2011 at 5:30 p.m.

Amy Stevenson, City Clerk

Nay, Council member Gulick
Nay, Council member Podzimek
Abstain, Council member Gulick
Abstain, Council member Swore
Absent, Mayor Corbett - for a portion of the meeting (arrived at 6:18 p.m.)

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

April 12, 2011, 5:30 p.m.

City Council met in Regular Session in the Hiawatha City Hall Council Chambers, 101 Emmons Street, Hiawatha, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney Mo Sheronick.

The invocation was given by Council member Monica Vernon.

Pledge of Allegiance.

Mayor Corbett presented a proclamation to Betty Holmes declaring April 2011 as Parkinson Disease Awareness Month.

Council members Swore and Shields presented a proclamation to Roughrider's CEO Jeff Jauch and Coach Mark Carlson declaring April 12, 2011 as Cedar Rapids Roughriders Day.

Mayor Corbett read a proclamation declaring April 12, 2011 as Hiawatha Appreciation Day.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted:

A public hearing was held to consider a request for an Urban Revitalization Area designation for construction of a commercial/light industrial facility adjacent to Interstate 380 just south of Kenworth Court SW. One comment was heard. No objections were heard or filed.

0377-04-11, authorizing an Urban Revitalization Area designation for construction of a commercial/light industrial facility adjacent to Interstate 380 just south of Kenworth Court SW.

Ordinance No. _____, being an Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, establishing the "Lehman, Allsop, Evans LLC" (adjacent to Interstate 380 south of Kenworth Court SW), was presented and read the first time.

Council member Swore 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider submittal of the FY12 Consolidated Transit Funding Application to the Iowa Department of Transportation and Federal Transit Administration. No comments or objections were heard or filed.

0378-04-11, authorizing submittal of the FY12 Consolidated Transit Funding Application to the Iowa Department of Transportation and Federal Transit Administration.

A public hearing was held to consider the vacation and disposition of public ways and grounds in and to a 2,800 square-foot parcel of right-of-way located in the alley between 8th Avenue and 10th Avenue SW and between 2nd Street and 3rd Street SW (also known as Plat of Survey No. 1668 Parcel A) as requested by Linn County, Iowa. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance vacating the public ways and grounds in and to a 2,800 square-foot parcel of right-of-way located in the alley between 8th Avenue and 10th Avenue SW and between 2nd Street and 3rd Street SW (also known as Plat of Survey No. 1668 Parcel A) as requested by Linn County, Iowa, was presented and read the first time.

Council member Swore 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider an Ordinance granting a non-exclusive natural gas utility franchise to MidAmerican Energy Company, an Iowa corporation. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a non-exclusive natural gas utility franchise to MidAmerican Energy Company, an Iowa corporation, was presented and read the first time.

Council member Swore 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider a lease for 99 years for financing purposes, of the former Federal Courthouse to be the new City Hall building, to Courthouse II, LLC, ownership of which entity may later be assigned. One objection was heard. No written comments or objections were filed.

0379-04-11, authorizing execution of a lease for 99 years for financing purposes, of the former Federal Courthouse to be the new City Hall building, to Courthouse II, LLC, ownership of which entity may be later assigned.

A public hearing was held to consider a lease for 19 years for financing purposes, of the new City Hall building (former Federal Courthouse) back to the City of Cedar Rapids, by Courthouse II Tenant, LLC, or its assignee. No comments or objections were heard or filed.

0380-04-11, authorizing execution of a lease for 19 years for financing purposes, of the new City Hall building (former Federal Courthouse) back to the City of Cedar Rapids, by Courthouse II Tenant, LLC, or its assignee.

A public hearing was held to consider granting a change of zone for property at 3235 Oakland Road NE from R-3, Single Family Residence Zone District to C-2, Community Commercial Zone District as requested by Hy-Vee, Inc. No comments or objections were heard. One written objection was filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 3235 Oakland Road NE from R-3, Single Family Residence Zone District to C-2, Community Commercial Zone District requested by Hy-Vee, Inc, was presented and read the first time.

Council member Swore 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider granting a change of zone for property at the city block between 8th and 9th Avenue SE and 8th and 9th Street SE from C-2, Community Commercial Zone District, O-S, Office/Service Zone District and RMF-2, Multiple Family Residence Zone District to C-2, Community Commercial Zone District and O-S Office/Service Zone District as requested by Mercy Medical Center and Mercy Hospital. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at the city block between 8th and 9th Avenue SE and 8th and 9th Street SE from C-2, Community Commercial Zone District, O-S, Office/Service Zone District and RMF-2, Multiple Family Residence Zone District to C-2, Community Commercial Zone District and O-S Office/Service Zone District requested by Mercy Medical Center and Mercy Hospital, was presented and read the first time.

Council member Vernon 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 Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider granting a change of zone for property at 629 12th Avenue SE from O-S, Office/Service Zone District to C-1, Mixed Neighborhood Convenience Zone District as requested by Green Development 12th Avenue LLC and the City of Cedar Rapids. One comment was heard. No objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 629 12th Avenue SE from O-S, Office/Service Zone District to C-1, Mixed Neighborhood Convenience Zone District requested by Green Development 12th Avenue LLC and the City of Cedar Rapids, was presented and read the first time (FLOOD).

Council member Swore 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider granting a change of zone for property at 624 12th Avenue SE from RMF-2, Multi-Family Residence Zone District to C-1, Mixed Neighborhood Convenience Zone District as requested by Green Development 12th Avenue LLC and the City of Cedar Rapids. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 624 12th Avenue SE from RMF-2, Multi-Family Residence Zone District to C-1, Mixed Neighborhood Convenience Zone District requested by Green Development 12th Avenue LLC and the City of Cedar Rapids, was presented and read the first time (FLOOD).

Council member Karr 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Roosevelt Stair project (Architect's estimated cost is \$600,000). No comments or objections were heard or filed.

0381-04-11, adopting plans, specifications, form of contract and estimated cost for the Roosevelt Stair project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar Rapids Convention Complex – Primary Steel Bid Package project (Architect's estimated cost is \$3,300,000). No comments or objections were heard or filed.

0382-04-11, adopting plans, specifications, form of contract and estimated cost for the Cedar Rapids Convention Complex – Primary Steel Bid Package project. Nay, Council member Wieneke.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project (Engineer's estimated cost is \$132,000). No comments or objections were heard or filed.

0383-04-11, adopting plans, specifications, form of contract and estimated cost for the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the J Avenue Chlorine System Improvements project (Engineer's estimated cost is \$470,000). No comments or objections were heard or filed.

0384-04-11, adopting plans, specifications, form of contract and estimated cost for the J Avenue Chlorine System Improvements project.

A public hearing was held to consider the proposed specifications, form of contract and estimated cost for the Demolition Services for Flood Damaged Structures (Estimated cost is \$610,000). No comments or objections were heard or filed.

0385-04-11, adopting specifications, form of contract and estimated cost for the Demolition Services for Flood Damaged Structures (FLOOD).

Public comments were heard.

Council member Gulick moved to approve the Agenda; seconded by Council member Wieneke. City Manager Pomeranz requested that Items Number 40 (Resolution authorizing the City Manager, or his designee, to provide up to \$1,200 to fund the cost of commercial appraisals for commercial properties participating in the voluntary property acquisition that appeal the pre-flood assessed value) and 47c (Resolution authorizing execution of a contract with Perspective Consulting Partners to provide a competitive market analysis for a Third Party Administrator for Health, Pharmacy Benefits Manager and other ancillary services for a total amount of \$32,000) be scratched from the agenda. Council member Wieneke requested that Item Number 47q (Resolution authorizing execution of an Agreement for Hotel Services with Frew Nations Group, LLC (FNG), specifying project management services, construction management services, and naming rights services related to the Convention Complex Hotel for an amount not to exceed \$3,731,417) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Vernon moved to approve the Consent Agenda; seconded by Council member Wieneke. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. April 26, 2011 – to consider repealing Chapter 25 of the Municipal Code, Junk Vehicles, and enacting and adopting in lieu thereof a new Chapter 25, Junk Vehicle Code; and
- b. April 26, 2011 – to consider the disposition of excess City-owned property acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the third round of the Single Family New Construction Program.

Motion filing specifications, estimated costs, setting a public hearing for April 26, 2011 and advertising for bids by publishing notice to bidders for the Veterans Memorial Boiler Purchase Package and authorizing the Veterans Memorial Director to receive and open the bids and publicly announce the results on May 4, 2011 (Estimated cost is \$190,000).

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing for April 26, 2011 and advertising for bids by publishing notice to bidders for the May's Island Parkade and authorizing the Veterans Memorial Director to receive and open the bids and publicly announce the results on May 18, 2011 (Estimated cost is \$1,200,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for April 26, 2011 and advertising for bids by publishing notice to bidders for the Water Pollution Control Facility Ash Lagoon Liner project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on May 11, 2011 (Engineer's estimated cost is \$990,030).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for April 26, 2011 and advertising for bids by publishing notice to bidders for the FY 2011 City of Cedar Rapids, Iowa Sanitary Sewer Improvements Point Repairs and Reconstruction – Package #1 project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on May 4, 2011 (Engineer's estimated cost is \$1,675,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for April 26, 2011 and advertising for bids by publishing notice to bidders for Bender Pool Roof Replacement and authorizing the Purchasing Manager, or designee, to receive and open the bids and publicly announce the results on April 27, 2011 (Estimated cost is \$97,925).

Motion approving the beer/liquor/wine applications of:

- a. Casey's General Store #2850, 5655 C Street SW;
- b. Cedar Rapids Jaycees, 225 5th Avenue SW (transfer for an event on April 23, 2011 at Sokol Park);
- c. Hacienda Las Glorias, 715 1st Avenue SW;
- d. Hacienda Las Glorias II, 4317 Center Point Road NE;
- e. Hy-Vee #7 Club Room, 5050 Edgewood Road NE;
- f. Metro North Rotary, 3700 1st Avenue NE (5-day Beer Permit for an event on April 28, 2011 at the African American Historical Museum, 55 12th Avenue SE);
- g. Regis Middle School, 735 Prairie Drive NE (5-Day Class C Liquor License for an event on April 30, 2011);
- h. R G Books, 3611 1st Avenue SE; and
- i. Walgreen's #12393, 5750 C Avenue NE.

0386-04-11, approving payment of bills.

0387-04-11, approving payment of payroll.

0388-04-11, approving transfer of funds to various departments.

0389-04-11, approving the special event application for The National Czech and Slovak Museum and Library Building Move on April 26, 2011.

0390-04-11, approving the special event application for Mayor Corbett's News Conference: Ballroom Demolition on April 18, 2011.

0391-04-11, appointing Paul Pate (co-chair), Kay Halloran (co-chair), Nancy Bruner, LaNisha Cassell, Monica Challenger, James Craig, Patricia (Tricia) Miller, Mary Nelson, Fatima Smejkal, Scott Overland, Robin Tucker, Nancy Welsh and Carleton Whiting (effective through August 15, 2011) to the Charter Review Commission.

0392-04-11, intent to assess for Solid Waste & Recycling clean up costs at 4 properties.

0393-04-11, levy assessment for Solid Waste & Recycling clean up costs at 3 properties.

0394-04-11, intent to assess for Utilities – Water Division delinquent municipal utility bills at 25 properties.

0395-04-11, levy assessment for Utilities – Water Division delinquent municipal utility bills at 20 properties.

0396-04-11, accepting sanitary sewer in Ridgewood Meadows Ninth Addition and approving 2-year Maintenance Bond submitted by Rathje Construction Company, Inc. in the amount of \$3,764.

0397-04-11, accepting storm sewer in North River Village Third Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$72,908.

0398-04-11, accepting Portland Cement Concrete pavement and Hot Mix Asphalt pavement in North River Village Third Addition and approving 4-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$107,530.78.

0399-04-11, accepting sanitary sewer in Cottage Hill Third Addition and approving 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$53,841.

0400-04-11, accepting storm sewer in Cottage Hill Third Addition and approving 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$53,841.

0401-04-11, accepting Portland Cement Concrete pavement in Cottage Hill Third Addition and approving 4-year Maintenance Bond submitted by E & F Cement and Asphaltic Concrete Company, Inc. in the amount of \$53,000.

0402-04-11, accepting water system improvements installed in Sugar Creek 1st Addition and approving Maintenance Bond submitted by Dave Schmitt Construction Co., Inc. in the amount of \$132,902.

0403-04-11, accepting Water Pollution Control Facility Generator Controls Upgrade project, final payment in the amount of \$12,121.81 to Tri-City Electric Company of Iowa (Final contract amount is \$242,436.12).

0404-04-11, accepting C-2 Clarifier Rehabilitation project, final payment in the amount of \$31,617.50 to WRH, Inc. (Final contract amount is \$632,350).

0405-04-11, accepting J Avenue CO2 System Improvements project, final payment in the amount of \$24,777.34 to August Winters & Sons, Inc. (Final contract amount is \$495,546.75).

0406-04-11, accepting replacement of Flood Damaged Vertical Well Control Panels and Motors project, final payment in the amount of \$10,968.84 to Price Industrial Electric (Final contract amount is \$316,916.34 (FLOOD)).

0407-04-11, accepting U.S. Cellular Center Flood Recovery project, final payment in the amount of \$43,584.63 to Miron Construction Co., Inc. (Final contract amount is \$881,692.59) (FLOOD).

0408-04-11, Development Agreement with Affordable Housing Network, Inc. for property at 1200 10th Street NW.

0409-04-11, Development Agreement with Affordable Housing Network, Inc. for property at 1222 10th Street NW.

0410-04-11, authorizing sponsorship of a Business Financial Assistance application to the State by American Profol, Inc., for expansion of a manufacturing facility at 4333 C Street SW with the local match being satisfied by Alliant Energy.

0411-04-11, amending the 2011 Council Meeting Schedule to change the times of the June, July and August Regular Sessions.

0412-04-11, adopting and levying final schedule of assessments and providing for the payment thereof for the 60th Avenue SW from Edgewood Road SW to Willow Creek Drive SW Pavement Improvements Project.

0413-04-11, rescinding Resolution No. 1179-05-03 which established "Prohibited Parking At All Times – Tow-Away-Zone" on the southerly side of 1st Avenue from 1st Street SE westerly to the easterly end of the 1st Avenue Bridge over the Cedar River and on the northerly side of 2nd Avenue from 1st Street SE to the easterly end of the 2nd Avenue Bridge over the Cedar River; and rescinding Resolution No. 0430-3-98 which established Reserved Parking for "Government Vehicles Only" on the north side of 1st Avenue from 1st Street NE westerly for a distance of 125'; and recommending the placement of "Permit Parking Only, Monday thru Friday, 6:30 AM to 5:00 PM on the west half of the Bridge, both north and south sides, and installing parking meters on the east half of the bridge, both north and south sides, from the east Memorial Building alley to 1st Street SE.

0414-04-11, accepting a Warranty Deed in consideration of \$1 and other valuable consideration as submitted by the Cedar Rapids Community School District for additional right-of-way along the southerly side of Ellis Road NW adjoining property at 2418 Edgewood Road NW.

0415-04-11, approving the Final Plat of Woodland Cove First Addition located on the west side of Rosedale Road NE, north of Mt. Vernon Road SE.

0416-04-11, granting permission for a proposed deck to encroach onto portions of the existing 62-foot easement at 3910 Falbrook Drive NE as requested by Robert J. Dagit and Joleen A. Dagit.

0417-04-11, granting permission for a proposed screened-in porch to encroach onto portions of the existing 10-foot utility and sidewalk easement at 3900 Willowleaf Street NE as requested by Richard M. Lesan and Janet L. Lesan.

0418-04-11, accepting a Quit Claim Deed from Christopher M. Tyler, DDS, PC., former tenant of Armstrong Race Realty Co., conveying their leasehold interest to property at 126 2nd Street NE, in connection with the Cedar Rapids Convention Complex project. 0

0419-04-11, Memorandum of Agreement (MOA) among the Federal Emergency Management Agency, the State Historical Society of Iowa, Iowa Homeland Security & Emergency Management Division and the City of Cedar Rapids, regarding the demolition of the First Street Parkade (FLOOD).

0420-04-11, authorizing termination of an Agreement for Administrative Services for Expanded Jumpstart Business Recovery and Steam Programs (FLOOD).

0421-04-11, Administrative Services Agreement with ProSource Technologies, Inc. for the Jumpstart Business Recovery and Steam Programs (FLOOD).

0422-04-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 15 properties in connection with the HUD Community Development Block Grant (FLOOD).

0423-04-11, Corrective Quit Claim Deed to the Cedar Rapids/Linn County Solid Waste Agency to remove property previously conveyed by the City of Cedar Rapids on September 7, 2005, which erroneously included the City-owned property at 15 22nd Avenue SW, which previously housed the City Forestry Department (FLOOD).

0424-04-11, partial payment of retainage in the amount of \$88,813.80 to Rice Lake Construction Group for the Cedar Rapids Water Pollution Control Facility, Permanent Flood Repairs – Package 1, Main Lift, SCADA Fiber Optic Network & CCTV/Security project (total contract amount is \$3,168,849.04) (FLOOD).

0425-04-11, Amendment No. 2 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC specifying an increased amount not to exceed \$10,834 for design services in connection with the Phase 1 Medical District Street Improvements, 3rd Avenue SE between 8th Street SE and 13th Street SE project (original contract amount is \$67,220; total contract amount with this amendment is \$78,054).

0426-04-11, Amendment No. 2 to the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$92,391 for design services in connection with the Bever Avenue SE Rehabilitation project (original contract amount is \$132,300; total contract amount with this amendment is \$224,691).

0427-04-11, Amendment No. 1 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC specifying an increase of \$23,200 for services in connection with Joint Communication Network Economic Development Grant Project (original contract amount is \$14,358; total contract amount with this amendment is \$37,558).

0428-04-11, Amendment No. 3 to renew Agreement for Compressor Repair Services and Parts with Mid Iowa Tools for the Water Pollution Control Facility for an estimated annual amount of \$40,000 (original contract amount was \$75,000; renewal contract amount is \$40,000).

0429-04-11, Amendment No. 1 to the Agreement for Lagoon Ash Sand Storage with Crawford Quarry Co. to reflect the additional cost for the acceptance and storage of additional

lagoon ash for an amount not to exceed \$62,483.40 (original contract amount is \$500,000; total contract amount with this amendment is \$562,483.40).

0430-04-11, Amendment No. 2 to the Agreement for Lagoon Ash Sand Hauling with Mike McMurrin Trucking, Inc. to reflect the additional cost for excavation and hauling of additional lagoon ash for an amount not to exceed \$23,400.03 (original contract amount is \$187,250; total contract amount with this amendment is \$213,650.03).

0431-04-11, Amendment No. 2 to renew Agreement for Garbage, Refuse and Cardboard Disposal Services with Banner Valley Hauling, Waste Management of Iowa and Wilson Rubbish Hauling, Inc. for various City departments for an estimated annual amount of \$80,000 (original contract amount was \$70,000; renewal contract amount is \$80,000).

0432-04-11, Amendment No. 2 to renew Agreement for Traffic Signal Equipment with Brown Traffic Products, Inc. for Traffic Engineering for an estimated annual amount of \$150,000 (original contract amount was \$45,000; renewal contract amount is \$150,000).

0433-04-11, Amendment No. 2 to renew Agreement for Traffic Signal Pole Assemblies with Valmont Industries, c/o Electrical Products for Traffic Engineering for an estimated annual amount of \$125,000 (original contract amount was \$40,000; renewal contract amount is \$125,000).

0434-04-11, Amendment No. 1 to the City Services Facility – Council Chambers – Audio Visual Agreement with Pratt Audio-Visual & Video Corporation to reflect the additional cost for scope changes for an amount not to exceed \$11,920.82 (original contract amount is \$124,690; total contract amount with this amendment is \$136,610.82).

0435-04-11, Amendment No. 1 to the City Services Facility – Council Chambers – Framing/Drywall Agreement with Pearson Wall Systems to reflect the additional cost for scope changes for an amount not to exceed \$1,960 (original contract amount is \$7,950; total contract amount with this amendment is \$9,910).

0436-04-11, Amendment No. 1 to the City Services Facility – Council Chambers – Doors/Hardware Agreement with Olmstead Construction to reflect the additional cost for scope changes for an amount not to exceed \$2,160 (original contract amount is \$6,958; total contract amount with this amendment is \$9,118).

0437-04-11, Amendment No. 1 to the City Services Facility – Council Chambers – HVAC Agreement with Climate Engineers, Inc. to reflect the additional cost for scope changes for an amount not to exceed \$2,022 (original contract amount is \$14,900; total contract amount with this amendment is \$16,922).

0438-04-11, Amendment No. 1 to the City Services Facility – Council Chambers – Millwork Agreement with Connerley Construction LLC to reflect the additional cost for scope changes for an amount not to exceed \$1,000 (original contract amount is \$80,000; total contract amount with this amendment is \$81,000).

0439-04-11, Amendment No. 1 to renew Agreement for Uniform Apparel for the Police Department with Carpenter Uniform Co. for a total amount not to exceed \$150,000 over the next two years (original contract amount was \$155,000; renewal contract amount is \$305,000).

0440-04-11, amending Resolution No. 0346-03-11 to delete Prairie Supply as a vendor for Anti-Icing Products.

0441-04-11, Change Order No. 9 in the amount of \$10,260.57 with L.L. Pelling Company, Inc. for the 16th Avenue SW from Stoney Point Road to West Post Road Pavement Rehabilitation and Traffic Signals project (original contract amount is \$1,945,443.43; total contract amount with this amendment is \$2,070,327.83).

0442-04-11, contract with OPN Architects, LLC (OPN) to provide architectural and engineering services for the renovation of the Cedar Rapids Convention Complex Hotel for a total amount not to exceed \$1,474,464.

0443-04-11, two year labor agreement with the American Federation of State, County and Municipal Employees Local 620.

0444-04-11, Supplemental Purchase Agreement in the amount of \$150 and accepting a Warranty Deed for right-of-way from Donald D. Winters and Bonnie M. Winters from land at 3302 Remington Street SW in connection with the 33rd Avenue Reconstruction project.

0445-04-11, Professional Services Agreement with Alltrans, Inc. in an amount not to exceed \$25,589 for preliminary design services in connection with the 18th Street NW from Zika Avenue to Meiers Court Drainage Improvements project.

0446-04-11, Professional Services Agreement with Snyder and Associates, Inc. in an amount not to exceed \$26,930 for design services in connection with the 5-in-1 Northbound and Southbound Bridge Repairs project.

0447-04-11, authorizing Alliant Energy to perform work on their substation equipment in conjunction with the Cedar Rapids Water Pollution Control Facility Generator Controls Upgrade project for the cost of \$63,937.81.

0448-04-11, Professional Services Agreement with Ulteig Engineers for an amount not to exceed \$80,000 for the WPC Lenel and Security Systems Upgrade project.

0449-04-11, Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$110,000 for the WPC Headworks Local Limits Study.

0450-04-11, Professional Services Agreement for Surveying Services – Letters of Map Amendment with Ulteig Engineers, Inc. for up to 35 properties for an amount not to exceed \$10,500.

0451-04-11, Letters of Agreement for Fiber Optic Cabling Material with Terry Durin Company and Wesco Distribution, Inc. for an amount not to exceed \$1,215,288.70.

0452-04-11, Water Division Agreement for Lawn Care Services with Berns Brothers Mowing Inc. for an estimated annual amount not to exceed \$30,000.

0453-04-11, Information Technology Agreements for Wireless Equipment with CDW Government LLC and Champion Optical Network Engineering for an amount not to exceed \$170,000.

0454-04-11, Fleet Services purchase of one used 60' manlift from Altorfer Rents for a total amount of \$59,895.

0455-04-11, Amendment No. 1 to renew Agreements for Landfill Services for Biosolids with Allied/Republic Upper Rock Island County Landfill, Millennium Waste, Inc. and Waste Management Prairie Hill RDF for the Water Pollution Control Facility for the estimated annual amount of \$700,000 (original contract amount was \$700,000; renewal contract amount is \$700,000) (FLOOD).

0456-04-11, Amendment No. 1, No. 2 and No. 3 for Usher House Repairs with Dean Driscoll Construction, Inc. for the additional cost for floor and roof repairs for an amount not to exceed \$11,018 (original contract amount is \$42,548; total contract amount with this amendment is \$53,566) (FLOOD).

0457-04-11, Amendment No. 3 to extend Agreement for Flood Related Temporary Employment Services with Spherion Staffing Services through December 31, 2010 for a total amount of \$47,903.17 (original contract amount through December 31, 2009 was \$101,052.24; total contract amount with this amendment is \$148,955.41) (FLOOD).

0458-04-11, Amendment No. 2 to the Professional Services Agreement with Neumann Brothers, Inc. for an amount not to exceed \$99,712.99 for construction management services for the Veterans Memorial Building and May's Island Parkade reconstruction (original contract amount is \$3,382,480; total contract amount with this amendment is \$3,482,242.99) (FLOOD).

0459-04-11, Amendment No. 8 and Amendment No. 9 to the Contract Agreement with the Iowa Department of Economic Development (IDED) increasing the grant award by an amount not to exceed \$2,165,964 for the voluntary acquisition and demolition of parcels funded under the Community Development Block Grant (CDBG) program (original contract amount is \$95,474,137; total contract amount with these amendments is \$166,865,594) (FLOOD).

0460-04-11, Agreement for Hotel Services with Frew Nations Group, LLC (FNG), specifying project management services, construction management services, and naming rights services related to the Convention Complex Hotel for an amount not to exceed \$3,731,417

Report on bids for the 8th Avenue SE Water Main Replacement from Cedar River Bridge to 3rd Street SE - Phase I project. (Pat Ball)

Bids were received on March 16, 2011:

Gee Grading & Excavating, Inc. – Cedar Rapids, IA	\$ 206,527.80
Connolly Construction, Inc – Peosta, IA	\$ 215,415.05
Tschiggfrie Excavating Co. – Dubuque, IA	\$ 246,212.45

0461-04-11, awarding and approving contract in the amount of \$206,527.80, bond and insurance of Gee Grading & Excavating, Inc. for the 8th Avenue SE Water Main Replacement from Cedar River Bridge to 3rd Street SE - Phase I project.

Discussion: Paula Mitchell

0462-04-11, authorizing negotiation of Development Agreements with Affordable Housing Network, Inc., doing business as Block By Block, for the rehabilitation of up to an additional 20 flood-damaged structures (FLOOD).

Discussion: Drew Westberg and John Frew

0463-04-11, authorizing delivery of written notice of termination to VenuWorks of Cedar Rapids, Inc., d/b/a Compass of Cedar Rapids, LLC, for management services of the U.S. Cellular Center.

Discussion: Drew Westberg and John Frew

0464-04-11, authorizing execution of an agreement with Cedar Rapids Management Associates, LLC, a joint venture of Kinseth Hospitality and VenuWorks, for facility management services for the Cedar Rapids Convention Complex and an agreement to establish a franchise at the city's convention complex hotel.

Discussion: Drew Westberg

0465-04-11, authorizing utilization of up to \$103,878.30 in Community Disaster Grant funds to address financial gaps in the Local Option Sales Tax (LOST) funded Residential Rental Rehabilitation Program, subject to the Finance Department's approval of all loan documents.

Ordinance No. 017-11, being an Ordinance vacating the public ways and grounds in and to a 10,999 square-foot Easement for Public Highway located at the south end of West Post Road SW adjoining the northerly right-of-way line of Highway 30 (Plat of Survey No. 1595 Parcel A) as requested by Thomas Dostal Developers, Inc., was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

0466-04-11, accepting two Utility Easement Plats for existing utilities for property located at the south end of West Post Road SW adjoining the northerly right-of-way line of Highway 30 (Plat of Survey No. 1595 Parcel A).

Public comments were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 7:40 p.m. to meet Tuesday, April 26, 2011 at 5:30 p.m.

Amy Stevenson, City Clerk

Nay, Council member Wieneke

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

April 26, 2011, 5:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney Jim Flitz.

The invocation was given by Police Chaplain Imam Taha Tawil.

Pledge of Allegiance.

Mayor Corbett and Council member Shields presented a proclamation to Mary Tarbox, Kathy Horan, Louie Ervin and Lijun Chadima declaring May 13, 2011 as Health, Wellness and Senior Olympics Day.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider repealing Chapter 25 of the Municipal Code, Junk Vehicles, and enacting and adopting in lieu thereof a new Chapter 25, Junk Vehicle Code. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance repealing Chapter 25 of the Municipal Code, Junk Vehicles, and enacting and adopting in lieu thereof a new Chapter 25, Junk Vehicle Code, was presented and read the first time.

Council member Vernon 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 Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the disposition of excess City-owned property acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the third round of the Single Family New Construction Program. Two comments were heard. No objections were heard or filed.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility Ash Lagoon Liner project (Engineer's estimated cost is \$990,030). No comments or objections were heard or filed.

0467-04-11, adopting plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility Ash Lagoon Liner project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2011 City of Cedar Rapids, Iowa Sanitary Sewer Improvements Point Repairs and Reconstruction – Package #1 project (Engineer's estimated cost is \$1,675,000). No comments or objections were heard or filed.

0468-04-11, adopting plans, specifications, form of contract and estimated cost for the FY 2011 City of Cedar Rapids, Iowa Sanitary Sewer Improvements Point Repairs and Reconstruction – Package #1 project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for Bender Pool Roof Replacement (Estimated cost is \$97,925). No comments or objections were heard or filed.

0469-04-11, adopting plans, specifications, form of contract and estimated cost for the Bender Pool Roof Replacement project.

A public hearing was held to consider the proposed specifications, form of contract and estimated costs for the Veterans Memorial Boiler Purchase Package (Estimated cost is \$190,000). No comments or objections were heard or filed.

0470-04-11, adopting specifications, form of contract and estimated cost for the Veterans Memorial Boiler Purchase Package (FLOOD).

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated costs for the May's Island Parkade (Estimated cost is \$1,200,000). No comments or objections were heard or filed.

0471-04-11, adopting plans, specifications, form of contract and estimated cost for the May's Island Parkade (FLOOD).

Public comments were heard.

Council member Wieneke moved to approve the Agenda; seconded by Council member Vernon. City Manager Pomeranz announced that Item Number 12 (Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for May 24, 2011 and advertising for bids by publishing notice to bidders for the 1st Street SW from 3rd Avenue to 5th Avenue Flood Protection Levee project, and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on May 25, 2011, Engineer's estimated cost of \$1,500,000) should be corrected to state that the Engineer's estimated cost is \$1,120,000 and also that Item Number 32 (Resolution authorizing execution of a Master Customer Agreement and Software Support Agreement for a land system management

software solution with EnerGov Solutions, LLC for a total contract amount of \$1,496,244) should be corrected to state the contract amount is \$1,495,489. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Vernon moved to approve the Consent Agenda; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motion setting a public hearing date for May 10, 2011 to consider citizen input concerning the FY2011 Consolidated Annual Action Plan for the City's annual entitlement programs, including the Community Development Block Grant (CDBG) Program and the HOME Investment Partnership (HOME) Program.

Motion authorizing publication of a public notice that on May 10, 2011 a Resolution will be considered to execute a Rental Agreement with Koch Brothers for lease of one Lanier LD 345spf digital copier for the Code Enforcement Division.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for May 10, 2011 and advertising for bids by publishing notice to bidders for the 2nd Street SE Reconstruction – 5th Avenue SE to 8th Avenue SE and Federal Courthouse Infrastructure Improvements project, and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on May 18, 2011 (Engineer's estimated cost is \$2,180,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for May 24, 2011 and advertising for bids by publishing notice to bidders for the 1st Street SW from 3rd Avenue to 5th Avenue Flood Protection Levee project, and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on May 25, 2011 (Engineer's estimated cost is \$1,120,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for May 10, 2011 and advertising for bids by publishing notice to bidders for the 1st Street SE Parkade Demolition project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on May 18, 2011 (Architect's estimated cost is \$840,000) (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. Benz Beverage Depot, 501 7th Avenue SE (5-day Class B Beer Permit for an event on May 14, 2011;
- b. Biaggi's Ristorante Italiano, 320 Collins Road NE;

- c. Bulicek's Deli & Brew, 1616 6th Street SW (Outdoor service for an event on May 1, 2011);
- d. Butterfly Café, 2727 6th Street SW;
- e. Cigarette Outlet #7, 904 1st Avenue NW;
- f. Cork 'N Fork Deli 'N Grill, 2835 Mt. Vernon Road SE;
- g. Downtown Drug, 207 2nd Avenue SE (New-Class B Native Wine permit);
- h. Green Gable Inn, 1227 J Avenue NE;
- i. Happy Joe's Pizza, 5050 Lindale Drive NE;
- j. JM O'Malley's 1502 H Avenue NE;
- k. Loyal Order of Moose #304, 1820 West Post Road SW;
- l. Otis' Tailgaters' Sports Bar, 3969 Center Point Road NE (Outdoor service for an event on May 13, 2011);
- m. Tic Toc, 600 17th Street NE;
- n. Vernon Inn, 2663 Mt. Vernon Road SE.

0472-04-11, approving payment of bills.

0473-04-11, approving payment of payroll.

0474-04-11, approving the special event application for the Oakhill Jackson Brickstone Ribbon Cutting at 12th Avenue and 6th Street SE (including street closure) on May 13, 2011.

0475-04-11, approving the special event application for the Houby Days Events to be held on May 13 - 15, 2011 in the Czech Village area.

0476-04-11, approving the special event application for the Benz Beverage Depot to hold the Benz Beerfest Beer Tasting Event at the 500 block of 7th Avenue SE (including street closure) on Saturday May 14, 2011.

0477-04-11, intent to assess for Utilities – Water Division – delinquent municipal utility bills at 25 properties.

0478-04-11, levy assessment for Utilities – Water Division – delinquent municipal utility bills at 20 properties.

0479-04-11, accepting project, Performance Bond and authorizing final payment in the amount of \$21,672.89 to Municipal Pipe Tool Company, LLC for the FY09 City of Cedar Rapids, IA Sanitary Sewer Improvements Project Phase 1 – Lining & Point Repairs project (Final contract amount is \$433,457.88).

0480-04-11, directing the advertisement for the May 10, 2011 sale of \$26,390,000 General Obligation Bonds, Series 2011A; \$6,140,000 Taxable General Obligation Bonds, Series 2011B; \$1,140,000 Taxable General Obligation Bonds, Series 2011C; \$6,435,000 Water Revenue bonds, series 2011D and approving electronic bidding procedures.

0481-04-11, approving the installation of stop signs on West Post Road SW at its intersection with Wilson Avenue SW, such that all-way stop control is implemented at the intersection.

0482-04-11, accepting the established fair market value in the amount of \$1,500 for a temporary construction easement from property at 320 1st Street SE, owned by Craig D. Bowman (Fee Owner) and Alice M. Risk (Contract Purchaser) in addition to the \$27,000 for damages previously approved for a total of \$28,500 in connection with the Paramount Theatre Flood Recovery project (FLOOD).

0483-04-11, accepting the established fair market value in the amount of \$1,500 for a temporary construction easement from property at 330 1st Street SE owned by Enlighten Technologies, Inc. in addition to the \$9,300 for damages previously approved for a total of \$10,800 in connection with the Paramount Theatre Flood Recovery project (FLOOD).

0484-04-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 24 properties in connection with the HUD Community Development Block Grant (FLOOD).

0485-04-11, Amendment No. 3 to renew Agreement for New Tires, Retread Tires and Repair Services with Bauer Built Tire for the Fleet Services Division for the estimated annual amount of \$200,000 (original contract amount was \$200,000; renewal contract amount is \$200,000).

0486-04-11, Change Order No. 2 in the amount of \$22,061.41 with Rathje Construction Company for the FHWA Roadway Project Group #1 project (original contract amount is \$168,179.60; total contract amount with this amendment is \$191,319.35).

0487-04-11, Change Order No. 2 in the amount of \$79,133.90 plus an additional 10 working days with Price Industrial Electric for the Traffic Signal Upgrades and Signal Interconnect on Williams Boulevard SW and 1st Avenue W, Wiley Boulevard SW, 16th Avenue SW, Johnson Avenue NW and Edgewood Road SW project (original contract amount is \$1,457,068.48; total contract amount with this amendment is \$1,528,402.38).

0488-04-11, Change Order No. 6 in the amount of \$16,669.56 with Horsfield Construction, Inc. for the 33rd Avenue SW Reconstruction and Turn Lane Improvements From Coyote Road to Remington Street project (original contract amount is \$2,553,421.50; total contract amount with this amendment is \$2,621,942.24).

0489-04-11, Professional Services Agreement with Hall & Hall Engineers, Inc. in an amount not to exceed \$70,100 for geotechnical, wetland mitigation and design services in connection with the 74th Street NE from West Park Road to 500-Foot West of White Ivy Place Pavement Reconstruction project.

0490-04-11, Purchase Agreement in the amount of \$25,200 and accepting an Easement for Utilities from Ross Industrial Park, Inc. from land at 1119 Wenig Road NE in connection with the East Well Field Electric Grid Voltage Conversion project.

0491-04-11, Supplemental Purchase Agreement in the amount of \$1 and accepting a Warranty Deed for right-of-way from Tai Tan Le and Hue Thi Le from land at 3302 King Drive SW in connection with the 33rd Avenue Reconstruction project.

0492-04-11, Community Development Block Grant (CDBG) Program Disaster Recovery Infrastructure Contract with the Iowa Department of Economic Development (IDED) in the amount of \$92,900 in connection with the Vinton Ditch Repair North of E Avenue NW project.

0493-04-11, Community Development Block Grant (CDBG) Program Disaster Recovery Infrastructure Contract with the Iowa Department of Economic Development (IDED) in the amount of \$395,285 in connection with the Valley Brook Drive SE Neighborhood Erosion Repair project.

0494-04-11, Community Development Block Grant (CDBG) Program Disaster Recovery Infrastructure Contract with the Iowa Department of Economic Development (IDED) in the amount of \$107,960 in connection with the repair of detention basins #112 and #206.

0495-04-11, IT purchase of VMWare Maintenance from EnPointe Technologies in the amount of \$32,671.57.

0496-04-11, Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. in an amount not to exceed \$25,504 for design services in connection with the Joint Communications Network Downtown System Improvements and Repair project.

0497-04-11, Professional Services Agreement with Hall & Hall Engineers, Inc. in an amount not to exceed \$50,500 for design services in connection with the 2011 Water Main Replacement in the Area of Gordon Avenue NW and Ford Avenue NW project.

0498-04-11, Professional Services Agreement with Shoemaker & Haaland Professional Engineers in an amount not to exceed \$59,408 for design services in connection with the SW Quad, Phase 1-Water Main Replacement project.

0499-04-11, Professional Services Agreement with Snyder & Associates, Inc. in an amount not to exceed \$59,939 for the C Avenue NE Water Main Replacement – 32nd Street NE to 40th Street NE project.

0500-04-11, Professional Services Agreement with McClure Engineering Company in an amount not to exceed \$39,295 for design services in connection with the N Avenue NW 2011 Water Main Replacement project.

0501-04-11, Professional Services Agreement with Foth Infrastructure and Environment, LLC in an amount not to exceed \$23,777 for design services in connection with the 3rd Avenue East Bridge Water Main Repair project.

0502-04-11, Professional Services Agreement with Shive-Hattery, Inc. in an amount not to exceed \$68,493 for design services in connection with the Bever-Linden-Blake SE Area 2011 Water Main Improvements project.

0503-04-11, Fire Department purchase of three ISG Thermal Imaging Cameras from Danko Emergency Equipment for the amount of \$25,800.

0504-04-11, Police Department purchase of 137 Ballistic Helmets, Face Shields, Neck Drapes and Carrying Bags from Carpenter Uniform Company for the amount of \$65,075.

0505-04-11, Utilities Department purchase of Neptune Meter Reading Systems from Ferguson Waterworks for the amount not to exceed \$154,380.

0506-04-11, Agreement between the City of Cedar Rapids and Harris Corporation establishing a new countywide 800 MHz radio system in the amount of \$18,876,372.30; and requesting the execution of a 28E Agreement between the City of Cedar Rapids, Linn County, and the City of Marion to oversee the operation and maintenance of the new system.

0507-04-11, Temporary Stairway License Agreement with SA Roosevelt Limited Partnership for an amount not to exceed \$24,500.

0508-04-11, Amendment No. 5 to the Flood Related Demolition Project Management Services Agreement with Family Environmental Compliance Services, Inc. to reflect additional required work due to changes in closeout procedures for the amount not to exceed \$71,416 (original amount is \$2,304,521.60; total amount with amendment is \$3,918,681.60) (FLOOD).

0509-04-11, Amendments No. 4 and No. 5 to the Agreement for Phase I Environmental Site Assessment Services with Howard R. Green Company in the amounts of \$24,800 and \$11,160 to reflect an expanded scope of work (original amount is \$125,240; total amount with amendments is \$204,600) (FLOOD).

0510-04-11, Professional Services Agreement with Terracon Consultants, Inc. in an amount not to exceed \$335,800 for environmental consulting services in connection with the Public Works Facility Flood Recovery project (FLOOD).

Report on bids for the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2.
(Chris Strecker)

Bids were received on April 13, 2011:

Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$123,192.50
Anne Duffield Construction, Inc., Cedar Rapids, IA	\$128,045.00

0511-04-11, awarding and approving contract in the amount of \$123,192.50 plus incentive up to \$4,000, bond and insurance of Eastern Iowa Excavating & Concrete, LLC for the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project.

Report on bids for the Cedar Rapids Convention Complex – Primary Steel Bid Package project. (Chris Strecker)

Bids were received on April 20, 2011:

TSF Structures, Inc., Cedar Rapids, IA	\$2,767,966
Johnson Machine Works, Chariton, IA	\$2,876,247
Doherty Steel, Inc., Paola, KA	\$2,935,030
Iowa Specialties, Inc., Cedar Rapids, IA	\$3,012,119
Central Western Fabricators, Inc., Atlantic, IA	\$3,131,000
Drake-Williams Steel, Inc., West Des Moines, IA	\$3,132,500

0512-04-11, awarding and approving contract in the amount of \$2,767,966, bond and insurance of TSF Structures, Inc. for the Cedar Rapids Convention Complex – Primary Steel Bid Package project.

Report on bids for the Roosevelt Stair project. (Chris Strecker)

Bids were received on April 20, 2011:

Weitz Industrial, LLC, Cedar Rapids, IA	\$591,100
Knutson Construction Services Midwest, Inc., Iowa City, IA	\$625,000
Unzeitig Construction Company, Cedar Rapids, IA	\$713,000
Tricon General Construction, Dubuque, IA	\$729,700
Kleiman Construction, Inc., Cedar Rapids, IA	\$748,242

0513-04-11, awarding and approving contract in the amount of \$591,100, bond and insurance of Weitz Industrial, LLC for the Roosevelt Stair project.

Report on bids for the Demolition Services for Flood Damaged Structures for demolition and cleanup services of 90 flood damaged parcels. (Pat Ball)

Bids were received on April 13, 2011:

BWC Excavating LC	Solon, IA	630,943.65
Kelly Demolition, LLC	Mt. Vernon, IA	639,325.00
Young's General Contracting	Poplar Bluff, MO	828,052.50
Landwehr Construction, Inc.	St. Cloud, MN	908,970.00

0514-04-11, awarding and approving contract for the amount not to exceed \$630,943.65, bond and insurance of BWC Excavating LC for the Demolition Services for Flood Damaged Structures (FLOOD). Abstain, Council member Gulick.

Discussion: Paula Mitchell

0515-04-11, Development Agreement with Cedar Valley Habitat for Humanity for disposition of city-owned property at 1777 Mallory Street SW for construction of a new single-family residence.

Discussion: Casey Drew

Council member Swore moved to amend the following resolution and award the five year contract to TrueNorth Companies L.C. to provide insurance services for current policies, excess liability and excess flood insurance to the City for an amount not to exceed \$930,000; seconded by Council member Shields. Discussion was held. Ayes, Council members Shields, Swore and Mayor Corbett. Nays, Council members Gulick, Karr, Podzimek, Shey, Vernon and Wieneke. Motion Failed.

0516-04-11, awarding five year contract to Aon Risk Services Central, Inc. to provide insurance services for current policies, excess liability and excess flood insurance to the City for an amount not to exceed \$921,147 over the five year period. Nays, Council members Shields and Swore.

Discussion: Conni Huber

0517-04-11, Contract with Perspective Consulting Partners to provide a competitive market analysis for a Third Party Administrator for Health, Pharmacy Benefits Manager and other ancillary services in the amount of \$32,000.

Discussion: Sandi Fowler

0518-04-11, Master Customer Agreement and Software Support Agreement for a land system management software solution with EnerGov Solutions, LLC for a total amount of \$1,495,489.

0519-04-11, increase of one temporary FTE to fund a project manager for the implementation of the land system management software solution.

Ordinance No. 018-11, being an Ordinance granting a change of zone for property at 3235 Oakland Road NE from R-3, Single Family Residence Zone District to C-2, Community Commercial Zone District requested by Hy-Vee, Inc., was presented and read the second time.

Council member Karr moved the approval of the Ordinance on its second reading; seconded by Council member Gulick. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Podzimek. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 019-11, being an Ordinance granting a change of zone for all of the property in the city block between 8th and 9th Avenue SE and 8th and 9th Street SE from O-S, Office/Service Zone District and RMF-2, Multiple Family Residence Zone District to C-2, Community Commercial Zone District and O-S Office/Service Zone District as requested by Mercy Medical Center, Cedar Rapids, Iowa and Mercy Hospital, Cedar Rapids, Iowa, was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Podzimek. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 020-11, being an Ordinance granting a change of zone for property at 629 12th Avenue SE from O-S, Office/Service Zone District to C-1, Mixed Neighborhood Convenience Zone District as requested by Green Development 12th Avenue LLC and the City of Cedar Rapids (FLOOD), was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Podzimek. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 021-11, being an Ordinance granting a change of zone for property at 624 12th Avenue SE from RMF-2, Multi-Family Residence Zone District to C-1, Mixed Neighborhood Convenience Zone District requested by Green Development 12th Avenue LLC and the City of Cedar Rapids (FLOOD), was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Podzimek. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 022-11, being an Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, establishing the Lehman, Allsop, Evans LLC (adjacent to Interstate 380 south of Kenworth Court SW), was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Podzimek. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 023-11, being an Ordinance granting a non-exclusive natural gas utility franchise to MidAmerican Energy Company, an Iowa corporation, was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Podzimek. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 024-11, being an Ordinance vacating public ways and grounds in and to the property described as a 2,800 square-foot parcel of right-of-way located in the alley between 8th Avenue and 10th Avenue SW and between 2nd Street and 3rd Street SW, (also known as Plat of Survey No. 1668 Parcel A) as requested by Linn County, Iowa, was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Podzimek. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

0520-04-11, authorizing the disposition of the property described as a 2,800 square-foot parcel of right-of-way located in the alley between 8th Avenue and 10th Avenue SW and between 2nd Street and 3rd Street SW, (also known as Plat of Survey No. 1668 Parcel A) as requested by Linn County, Iowa.

Public comments were heard.

The following Council Committee Announcements were given: Development Committee (Chair, Council member Vernon) and Flood Recovery Committee (Chair, Council member Karr).

City Council communications were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 7:41 p.m. to meet Tuesday, May 10, 2011 at 5:30 p.m.

Amy Stevenson, City Clerk

Abstain, Council member Gulick
Nay, Council member Gulick
Nay, Council member Karr
Nay, Council member Podzimek
Nay, Council member Shey
Nay, Council member Shields
Nay, Council member Swore
Nay, Council member Vernon
Nay, Council member Wieneke

From: Elgin, Dave
Sent: Thursday, April 28, 2011 8:19 AM
To: 'Billie'
Subject: RE: [BULK] 118 streets

Below are two links for the referenced list. The first link is the City's Engineering Division web page that includes the link in the lower right hand corner. The second link below is the actual page with the preliminary listing of streets.

<http://www.cedar-rapids.org/government/departments/public-works/engineering/pages/default.aspx>

[http://www.cedar-rapids.org/government/departments/public-works/engineering/Documents/10%20year%20Future%20Year%20Fund%20301Detail%20\(DRAFT\)-PW%20\(6\).pdf](http://www.cedar-rapids.org/government/departments/public-works/engineering/Documents/10%20year%20Future%20Year%20Fund%20301Detail%20(DRAFT)-PW%20(6).pdf)

From: Billie [mailto:hapybrat@mchsi.com]
Sent: Wednesday, April 27, 2011 4:08 PM
To: Gulick, Kris G.; Tom Podzimek; Corbett, Ron J.; Pat Shey; Monica Vernon; Karr, Don A.; Justin Shields; Elgin, Dave; Wieneke, Chuck (Home Email); Swore, Chuck R.
Subject: [BULK] 118 streets
Importance: Low

Instead of passing my e-mail around, thought I would send it to all of you and maybe someone would send me the link to get on the web or could someone e-mail me the list.. I have tried to get it today although some of you swear that it is out there, it must be well hidden...

thank you again and again

by the way, does channel 2 news have it? does channel 9 news have it..I have not tried them as yet, but will soon

billie bilisland

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

May 10, 2011, 5:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney Jim Flitz. Absent, Council member Vernon.

The invocation was given by Fire Chaplain Phil Saunders
Pledge of Allegiance.

Council member Wieneke moved to waive the 24 hour public notice prior to a meeting of the City Council to amend the agenda to include a Resolution approving the FY2011 Consolidated Annual Action Plan for the City's annual entitlement programs, including the Community Development Block Grant (CDBG) Program and the HOME Investment Partnership (HOME) Program. This is necessitated due to an inadvertent omission of the resolution on the agenda and the need for it to be sent to HUD by the end of the week; seconded by Council member Gulick. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Corbett. Motion carried.

A presentation of the new CR Progress Map was given by GIS Manager Russ Camp.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider citizen input concerning the FY2011 Consolidated Annual Action Plan for the City's annual entitlement programs, including the Community Development Block Grant (CDBG) Program and the HOME Investment Partnership (HOME) Program. No comments or objections were heard or filed.

0521-05-11, approving FY2011 Consolidated Annual Action Plan for the City's annual entitlement programs, including the Community Development Block Grant (CDBG) Program and the HOME Investment Partnership (HOME) Program.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 2nd Street SE Reconstruction – 5th Avenue SE to 8th Avenue SE and Federal Courthouse Infrastructure Improvements project (Engineer's estimated cost is \$2,180,000). One comment was heard. No objections were heard or filed.

0522-05-11, adopting plans, specifications, form of contract and estimated cost for the 2nd Street SE Reconstruction – 5th Avenue SE to 8th Avenue SE and Federal Courthouse Infrastructure Improvements project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 1st Street SE Parkade Demolition project (Engineer's estimated cost is \$840,000). No comments or objections were heard or filed.

0523-05-11, adopting plans, specifications, form of contract and estimated cost for the 1st Street SE Parkade Demolition project (FLOOD).

Public comments were heard.

Council member Wieneke moved to approve the Agenda; seconded by Council member Karr. City Manager Pomeranz requested that Item Number 6 (Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for May 24, 2011 and advertising for bids by publishing notice to bidders for the Joint Communications Network Construction Group 1 project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on May 25, 2011. Engineer's estimated cost of \$2,855,000) should be corrected to state that the Engineer's estimated cost is \$2,850,000. Council member Shields requested that Items Number 5c (Motion setting a public hearing date for May 24, 2011 to consider repealing Chapter 52 of the Municipal Code, Taxicabs and Limousines, and enacting and adopting in lieu thereof a new Chapter 52, Taxicabs and Limousines), 16 (Resolution approving the special event application for the Cedar Rapids Downtown District to hold the Downtown Farmers' Market on eight Saturdays, June 4, June 18, July 2, July 16, August 6, August 20, September 3 and September 17, 2011 from 7:30 a.m. to 12:00 Noon in the downtown area and in Greene Square Park), 21 (Resolution establishing a distribution cap of Community Attraction and Tourism funds received for the ACE District grant application in the event funds are awarded by the Vision Iowa Board) and 25 (Resolution authorizing City participation in an amount up to \$50,136 for construction of four new single-family homes in the Oak Hill Jackson HAND Neighborhood by Midwest Development Company of Iowa) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Karr. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. May 24, 2011 – to consider the execution of a Gas Easement to MidAmerican Energy Company, an Iowa Corporation, and accepting payment in the amount of \$10,725 for a permanent easement for gas utilities on City-owned land located on the northerly side of 12th Avenue SW and east of C Street SW (also known as Riverside Park), in connection with the Riverside Park Pipeline Relocation Along 12th Avenue SE project.
- b. May 24, 2011 – to consider the vacation of public ways and grounds in and to the property described as a 5,415 square-foot parcel of existing City-owned right-of-way located within the intersection of B Avenue NE and 3rd Street NE and a portion of the alley east of and perpendicular to 3rd Street NE (also known as Plat of Survey 1657 Parcel A) as requested by Quaker Manufacturing, LLC.
- c. May 24, 2011 – to consider granting a change of zone for property south of Ellis Road NW and west of Edgewood Road NW from R-1, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by Stoney Point Heights, L.L.C., Char-Royal, LLC, MD-Stan, LLC and Solartaxi, LLC.
- d. May 24, 2011 - to consider granting a change of zone for property north of Highway 30 and west of West Post Road SW and south of Wilson Avenue SW from R-3D, Two Family Residence Zone District to R-3D/PUD-O, Two Family Residence Zone District/Planned Unit Development Overlay District as requested by Thomas Dostal Developers.
- e. May 24, 2011 – to consider the fiscal year 2011 budget amendment.
- f. May 24, 2011 – to consider the proposition to authorize a Loan Agreement and the issuance of not to exceed \$35,425,000 General Obligation Capital Loan Notes (Downtown Hotel Project).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for May 24, 2011 and advertising for bids by publishing notice to bidders for the Joint Communications Network Construction Group 1 project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on May 25, 2011 (Engineer's estimated cost is \$2,850,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for May 24, 2011 and advertising for bids by publishing notice to bidders for the FY 2011 City of Cedar Rapids Iowa Sanitary Sewer Improvements - Lining project, and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on June 8, 2011 (Engineer's estimated cost is \$800,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for May 24, 2011 and advertising for bids by publishing notice to bidders for the May's Island Maintenance Package and authorizing the Veterans Memorial Director to receive and open the bids and publicly announce the results on June 8, 2011 (Estimated cost is \$300,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for May 24, 2011 and advertising for bids by publishing notice to bidders for the Paramount Theatre Flood Recovery & Renovation – Bid Package 1 project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on June 1, 2011 (Construction Manager's estimated cost is \$5,500,000) (FLOOD).

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for May 24, 2011 and advertising for bids by publishing notice to bidders for the Demolition Services for Flood Damaged Structures and authorizing the Purchasing Manager, or designee, to receive and open the bids and publicly announce the results on June 1, 2011 (Estimated cost is \$440,000) (FLOOD).

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for May 24, 2011 and advertising for bids by publishing notice to bidders for the Demolition Services for Flood Damaged Structures and authorizing the Purchasing Manager, or designee, to receive and open the bids and publicly announce the results on June 1, 2011 (Estimated cost is \$490,000) (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. Beaver Creek Saloon, 1010 2nd Avenue SW;
- b. Brosch Chapel & Community Center, 2121 Bowling Street SW;
- c. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on May 29, 2011);
- d. Chuck's, 4958 Johnson Avenue NW;
- e. Cigarette Outlet #6, 1404 1st Avenue NE;
- f. Elmcrest Country Club, 1000 36th Street NE;
- g. Hawkeye Convenience Store, 250 16th Avenue SW;
- h. Hy-Vee #3 Club Room, 20 Wilson Avenue SW;
- i. LaCantina Bar & Grill, 102 2nd Street SE (Sunday Sales for one day for an event on May 15, 2011);
- j. Mt Mercy University / ARAMark Educational Services, 1330 Elmhurst Drive NE;
- k. Park Town BP, 4141 Center Point Road NE;
- l. Phong Lan Vietnamese Restaurant, 216 8th Street SE;
- m. Red Baron Bar & Dance Club, 64 16th Avenue SW;
- n. Red Baron Bar & Dance Club, 64 16th Avenue SW (Outdoor service for an event on May 13-17, 2011);
- o. Red Frog, 88 16th Avenue SW (Sunday Sales for one day for an event on May 15, 2011);
- p. Red Lion Lounge, 3970 Center Point Road NE;
- q. Teeghan's Ice Bar, 315 2nd Avenue SE;
- r. Tobacco Outlet #520, 124 Collins Road NE.

Motion to approve the form of Tax Exemption Certificate.

0524-05-11, approving and authorizing a form of Loan and Disbursement Agreement by and between the City of Cedar Rapids and the Iowa Finance Authority, and authorizing and

providing for the issuance and securing the payment of \$5,767,000 Sewer Revenue Capital Loan Notes, Series 2011, of the City of Cedar Rapids, Iowa, under the provisions of the City Code of Iowa, and providing for a method of payment of said Notes.

0525-05-11, approving payment of bills.

0526-05-11, approving payment of payroll.

0527-05-11, approving transfer of funds to various departments.

0528-05-11, thanking Patrick DePalma for serving on the Five Seasons Facilities Commission.

0529-05-11, intent to assess for Utilities – Water Division delinquent municipal utility bills at 25 properties.

0530-05-11, intent to assess for Solid Waste & Recycling clean up costs at 9 properties.

0531-05-11, accepting project, Performance Bond and authorizing final payment in the amount of \$77,810 to Worldwide Industries Corp for the Cleaning, Repairing and Painting 2.0 MMG Hydropillar – Wilson Avenue Tower project (Final contract amount is \$778,100).

0532-05-11, Amendment No. 2 to the \$35,000,000 Financial Assistance Award with the Economic Development Administration (EDA) for the Cedar Rapids Convention Complex.

0533-05-11, authorizing the City of Cedar Rapids to accept a refund from the Union Pacific Railroad Company in the amount of \$1,097.18 for overpayment in connection with the surface repair of the railroad crossing on C Avenue NW, F.R.A. #190-515-J (Iowa Crossing No. 9180).

0534-05-11, reaffirming the continuation of the Paint Rebate Program for exterior painting of homes in the 2nd and 3rd Avenue Historic District and the Redmond Park-Grande Avenue Historic District.

0535-05-11, authorizing sponsorship of a Business Financial Assistance Financial Assistance application to the State by Genencor for expansion of the existing manufacturing facility at 1000 41st Avenue Drive SW with the local match being satisfied by an Urban Revitalization Tax Exemption.

0536-05-11, authorizing the renewal of a month-to-month lease of City-owned property located at the northeasterly corner of 3rd Street and 12th Avenue SE for the purpose of an off-street parking lot for area businesses (FLOOD).

0537-05-11, referring to the Linn County Compensation Commission (in accordance with eminent domain proceedings) for compensation for a temporary construction easement and damages due to loss of access from land located at 330 1st Street SE, owned by Enlighten Technologies, Inc., in connection with the Paramount Theatre Flood Recovery project (FLOOD).

0538-05-11, referring to the Linn County Compensation Commission (in accordance with eminent domain proceedings) for compensation for a temporary construction easement and damages due to loss of access from land located at 320 1st Street SE, owned by Craig D. Bowman (Fee Owner) and Alice M. Risk (Contract Purchaser), in connection with the Paramount Theatre Flood Recovery project (FLOOD).

0539-05-11, authorizing the City to form an appropriate legal structure to receive State and Federal Historic Tax Credits and authorizing acceptance of those tax credits from the State Historical Society of Iowa and the United States Department of the Interior respectively, leveraging other previously-secured funding for the Paramount Theatre Flood Recovery project (FLOOD).

0540-05-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 12 properties in connection with the HUD Community Development Block Grant (FLOOD).

0541-05-11, Amendment No. 3 to the Professional Services Agreement with Shive-Hattery, Inc. specifying an increased amount of \$25,564 for design services in connection with the 2011 Miscellaneous Street and Storm Sewer Intake Repairs Project #1 (original contract amount is \$111,358.04; total contract amount with this amendment is \$136,922.04).

0542-05-11, Change Order No. 1 in the amount of \$96,599 with D. W. Zinser Company for the Cedar Rapids Convention Complex Demolition, Site Work and Utility Package project. (original contract amount is \$874,000; total contract amount with this amendment is \$970,599).

0543-05-11, Change Order No. 4 in the amount of \$31,758.80 with Eastern Iowa Excavating & Concrete LLC for the Willow Creek Drive SW to South of 60th Avenue SW and West of 26th Street SW Sanitary Sewer Extension project. (original contract amount is \$1,112,562.75; total contract amount with this amendment is \$1,224,296.43).

0544-05-11, Change Order No. 1 to adjust the contract amount for additional work on the Water Service Lines FY11 project with Schrader Excavating and Grading Co. in the amount of \$52,230 (original contract amount is \$179,770; total contract amount with this amendment is \$235,000).

0545-05-11, Purchase Agreement in the amount of \$1 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from BWC, LC from land located on the corner parcel south of 60th Avenue SW and west of 26th Street SW in connection with the Sanitary Sewer Extension from Willow Creek Drive SW to South of 60th Avenue and West of 26th Street project.

0546-05-11, Utilities Department – WPC division purchase of Schneider Modicon CPU Controllers from Graybar for the total amount, including freight, of \$41,495 (sole source).

0547-05-11, Professional Services Agreement with Ament, Inc. for an amount not to exceed \$49,560 for engineering services in connection with the 1st Street – 24th Avenue – Haven Court SW Area Water Main Improvements project.

0548-05-11, Professional Services Agreement with Kollmer Consultants, Inc. for an amount not to exceed \$91,456 for engineering and inspection services on the Chandler and C Street Water Tanks – Inspection and Reconditioning project.

0549-05-11, Letter of Agreement Renewal to extend the Water Service Lines Contract for one additional year (FY12) with Schrader Excavating and Grading Co. for an estimated amount of \$235,000.

0550-05-11, Police Department purchase of 70 Rock River Rifles, EOTech sights, NE Tactical slings and rifle cases from Kiesler Police Supply, Inc for the total amount of \$84,490.

0551-05-11, Rental agreement with Koch Brothers for the rental of one Lanier LD 345spf digital copier for the Code Enforcement Division (cost per copy .0192).

0552-05-11, Professional Services Agreement with Creative Outdoor Advertising for Advertising Program for Bus Shelters at no cost to the City.

0553-05-11, Agreement for Garbage Carts with Rehrig Pacific Company for the Solid Waste & Recycling Division for a total annual amount not to exceed \$1,460,800.

0554-05-11, Citywide agreements for T-Shirts with Barnyard Screen Printers and Apparel 1 for a total annual amount not to exceed \$30,000.

0555-05-11, Amendment No. 15 to the Agreement for Emergency Structure Demolition - Sinclair Property with D.W. Zinser Company to reflect additional cost for hazardous material testing for an amount not to exceed \$14,194.11 (original amount is \$7,725,000; total amount with amendment is \$21,000,048.61) (FLOOD).

0556-05-11, Amendment No.1 to the Professional Services Agreement with Terracon Consultants, Inc for a lump sum of \$3,500 for additional scope of services for the Veterans Memorial Building. (contract amount is not to exceed \$22,600, total contract amount with this amendment is \$26,100) (FLOOD).

0557-05-11, Agreements (2) with Interstate Power and Light Company (Alliant Energy) for termination of a lease and an amendment and partial release of an easement in connection with the pedestrian passage crossing 1st Street SE between 2nd and 3rd Avenues SE, as a result of the 1st Street SE Parkade Demolition project (FLOOD).

0558-05-11, Administrative Services Agreement with ProSource Technologies, Inc. for the Jumpstart Business Recovery Programs (FLOOD).

Discussion: Council member Justin Shields

Motion setting a public hearing date for May 24, 2011 to consider repealing Chapter 52 of the Municipal Code, Taxicabs and Limousines, and enacting and adopting in lieu thereof a new Chapter 52, Taxicabs and Limousines.

Discussion: Council member Justin Shields

0559-05-11, approving the special event application for the Cedar Rapids Downtown District to hold the Downtown Farmers' Market on eight Saturdays, June 4, June 18, July 2, July 16, August 6, August 20, September 3 and September 17, 2011 from 7:30 a.m. to 12:00 Noon in the downtown area and in Greene Square Park.

Discussion: Council member Justin Shields

0560-05-11, establishing a distribution cap of Community Attraction and Tourism funds received for the ACE District grant application in the event funds are awarded by the Vision Iowa Board.

Discussion: Council member Justin Shields

0561-05-11, authorizing City participation in an amount up to \$50,136 for construction of four new single-family homes in the Oak Hill Jackson HAND Neighborhood by Midwest Development Company of Iowa (FLOOD).

Report on bids for the J Avenue Chlorine System Improvements project. (Pat Ball)

TLC Diversified, Inc	Palmetto, FL	\$399,000
WRH, Inc	Cedar Rapids, IA	\$487,000
Unzeitig Construction Co.	Cedar Rapids, IA	\$536,000

0562-05-11, awarding and approving contract in the amount of \$399,000, bond and insurance of TLC Diversified, Inc. for the J Avenue Chlorine System Improvements project.

Report on bids for General Obligation Bonds, Series 2011A; Taxable General Obligation Bonds, Series 2011B; Taxable General Obligation Bonds, Series 2011C; Water Revenue Bonds, Series 2011D; and General Obligation Refunding Capital Loan Notes, Series 2011E. (Susan Vavroch and Jon Burmeister, PFM)

0563-05-11, directing the sale of Not to Exceed \$26,390,000 General Obligation Bonds, Series 2011A; directing the sale of Not to Exceed \$6,140,000 Taxable General Obligation Bonds, Series 2011B; directing the sale of Not to Exceed \$1,140,000 Taxable General Obligation Bonds, Series 2011C; and directing the sale of \$6,435,000 Water Revenue Bonds, Series 2011D.

0564-05-11, directing the sale of Not to Exceed \$36,615,000 General Obligation Refunding Capital Loan Notes, Series 2011E.

Report on bids for the Bender Pool Roof Replacement. (Diane Rodenkirk)

JLH Enterprises	Waukon, IA	\$99,998.00
T&K Roofing & Sheet Metal Co.	Ely, IA	\$102,477.00
Dryspace, Inc.	Cedar Rapids, IA	\$150,613.00

0565-05-11, awarding and approving contract for the amount not to exceed \$99,998, bond and insurance of JLH Enterprises for the Bender Pool Roof Replacement project.

Report on bids for the FY 2011 City of Cedar Rapids, Iowa Sanitary Sewer Improvements Point Repairs and Reconstruction – Package #1 project. (Joe Mailander)

Rathje Construction Co., Marion, IA	\$1,270,882.60
Gee Grading & Excavating, Inc. Cedar Rapids, IA	\$1,435,654.20
Connolly Construction, Inc., Peosta, IA	\$1,549,757.51
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$1,733,993.45

0566-05-11, awarding and approving contract in the amount of \$1,270,882.60, plus incentive up to \$27,000 bond and insurance of Rathje Construction Company for the FY 2011 City of Cedar Rapids, Iowa Sanitary Sewer Improvements Point Repairs and Reconstruction – Package #1 project.

Report on bids for the Veterans Memorial Boiler Purchase (FLOOD). (Mike Jager)

Discussion: Vern Zakostelecky

0567-05-11, regarding a Successive Application for 4221 Mount Vernon Road SE to allow re-submittal of a rezoning request from C-2, Community Commercial Zone District to R-2/PUD-O, Single Family Zone Residence Zone District/Planned Unit Development Overlay District and for Preliminary Site Development Plan approval as requested by Country Creek, LLC.

Discussion: Drew Westberg

0568-05-11, directing the City Manager to end negotiations with Cedar Rapids Management Associates, LLC regarding management services for the Cedar Rapids Convention Complex and to pursue alternative management and hotel branding for city council consideration.

Discussion: Joe O'Hern

0569-05-11, establishing June 30, 2011 as the application deadline for all remaining acquisition and rehabilitation activities funded with Local Option Sales Tax LOST dollars.

0570-05-11, establishing a May 31, 2011 deadline for applications to the Jumpstart Housing Program (FLOOD).

0571-05-11, establishing a June 30, 2011 deadline for applications to the Jumpstart Landlord Rental Rehabilitation programs (FLOOD).

0572-05-11, establishing a June 30, 2011 program deadline for the voluntary property acquisition program funded under the Iowa Department of Economic Development (IDED) Community Development Block Grant (CDBG) (FLOOD).

0573-05-11, establishing a June 30, 2011 program deadline for the voluntary property acquisition program funded under the Iowa Homeland Security and Emergency Management Agency's Hazard Mitigation Grant Program (FLOOD).

0574-05-11, authorizing the Redemption of Outstanding General Obligation Bonds, dated September 1, 2002; April 1, 2003 and September 1, 2003, and directing notice be given.

Ordinance No. 025-11, being an Ordinance repealing Chapter 25 of the Municipal Code, Junk Vehicles, and enacting and adopting in lieu thereof a new Chapter 25, Junk Vehicle Code, was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Corbett.

Council member Podzimek 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 Gulick. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Corbett.

Ordinance No. _____, being an Ordinance amending Chapter 6 of the Municipal Code, City Administration, by amending Section 6.22(c) regarding Cedar Rapids Board of Ethics Rules and Procedures, was presented and read the first time.

Council member Gulick 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 Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Corbett.

Public comments were heard.

The following Council Committee Announcement was given: Finance & Administrative Services Committee (Chair, Council member Kris Gulick).

City Manager and City Council communications were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Corbett. City Council adjourned at 7:45 p.m. to meet Tuesday, May 24, 2011 at 5:30 p.m.

Alissa Kaiser, Deputy City Clerk

Nay, Council member Shields
Absent, Council member Vernon

From: Drew, Casey
Sent: Sunday, May 15, 2011 4:35 PM
To: 'cbmartincrg@mchsi.com'
Subject: Response to questions from City Council Meeting on May 10

Carol,

Below are responses to your questions from Tuesday, May 10 City Council meeting.

1. **Question:** The transaction with TrueNorth wherein the City acquired the TrueNorth building on 4th Avenue and TrueNorth acquired the old Cedar Rapids Public Library that there is a mistake in the property address in that the street address used was "421 4th Avenue SE" whereas the City Assessor uses "401 4th Avenue SE."

Answer: You are correct that our documents show 421 but that is the street address used by TrueNorth. Moreover, the transaction documents also use a legal description of the property. The City has no doubt as to the property acquired and find no reason to change or correct any of the documents.

2. **Question:** How the two deeds involved could be filed on the same book and page in the Linn County Recorder's office.

Answer: All the documents were recorded in one packet and only the first page of the packet was stamped in.

3. **Question:** Why did Casey Drew sign the warranty deed on December 29 as acting City Manager.

Answer: When the City Manager takes time off I serve as acting City Manager.

Please let me know if I have not addressed your questions.

From: Davis, Rob
Sent: Thursday, May 19, 2011 12:43 PM
To: cbmartincrg@mchsi.com
Cc: City Clerk's Staff
Subject: Response to City Council Questions from 5/10/11

Ms. Martin,
Following are answers to questions you raised at last week's council meeting.

- Q. Who was the engineer on item #2 (2nd Street SE Reconstruction-5th Avenue SE to 8th Avenue SE and Federal Courthouse Infrastructure Improvements project)?
 - A. Foth Engineering
- Q. What are the funding sources for the project (noted above)?
 - A. City bonded for this project
- Q. For the May 24th Public Hearing why did we refer properties to the compensation commission when we have already paid for them on the Paramount project?
 - A. Is there a specific transaction you would like us to review? The City Council approved referring parcels to the compensation commission first, and then before the compensation commission hearing, we reached a settlement on one property, meaning the hearing would not proceed.

Thanks.

Robert Davis, P.E.
City of Cedar Rapids Public Works Dept
319-286-5802
r.davis@cedar-rapids.org

In order to enhance the quality of our service, please take a moment to complete a survey...[Public Works Customer Service Survey](#)

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

May 24, 2011, 5:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Pro Tempore Vernon, Council members Gulick, Shields, Swore, and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney Jim Flitz. Absent, Mayor Corbett and Council members Karr, Podzimek and Shey.

The invocation was given by Police Chaplain Pat Rieck

Pledge of Allegiance.

An update on the Indian Creek Nature Center was given by Rich Patterson of the Indian Creek Nature Center.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider repealing Chapter 52 of the Municipal Code, Taxicabs and Limousines, and enacting and adopting in lieu thereof a new Chapter 52, Taxicabs and Limousines. One comment and two objections were heard. No written objections were filed.

Ordinance No. _____, being an Ordinance repealing Chapter 52 of the Municipal Code, Taxicabs and Limousines, and enacting and adopting in lieu thereof a new Chapter 52, Taxicabs and Limousines, was presented and read the first time.

Council member Wieneke 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 Gulick. Ayes, Council members Gulick, Shields, Wieneke and Mayor Pro Tempore Vernon. Nay, Council member Swore. ORDINANCE FAILED.

A public hearing was held to consider the fiscal year 2011 budget amendment. No comments or objections were heard or filed.

0575-05-11, approving fiscal year 2011 Budget Amendment.

A public hearing was held to consider the Authorization of the Issuance of Not to Exceed \$35,425,000 General Obligation Capital Loan Notes (Downtown Hotel Project). One comment was heard. No objections were heard or filed.

0576-05-11, instituting proceeding to take additional action for the issuance of not to exceed \$35,425,000 General Obligation Capital Loan Notes (Downtown Hotel Project).

A public hearing was held to consider the execution of a Gas Easement with MidAmerican Energy Company, an Iowa Corporation, and accepting payment in the amount of \$10,725 for a permanent easement for gas utilities on City-owned land located on the northerly side of 12th Avenue SW and east of C Street SW (also known as Riverside Park), in connection with the Riverside Park Pipeline Relocation Along 12th Avenue SE project. No comments or objections were heard or filed.

0577-05-11, authorizing execution of a Gas Easement with MidAmerican Energy Company, an Iowa Corporation, and accepting payment in the amount of \$10,725 for a permanent easement for gas utilities on City-owned land located on the northerly side of 12th Avenue SW and east of C Street SW (also known as Riverside Park), in connection with the Riverside Park Pipeline Relocation Along 12th Avenue SE project.

A public hearing was held to consider the vacation of public ways and grounds in and to the property described as a 5,415 square-foot parcel of existing City-owned right-of-way located within the intersection of B Avenue NE and 3rd Street NE and a portion of the alley east of and perpendicular to 3rd Street NE (also known as Plat of Survey 1657 Parcel A) as requested by Quaker Manufacturing, LLC. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance vacating public ways and grounds in and to the property described as a 5,415 square-foot parcel of existing City-owned right-of-way located within the intersection of B Avenue NE and 3rd Street NE and a portion of the alley east of and perpendicular to 3rd Street NE (also known as Plat of Survey 1657 Parcel A) as requested by Quaker Manufacturing, LLC, was presented and read the first time.

Council member Swore 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 Wieneke. Approved, Ayes, Council members Gulick, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

A public hearing was held to consider granting a change of zone for property south of Ellis Road NW and west of Edgewood Road NW from R-1, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by Stoney Point Heights, L.L.C., Char-Royal, LLC, MD-Stan, LLC and Solartaxi, LLC. One comment and two objections were heard. No written comments or objections were filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property south of Ellis Road NW and west of Edgewood Road NW from R-1, Single Family Residence

Zone District to RMF-2, Multiple Family Residence Zone District as requested by Stoney Point Heights, L.L.C., Char-Royal, LLC, MD-Stan, LLC and Solartaxi, LLC, was presented and read the first time.

Council member Gulick 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 Swore. Approved, Ayes, Council members Gulick, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

A public hearing was held to consider granting a change of zone for property north of Highway 30 and west of West Post Road SW and south of Wilson Avenue SW from R-3D, Two Family Residence Zone District to R-3D/PUD-O, Two Family Residence Zone District/Planned Unit Development Overlay District requested by Thomas Dostal Developers. One comment was heard. No objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property north of Highway 30 and west of West Post Road SW and south of Wilson Avenue SW from R-3D, Two Family Residence Zone District to R-3D/PUD-O, Two Family Residence Zone District/Planned Unit Development Overlay District requested by Thomas Dostal Developers, was presented and read the first time.

Council member Gulick 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 Wieneke. Approved, Ayes, Council members Gulick, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 1st Street SW from 3rd Avenue to 5th Avenue Flood Protection Levee project (Engineer's estimated cost is \$1,120,000). No comments or objections were heard or filed.

0578-05-11, adopting plans, specifications, form of contract and estimated cost for the 1st Street SW from 3rd Avenue to 5th Avenue Flood Protection Levee project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2011 City of Cedar Rapids Sanitary Sewer Improvements – Lining project (Engineer's estimated cost is \$800,000). No comments or objections were heard or filed.

0579-05-11, adopting plans, specifications, form of contract and estimated cost for the FY 2011 City of Cedar Rapids Sanitary Sewer Improvements – Lining project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Joint Communications Network Construction Group 1 project (Engineer's estimated cost is \$2,850,000). No comments or objections were heard or filed.

0580-05-11, adopting plans, specifications, form of contract and estimated cost for the Joint Communications Network Construction Group 1 project.

A public hearing was held to consider the proposed plans, specifications, form of contract, and estimated cost for the May's Island Maintenance Package (Estimated cost is \$300,000). No comments or objections were heard or filed.

0581-05-11, adopting plans, specifications, form of contract, and estimated cost for the May's Island Maintenance Package.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Demolition Services for Flood Damaged Structures (Estimated cost is \$440,000). No comments or objections were heard or filed.

0582-05-11, adopting plans, specifications, form of contract and estimated cost for the Demolition Services for Flood Damaged Structures project (FLOOD).

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Demolition Services for Flood Damaged Structures (Estimate of cost is \$490,000). One comment was heard. No objections were heard or filed.

0583-05-11, adopting plans, specifications, form of contract and estimated cost for the Demolition Services for Flood Damaged Structures project (FLOOD).

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Paramount Theatre Flood Recovery & Renovation – Bid Package 1 project (Construction Manager's estimated cost is \$5,500,000). One comment was heard. No objections were heard or filed.

0584-05-11, adopting plans, specifications, form of contract and estimated cost for the Paramount Theatre Flood Recovery & Renovation – Bid Package 1 project (FLOOD).

Public comments were heard.

Council member Gulick moved to waive the rule of the 24 hour public notice prior to a meeting of the City Council and amend the agenda to include a motion amending the motions approved on May 10, 2011 to extend the bid opening date to June 1, 2011 for the Joint Communications Network Construction Group 1 project and to extend the bid opening date to June 8, 2011 for the Paramount Theatre Flood Recovery & Renovation – Bid Package 1 project. This is necessitated due to the size and complexity of the projects and at bidders' request. Allowing bidders an extra week to review plans will improve the chances of the City receiving

competitive bids. This change in the bid dates does not affect the dates of the possible award of the contracts; seconded by Council member Wieneke. Ayes, Council members Gulick, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Motion carried.

Council member Gulick moved to amend the motions approved on May 10, 2011 to extend the bid opening date to June 1, 2011 for the Joint Communications Network Construction Group 1 project and to extend the bid opening date to June 8, 2011 for the Paramount Theatre Flood Recovery & Renovation – Bid Package 1 project; seconded by Council member Wieneke. Ayes, Council members Gulick, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Motion carried.

Council member Wieneke moved to approve the Agenda; seconded by Council member Gulick. City Manager Pomeranz requested that Item Number 41 (Resolution designating the existing private drives at the Ellis Boat Harbor as Harbor Drive NW, Pontoon Court NW and Boat House Court NW, for property located northeasterly of Ellis Boulevard/Road NW and easterly of 18th Street NW), be amended to state the private drive name of “Boat House Court NW” should be corrected to read “Houseboat Court NW” and that Item Number 48l (Professional Services Agreement with OPN Architects, Inc. in an amount not to exceed \$112,000 for architectural and engineering services for the proposed Cedar Rapids Convention Complex Parking Structure project) be removed from the agenda. Ayes, Council members Gulick, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Motion carried as amended.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Gulick. Ayes, Council members Gulick, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. June 14, 2011 – to consider the vacation of a portion of a 30-foot frontage road located at 3505 16th Avenue SW (Lot 4, Viands Second Addition to the City of Cedar Rapids) as requested by Iowa CVS Pharmacy, LLC.
- b. June 14, 2011 – to consider granting a change of zone for property at 1440 32nd Street NE from C-1, Mixed Neighborhood Convenience Zone District and O/S, Office/Service Zone District to C-2, Community Commercial Zone District, as requested by Hy-Vee.
- c. June 14, 2011 – to consider granting a change of zone for property at the northeast corner of the intersection of Edgewood Road SW and 60th Avenue SW from A, Agriculture Zone District to I-2, General Industrial Zone District, as requested by LL Pelling Co., Inc.
- d. June 28, 2011 – to consider establishing the Cedar Rapids Medical Self-Supported Municipal Improvement District.

Motion to approve the Tax Exemption Certificate for Series 2011A.

Motion to approve the Continuing Disclosure Certificate for Series 2011A.

0585-05-11, authorizing and providing for the issuance of \$25,830,000 General Obligation Bonds, Series 2011A, and levying a tax to pay said bonds.

Motion to approve the Continuing Disclosure Certificate for Series 2011B.

0586-05-11, authorizing and providing for the issuance of \$6,140,000 Taxable General Obligation Bonds, Series 2011B, and levying a tax to pay said bonds.

Motion to approve the Continuing Disclosure Certificate for Series 2011C.

0587-05-11, authorizing and providing for the issuance of \$1,140,000 Taxable General Obligation Bonds, Series 2011C, and levying a tax to pay said bonds.

Motion to approve the Tax Exemption Certificate for Series 2011D.

Motion to approve the Continuing Disclosure Certificate for Series 2011D.

0588-05-11, authorizing and providing for the issuance and securing the payment of \$6,435,000 Water Revenue Bonds, Series 2011D, of the City of Cedar Rapids, State of Iowa, under the provisions of the City Code of Iowa, and providing for a method of payment of the bonds.

Motion to approve the Tax Exemption Certificate for Series 2011E.

Motion to approve the Continuing Disclosure Certificate for Series 2011E.

0589-05-11, approving and authorizing a form of loan agreement and authorizing and providing for the issuance of \$32,415,000 General Obligation Refunding capital Loan Notes, Series 2011E, and levying a tax to pay the notes.

Motion approving the beer/liquor/wine applications of:

- a. Buffalo Wild Wings Grill & Bar, 2210 Edgewood Road SW (permanent transfer to 2020 Edgewood Road SW);
- b. Casa Las Glorias, 2245 Blairs Ferry Road NE;
- c. Cedar River Landing, 301 F Avenue NW (outdoor service for six events on June 10, June 24, July 8, July 22, August 5 and August 19, 2011);
- d. Chrome Horse Slop House & Saloon, 1202 3rd Street SE (additional Outdoor Service for 13 Friday night concerts June 3 through August 26, 2011);
- e. Cedar Rapids Gay & Lesbian Resource Center, PO Box 1643 (5-day beer permit for an event at Greene Square Park on June 4, 2011);
- f. Cedar Rapids Jaycees, 225 5th Avenue SW (transfer permit for Uptown Friday Nights Events on May 27, June 3, June 10 and June 17, 2011);
- g. CVS Pharmacy #8526, 4116 Center Point Road NE;
- h. CVS Pharmacy #8532, 2711 Mt Vernon Road SE;
- i. Double Inn, 629 Ellis Blvd NW;
- j. Dublin City Pub, 415 1st Street SE;
- k. Fraternal Order of Eagles Post #2272, 1735 11th Street NW;
- l. JM O'Malley's, 1502 H Avenue NE (outdoor service for an event on June 9– 12, 2011);
- m. Panchero's Mexican Grill, 2315 Edgewood Road SW #210;

- n. Pei's Mandarin Restaurant, 3287 6th Street SW;
- o. Pizza Hut #4311, 223 Collins Road NE;
- p. Pizza Hut #4351, 1640 Edgewood Road NW;
- q. Red Robin American Gourmet Burgers & Spirits, 4625 1st Avenue SE;
- r. Ruby Tuesday, 217 Collins Road NE;
- s. Sam's Pizza, 824 6th Street SW;
- t. Time Out Lounge, 3230 16th Avenue SW (new-change in ownership)
- u. Tobacco Outlet Plus #560, 2846 Mt Vernon Road SE;
- v. VenuWorks/US Cellular Center, 370 1st Avenue NE (5-day beer permit for the BBQ Round-Up event on June 23–28, 2011);
- w. Wal-Mart Supercenter #2716, 3601 29th Avenue SW;
- x. Williams Blvd Amoco, 2601 Williams Blvd SW.

0590-05-11, approving payment of bills.

0591-05-11, approving payment of payroll.

0592-05-11, approving the special event application for the Run the Flood Event on June 11, 2011 in the downtown area and in Greene Square Park.

0593-05-11, approving the special event application for Juneteenth 2011 - A Celebration of Freedom Event at Gibson Park with 10th Street SE closure on June 18, 2011.

0594-05-11, intent to assess for Solid Waste & Recycling clean up costs at 2 properties.

0595-05-11, levy assessment for Solid Waste & Recycling clean up costs at 3 properties.

0596-05-11, intent to assess for Utilities - Water Division delinquent municipal utility bills at 23 properties.

0597-05-11, levy assessment for Utilities – Water Division delinquent municipal utility bills at 18 properties.

0598-05-11, accepting Water Pollution Control Facilities Biogas Handling System Improvements project, final payment in the amount of \$136,358.89 to Miron Construction Co., Inc. (Final contract amount is \$2,727,177.84).

0599-05-11, accepting City Services Facility – Council Chambers – HVAC project, final payment in the amount of \$846.10 to Climate Engineers, Inc. (Final contract amount is \$16,922).

0600-05-11, City Services Facility – Council Chambers – Acoustical Ceiling project, final payment in the amount of \$1,415 to Harger's Acoustics, Inc. (Final contract amount is \$28,300).

0601-05-11, approving the Final Plat for Mackey's Second Addition at 2230 Ivanhoe Road.

0602-05-11, approving the Final Plat for Usher's Ridge Tenth Addition located at River Parkway NE extension east of Ushers Ridge Court NE.

The following eight (8) resolutions alter existing on-street parking restrictions to accommodate new business development in the Medical District:

0603-05-11, rescind Resolution No. 242-2-72, establishing “No Parking Anytime Except Sunday & Holidays” on south side of 2nd Avenue SE between 10th Street and 19th Street; rescind Resolution No. 207-2-73, establishing “No Parking Anytime” on the north side of 2nd Avenue SE from 11th Street easterly for 105 feet; rescind Resolution No. 22-1-92, establishing “No Parking Anytime” on the north side of 2nd Avenue SE from 10th Street easterly for 180 feet; and establish “No Parking Anytime Except Sundays & Holidays” on the south side of 2nd Avenue SE from a point 80 feet east of 13th Street easterly to 19th Street.

0604-05-11, rescind Resolution No. 199-2-84, establishing “No Parking Anytime” on the north side of 2nd Avenue SE from 13th Street easterly for 90 feet and establish “No Parking Anytime” on the north side of 2nd Avenue SE from 13th Street easterly for 270 feet.

0605-05-11, rescind Resolution No. 1684-8-77, establishing “No Parking Anytime” on the north side of 3rd Avenue SE for a distance of 110 feet west of 12th Street; rescind Resolution No. 0942-05-02, establishing “No Parking Anytime” on the north side of 3rd Avenue SE from 12th Street easterly for 175 feet; rescind Resolution No. 1555-9-76, establishing “No Parking Anytime” on the north side of 3rd Avenue SE beginning at 13th Street and extending westerly for 160 feet; rescind Resolution No. 1908-10-88, establishing “2 Hour Parking, 8:00 AM to 5:00 PM Except Sunday & Holidays” on the north side of 3rd Avenue SE from 10th Street easterly for a distance of 113 feet, and from a point 157 feet east of 10th Street easterly to a point 360 feet east of 10th Street; and establish “No Parking Anytime” on the north side of 3rd Avenue SE from 10th Street to 13th Street.

0606-05-11, rescind Resolution No. 1497-9-85, establishing “No Parking Anytime” on the south side of 3rd Avenue SE from 10th Street westerly for a distance of 70 feet; rescind Resolution No. 174-2-87, establishing “No Parking Anytime Except Sundays” on the south side of 3rd Avenue SE from Bever Avenue westerly for a distance of 250 feet; and establish “No Parking Anytime” on the south side of 3rd Avenue SE from a point 70 feet east of 8th Street to Bever Avenue.

0607-05-11, rescind Resolution No. 1496-9-85, establishing “2 Hour Parking 9:00 AM to 4:00 PM Daily, Except Sundays & Holidays” on the south side of 3rd Avenue SE from 8th Street to a point 70 feet west of 10th Street, and establish “2 Hour Parking 8:00 AM to 5:00 PM Daily, Except Sundays & Holidays” on the south side of 3rd Avenue SE from 8th Street easterly to a point 70 feet east of 8th Street.

0608-05-11, rescind Resolution No. 1958-12-60, establishing “One Hour Parking 8:00 AM to 5:00 PM Daily, Except Sundays & Holidays” on the west side of 8th Street SE from 2nd Avenue north to the alley, and establish “No Parking Anytime” on both the east and west sides of 8th Street SE from 1st Avenue to 2nd Avenue.

0609-05-11, rescind Resolution No. 1263-9-67, establishing “Two Hour Parking 8:00 AM to 6:00 PM, Daily Except Sundays & Holidays” on the east side of 8th Street SE from the north property line of 216 8th Street, southerly to the prohibited area north of 3rd Avenue SE, and establish “No Parking Anytime” on the east side of 8th Street SE from 2nd Avenue to 3rd Avenue.

0610-05-11, establish “No Parking Anytime” on the west side of 13th Street SE from 2nd Avenue to 3rd Avenue.

0611-05-11, extending a vote of thanks to Fatima Smejkal for serving on the Charter Review Commission.

0612-05-11, authorizing submittal of an application for \$3,100,000 to the U.S. Department of Housing & Urban Development (HUD) for the Lead Hazard Control Grant (LHCG) Program.

0613-05-11, authorizing an application for \$138,000 to renew HUD Grant Funding for two Housing and Family Self-Sufficiency (FSS) Program Coordinators salaries/benefits.

0614-05-11, authorizing submittal of applications for a Transportation, Community, and System Preservation Program (TCSP) grant for construction of Edgewood Road SW Multi-Use Bridge/Walkway at US Highway 30 and Collins Road NE Improvements – Backage Road from C Avenue NE to Northland Avenue Extension.

0615-05-11, designating the existing private drives at the Ellis Boat Harbor as Harbor Drive NW, Pontoon Court NW and Houseboat Court NW, for property located northeasterly of Ellis Boulevard/Road NW and easterly of 18th Street NW.

0616-05-11, accepting four separate Easements for Utilities and an Easement for Water Main from St. Luke’s Methodist Hospital in connection with the construction of a privately funded medical mall and supporting campus at this location.

0617-05-11, partially rescinding Resolution No. 1553-9-76 establishing 13th Street SE as a one-way northbound street between 3rd Avenue SE to 1st Avenue East, and establishing 13th Street SE between 3rd Avenue and 2nd Avenue as a two-way street in order to accommodate increased traffic flow and new business development in the Medical District.

0618-05-11, partially rescinding Resolution No. 692-6-59 establishing 2nd Avenue and 3rd Avenue between 12th Street SW and 19th Street SE as one-way streets, and establishing 2nd Avenue SE between 12th Street SE and 13th Street SE, and 3rd Avenue SE between 8th Street

SE and 13th Street SE, as two-way streets to accommodate the increased traffic flow and new business development in the Medical District.

0619-05-11, approving the installation of a stop sign on 13th Street SE at 3rd Avenue SE for southbound traffic on 13th Street to accommodate increased traffic flow and new business development in the Medical District.

0620-05-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 15 properties in connection with the HUD Community Development Block Grant (FLOOD).

0621-05-11, authorizing an additional partial payment of retainage in the amount of \$26,313 to Rice Lake Construction Group for the Cedar Rapids Water Pollution Control Facility, Permanent Flood Repairs – Package 1, Main Lift, SCADA Fiber Optic Network & CCTV/Security project (total contract amount is \$3,168,849.04) (FLOOD).

0622-05-11, amending Resolution No. 0544-05-11 to reflect the correct change order dollar amount of \$55,230 and authorizing execution of a revised Change Order No. 1 with Schrader Excavating & Grading Co. for the Repair of Water Service Lines FY11 Contract (original contract amount is \$179,770; total contract amount with this amendment is \$235,000).

0623-05-11, Amendment No. 1 for litigation analysis and support from Marsh USA Inc. not to exceed \$150,000 (original contract is \$196,625, total contract with this amendment \$346,625) (FLOOD).

0624-05-11, Change Order No. 7 in the amount of \$41,615.91 with Horsfield Construction, Inc. for 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project (original contract amount is \$2,553,421.50; total contract amount with this amendment is \$2,663,558.15).

0625-05-11, Change Order No. 5 in the amount of \$155,399.82 with Peterson Contractors, Inc. for 1st Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC Pavement Widening with HMA Resurfacing project (original contract amount is \$7,661,700.36; total contract amount with this amendment is \$8,269,752.61).

0626-05-11, Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. in an amount not to exceed \$530,000 for design services in connection with the 10th Street SE from 3rd Avenue to 8th Avenue Street Improvements project.

0627-05-11, Professional Services Agreement with Sebesta Blomberg & Associates, Inc. in an amount not to exceed \$83,681 for building systems commissioning services in connection with the City Services Facility project.

0628-05-11, Professional Services Agreement with Snyder & Associates, Inc. in an amount not to exceed \$80,300 for design services in connection with the 2011 Cedar Rapids Bridges – Load Ratings project.

0629-05-11, Professional Services Agreement with Brown and Caldwell in an amount not to exceed \$923,000 for design, bidding and construction phase services in connection with the Cedar River Sanitary Sewer Crossing Improvements project.

0630-05-11, Purchase Agreement in the amount of \$19,400 and accepting an Easement for Utilities and Temporary Grading Easement for Construction from Deborah A. Hotchkiss, Colleen R. Hotchkiss, Craig A. Hotchkiss and Bruce R. Hotchkiss from land located at 1548 Collins Road NE in connection with the 51st Street NE at Council Street NE Reconstruction project.

0631-05-11, Purchase Agreement in the amount of \$1,638 and accepting an Easement for Water Main and a Temporary Grading Easement for Construction from Larry A. Ryan and Linda M. Ryan from land located at 3117 Waveland Drive NW in connection with the NW Quad Replacement project.

0632-05-11, Purchase Agreement in the amount of \$1,092 and accepting an Easement for Water Main and a Temporary Grading Easement for Construction from Nicole M. Stepanek from land located at 3127 Waveland Drive NW in connection with the NW Quad Replacement project.

0633-05-11, Offer to purchase property and execution of a Total Acquisition Purchase Agreement in the amount of \$170,000, plus an amount estimated to be \$10,000 in relocation benefits to John J. Szewc and Margaret M. Szewc for property at 4519 C Avenue NE in connection with the Iowa 100 (Collins Road) from Council Street NE to 1st Avenue project.

0634-05-11, Offer to purchase property and execution of a Total Acquisition Purchase Agreement in the amount of \$148,000, plus an amount estimated to be \$3,725 in relocation benefits to Leigh A. Eide and Barton DJ Hull for property at 4524 C Ave NE in connection with the Iowa 100 (Collins Road) from Council Street NE to 1st Avenue project; CIP/DID#301446-00

0635-05-11, Supplemental Purchase Agreement in the amount of \$150 and accepting a Warranty Deed for right-of-way from Mecksavanh L. Xayasouk and Malay T. Xayasouk at 3303 King Drive SW in connection with the 33rd Avenue Reconstruction project.

0636-05-11, Agreement for Traffic Safety Improvement Program (TSIP) Funding in the amount of \$42,500 with Iowa Department of Transportation (IDOT) for the 76th Avenue and Kirkwood Boulevard SW School Zone Beacons and Speed Feedback Signs project.

0637-05-11, Purchase Agreement in the amount of \$1 and accepting a Quit Claim Deed and Temporary Construction Easement for Construction for right-of-way from the Cedar Rapids Community School District at 645 26th Street SE in connection with the Buchanan Drive SE from 26th Street to Memorial Drive (North Side) Sidewalk project.

0638-05-11, Vision Iowa Grant Agreement with Vision Iowa's River Enhancement Community Attraction and Tourism (RECAT) for the Cedar Rapids Riverfront Amphitheater and Festival Park in the amount of \$1,600,000.

0639-05-11, Letter of Agreement for J Avenue Water Treatment Plant Switchgear with Powercon Corporation for the amount not to exceed \$51,310.

0640-05-11, Fleet Services Division purchase of two Elgin Pelican NP Dual gutter mechanical three wheel street sweepers from Trans Iowa Equipment for the total amount of \$330,000.

0641-05-11, Water Pollution Control purchase of one 100KW Trailer Mounted Diesel Generator from Lightning Power Electric Industry Inc. for the total amount of \$35,986.

0642-05-11, Police Department purchase of an additional 45 Rock River Rifles, EOTech sights, NE Tactical slings and rifle cases from Kiesler Police Supply, Inc. for the total amount of \$54,315.

0643-05-11, Police Department Agreements for Police Gear from Ray O'Herron Co., Inc., Carpenter Uniform Company and G T Distributors, Inc. for a total annual amount not to exceed \$75,000.

0644-05-11, Agreement for Hotel FF&E Liquidation Services with National Content Liquidators, Inc. for the identified fixtures, furniture and equipment of the former Crowne Plaza Hotel for a guaranteed cash payment to the City of Cedar Rapids of \$249,500.

0645-05-11, Parking Space Agreement with Guaranty Bankshares, Ltd. for up to 64 parking spaces within lot 26 or 4th Avenue Parkade for a 20 year period (June 1, 2011 – May 31, 2031).

0646-05-11, authorizing the purchase of real property O T LOTS 1 & 10 & ALLEY ADJ THERETO BLOCK 30, STR/LB for a price of \$200,000.

0647-05-11, accepting an Agreement to Dedicate a Sanitary Sewer Easement from Scott and Gail Nau from property at 5201 Broadview Drive SE.

0648-05-11, Professional Services Agreement for First Street Parkade Debris Monitoring Services with Science Applications International Corporation (SAIC) for an amount not to exceed \$67,080 (FLOOD).

0649-05-11, Community Development Block Grant (CDBG) Program Disaster Recovery Infrastructure Contract with the Iowa Department of Economic Development (IDED) in the amount of \$9,085,000 in connection with 2,500 LF of flood wall northeast of B Avenue NE associated with the City's flood management strategy along the east side of the Cedar River (FLOOD).

0650-05-11, Agreement with US Bank to act as a loan servicing agent for the City in regard to the Local Option Sales Tax (LOST) funded Residential Rental Rehabilitation Gap Financing Program (FLOOD).

0651-05-11, Amendment No. 2 and No. 3 to the standard agreement with Alt Architecture and Research Associates for \$142,828.32, for additional services for the May's Island Maintenance Package and for the Veterans Memorial boiler redesign for the Veterans Memorial Building (original contract amount is \$2,896,000 total contract amount with these amendments is \$4,062,828.32) (FLOOD).

0652-05-11, awarding and approving contract in the amount of \$198,256, bond and insurance of Tim Hildreth Company, Inc. for the Veterans Memorial Boiler Purchase (FLOOD).

0653-05-11, confirming Amendment No. 6 to the Business Disaster Recovery Fund Contract with the Iowa Department of Economic Development (IDED) which adds a new activity, Business Relocation Assistance Program, to be funded from the total contract budget of \$50,000,000 (FLOOD).

0654-05-11, Agreement in the amount of \$4,100 and accepting a Temporary Construction and Access Easement from Enlighten Technologies, Inc. at 330 1st Street SE in connection with the Paramount Theatre Flood Recovery project (FLOOD).

0655-05-11, Professional Services Agreement with Barker Lemar Engineering Consultants in an amount not to exceed \$28,390 for environmental consulting services in connection with the Cedar Rapids Public Library project (FLOOD).

Report on bids for the Ash Lagoon Liner project. (Pat Ball)

Tricon General Construction	Dubuque, IA	\$913,604.20
Terra Engineering Co.	Madison WI	\$1,001,247.82
WRH, Inc.	Cedar Rapids, IA	\$1,073,844.00

0656-05-11, awarding and approving contract in the amount of \$913,604.20, bond and insurance of Tricon General Construction for the Ash Lagoon Liner project.

Report on bids for the 2nd Street SE Reconstruction – 5th Avenue SE to 8th Avenue SE and Federal Courthouse Infrastructure Improvements project. (Gary Petersen)

Gee Grading & Excavating, Inc.	Cedar Rapids, IA	\$1,776,088.94
Dave Schmitt Construction Co., Inc.	Cedar Rapids, IA	\$1,789,796.00

0657-05-11, awarding and approving contract in the amount of \$1,776,088.94 plus incentive up to \$78,200, bond and insurance of Gee Grading & Excavating, Inc. for the 2nd Street SE Reconstruction – 5th Avenue SE to 8th Avenue SE and Federal Courthouse Infrastructure Improvements project.

Report on bids for the May's Island Parkade project. (Mike Jager)

	<u>Base Bid</u>	<u>Alternate</u>	<u>Unit price</u>
Miron Construction Co, Inc., Cedar Rapids,	\$699,000	\$25,200	\$94
Unzietig Construction Co., Cedar Rapids,	\$725,000	\$27,900	\$95
Tricon General Construction, Inc.,	\$945,000	\$20,000	\$115

0658-05-11, awarding and approving contract in the amount of \$724,200, bond and insurance of Miron Construction for the May's Island Parkade project (FLOOD).

Report on bids for the 1st Street SE Parkade Demolition project. (Sandy Pumphrey)

D.W. Zinser Company Walford, IA \$748,450.00

0659-05-11, awarding and approving contract in the amount of \$748,450, bond and insurance of D.W. Zinser Company for the 1st Street SE Parkade Demolition project (FLOOD).

Discussion: John Frew and Drew Westberg

0660-05-11, authorizing execution of the Convention Center Construction Facilitation Agreement with SA Roosevelt Limited Partnership for an amount not to exceed \$366,380.

Discussion: John Frew

0661-05-11, authorizing submittal of an application to Hilton Corporation for the purpose of establishing a Doubletree by Hilton franchise for the Cedar Rapids Convention Complex Hotel and to submit the necessary application fee for an amount not to exceed \$75,000.

Presentation by Casey Drew of the fiscal year 2012 Hotel Motel Tax allocation. The following direction was given to staff by consensus of the Council:

1. Which hotel motel (HM) allocation does City Council prefer (December 2010 or May 2011)? May 2011.
2. Does City Council want to reallocate HM funds to organizations that submitted incomplete applications to HM committee? No.
3. FY12 HM funds allocated based on percentage of HM revenue received up to allocated amount? Yes.
4. Notify all organizations who applied for FY12 HM funds will be limited in the future and funding levels provided in the past may not be available? Yes.
5. Establish a committee to review current HM policy and provide direction on what policy should look like going forward (i.e. changes to criteria)? Yes.
6. \$70,600 for marketing convention center should be held until City Council determines how marketing will be handled instead of being part of CVB allocation? Yes.
7. Assign review group to bring back revised operating plan for closed facilities? Yes.

Ordinance No. _____, being an Ordinance amending Chapter 6 of the Municipal Code, City Administration, by amending Section 6.22(c) regarding Cedar Rapids Board of Ethics Rules and Procedures, was presented and read the second time.

Council member Gulick moved the approval of the Ordinance on its second reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for passage at a later date; seconded by Council member Wieneke. Approved, Ayes, Council members Gulick, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

Public comments were heard.

The following Council Committee Reports/Announcements were given: Development Committee (Chair, Council member Vernon); Finance & Administrative Services Committee (Chair, Council member Gulick); and Public Safety Committee (Chair, Council member Shields).

City Council communications were heard.

Council member Wieneke moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

City Council adjourned at 8:33 p.m. to meet Tuesday, June 14, 2011 at 12:00 noon.

Amy Stevenson, City Clerk

Nay, Council member Swore
Absent, Council member Karr
Absent, Council member Podzimek
Absent, Council member Shey
Absent, Mayor Corbett

Cedar Rapids, Iowa, June 10, 2011; 1:00 p.m.

City Council met for a Special Session in City Hall, 3851 River Ridge Drive NE, North Conference Room. Present, Mayor Corbett, Council members Karr, Shields, Swore, Vernon and Wieneke. Council member Shey participated and voted on the Resolution by way of telephone. Also present were Acting City Manager Casey Drew and City Attorney James Flitz. Absent, Council members Gulick and Podzimek.

The following resolution was approved with all Council members and Mayor Corbett voting "Aye":

0662-06-11, approving the special event request for Rockwell Collins for a private helicopter landing (US Army CH-47 Chinook) on Sunday, June 12, 2011 at Rockwell Collins, 350 Collins Road NE (building #153).

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Meeting adjourned at 1:02 p.m.

Amy Stevenson, City Clerk

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

June 14, 2011, 12:00 noon

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Karr, Podzimek, Shields, Swore, Vernon and Wieneke. Council member Shey participated and voted by way of telephone. Also present was City Attorney James Flitz. Absent, Council member Gulick.

The invocation was given by Fire Chaplain Phil Saunders.

Pledge of Allegiance.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider the vacation of a portion of a 30-foot frontage road located at 3505 16th Avenue SW (Lot 4, Viands' Second Addition to the City of Cedar Rapids) as requested by Iowa CVS Pharmacy, LLC. No comments or objections were heard or filed.

0663-06-11, authorizing the vacation of a portion of a 30-foot frontage road located at 3505 16th Avenue SW (Lot 4, Viands' Second Addition to the City of Cedar Rapids) as requested by Iowa CVS Pharmacy, LLC.

A public hearing was held to consider granting a change of zone for property at 1440 32nd Street NE from C-1, Mixed Neighborhood Convenience Zone District and O/S, Office/Service Zone District to C-2, Community Commercial Zone District, as requested by Hy-Vee, Inc. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 1440 32nd Street NE from C-1, Mixed Neighborhood Convenience Zone District and O/S, Office/Service Zone District to C-2, Community Commercial Zone District, as requested by Hy-Vee, Inc., was presented and read the first time.

Council member Wieneke 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 Swore. Approved, Ayes, Council members Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider granting a change of zone for property at the northeast corner of the intersection of Edgewood Road SW and 60th Avenue SW from A,

Agriculture Zone District to I-2, General Industrial Zone District, as requested by LL Pelling Co., Inc. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at the northeast corner of the intersection of Edgewood Road SW and 60th Avenue SW from A, Agriculture Zone District to I-2, General Industrial Zone District, as requested by LL Pelling Co., Inc., was presented and read the first time.

Council member Swore 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 Vernon. Approved, Ayes, Council members Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public comments were heard.

Council member Wieneke moved to approve the Agenda; seconded by Council member Karr. City Attorney Flitz requested that Item Number 5d (motion setting a public hearing date for July 28, 2011 to consider a request by Diamond V Mills for an Urban Revitalization Area designation for construction of a World Headquarters building adjacent to the new manufacturing facility at 2575 60th Avenue SW) should be corrected to state July 26 as the public hearing date; Item Number 30o (Professional Services Agreement with OPN Architects, Inc. in an amount not to exceed \$112,000 for architectural and engineering services in connection with the Cedar Rapids Convention Complex Parking Structure project) be removed from the agenda; and Item Number 30r (Purchase Agreement in the amount of \$1,365 and accepting an easement for water main and temporary grading easement for construction from Margaret and David Stephen from land located at 3207 Waveland Drive NE in connection with the NW Quad Replacement project) should be corrected to state 3207 Waveland Drive NW. Ayes, Council members Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Swore. Ayes, Council members Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. June 28, 2011 – to consider an Ordinance amending Chapter 2 of the Municipal Code, City and Precinct Boundaries, relating to changing precinct and Council District boundaries.
- b. June 28, 2011 – to consider a change of zone for property at 4427 J Street SW from I-2, General Industrial Zone District to R-1, Single Family Residence Zone District as requested by John Seegers.

- c. June 28, 2011 – to consider the proposition to authorize a loan agreement and the issuance of General Obligation Capital Loan Notes (ECP-UR) not to exceed \$13,000,000 for the Event Center Parking Ramp and the Roosevelt Fire Escape Project.
- d. July 26, 2011 – to consider a request by Diamond V Mills for an Urban Revitalization Area designation for construction of a World Headquarters building adjacent to the new manufacturing facility at 2575 60th Avenue SW.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 28, 2011 and advertising for bids by publishing notice to bidders for the Ellis Harbor Dock Repairs project and authorizing the Parks & Recreation Director, or designee, to receive and open the bids and publicly announce the results on July 6, 2011 (Estimated cost is \$251,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 28, 2011 and advertising for bids by publishing notice to bidders for the 3rd Avenue SE from 10th Street SE to 14th Street SE (PCI Medical Mall) Water Main and Storm Sewer Extension project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on June 29, 2011 (Estimated cost is \$548,000).

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for June 28, 2011 and advertising for bids by publishing notice to bidders for the Vehicle Exhaust Extraction Systems and authorizing the Purchasing Manager, or designee, to receive and open the bids and publicly announce the results on July 13, 2011 (Estimated cost is \$148,496).

Motion approving the beer/liquor/wine applications of:

- a. 3rd Street Saloon, 1202 ½ 3rd Street SE (transfer for 3 event dates, June 30, July 28 and August 18, 2011 to McGrath Powersports, 4645 Center Point Road NE);
- b. Benz Beverage Depot, 501 7th Avenue SE;
- c. Buffalo Wild Wings, 2020 Edgewood Road SW (permanent outdoor service area);
- d. Cedar Rapids Jaycees, 225 5th Avenue SW (transfer permit for 6 Uptown Friday Nights Events on June 24, July 1, July 8, July 15, July 22 and July 29, 2011);
- e. Cedar Rapids Residence Inn, 1900 Dodge Road NE;
- f. Fieldhouse Downtown, 401 1st Street SE (outdoor service for an event on July 4, 2011);
- g. Jersey's Pub & Grub, 5761 C Street SW (outdoor service for an event on June 25, 2011);
- h. New Shack Tavern, 2545 Old River Road SW;
- i. Salsa Del Rio, 209 3rd Street SE (new- class B beer permit);
- j. Time Out Lounge, 3230 16th Avenue SW (outdoor service for an event on June 25, 2011);
- k. Walgreens #3875, 2821 1st Avenue SE;
- l. Walgreens #5042, 3325 16th Avenue SW.

0664-06-11, approving payment of bills.

0665-06-11, approving payment of payroll.

0666-06-11, approving transfer of funds to various departments.

0667-06-11, approving the special event application for Cedar Rapids Bank Trust Drive-In Movie Series with street closures on June 25, July 16 and August 13, 2011 at 6th Street NE.

0668-06-11, approving the special event application for the Cedar Rapids Freedom Festival Parade in downtown Cedar Rapids on June 25, 2011.

0669-06-11, approving the special event application for the Cedar Rapids Freedom Festival "Imagination Square" at Greene Square Park on June 25, 2011.

0670-06-11, approving the special event application for the Alliant 5th Season Race in Downtown Cedar Rapids on, July 4, 2011.

0671-06-11, approving the special event application for the KCRG Kids Parade in Downtown Cedar Rapids on, July 4, 2011.

0672-06-11, approving the special event application for the Cedar Boat Club Annual Fireworks Display in Ellis Boat Harbor area on July 3, 2011.

0673-06-11, approving the special event application for the Cedar Rapids Freedom Festival – "Celebration of Freedom" Fireworks downtown Cedar Rapids on July 4, 2011.

0674-06-11, approving the special event application for the Cedar Rapids Freedom Festival Firefighter Combat Challenge Including "Food & Music on the Island" and "Buster's Energy Zone" on 1st Street SW and 3rd Avenue in Downtown Cedar Rapids on July 4, 2011.

0675-06-11, extending a vote of thanks to Sonya Darrow, Sarah Else, Lisa Kuzela, Bret Nilles, Allan Pierson, Ron Sims, Gregory Stokesberry and Amy Wyss for serving on the Neighborhood Planning Process Steering Committee (FLOOD).

0676-06-11, intent to assess for Utilities – Water Division delinquent municipal utility bills at 21 properties.

0677-06-11, levy assessment for Utilities – Water Division delinquent municipal utility bills at 16 properties.

0678-06-11, levy assessment for Utilities – Water Division delinquent municipal utility bills at 23 properties.

0679-06-11, accepting water system improvements in Hawk's Point 4th Addition – Phase 1 and approving Maintenance Bond submitted by Borst Bros. Const. Inc. in the amount of \$24,150.

0680-06-11, authorizing reimbursement to Midwest Development Company in the amount of \$35,967.52 for paving costs associated with Stoney Point 23rd Addition.

0681-06-11, approving the Final Plat for Ahsure First Addition at 3937 Crestwood Drive NW.

0682-06-11, accepting City-Wide Miscellaneous Storm Sewer Repair project, final payment in the amount of \$3,936.96 to Connolly Construction, Inc. (original contract amount is \$56,395.75; final contract amount is \$78,739.14).

0683-06-11, accepting Five Seasons Parkade Lighting Retrofit project, final payment in the amount of \$8,900 to Justice Electric Company (original contract amount is \$178,000; final contract amount is \$178,000).

0684-06-11, accepting FY 2011 Curb Repair project, final payment in the amount of \$6,197.63 to Eastern Iowa Excavating & Concrete, LLC. (original contract amount is \$116,495; final contract amount is \$123,952.62).

0685-06-11, accepting Connerley Construction LLC for the City Services Facility – Council Chambers – Millwork project, final payment in the amount of \$4,150 to (Final contract amount is \$83,000).

0686-06-11, accepting Pearson Wall Systems for the City Services Facility – Council Chambers – Framing/Drywall project, final payment in the amount of \$495.50 to (Final contract amount is \$9,910).

0687-06-11, accepting Carpet King Carpet One for the City Services Facility – Council Chambers – Carpet project, final payment in the amount of \$159.13 to (Final contract amount is \$3,182.48).

0688-06-11, authorizing the termination of the Cedar Rapids Water Works Retirement System.

0689-06-11, granting permission for the proposal of eight decks for two, four-plex buildings to encroach onto portions of the existing 20-foot sanitary, utility and drainage easement located at 1635 and 1645 Midland Ct NE, as requested by Council Square, LLC.

0690-06-11, granting permission for an existing deck to encroach onto portions of the existing six-foot utility and drainage easement located at 6616 Ashwood Court NE as requested by Scott J. and Tammie L. Brady.

0691-06-11, Preliminary Resolution for the construction of pavement and sidewalk improvements for the 74th Street NE from West Park Road to 500-feet West of White Ivy Place Reconstruction Project.

0692-06-11, authorizing the Joint Communications Agency to transfer ownership of Panasonic Mobile Data Computers that are no longer in a usable state, to public safety agencies in Linn County, Iowa as determined by the Chief of Police.

0693-06-11, amending Resolution No.1319-11-10 to clarify that the Visual Enhancement Program should apply only to the City's share of an eligible project's construction costs.

0694-06-11, authorizing sponsorship of a Business Financial Assistance application to the State by Diamond V Mills for construction of a World Headquarters building adjacent to the new manufacturing facility at 2575 60th Avenue SW.

0695-06-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property located at 114 18th Avenue SW.

0696-06-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property located at 516 8th Street NW.

0697-06-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property located at 518 8th Street NW.

0698-06-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property located at 816 D Avenue NW.

0699-06-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property located at 1004 11th Street NW.

0700-06-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property located at 1312 L Street SW.

0701-06-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property located at 2108 C Street SW.

0702-06-11, Development Agreement with Hernandez Family Homes for property located at 1238 9th Street NW.

0703-06-11, authorizing the Finance Director to commit the current and future fund balances of special revenue funds not previously restricted or committed.

0704-06-11, declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects.

0705-06-11, approving FY 2012 Hotel Motel allocations.

0706-06-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 10 properties in connection with the HUD Community Development Block Grant (CDBG) (FLOOD).

0707-06-11, amending Resolution No. 0148-02-09 which established the Local Option Sales Tax (LOST) Citizen Oversight Committee by reducing the number of members from nine to seven (FLOOD).

0708-06-11, Amendment No. 1 to the Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$17,000 for additional work not included in the

original scope of services for the J Avenue Chlorine System Improvements project (original contract amount is \$91,300; total contract amount with this amendment is \$108,300).

0709-06-11, Amendment No. 1 to the Financial Assistance Award with the Economic Development Administration (EDA), revising the start date specified for the Joint Communication Network project (original award amount is \$2,463,600; award amount is unchanged with this Amendment).

0710-06-11, Amendment No. 2 to the Professional Services Agreement with Walker Parking Consultants/Engineers Inc. specifying an increased amount not to exceed \$17,084 for Business Plan validation services in connection with the New Multilevel Parking Ramp (at 7th Ave and 2nd St SE) project (original contract amount is \$13,944; total contract amount with this amendment is \$31,028).

0711-06-11, Amendment No. 2 to the Professional Services Agreement with Stanley Consultants, Inc., in an amount not to exceed \$113,000 for right-of-way acquisition support services in connection with miscellaneous projects (original contract amount is \$113,000; total contract amount with this amendment is \$339,000).

0712-06-11, Amendment No. 3 to the Professional Services Agreement with Frew Nations Group, LLC, specifying an increased amount not to exceed \$160,000 to provide real estate acquisition, relocation assistance and property management services in connection with the Cedar Rapids Convention Complex project (total contract amount is 6% of project costs less project management fees, plus hourly with expenses not to exceed \$3,048,107).

0713-06-11, Amendment No. 1 to renew Agreement for Recycling Carts with Rehrig Pacific Company for Solid Waste and Recycling for the total estimated annual amount not to exceed \$283,500 (original contract amount is \$350,000; renewal contract amount is \$283,500).

0714-06-11, Amendment No. 2 to renew Agreement for Motor Repair with Janda Motor Services for a total annual expenditure not to exceed \$30,000 (original contract amount is \$39,418, total contract amount with these amendments is \$87,206).

0715-06-11, Amendment No. 2 to renew Agreement for Lime Sludge Disposal at the J Avenue Water Plant with Lee Crawford Quarry Co. for a total annual amount not to exceed \$270,000 (original contract amount is \$251,447, total contract amount with these amendments is \$771,514).

0716-06-11, Amendment No. 2 to the Convention Complex Hazardous Materials Abatement with D.W. Zinser Company, Inc. to reflect additional costs for unforeseen hazardous materials abatement for the amount not to exceed \$458,021 (original contract amount is \$159,750; total amount with this amendment is \$618,507).

0717-06-11, amending Resolution No. 1300-11-10 for the Parking and Revenue Control System (PARCS) to reduce the amount of the award with T2 Systems, Inc. by \$81,833.96 and to increase the amount of the award with Baker Group by \$35,900. The amount of the award with Don Harstad Company, Inc. will remain the same. (original contract amount is \$1,360,935.06; total contract amount with this amendment is \$1,315,001.10).

0718-06-11, Change Order No. 2 in the amount of \$43,239 with D.W. Zinser Company for the Cedar Rapids Convention Complex Demolition, Site Work and Utility Package project (original contract amount is \$874,000; total contract amount with this amendment is \$1,013,838).

0719-06-11, Change Order No. 6 in the amount of \$40,090.40 with Peterson Contractors, Inc. for the 1st Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC Pavement Widening with HMA Resurfacing project (original contract amount is \$7,661,700.36; total contract amount with this amendment is \$8,309,843.01).

0720-06-11, Change Order No. 15 in the amount of \$6,720 with Rathje Construction Company for the Council Street NE from Bridge Over Dry Creek to 74th Street NE and Boyson Road NE from Inwood Court NE to Walden Road NE Reconstruction and Widening project (original contract amount is \$4,438,396.64; total contract amount with this amendment is \$4,666,253.25).

0721-06-11, Grant Agreement with Neighborhood Associations, Inc., dba Cedar Rapids Neighborhoods to provide up to \$80,000 for neighborhood support.

0722-06-11, Professional Services Agreement with HDR Engineering, Inc. in an amount not to exceed \$234,700 for the concept development study in connection with the 1st Avenue East from 27th Street to 40th Street, Complete Streets Improvement project.

0723-06-11, Agreement for Construction of Curb Ramps with the Iowa Department of Transportation (IDOT) to receive an estimated amount of \$45,000 in grant funds for installation of American Disabilities Act (ADA) compliant pedestrian ramps in conjunction with the 1st Avenue East From 21st Street NE to 27th Street NE Pavement Rehabilitation and Sanitary Sewer Replacement project.

0724-06-11, Purchase Agreement in the amount of \$1,365 and accepting an easement for water main and temporary grading easement for construction from Margaret A. Stephen and David Stephen from land located 3207 Waveland Drive NW in connection with the NW Quad Replacement project.

0725-06-11, 28E Agreement with the City of Marion whereby the City of Cedar Rapids Animal Care and Control will provide animal shelter services to the City of Marion as provided in the 28E Agreement.

0726-06-11, Annual Service Agreement with Motorola, Inc. for the public safety radio communications system, for the period of July 1, 2011 through June 30, 2012; and authorizing the Joint Communications Agency to purchase equipment in an amount not to exceed \$300,000.

0727-06-11, Annual Maintenance Agreement with Intergraph Public Safety, Inc. for the Public Safety Computer Aided Dispatch and Police and Fire records management systems, for the period of July 1, 2011 through June 30, 2012 in an amount not to exceed \$400,000.

0728-06-11, awarding and approving contract in the amount of \$40,440.10 plus incentive up to \$1,050, bond and insurance of Anne Duffield Construction, Inc. for the Buchanan Drive SE from 26th Street to Memorial Drive (North Side) Sidewalk project (Estimated cost is \$51,000).

0729-06-11, Information Technology Department purchase of ESRI Software Maintenance from Environmental Systems Research Institute, Inc. in the amount of \$54,036.29.

0730-06-11, Purchase Order in the amount of \$27,605.06 to the Water Research Foundation (WRF) for the Water Division's 2011 Membership Subscription Fee.

0731-06-11, Purchase Order in the amount of \$53,228.62 to ORACLE for renewal of the annual software license and technical support for FY12 (July 30, 2011 – July 29, 2012).

0732-06-11, Golf and Recreation Operations purchase of wholesale beer and related products from 7G Distributing LLC and Fleck Sales Company for FY 12 in the amount of \$133,000.

0733-06-11, Professional Services Agreement for Convention Hotel Hazardous Materials Assessment Survey with Terracon Consultants, Inc. for an amount not to exceed \$36,151.

0734-06-11, Police Department purchase of Audio Visual Equipment from Pratt Audio-Visual & Video Corporation for the total of amount of \$54,215.

0735-06-11, Fleet Services Division purchase of ten ½ ton pick-ups from Karl Chevrolet for the total amount of \$255,258.00.

0736-06-11, Fleet Services Division purchase of 10 Chevrolet Caprice Police Patrol vehicles from Karl Chevrolet for the total amount of \$272,168.77.

0737-06-11, Fleet Services Division purchase of two ½ cargo vans from Charles Gabus Ford for the total amount of \$47,894.36.

0738-06-11, Fleet Services Division purchase of one (1) tandem axle cab and chassis with dump body from Truck Country with Henderson for \$95,243 and one (1) oil distribution system truck from Truck Country with Monroe for \$158,474 for the total amount of \$253,717.

0739-06-11, Fire Department purchase of Fire Hose from Danko Emergency Equipment and Heiman Fire Equipment for the total amount of \$85,915.

0740-06-11, Agreement for Trunked Logging Recorder with RACOM Corporation for Joint Communications for the total amount not to exceed \$122,280.

0741-06-11, Fleet Services Division purchase of two John Deere 624K wheeled end loaders from Martin Equipment of Ia-II., Inc. for the total amount of \$299,000.

0742-06-11, Amendment No. 2 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$26,040 for design services in connection with the Stickle Drive NE from C Avenue to the North Sanitary Sewer Replacement project (original contract amount is \$39,600; total contract amount with this amendment is \$65,640) (FLOOD).

0743-06-11, purchasing renewal of flood insurance from the National Flood Insurance Program (NFIP) for the period June 7, 2011 thru June 7, 2012 for the total amount of \$82,217.

0744-06-11, Amendment to Professional Services Agreement with ProSource Technologies, Inc. to assume the administration of the Jumpstart Housing Program in an amount not to exceed \$7,485,335 inclusive of administrative costs, service delivery, and pass through payments to applicants (FLOOD).

0745-06-11, final payment of the Administrative Services Agreement for the Expanded Jumpstart Business Recovery Programs to Transitions Made Better, Inc. in the amount of \$1,480,764.28 (FLOOD).

0746-06-11, Professional Services Agreement with Terracon Consultants, Inc. in an amount not to exceed \$34,750 for environmental consulting services in connection with the Time Check Recreation Center demolition project. (FLOOD).

0747-06-11, Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$391,002 for engineering design services in connection with the 2nd Street SE from 8th Avenue SE to the Sinclair Site Sanitary Sewer Reconstruction project (FLOOD).

0748-06-11, Professional Services Agreement with Braun Intertec Corporation for an amount not to exceed \$9,750 for geotechnical evaluation services in connection with the Central Fire Station project (FLOOD).

0749-06-11, Purchase Agreement in the amount of \$1.00 and accepting a Warranty Deed for a portion of land located at 117 3rd Avenue SE owned by 2001 Development Corporation in connection with the Paramount Theatre Flood Recovery project (FLOOD).

0750-06-11, Purchase Order in the amount of \$45,601 contract to Ken-Way Excavating, Inc. for the Sanitary Sewer Point Repair at 800 1st Avenue NW (EMERGENCY REPAIR) project (FLOOD).

0751-06-11, Professional Services Agreement with Solum Lang Architects, LLC for an amount not to exceed \$40,850 for design services in connection with the Seminole Valley Farm Rehabilitation Project (FLOOD).

0752-06-11, Agreement for Historic Documentation Services for the Engineering Division with The Louis Berger Group, Inc. for a total amount not to exceed \$41,800 during the two-year term of the agreement (FLOOD).

0753-06-11, Administrative Services Agreement with Affordable Housing Network, Inc. (AHNI) for the Jumpstart Housing Disaster Recovery Programs (FLOOD).

0754-06-11, Amendment No. 2 to the Community Disaster Grant Subrecipient Agreement with Neighborhood Associations, Inc., dba Cedar Rapids Neighborhoods to reallocate funding between categories (FLOOD).

0755-06-11, amend and extend the lease of property at 3851 River Ridge Drive NE to June 30, 2012 at a monthly rental amount of \$23,410.50 (FLOOD).

Report on bids for the May's Island Maintenance Package. (Mike Jager)

	<u>Base bid</u>	<u>Alternate totals</u>
Tricon General Construction, Inc, Dubuque, IA	\$255,000	\$148,000
Miron Construction Co, Inc, Cedar Rapids, IA	\$282,582	\$176,085
Unzietig Construction Co, Cedar Rapids, IA	\$344,900	\$216,000

Report on bids for the 1st Street SW from 3rd Avenue to 5th Avenue Flood Protection Levee project. (Doug Carper)

Gee Grading & Excavating, Inc., Cedar Rapids, IA	\$782,574.70
Rathje Construction Co., Marion, IA	\$799,529.94
Peterson Contractors, Inc., Reinbeck, IA	\$821,159.27
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$935,006.30
Ricklefs Excavating, Ltd., Anamosa, IA	\$1,125,695.75

0756-06-11, awarding and approving contract in the amount of \$782,574.70 plus incentive up to \$22,500 bond and insurance of Gee Grading & Excavating, Inc. for the 1st Street SW from 3rd Avenue to 5th Avenue Flood Protection Levee project.

Report on bids for the FY 2011 City of Cedar Rapids Sanitary Sewer Improvements – Lining project. (Dave Wallace)

Municipal Pipe Tool Co., LLC, Hudson, IA	\$574,311.50
SAK Construction, LLC, O'Fallon, MO	\$644,360.40
Insituform Technologies USA, Inc., Chesterfield, MO	\$774,997.00

0757-06-11, awarding and approving contract in the amount of \$574,311.50 bond and insurance of Municipal Pipe Tool Co., LLC for the FY 2011 City of Cedar Rapids Sanitary Sewer Improvements – Lining project.

Report on bids for the Joint Communications Network Construction Group 1 project.
(Doug Wilson)

Price Industrial Electric, Inc., Hiawatha, IA	\$2,209,673.00
Lan-Tel Communications Services, Inc., Independence, MO	\$2,497,338.75
Western Utility Contractors, Inc., University Park, IL	\$2,999,999.00
Dig America Utility Contracting, Inc., Bondurant, IA	\$3,079,338.98
Tri-City Electric Company of Iowa, Davenport, IA	\$3,218,521.06
MasTec North America, Inc., Hugo, MN	\$4,697,157.50
Michels Corporation, Brownsville, WI	\$4,918,358.15

0758-06-11, awarding and approving contract in the amount of \$2,209,673, plus incentive up to \$3,000, bond and insurance of Price Industrial Electric, Inc. for the Joint Communications Network Construction Group 1 project.

Report on bids for the Demolition Services for Flood Damaged Structures for demolition and cleanup services of 86 flood damaged parcels. (Pat Ball)

Kelly Demolition, LLC	Mt. Vernon, IA	\$439,966.50
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0759-06-11, awarding and approving contract for the amount not to exceed \$439,966.50, bond and insurance of Kelly Demolition, LLC for the Demolition Services for Flood Damaged Structures (FLOOD).

Report on bids for the Demolition Services for Flood Damaged Structures for demolition and cleanup services of 74 flood damaged parcels. (Pat Ball)

Kelly Demolition, LLC	Mt. Vernon, IA	\$491,239.00
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0760-06-11, awarding and approving contract for the amount not to exceed \$491,239 bond and insurance of Kelly Demolition, LLC for the Demolition Services for Flood Damaged Structures (FLOOD).

Report on bids for the Paramount Theatre Flood Recovery and Renovation – Bid Package 1 project (FLOOD). (Doug Carper)

Miron Construction Co., Inc. Cedar Rapids, IA	\$5,380,000.00
Rinderknecht Associates, Inc., Cedar Rapids, IA	\$6,353,000.00

Kleiman Construction, Inc., Cedar Rapids, IA	\$6,362,953.00
Larson & Larson Construction, LLC, Urbandale, IA	\$6,763,000.00

Discussion: Chief Graham

0761-06-11, authorizing approval of Police Department reorganization by eliminating one Secretary position.

Discussion: Vern Zakostelecky

0762-06-11, denying request from the City of Robins to amend the 28E Agreement between the City of Cedar Rapids and the City of Robins to allow the annexation of a parcel of land on the east side of North Mentzer Road north of Robins for property owned by B.L. Anderson/Wendling Quarries.

Ordinance No.026-11, being an Ordinance repealing Chapter 52 of the Municipal Code, Taxicabs and Limousines, and enacting and adopting in lieu thereof a new Chapter 52, Taxicabs and Limousines, was presented and read the first time.

Council member Wieneke moved the approval of the Ordinance on its first reading; seconded by Council member Karr. Ayes, Council members Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Podzimek moved that the rule requiring three readings on three different days be suspended and the Ordinance be approved on its second and third readings; seconded by Council member Vernon. Council members Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

0763-06-11, establishing fees and rates associated with Chapter 52, Taxicabs and Limousines.

Ordinance No. 027-11, being an Ordinance vacating public ways and grounds in and to the property described as a 5,415 square-foot parcel of existing City-owned right-of-way located within the intersection of B Avenue NE and 3rd Street NE and a portion of the alley east of and perpendicular to 3rd Street NE (also known as Plat of Survey 1657 Parcel A) as requested by Quaker Manufacturing, LLC, was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Podzimek 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 Vernon. Adopted, Ayes, Council members Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

0764-06-11, authorizing the disposition of the property described as a 5,415 square-foot parcel of existing City-owned right-of-way located within the intersection of B Avenue NE and 3rd Street NE and a portion of the alley east of and perpendicular to 3rd Street NE (also known as Plat of Survey 1657 Parcel A) as requested by Quaker Manufacturing, LLC and accepting an Easement for Sidewalk.

Ordinance No. 028-11, being an Ordinance granting a change of zone for property south of Ellis Road NW and west of Edgewood Road NW from R-1, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by Stoney Point Heights, L.L.C., Char-Royal, LLC, MD-Stan, LLC and Solartaxi, LLC, was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Karr. Approved, Ayes, Council members Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Podzimek 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 Vernon. Adopted, Ayes, Council members Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 029-11, being an Ordinance granting a change of zone for property north of Highway 30 and west of West Post Road SW and south of Wilson Avenue SW from R-3D, Two Family Residence Zone District to R-3D/PUD-O, Two Family Residence Zone District/Planned Unit Development Overlay District requested by Thomas Dostal Developers, was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Podzimek 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 Vernon. Adopted, Ayes, Council members Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 030-11, being an Ordinance amending Chapter 6 of the Municipal Code, City Administration, by amending Section 6.22(c) regarding Cedar Rapids Board of Ethics Rules and Procedures, was presented and read the third time.

Council member Karr moved the adoption of the Ordinance as read; seconded by Council member Vernon. Adopted, Ayes, Council members Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public comments were heard.

The following Council Committee Reports/Announcements were given: Development Committee (Chair, Council member Vernon); Flood Recovery Committee (Chair, Council member Karr); and Infrastructure Committee (Chair, Council member Swore).

Council member Shields moved to adjourn; seconded by Council member Wieneke. Ayes, Council members Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 2:05 p.m. to meet Tuesday, June 28, 2011 at 4:30 p.m.

Amy Stevenson, City Clerk

Absent, Council member Gulick

Cedar Rapids, Iowa, June 20, 2011; 9:00 a.m.

Council met for an informational workshop in City Hall, 3851 River Ridge Drive NE, North Conference Room. Present, Mayor Pro Tempore Vernon, Council members Gulick, Karr, Shey, Shields, Swore and Wieneke. Also present were City Manager Jeff Pomeranz, City Attorney James Flitz and Joel Miller, Tim Box and Eric Loecher from the Linn County Auditor's Office. Absent, Mayor Corbett and Council member Podzimek.

A presentation was given by Tim Box and Eric Loecher, Linn County Auditor's Office, regarding precinct and district map options which adjust the boundaries of the current five Council districts in line with the 2010 Census. A precinct map with 44 precincts and two district map options were presented for the Council's consideration: Option 4 - districts built on precinct plan with 44 precincts and Option 6 - same precinct plan as Option 4, but with variation of district plan.

Council member Gulick moved to approve the Linn County Auditor's reprecincting/redistricting Option 4 and to present the same as an ordinance for Council consideration at the June 28, 2011 Council meeting; seconded by Council member Shey. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Motion carried.

Council member Swore moved to adjourn; seconded by Council member Gulick. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

City Council adjourned at 9:25 a.m.

Amy Stevenson, City Clerk

Absent, Council member Podzimek
Absent, Mayor Corbett

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

June 28, 2011, 4:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek (arrived at 6:10 p.m.), Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney James Flitz.

The invocation was given by Police Chaplain Bill Graham and Adiel DeTorres.

Pledge of Allegiance.

Mayor Corbett and Council member Karr presented a proclamation to East Central Iowa SCORE volunteers Greg Tomsic, Jerry Ziese, Bill Hoekstra and Phil Giglio declaring the SCORE East Central Iowa office award winners as the Small Business Champions of 2011.

Ralph Palmer, Chairman of the mayoral task force assigned to come up with a fitting tribute to Don Canney (Cedar Rapids' longest-serving mayor who died in March 2011), gave a presentation recommending the Council take action to name the Eastern Iowa Airport for Don Canney. Mayor Corbett requested the item be referred to the Infrastructure Committee and asked Council member Swore to discuss the issue with airport officials and outline a procedure to make this recommendation a reality.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider an Ordinance amending Chapter 2 of the Municipal Code, City and Precinct Boundaries, relating to changing precinct and Council District boundaries. One objection was heard. No written comments or objections were filed.

Ordinance No. _____, being an Ordinance amending Chapter 2 of the Municipal Code, City and Precinct Boundaries, relating to changing precinct and Council District boundaries, was presented and read the first time.

Council member Wieneke 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 Swore. Approved, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider establishing the Cedar Rapids Medical Self-Supported Municipal Improvement District. Comments and objections were heard. No written comments or objections were filed.

A public hearing was held to consider a change of zone for property at 4427 J Street SW from I-2, General Industrial Zone District to R-1, Single Family Residence Zone District as requested by John Seegers. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 4427 J Street SW from I-2, General Industrial Zone District to R-1, Single Family Residence Zone District as requested by John Seegers, was presented and read the first time.

Council member Wieneke 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 Swore. Approved, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the proposition to authorize a loan agreement and the issuance of General Obligation Capital Loan Notes (ECP-UR) not to exceed \$13,000,000 for the Event Center Parking Ramp and the Roosevelt Fire Escape Project. Comments and objections were heard. No written comments or objections were filed.

0765-06-11, instituting proceedings to take additional action for the issuance of General Obligation Capital Loan Notes (ECP-UR) Not to Exceed \$13,000,000 for the Event Center Parking Ramp and the Roosevelt Fire Escape Projects.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 3rd Avenue SE from 10th Street SE to 14th Street SE (PCI Medical Mall) Water Main and Storm Sewer Extension Project (Estimated cost is \$548,000). No comments or objections were heard or filed.

0766-06-11, adopting plans, specifications, form of contract and estimated cost for the 3rd Avenue SE from 10th Street SE to 14th Street SE (PCI Medical Mall) Water Main and Storm Sewer Extension Project.

A public hearing was held to consider the proposed specifications, form of contract and estimated cost for the Vehicle Exhaust Extraction Systems (Estimated cost is \$148,496). No comments or objections were heard or filed.

0767-06-11, adopting specifications, form of contract, and estimated cost for the Vehicle Exhaust Extraction Systems.

A public hearing was held to consider plans, specifications, form of contract and estimated cost for the Ellis Harbor Dock Repairs (Estimated cost is \$251,000). No comments or objections were heard or filed.

0768-06-11, adopting plans, specifications, form of contract and estimated cost for the Ellis Harbor Dock Repairs (FLOOD).

Public comments were heard.

Council member Gulick moved to waive the rule of the 24 hour public notice prior to a meeting of the City Council and amend the agenda to include a Resolution agreeing to the rescission of the Project Labor Agreement (PLA) with the Cedar Rapids and Iowa City Building Trades Council regarding the Convention Center Complex Project and further directing the City Manager to pursue a PLA with the Trades Council regarding the renovation of the Crowne Plaza Hotel property and parking garage and to report back to the City Council appropriately. This is necessitated due to project time constraints (the need for direction to be given now regarding the continued use of the PLA on the Convention Center Complex Project so that direction may be incorporated into the bid documents and construction schedule); seconded by Council member Vernon. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke, Vernon and Mayor Corbett. Motion carried.

Council member Wieneke moved to approve the Agenda; seconded by Council member Vernon. City Manager Pomeranz requested that Item Number 12 (Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for July 12, 2011 and advertising for bids by publishing notice to bidders for the Detention Basin Repair Program No. 1 project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on July 20, 2011. Engineer's estimated cost is \$117,000) should be corrected to state July 13 as the public hearing date; and that Item Number 14 (Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for July 12, 2011 and advertising for bids by publishing notice to bidders for the Sidewalk, Street and Storm Sewer Intake Repair – FEMA Project #1 and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on July 20, 2011. Engineer's estimated cost is \$1,140,000) should be corrected to state that the Engineer's estimated cost is \$910,000. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

0769-06-11, agreeing to the rescission of the Project Labor Agreement (PLA) with the Cedar Rapids and Iowa City Building Trades Council regarding the Convention Center Complex Project and further directing the City Manager to pursue a PLA with the Trades Council regarding the renovation of the Crowne Plaza Hotel property and parking garage and to report back to the City Council appropriately.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Karr. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motion authorizing publication of a public notice that on July 12, 2011 a resolution will be considered to execute a Rental Agreement with Koch Brothers for the rental of two Lanier digital copiers for the Public Works Maintenance Administrative Area and the Water Department.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for July 12, 2011 and advertising for bids by publishing notice to bidders for the 2011 Crack Sealing on Hot Mix Asphalt Streets Project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on July 13, 2011 (Engineer's estimated cost is \$145,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for July 26, 2011 and advertising for bids by publishing notice to bidders for the City Hall – Remodel project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on July 27, 2011 (Construction Manager's estimated cost is \$6,400,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for July 12, 2011 and advertising for bids by publishing notice to bidders for the Detention Basin Repair Program No. 1 project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on July 13, 2011 (Engineer's estimated cost is \$117,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for July 12, 2011 and advertising for bids by publishing notice to bidders for the Squaw Creek Off-Leash Dog Park project and authorizing the Parks and Recreation Director, or designee, to receive and open bids and publicly announce the results on July 20, 2011. (Estimated cost is \$125,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for July 12, 2011 and advertising for bids by publishing notice to bidders for the Sidewalk, Street and Storm Sewer Intake Repair – FEMA Project #1 and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on July 20, 2011 (Engineer's estimated cost is \$910,000) (FLOOD).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for July 26, 2011 and advertising for bids by publishing notice to bidders for the

Paramount Theatre Flood Recovery & Renovation – Bid Package 2 project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on August 10, 2011. (Construction Manager's estimated cost for each bid as follows: \$5,600,00 for General Contractor (PTE001-21); \$2,800,00 for Mechanical & Plumbing (PTE001-22); \$3,175,000 for Electrical (PTE001-23); \$2,375,000 for Historic Plaster & Paint; (PTE001-24); \$750,000 for Orchestra Shell & Forestage Reflector (PTE001-25); \$1,350,000 for Theatrical Rigging, Curtains, Pit Lifts & Platforms (PTE001-26); \$1,285,000 for Audio Visual Systems (PTE001-27); \$250,000 for Historic Architectural Lighting (PTE001-28); and \$315,000 for the Organ (PTE001-29) (FLOOD).

Motion assessing \$1,500 civil penalty and 30 days suspension of cigarette permit for violation of State Code regarding the sale of cigarettes to minors against Hy-Vee #4, 1556 1st Avenue NE.

Motion approving the beer/liquor/wine applications of:

- a. Best Western Coopers Mill Hotel, 100 F Avenue NW;
- b. Best Western Coopers Mill Hotel, 100 F Avenue NE (outdoor service for an event on July 9, 2011);
- c. Cedar Rapids Country Club, 550 27th Street Drive SE;
- d. Cedar Rapids Ice Arena, 1100 Rockford Road SW;
- e. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on July 9, 2011);
- f. Checkers Tavern & Eatery, 3120 6th Street SW;
- g. Chrome Horse Slop House & Saloon, 1202 3rd Street SE (outdoor service for an event on July 4, 2011);
- h. Cigarette Outlet #14, 225 Edgewood Road NW;
- i. Coral Isle Club #909 (Knights of Columbus), 716 A Avenue NE;
- j. Cedar Rapids Elks Lodge #251, 801 33rd Avenue SW;
- k. El Mercadito La Salsita, 700 1st Avenue NW;
- l. Fire House, 3321 1st Avenue SE;
- m. Hotel at Kirkwood Center, 7725 Kirkwood Blvd SW;
- n. Hy-Vee Food Store #3, 20 Wilson Avenue SW;
- o. Hy-Vee Food Store #4, 1556 1st Avenue NE;
- p. Hy-Vee Food Store #5, 3235 Oakland Road NE;
- q. Hy-Vee Food Store #6, 4035 Mt Vernon Road SE;
- r. Los Compadres Mexican Bar & Grill, 2825 6th Street SW (new-formerly Godfather's Pizza);
- s. Millstream Brewhaus, 2121 Arthur Collins Parkway SW;
- t. Olive Garden #1475, 367 Collins Road NE;
- u. Otis' Tailgator's Sports Bar, 3969 Center Point Road NE (outdoor service for an event on July 7, 2011);
- v. Parlor City Pub & Eatery, 1125 3rd Street SE (permanent outdoor service area-beer garden);
- w. Pub Mitchell, 1100 1st Street SW;
- x. Red Lobster #870, 163 Collins Road NE;
- y. Red's Public House, 112 2nd Street SE;

z. Sierra Foods, 3326 Center Point Road NE.

0770-06-11, approving payment of bills.

0771-06-11, approving payment of payroll.

0772-06-11, appointing Jon Dusek (effective through June 30, 2014), Michael Frantz (effective through June 30, 2012), Christopher Lindell (effective through June 30, 2014) and Randall Rings (effective through June 30, 2014) and reappointing Randy Ramlo (effective through June 30, 2014) and Larry Helling (effective through June 30, 2014) to the Self-Supported Municipal Improvement District Commission (SSMID).

0773-06-11, appointing Patrick Baird (effective through June 30, 2014) and reappointing Joshua Schamberger (effective through June 30, 2014) to the Airport Commission.

0774-06-11, reappointing Bill Vincent (effective through June 30, 2014) to the Board of Ethics.

0775-06-11, appointing Jade Hart (effective through June 30, 2012) to the Library Board of Trustees.

0776-06-11, appointing William Knapp (effective through June 30, 2014) and reappointing Gary Landhauser (effective through June 30, 2014) to the Building/Fire Board of Appeals.

0777-06-11, appointing Garry Grimm (effective through June 30, 2014) and reappointing Craig Stump (effective through June 30, 2014) to the Housing Board of Appeals.

0778-06-11, appointing Michael Dawson (effective through June 30, 2014) to the Local Option Sales Tax (LOST) Oversight Committee.

0779-06-11, vote of thanks to Ann Lipsky, Jacqueline Nickolaus, Chuck Peters and Tom Slattery for serving as members of the Self-Supported Municipal Improvement District Commission (SSMID).

0780-06-11, vote of thanks to Dan Thies for serving as a member of the Airport Commission.

0781-06-11, vote of thanks to Michael Gumm for serving as a member of the Building/Fire Board of Appeals.

0782-06-11, vote of thanks to Andy Diederich and John Killean for serving as members of the Electrical Board for Licensing and Appeals.

0783-06-11, vote of thanks to Nancy Kasparek for serving as a member of the Five Seasons Facilities Commission.

0784-06-11, vote of thanks to Patricia Chadima and Larry Parks for serving as members of the Housing Board of Appeals.

0785-06-11, vote of thanks to Beverly Dittmar, Jeff Palmer and Sandra Skelton for serving as members of the Local Option Sales Tax (LOST) Oversight Committee.

0786-06-11, vote of thanks to the late Phyllis Fleming for serving as a member of the Library Board of Trustees.

0787-06-11, vote of thanks to Robert A. Frederick for serving as a member of the Plumbing Board for Licensing and Appeals.

0788-06-11, approving the special event application for Best Western Cooper's Mill to hold the "South of the Cedar Habitat for Humanity" benefit on July 9, 2011 at 2nd Street NW from F Avenue NW to G Avenue NW with street closures.

0789-06-11, intent to assess for Solid Waste & Recycling clean up costs at one property.

0790-06-11, levy assessment for Solid Waste & Recycling clean up costs at eight properties.

0791-06-11, intent to assess for Utilities - Water Division delinquent municipal utility bills at 21 properties.

0792-06-11, levy assessment for Utilities – Water Division delinquent municipal utility bills at 19 properties.

0793-06-11, accepting the 2008 Main Interceptor Rehabilitation-CRWPCF to Manhole 10 project, accepting Performance Bond and authorizing final payment in the amount of \$480,709.99 to Spiniello Companies (Final contract amount is \$9,614,199.82).

0794-06-11, accepting the Ellis Harbor Electrical System project, accepting Performance Bond and authorizing final payment in the amount of \$11,198.72 (Original contract amount was \$192,500; final contract amount is \$223,961.24) (FLOOD).

0795-06-11, authorizing Stephen Hershner, Utilities Environmental Manager, to attend the 84th Annual Water Environment Federation Technical Conference & Workshops in Los Angeles, California for an estimated amount of \$3,900.

0796-06-11, rescinding Resolution No. 1200-10-10 establishing "No Parking 7:30 a.m. – 4:30 p.m., School Days" on the east side of Owen Street NW from E Avenue NW to Jacolyn Drive NW"; and establishing "No Parking 7:30 a.m. – 4:30 p.m., Monday – Friday" on the east side of Owen Street NW from E Avenue NW to Jacolyn Drive NW.

0797-06-11, rescinding Resolution No. 2055-11-80 establishing "15 Minute Parking At All Times" on the north and south sides of 16th Avenue SW between A Street and C Street, where the pavement width is greater than 16 feet measured from the centerline of 16th Avenue SW to the curb line; and recommending approval of "2-Hour Parking At All Times" be established on the north and south sides of 16th Avenue SW between A Street and C Street,

where the pavement width is greater than 16 feet measured from the centerline of 16th Avenue SW to the curb line.

0798-06-11, rescinding Resolution No. 0570-06-10 and staff to review and incorporate the provisions recommended by the Contract Documents Task Force into City bidding documents.

0799-06-11, authorizing submittal of applications for a State Recreational Trails (SRT) grant for construction of the Kirkwood Connector Trail Phase 2 project and the Edgewood Road Multi-Use Trail over US Highway 30 project.

0800-06-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property at 418 B Avenue NW.

0801-06-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property at 808 G Avenue NW.

0802-06-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property at 816 C Avenue NW.

0803-06-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property at 1410 M Street SW.

0804-06-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property at 1420 N Street SW.

0805-06-11, declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the city for certain original expenditures paid in connection with specified projects.

0806-06-11, authorizing the mailing and publication of a Notice of Intent to Proceed with an approved capital improvement project for Highway 30 to 33rd Avenue SW (West of Banar Drive) Sanitary Sewer Extension project, and to commence with the acquisition of the agricultural property for this project and setting a public hearing date for August 9, 2011.

0807-06-11, authorizing deposit of funds with U.S. Bank for an amount not to exceed \$103,878.30 for the purpose of providing loans in regard to the Local Option Sales Tax (LOST) funded Residential Rental Rehabilitation Gap Financing Program (FLOOD).

0808-06-11, authorizing execution of the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 9 properties in connection with the HUD Community Development Block Grant (CDBG) (FLOOD).

0809-06-11, Amendment No. 1 to Bender Pool Roof Replacement Agreement with JLH Enterprises to reflect the additional cost of scope change for replacement of the deteriorated lightweight fill for the amount not to exceed \$23,105 (original amount is \$99,998; total amount with amendment is \$123,103).

0810-06-11, Amendment No. 2 to renew Agreement for Legislative Services with Grant Consulting LLC / L&L Murphy Consulting Associates for the one year period of July 1, 2011 – June 30, 2012 for a not to exceed amount of \$60,000 (original Contract amount was \$60,000; renewal contract amount is \$60,000).

0811-06-11, Amendment No. 1 to renew Agreement for Financial Advisory Services with Public Finance Management, Inc. for an amount not to exceed \$400,000 (original amount is \$280,061.95; total amount with amendment is \$680,061.95).

0812-06-11, Amendment No. 2 to Agreement for Graphic Design and Layout Services with ME&V to reflect increased volume for the amount not to exceed \$100,000 (original contract amount is \$50,000; total contract amount with this amendment is \$200,000).

0813-06-11, Amendment No. 2 to the Professional Services Agreement with HDR Engineering in an amount not to exceed \$47,000 for additional engineering services for the Motor Control Center #5 Replacement project (original contract amount is \$123,000; total contract amount with this amendment is \$185,000).

0814-06-11, Amendment No. 1 to the Professional Services Agreement with ESCO Automation in an amount not to exceed \$46,600 for additional engineering services for the WPC SCADA Software Upgrades project (original contract amount is \$273,240; total contract amount with this amendment is \$319,840).

0815-06-11, Amendment No. 2 to the Professional Services Agreement with HDR Engineering in an amount not to exceed \$46,280 for additional engineering services for the Morgan Creek Lift Station Expansion and Rehabilitation project (original contract amount is \$371,820; total contract amount with this amendment is \$570,540).

0816-06-11, Amendment to Development Agreement amending portions of the Development Agreement approved as part of the Final Plat of Crescent View First Addition located north of 74th Street NE and east of Walden Road NE.

0817-06-11, Change Order No. 3 in the amount of \$6,445.54 with Rathje Construction Company, Inc. for the Northland Avenue NE Reconstruction and Sidewalk Extensions from 600' North of Collins Road to Blairs Ferry Road project (original contract amount is \$763,285.68; total contract amount with this amendment is \$793,032.48).

0818-06-11, Change Order No. 2 in the amount of \$33,364.76 with City Wide Construction Corp. for the 2011 Phase I Medical District Street Improvements project (original contract amount is \$188,782.25; total contract amount with this amendment is \$232,354.10).

0819-06-11, Change Order No. 7 in the amount of \$29,718.83 with Gee Grading & Excavating, Inc. for the Williams Boulevard SW Improvements (Iowa 922/U.S. 151 Business) 8th

Avenue to 16th Avenue project (original contract amount is \$1,355,126.52; total contract amount with this amendment is \$1,466,816.77).

0820-06-11, Purchase Agreement in the amount of \$512 and accepting a Temporary Grading Easement for Construction from Joseph J. Niebuhr from land located at 3227 Cameo Lane SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

0821-06-11, Purchase Agreement in the amount of \$435 and accepting a Temporary Grading Easement for Construction from Sandra L. Hanson from land located at 3218 Eden Lane SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

0822-06-11, Purchase Agreement in the amount of \$745 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Berry Investments, Inc. from land located at 3103 Coral Lane SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

0823-06-11, Purchase Agreement in the amount of \$400 and accepting an Easement for Storm Sewer and Temporary Grading Easement for Construction from Jay-N-Zee, Inc. from land located at 3330 16th Avenue SW in connection with the 16th Avenue and Edgewood Road SW Sidewalk Extension project.

0824-06-11, Supplemental Purchase Agreement in the amount of \$130 and accepting a Warranty Deed for right-of-way from Robert L. Slagle and Christina M. Slagle from land located at 3303 Remington Street SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

0825-06-11, Cooperative Agreement for Primary Road Project No. 2011-16-217 with the Iowa Department of Transportation (IDOT) to receive an estimated amount of \$920,202.33 in grant funds for Hot Mix Asphalt resurfacing and related work in conjunction with the 1st Avenue East from 21st Street NE to 27th Street NE Pavement Rehabilitation and Sanitary Sewer Replacement project.

0826-06-11, awarding and approving contract in the amount of \$403,000, bond and insurance of Tricon General Construction for the May's Island Maintenance Package.

0827-06-11, Utilities Department – Water division purchase of laboratory services from the State Hygienic Laboratory for the amount of \$25,882.60 for the period of January 1, 2011 thru January 31, 2012 (sole source).

0828-06-11, Fleet Services Division purchase of two 6" Centrifugal Trash Pumps from White Cap Construction Supply for the total amount of \$25,508.88.

0829-06-11, Finance Department purchase of software maintenance support for the TruTrack automated time recording system from CyberShift, Inc. in the amount of \$25,947.48.

0830-06-11, Agreement for Commercial Water Meters & Accessories for the Water Division with Ferguson Waterworks for a total annual amount not to exceed \$80,000.

0831-06-11, Agreement for Printing of Magazine-Style Newsletter for the City Manager's Office with Walsworth Publishing Company, Inc. for a total annual amount not to exceed \$165,000.

0832-06-11, Amending Resolution No. 1223-10-10 approving citywide agreements for printing and high-speed copying with Copyworks, Huk Printing and Rapids Reproductions from the original estimated annual amount of \$100,000 to \$200,000.

0833-06-11, Professional Services Agreement with Impact7G for Environmental Assessment Services for Flood Damaged Commercial Structures for an amount not to exceed \$47,110 (FLOOD).

0834-06-11, awarding and approving contract in the amount of \$5,380,000, plus incentive up to \$54,000, bond and insurance of Miron Construction Company, Inc. for the Paramount Theatre Flood Recovery and Renovation – Bid Package 1 project (FLOOD).

0835-06-11, Amendment No. 1 to the Agreement for Private Redevelopment with TrueNorth Real Estate L.C. for property located at 500 1st Street SE, the former Cedar Rapids Public Library and for the property located at 421 4th Avenue SE, current site of TrueNorth Companies, L.C. (FLOOD).

Discussion: Vern Zakostelecky

Annexation of property between 16th Avenue SW and Highway 30 on the east side of Stoney Point Road SW as requested by Richard J. and Judy M. Kitzmann. Council member Vernon moved to direct staff to place a Resolution on the July 26, 2011 consent agenda regarding City approval of the annexation; seconded by Council member Gulick. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Discussion: Caleb Mason

0836-06-11, authorizing execution of Amendment No. 1 to the Agreement for Private Redevelopment with Green Development 12th Avenue, LLC for the redevelopment of two City-owned commercial properties in the Consolidated Central Urban Renewal Area (Riverside/Oak

Hill Jackson) located at 624 and 629 12th Avenue SE (FLOOD). Nay, Council member Wieneke.

Discussion: Joe O'Hern

Council member Shey moved to amend the Resolution authorizing to proceed with abatement and demolition of 52 commercial parcels and setting criteria for redevelopment proposal considerations for commercial parcels acquired under the Community Development Block Grant Program (CDBG) to delete 1501/1507 C Street SW (Affordable Appliance building) from the list of commercial parcels scheduled for abatement and demolition; seconded by Council member Podzimek. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon and Mayor Corbett. Nay, Council member Wieneke. Motion carried.

0837-06-11, authorizing to proceed with abatement and demolition of 51 commercial parcels and setting criteria for redevelopment proposal considerations for commercial parcels acquired under the Community Development Block Grant Program (CDBG) (FLOOD).

Ordinance No. 031-11, being an Ordinance granting a change of zone for property at 1440 32nd Street NE from C-1, Mixed Neighborhood Convenience Zone District and O/S, Office/Service Zone District to C-2, Community Commercial Zone District as requested by Hy-Vee, Inc., was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Gulick. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 032-11, being an Ordinance granting a change of zone for property at the northeast corner of the intersection of Edgewood Road SW and 60th Avenue SW from A, Agriculture Zone District to I-2, General Industrial Zone District as requested by LL Pelling Co., Inc., was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Gulick. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public comments were heard.

The following Council Committee Announcements were given: Development Committee (Chair, Council member Vernon); Flood Recovery Committee (Chair, Council member Karr).

City Council communications were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 8:15 p.m. to meet Tuesday, July 12, 2011 at 12:00 noon.

Amy Stevenson, City Clerk

Nay, Council member Wieneke

From: Drew, Casey

Sent: Thursday, July 07, 2011 10:39 AM

To: Corbett, Ron J.; Gulick, Kris G.; Karr, Don A.; Podzimek, Tom A.; Pomeranz, Jeff; Shey, Pat S.; Shields, Justin K.; Swore, Chuck R.; Vernon, Monica W.; Wieneke, Chuck

Cc: Pomeranz, Jeff; Potter, Barb; Stevenson, Amy

Subject: Library Heat Pumps

City Council,

At the last City Council meeting Carol Martin asked questions about the Library heat pump replacement project. Below is the information that will be forwarded to her today.

Background information:

The Cedar Rapids Library during fiscal year 2006 began a capital improvement project related to heat pump replacement. Part of this project included awarding a contract to BG Brecke, Inc. in the amount of \$716,000 for the purchase and installation of 68 heat pumps. This contract was awarded in August 2007. At the time of the flood BG Brecke was still performing work on this project. Due to the flood the contract with BG Brecke was determined to be completed and a resolution accepting work completed of \$608,076.62 was passed on March 11, 2009. The City took possession of 13 heat pumps that were not installed at the time of the flood. These heat pumps were a direct replacement, custom built as a retro fit specifically for the library building. Design specifications required certain duct static pressures and specific volumes of hot and cold water flow. Therefore, these units did not have a resell value since they were custom built for the library building.

Casey Drew

Finance Director / City of Cedar Rapids, Iowa

Phone: 319-286-5097

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

July 12, 2011, 12:00 noon

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Shey (left the meeting at 1:00 p.m.), Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney James Flitz. Absent, Council member Podzimek.

The invocation was given by Police Chaplain Rick Gail.

Pledge of Allegiance.

Mayor Corbett and Council member Swore presented a proclamation to Russ Oviatt, Jennifer Siefken, Jacqueline Robinson, Mark Hixson, Erica Ells, Renae Nelson, Suzy Weinacht and Jack Roeder in recognition of Cedar Rapids Freedom Festival 2011.

Mayor Corbett and Council member Karr presented a proclamation to Jonathan Mason, Michael Chalupa, P.J. Swentik, Bob Cihla and Ann Hearn declaring July 2011 as Americans with Disabilities (ADA) Celebration Month.

Mayor Corbett and Council member Shields presented a proclamation to George Hamman as the Longest Serving Commissioner (as a member of the Veterans Memorial Commission), naming him Commissioner Emeritus to the Veterans Memorial Commission and declaring July 12, 2011 as George Hamman Day.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Squaw Creek Off-Leash Dog Park Project (Estimated cost is \$125,000). No comments or objections were heard or filed.

0838-07-11, adopting plans, specifications, form of contract and estimated cost for the Squaw Creek Off-Leash Dog Park Project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 2011 Crack Sealing on Hot Mix Asphalt Streets Project (Engineer's estimated cost is \$145,000). No comments or objections were heard or filed.

0839-07-11, adopting plans, specifications, form of contract and estimated cost for the 2011 Crack Sealing on Hot Mix Asphalt Streets Project.

A public hearing was held to consider the proposed plans, specifications, form of contract estimated cost for the Detention Basin Repair Program No. 1 Project (Engineer's estimated cost is \$117,000). No comments or objections were heard or filed.

0840-07-11, adopting plans, specifications, form of contract and estimated cost for the Detention Basin Repair Program No. 1 Project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Sidewalk, Street and Storm Sewer Intake Repair – FEMA Project #1 (Engineer's estimated cost is \$910,000). No comments or objections were heard or filed.

0841-07-11, adopting plans, specifications, form of contract and estimated cost for the Sidewalk, Street and Storm Sewer Intake Repair – FEMA Project #1 (FLOOD).

Public comments were heard.

Council member Vernon moved to approve the Agenda; seconded by Council member Gulick. City Manager Pomeranz requested that Item Number 34 (Discussion and Resolution authorizing execution of a Development Agreement with the NewBo City Market, Inc. for property located at the 327 11th Avenue SE, 309 11th Avenue SE, 1114 3rd St SE, 1120 3rd Street SE and 24,725 sq ft section of 400 12th Avenue SE in the Consolidated Central Urban Renewal Area) be removed from the agenda. Council member Gulick requested that Item Number 19 (Resolution amending the 2011 Council Meeting Schedule to change the times of the September, October, November and December Regular Sessions) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Vernon moved to approve the Consent Agenda; seconded by Council member Wieneke. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. July 26, 2011 – to consider a lease of air rights to PCI Parking Garage, Inc. for the purpose of constructing an enclosed overhead pedestrian passageway (skywalk bridge) over 10th Street SE in the 100 block, connecting the new PCI Medical Building and the new PCI parking ramp as requested by PCI Parking Garage, Inc.
- b. July 26, 2011 – to consider the execution of an Electric Line Easement Agreement with Interstate Power and Light Company, an Iowa Corporation, for property located in Lot 3, Auditor's Plat No. 29 and Parcel A, Plat of Survey No. 149 (also known as Sinclair Property); and Lots 1,2,3,4 and 5, Block 19, Carpenter's Third Addition (also known as Iowa Iron Works property).

- c. July 26, 2011 – to consider the vacation and disposition of public ways and grounds in and to the property described as a 5,812 square-foot parcel of right-of-way located in the alley between 8th Avenue and 9th Avenue SE and between 8th Street and 9th Street SE (also known as Plat of Survey No. 1642 Parcel A) as requested by Mercy Medical Center.
- d. July 26, 2011 – to consider the vacation of public ways and grounds in and to the property described as a portion of A Street SW and an adjacent alley located between 12th Avenue SW and 15th Avenue SW (also known as Plat of Survey #1672 Parcel A & Parcel B); a portion of previously abandoned 13th Avenue SW between 12th Avenue SW and the west bank of the Cedar River (also known as Plat of Survey #1673 Parcel A & Parcel B); and a 20-foot by 195-foot parcel of right-of-way located northwesterly of 16th Avenue SW and between A Street SW and the west bank of the Cedar River (also known as Plat of Survey #1674 Parcel A) as requested by the National Czech & Slovak Museum & Library.
- e. July 26, 2011 – to consider granting a change of zone for property at 3215 Johnson Avenue NW from C-1, Mixed Neighborhood Convenience Zone District and R-2, Single Family Residence Zone District to C-2, Community Commercial Zone District as requested by Baker Greenhouses, LLC.
- f. July 26, 2011 – to consider granting a change of zone for property at 4221 Mt. Vernon Road SE from C-2, Community Commercial Zone District to R-2/PUD-O, Single Family Residence Zone District/PUD-O, Planned Unit Development Overlay as requested by Country Creek, LLC.
- g. July 26, 2011 – to consider granting a change of zone for property at 100 30th Street Drive SE from C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District as requested by O.E.H. A/C, Inc.
- h. July 26, 2011 - to consider the lease of excess City-owned property located at 400 12th Avenue SE (former Iowa Iron Works Site) and inviting competitive proposals for the possible lease of property which is located in the Consolidated Central Urban Renewal Area.
- i. July 26, 2011 - to consider the disposition of City-owned commercial property located at 1501 – 1507 C Street SW and inviting competitive proposals for the redevelopment of this property located in the Consolidated Central Urban Renewal Area and acquired through the City's Voluntary Property Acquisition Program.
- j. August 23, 2011 – to consider an Ordinance relating to collection of tax increment within the proposed Raining Rose Urban Renewal Area.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for July 26, 2011 and advertising for bids by publishing notice to bidders for the Cedar Rapids Water Pollution Control Facility Motor Control Center #5 Replacement project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on August 10, 2011 (Engineer's estimated cost is \$1,500,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for July 26, 2011 and advertising for bids by publishing notice to bidders for the Cedar Rapids Convention Complex project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on August 22, 2011 (Construction Manager's estimated cost for each bid is as follows: \$29,300,000 for General Contract #535100-

23; \$7,300,000 for Mechanical Contract No. 535100-24 and \$4,400,000 for Electrical Contract No. 535100-25).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for July 26, 2011 and advertising for bids by publishing notice to bidders for the Sidewalk, Street and Storm Intake Repair – FEMA Project #2, and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on August 3, 2011 (Engineer's estimated cost is \$480,000) (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. BP on 1st, 2824 1st Avenue NE (new-changing to Class E Liquor license);
- b. Capone's, 1201 3rd Street SE (outdoor service for a grand opening event on July 20 – 24, 2011);
- c. Casey's General Store #2762, 20 Miller Avenue SW (new-changing to Class E Liquor license);
- d. Casey's General Store #2763, 641 Edgewood Road NW (new-changing to Class E Liquor license);
- e. Casey's General Store #2766, 380 33rd Avenue SW (new-changing to Class E Liquor license);
- f. Casey's General Store #2772, 3349 Mt Vernon Road SE (new-changing to Class E Liquor license);
- g. Casey's General Store #2773, 3625 Edgewood Road SW (new-changing to Class E Liquor license);
- h. Casey's General Store #2787, 1661 32nd Street NE (new-changing to Class E Liquor license);
- i. Casey's General Store #2850, 5655 C Street SW (new-changing to Class E Liquor license);
- j. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on July 23, 2011);
- k. Siamville Thai Cuisine, 3635 1st Avenue SE;
- l. Tornado's Tournament Room, 1400 3rd Street SE (outdoor service for an event on July 16, 2011).

0842-07-11, approving payment of bills.

0843-07-11, approving payment of payroll.

0844-07-11, approving transfer of funds to various departments.

0845-07-11, appointing Scott Saylor (effective through June 30, 2014) and James Spicer (effective through June 30, 2014) to the Electrical Board for Licensing and Appeals.

0846-07-11, appointing Michael Gumm (effective through June 30, 2014) and Paul Sabotta (effective through June 30, 2014) to the Mechanical Board for Licensing and Appeals.

0847-07-11, reappointing Michael Tertinger (effective through June 30, 2014), Allan Thoms, (effective through June 30, 2014) and Virginia Wilts (effective through June 30, 2014) to the City Planning Commission.

0848-07-11, appointing Candace Bloomhall-Nanke (effective through June 30, 2014) and reappointing Robert Grafton (effective through June 30, 2014) and Amanda McKnight Grafton (effective through June 30, 2014) to the Historic Preservation Commission.

0849-07-11, appointing Laura Behrens (effective through June 30, 2014) and reappointing Russell (Lee) Belfield (effective through June 30, 2014) and Nicholas Schultze (effective through June 30, 2014) to the Hotel and Motel Tax Review Committee.

0850-07-11, appointing Darrel Wriener (effective through June 30, 2014) and reappointing Timothy Crile (effective through June 30, 2014) and Barbara Hannon (effective through June 30, 2014) to the Parks & Recreation Commission.

0851-07-11, appointing Carole Teator (effective through June 30, 2014) and reappointing Michael Dryden (effective through June 30, 2014) to the Stormwater Commission.

0852-07-11, appointing Sarah Else (effective through June 30, 2014) and John Powers (effective through June 30, 2014) and reappointing Jerry Ziese (effective through June 30, 2014) to the Veterans Memorial Commission.

0853-07-11, honoring George Hamman (permanent position) as Commissioner Emeritus on the Veterans Memorial Commission.

0854-07-11, appointing Pat Healy (effective through June 30, 2012) and Rick Fangman (effective through June 30, 2014) and reappointing James Kern (effective through June 30, 2014) to the Visual Arts Commission.

0855-07-11, appointing Kavi Parupally (effective through June 30, 2014), Felicia Wyrick (effective through June 30, 2014) and Robin Hines (effective through June 30, 2013) to the River Recreation Commission.

0856-07-11, appointing Bret Nilles (effective through June 30, 2014), Salma Igram (effective through June 30, 2014), Indira Mysore (effective through June 30, 2014) and reappointing Laura O'Leary (effective through June 30, 2014) to the Civil Rights Commission.

0857-07-11, vote of thanks to Arlene Heck for serving as a member of the Historic Preservation Commission.

0858-07-11, vote of thanks to Gloria Dixon for serving as a member of the Hotel and Motel Tax Review Committee.

0859-07-11, vote of thanks to Ann Harris for serving as a member of the Parks & Recreation Commission.

0860-07-11, vote of thanks to Peter Welch for serving as a member of the Veterans Memorial Commission.

0861-07-11, vote of thanks to Ellen Davis and Terrance Pitts for serving as members of the Visual Arts Commission.

0862-07-11, vote of thanks to Jeffrey Hornickel and Lisa Peloquin for serving as members of the River Recreation Commission.

0863-07-11, vote of thanks to Momodu Kamara, Eric Lam, Kavi Parupally and Rick Zingher for serving as members of the Civil Rights Commission.

0864-07-11, approving the special event application for the Cedar Rapids Fire Department Local #11 to hold Fill the Boot for MDA events on July 22, August 19 and September 2 - 4, 2011.

0865-07-11, intent to assess for Utilities – Water Division delinquent municipal utility bills at 24 properties.

0866-07-11, fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the 74th Street NE from West Park Road to 500-feet West of White Ivy Place Reconstruction Project.

0867-07-11, accepting sanitary sewer in Blackberry First Addition and approving 2-year Maintenance Bond submitted by Rathje Construction Co., Inc. in the amount of \$44,322.

0868-07-11, accepting storm sewer in Blackberry First Addition and approving 2-year Maintenance Bond submitted by Rathje Construction Co., Inc. in the amount of \$43,498.70.

0869-07-11, accepting Portland Cement Concrete pavement in Blackberry First Addition and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$60,000.

0870-07-11, accepting sanitary sewer in Prairie Ridge Business Park Third Addition and approving 4-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$62,291.

0871-07-11, accepting Portland Cement Concrete pavement in Crescent View First Addition-Phase 1 and approving 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$151,129.50.

0872-07-11, accepting sanitary sewer in Crescent View First Addition-Phase 1 and approving 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$112,928.50.

0873-07-11, accepting storm sewer in Crescent View First Addition-Phase 1 and approving 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$71,260.90.

0874-07-11, approving the Final Plat of Fetter First Addition at 2314 Vista Road (east of C Street Road SW).

0875-07-11, authorizing the mailing and publication of a Notice of Intent to Proceed with an approved capital improvement project for Indian Creek and Dry Run Creek Trunk Sanitary Sewer Capacity Improvements-Phase 1 project, and setting a public hearing date for August 23, 2011 to consider the acquisition of agricultural property for this project.

0876-07-11, approving the Visual Arts Enhancements budget for \$120,785 for Fiscal Year 2012.

0877-07-11, authorizing sponsorship of a Business Financial Assistance application to the State by Raining Rose for demolition of underutilized industrial facility and construction of a new commercial facility at 3015 1st Avenue SE and 100 30th Street Drive SE.

0878-07-11, determining the necessity and setting dates of a public hearing, consultation with affected taxing entities and referral to Planning Commission for a report and recommendation on the Plan for the proposed Raining Rose Urban Renewal Area.

0879-07-11, authorizing sponsorship of a Business Financial Assistance application to the State by Intermec for construction of a new downtown office facility at 601 3rd Street SE.

0880-07-11, authorizing City staff to continue to make Interim Mortgage Assistance (IMA) payments for the remaining eligible applicants subject to their adherence to the Council established deadlines for the property acquisition program (FLOOD).

0881-07-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 12 properties in connection with the HUD Community Development Block Grant (FLOOD).

0882-07-11, Amendment No. 3 to the Convention Complex Hazardous Materials Abatement with D.W. Zinser Company, Inc. to reflect final costs for unforeseen hazardous materials abatement for the amount not to exceed \$126,257 (original contract amount is \$159,750; total amount with this amendment is \$744,764).

0883-07-11, Amendment No. 1 to renew agreement for Centrifuge System Maintenance and Repair Services with Ashbrook Simon-Hartley Operations LP for the Water Pollution Control Facility for an estimated annual amount of \$80,000 (original contract amount was \$80,000; renewal contract amount is \$80,000).

0884-07-11, Amended Air Rights Agreement of Lease with Armstrong-Race Realty Company approving the installation of a decorative mural to the 3rd Street SE end of the alley skywalk bridge located between properties of Armstrong-Race Realty ownership.

0885-07-11, Amending Purchase Order No. 655825-01A in the amount of \$7,766.48 with Gee Grading & Excavating, Inc. for additional work performed in connection with the C Avenue NE (West of) from Ashton Place NE to Dry Run Creek, Sanitary Sewer Extension Project (original purchase amount was \$33,551; total contract price with this amendment is \$41,317.48).

0886-07-11, Amending Purchase Order No. 3012026-02 in the amount of \$19,510 with Dave Schmitt Construction Co., Inc. for the 2nd Avenue SE Water Main Relocation & Sanitary Sewer Manhole Reconstruction Project (original purchase order amount was \$54,989; total contract price with this amendment is \$74,499).

0887-07-11, Change Order No. 4 in the amount of \$33,628.86 with Rathje Construction Company for the 3rd Street SE Reconstruction and Streetscape Improvements from 8th Avenue SE to 14th Avenue SE project (original contract amount is \$3,233,354.60; total contract amount with this amendment is \$3,382,895.09).

0888-07-11, Fleet Services Division purchase of two Ford Focus Compact Sedans from Junge Ford Center Point for the total amount of \$31,236.

0889-07-11, Rental Agreement with Koch Brothers for the rental of two Lanier digital copiers for the Water Department and the Public Works Maintenance Administrative Area (cost per copy .0244).

0890-07-11, Purchase of real property O T LOTS 1 & 10 & ALLEY ADJ THERETO BLOCK 30, STR/LB (current Guaranty Bank parking lot) from Guaranty Realty Inc. in the amount of \$200,000 for the new Cedar Rapids Library site.

0891-07-11, Fleet Services Division purchase of two tandem axle dump trucks with conveyors, plows and hydraulics from Hawkeye International for the total amount of \$272,392.

0892-07-11, Professional Services Agreement with A&J Associates for an amount not to exceed \$42,000 for the WPC Facility Heating and Cooling Study project.

0893-07-11, Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$32,000 for the WPC Facility Power Factor Correction Capacitor Bank Study project.

0894-07-11, Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$85,000 for the Diesel Generator Emissions Standards Compliance project.

0895-07-11, awarding and approving contract in the amount of \$53,226 plus incentive up to \$1,600, bond and insurance of Illowa Investment, Inc. for the 1st Avenue East from Cedar River to 17th Street East HMA Crack and Joint Cleaning and Sealing project.

0896-07-11, Professional Services Agreement with Foth Infrastructure and Environment, LLC in an amount not to exceed \$444,784 for construction observation and administration services in connection with the Group 1 Construction, Materials, and Splicing and Testing Contracts of the Joint Communications Network Construction Administration and Observation Project.

0897-07-11, purchase of a stainless steel art sculpture and inscribed plaque from Corner House Gallery and Frame (as a gift to City of Hiawatha) for the total amount of \$10,500.

0898-07-11, payment of an Economic Development Grant in the amount of \$52,978 to PBI-GRR, LLC as provided in the Agreement for Private Redevelopment for the renovation of the Bottleworks property at 905 3rd Street SE.

0899-07-11, Development Agreement with Legion Arts, Inc. for the disposition and redevelopment of City-owned property at 1106 2nd Street SE (FLOOD). Abstain, Council member Gulick

0900-07-11, awarding and approving contract in the amount of \$43,722.85, bond and insurance of Lambourne Diving Service for the 16th Avenue Bridge Over the Cedar River Pier 3 Scour Repair project (FLOOD).

0901-07-11, amending the 2011 Council Meeting Schedule to change the times of the September, October, November and December Regular Sessions. Nay, Council member Gulick.

Report on bids for the 3rd Avenue SE from 10th Street SE to 14th Street SE (PCI Medical Mall) Water Main & Storm Sewer Extension project. (Mike Dufoe)

Rathje Construction Co., Inc., Marion, IA	\$432,993.55
Connolly Construction, Inc., Peosta, IA	\$456,305.90
Borst Brothers Construction, Inc., Marion, IA	\$460,039.77
Ricklefs Excavating, Ltd., Anamosa, IA	\$513,536.30
Gee Grading & Excavating, Inc., Cedar Rapids, IA	\$529,094.00

0902-07-11, awarding and approving contract in the amount of \$432,993.55 plus incentive up to \$11,500, bond and insurance of Rathje Construction Company, Inc. for the 3rd Avenue SE from 10th Street SE to 14th Street SE (PCI Medical Mall) Water Main & Storm Sewer Extension project.

Report on bids for the Ellis Harbor Dock Repairs project. (Steve Krug)

Iowa Bridge and Culvert, LLC (Washington, Ia.)	\$238,387.50
Peterson Contractors Inc. (Reinbeck, Ia.)	\$260,000.00
Ricklefs Excavating, Ltd. (Anamosa, Ia.)	\$289,556.00
Taylor Construction, Inc., (New Vienna)	\$319,641.00

0903-07-11, awarding and approving contract in the amount of \$238,387.50 bond and insurance of Iowa Bridge & Culvert, LLC for the Ellis Harbor Dock Repairs project (FLOOD).

Council member Shey left the meeting at 1:00 p.m. and therefore did not vote on the following resolutions (as noted on the resolutions themselves) or ordinances.

Discussion: Pat Ball

0904-07-11, rescinding Resolution No. 0770-07-10 which authorized the sale of the Ground Transportation Center (GTC) and the transfer of the remaining interest from the GTC into the Intermodal Transportation Facility (ITF), and now directing the Utilities Department – Transit division to remodel and return to the GTC instead of proceeding with the ITF.

Presentation by Al Varney regarding the US Cellular Center, Paramount Theatre and Ice Arena Fiscal Year 2012 operating budget.

Discussion: Chief English and Keith Rippy

0905-07-11, approving the Fire Station Relocation Advisory Committee recommendation of 1200 Edgewood Road NW as the location of the new Fire Station #3 and authorizing the City Manager to open negotiations for a land acquisition purchase agreement of the recommended site for the new Fire Station #3.

Discussion: Chief English

0906-07-11, approving Memorandum of Understanding with Duane Arnold Energy Center for Fire Department response to an occurring or highly likely catastrophic event at the NextEra Energy – Duane Arnold Energy Center.

Discussion: Vern Zakostelecky and Matt Widner

Council member Swore moved to direct staff to prepare an amendment to Chapter 32 of the Municipal Code, the Zoning Ordinance, as it relates to Subsection 32.05.030(D)(1)(d) requiring a continuous and complete frost-free footing in single-family residential dwellings; seconded by Council member Vernon. Ayes, Council members Gulick, Karr, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Discussion Caleb Mason

0907-07-11, authorizing the City Manager to pursue an agreement for \$100,000 in city funds provided over two years supporting the ongoing financial operations of the Neighborhood Development Corporation of Cedar Rapids (NDC).

Discussion: Drew Westberg

0908-07-11, approving the Project Labor Agreement for the Cedar Rapids Convention Complex Hotel & Parking Ramp.

Discussion: John Frew

0909-07-11, authorizing the City Manager to pursue an agreement with Hilton Corporation for facility management services for the Cedar Rapids Convention Complex.

Ordinance No. 033-11, being an Ordinance amending Chapter 2 of the Municipal Code, City and Precinct Boundaries, relating to changing precinct and Council District boundaries, was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Vernon. Approved, Ayes, Council members Gulick, Karr, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 034-11, being an Ordinance granting a change of zone for property at 4427 J Street SW from I-2, General Industrial Zone District to R-1, Single Family Residence Zone District as requested by John Seegers, was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public comments were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 2:32 p.m. to meet Tuesday, July 26, 2011 at 4:30 p.m.

Amy Stevenson, City Clerk

Nay, Council member Gulick
Abstain, Council member Gulick

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

July 26, 2011, 4:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney James Flitz.

The invocation was given by Police Chaplain Rick Gail.

Pledge of Allegiance.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was scheduled to consider a request by Diamond V Mills for an Urban Revitalization Area designation for construction of a World Headquarters building adjacent to the new manufacturing facility at 2575 60th Avenue SW. The public hearing was cancelled at the petitioner's request. The petitioner also withdrew the request for a motion to continue the public hearing previously set for, and commenced on, July 26, 2011 to August 23, 2011 to consider a request by Diamond V Mills for an Urban Revitalization Area designation for construction of a World Headquarters building adjacent to the new manufacturing facility at 2575 60th Avenue SW.

A public hearing was held to consider a lease of Air Rights to PCI Parking Garage, Inc. for the purpose of constructing an enclosed overhead pedestrian passageway (skywalk bridge) over 10th Street SE in the 100 block, connecting the new PCI Medical Building and the new PCI parking ramp as requested by PCI Parking Garage, Inc. No comments or objections were heard or filed.

0910-07-11, authorizing execution of a lease of Air Rights to PCI Parking Garage, Inc. for the purpose of constructing an enclosed overhead pedestrian passageway (skywalk bridge) over 10th Street SE in the 100 block, connecting the new PCI Medical Building and the new PCI parking ramp as requested by PCI Parking Garage, Inc.

A public hearing was held to consider the execution of an Electric Line Easement Agreement with Interstate Power and Light Company, an Iowa Corporation, for property located in Lot 3, Auditor's Plat No. 29 and Parcel A, Plat of Survey No. 149 (also known as Sinclair

Property); and Lots 1,2,3,4 and 5, Block 19, Carpenter's Third Addition (also known as Iowa Iron Works property). No comments or objections were heard or filed.

0911-07-11, establishing an 80' wide strip of street right-of-way for 14th Avenue SE, a portion of Lot 3, Auditor's Plat No. 29, at a location lying northeasterly of and adjoining the intersection of 4th Street SE and 14th Avenue SE, in connection with the 14th Avenue SE from 4th Street SE to 6th Street SE Extension project.

0912-07-11, authorizing execution of an Electric Line Easement Agreement with Interstate Power and Light Company, an Iowa Corporation, for property located in Lot 3, Auditor's Plat No. 29 and Parcel A, Plat of Survey No. 149 (also known as Sinclair Property); and Lots 1, 2, 3, 4 and 5, Block 19 Carpenter's Third Addition (also known as Iowa Iron Works property).

A public hearing was held to consider the vacation and disposition of public ways and grounds in and to the property described as a 5,812 square-foot parcel of right-of-way located in the alley between 8th Avenue and 9th Avenue SE and between 8th Street and 9th Street SE (also known as Plat of Survey No. 1642 Parcel A) as requested by Mercy Medical Center. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance vacating public ways and grounds in and to the property described as a 5,812 square-foot parcel of right-of-way located in the alley between 8th Avenue and 9th Avenue SE and between 8th Street and 9th Street SE (also known as Plat of Survey No. 1642 Parcel A) as requested by Mercy Medical Center, was presented and read the first time.

Council member Swore 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 Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the vacation of public ways and grounds in and to the property described as a portion of A Street SW and an adjacent alley located between 12th Avenue SW and 15th Avenue SW (also known as Plat of Survey #1672 Parcel A & Parcel B); a portion of previously abandoned 13th Avenue SW between 12th Avenue SW and the west bank of the Cedar River (also known as Plat of Survey #1673 Parcel A & Parcel B); and a 20-foot by 195-foot parcel of right-of-way located northwesterly of 16th Avenue SW and between A Street SW and the west bank of the Cedar River (also known as Plat of Survey #1674 Parcel A) as requested by the National Czech & Slovak Museum & Library. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance vacating public ways and grounds in and to the property described as a portion of A Street SW and adjacent alley located between 12th Avenue SW and 15th Avenue SW (also known as Plat of Survey #1672 Parcel A & Parcel B); a portion of previously abandoned 13th Avenue SW between 12th Avenue SW and the west bank of the Cedar River (also known as Plat of Survey #1673 Parcel A & Parcel B); and a 20-foot by 195-foot parcel of right-of-way located northwesterly of 16th Avenue SW and between A Street SW and the west bank of the Cedar River (also known as Plat of Survey #1674 Parcel A) as requested by the National Czech & Slovak Museum & Library, was presented and read the first time.

Council member Vernon 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 Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider granting a change of zone for property at 3215 Johnson Avenue NW from C-1, Mixed Neighborhood Convenience Zone District and R-2, Single Family Residence Zone District to C-2, Community Commercial Zone District as requested by Baker Greenhouses, LLC. One comment and three objections were heard. One written objection was filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 3215 Johnson Avenue NW from C-1, Mixed Neighborhood Convenience Zone District and R-2, Single Family Residence Zone District to C-2, Community Commercial Zone District as requested by Baker Greenhouses, LLC, was presented and read the first time. Council member Wieneke moved to table the Ordinance; seconded by Council member Karr. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried. **ORDINANCE TABLED.**

A public hearing was held to consider granting a change of zone for property at 4221 Mt. Vernon Road SE from C-2, Community Commercial Zone District to R-2/PUD-O, Single Family Residence Zone District/PUD-O, Planned Unit Development Overlay District as requested by Country Creek, LLC. No comments or objections were heard or filed.

Council member Wieneke moved to amend the Ordinance granting a change of zone for property at 4221 Mt. Vernon Road SE from C-2, Community Commercial Zone District to R-2/PUD-O, Single Family Residence Zone District/PUD-O, Planned Unit Development Overlay District as requested by Country Creek, LLC to include a condition which would allow for a future connection to Zeman Drive SE. Ayes, Council members Gulick, Karr, Vernon and

Wieneke. Nays, Council members Podzimek, Shey, Shields, Swore and Mayor Corbett.

MOTION FAILED.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 4221 Mt. Vernon Road SE from C-2, Community Commercial Zone District to R-2/PUD-O, Single Family Residence Zone District/PUD-O, Planned Unit Development Overlay District as requested by Country Creek, LLC, was presented and read the first time.

Council member Swore 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 Podzimek. Approved, Ayes, Council members Gulick, Podzimek, Shey, Shields, Swore and Mayor Corbett. Nays, Council members Karr, Vernon and Wieneke. Motion carried.

A public hearing was held to consider granting a change of zone for property at 100 30th Street Drive SE from I-1, Light Industrial Zone District and C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District, as requested by O.E.H A/C, Inc. One comment was heard. No written comments or objections were filed.

Ordinance No. 035-11, being an Ordinance granting a change of zone for property at 100 30th Street Drive SE from I-1, Light Industrial Zone District and C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District, as requested by O.E.H A/C, Inc., was presented and read the first time.

Council member Wieneke moved the approval of the Ordinance on its first reading; seconded by Council member Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Wieneke moved that the rule requiring three readings on three different days be suspended and the Ordinance be approved on its second and third readings; seconded by Council member Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the lease of excess City-owned property located at 400 12th Avenue SE (former Iowa Iron Works Site) and inviting competitive proposals for the possible lease of property which is located in the Consolidated Central Urban Renewal Area. One comment of support and one comment expressing concern were heard. No written comments or objections were filed.

A public hearing was held to consider the disposition of City-owned commercial property located at 1501/1507 C Street SW (one parcel) and inviting competitive proposals for the redevelopment of this property located in the Consolidated Central Urban Renewal Area and

acquired through the City's Voluntary Property Acquisition Program. One comment was heard. No written comments or objections were filed.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the City Hall – Remodel project (Construction Manager's estimated cost is \$6,400,000). No comments or objections were heard or filed.

0913-07-11, adopting plans, specifications, form of contract and estimated cost for the City Hall – Remodel project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar Rapids Water Pollution Control Facility Motor Control Center #5 Replacement project (Engineer's estimated cost is \$1,500,000). No comments or objections were heard or filed.

0914-07-11, adopting plans, specifications, form of contract and estimated cost for the Cedar Rapids Water Pollution Control Facility Motor Control Center #5 Replacement project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar Rapids Convention Complex project (Construction Manager's estimated cost for each bid is as follows: \$29,300,000 for General Contract #535100-23; \$7,300,000 for Mechanical Contract No. 535100-24 and \$4,400,000 for Electrical Contract No. 535100-25). No comments or objections were heard or filed.

0915-07-11, adopting plans, specifications, form of contract and estimated cost for the Cedar Rapids Convention Complex project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Sidewalk, Street and Storm Intake Repair – FEMA Project #2 (Engineer's estimated cost is \$480,000). No comments or objections were heard or filed.

0916-07-11, adopting plans, specifications, form of contract and estimated cost for the Sidewalk, Street and Storm Intake Repair – FEMA Project #2.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 (Construction Manager's estimated cost for each bid as follows: \$5,600,00 for General Contractor; \$2,800,00 for Mechanical & Plumbing; \$3,175,000 for Electrical; \$2,375,000 for Historic Plaster & Paint; \$750,000 for Orchestra Shell & Forestage Reflector; \$1,350,000 for Theatrical Rigging, Curtains, Pit Lifts & Platforms; \$1,285,000 for Audio Visual Systems; \$250,000 for Historic Architectural Lighting; and \$315,000 for the Organ. No comments or objections were heard or filed.

0917-07-11, adopting plans, specifications, form of contract and estimated cost for the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 project (FLOOD).

Public comments were heard.

Council member Wieneke moved to approve the Agenda; seconded by Council member Vernon. Council member Vernon requested that Item Number 35II (Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. in an amount not to exceed \$1,598,250 for design services in connection with the Sanitary Sewer NE, NW, SE, and SW Quadrant Flood Repairs (Evaluation & Lining) Phase 2 (2011-2013) project (FLOOD)) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Vernon moved to approve the Consent Agenda; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motion setting a public hearing date for August 9, 2011 to consider the vacation of public ways and grounds in and to the property described as a 3,098 square foot strip of right-of-way located along the northwesterly right-of-way line of 1st Avenue East and between 2nd Street NE and 4th Street NE (also known as Plat of Survey 1702 Parcel A); a 7,167 square foot parcel of right-of-way located adjacent to the northwesterly right-of-way line of 1st Avenue East and between former 3rd Street and 4th Street NE (also known as Plat of Survey 1708 Parcel A); a 1,176 square foot strip of right-of-way located along the southwesterly right-of-way line of 4th Street NE and between A Avenue NE and 1st Avenue E (also known as Plat of Survey 1709 Parcel A); and a 1,503 square foot parcel of right-of-way located within the intersection of A Avenue NE and former 3rd Street NE (also known as Plat of Survey 1710 Parcel A) as requested by the City of Cedar Rapids.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for August 9, 2011 and advertising for bids by publishing notice to bidders for the Cedar Rapids Convention Complex Hotel Exterior Envelope project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on August 17, 2011 (Construction Manager's estimated cost is \$3,700,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for August 9, 2011 and advertising for bids by publishing notice to bidders for the Stickle Drive NE Sanitary Sewer Reconstruction project, and authorizing the City Engineer, or

designee, to receive and open the bids and publicly announce the results on August 17, 2011 (Engineer's estimated cost is \$340,000) (FLOOD).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for August 9, 2011 and advertising for bids by publishing notice to bidders for the Sanitary Sewers Quadrant Flood Repairs Lining Package #1 – 2011 project, and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on August 17, 2011 (Engineer's estimated cost is \$685,000) (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. Applebee's Neighborhood Grill, 303 Collins Road NE;
- b. Big K-Mart #4289, 180 Collins Road NE;
- c. Big K-Mart #4314, 2727 16th Avenue SW;
- d. Cedar Rapids Jaycees, 225 5th Avenue SW (transfer for an event on August 6, 2011 at Bruce more, 2160 Linden Drive SE);
- e. Cedar Rapids Softball Hall of Fame, PO Box 9254 (5-day Beer Permit for an event on August 26, 2011 at Ellis Park);
- f. Chrome Horse, 1202 3rd Street SE (additional outdoor service area for an event on August 6, 2011);
- g. Clark of Cedar Rapids, 502 E Avenue NW (renewing Class E Liquor and Class C Beer/Wine);
- h. Club Basix, 3916 1st Avenue NE;
- i. Gilligan's, 912 1st Avenue NW;
- j. Golden Egg, 3025 Mt Vernon Road SE;
- k. Hawkeye Convenience Store, 2330 Wiley Blvd SW;
- l. J.M. O'Malley's, 1502 J Street NE (outdoor service for an event on August 11-14, 2011);
- m. La Cantina Bar & Grill, 102 2nd Avenue SE;
- n. Paddy O'Rourke's, 608 16th Street NE;
- o. Play Station, 200 Collins Road NE;
- p. Point Liquor & Tobacco, 4107 Center Point Road NE;
- q. Primetime Sports Bar, 4001 Center Point Road NE (additional outdoor service area for an event on August 27, 2011);
- r. R & R Corner Bar, 700 E Avenue NW;
- s. Rob Hocken, 302 3rd Street NW, Independence (5-day beer permit for a concert event on August 5, 2011 at the Lumber Yard parking lot, 5910 4th Street SW);
- t. Sheuy's Restaurant & Lounge, 1158 Club Road NE (5-day beer permit for an event on July 30 - 31, 2011 at Ellis Park);
- u. Silver Star Saloon, 2665 Edgewood Pkwy SW #104;
- v. St. Jude's Church, 50 Edgewood Road SW (5-day Beer Permit for an event on August 11-14, 2011);
- w. Super Burrito Lupita's Bakery, 3300 Johnson Avenue NW;
- x. Taj Mahal Cuisine of India, 3939 Center Point Road NE;
- y. Uptown Liquor & Tobacco, 2000 Wiley Blvd SW, Suite 106;
- z. Wal-Mart #1528, 26454 Blairs Ferry Road NE.

0918-07-11, approving payment of bills.

0919-07-11, approving payment of payroll.

0920-07-11, appointing Leland Freie (effective through June 30, 2014) to the Civil Rights Commission.

0921-07-11, appointing Timothy Klima (effective through June 30, 2012) to the Historic Preservation Commission.

0922-07-11, appointing Nancy Kasparek (effective through June 30, 2014) to the Five Seasons Facilities Commission.

0923-07-11, vote of thanks to William Carr for serving as a member of the Veterans Memorial Commission.

0924-07-11, vote of thanks to Matthew Carstens for serving as a member of the Historic Preservation Commission.

0925-07-11, vote of thanks to Michael Brunelli, Shannon Day, Jon Galvin, John Gruca and Irma Mrazek for serving as members of the Voluntary Property Acquisition Advisory Committee.

0926-07-11, approving the special event application for Hy-Vee and World Triathlon Corporation to hold the Hy-Vee Iron Kids Triathlon event on July 30, 2011 (with street closures).

0927-07-11, intent to assess for Solid Waste & Recycling clean up costs at 4 properties.

0928-07-11, levy assessment for Solid Waste & Recycling clean up costs at 2 properties.

0929-07-11, intent to assess for Utilities – Water Division delinquent municipal utility bills at 22 properties.

0930-07-11, levy assessment for Utilities – Water Division delinquent municipal utility bills at 11 properties.

0931-07-11, accepting Water system improvements in College Farms 3rd Addition, approving the Maintenance Bond and Rider in the amount of \$75,701 submitted by Bowker Mechanical Contractors LLC and authorizing reimbursement to College Farms LLC in the amount of \$6,396.90 for upsized main.

0932-07-11, approving Final Plat of Cedar Rapids Rx First Addition at 3405 and 3419 16th Avenue SW.

0933-07-11, approving Final Plat of Hawks Point Fourth Addition located east and west of West Post Road SW and north of Highway 30.

0934-07-11, approving the annexation of property between 16th Avenue SW and Highway 30 on the east side of Stoney Point Road SW as requested by Richard J. and Judy M. Kitzmann.

0935-07-11, FY 2010 City of Cedar Rapids, Iowa Sanitary Sewer Improvements – Lining project, final payment in the amount of \$17,239.09 to Municipal Pipe Tool Co., LLC (original contract amount is \$374,286.25; final contract amount is \$344,781.73).

0936-07-11, Time Check Bank Stabilization project, final payment in the amount of \$25,890.46 to Eastern Iowa Excavating & Concrete LLC (original contract amount is \$498,498; final contract amount is \$517,809.18).

0937-07-11, setting a public hearing date for August 23, 2011 to consider the Resolution of Necessity (Proposed) for the construction of the 74th Street NE from West Park Road to 500-foot West of White Ivy Place Reconstruction Project.

0938-07-11, authorizing the City Manager, or his designee, to donate perishable food items from the Convention Complex Arena to the Waypoint.

0939-07-11, authorizing the OnBase Systems Analyst to attend the OnBase Training & Technology Conference in Las Vegas, Nevada in the total amount of \$3,652.02.

0940-07-11, authorizing the City Manager to utilize up to \$4,000,000 in Local Option Sales Tax (LOST) funds to be used for the completion of the new Cedar Rapids Public Library.

0941-07-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 7 properties in connection with the HUD Community Development Block Grant (CDBG) (FLOOD).

0942-07-11, Amendment No. 1 to renew Agreement for Jetting and Cleanout Services with Captain Clean Ltd. for the Water Pollution Control Facility for the estimated annual amount of \$65,000 (original contract amount was \$65,000; renewal contract amount is \$65,000).

0943-07-11, Amendment No. 4 to Courier and Security Guard Services with Per Mar Security Services to reflect additional security guard services for the Convention Complex Hotel for the amount not to exceed \$35,742 (original contract amount is \$92,284; total contract amount with this amendment is \$128,026).

0944-07-11, Amendment No. 1 to the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$46,376 and releasing contingency on the original contract for additional preliminary services in connection with the Prairie Creek from 6th Street to J Street Sanitary Sewer Capacity Improvements project (original contract amount is \$171,868; total contract amount with this amendment is \$218,244).

0945-07-11, Amendment No. 3 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$75,560 for design services in connection with the FY 2010 Cedar Rapids Sanitary Sewer Improvements –

Lining, Point Repairs and Reconstruction project (original contract amount is \$225,000; total contract amount with this amendment is \$458,520).

0946-07-11, Change Order No. 9 in the amount of \$38,662.43 with Horsfield Construction, Inc. for the 33rd Avenue SW Reconstruction and Turn Lane Improvements From Coyote Road to Remington Street project (original contract amount is \$2,553,421.50; total contract amount with this amendment is \$2,711,750.12).

0947-07-11, Change Order No. 2 in the amount of \$20,397.65 with Horsfield Construction, Inc. for the Locust Road SW from 66th Avenue SW to 600 Feet North of 60th Avenue SW Reconstruction project (original contract amount is \$648,868.25; total contract amount with this amendment is \$679,792.12).

0948-07-11, Change Order No. 4 in the amount of \$47,263.13 with Pirc-Tobin Construction, Inc. for the Kirkwood Boulevard SW from Kirkwood Court SW to Highway 30/151 & Miller Ave SW Re-Alignment, Phase II project (original contract amount is \$2,361,783.45; total contract amount with this amendment is \$2,425,732.45).

0949-07-11, Fleet Services Division purchase of one John Deere 7130 tractor from John Deere & Company for the total amount of \$69,260.89.

0950-07-11, Fleet Services Division purchase of one Leaf Vacuum truck from Elliott Equipment Company for the total amount of \$148,316 (sole source).

0951-07-11, Fleet Services Division purchase of two Ford Ranger pick-ups from Charles Gabus Ford for the total amount of \$34,572.

0952-07-11, Fleet Services Division purchase of one Jacobsen LF570 mower and one Progressive Pro-flex mower from Turfwerks for the total amount of \$62,589.11.

0953-07-11, Contract with Pierce Manufacturing for the purchase of a triple combination fire pumper with Husky foam system for the amount of \$463,602.

0954-07-11, Agreement with the Linn County Temporary County Redistricting Commission regarding combining township and City election precincts.

0955-07-11, Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$383,000 for the WPC D-1 Clarifier and C DAFT Improvements project.

0956-07-11, Traffic Safety Improvement Program (TSIP) Agreement No. 2012-TS-021 in the amount of \$112,000 with Iowa Department of Transportation (IDOT) for the 29th Street and Prairie Drive NE Intersection Improvement project.

0957-07-11, Traffic Safety Improvement Program (TSIP) Agreement in the amount of \$500,000 between the Iowa Department of Transportation (IDOT) for the Johnson Avenue NW from Midway Drive to 1st Avenue Road Segment Improvement project.

0958-07-11, accepting bid in the amount of \$750,000 from Kum & Go L.L.C.; authorizing and executing a Quit Claim Deed; establishing a permanent utility easement; and accepting an Agreement for Removal and Construction of Concrete Sidewalk for the disposition of 1.67 acres of excess City-owned property located at 2604 16th Avenue SW.

0959-07-11, Purchase Agreement in the amount of \$1,060 and accepting a Temporary Grading Easement for Construction from Ashlee M. Lewis and Eric Lewis from land located at 3139 Coral Lane SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

0960-07-11, Supplemental Purchase Agreement in the amount of \$1,290 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Willis J. Cronbaugh and Naomi E. Cronbaugh from land located at 3233 Bramble Road SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

0961-07-11, 28E Agreement with Linn County in the amount of \$21,066 for construction of Hot Mix Asphalt (HMA) resurfacing in connection with the C Avenue & East Robins Road Improvements project.

0962-07-11, awarding and approving contract in the amount of \$26,682.15 plus incentive up to \$1,000, bond and insurance of Borst Brothers Construction, Inc. for the First Avenue East And 18th Street SE Storm Sewer Extension project. (Engineer's estimated cost is \$35,000).

0963-07-11, Water Division purchase annual database software license update and support for Fiscal Year 2012 (Sept. 3, 2011 – Sept. 2, 2012) from Oracle in the amount of \$30,102.27.

0964-07-11, Information Technology Department purchase of computer equipment from Hewlett-Packard Company in the amount of \$400,000 for Fiscal Year 2012.

0965-07-11, Information Technology Department purchase of NetApp Support & Software Subscription from CDW Government in the amount of \$98,000.

0966-07-11, Lease Agreement for storage of equipment located at 2600 Edgewood Road SW for \$1,700 per month to expire on August 31, 2012 (for Convention Complex equipment storage off-site in a climate controlled space).

0967-07-11, Financial Assistance Contract between the Iowa Department of Economic Development (IDED) and Divine Engineering, Inc. for expansion of an existing facility at 5440 6th Street SW.

0968-07-11, Contract with Neighborhood Transportation Service (NTS) for Fiscal Year 2012 for an amount not to exceed \$402,521.

0969-07-11, Contract with Linn County LIFTS for Fiscal Year 2012 for an amount not to exceed \$523,124.

0970-07-11, clarifying the scope of the Project Labor Agreement for the Cedar Rapids Convention Complex Hotel and Parking Ramp to include Hazardous Materials Abatement as a separate bid package.

0971-07-11, Amendment No. 1 to the Cedar Rapids Steam Conversion Program guidelines to increase the cap for low-pressure steam conversion reimbursement from 50% up to 95% (FLOOD).

0972-07-11, Agreement to purchase and assemble one tension fabric building for salt storage with A&B Construction Ltd. for the amount not to exceed \$54,600 (FLOOD).

0973-07-11, Purchase Agreement in the amount of \$1.00 and accepting a Warranty Deed for a portion of land located at 119 3rd Avenue SE, owned by the Cedar Rapids Symphony Orchestra Association, Inc., in association with the Paramount Theatre Flood Recovery & Renovation project (FLOOD).

0974-07-11, Accepting an Easement for Sanitary Sewer and Access from Rick Stickle, Marsha Stickle and Cedar Lake Development Company from land located on the 500 block of Stickle Drive NE in connection with the Stickle Drive NE Sanitary Sewer Replacement project (FLOOD).

0975-07-11, accepting an Easement for Sanitary Sewer and Access from Hawkeye Land Company from land located on the 500 block of Stickle Drive NE in connection with the Stickle Drive NE Sanitary Sewer Replacement project (FLOOD).

0976-07-11, Agreement for Utility Relocation in the amount of \$127,176.22 with Qwest Communications for a utility relocation associated with the expansion of the Paramount Theatre into the adjacent alley in connection with the Paramount Theatre Flood Recovery & Renovation project (FLOOD).

0977-07-11, Professional Services Agreement with Terracon Consultants, Inc. in an amount not to exceed \$50,537 for construction testing services in connection with the Paramount Theatre Flood Recovery & Renovation project (FLOOD).

0978-07-11, Professional Services Agreement with ALLTRANS, Inc. in an amount not to exceed \$29,123 for design services in connection with the NE Quadrant, 2008 Flood Area Sanitary Sewer Restoration Phase 1 project (FLOOD).

0979-07-11, Professional Services Agreement with Shoemaker & Haaland Professional Engineers in an amount not to exceed \$72,545 for design services in connection with the NW Quadrant, 2008 Flood Area Sanitary Sewer Restoration Phase 1 project (FLOOD).

0980-07-11, Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. in an amount not to exceed \$1,598,250 for design services in connection with the Sanitary Sewer NE, NW, SE, and SW Quadrant Flood Repairs (Evaluation & Lining) Phase 2 (2011-2013) project (FLOOD).

Presentation: Jeff Pomeranz

0981-07-11, Cedar Rapids City Council giving advice and consent to the City Manager's appointment of Mark English as Chief of the Cedar Rapids Fire Department.

Report on bids for the Vehicle Exhaust Extraction System project for the Fire Department. (Diane Rodenkirk)

Clean Air Concepts	Cincinnati, OH	\$95,398.91
EMS Specialty Equipment	Jeannette, PA	\$112,300.00
Air Cleaning Technologies, Inc.	Bonner Springs, KS	\$145,230.00
Nederman, Inc.	Westland, MI	\$175,000.00

Report on bids for the 2011 Detention Basin Repair Program No. 1 project. (Dave Scanlan)

Gee Grading & Excavating, Inc., Cedar Rapids, IA	\$82,690.80
Borst Brothers Construction, Inc., Marion, IA	\$92,413.00
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$96,380.00
Connolly Construction, Inc. Peosta, IA	\$106,360.30

0982-07-11, awarding and approving contract in the amount of \$82,690.80 plus incentive up to \$5,500, bond and insurance of Gee Grading & Excavating, Inc. for the 2011 Detention Basin Repair Program No. 1 project.

Report on bids for the 2011 Crack Sealing on Hot Mix Asphalt Street Project. (Mike Dufoe)

Gee Asphalt Systems, Inc., Cedar Rapids, IA	\$97,680.00
Kluesner Construction, Inc., Farley, IA	\$121,460.00
Illowa Investment, Inc., Blue Grass, IA	\$174,920.00

0983-07-11, awarding and approving contract in the amount of \$97,680 plus incentive up to \$2,500, bond and insurance of Gee Asphalt Systems, Inc. for the 2011 Crack Sealing on Hot Mix Asphalt Streets Project.

Report on bids for the Squaw Creek Off-Leash Dog Park project. (Steve Krug)

Gee Grading & Excavating, Inc., Cedar Rapids, IA	\$150,635.55
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$178,385.25

0984-07-11, awarding and approving contract in the amount of \$150,635.55, bond and insurance of Gee Grading & Excavating, Inc. for the Squaw Creek Off-Leash Dog Park project.

Report on bids for the Sidewalk, Street and Storm Sewer Intake Repair – FEMA Project #1. (Mike Dufoe)

Pirc-Tobin Construction, Inc., Alburnett, IA	\$1,091,327.75
Dave Schmitt Construction Co., Cedar Rapids, IA	\$1,204,450.60

0985-07-11, awarding and approving contract in the amount of \$1,091,327.75 plus incentive up to \$5,000, bond and insurance of Pirc-Tobin Construction, Inc. for the Sidewalk, Street and Storm Sewer Intake Repair – FEMA Project #1 (FLOOD).

Discussion: Brad Larson

0986-07-11, Development Agreement with the NewBo City Market, Inc. for property at 327 11th Avenue SE, 309 11th Avenue SE, 1114 3rd Street SE, 1120 3rd Street SE and 24,725 sq ft section of 400 12th Avenue SE in the Consolidated Central Urban Renewal Area.

Discussion: Sushil Nepal

0987-07-11, Memorandum of Agreement (MOA) between Federal Emergency Management Agency (FEMA), State Historical Preservation Office (SHPO), and the City of Cedar Rapids regarding the FEMA-funded acquisition and demolition of historic properties.

Public comments were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 7:24 p.m. to meet Tuesday, August 9, 2011 at 12:00 noon.

Amy Stevenson, City Clerk

Nay, Council member Karr
Nay, Council member Podzimek
Nay, Council member Shey
Nay, Council member Shields
Nay, Council member Swore
Nay, Council member Vernon
Nay, Council member Wieneke
Nay, Mayor Corbett

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

August 9, 2011, 12:00 noon

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney Mo Sheronick.

The invocation was given by Police Chaplain Rick Gail.

Pledge of Allegiance.

A presentation on the Charter Review Commission 2011 Final Report was given by Co-chairs Paul Pate and Kay Halloran. The recommendations of the Charter Review Commission were reported to Council. Discussion was held. Consensus of the Council was to accept recommendations of the Charter Review Commission and amend the Charter by Ordinance. Mayor Corbett directed staff to begin the process to set a public hearing date to consider an Ordinance amending the Home Rule Charter of the City of Cedar Rapids.

A Flood Recovery & Reinvestment Presentation was given by Joe O'Hern.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider the continuation of a previously-approved public capital improvement project and to continue the acquisition or condemnation of agricultural properties and property interests not yet acquired for the Highway 30 to 33rd Avenue SW (West of Banar Drive) Sanitary Sewer Extension project. No comments or objections were heard or filed.

0988-08-11, to continue a previously-approved public capital improvement project and to continue the acquisition or condemnation of agricultural properties and property interests not yet acquired for the Highway 30 to 33rd Avenue SW (West of Banar Drive) Sanitary Sewer Extension project.

A public hearing was held to consider the vacation of public ways and grounds in and to the property described as a 3,098 square foot strip of right-of-way located along the northwesterly right-of-way line of 1st Avenue East and between 2nd Street NE and 4th Street NE (also known as Plat of Survey 1702 Parcel A); a 7,167 square foot parcel of right-of-way located adjacent to the northwesterly right-of-way line of 1st Avenue East and between former

3rd Street and 4th Street NE (also known as Plat of Survey 1708 Parcel A); a 1,176 square foot strip of right-of-way located along the southwesterly right-of-way line of 4th Street NE and between A Avenue NE and 1st Avenue E (also known as Plat of Survey 1709 Parcel A); and a 1,503 square foot parcel of right-of-way located within the intersection of A Avenue NE and former 3rd Street NE (also known as Plat of Survey 1710 Parcel A) as requested by the City of Cedar Rapids. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance vacating public ways and grounds in and to the property described as a 3,098 square foot strip of right-of-way located along the northwesterly right-of-way line of 1st Avenue East and between 2nd Street NE and 4th Street NE (also known as Plat of Survey 1702 Parcel A); a 7,167 square foot parcel of right-of-way located adjacent to the northwesterly right-of-way line of 1st Avenue East and between 3rd Street NE and 4th Street NE (also known as Plat of Survey 1708 Parcel A); a 1,176 square foot strip of right-of-way located along the southwesterly right-of-way line of 4th Street NE and between A Avenue NE and 1st Avenue E (also known as Plat of Survey 1709 Parcel A); and a 1,503 square foot parcel of right-of-way located within the intersection of A Avenue NE and former 3rd Street NE (also known as Plat of Survey 1710 Parcel A) as requested by the City of Cedar Rapids, was presented and read the first time.

Council member Vernon 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 Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar Rapids Convention Complex Hotel Exterior Envelope project (Construction Manager's estimated cost is \$3,700,000). One objection was heard. No written comments or objections were filed.

0989-08-11, adopting plans, specifications, form of contract and estimated cost for the Cedar Rapids Convention Complex Hotel Exterior Envelope project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Stickle Drive NE Sanitary Sewer Reconstruction project (Engineer's estimated cost is \$340,000). No comments or objections were heard or filed.

0990-08-11, adopting plans, specifications, form of contract and estimated cost for the Stickle Drive NE Sanitary Sewer Reconstruction project (FLOOD).

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Sanitary Sewers Quadrant Flood Repairs Lining Package #1 – 2011 project (Engineer's estimated cost is \$685,000). No comments or objections were heard or filed.

0991-08-11, adopting plans, specifications, form of contract and estimated cost for the Sanitary Sewers Quadrant Flood Repairs Lining Package #1 – 2011 project (FLOOD). (Council members Shey & Vernon were not present for this vote)

Public comments were heard.

Council member Wieneke moved to approve the Agenda; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Vernon. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. August 23, 2011 – to consider amending Ordinance 033-11 relating to changing precinct and Council District boundaries.
- b. August 23, 2011 – to consider amending Chapter 31 of the Municipal Code, the Subdivision Ordinance, to allow the duration of bonds for street surface improvements to be changed from two years to four years.
- c. August 23, 2011 – to consider amending Ordinance No. 1-00 which rezoned property located west of Wiley Boulevard SW between 29th Avenue SW and 33rd Avenue SW to change conditions regarding right-of-way dedication on Wiley Boulevard SW and access requirements along Wiley Boulevard SW between 29th Avenue SW and 33rd Avenue SW as requested by Gerry Ambrose.
- d. September 27, 2011 – to consider annexation of property located north of O Avenue NW and west of Edgewood Drive NW as requested by Wilmar Development Company.
- e. August 23, 2011 - to consider granting a change of zone of 83 City owned lots for the Single Family New Construction Program Round 3 (SFNC3) from R-3, Single Family Residence Zone District; R-3D, Two Family Residence Zone District; RMF-1, Multiple Family Residence Zone District; RMF-2, Multiple Family Residence Zone District; C-2, Community Commercial Zone District; and I-2, General Industrial Zone District to R-TN, Traditional Neighborhood Residence Zone District as initiated by the City of Cedar Rapids (FLOOD).
- f. August 23, 2011 – to consider the disposition of City-owned property located at 811 Ellis Boulevard NW, 400 G Avenue NW, 420 G Avenue NW, 424 G Avenue NW, 432 G Avenue NW, 401 G Avenue NW, 419 G Avenue NW, 427 G Avenue NW, 431 G Avenue NW, 435 G Avenue NW, 428 F Avenue NW, 508 F Avenue NW, and 512 F Avenue NW and inviting competitive proposals for the redevelopment of this real property located in the Consolidated Central Urban

Renewal Area and acquired through the City's Voluntary Property Acquisition Program (FLOOD).

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for August 23, 2011 and advertising for bids by publishing notice to bidders for the McQuay Chiller Installation at the Police Department and authorizing the Purchasing Manager, or designee, to receive and open the bids and publicly announce the results on August 31, 2011 (estimated cost is \$130,000).

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for August 23, 2011 and advertising for bids by publishing notice to bidders for the Demolition Services for Flood Damaged Structures – Quality Chef and authorizing the Purchasing Manager, or designee, to receive and open bids and publicly announce the results on August 31, 2011 (estimated cost is \$167,500) (FLOOD).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for August 23, 2011 and advertising for bids by publishing notice to bidders for the Cedar Rapids Public Library project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on September 21, 2011 (Construction Manager's estimated cost for each bid as follows: \$16,300,000 for General Construction (PLE001-20); \$4,850,000 for Mechanical and Plumbing (PLE001-21); and \$3,500,000 for Electrical (PLE001-22)) (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. Cancun #2, 555 Gateway Place SW;
- b. Capone's, 1201 3rd street SE (outdoor service for two events on August 17 and August 20, 2011);
- c. Carlos O'Kelly's Mexican Café, 2635 Edgewood Road SW;
- d. Casey's General Store #2767, 3434 1st Avenue NE (new-changing to Class E Liquor license);
- e. Cedar Rapids Jaycees, 225 5th Avenue SW (outdoor service for an event on September 9, 2011)
- f. Chrome Horse, 1202 3rd Street SE (5-day Beer Permit for an event on August 20, 2011 in Greene Square Park);
- g. Hill Brothers Jiffy Mart, 1904 Mt Vernon Road SE;
- h. Just Coz, 400 6th Street SW;
- i. Time Out Lounge, 3230 16th Avenue SW (outdoor service for two events on August 20 and October 1, 2011).

0992-08-11, approving payment of bills.

0993-08-11, approving payment of payroll.

0994-08-11, approving transfer of funds to various departments.

0995-08-11, thanking Karl Cassell for serving as a member of the Voluntary Property Acquisition Advisory Committee.

0996-08-11, approving the special event application for the St. Jude's Kernel's Fun Run event on August 13, 2011 (with street closures).

0997-08-11, levy assessment for Solid Waste & Recycling clean up costs at one property.

0998-08-11, intent to assess for Utilities – Water Division delinquent municipal utility bills at 23 properties.

0999-08-11, levy assessment for Utilities – Water Division delinquent municipal utility bills at 15 properties.

1000-08-11, accepting the Water Playgrounds at Twin Pines, Cedar Valley and Hayes Parks project, accepting Performance Bond and authorizing final payment in the amount of \$50,081.39 to Dean Driscoll Construction, Inc. (original contract amount was \$612,743; final contract amount is \$633,958.59).

1001-08-11, accepting the Jones Golf Course Bank Stabilization project, accepting Performance Bond and authorizing final payment in the amount of \$4,044.40 to Ardo Schmidt Construction, Inc. (original contract amount was \$80,626.62; final contract amount is \$80,888.07) (FLOOD).

1002-08-11, accepting the Demolition and Cleanup of Flood Damaged Properties project, accepting Performance Bond and authorizing final payment in the amount of \$13,093.79 to BWC Excavating, LC (original contract amount was \$ 351,502.15; final contract amount is \$261,875.93) (FLOOD).

1003-08-11, accepting the Demolition Services for Flood Damaged Structures – Sinclair Property project, accepting Performance Bond and authorizing final payment in the amount of \$865,474.89 to DW Zinser Company (original contract amount was \$ 7,725,000; final contract amount is \$17,309,495.50) (FLOOD).

1004-08-11, accepting the Flood Recovery-Debris Monitoring Services-Sinclair Property project, accepting Performance Bond and authorizing final payment in the amount of \$8,702.67 to Science Applications International Corporation (original contract amount was \$211,302; final contract amount is \$291,214.50) (FLOOD).

1005-08-11, authorizing the donation of 38 historic sidewalk advertising tiles to the Historic Preservation Commission for distribution to public or private projects in connection with the 3rd Street SE Reconstruction and Streetscape Improvements from 8th Avenue SE to 14th Avenue SE project.

1006-08-11, dedicating City-owned property at A Street SW and 15th Avenue SW right-of-way in order to accommodate the proposed facilities for a new National Czech & Slovak Museum & Library.

1007-08-11, accepting a Warranty Deed and an Easement for Utilities for consideration of \$1 and other valuable consideration submitted by St. Luke's Methodist Hospital for additional street right-of-way and utility easements along 10th Street SE from 1st Avenue to 3rd Avenue SE and 12th Street SE from 2nd Avenue SE to 3rd Avenue SE for property located at 202 10th Street SE.

1008-08-11, authorizing execution of an application to the Iowa Department of Natural Resources (IDNR) to seek Resource Enhancement and Protection (REAP) assistance for a trail relocation project in connection with the Indian Creek Trunk Sewer Replacement project.

1009-08-11, authorizing the Parks and Recreation Department to apply for REAP funding for rivers edge restoration and prairie planting along the riverbank between the Police Station and 3rd Avenue Bridge.

1010-08-11, authorizing the Cedar Rapids Historic Preservation Commission (HPC) to apply for a Certified Local Government Grant (CLG) available through the State Historic Preservation Office (SHPO).

1011-08-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 13 properties in connection with the HUD Community Development Block Grant (CDBG) (FLOOD).

1012-08-11, permitting parcels to register after the program deadline for the voluntary property acquisition program funded under the Iowa Department of Economic Development Community Development Block Grant (CDBG) (FLOOD).

1013-08-11, Amendment No. 1 to the Professional Services Agreement with Terracon Consultants, Inc. specifying an increased amount not to exceed \$20,996 for additional geotechnical testing services in connection with the Cedar Rapids Convention Complex project (original contract amount is \$110,250; total contract amount with this amendment is \$131,246).

1014-08-11, Amendment No. 1 to the Professional Services Agreement with Howard R. Green Company in an amount not to exceed \$31,508 for additional engineering services for the WPCF Roughing Filter Dome #2 Replacement and Corrosion Repair project (original contract amount is \$87,100; total contract amount with this amendment is \$118,608).

1015-08-11, Amendment No. 1 to the Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$32,100 for additional assistance with the 2011

Title V Reporting and Air Permitting (original contract amount is \$32,100; total contract amount with this amendment is \$64,200).

1016-08-11, Amendment No. 2 to the Professional Services Agreement with Neighborhood Transportation Services (NTS) correcting the total contract amount not to exceed \$417,079 for the Fiscal Year 2012 Transportation Services Contract (original contract amount is \$360,780; total contract amount with this amendment is \$417,079).

1017-08-11, Change Order No. 1 in the amount of \$72,500 and accepting project, performance bond, and authorizing issuance of final payment in the amount of \$77,433.65 with Tricon Construction for the Water Pollution Control Facilities Indian Creek Lift Station Corrosion Repairs project (original contract amount was \$475,100; total contract amount with the change order is \$547,600).

1018-08-11, Transportation Services Contract with Linn County Community Services (LCCS) on behalf of the C.A.B.S. Program for Fiscal Year 2012 for an amount not to exceed \$30,560.

1019-08-11, Professional Services Agreement with Foth Infrastructure and Environment, LLC in an amount not to exceed \$25,227 for construction observation and administration services in connection with the Group 3 Downtown Fiber Optic Network Repairs Contract of the Joint Communications Network Construction Administration and Observation project.

1020-08-11, Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$90,655 for design services in connection with the Joint Communications Network, Groups 1 and 2, Traffic Signal Interconnect project.

1021-08-11, Agreement No. 2011-TS-018 with the Iowa Department of Transportation (IDOT) in the amount of \$150,000 in connection with the Edgewood Road and Edgewood Parkway SW Intersection Improvement project.

1022-08-11, Supplemental Purchase Agreement in the amount of \$1,363 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Kevin Gregg Mortensen from land located at 3138 33rd Avenue Road SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

1023-08-11, Supplemental Purchase Agreement in the amount of \$1,189 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Paul L. Wellington and Sharon K. Wellington from land located at 3232 Bramble Road SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

1024-08-11, Access Agreement with Richard J. and Patricia A. Raddatz authorizing driveway access on the north side of F Avenue NW, a parcel legally described as Lot A, Bachman's First Addition to Cedar Rapids, Iowa.

1025-08-11, Personal Property (General) Sales Agreement and Bill of Sale with Interstate Power and Light Company (Alliant Energy) to purchase abandoned steam pipes for \$1 and accepting reimbursement from Alliant Energy in the amount of \$109,400 for abatement and removal of said steam pipes for the Cedar Rapids Convention Complex project.

1026-08-11, authorizing the return of \$456,000, plus interest, in grant funds that were drawn from FTA Grant IA-03-0096 to purchase property for the ITF.

1027-08-11, Agreement for Vault Door Lenel Security Access & Camera Improvements with Communications Engineering Company (CEC) for the amount not to exceed \$56,186.

1028-08-11, Software and Services License Agreement for software purchase and support with Mainsaver Software for the amount not to exceed \$53,300.

1029-08-11, Agreement for installation of Traffic Signal Heads for the Traffic Engineering Division with Trey Electric Corp. for a total amount of \$29,695.

1030-08-11, Fleet Services purchase of two Chevrolet Tahoe Police Special Service vehicles from Karl Chevrolet for the total amount of \$57,946 (this purchase is being made from the state bid contract let by the Iowa Department of Administrative Services).

1031-08-11, Agreement for Cryogenic Oxygen System Maintenance and Repair Services with Mixing & Mass Transfer Technologies LLC for the amount not to exceed \$55,000.

1032-08-11, Agreement for Ellis Harbor Business Plan and Feasibility Study with Edgewater Resources for the amount not to exceed \$32,000.

1033-08-11, Agreement for Lime Sludge Removal – West Lagoon #1 with Mike McMurrin Trucking, Inc. for an amount not to exceed \$360,500.

1034-08-11, Amending Resolution No. 0432-04-11 which authorized renewal of the Agreement for Traffic Signal Equipment with Brown Traffic Products, Inc. changing the original not to exceed amount of \$150,000 to \$280,000.

1035-08-11, Agreement to Rebuild Taunton Twin Shaft Pug Mill with Iowa Parts, Inc. for an amount not to exceed \$29,150.

1036-08-11, Professional Services Agreement with Novak Design Group for architectural and engineering services for the Cedar Rapids Convention Complex Parking Ramp for an amount not to exceed \$875,993.

1037-08-11, Sponsorship of a Financial Assistance Contract between the Iowa Department of Economic Development (IDED) and AgSugar for expansion of an existing industrial facility at 1129 Wenig Road NE.

1038-08-11, Memorandum of Agreement to set forth performance expectations for the Czech Village/New Bohemia Main Street District, which represents the two historic neighborhoods bordering the Cedar River on the City's south side.

1039-08-11, Amendment No. 1 to the Professional Services Agreement with Braun Intertec Corporation specifying an increased amount not to exceed \$1,870 for geotechnical evaluation services in connection with the new Central Fire Station Flood Recovery project (original contract amount is \$9,570; total contract amount with this amendment is \$11,070) (FLOOD).

1040-08-11, Amendment No. 6 for Phase I Environmental Site Assessments with Howard R. Green Company to extend the term of the Agreement and to reflect additional cost for expanded scope for the amount not to exceed \$42,160 (Original amount is \$125,240; total amount with amendment is \$246,760) (FLOOD).

1041-08-11, Amendment No. 1 for Environmental Assessment Services for Flood Damaged Commercial Structures with Impact7G to reflect additional cost for expanded scope for the amount not to exceed \$6,640 (Original amount is \$43,730; total amount with this amendment is \$50,370) (FLOOD).

1042-08-11, Amendment No. 6 to Flood Related Property Acquisition Services for CDBG Construction Study and the Neighborhood Revitalization Area with ProSource Technologies, Inc. to reflect an expanded scope of work for the amount not to exceed \$728,215 (Original amount is \$4,859,200; total amount with this amendment is \$9,375,765) (FLOOD).

1043-08-11, Amendment No. 7 to Flood Acquisition Services HMGP Greenway Area with ProSource Technologies, Inc. to reflect an expanded scope of work for the amount not to exceed \$16,000 (FLOOD).

1044-08-11, Agreement for Flood Mitigation at the Mays Island Lift Station for Water Pollution Control with Price Industrial Electric Inc. for a total amount of \$47,152 (FLOOD).

1045-08-11, awarding and approving contract in the amount of \$56,065 plus incentive up to \$3,500, bond and insurance of Dolan Excavating, LLC for the 10th Avenue SW Sanitary Sewer Replacement project (FLOOD).

1046-08-11, authorizing the use of up to \$25,000 in Local Option Sales Tax (LOST) funds for the purpose of protecting lost residential rents through the acquisition program (FLOOD).

1047-08-11, rescinding Resolution No. 0749-06-11 and adopting a new resolution to correct a scrivener error within the legal description of the resolution authorizing execution of a Purchase Agreement in the amount of \$1 and accepting a Warranty Deed for a portion of land located at 117 3rd Avenue SE owned by 2001 Development Corporation in connection with the Paramount Theatre Flood Recovery project (FLOOD).

Report on bids for the City Hall Remodel project. (Sandy Pumphrey)

Unzeitig Construction Company, Cedar Rapids, IA	\$5,763,000
Tricon General Construction, Dubuque, IA	\$5,857,000
Miron Construction Co., Inc., Cedar Rapids, IA	\$5,952,751
Knutson Construction Services Midwest, Inc., Iowa City, IA	\$5,955,000
Woodruff Construction, LLC, Fort Dodge, IA	\$5,993,000
Kleiman Construction, Inc., Cedar Rapids, IA	\$6,093,950
Neumann Brothers, Inc., Des Moines, IA	\$6,440,000

1048-08-11, awarding and approving contract in the amount of \$5,763,000 plus incentive up to \$80,000, bond and insurance of Unzeitig Construction Company for the City Hall Remodel project.

Report on bids for the Sidewalk, Street and Storm Intake Repair – FEMA Project #2 (FLOOD). (Sandy Pumphrey)

Pirc-Tobin Construction, Inc., Alburnett, IA	\$1,091,327.75
Dave Schmitt Construction Co., Cedar Rapids, IA	\$1,204,450.60

Discussion: Vern Zakostelecky

1049-08-11, rescinding Resolution No. 2043-09-03 approving a Development Agreement with HANZAC, LLC which limited the total gross building area to 60,000 square feet for a commercial development located at the northeasterly corner of the intersection of Dean Road SW and Williams Boulevard SW as requested by Legacy Commercial Group, LLC.

Discussion: Joe O'Hern

1050-08-11, Real Estate Contract in the amount of \$709,000 and accepting a Warranty Deed from Bob's Wholesale Cars, Inc. for land located at 725 1st Avenue SE (FLOOD);

1051-08-11, Real Estate Contract in the amount of \$1,512,000 and accepting a Warranty Deed from Lagniappe Investments, LLC, for vacant land located at 706 - 712 2nd Avenue SE (FLOOD).

1052-08-11, Real Estate Contract in the amount of \$1,008,000 and accepting a Warranty Deed from Zydeco Investments, LLC for vacant land located at 705 1st Avenue SE and vacant land located between 705 and 725 First Avenue SE (FLOOD).

Ordinance No. 036-11, being an Ordinance vacating public ways and grounds in and to the property described as a 5,812 square-foot parcel of right-of-way located in the alley between

8th Avenue and 9th Avenue SE and between 8nd Street and 9th Street SE (also known as Plat of Survey No. 1642 Parcel A) as requested by Mercy Medical Center, was presented and read the second time.

Council member Swore moved the approval of the Ordinance on its second reading; seconded by Council member Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

1053-08-11, authorizing the disposition of property described as a 5,812 square-foot parcel of right-of-way located in the alley between 8th Avenue and 9th Avenue SE and between 8nd Street and 9th Street SE (also known as Plat of Survey No. 1642 Parcel A) and accepting an Agreement for Private Sanitary Sewer Facilities and an Easement for Utilities.

Ordinance No. 037-11, being an Ordinance vacating public ways and grounds in and to the property described as a portion of A Street SW and adjacent alley located between 12th Avenue SW and 15th Avenue SW (also known as Plat of Survey #1672 Parcel A & Parcel B); a portion of previously abandoned 13th Avenue SW between 12th Avenue SW and the west bank of the Cedar River (also known as Plat of Survey #1673 Parcel A & Parcel B); and a 20-foot by 195-foot parcel of right-of-way located northwesterly of 16th Avenue SW and between A Street SW and the west bank of the Cedar River (also known as Plat of Survey #1674 Parcel A) as requested by the City of Cedar Rapids, was presented and read the second time.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

1054-08-11, establishing three separate Public Utility Easements, a Turnaround Easement and a Water Main Easement over portions of the vacated right-of-way located northwesterly of 16th Avenue SW from the east side of A Street SW to the west bank of the Cedar River.

Ordinance No. 038-11, being an Ordinance granting a change of zone for property at 4221 Mt. Vernon Road SE from C-2, Community Commercial Zone District to R-2/PUD-O, Single Family Residence Zone District/PUD-O, Planned Unit Development Overlay, as requested by Country Creek, LLC, was presented and read the second time.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, and Mayor Corbett. Nay, Council member Wieneke.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, and Mayor Corbett. Nay, Council member Wieneke.

Ordinance No. _____, being an Ordinance establishing the Cedar Rapids Medical Self-Supported Municipal Improvement District, was presented and read the first time.

Council member Vernon 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 Gulick. Approved, Ayes, Council members Gulick, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Nay, Council member Karr.

Public comments were heard.

City Council communications were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 2:19 p.m. to meet Tuesday, August 23, 2011 at 4:30 p.m.

Amy Stevenson, City Clerk

Nay, Council member Karr
Nay, Council member Wieneke

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

August 23, 2011, 4:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney James Flitz.

The invocation was given by Police Chaplain Brian Fink.

Pledge of Allegiance.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider an Ordinance amending Ordinance No. 033-11 relating to changing precinct and Council District boundaries. No comments or objections were heard or filed.

Ordinance No. 039-11, being an Ordinance amending Ordinance No. 033-11 relating to changing precinct and Council District boundaries, was presented and read the first time.

Council member Wieneke moved the approval of the Ordinance on its first reading; seconded by Council member Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick moved that the rule requiring three readings on three different days be suspended and the Ordinance be approved on its second and third readings; seconded by Council member Wieneke. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the Resolution of Necessity (Proposed) for the construction of the 74th Street NE from West Park Road to 500-feet West of White Ivy Place Reconstruction Project. Nine objections were heard and written objections were filed by two property owners.

1055-08-11, deferring the Resolution of Necessity (Proposed) for the construction of the 74th Street NE from West Park Road to 500-feet West of White Ivy Place Reconstruction Project. Nays, Council members Karr and Wieneke.

Council member Vernon moved to defer action until September 27, 2011 with respect to the Resolution of Necessity (Proposed) for the 74th Street NE from West Park Road to 500-Foot

West of White Ivy Place Reconstruction Project; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

A public hearing was held to consider the continuation of a previously-approved public capital improvement project and on the acquisition or condemnation of agricultural properties and property interests not yet acquired for the Indian Creek and Dry Run Creek Trunk Sanitary Sewer Capacity Improvements-Phase 1 project. No comments or objections were heard or filed.

A public hearing was held to consider determining an area to be an Economic Development Area and adopting the Urban Renewal Plan for the Raining Rose Urban Renewal Area. No comments or objections were heard or filed.

1056-08-11, determining an area to be an Economic Development Area and adopting the Urban Renewal Plan for the Raining Rose Urban Renewal Area.

A public hearing was held to consider an Ordinance relating to collection of tax increment within the Raining Rose Urban Renewal Area. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance relating to collection of tax increment within the Raining Rose Urban Renewal Area located on the east side of 1st Avenue SE between 30th and 32nd Street Drive SE, was presented and read the first time.

Council member Vernon 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 Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider an Ordinance amending Chapter 31 of the Municipal Code, the Subdivision Ordinance, to allow the duration of bonds for street surface improvements to be changed from two years to four years. No comments or objections were heard or filed.

Ordinance No. 040-11, being an Ordinance amending Chapter 31 of the Municipal Code, the Subdivision Ordinance, to allow the duration of bonds for street surface improvements to be changed from two years to four years, was presented and read the first time.

Council member Wieneke moved the approval of the Ordinance on its first reading; seconded by Council member Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick moved that the rule requiring three readings on three different days be suspended and the Ordinance be approved on its second and third readings; seconded by Council member Wieneke. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider an Ordinance amending Ordinance No. 1-00 which rezoned property located west of Wiley Boulevard SW between 29th Avenue SW and 33rd Avenue SW to change conditions regarding right-of-way dedication on Wiley Boulevard SW and access requirements along Wiley Boulevard SW between 29th Avenue SW and 33rd Avenue SW as requested by Gerry Ambrose. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance amending Ordinance No. 1-00 which rezoned property west of Wiley Boulevard SW between 29th Avenue SW and 33rd Avenue SW to change conditions regarding right-of-way dedication on Wiley Boulevard SW and access requirements along Wiley Boulevard SW between 29th Avenue SW and 33rd Avenue SW as requested by Gerry Ambrose, was presented and read the first time.

Council member Vernon 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 Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider granting a change of zone for 83 City owned lots for the Single Family New Construction Program Round 3 (SFNC3) from R-3, Single Family Residence Zone District; R-3D, Two Family Residence Zone District; RMF-1, Multiple Family Residence Zone District; RMF-2, Multiple Family Residence Zone District; C-2, Community Commercial Zone District; and I-2, General Industrial Zone District to R-TN, Traditional Neighborhood Residence Zone District as initiated by the City of Cedar Rapids. One comment was heard. No objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for 83 City owned lots for the Single Family New Construction Program Round 3 (SFNC3) from R-3, Single Family Residence Zone District; R-3D, Two Family Residence Zone District; RMF-1, Multiple Family Residence Zone District; RMF-2, Multiple Family Residence Zone District; C-2, Community Commercial Zone District; and I-2, General Industrial Zone District to R-TN, Traditional Neighborhood Residence Zone District as initiated by the City of Cedar Rapids (FLOOD), was presented and read the first time.

Council member Karr 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the disposition of City-owned property located at 811 Ellis Boulevard NW, 400 G Avenue NW, 420 G Avenue NW, 424 G Avenue NW, 432 G Avenue NW, 401 G Avenue NW, 419 G Avenue NW, 427 G Avenue NW, 431 G Avenue NW, 435 G Avenue NW, 428 F Avenue NW, 508 F Avenue NW, and 512 F Avenue NW and inviting competitive proposals for the redevelopment of this real property located in the Consolidated Central Urban Renewal Area and acquired through the City's Voluntary Property Acquisition Program (FLOOD). No comments or objections were heard. One written objection was filed.

A public hearing was held to consider the proposed specifications, form of contract and estimated cost for the McQuay Chiller Installation at the Police Department (Estimated cost is \$130,000). No comments or objections were heard or filed.

1057-08-11, adopting specifications, form of contract and estimated cost for the McQuay Chiller Installation at the Police Department project.

A public hearing was held to consider the proposed specifications, form of contract and estimated cost for the Demolition Services for Flood Damaged Structures – Quality Chef (Estimated cost is \$167,500). One comment was heard. No objections were heard or filed.

1058-08-11, adopting specifications, form of contract and estimated cost for the Demolition Services for Flood Damaged Structures-Quality Chef project (FLOOD).

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar Rapids Public Library project (Construction Manager's estimated cost for each bid as follows: \$16,300,000 for General Construction (PLE001-20); \$4,850,000 for Mechanical and Plumbing (PLE001-21); and \$3,500,000 for Electrical (PLE001-22)). Two comments were heard. No objections were heard or filed.

1059-08-11, adopting plans, specifications, form of contract and estimated cost for the Cedar Rapids Public Library project (FLOOD).

Public comments were heard.

Council member Karr moved to approve the Agenda; seconded by Council member Wieneke. City Manager Pomeranz requested that Item Number 39a (Amendment No. 3 to the Professional Services Agreement with OPN Architects, Inc. specifying an increased amount not to exceed \$45,880 for additional professional services of \$4,680 and reimbursable expenses of \$1,200 in connection with the Cedar Rapids Convention Complex project) be corrected to state

the additional professional services are in the amount of \$44,680. City Manager Pomeranz also requested that Item Number 42d (Resolution awarding and approving contract in the amount of \$463,500 plus incentive up to \$10,000, bond and insurance of Secoa, Inc. for the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 project (Orchestra Shell & Forestage Reflector Bid Bundle)) should be corrected to state the contract amount as \$529,714. Council member Vernon requested that Item Number 14b (motion setting public hearing date for September 13, 2011 to consider amending the Future Land Use Map in the City's Comprehensive Plan from commercial to low density residential for property at 3215 Johnson Avenue NW for property owned by Baker Greenhouses, LLC) be removed from the Consent Agenda and moved to the Regular Agenda. Council member Swore requested that Items Number 25e (Resolution accepting flood remediation work at City facilities and authorizing final payment in the amount of \$725,000 to Jarvis Construction) and 39u (Resolution awarding and approving contract in the amount of \$84,200 plus incentive up to \$1,000, bond and insurance of Western Waterproofing Company, Inc. for the Five Seasons Parkade Structural Repairs project) be removed from the Consent Agenda and moved to the Regular Agenda. Council member Shields requested that Items Number 24a (Resolution of Intent to Assess for Solid Waste & Recycling clean up costs at 6 properties), 24b (Resolution levying assessments for Utilities – Water Division - for delinquent municipal utility bills at 16 properties) and 39h (Resolution authorizing an Agreement for Maintenance and Repair of Primary Roads and Municipalities with IDOT for maintenance, repair and minor reconstruction on portions of 1st Avenue and Williams Boulevard SW (Business Highway 151) for a period of five years beginning July 1, 2011 - June 30, 2016) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Karr. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. September 13, 2011 – to consider proposed amendments to the Home Rule Charter as submitted by the Charter Review Commission.
- b. October 11, 2011 – to consider an Ordinance relating to the collection of tax increment within the Amended and Restated Urban Renewal Plan for the Consolidated Technology Park Urban Renewal Area per Amendment No. 1.

- c. October 11, 2011 – to consider an Ordinance relating to the collection of tax increment within the Amended and Restated Southwest Urban Renewal Area per Amendment No. 1 (FLOOD).
- d. October 11, 2011 – to consider an Ordinance relating to the collection of tax increment within the Diamond V Mills Urban Renewal Area for property at 2575 60th Avenue SW (FLOOD).

Motion amending the motion approved on July 26, 2011 to extend the bid opening date to August 31, 2011 at 11:00 a.m. for the Cedar Rapids Convention Complex Hotel Exterior Envelope project.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for September 13, 2011 and advertising for bids by publishing notice to bidders for the Cedar Rapids Water Division Well Field 15 kV Electric Cable Replacement project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on September 21, 2011 (Estimated cost is \$332,000).

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for September 13, 2011 and advertising for bids by publishing notice to bidders for the Demolition Services for Flood Damaged Structures and authorizing the Purchasing Manager, or designee, to receive and open bids and publicly announce the results on September 28, 2011 (Estimated cost is \$119,291) (FLOOD).

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for September 13, 2011 and advertising for bids by publishing notice to bidders for the Demolition Services for Flood Damaged Structures and authorizing the Purchasing Manager, or designee, to receive and open bids and publicly announce the results on September 28, 2011 (Estimated cost is \$547,784) (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. 2nd Avenue Corner Pocket, 301 2nd Avenue SW;
- b. Applebee's Neighborhood Grill, 2645 Edgewood Road SW;
- c. Brewed Awakenings at CSPA, 1103 3rd Street SW (NEW-providing alcohol service for CSPA);
- d. Capone's, 1201 3rd street SE (outdoor service for an event on September 2-5, 2011);
- e. Casey's General Store #2765, 5050 Northland Avenue NE;
- f. Casey's General Store #2771, 501 6th Street SW;
- g. Cedar Rapids Jaycees, 225 5th Avenue SW (transfer to 400 12th Avenue SE for an event on September 3-4, 2011);
- h. Cedar Rapids Marriott, 1200 Collins Road NE;
- i. Chappy's Safari Lounge, 229 16th Avenue SW;
- j. Chrome Horse, 1202 3rd Street SE (outdoor service for five Iowa Football Tailgate events on September 10, October 8, October 29, November 19 and November 25, 2011);
- k. Dancer's Ranch, 3000 6th Street SW;

- l. Dostal Catering, 77 15th Avenue SW;
- m. Fieldhouse Southwest, 2730 Edgewood Road SW (new-formerly Cabo Grill);
- n. Gatherings, 905 3rd Street SE, Suite #1;
- o. Godfather's Pizza, 2201 16th Avenue SW;
- p. Godfather's Pizza, 3647½ 1st Avenue SE;
- q. Ignition Petroleum/ Market Express, 5340 16th Avenue SW;
- r. Pancho's, 5300 Edgewood Road NW, #100;
- s. Planet X, 255 Collins Road NE;
- t. Rumors, 400 F Avenue NW;
- u. Smuggler's Warf, 95 16th Avenue SW (new-formerly Bohemian Café);
- v. TJ's Steakhouse, 1810 6th Street SW;
- w. White Star Ale House, 305 2nd Avenue SE (new-formerly Witwer Senior Center);
- x. Zio Johnno's 2925 Williams Parkway SW.

1060-08-11, approving payment of bills.

1061-08-11, approving payment of payroll.

1062-08-11, thanking Paul Pate, Kay Halloran, Nancy Bruner, LaNisha Cassell, Monica Challenger, James Craig, Patricia (Tricia) Miller, Mary Nelson, Scott Overland, Robin Tucker, Nancy Welsh and Carleton Whiting for serving as members of the 2011 Cedar Rapids Charter Review Commission.

1063-08-11, approving the special event application for Kids Against Hunger Cedar Rapids to hold the Kids Against Hunger 5K, 10K and Fun Run event on August 27, 2011 (with street closures).

1064-08-11, approving the special event application for New Bohemia Group to hold the New Bohemia Arts and Music Festival "New Bo Fest" event on September 3 - 4, 2011 (with street closures).

1065-08-11, approving the special event application for New Bohemia Group to hold the New Fest Half Marathon event on September 4, 2011 (with street closures).

1066-08-11, granting 12 ambulance vehicle licenses to Area Ambulance Service at 1030 Mt. Vernon Road SE.

1067-08-11, accepting the FHWA Roadway Project Group #1 project, accepting Performance Bond and authorizing final payment in the amount of \$5,558.98 to Rathje Construction Company (original contract amount is \$168,179.60; final contract amount is \$185,299.28).

1068-08-11, accepting the FY 2010 City of Cedar Rapids, Iowa Sanitary Sewer Improvements Point Repair Repairs And Reconstruction project, accepting Performance Bond and authorizing final payment in the amount of \$12,068.44 to Dave Schmitt Construction Company (original contract amount is \$220,596; final contract amount is \$241,368.82).

1069-08-11, accepting the SE Quadrant Water Main Replacement Project, accepting Performance Bond and authorizing final payment in the amount of \$19,288.58 to Rathje Construction Company (original contract amount was \$379,711, final contract amount is \$385,771.51).

1070-08-11, accepting the Flood Related Environmental Assessment Services project and authorizing final payment in the amount of \$10,818 to Family Environmental Compliance Services, Inc. (original contract amount is \$100,000; final contract amount is \$535,096.47) (FLOOD).

1071-08-11, approving the establishment and installation of a school crosswalk on the north approach of the intersection of 26th Street SE and Buchanan Drive SE.

1072-08-11, approving a request by Stoney Point Heights, LLC for the City to grant a one-year extension for the time period for Stoney Point Heights, LLC to complete construction of the public improvements located within Stoney Point Heights Eighteenth Addition.

1073-08-11, rescinding Resolution No. 0944-07-64 that “prohibited parking on both sides of Wenig Road NE from J Avenue to Glass Road”, and establishing a “No Parking Anytime” zone on the east side of Wenig Road NE from J Avenue to Glass Road and establishing a “No Parking” zone on the west side of Wenig Road NE from J Avenue to Coldstream Avenue.

1074-08-11, approving the Final Plat for Baird’s First Addition located north of Otis Road SE and east of Christle Street SE right-of-way.

1075-08-11, authorizing the Parks & Recreation Department – Golf Operations to solicit donations at city golf courses for the national program Patriot Golf Day during the 2011 Labor Day weekend.

1076-08-11, approving a variance to Housing Quality Standards (HQS) for smoke detectors for the Section 8 Housing Choice Voucher (HCV) Program Public Housing Agency (PHA) Administrative Plan.

1077-08-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property at 1033 G Avenue NW.

1078-08-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property at 926 G Avenue NW.

1079-08-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property at 512 8th Street NW.

1080-08-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property at 102 Bowling Street SW.

1081-08-11, adopting the City of Cedar Rapids City Planning Commission Work Plan for 2012.

1082-08-11, authorizing payment of Annual Economic Development Grants for Yellow Book USA for \$285,633.00 Year 7 of 11.

1083-08-11, authorizing payment of Annual Economic Development Grants for Nordstrom.com for \$78,363.73 Year 9 of 10.

1084-08-11, authorizing payment of Annual Economic Development Grants for Life Investors Insurance Company of America for \$900,000 Year 6 of 7.

1085-08-11, authorizing payment of Annual Economic Development Grants for The Pointe at Cedar Rapids, LLC for \$240,341.56 Year 2 of 6.

1086-08-11, authorizing payment of Annual Economic Development Grants for J Rettenmaier USA LP for \$304,392 Year 3 of 11.

1087-08-11, authorizing payment of Annual Economic Development Grants for 500First, LLC for \$10,948.56 Year 3 of 10.

1088-08-11, determining the necessity and setting dates of a public hearing for October 11, 2011, consultation with affected taxing entities on September 22, 2011, and referral to Planning Commission on September 15, 2011 for a report and recommendation on Amendment No. 1 to the Amended and Restated Urban Renewal Plan for the Consolidated Technology Park Urban Renewal Area.

1089-08-11, determining the necessity and setting dates of a public hearing for October 11, 2011, consultation with affected taxing entities on September 22, 2011, and referral to Planning Commission on September 15, 2011 for a report and recommendation on the Plan for the proposed Amendment No. 1 to the Amended and Restated Southwest Urban Renewal Plan (FLOOD).

1090-08-11, determining the necessity and setting dates of a public hearing for October 11, 2011, consultation with affected taxing entities on September 22, 2011, and referral to Planning Commission on September 15, 2011 for a report and recommendation on the Plan for the proposed Diamond V Mills Urban Renewal Area for property at 2575 60th Avenue SW (FLOOD).

1091-08-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 5 properties in connection with the HUD Community Development Block Grant (CDBG) (FLOOD).

1092-08-11, Amendment No. 3 to the Professional Services Agreement with OPN Architects, Inc. specifying an increased amount not to exceed \$45,880 for additional

professional services of \$44,680 and reimbursable expenses of \$1,200 in connection with the Cedar Rapids Convention Complex project (original contract amount is \$3,780,000; total contract amount with this amendment is \$4,108,480).

1093-08-11, Amendment No. 1 to the Professional Services Agreement with HDR Engineers, Inc. specifying an increased amount not to exceed \$19,428 for final design services in connection with the Manhole and Pipeline Rehabilitation of Prairie Creek and Lower Indian Creek Interceptors, and Manhole 21 on the Main Interceptor project (original contract amount is \$60,900; total contract amount with this amendment is \$80,328).

1094-08-11, Amendment No. 1 to the Professional Services Agreement with Howard R. Green Company in an amount not to exceed \$15,870 for additional engineering services for the WPCF Plant Wide Air Handling Evaluation project (original contract amount is \$68,200; total contract amount with this amendment is \$84,070).

1095-08-11, Amendment No. 9 to renew Agreement for Motor Oil Products with Fauser Energy Resources for all city departments for the estimated annual expenditure of \$150,000 (original contract amount was \$130,000; renewal contract amount is \$150,000).

1096-08-11, Amendment No. 2 to renew Agreement for Ammunition for the Police Department with Ultramax Ammunition for a total annual expenditure not to exceed \$85,000 (original contract amount was \$48,801, total contract amount with previous renewals and this amendment is \$268,801 over a four-year period).

1097-08-11, Amendment to the Elevator Services Agreement with Kone, Incorporated to reflect the addition of service for six elevators in the Cedar Rapids Convention Complex Hotel for the amount not to exceed \$15,576 (original amount is \$51,216; total amount with amendment is \$66,792).

1098-08-11, Change Order No. 5 in the amount of \$37,168.34 with Pirc-Tobin Construction, Inc. for the Kirkwood Boulevard SW from Kirkwood Court SW to Highway 30/151 & Miller Avenue SW Re-Alignment, Phase II project (original contractor amount is \$2,361,783.45; total contract amount with this amendment is \$2,462,900.79).

1099-08-11, Professional Services Agreement with Ament, Inc. for an amount not to exceed \$19,750 for design services in connection with the Arrowhead Lane NE Drainage Improvements project.

1100-08-11, Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$28,600 for design services in connection with the Zika Avenue NW Drainage Improvements project.

1101-08-11, Supplemental Purchase Agreement in the amount of \$1,518 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Jennifer L. Jarchow and Zachary D. Jarchow from land located at 3102 33rd Avenue SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

1102-08-11, Purchase Agreement in the amount of \$1,200 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Cedar House Properties, LLC from land located at 3233 Cameo Lane SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

1103-08-11, Purchase Agreement and accepting a Temporary Grading Easement for Construction from Jeffrey A. Mason and Nichole K. Mason, owners, in the amount of \$630 and accepting a Tenant Purchase Agreement from Matthew Franks, Jeremey White and Cameron Clark, tenants, in the amount of \$1 from land located at 3226 Bramble Road SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

1104-08-11, Utilities Department-Water Division purchase of Roof Replacement on the Back Control Building and Lime Silos at the J Avenue Water Treatment Plant from T&K Roofing for the total amount of \$75,477.

1105-08-11, Agreement for Convention Complex Hotel Hazardous Material Abatement with Lindstrom Environmental, Inc. for the amount not to exceed \$295,000.

1106-08-11, Utilities Department-Water Division purchase of Insertion Style Mag Meters from Mellen & Associates, Inc. for the total amount of \$89,044.

1107-08-11, Agreement for Toro Irrigation Control System Installation at the Gardner Golf Course with Midwest Irrigation LLC for an amount not to exceed \$53,392.

1108-08-11, Agreement for the purchase and delivery of liquid carbon dioxide to Water Operations with Air Liquide Industrial U.S. LP for the amount not to exceed \$140,000.

1109-08-11, Fleet Services Division purchase of one extended cab chassis for the amount of \$46,613, three standard cab chassis (19,000 GVWR) for the amount of \$119,241 and two standard cab chassis (16,000 GVWR) for the amount of \$85,848 from Junge Ford Center Point for the total amount of \$251,702.

1110-08-11, awarding and approving contract in the amount of \$145,230 bond and insurance of Air Cleaning Technologies, Inc. for the Vehicle Exhaust Extraction Systems.

1111-08-11, Water Pollution Control Facility purchase of two 3,000-gallon dual containment tanks from Peabody Engineering, Inc. for the total amount of \$38,686.24.

1112-08-11, Joinder Agreement with National Insurance Services Insurance Trust for an estimated cost of \$95,175 for group term life insurance for a three year period from July 1, 2011 through June 30, 2014.

1113-08-11, Joinder Agreement with National Insurance Services Insurance Trust for an estimated cost of \$439,320.50 for Long-Term Disability benefit for a three year period from July 1, 2011 through June 30, 2014.

1114-08-11, Amendment No. 4 to the Professional Services Agreement with Howard R. Green Company specifying an increased amount not to exceed \$6,930 for monitoring services in connection with the Demolition of the 1st Street Parkade project (original contract amount is \$66,860; total contract amount with this amendment is \$83,790) (FLOOD).

1115-08-11, Amendment No. 10 to the Grant Agreement with the Iowa Department of Economic Development for the Expanded Business Recovery Programs providing for an additional \$5,000,000 (original grant award was \$7,500,000; total grant award with this amendment is \$55,000,000) (FLOOD).

1116-08-11, Real Estate Contract in the amount of \$100,450.08 and accepting a Warranty Deed for a 20-foot strip of land from Elizabeth T. Naibert, James Naibert, and Margaret Kundel as Co-Trustees of the Elizabeth T. Naibert Revocable Trust, and Guaranty Bank & Trust Company, Trustee of the trust under Article IV of the Will of Viola N. Elsenbast, from land located at 312 First Street SE in connection with the Paramount Theatre Flood Recovery and Renovation – Bid Package 2 project (FLOOD).

1117-08-11, Professional Services Agreement with Shive-Hattery, Inc. for an amount not to exceed \$89,803 for design services in connection with the NW Quadrant, 2008 Flood Area Sanitary Sewer Restoration Phase 1 project (FLOOD).

1118-08-11, Professional Services Agreement with MMS Consultants, Inc. for an amount not to exceed \$44,573 for design services in connection with the NE Quadrant, 2008 Flood Area Sanitary Sewer Restoration Phase 1 project (FLOOD).

1119-08-11, Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$58,500 for design services in connection with the Prairie Creek Sewer Flood Damage Assessment and Repair project (FLOOD).

1120-08-11, Program agreements to make payments for the administration of \$11,130,227 in Community Development Block Grant (CDBG) funds for the third round of the

Single Family New Construction program in accordance with the terms of the grant and locally adopted program guidelines (FLOOD).

1121-08-11, rejecting bids for the Sidewalk, Street & Storm Intake Repair – FEMA Project #2 (FLOOD).

Motion setting a public hearing date for September 13, 2011 to consider amending the Future Land Use Map in the City’s Comprehensive Plan from commercial to low density residential for property at 3215 Johnson Avenue NW as recommended by the City Planning Commission for property owned by Baker Greenhouses, LLC.

1122-08-11, intent to Assess for Solid Waste & Recycling clean up costs at 6 properties.

1123-08-11, levy assessment for Utilities – Water Division for delinquent municipal utility bills at 16 properties.

1124-08-11, approving the flood remediation work at City facilities and authorizing final payment in the amount of \$725,000 to Jarvis Construction (total contract amount is \$11,584,880.01) (FLOOD).

1125-08-11, Agreement for Maintenance and Repair of Primary Roads and Municipalities with the Iowa Department of Transportation (IDOT) for maintenance, repair and minor reconstruction on portions of 1st Avenue and Williams Boulevard SW (Business Highway 151) for a period of five years beginning July 1, 2011 - June 30, 2016.

1126-08-11, awarding and approving contract in the amount of \$84,200 plus incentive up to \$1,000, bond and insurance of Western Waterproofing Company, Inc. for the Five Seasons Parkade Structural Repairs project.

Report on bids for the Cedar Rapids Water Pollution Control Facility Motor Control Center #5 Replacement project. (Steve Hershner)

Price Industrial Electric, Inc.	Hiawatha, IA	\$2,232,260
Acme Electric Company	Cedar Rapids, IA	\$2,245,000
ESCO Electric	Marion, IA	\$2,615,500

1127-08-11, awarding and approving contract in the amount of \$2,232,260, bond and insurance of Price Industrial Electric, Inc. for the Cedar Rapids Water Pollution Control Facility Motor Control Center #5 Replacement project.

Report on bids for the following: Cedar Rapids Cedar Rapids Convention Complex project for General Contract No. 535100-23; Mechanical Contract No. 535100-24; and Electrical Contract No. 535100-25. (Sandy Pumphrey and Chris Nations)

Cedar Rapids Cedar Rapids Convention Complex – General

Miron Construction Co., Inc., Neenah, WI	\$27,087,000
J.H. Findorff & Son, Inc., Madison, WI	\$27,831,000

Knutson Construction, Iowa City, IA	\$28,450,000
Neumann Brothers, Inc., Des Moines, IA	\$28,735,000
Kleiman Construction, Cedar Rapids, IA	\$29,067,611

Cedar Rapids Cedar Rapids Convention Complex – Mechanical

Modern Piping, Inc., Cedar Rapids, IA	\$10,680,000
Ryan & Associates, Davenport, IA	\$11,440,000
Day Mechanical Systems, Inc, Cedar Rapids, IA	\$11,597,100
Bowker Mechanical Contractors, Inc., Cedar Rapids, IA	\$13,850,000

Cedar Rapids Cedar Rapids Convention Complex – Electrical

Paulson Electric, Cedar Rapids, IA	\$8,246,000
Acme Electric Company, Inc., Cedar Rapids, IA	\$10,324,000

Report on bids for the for the following: Paramount Theatre Flood Recovery & Renovation – Bid Package 2 project General Contractor (PTE001-21); Mechanical & Plumbing (PTE001-22); Electrical (PTE001-23); Historic Plaster & Paint; (PTE001-24); Orchestra Shell & Forestage Reflector (PTE001-25); Theatrical Rigging, Curtains, Pit Lifts & Platforms (PTE001-26); Audio Visual Systems (PTE001-27); Historic Architectural Lighting (PTE001-28); and the Organ (PTE001-29). (Sandy Pumphrey and John Ryan)

Paramount Theatre Flood Recovery & Renovation – Bid Package 2 - General Contractor

Miron Construction Co., Inc., Cedar Rapids, IA	\$6,436,900
Knutson Construction Services Midwest, Inc. Iowa City, IA	\$6,617,000

Paramount Theatre Flood Recovery & Renovation – Bid Package 2 - Mechanical & Plumbing

Modern Piping, Inc., Cedar Rapids, IA	\$2,639,000
Day Mechanical Systems, Inc., Cedar Rapids, IA	\$2,799,200
Ryan & Associates, Inc., Davenport, IA	\$2,884,000
Hometown Plumbing & Heating Co., Inc., Davenport, IA	\$2,895,000
Bowker Mechanical Contractors, LLC, Cedar Rapids, IA	\$2,895,000

Paramount Theatre Flood Recovery & Renovation – Bid Package 2 - Electrical

Nelson Electric Co., Cedar Rapids, IA	\$2,699,000
Acme Electric Company, Cedar Rapids, IA	\$3,540,000
Hawkeye Electrical Contractors of Cedar Rapids, Ltd., Hiawatha, IA	\$3,646,000

Paramount Theatre Flood Recovery & Renovation – Bid Package 2 - Historic Plaster & Paint

Olympic Companies, Inc., Minnetonka, MN \$2,934,340

Paramount Theatre Flood Recovery & Renovation – Bid Package 2 - Orchestra Shell & Forestage Reflector

Secoa, Inc., Champlin, MN \$529,714
Wenger Corporation, Owatonna, MN \$463,500

Paramount Theatre Flood Recovery & Renovation – Bid Package 2 - Theatrical Rigging, Curtains, Pit Lifts & Platforms

Secoa, Inc., Champlin, MN \$1,253,000
J.R. Clancy, Inc., Syracuse, NY \$1,425,000

Paramount Theatre Flood Recovery & Renovation – Bid Package 2 - Audio Visual Systems

Sound Concepts, Inc., Cedar Rapids, IA \$824,635.04
Professional Audio Designs, Inc., Wauwatosa, WI \$888,562.00
Clair Brothers Audio Systems, Inc., Manheim, PA \$1,021,298.34
CEC-Communications Engineering Co., Hiawatha, IA \$1,106,948.00
Pentegra Systems, LLC, Elmhurst, IL \$1,166,392.00

Paramount Theatre Flood Recovery & Renovation – Bid Package 2 - Historic Architectural Lighting

St. Louis Antique Lighting Company, Inc., St. Louis, MO \$347,650

Paramount Theatre Flood Recovery & Renovation – Bid Package 2 – Organ

No responsive bids received.

1128-08-11, awarding and approving contract in the amount of \$6,436,900 plus incentive up to \$30,000, bond and insurance of Miron Construction Co., Inc. for the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 project (General Contractor Bid Bundle) (FLOOD). Abstain, Council member Swore.

1129-08-11, awarding and approving contract in the amount of \$2,639,000 plus incentive up to \$15,000, bond and insurance of Modern Piping, Inc. for the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 project (Mechanical & Plumbing Bid Bundle) (FLOOD). Abstain, Council member Swore.

1130-08-11, awarding and approving contract in the amount of \$2,699,000 plus incentive up to \$15,000, bond and insurance of Nelson Electric Company for the Paramount

Theatre Flood Recovery & Renovation – Bid Package 2 project (Electrical Bid Bundle) (FLOOD).

Council member Swore moved to defer action until the September 13, 2011 Council meeting on the Resolution awarding and approving contract for the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 project (Orchestra Shell & Forestage Reflector Bid Bundle) (FLOOD); seconded by Council member Wieneke. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion Carried.

1131-08-11, awarding and approving contract in the amount of \$1,253,000 plus incentive up to \$10,000, bond and insurance of Secoa, Inc. for the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 project (Theatrical Rigging, Curtains, Pit Lifts & Platforms Bid Bundle) (FLOOD).

Report on bids for the Sanitary Sewers Quadrant Flood Repairs Lining Package #1 – 2011 project. (Joe Mailander)

Municipal Pipe Tool Co., Inc. Hudson, IA	\$542,612.00
Visu-Sewer, Inc., Pewaukee, WI	\$552,980.80
SAK Construction, LLC, O'Fallon, MO	\$553,542.00
Insituform Technologies USA, Inc., Chesterfield, MO	\$590,641.20

1132-08-11, awarding and approving contract in the amount of \$542,612 plus incentive up to \$7,500, bond and insurance of Municipal Pipe Tool Co., Inc. for the Sanitary Sewers Quadrant Flood Repairs Lining Package #1 – 2011 project (FLOOD).

Report on bids for the Stickle Drive NE Sanitary Sewer Reconstruction project. (Joe Mailander)

Vieth Construction Corp., Cedar Falls, IA	\$243,827.25
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$265,839.00

1133-08-11, awarding and approving contract in the amount of \$243,827.25 plus incentive up to \$12,500, bond and insurance of Vieth Construction Corporation for the Stickle Drive NE Sanitary Sewer Reconstruction project (FLOOD).

Discussion: Gary Petersen

1134-08-11, approving Property Owner Assessment Agreement Program for the construction of the 3rd Street SE Reconstruction and Streetscape Improvements from 8th Avenue SE to 14th Avenue SE project.

Discussion: Vern Zakostecky

1135-08-11, amending Resolution No. 0358-04-08 which approved the Major Preliminary Plat of Wiley Center Fourth Addition for property west of Wiley Boulevard SW between 29th Avenue SW and 33rd Avenue SW to change conditions regarding right-of-way

dedication on Wiley Boulevard SW and access requirements along Wiley Boulevard SW between 29th Avenue SW and 33rd Avenue SW as requested by property owner Gerry Ambrose.

Discussion: Brad Larson

1136-08-11, authorizing the City Manager to pursue an Agreement for Private Redevelopment with the New Bohemia Group Inc. for the lease of excess City-owned property located at 400 12th Avenue SE for the purpose of operating sand volleyball courts.

Discussion: Jennifer Pratt and Brad Larson

1137-08-11, authorizing the City Manager to pursue a Development Agreement with Stark Real Estate Holdings, Inc. for the disposition and redevelopment of City-owned commercial property located at 1501/1507 C Street SW in the Consolidated Central Urban Renewal Area and acquired through the City's Voluntary Property Acquisition Program (FLOOD).

Discussion: Chief English and Rita Rasmussen

1138-08-11, authorizing the City Manager to open negotiations for a land acquisition purchase agreement of a site recommended by the Fire Station Relocation Advisory Committee as Alternate Site #2 located on O Avenue NW, west of Edgewood Road, as the location of the new Fire Station #3.

Ordinance No. 041-11, being an Ordinance vacating public ways and grounds in and to the property described as a 3,098 square foot strip of right-of-way located along the northwesterly right-of-way line of 1st Avenue East and between 2nd Street NE and 4th Street NE; a 7,167 square foot parcel of right-of-way located adjacent to the northwesterly right-of-way line of 1st Avenue East and between 3rd Street NE and 4th Street NE; a 1,176 square foot strip of right-of-way located along the southwesterly right-of-way line of 4th Street NE and between A Avenue NE and 1st Avenue E; and a 1,503 square foot parcel of right-of-way located within the intersection of A Avenue NE and former 3rd Street NE as requested by the City of Cedar Rapids, was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

1139-08-11, establishing an Ingress/Egress Easement located along the southeasterly right-of-way line of A Avenue NE between 2nd Street NE, easterly to and including portions of vacated 3rd Street NE and a portion of Plat of Survey 1710, and establishing an Air Rights Easement located along the southeasterly right-of-way line of A Avenue NE between the vacated 3rd Street NE And 4th Street NE as requested by the City of Cedar Rapids.

Ordinance No. _____, being an Ordinance to consider establishing the Cedar Rapids Medical Self-Supported Municipal Improvement District (SSMID), was presented and read the second time.

Council member Shields moved the approval of the Ordinance on its second reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for passage at a later date; seconded by Council member Shey. Ayes, Council members Gulick, Shey and Shields. Nays, Council members Karr, Podzimek, Swore, Vernon, Wieneke and Mayor Corbett. **ORDINANCE FAILED.**

Public comments were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 9:01 p.m. to meet Tuesday, September 13, 2011 at 4:30 p.m.

Amy Stevenson, City Clerk

Abstain, Council member Swore
Nay, Council member Karr
Nay, Council member Podzimek
Nay, Council member Swore
Nay, Council member Vernon
Nay, Council member Wieneke
Nay, Mayor Corbett

Cedar Rapids, Iowa, September 1, 2011; 1:00 p.m.

City Council met for a Special Session in City Hall, 3851 River Ridge Drive NE, North Conference Room. Present, Mayor Corbett, Council members Gulick, Karr, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz, City Attorney James Flitz, Drew Westberg, Special Assistant to the City Manager, Dave Elgin, Public Works Director, and John Frew and Chris Nations (on behalf of Frew Nations Group, LLC). Absent, Council members Podzimek and Shey.

The following motion and resolutions were approved with all Council members and Mayor Corbett voting "Aye" unless noted.

Motion setting a public hearing date for September 13, 2011 to consider the Cedar Rapids Medical Self-Supported Municipal Improvement District.

Discussion: (Chris Nations/John Frew)

1140-09-11, awarding and approving contract in the amount of \$8,437,635, bond and insurance of Paulson Electric for the Cedar Rapids Convention Complex Electrical Contract subject to approval by the Economic Development Administration (EDA) (Project Manager's cost estimate for base bid is \$4,400,000 with accepted Alternates \$7,200,000).

Discussion: (Chris Nations/John Frew)

1141-09-11, awarding and approving contract in the amount of \$28,273,698, bond and insurance of Miron Construction Co., Inc. for the Cedar Rapids Convention Complex General Contract subject to approval by the Economic Development Administration (EDA) (Project Manager's cost estimate for base bid is \$29,300,000 with accepted Alternates \$30,100,000).

Discussion: (Chris Nations/John Frew)

1142-09-11, awarding and approving contract in the amount of \$10,917,000, bond and insurance of Modern Piping, Inc. for the Cedar Rapids Convention Complex Mechanical Contract subject to approval by the Economic Development Administration (EDA) (Project Manager's cost estimate for base bid is \$7,300,000 with accepted Alternates \$7,400,000). Abstain, Council member Swore.

1143-09-11, rescinding outdated sidewalk installation requirements along Zika Avenue NW adjacent to Sugar Creek First Addition.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Meeting adjourned at 1:52 p.m.

Amy Stevenson, City Clerk

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

September 13, 2011, 4:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney James Flitz.

The invocation was given by Fire Chaplain Phil Saunders.

Pledge of Allegiance.

A presentation regarding the Five Seasons Plaza Project was given by Bill Munsell and Gary Anderson.

Chief Graham recognized Jennifer Gerbracht, Michael Aube and Zach Baum for their assistance in catching a burglar on August 26, 2011.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider proposed amendments to the Home Rule Charter as submitted by the Charter Review Commission. One comment was heard. No objections were heard or filed.

Ordinance No. _____, being an Ordinance adopting amendments to the Home Rule Charter as submitted by the Charter Review Commission, was presented and read the first time.

Council member Wieneke 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider amending the Future Land Use Map in the City's Comprehensive Plan from commercial to low density residential, for property at 3215 Johnson Avenue NW as recommended by the City Planning Commission for property owned by Baker Greenhouses, LLC. No comments or objections were heard or filed.

1144-09-11, amending the Future Land Use Map in the City's Comprehensive Plan from commercial to low density residential, for property at 3215 Johnson Avenue NW as

recommended by the City Planning Commission for property owned by Baker Greenhouses, LLC.

A public hearing was held to consider establishing the Cedar Rapids Medical Self-Supported Municipal Improvement District (SSMID). No comments or objections were heard. Two objections were filed.

Ordinance No. _____, being an Ordinance establishing the Cedar Rapids Medical Self-Supported Municipal Improvement District (SSMID), was presented and read the first time.

Council member Vernon 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 Gulick. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar Rapids Water Division Well Field 15 kV Electric Cable Replacement project (Estimated cost is \$332,000). No comments or objections were heard or filed.

1145-09-11, adopting plans, specifications, form of contract and estimated cost for the Cedar Rapids Water Division Well Field 15 kV Electric Cable Replacement project.

A public hearing was held to consider the proposed specifications, form of contract and estimated cost for the Demolition Services for Flood Damaged Structures (Estimated cost is \$119,291). No comments or objections were heard or filed.

1146-09-11, adopting specifications, form of contract and estimated cost for the Demolition Services for Flood Damaged Structures (FLOOD).

A public hearing was held to consider the proposed specifications, form of contract and estimated cost for the Demolition Services for Flood Damaged Structures (Estimated cost is \$547,784). No comments or objections were heard or filed.

1147-09-11, adopting specifications, form of contract and estimated cost for the Demolition Services for Flood Damaged Structures (FLOOD).

Public comments were heard.

Council member Wieneke moved to approve the Agenda; seconded by Council member Gulick. City Manager Pomeranz requested that Item Number 32w (1st Street Surface Parking Lot Agreement for a period of three years with Downtown Parking Management Inc. (DPMI) and Short Term Parking Solution, L.C. (STPS)) be removed from the agenda. City Manager Pomeranz also requested that Item Number 32dd (28E Agreement with the City of Robins for

two loose leaf vacuum collection events in the Fall of 2010 for an amount not to exceed \$11,920) should be corrected to state Fall of 2011. Council member Shields requested that Item Number 21 (Resolution establishing the Cedar Rapids Convention Complex Parking Ramp Design Advisory Committee and identifying members to assist in providing design input for the new Convention Complex parking ramp) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Gulick. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing/hearing dates for:

- a. September 27, 2011 – to consider the continuation of the disposition of excess City-owned property described as a 19,601 square-foot (.45 acre) vacant parcel located at 6900 Council Street NE.
- b. September 27, 2011 – to consider the continuation of the disposition of excess City-owned property described as an 18.5 acre vacant parcel located west of the intersection of Memorial Drive SE and Spruce Avenue SE.
- c. September 27, 2011 – to consider the vacation and disposition of public ways and grounds in and to the property described as the formerly-existing alley located at 919 14th Avenue SW as requested by Iltens, Inc.
- d. September 27, 2011 – to consider a change of zone for property at 830 18th Avenue SW from C-2/O-S, Community Commercial Zone District/Office/Service Zone District to RMF-1, Multiple Family Residence Zone District as requested by Jomoco Ltd and Joe Morrissey.
- e. September 27, 2011 – to consider the disposition of 25 City-owned parcels acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the third round of Single Family New Construction Program (FLOOD).
- f. September 27, 2011 – to consider the disposition of City-owned commercial property at 1132 Ellis Boulevard NW (former A & W Family Restaurant) and inviting competitive proposals for the redevelopment of this property in the Consolidated Central Urban Renewal Area and acquired through the City's Voluntary Property Acquisition Program (FLOOD).

Motion amending the motion approved on August 9, 2011 to reschedule the public hearing for October 11, 2011 to consider annexation of property north of O Avenue NW and west of Edgewood Drive NW as requested by Wilmar Development Company.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for September 27, 2011 and advertising for bids by publishing notice to bidders for the 2011 Raising East Well Field Vertical Wells project and authorizing the Utilities Director, or

designee, to receive and open the bids and publicly announce the results on October 12, 2011 (Engineer's estimated cost is \$405,000) (FLOOD).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for September 27, 2011 and advertising for bids by publishing notice to bidders for the Veterans Memorial Phase I and authorizing the Veterans Memorial Director to receive and open the bids and publicly announce the results on October 19, 2011. (Estimated cost is \$7,200,000) (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. Blue Strawberry Coffee Company, 118 2nd Street SE;
- b. Casey's General Store #2768, 1201 1st Avenue SE;
- c. Casey's General Store #2776, 701 Ellis Blvd. NW;
- d. Casey's General Store #2778, 201 8th Avenue SE;
- e. Casey's General Store #2780, 5555 Edgewood Road NE;
- f. Casey's General Store #2782, 1495 Blairs Ferry Road NE;
- g. Casey's General Store #2790, 588 Boyson Road NE, Suite #110;
- h. Casey's General Store #2791, 9125 Atlantic Drive SW;
- i. Casey's General Store #2792, 9001 6th Street SW;
- j. CVS Pharmacy #8443, 3419 16th Avenue SW (new-formerly Happy Joe's Pizza);
- k. First Avenue Wine House, 3412 1st Avenue NE;
- l. Moose McDuffy's, 834 1st Avenue NE;
- m. Sam's Club #8162, 2605 Blairs Ferry Road NE;
- n. Tornado's Tournament Room, 1400 3rd Street SE (outdoor service for an event on September 24, 2011);
- o. Tycoon, 427 2nd Avenue SE;
- p. Walgreen's #12580, 324 Edgewood Road NW;
- q. Zeppelin's, 5300 Edgewood Road NE, Suite #500;
- r. Zin's, 227 2nd Avenue SE.

1148-09-11, approving payment of bills.

1149-09-11, approving payment of payroll.

1150-09-11, approving transfer of funds to various departments.

1151-09-11, authorizing the formation of a Gateway Advisory Committee to provide advice and gather feedback on City gateways.

1152-09-11, approving the special event application for the 3rd Annual Czech Fall Festival event on September 24 – 25, 2011 in Czech Village (with street closures).

1153-09-11, approving the special event application for Nightmare Manor Haunted House, 525 H Street SW, from October 1 - 31, 2011.

1154-09-11, approving the special event application for the Especially for You Race Against Breast Cancer event on October 2, 2011 (with street closures).

1155-09-11, intent to assess for Solid Waste & Recycling clean up costs at 5 properties.

1156-09-11, levy assessment for Solid Waste & Recycling clean up costs at 3 properties.

1157-09-11, intent to assess for Utilities – Water Division delinquent municipal utility bills at 22 properties.

1158-09-11, levy assessment for Utilities – Water Division delinquent municipal utility bills at 11 properties.

1159-09-11, levy assessment for Utilities – Water Division delinquent municipal utility bills at 14 properties.

1160-09-11, accepting Water system improvements in Cedar Ridge Place 4th Addition – Part 1 and approving the Maintenance Bond submitted by Maxwell Construction Inc. in the amount of \$27,628.

1161-09-11, accepting the City Services Facility – Council Chambers – Furniture project, accepting Performance Bond and authorizing final payment in the amount of \$676.79 to M. Hanson & Company, Inc. (original contract amount is \$13,000.73; final contract amount is \$13,535.73).

1162-09-11, accepting the City Services Facility – Council Chambers – Electrical project, accepting Performance Bond and authorizing final payment in the amount of \$5,528.95 to Justice Electric Co. (original contract amount is \$105,225; final contract amount is \$110,578.61).

1163-09-11, accepting the City Services Facility – Council Chambers – Doors/Hardware project, accepting Performance Bond and authorizing final payment in the amount of \$455.90 to Olmstead Construction (original contract amount is \$6,958; final contract amount is \$9,118).

1164-09-11, accepting the City Services Facility – Council Chambers – Audio Visual project, accepting Performance Bond and authorizing final payment in the amount of \$7,105.33 to Pratt Audio-Visual & Video Corporation (original contract amount is \$124,690; final contract amount is \$142,106.61).

1165-09-11, accepting the Center Point Road NE from 32nd Street to J Avenue Water Main, Storm Sewer and Asphalt Resurfacing project, accepting Performance Bond and authorizing final payment in the amount of \$52,976.97 to L.L. Pelling Company (original contract price is 912,565.25; final contract amount is \$1,059,539.32).

1166-09-11, accepting the Cheyenne Off-Leash Dog Park Reconstruction project, accepting Performance Bond and authorizing final payment in the amount of \$21,756.10 to Gee Grading & Excavating Inc. (original contract amount is \$89,961; final contract amount is \$107,219.05).

1167-09-11, accepting the Fiscal Year 2011 Repair of Water Service Lines, accepting Maintenance Bond and authorizing final (retainage) payment in the amount of \$9,931.10 to Schrader Excavating & Grading Co. (original contract amount is \$179,770; final contract amount is \$210,496.27).

1168-09-11, accepting the GTC Parkade & Tunnel Flood Recovery project, accepting Performance Bond and authorizing final payment in the amount of \$34,425.29 to Unzeitig Construction Company (original contract amount is \$667,000; final contract amount is \$688,505.80) (FLOOD).

1169-09-11, accepting the Downtown Sidewalk Brick Repair – Flood project, accepting Performance Bond and authorizing final payment in the amount of \$11,510.17 to Iowa State Contractors, Inc. (original contract price is 255,670.65; final contract amount is \$230,203.44) (FLOOD).

1170-09-11, accepting the Garage Demolition and Cleanup of Flood Damaged Properties, accepting Performance Bond and authorizing final payment in the amount of \$2,272.05 to Kelly Demolition, LLC (original contract amount is \$51,970.65; final contract amount is \$45,441.09) (FLOOD).

1171-09-11, accepting the Demolition Services for Flood Damaged Structures, accepting Performance Bond and authorizing final payment in the amount of \$10,797.03 to Kelly Demolition, LLC (original contract amount is \$214,477; final contract amount is \$215,940.74) (FLOOD).

1172-09-11, accepting project and authorizing issuance of final payment for the amount of \$260,000 to Belfor Property Restoration also known as Belfor USA Group Inc. for flood remediation work at City facilities (total contract amount is \$6,725,010.66) (FLOOD).

1173-09-11, approving the Final Plat of Woodland Cove Second Addition located west of Rosedale Road SE and north of Mt. Vernon Road SE.

1174-09-11, designating the right-of-way width on 3rd Street SE between First Avenue East and 12th Avenue SE at the existing 80-foot width in lieu of a 100-foot width as required by the Major Street Rights-of-way Resolution and as requested by Peter Pan, LLC.

1175-09-11, accepting a Warranty Deed and dedicating a portion of land located at 1548 A Street SW and owned by the National Czech & Slovak Museum & Library, as A Street SW right-of-way in order to accommodate the proposed facilities for a new National Czech & Slovak Museum & Library.

1176-09-11, authorizing the Utilities Electrical Engineer to attend an Energy Management Seminar and take the Certified Energy Management Exam in Chicago, Illinois for an estimated cost of \$3,047.20.

1177-09-11, accepting the Affidavit for Water and Sewer Service Line Installation from Wendy Wilkinson, property owner of 1223 Rose Street SE, agreeing to reimburse the City on a monthly installment basis for the installation of service lines.

1178-09-11, authorizing payment of \$42,500 to the Czech Village/New Bohemia Main Street Program in accordance with Resolution No. 0144-02-09.

1179-09-11, authorizing sponsorship of a business financial assistance application to the State of Iowa by the H.J. Heinz Company for expansion of a food production facility at 4601 C Street SW.

1180-09-11, Letter of Agreement (LOA) between the City of Cedar Rapids, the State Historic Preservation Office (SHPO) and the Iowa Department of Economic Development (IDED) regarding CDBG-DRHB property acquisition and mitigation of adverse effects (FLOOD).

1181-09-11, Special Warranty Deed conveying City-owned property through the Residential Property Disposition program to Cedar Valley Habitat for Humanity Inc. for property at 1000 I Avenue NW (FLOOD).

1182-09-11, Special Warranty Deed conveying City-owned property through the Residential Property Disposition program to Cedar Valley Habitat for Humanity Inc. for property at 1006 10th Street NW (FLOOD).

1183-09-11, Special Warranty Deed conveying City-owned property through the Residential Property Disposition program to Cedar Valley Habitat for Humanity Inc. for property at 1511 8th Street NW (FLOOD).

1184-09-11, Special Warranty Deed conveying City-owned property as part of the third round of Single Family New Construction program to Cedar Valley Habitat for Humanity Inc. at 1777 Mallory Street NW (FLOOD).

1185-09-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 9 properties in connection with the HUD Community Development Block Grant (CDBG).

1186-09-11, Development Agreement with Affordable Housing Network, Inc. dba Block by Block for property at 715 9th Avenue SW (FLOOD).

1187-09-11, Development Agreement with Cedar Valley Habitat for Humanity Inc. for property at 1117 10th Street NW (FLOOD).

1188-09-11, Amendment No. 5 to the Convention Complex Hazardous Materials Abatement with D.W. Zinser Company, Inc. to reflect removal of additional asbestos containing material and deletion of the lead paint abatement scope of work in an amount of \$84,100 (original contract amount is \$159,750; total contract amount with this amendment \$851,343).

1189-09-11, Amendment No. 1 to renew Agreement for Mailing Services for the Utilities Department with Mailing Services, Inc. for a total annual amount not to exceed \$175,000 (original contract amount was \$175,000, renewal contract amount is \$175,000);

1190-09-11, Amendment No. 1 to the Agreement for Printing & High Speed Copying with Copyworks to reflect an increase in volume (original contract amount is \$100,000; total contract amount with this amendment is \$300,000).

1191-09-11, Amendment No. 1 to renew Agreement for Shoretel Hardware & Software with CDW Government for an annual amount not to exceed \$100,000 (original contract amount was \$100,000, renewal contract amount is \$100,000).

1192-09-11, Amendment No. 3 to renew Agreement for Traffic Signal Pole Assemblies with Valmont Industries, c/o Electrical Products for Traffic Engineering for the estimated annual amount of \$125,000 (original contract amount was \$40,000; Amendment No. 1 renewal contract amount was \$125,000; Amendment No. 2 and No. 3 combine for annual contract amount of \$125,000; total contract amount to date is \$290,000).

1193-09-11, Amendment No. 1 to the Professional Services Agreement with Black & Veatch Corporation specifying an increased amount not to exceed \$652,350 for additional engineering design services for the Horizontal Collector Wells 5 and 6 project (original contract amount is \$860,000; total contract amount with this amendment is \$1,512,350).

1194-09-11, Change Order No. 8 in the amount of \$78,696.15 with Peterson Contractors, Inc. for the 1st Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC Pavement Widening with HMA Resurfacing project (original contract amount is \$7,661,700.36; total contract amount with this amendment is \$8,411,087.29).

1195-09-11, Change Order No. 8 in the amount of \$13,740.91 with Horsfield Construction, Inc. & Subsidiary for the 6th Street SW Corridor Improvements from Waconia Avenue to Prairie Creek project (original contract amount is \$5,364,048.14; total contract amount with this amendment is \$5,456,433.91).

1196-09-11, Change Order No. 1 in the amount of \$17,258.05 with Gee Grading & Excavating, Inc. for the Cheyenne Off-Leash Dog Park Reconstruction project (original contract amount is \$89,961; total contract amount with this amendment is \$107,219.05).

1197-09-11, awarding contract in the amount of \$41,140 to Tricon General Construction for the Sac and Fox Trail Spur Bridge Repair Project – 275 Feet NW of Otis Road SE project.

1198-09-11, Purchase Agreement in the amount of \$300 and accepting a Warranty Deed for right-of-way from Charles F. Henry and Mary Jo Henry from land located at 3233 Edgewood Road SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

1199-09-11, Purchase Agreement in the amount of \$1,330 and accepting a Warranty Deed for right-of-way from Michael E. Stevenson and Lori A. Stevenson from land located at 3230 Eden Lane SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

1200-09-11, Purchase Agreement in the amount of \$692 and accepting a Temporary Grading Easement for Construction from Randy V. Nguyen and Cathy Nguyen from land located at 3224 Eden Lane SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

1201-09-11, Purchase Agreement in the amount of \$908 and accepting a Temporary Grading Easement for Construction from Heather C. Woods from land located at 3227 Bramble Road SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

1202-09-11, Professional Services Agreement with Snyder & Associates, Inc. in an amount not to exceed \$274,800 for final design and limited construction services in connection with the Prairie Creek from 6th Street SW to J Street SW Sanitary Sewer Capacity Improvements project.

1203-09-11, Professional Services Agreement with Stanley Consultants, Inc. in an amount not to exceed \$648,000 for design services and limited construction services in connection with the Indian Creek and Dry Run Creek Trunk Sanitary Sewer Capacity Improvements – Segment 2 Phase 2 and 3 project.

1204-09-11, Agreement for GPS Corner Survey Review Consultant with Dan Corbin, Inc. for an amount not to exceed \$35,000.

1205-09-11, Agreement for GPS Corner Survey Consultant with Foth Infrastructure and Environment for an amount not to exceed \$105,000.

1206-09-11, Agreement for Roof Replacement at Noelridge Maintenance Building for the Facility Maintenance Services Division with T & K Roofing Company, Inc. for a total amount not to exceed \$80,000.

1207-09-11, Agreement for Electronic Plan Room Services for the Public Works Department – Engineering Division with Rapids Reproductions Inc. for a total estimated annual amount not to exceed \$500,000.

1208-09-11, Fleet Services purchase of one additional standard cab chassis (19,000 GVWR) from Junge Ford Center Point for the total amount of \$39,747.

1209-09-11, Financial Exhibit to the City's Administrative Services and Financial Agreement with Delta Dental Plan of Iowa for an 18 month time period of July 1, 2011 to December 31, 2012 (Administrative fees for this time period are estimated to be \$77,847.30).

1210-09-11, Public Works purchase of trees for Fall 2011 Planting from B & G Nursery and Construction for the total amount of \$48,604.

1211-09-11, Public Works purchase of trees for Fall 2011 Planting from Midwest Janitorial Services dba Midwest Lawn & Landscape for the total amount of \$35,398.

1212-09-11, Public Works Traffic Division purchase of 42 school zone flashers from Traffic Control Corp for the total amount of \$175,370.

1213-09-11, Agreement for 12,000 square feet of warehouse at the Cedar Rapids Landfill, 2250 A Street SW, from Linn County Solid Waste Agency for storing Iowa Task Force Homeland Security equipment in the amount of \$29,200.

1214-09-11, Solid Waste and Recycling purchase of 1,080 35-gallon "Curby" recycling carts from Rehrig Pacific Company for a cost of \$35,499.60.

1215-09-11, Solid Waste and Recycling purchase of 2,160 35-gallon "Garby" garbage carts from Rehrig Pacific Company for a cost of \$70,999.20.

1216-09-11, 28E Agreement with the City of Robins for two loose leaf vacuum collection events in the Fall of 2011 for an amount not to exceed \$11,920.

1217-09-11, Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$78,500 for the Pre-Acidification Tank Roof Replacement project.

1218-09-11, engagements of Hust Law Firm and Winthrop & Weinstine, PA to provide legal services in connection with the Old Federal Courthouse and Paramount Theater historic tax credit development projects.

1219-09-11, renewal of the Service Contract for Oracle Database Software Maintenance (original amount from last year was \$34,202.43; renewal contract amount is \$35,228.50).

1220-09-11, Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$76,000 for the J Avenue Lime Silo Exterior Renovation project.

1221-09-11, submittal of five grant applications to the Iowa Department of Transportation (IDOT) for Safe Routes to School funds to provide funding for sidewalks in the Wright, Cleveland, Garfield, Arthur and Erskine School areas.

1222-09-11, submittal of a grant application to the Iowa Department of Transportation (IDOT) for Iowa Clean Air Attainment Program (ICAAP) funds to provide funding for a new backage road from C Avenue NE to Lindale Mall along the south side of Northland Square shopping center.

1223-09-11, submittal of a grant application to the Iowa Department of Transportation (IDOT) for Iowa Clean Air Attainment Program (ICAAP) funds to provide funding for the extension of 18th Street SW from Wilson Avenue SW to 16th Avenue SW.

1224-09-11, Agreement for Private Redevelopment with the New Bohemia Group Inc. for the lease of excess City-owned property at 400 12th Avenue SE, for the purpose of operating sand volleyball courts.

1225-09-11, honoring a Parking and Access Agreement with the African American Museum of Iowa and the previous owner of 1207 2nd Street SE on a temporary basis until construction of the City's Preferred Flood Management System (FLOOD).

1226-09-11, Amendment No. 2 to the Flood Debris Monitoring Services-Quality Chef with Science Applications International Corporation (SAIC) to extend the term of the agreement and to reflect the additional cost of providing monitoring services during demolition for an amount not to exceed \$44,400 (original amount was \$4,200; total amount with amendment is \$51,400) (FLOOD).

1227-09-11, Amendment No. 2 to renew the Agreement for Historical Survey with Brockington and Associates, Inc. an amount not to exceed \$4,091 (original contract amount was \$28,802.04; renewal contract amount is \$32,893.04) (FLOOD).

1228-09-11, Amendment No. 3 for Environmental Assessment Services for Flood Damaged Commercial Structures with Impact7G to reflect additional cost for expanded scope in an amount not to exceed \$15,000 (original amount is \$43,730; total amount with amendment is \$67,970) (FLOOD).

1229-09-11, Amendment No. 2 to the Professional Services Agreement with Solum Lang Architects, LLC, specifying an increased amount not to exceed \$42,405 for design services in connection with the Central Fire Station project (original contract amount is \$1,046,695; total contract amount with this amendment is \$1,089,100) (FLOOD).

1230-09-11, Amendment No. 6 to the Professional Services Agreement with Solum Lang Architects, LLC, specifying an increased amount not to exceed \$10,280 for architectural and

engineering services in connection with the Central Fire Station project (original contract amount is \$1,046,695; total contract amount with this amendment is \$1,099,380) (FLOOD).

1231-09-11, awarding and approving contract in the amount of \$2,934,340 plus incentive up to \$15,000, bond and insurance of Olympic Companies, Inc. for the Paramount Theatre Flood Recovery And Renovation – Bid Package 2 (Historical Plaster and Paint Bid Bundle) project (Construction Manager's estimated cost is \$2,375,000) (FLOOD).

1232-09-11, awarding and approving contract in the amount of \$463,500 plus incentive up to \$10,000, bond and insurance of Wenger Corporation for the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 (Orchestra Shell & Forestage Reflector Bid Bundle) project (Construction Manager's estimated cost is \$750,000) (FLOOD).

1233-09-11, awarding and approving contract in the amount of \$824,635.04 plus incentive up to \$10,000, bond and insurance of Sound Concepts, Inc. for the Paramount Theatre Flood Recovery And Renovation – Bid Package 2 (Audio & Visual Systems Bid Bundle) project (Construction Manager's estimated cost is \$1,285,000) (FLOOD).

1234-09-11, awarding and approving contract in the amount of \$347,650, bond and insurance of St. Louis Antique Lighting Company, Inc. for the Paramount Theatre Flood Recovery and Renovation – Bid Package 2 (Historic Architectural Lighting Bid Bundle) project (Construction Manager's estimated cost is \$250,000) (FLOOD).

1235-09-11, Agreement for Utility Relocation in the amount of \$196,248.25 with Interstate Power and Light Company (Alliant Energy) in connection with the Paramount Theatre Flood Recovery & Renovation project (FLOOD).

1236-09-11, Agreement for Debris Monitoring Services for Various Flood Projects with Neel-Schaffer, Inc. for an amount not to exceed \$71,400 (FLOOD).

Council member Wieneke moved to amend the Resolution establishing the Cedar Rapids Convention Complex Parking Ramp Design Advisory Committee and identifying members to assist in providing design input for the new Convention Complex parking ramp to add Council member Kris Gulick as a member of the committee; seconded by Council member Swore. Discussion was held. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

1237-09-11, establishing the Cedar Rapids Convention Complex Parking Ramp Design Advisory Committee and identifying members to assist in providing design input for the new Convention Complex parking ramp.

Report on bids for the McQuay Chiller Installation at the Police Department. (Diane Rodenkirk)

Day Mechanical Systems, Inc.	Cedar Rapids	\$147,000
B.G. Brecke, Inc.	Cedar Rapids	\$153,200
Modern Piping, Inc.	Cedar Rapids	\$178,363

1238-09-11, awarding and approving contract for an amount not to exceed \$147,000, bond and insurance of Day Mechanical Systems, Inc. for the McQuay Chiller Installation at the Police Department.

Report on bids for the Demolition Services for Flood Damaged Structures-Quality Chef for demolition of three flood damaged buildings. (Matt Widner)

DW Zinser	Walford, IA	\$107,150
Rathje Construction	Marion, IA	\$128,295
Venenga Excavating	Vinton, IA	\$140,935
Kelly Demolition	Mt. Vernon, IA	\$469,975

1239-09-11, awarding and approving contract for an amount not to exceed \$107,150, bond and insurance of DW Zinser Company for the Demolition Services for Flood Damaged Structures-Quality Chef (FLOOD).

Report on bids for the Cedar Rapids Convention Complex Hotel Exterior Envelope Package project. (Chris Nations)

Miron Construction Co., Inc., Cedar Rapids, IA	
Base Bid	\$4,175,000
Accepted Alternates	
1. Mechanical Screen Enclosure	\$ 289,949
2. Upgraded Roof Membrane Warranty	<u> 677</u>
Total Award	\$4,465,626
Rinderknecht Associates, Inc., Cedar Rapids, IA	\$4,327,000
Accepted Alternates 1 & 2	<u> 290,700</u>
Total	\$4,617,700
Kleiman Construction, Inc., Cedar Rapids, IA	\$5,081,591
Accepted Alternates 1 & 2	<u> 334,223</u>
Total	\$5,415,814

1240-09-11, awarding and approving contract in the amount of \$4,465,626, bond and insurance of Miron Construction Company, Inc. for the Cedar Rapids Convention Complex Hotel Exterior Envelope Package project (Estimated cost for base bid is \$3,700,000 and with accepted alternates is \$4,225,000).

Discussion: John Frew

1241-09-11, authorizing the City Manager to pursue a Franchise License Agreement with Hilton Worldwide, Inc. ("Hilton Worldwide") to establish the City's Convention Complex Hotel as a Doubletree by Hilton Hotel and a Management Agreement by which Hilton will

manage the Cedar Rapids Convention Complex. (Council member Podzimek was not present for this vote)

Discussion: Conni Huber and Stacy Wanderscheid, Perspective Consulting

1242-09-11, Contract with PreferredOne Administrative Services, Inc. for Health Plan Third Party Administration Services for an amount not to exceed \$1,114,884 over a three year contract. Nay, Mayor Corbett.

Discussion: Chief Graham

1243-09-11, authorizing the use of Local Option Sales Tax (LOST) funds to cover the funding gap between the estimated FEMA commitment of \$1,000,000 for rebuilding the Animal Care & Control Facility project of \$4,550,000. LOST funding will not exceed \$3,550,000.

Discussion: Julie Sina

1244-09-11, authorizing the City Manager to open negotiations with Knutson Metal for a land acquisition purchase agreement of property located at 525 and 533 H Street SW.

Ordinance No. 042-11, being an Ordinance amending Ordinance No. 1-00, which rezoned property west of Wiley Boulevard SW between 29th Avenue SW and 33rd Avenue SW to change conditions regarding right-of-way dedication on Wiley Boulevard SW and access requirements along Wiley Boulevard SW between 29th Avenue SW and 33rd Avenue SW as requested by Gerry Ambrose, was presented and read the second time.

Council member Swore moved the approval of the Ordinance on its second reading; seconded by Council member Gulick. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, and Mayor Corbett. (Council member Wieneke was not present for this vote)

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, and Mayor Corbett. (Council member Wieneke was not present for this vote)

Ordinance No. 043-11, being an Ordinance relating to collection of tax increment within the proposed Raining Rose Urban Renewal Area located on the east side of 1st Avenue SE between 30th and 32nd Street Drive SE, was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Gulick. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, and Mayor Corbett. (Council member Wieneke was not present for this vote)

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, and Mayor Corbett. (Council member Wieneke was not present for this vote)

Ordinance No. 044-11, being an Ordinance granting a change of zone of 83 City owned lots for the Single Family New Construction Program Round 3 (SFNC3) from R-3, Single Family Residence Zone District; R-3D, Two Family Residence Zone District; RMF-1, Multiple Family Residence Zone District; RMF-2, Multiple Family Residence Zone District; C-2, Community Commercial Zone District; and I-2, General Industrial Zone District to R-TN, Traditional Neighborhood Residence Zone District as initiated by the City of Cedar Rapids (FLOOD), was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Vernon moved to remove the Ordinance granting a change of zone for property at 3215 Johnson Avenue NW from C-1, Mixed Neighborhood Convenience Zone District and R-2, Single Family Residence Zone District to C-2, Community Commercial Zone District as requested by Baker Greenhouses, LLC from the table; seconded by Council member Gulick. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried. Discussion was held.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 3215 Johnson Avenue NW from C-1, Mixed Neighborhood Convenience Zone District and R-2, Single Family Residence Zone District to C-2, Community Commercial Zone District, as requested by Baker Greenhouses, LLC, was presented and read the first time.

Council member Swore 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 Podzimek. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Swore, Vernon, and Mayor Corbett. Nays, Council members Wieneke and Shields.

Public comments were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 6:35 p.m. to meet Tuesday, September 27, 2011 at 4:30 p.m.

Amy Stevenson, City Clerk

Nay, Council member Shields
Nay, Council member Wieneke
Nay, Mayor Corbett

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

September 27, 2011, 4:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney James Flitz.

The invocation was given by Council member Chuck Swore.

Pledge of Allegiance.

Mayor Corbett, Council member Gulick and Julie Sina presented a proclamation to various Parks and Recreation volunteers declaring September 27, 2011 as Parks and Recreation Volunteer Day.

Mayor Corbett and Council members Karr and Wieneke presented a proclamation to Bob Brooks declaring September 30, 2011 as Bob Brooks Day.

A Clean Up CR Drop-Off Events Presentation was given by Pat Ball.

A presentation regarding the Business Revolving Loan Fund developed to assist flood-impacted businesses within the ECICOG service region was given by Doug Elliott, East Central Iowa Council of Governments (ECICOG).

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider the continuation of the disposition of excess City-owned property described as a 19,601 square-foot (.45 acre) vacant parcel located at 6900 Council Street NE. No comments or objections were heard or filed.

1245-09-11, to continue the disposition of excess City-owned property described as a 19,601 square-foot (.45 acre) vacant parcel located at 6900 Council Street NE.

A public hearing was held to consider the continuation of the disposition of excess City-owned property described as an 18.5 acre vacant parcel located west of the intersection of Memorial Drive SE and Spruce Avenue SE. No comments or objections were heard or filed.

1246-09-11, to continue the disposition of excess City-owned property described as an 18.5 acre vacant parcel located west of the intersection of Memorial Drive SE and Spruce Avenue SE.

A public hearing was held to consider the vacation and disposition of public ways and grounds in and to the property described as the formerly-existing alley located at 919 14th Avenue SW as requested by Iltens, Inc. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance vacating public ways and grounds in and to the property described as the formerly-existing alley located at 919 14th Avenue SW as requested by Iltens, Inc., was presented and read the first time.

Council member Swore 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 Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider a change of zone for property at 830 18th Avenue SW from C-2/O-S, Community Commercial Zone District/Office/Service Zone District to RMF-1, Multiple Family Residence Zone District as requested by Jomoco Ltd. and Joe Morrissey. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 830 18th Avenue SW from C-2/O-S, Community Commercial Zone District/Office/Service Zone District to RMF-1, Multiple Family Residence Zone District as requested by Jomoco Ltd. and Joe Morrissey, was presented and read the first time.

Council member Wieneke 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the disposition of 25 City-owned parcels acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the third round of Single Family New Construction Program (FLOOD). No comments or objections were heard or filed.

A public hearing was held to consider the disposition of City-owned commercial property at 1132 Ellis Boulevard NW (former A & W Family Restaurant) and inviting competitive proposals for the redevelopment of this property in the Consolidated Central Urban Renewal Area and acquired through the City's Voluntary Property Acquisition Program (FLOOD). No comments or objections were heard or filed.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 2011 Raising East Well Field Vertical Wells project (estimated cost is \$405,000). No comments or objections were heard or filed.

1247-09-11, adopting plans, specifications, form of contract and estimated cost for the 2011 Raising East Well Field Vertical Wells project (FLOOD).

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Veterans Memorial Phase I project (estimated cost is \$7,200,000). No comments or objections were heard or filed.

1248-09-11, adopting plans, specifications, form of contract and estimated cost for the Veterans Memorial Phase I project (FLOOD).

Public comments were heard

Council member Wieneke moved to approve the Agenda; seconded by Council member Vernon. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Vernon. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing dates for:

- a. October 11, 2011 – to consider the execution of an Easement Agreement with Qwest Corporation d/b/a CenturyLink QC, for property located on City-owned land located at 2000 Mt. Vernon Road SE (Ambroz Recreation Center);
- b. October 11, 2011 – to consider the vacation and disposition of public ways and grounds in and to the property described as a 37,388 square-foot parcel of City-owned right-of-way, including 16th Avenue SE from 10th Street SE through 15th Street SE; a portion of 15th Street SE located between 16th Avenue SE and 17th Avenue SE; the alley located between the east right-of-way line of 10th Street SE and the west right-of-way line of 15th Street SE, south of 16th Avenue SE and north of 17th Avenue SE, Cedar Rapids, Iowa (also known as Plat of Survey No. 1608 Parcel A), as requested by Cargill, Incorporated;
- c. October 11, 2011 – to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow Urban Agriculture as a primary use in all land use zone districts;
- d. October 11, 2011 – to consider disposition of City-owned commercial properties in the Consolidated Central Urban Renewal Area and advertisement for redevelopment proposals of property at 427 1st Street SE, formerly known as the Science Station (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. Bulicek's Deli & Brew, 1616 6th Street SW (new license-new ownership);
- b. City Beat, 302 3rd Avenue SW;

- c. Coe College / Sodexo America, 1220 1st Avenue NE;
- d. Coopacabana, 529 4th Avenue SE;
- e. Cooter's, 729 1st Avenue SW (new license-new ownership);
- f. Genghis Grill, 2230 Edgewood Road SW;
- g. Hawkeye Convenience Store, 4830 Johnson Avenue NW;
- h. Hy-Vee Drugstore #6, 505 Boyson Road NW;
- i. Kum & Go #508, 30 Four Oaks Drive SW (new);
- j. Lancer Lanes, 3203 6th Street SW;
- k. Leonardo's Pizza, 2228 16th Avenue SW;
- l. Oyama Sushi Japanese Steak House, 5350 Council Street NE;
- m. Papa Juan's / Steffano's, 5505 Center Point Road NE;
- n. Stadium Lounge, 957 Rockford Road SW;
- o. Target Store #T-1771, 3400 Edgewood Road SW;
- p. Texas Road House, 2605 Edgewood Road SW;
- q. Veterans of Foreign Wars Post #788, 3240 Southgate Place SW;
- r. Westside Lounge, 325 Edgewood Road NW.

1249-09-11, approving payment of bills.

1250-09-11, approving payment of payroll.

1251-09-11, vote of thanks to Eliot Tracz for serving as a member of the Civil Rights Commission.

1252-09-11, vote of thanks to Steven Hill for serving as a member of the Board of Ethics.

1253-09-11, approving the Five Seasons Invitational Marching Band Festival at Kingston Stadium on October 1, 2011 (with street closures).

1254-09-11, approving the State Band Contest at Kingston Stadium on October 8, 2011 (with street closures).

1255-09-11, intent to assess for Utilities-Water Division delinquent municipal utility bills at 4 properties.

1256-09-11, approving the Final Plat of Tech Place Second Addition for property located south of Prairie Rose Drive SW, opposite Wheatland Drive SW.

1257-09-11, endorsing consideration by the U.S. Department of Transportation under their Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant program as a lead applicant in connection with the Edgewood Road SW Viaduct, Multi-Use Bridge/Walkway at US Highway 30/218/151 project, and the Iowa Highway 100/Collins Road NE, Corridor Improvements from Northland Avenue to F Avenue project.

1258-09-11, endorsing consideration by the U.S. Department of Transportation under their Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant program as a co-applicant with Linn County in connection with the Iowa Highway 100 Extension project.

1259-09-11, Preliminary Resolution for the construction of sidewalk improvements for the Woodborough 9th Addition Sidewalk Infill Project.

1260-09-11, fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the Woodborough 9th Addition Sidewalk Infill Project.

1261-09-11, setting a public hearing date for October 25, 2011 to consider the Resolution of Necessity (Proposed) for the construction for the Woodborough 9th Addition Sidewalk Infill Project.

1262-09-11, letter of support for East Central Iowa Council of Governments (ECICOG) application for the Sustainable Communities Regional Grant Program and to determine the appropriate level of in-kind contributions to commit to the project.

1263-09-11, authorizing the Finance Department to electronically file the fiscal year ending 2011 City Street Financial Report with the Iowa Department of Transportation (IDOT).

1264-09-11, authorizing execution of the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 5 properties in connection with the HUD Community Development Block Grant (FLOOD).

1265-09-11, Development Agreement with Cedar Valley Habitat for Humanity, Inc. for property at 1122 I Avenue NW.

1266-09-11, Development Agreement with Jim Sattler, Inc. for property at 1016 8th Street NW.

1267-09-11, Development Agreement with Jim Sattler, Inc. for property at 1207 9th Street NW.

1268-09-11, Development Agreement with Jim Sattler, Inc. for property at 1306 9th Street NW.

1269-09-11, Development Agreement with Jim Sattler, Inc. for property at 1702 2nd Street SW.

1270-09-11, Development Agreement with Jim Sattler, Inc. for property at 1920 Hamilton Street SW.

1271-09-11, Development Agreement with Jim Sattler, Inc. for property at 1022 8th Street NW.

1272-09-11, Development Agreement with Jim Sattler, Inc. for property at 1645 9th Street NW.

1273-09-11, Development Agreement with Neighborhood Development Corporation for property at 1712 Hamilton Street SW.

1274-09-11, Development Agreement with Neighborhood Development Corporation for property at 807 5th Avenue SW.

1275-09-11, Development Agreement with Neighborhood Development Corporation for property at 710 7th Street SW.

1276-09-11, Development Agreement with Premiere Developers for property at 1006 8th Street NW.

1277-09-11, Development Agreement with Premiere Developers for property at 1007 10th Street NW.

1278-09-11, Development Agreement with Premiere Developers for property at 1014 10th Street NW.

1279-09-11, Development Agreement with Premiere Developers for property at 1106 9th Street NW.

1280-09-11, Development Agreement with Premiere Developers for property at 522 9th Street SW.

1281-09-11, Development Agreement with Premiere Developers for property at 528 9th Street SW.

1282-09-11, Development Agreement with S&J Homes for property at 1027 10th Street NW.

1283-09-11, Development Agreement with S&J Homes for property at 1518 8th Street NW.

1284-09-11, Development Agreement with Skogman Homes for property at 1008 8th Street SE.

1285-09-11, Development Agreement with Skogman Homes for property at 1030 10th Street NW.

1286-09-11, Development Agreement with Skogman Homes for property at 1906 C Street SW.

1287-09-11, Development Agreement with Skogman Homes for property at 2142 C Street SW.

1288-09-11, Development Agreement with Skogman Homes for property at 1506 L Street SW.

1289-09-11, Development Agreement with Skogman Homes for property at 1030 8th Street NW.

1290-09-11, Development Agreement with V&B Enterprises for property at 1235 N Street SW.

1291-09-11, Development Agreement with V&B Enterprises for property at 1428 2nd Street SW.

1292-09-11, Development Agreement with V&B Enterprises for property at 610 A Avenue NW.

1293-09-11, Development Agreement with V&B Enterprises for property at 829 C Avenue NW.

1294-09-11, Special Warranty Deed conveying City-owned property through the Residential Property Disposition program to Colony Heating and Air Conditioning for property located at 1136 10th Street NW.

1295-09-11, Special Warranty Deed conveying City-owned property through the Residential Property Disposition program to Colony Heating and Air Conditioning for property located at 1705 2nd Street SW.

1296-09-11, Special Warranty Deed conveying City-owned property through the Residential Property Disposition program to Colony Heating and Air Conditioning for property located at 2138 C Street SW.

1297-09-11, Amendment to Agreement for Private Storm Water Detention and Public Storm Sewer Improvements with CRBT Assets, LLC associated with the Canyon Park development located at 38th Street Drive SE.

1298-09-11, Amendment No. 3 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC, specifying an increased amount not to exceed \$33,500 for professional design and project coordination services in connection with the 2nd Street SE from 5th Avenue SE to 8th Avenue SE and Federal Courthouse Public Infrastructure Improvements project (original contract price is \$210,864; total contract price with this amendment is \$244,364).

1299-09-11, Amendment to Purchase Order No. 321540-1A in the amount of \$3,360 with All American Concrete, Inc. for the 1st Avenue East Downtown District Sidewalk Repair River Block and 300 Block 1st Avenue East project (original contract amount is \$23,888; total contract amount with the amendment is \$27,248).

1300-09-11, Amendment No. 1 to the Professional Services Agreement with Terracon Consultants, Inc. specifying an increased amount not to exceed \$8,021.56 for environmental consulting services in connection with the new City Hall (former Federal Courthouse) project (original contract amount is \$49,950; total contract price with the amendment is \$57,971.56).

1301-09-11, Amendment No. 1 to renew Agreement for NetApp Support & Software Subscription for the Information Technology Department with CDW Government for a total

amount not to exceed \$110,000 (original contract amount was \$80,906.93; renewal amount is \$110,000).

1302-09-11, Amendment No. 1 to the Agreement for Banking Courier Services with Rochester Armored Car Co., Inc. for the City to consent to assignment of the Agreement from Lewis System of Iowa, Inc. to Rochester Armored Car Co., Inc. at no change in price, terms and conditions (original amount is \$48,000; total amount with this amendment is \$48,000).

1303-09-11, Application for the Federal Recreational Trail (FRT) funding program grant for relocation of a portion of the Sac & Fox Recreational Trail in association with the Indian Creek Trunk Sewer Replacement project.

1304-09-11, Application for a Federal Recreational Trail (FRT) funding program grant for construction of the Dry Creek Trail Phase project (CIP No. 325015-00), Kirkwood Connector Trail Phase 2 project (CIP No. 325040-00) and Edgewood Road Multi-Use Trail over US Highway 30 project.

1305-09-11, Application for a Statewide Transportation Enhancement (STE) funding program grant for construction of the Dry Creek Trail Phase I project (CIP No. 320515-00), the Edgewood Road Multi-Use Trail over US Highway 30 project (CIP No. 305121-00), and the Kirkwood Connector Trail Phase 2 project.

1306-09-11, renewal of the Microsoft Volume Licensing Enterprise Enrollment Agreement for Microsoft software upgrades and licensing for a three year contract at an annual cost of \$375,000 (original contract amount was \$1,425,000; renewal contract amount is \$1,125,000).

1307-09-11, Professional Services Agreement with A&J Associates for an amount not to exceed \$70,000 for the WPC Administration Building HVAC Upgrades project.

1308-09-11, Professional Services Agreement with Ulteig Engineers for an amount not to exceed \$50,000 for the J Avenue Water Plant Voltage Conversion study.

1309-09-11, Warranty Deed in consideration of \$1 and other valuable consideration submitted by Frank D. Gardner and Mary E. Gardner and releasing a Driveway Connection Agreement approved by Resolution No. 0479-03-04, dated March 10, 2004, for property located at 1900 Gardner Drive NW.

1310-09-11, Offer and Acceptance in the amount of \$283,174.85 and accepting a Special Warranty Deed for right-of-way and a Temporary Easement Agreement from Interstate Power and Light Company from land located at 1800 10th Street SE in connection with the Cedar River Sanitary Sewer Crossing Improvement project.

1311-09-11, First Street Surface Parking Lot Agreement for a period of three years with Downtown Parking Management Inc. (DPMI), and Short Term Parking Solution, L.C. (STPS).

1312-09-11, awarding and approving contract in the amount of \$16,340 to All American Concrete, Inc. for the 1st Avenue East Downtown District Sidewalk Repair 400-Block 1st Avenue East project (estimated cost is \$14,300).

1313-09-11, Memorandum of Agreement (MOA) with the Neighborhood Development Corporation of Cedar Rapids, Inc. in the amount of \$100,000 to be paid in \$50,000 increments in budget years 2012 and 2013.

1314-09-11, payment in the amount of \$26,438.23 for an Annual Economic Development Grant to Highway Equipment Inc.

1315-09-11, termination of the property lease at 427 1st Street SE to the Science Station as the successor-in-interest.

1316-09-11, Amendment No. 2 to the Professional Services Agreement with Solum Lang Architects, LLC specifying an increased amount not to exceed \$57,840 for the architectural and engineering professional services in connection with the Five Seasons Bus Garage and Storage Annex Flood Recovery project (original contract amount is \$215,935.50; total contract amount with this amendment is \$273,775.50) (FLOOD).

1317-09-11, Amendment No. 3 to the Citywide Energy Management System project with Halvorson Trane to reflect additional energy management equipment to be installed in the Paramount Theatre as part of the renovation process for an amount not to exceed \$151,125 (original contract amount is \$475,745; total contract amount with this amendment is \$617,925.77) (FLOOD).

1318-09-11, Amendment No. 7 to Flood Related Property Acquisition Services for CDBG Greenway Area, Construction Study and the Neighborhood Revitalization Area with ProSource Technologies, Inc. to reflect an expanded scope of work for an amount not to exceed \$2,650,000 (original contract amount is \$4,859,200; total contract amount with this amendment is \$12,025,765) (FLOOD).

1319-09-11, Agreement for mowing services for flood damaged properties for the Public Works Department – Streets Division with Berns Bros. Mowing Inc. for a total annual amount not to exceed \$70,000 (FLOOD).

Report on bids for the Cedar Rapids Water Division Well Field 15 kV Electric Cable Replacement project. (Pat Ball)

Price Industrial Electric, Inc.	Hiawatha, IA	\$388,845
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1320-09-11, awarding and approving contract in the amount of \$388,845, bond and insurance of Price Industrial Electric, Inc. for the Cedar Rapids Water Division Well Field 15 kV Electric Cable Replacement Project.

Report on bids for the Cedar Rapids Public Library project for General Contractor Bid Bundle (PLE001-20); for Fire Suppression, Plumbing & HVAC Bid Bundle (PLE001-21); and for the Electrical, Telecommunications, Electronic Safety & Security Bid Bundle (PLE001-22) (FLOOD). (Rob Davis)

Report on bids for the Demolition Services for Flood Damaged Structure-Iowa Title for demolition of one flood damaged building. (Matt Widner)

D.W. Zinser	Walford, IA	\$62,923.50
Rathje Construction Co, Inc.	Marion, IA	\$64,232.65

1321-09-11, awarding and approving contract for an amount not to exceed \$62,923.50, bond and insurance of D.W. Zinser Company for the Demolition Services for Flood Damaged Structure-Iowa Title (FLOOD).

Discussion: LaSheila Yates

1322-09-11, adopting the Neighborhood Service Delivery Initiative as a system for coordinating city services through neighborhood associations throughout Cedar Rapids.

Discussion: Vern Zakostelecky

1323-09-11, to consider the annexation of property located north of 76th Avenue SW and east of C Street SW as requested by property owner, Summerfield, LLC.

Discussion: Sushil Nepal and Maura Pilcher, Historic Preservation Commission Chair

1324-09-11, adopting the City of Cedar Rapids Historic Preservation Commission (HPC) Work Plan for 2011 - 2012.

Discussion: Nicole Klepadlo and Jim Kern, Visual Arts Commission Chair

1325-09-11, adopting the City of Cedar Rapids Visual Arts Commission (VAC) Work Plan for 2011 - 2012.

Discussion: Rob Davis

1326-09-11, adopting the Resolution of Necessity (Proposed) as amended for the 74th Street NE from West Park Road to 500-feet West of White Ivy Place Reconstruction Project.

Discussion: John Frew, Frew Nations Group, LLC

1327-09-11, Change Order No. 3 in the amount of \$121,769.50 with D.W. Zinser Company for the Cedar Rapids Convention Complex Demolition, Site Work and Utility Package project (original contract amount is \$874,000; total contract amount with this amendment is \$1,135,607.50).

Discussion: John Frew, Frew Nations Group, LLC

1328-09-11, Change Order No. 2 in the amount of \$285,046 with TSF Structures, Inc. for the Cedar Rapids Convention Complex Primary Steel Bid Package (original contract amount is \$2,767,966; total contract amount with this amendment is \$3,022,319).

Ordinance No. 045-11, being an Ordinance granting a change of zone for property at 3215 Johnson Avenue NW from C-1, Mixed Neighborhood Convenience Zone District and R-2, Single Family Residence Zone District to C-2, Community Commercial Zone District, as requested by Baker Greenhouses, LLC., was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 046-11, being an Ordinance establishing the Cedar Rapids Medical Self-Supported Municipal Improvement District, was presented and read the second time.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 047-11, being an Ordinance adopting amendments to the Home Rule Charter as submitted by the Charter Review Commission, was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public comments were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 6:54 p.m. to meet Tuesday, October 11, 2011 at 4:30 p.m.

Amy Stevenson, City Clerk

Cedar Rapids, Iowa, October 5, 2011; 11:00 a.m.

Council met for an informational workshop in City Hall, 3851 River Ridge Drive NE, North Conference Room. Present, Mayor Corbett, Council members Gulick, Karr, Shey, Shields, Swore and Vernon. Also present were City Manager Jeff Pomeranz, City Attorney James Flitz and Casey Drew, Finance Director. Absent, Council members Podzimek and Wieneke.

A presentation was given by Casey Drew regarding the governance and management/operation options for City event facilities which include the Convention Center, Paramount Theatre, Ice Arena and Amphitheatre.

Casey Drew presented three options to Council in regard to the governance of City event facilities:

Option #1: Five Seasons Commission oversees all four facilities;

Option #2: City Manager's Office oversees all four facilities;

Option #3: Combination of appointed members and City Manager's Office oversees all four facilities.

Discussion was held. It was the consensus of the Council to select Option #3 as the preferred option for governance.

Casey Drew presented two options to Council in regard to the operation of City event facilities:

Option #1: One vendor operates all event facilities;

Option #2: Select a different vendor for operation of each event facility.

Discussion was held. The majority of the Council expressed interest in having the Paramount Theatre and possibly the Ice Arena removed from the current VenuWorks Management Agreement with the City and adding the Amphitheatre to the VenuWorks Management Agreement. Council directed the City Manager to negotiate a management contract with Orchestra Iowa for the management of the Paramount Theatre.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon and Mayor Corbett.

City Council adjourned at 12:20 p.m.

Amy Stevenson, City Clerk

Absent, Council member Podzimek
Absent, Council member Wieneke

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

October 11, 2011, 4:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney James Flitz.

The invocation was given by Police Chaplain Rick Gail.

Pledge of Allegiance

Mayor Corbett and Council members Podzimek and Vernon presented a proclamation to Delores Reisinger declaring October 11, 2011 as White Cane Safety Day.

Mayor Corbett presented Council member Kris Gulick with a proclamation in recognition of his appointment as President of the Iowa League of Cities.

A presentation regarding the Blue Zones Project was given by Amy Thuente, Community Health Charities Iowa, and Kim Jaber, 32nd Avenue NE Hy-Vee Drugstore manager.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider annexation of property north of O Avenue NW and west of Edgewood Drive NW as requested by Wilmar Development Company. Five objections were heard. No written objections were filed.

Resolution approving the annexation of property north of O Avenue NW and west of Edgewood Drive NW as requested by Wilmar Development Company. Ayes, Council members Shields, Swore, Vernon and Mayor Corbett. Nays, Council members Gulick, Karr, Podzimek, Shey and Wieneke. **RESOLUTION FAILED.**

A public hearing was held to consider the execution of an Easement Agreement with Qwest Corporation d/b/a CenturyLink QC for property located on City-owned land located at 2000 Mt. Vernon Road SE (Ambroz Recreation Center). No comments or objections were heard or filed.

1329-10-11, execution of a Purchase Agreement in the amount of \$370 and Easement Agreement with Qwest Corporation d/b/a CenturyLink QC for property located on City-owned land at 2000 Mt. Vernon Road SE (Ambroz Recreation Center).

A public hearing was held to consider the vacation and disposition of public ways and grounds in and to the property described as a 37,388 square-foot parcel of City-owned right-of-

way, including 16th Avenue SE from 10th Street SE through 15th Street SE; a portion of 15th Street SE located between 16th Avenue SE and 17th Avenue SE; the alley located between the east right-of-way line of 10th Street SE and the west right-of-way line of 15th Street SE, south of 16th Avenue SE and north of 17th Avenue SE, Cedar Rapids, Iowa, as requested by Cargill, Incorporated. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance vacating public ways and grounds in and to the property described as a 37,388 square-foot parcel of City-owned right-of-way, including 16th Avenue SE from 10th Street SE through 15th Street SE; a portion of 15th Street SE located between 16th Avenue SE and 17th Avenue SE; the alley located between the east right-of-way line of 10th Street SE and the west right-of-way line of 15th Street SE, south of 16th Avenue SE and north of 17th Avenue SE, Cedar Rapids, Iowa, as requested by Cargill, Incorporated, was presented and read the first time.

Council member Swore 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public hearings (2) were held to consider a proposed Amendment No. 1 to the Amended and Restated Urban Renewal Plan for the Consolidated Technology Park Urban Renewal Area and to consider an Ordinance relating to collection of tax increment within the Amended and Restated Consolidated Technology Park Urban Renewal Area per Amendment No. 1. No comments or objections were heard or filed.

1330-10-11, approving Amendment No. 1 to the Amended and Restated Urban Renewal Plan for the Consolidated Technology Park Urban Renewal Area (FLOOD).

Ordinance No. _____, being an Ordinance relating to collection of tax increment within the Amended and Restated Consolidated Technology Park Urban Renewal Area per Amendment No. 1 (FLOOD), was presented and read the first time.

Council member Wieneke 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public hearings (2) were held to consider determining an area to be an Economic Development Area and adopting the Urban Renewal Plan for the proposed Diamond V Mills Urban Renewal Area and to consider an Ordinance relating to collection of tax increment within

the Diamond V Mills Urban Renewal Area for property at 2575 60th Avenue SW. No comments or objections were heard or filed.

1331-10-11, determining an area to be an Economic Development Area and adopting the Urban Renewal Plan for the proposed Diamond V Mills Urban Renewal Area (FLOOD).

Ordinance No. _____, being an Ordinance relating to collection of tax increment within the Diamond V Mills Urban Renewal Area located at 2575 60th Avenue SW (FLOOD), was presented and read the first time.

Council member Vernon 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 Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public hearings (2) were held to consider a proposed Amendment No. 1 to the Amended and Restated Southwest Urban Renewal Plan and to consider an Ordinance relating to collection of tax increment within the Amended and Restated Southwest Urban Renewal Area per Amendment No. 1. No comments or objections were heard or filed.

1332-10-11, approving Amendment No. 1 to the Amended and Restated Southwest Urban Renewal Plan (FLOOD).

Ordinance No. _____, being an Ordinance relating to collection of tax increment within the Amended and Restated Southwest Urban Renewal Area per Amendment No. 1 (FLOOD), was presented and read the first time.

Council member Wieneke 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 Vernon. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow Urban Agriculture as a primary use in all land use zone districts. One comment of support was heard. No objections were heard or filed.

Ordinance No. _____, being an Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow Urban Agriculture as a primary use in all land use zone districts (FLOOD), was presented and read the first time.

Council member Vernon 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 Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider disposition of City-owned commercial properties in the Consolidated Central Urban Renewal Area and advertisement for redevelopment proposals of property at 427 1st Street SE, formerly known as the Science Station (FLOOD). No comments or objections were heard or filed.

Public comments were heard

Council member Vernon moved to approve the Agenda; seconded by Council member Karr. City Manager Pomeranz requested that Item Number 35aa (Awarding and approving contract in the amount of \$13,840,000, bond and insurance of Knutson Construction Services Midwest, Inc. for the Cedar Rapids Public Library General Contractor Bid Bundle) should be corrected to state the contract amount as \$14,235,000. Council member Vernon requested that Item Number 27 (Resolution of support for the NewBo City Market dba Cedar Rapids City Market, Inc. and commitment for an amount not to exceed \$1,300,000 of City resources to ensure completion of the project) be removed from the Consent Agenda and moved to the Regular Agenda. Council member Swore requested that Items Number 35aa (Awarding and approving contract in the amount of ~~\$13,840,000~~ \$14,235,000, bond and insurance of Knutson Construction Services Midwest, Inc. for the Cedar Rapids Public Library General Contractor Bid Bundle), 35bb (Awarding and approving contract in the amount of \$3,676,000, bond and insurance of Bowker Mechanical Contractors, LLC for the Cedar Rapids Public Library Fire Suppression, Plumbing & HVAC Bid Bundle) and 35cc (Awarding and approving contract in the amount of \$3,093,185, bond and insurance of Hawkeye Electrical Contractors of Cedar Rapids, Ltd. for the Cedar Rapids Public Library Electrical, Telecommunications, Electronic Safety & Security Bid Bundle) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Vernon moved to approve the Consent Agenda; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing dates for:

- a. October 25, 2011 - to consider the vacation of a 20-foot wide ingress/egress easement located at 1855 Edgewood Road SW.

- b. October 25, 2011 – to consider an Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, as it relates to Subsection 32.05.030(D)(1)(d) to allow Pier Foundation construction for single-family homes.
- c. October 25, 2011 – to consider granting a change of zone for property at 2121 North Towne Lane NE from I-1, Light Industrial Zone District to C-3, Regional Commercial Zone District as requested by Muslim American Society.
- d. October 25, 2011 – to consider amending the Future Land Use Map in the City's Comprehensive Plan from Low Density Residential to Commercial for property at 1201 8th Street NW requested by Glenda M. Fillenworth.
- e. October 25, 2011 – to consider a change of zone for property at 1201 8th Street NW from O-S, Office/Service Zone District to C-2, Community Commercial Zone District as requested by Glenda M. Fillenworth.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 25, 2011 and advertising for bids by publishing notice to bidders for the 74th Street NE From West Park Road to 500' West of White Ivy Place Water Main and Sanitary Sewer Project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on October 26, 2011 (estimated cost is \$400,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 25, 2011 and advertising for bids by publishing notice to bidders for the N Avenue NW 2011 Water Main Replacement project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on November 2, 2011 (estimated cost is \$320,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 25, 2011 and advertising for bids by publishing notice to bidders for the 3rd Avenue East Bridge Water Main Repair from 1st Street SE and Mays Island and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on November 2, 2011 (estimated cost is \$130,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 25, 2011 and advertising for bids by publishing notice to bidders for the Veterans Memorial Phase II and authorizing the Veterans Memorial Director to receive and open the bids and publicly announce the results on November 16, 2011 (estimated cost is \$6,400,000) (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. Basket Bowtique, 116 3rd Avenue SE (new).
- b. Bricks Bar and Grill, 320 2nd Avenue SE (new).
- c. Buffalo Wild Wings Grill and Bar #151, 1100 Blairs Ferry Road NE, Suite #101.
- d. Cadets of Saint George, 510 16th Avenue SE (5-day beer permit for an event on November 4, 2011).
- e. Cedar Rapids Piano Lounge, 208 2nd Avenue SE.
- f. Chili's Southwest Grill, 1250 Collins Road NE.

- g. Dostal Catering, 1211 Wiley Boulevard SW (transfer to 5000 J Street SW for an event on November 4, 2011).
- h. Eurest Dining Services at Aegon, 6400 C Street SW.
- i. Holiday Inn Express, 3320 Southgate Court SW.
- j. Holiday Inn Express, 1230 Collins Road NE.
- k. Kwik Shop #560, 3301 J Street SW.
- l. Kwik Shop #561, 2904 Center Point Road NE.
- m. Kwik Shop #563, 1001 1st Avenue SW.
- n. Kwik Shop #565, 4201 Center Point Road NE.
- o. Taste of India, 1060 Old Marion Road NE, Suite #E (new-formerly Kaji Japanese Grill).
- p. Tienda Mexicana La Guanajuato, 3915 Center Point Road NE.

1333-10-11, approving payment of bills.

1334-10-11, approving payment of payroll.

1335-10-11, approving transfer of funds.

1336-10-11, intent to assess for Solid Waste & Recycling clean up costs at 2 properties.

1337-10-11, levy assessment for Solid Waste & Recycling clean up costs at 6 properties.

1338-10-11, intent to assess for Utilities – Water Division delinquent municipal utility bills at 25 properties.

1339-10-11, accepting Water Pollution Control Facility A-3 Clarifier Rehabilitation project, final payment in the amount of \$36,512.73 to WRH, Inc. (original contract amount was \$740,950; final contract amount is \$730,254.56).

1340-10-11, accepting FY 2010 Sidewalk and Ramp Repair Program – Contract No. 2 project, final payment in the amount of \$5,642.64 to Anne Duffield Construction, Inc. (original contract amount was \$112,888.02; final contract amount is \$112,852.80).

1341-10-11, accepting Iowa Bridge & Culvert for the Ellis Harbor Dock Repairs project, final payment in the amount of \$29,787.92 (original contract amount was \$238,387.50; final contract amount is \$256,256.04) (FLOOD).

1342-10-11, approving Legacy Manor First Addition, located north of A'Hearn Drive NE and west of Creekside Drive NE.

1343-10-11, approving Cedar River Bluffs First Addition, located south of Ellis Road NW and west of Edgewood Road NW.

1344-10-11, designating City-owned land adjoining the north side of the Roosevelt Hotel at 200 1st Avenue NE as an alley right-of-way in connection with the Cedar Rapids Convention Complex project.

1345-10-11, rescinding Resolution No. 926-5-89 which established a “10 Minute Loading Zone” in a single-vehicle parking area on the north side of 4th Avenue SE in the 400 block; recommending the placement of an on-street parking meter in its place.

1346-10-11, rescinding Resolution No. 241-3-59 passed on March 12, 1959 “prohibiting parking on the north side of Cottage Grove Avenue SE from 1st Avenue to Country Club Parkway at all times”; establishing a new “No Parking Anytime” zone on the north side of Cottage Grove Avenue SE from Forest Drive to Country Club Parkway, and a “No Parking Anytime” zone on the north side of Cottage Grove Avenue SE from 1st Avenue, east for 310’, and a “No Parking Anytime” zone on the south side of Cottage Grove Avenue SE from 1st Avenue East to Forest Drive.

1347-10-11, directing preparation of detailed plans, specifications, form of contract and notice to bidders for the 74th Street NE from West Park Road to 500-feet West of White Ivy Place Reconstruction Project.

1348-10-11, authorizing closure of the waiting list for the Section 8 Housing Choice Voucher (HCV) to all new applicants for an indefinite period of time.

1349-10-11, execution of a Special Warranty Deed conveying City-owned property located at 624 12th Avenue SE to Green Development 12th Avenue, LLC.

1350-10-11, authorizing abatement and demolition of 12 commercial parcels under the Community Development Block Grant (CDBG) Program (FLOOD).

1351-10-11, removal of 1140 C Street SW and 1223 1st Street SW from the demolition list for Commercial Properties acquired in the Community Development Block Grant (CDBG) Program (FLOOD).

1352-10-11, permitting the registration of a parcel after the program deadline for the Voluntary Property Acquisition Program funded under the Iowa Department of Economic Development (IDED) Community Development Block Grant (CDBG) (FLOOD).

1353-10-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 7 properties in connection with the HUD Community Development Block Grant (CDBG) (FLOOD).

1354-10-11, authorizing the extension of the demolition review period to the Cedar Rapids Historic Preservation Commission (HPC) until February 1, 2012 for 10 City acquired commercial properties (FLOOD).

1355-10-11, Amendment No. 1 to renew the Purchase Agreement for Office Supplies with OfficeMax, Inc. for an annual amount not to exceed \$194,000 (original contract amount was \$226,000; renewal contract amount is \$194,000).

1356-10-11, Amendment No. 1 to the Convention Hotel Hazardous Materials Assessment Survey with Terracon Consultants, Inc. to reflect the additional cost for vermiculite survey, protocol writing, oversight and project administration during abatement for an amount not to exceed \$32,300 (original amount was \$36,151; total amount with this amendment is \$68,451).

1357-10-11, Amendment No. 1 to the Agreement for Convention Complex Hotel Hazardous Material Abatement with Lindstrom Environmental, Inc. to reflect the additional cost to perform vinyl wallpaper removal, drywall mold abatement and removal and drywall mold treatment for an amount not to exceed \$107,250 (original amount was \$295,000; total amount with this amendment is \$402,250).

1358-10-11, Amendment No. 1 to renew Agreement for Yard Waste Carts with Rehrig Pacific Company for the Solid Waste & Recycling Division for an estimated annual amount of \$75,000 (original contract amount was \$75,000; renewal contract amount is \$75,000).

1359-10-11, Amendment No. 1 to the Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$14,400 for additional engineering services for the Well Field 15 kV Electric Cable Replacement project (original contract amount was \$58,000; total contract amount with this amendment is \$72,400).

1360-10-11, Amending Resolution No. 1308-09-11 with Ulteig Engineers to reflect the correct Professional Services Agreement amount to an amount not to exceed of \$48,000 for the J Avenue Water Plant Voltage Conversion.

1361-10-11, Change Order No. 6 in the amount of \$63,154.25 with Pirc-Tobin Construction, Inc. for the Kirkwood Boulevard SW from Kirkwood Court SW to Highway 30/151 & Miller Avenue SW Re-Alignment, Phase II project (original contract amount was \$2,361,783.45; total contract amount with this amendment is \$2,526,055.04).

1362-10-11, Change Order No. 7 in the amount of \$25,848.71 with Rathje Construction Company for the 3rd Street SE Reconstruction and Streetscape Improvements from 8th Avenue SE to 14th Avenue SE project (original contract amount was \$3,233,354.60; total contract amount with this amendment is \$3,427,604.23).

1363-10-11, Change Order No. 11 in the amount of \$16,190.82 with Horsfield Construction, Inc. for the 33rd Avenue SW Reconstruction And Turn Lane Improvements From Coyote Road to Remington Street project (original contract amount was \$2,553,421.50; total contract amount with this amendment is \$2,744,025.38).

1364-10-11, retaining Simmons Perrine Moyer Bergman PLC for legal services with respect to the Craig v. City litigation for an amount not to exceed \$25,000. Abstain, Council member Vernon.

1365-10-11, retaining Shuttleworth and Ingersoll, P.L.C. for legal services with respect to the management and franchise agreements for the convention center, arena and hotel, for an amount not to exceed \$25,000.

1366-10-11, Purchase Agreement in the amount of \$1,352 and accepting an Easement for Water Main and a Temporary Easement for Construction and Access from Gerdin Family Investments, L.P., from land located east of the Cedar River Trail and south of Highway 30 in connection with the Water Main Crossing of US Highway 30 East of Highway 30 and C Street Interchange project.

1367-10-11, Street Right-of-way Reservation and Utility Easement Agreement from SJE, Ltd. releasing a previously-approved agreement pertaining to private storm water detention for property located at the east end of Jackson Drive NW, east of Stonewall Court NW/Andrew Court NW.

1368-10-11, purchase of rock salt from North American Salt Company for an amount not to exceed \$731,038 for a maximum purchase of 10,100 tons of rock salt for winter snow and ice control.

1369-10-11, Professional Services Agreement with Foth Infrastructure and Environment, LLC for an amount not to exceed \$229,118 for construction observation and administration services in connection with the Joint Communications Network Construction Administration and Observation-EDA Group 2 project.

1370-10-11, Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$93,830 for design services in connection with the 3rd Avenue SE from 5th Street SE to 10th Street SE Street Improvements project.

1371-10-11, Professional Services Agreement with Terracon Consultants, Inc. for an amount not to exceed \$280,330 for construction testing and inspection services in connection with the Cedar Rapids Convention Complex project.

1372-10-11, awarding and approving contract in the amount of \$46,440, bond and insurance of Acme Electric Company for the Veterans Memorial Stadium Lighting project (estimated cost is \$49,340).

1373-10-11, Information Technology Department purchase of Avaya Maintenance from Pomeroy IT Solutions in the amount of \$28,253.58.

1374-10-11, Fleet Services purchase of one Sewer Vacuum Truck from Truck Country in the amount of \$362,244.25.

1375-10-11, Agreement for wireless headset installation in fire trucks with RACOM for an amount not to exceed \$52,383.54.

1376-10-11, Traffic Engineering purchase of LED Streetlights from Excellence Opto, Inc. in the amount of \$27,654.

1377-10-11, Fleet Services purchase of two Kubota RTV 1100 all terrain utility carts from Capital City Equipment Company in the amount of \$37,268.02.

1378-10-11, purchase of builders risk insurance through Aon Risk Services Central, Inc for the Convention Complex, Convention Hotel, and Paramount Theatre for an amount not to exceed \$340,817.

1379-10-11, Agency Agreement with Downtown Parking Management Inc. (DPMI), acting as agent for the City of Cedar Rapids to enter into a parking space agreement with owners of a facility to be constructed at 601 3rd Street SE for up to 320 undesignated parking spaces within 1,000 feet of a newly constructed facility for a term of 40 years.

1380-10-11, Professional Services Agreement with MSA Professional Services, Inc. for an amount not to exceed \$54,120 for design services in connection with the West Side Interceptor Flood Damage Evaluation project (FLOOD).

1381-10-11, accepting a milestone completion of initial survey work and authorizing payment of a partial release of retainage in the amount of \$1,109.80 to Shive-Hattery, Inc. for the Public Works Building and Solid Waste Building – Flood Recovery Land Surveying project (original contract amount was \$23,757; current contract amount is \$23,757) (FLOOD).

1382-10-11, Amendment No. 1 to the Professional Services Agreement with Terracon Consultants, Inc. specifying an increased amount not to exceed \$83,650 for geotechnical services in connection with the Central Fire Station project (original contract amount was \$88,300; total contract amount with this amendment is \$171,950) (FLOOD).

1383-10-11, support for the NewBo City Market (dba Cedar Rapids City Market, Inc.) and commitment for an amount not to exceed \$1,300,000 of City resources to ensure completion of the project. Nay, Council member Wieneke.

1384-10-11, awarding and approving contract in the amount of \$14,235,000, bond and insurance of Knutson Construction Services Midwest, Inc. for the Cedar Rapids Public Library General Contractor Bid Bundle (estimated cost is \$16,300,000) (FLOOD).

1385-10-11, awarding and approving contract in the amount of \$3,676,000, bond and insurance of Bowker Mechanical Contractors, LLC for the Cedar Rapids Public Library Fire Suppression, Plumbing & HVAC Bid Bundle (estimated cost is \$4,850,000) (FLOOD).

1386-10-11, awarding and approving contract in the amount of \$3,093,185, bond and insurance of Hawkeye Electrical Contractors of Cedar Rapids, Ltd. for the Cedar Rapids Public Library Electrical, Telecommunications, Electronic Safety & Security Bid Bundle (estimated cost is \$3,500,000) (FLOOD).

Report on bids for the Demolition Services for Flood Damaged Structure-Gaddis Building for demolition of one flood damaged building. (Matt Widner)

D.W. Zinser	Walford, IA	28,023.00
Active Thermal Concepts	Hiawatha, IA	35,261.75

1387-10-11, awarding and approving contract for an amount not to exceed \$28,023 bond and insurance of D.W. Zinser Company for the Demolition Services for Flood Damaged Structure-Gaddis Building (estimated cost is \$40,172.20) (FLOOD). Council members Gulick and Vernon were absent for this vote.

Report on bids for the Demolition Services for Flood Damaged Structures for demolition and cleanup services of 7 flood damaged parcels. (Matt Widner)

Kelly Demolition, LLC	Mt. Vernon, IA	\$122,107.50
DW Zinser Company	Walford, Iowa	\$161,340.00

1388-10-11, awarding and approving contract for an amount not to exceed \$122,107.50, bond and insurance of Kelly Demolition, LLC for the Demolition Services for Flood Damaged Structures (estimated cost is \$119,291) (FLOOD). Council members Gulick and Vernon were absent for this vote.

Report on bids for the Demolition Services for Flood Damaged Structures for demolition and cleanup services of 132 flood damaged parcels. (Matt Widner)

Kelly Demolition, LLC	Mt. Vernon, IA	\$462,460
Rathje Construction Co.	Marion, Iowa	\$534,800
BWC Excavating, LC	Solon, Iowa	Non-responsive

1389-10-11, awarding and approving contract for an amount not to exceed \$462,460, bond and insurance of Kelly Demolition, LLC for the Demolition Services for Flood Damaged Structures (estimated cost is \$547,784) (FLOOD).

Discussion: Brad Larson

Motion directing staff to propose Overlay District for commercial properties and Technical Design Advisory Committee for the Oak Hill/Jackson, New Bohemia and Czech Village neighborhoods.

Discussion: Paula Mitchell

Options for disposing of City owned properties at 811 Ellis Boulevard NW, 400 G Avenue NW, 420 G Avenue NW, 424 G Avenue NW, 432 G Avenue NW, 401 G Avenue NW, 419 G Avenue NW, 427 G Avenue NW, 431 G Avenue NW, 435 G Avenue NW, 428 F Avenue NW, 508 F Avenue NW, and 512 F Avenue NW were discussed:

1. Transfer of title;
2. Lease;
3. Lease with option to purchase after demonstrated performance.

It was the consensus of the Council to select Option 3, lease with option to purchase after demonstrated performance (Council members Podzimek, Shey, Shields, Swore, Vernon and Mayor Corbett preferred lease with option to purchase after 3 years while Council members Gulick, Karr and Wieneke suggested 1 year).

1390-10-11, identifying Matthew 25 as the preferred developer for City owned properties located at 811 Ellis Boulevard NW, 400 G Avenue NW, 420 G Avenue NW, 424 G Avenue NW, 432 G Avenue NW, 401 G Avenue NW, 419 G Avenue NW, 427 G Avenue NW, 431 G Avenue NW, 435 G Avenue NW, 428 F Avenue NW, 508 F Avenue NW, and 512 F Avenue NW and authorizing negotiation of a Development Agreement with Matthew 25 for the redevelopment of this real property located in the Consolidated Central Urban Renewal Area and acquired through the City's Voluntary Property Acquisition Program (FLOOD).

Ordinance No. 048-11, being an Ordinance vacating public ways and grounds in and to the property described as the formerly-existing alley located at 919 14th Avenue SW as requested by Ilten's, Inc., was presented and read the second time.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

1391-10-11, authorizing the disposition of the property described as the formerly-existing alley located at 919 14th Avenue SW as requested by Ilten's, Inc.

Ordinance No. 049-11, being an Ordinance granting a change of zone for property at 830 18th Avenue SW from C-2, Community Commercial Zone District and O-S, Office/Service Zone District to RMF-1, Multiple Family Residence Zone District as requested by Jomoco Ltd. and Joe Morrissey, was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public comments were heard.

City Council communications were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 8:02 p.m. to meet Tuesday, October 25, 2011 at 4:30 p.m.

Amy Stevenson, City Clerk

Abstain, Council member Vernon
Nay, Council member Gulick
Nay, Council member Karr
Nay, Council member Podzimek
Nay, Council member Shey
Nay, Council member Wieneke

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

October 25, 2011, 4:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon and Wieneke. Also present were Acting City Manager Casey Drew and City Attorney James Flitz. Absent, Council member Shey.

The invocation was given by Police Chaplain Taha Tawil.

Pledge of Allegiance

Proclamations/Presentations:

Chief Graham recognized Ontario Pirtle, Jackie Pirtle, Arcadia Exum and Jeff Zimmerman for their assistance in catching a thief on October 9, 2011.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 74th Street NE From West Park Road to 500' West of White Ivy Place Water Main and Sanitary Sewer Project (estimated cost is \$400,000). No written comments or objections were filed.

1392-10-11, adopting plans, specifications, form of contract and estimated cost for the 74th Street NE From West Park Road to 500' West of White Ivy Place Water Main and Sanitary Sewer Project.

A public hearing was held to consider the vacation of a 20-foot wide ingress/egress easement located at 1855 Edgewood Road SW as requested by Hunter Properties, LLC. No written comments or objections were filed.

1393-10-11, authorizing the vacation of a 20-foot wide ingress/egress easement located at 1855 Edgewood Road SW as requested by Hunter Properties, LLC.

A public hearing was held to consider an Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, as it relates to Subsection 32.05.030(D)(1)(d) to allow Pier Foundation construction for single-family homes. Two objections and one comment were heard, one letter of support and one written objection were filed.

Ordinance No. _____, being an Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, as it relates to Subsection 32.05.030(D)(1)(d) to allow Pier Foundation construction for single-family homes, was presented and read the first time.

Council member Swore 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 Podzimek. Ayes, Council members Podzimek, Swore and Mayor Corbett. Nays, Council members Gulick, Karr, Shields, Vernon and Wieneke. **ORDINANCE FAILED.**

A public hearing was held to consider granting a change of zone for property at 2121 North Towne Lane NE from I-1, Light Industrial Zone District to C-3, Regional Commercial Zone District as requested by the Muslim American Society. Two comments were heard. No objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 2121 North Towne Lane NE from I-1, Light Industrial Zone District to C-3, Regional Commercial Zone District as requested by the Muslim American Society, was presented and read the first time.

Council member Vernon 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 Swore. Approved, Ayes, Council members Gulick, Karr, Podzimek, Swore, Vernon, Wieneke and Mayor Corbett. Nay, Council member Shields.

Public hearings (2) were held to consider amending the Future Land Use Map in the City's Comprehensive Plan from Low Density Residential to Commercial for property at 1201 8th Street NW and to consider a change of zone for property at 1201 8th Street NW from O-S, Office/Service Zone District to C-2, Community Commercial Zone District as requested by Glenda M. Fillenworth. Two comments of support were heard. One petition of support containing 27 signatures, ten letters of support and one letter of objection were filed.

1394-10-11, amending the Future Land Use Map in the City's Comprehensive Plan from Low Density Residential to Commercial for property at 1201 8th Street NW as requested by Glenda M. Fillenworth.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 1201 8th Street NW from O-S, Office/Service Zone District to C-2, Community Commercial Zone District as requested by Glenda M. Fillenworth, was presented and read the first time.

Council member Gulick 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 Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the N Avenue NW 2011 Water Main Replacement project (estimated cost is \$320,000). No comments or objections were heard or filed.

1395-10-11, adopting plans, specifications, form of contract and estimated cost for the N Avenue NW 2011 Water Main Replacement project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 3rd Avenue East Bridge Water Main Repair from 1st Street SE to Mays Island project (estimated cost is \$130,000). No comments or objections were heard or filed.

1396-10-11, adopting plans, specifications, form of contract and estimated cost for the 3rd Avenue East Bridge Water Main Repair from 1st Street SE to Mays Island project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Veterans Memorial Phase II project (estimated cost is \$6,400,000). No comments or objections were heard or filed.

1397-10-11, adopting plans, specifications, form of contract and estimated cost for the Veterans Memorial Phase II project (FLOOD).

Public comments were heard.

Council member Wieneke moved to approve the Agenda; seconded by Council member Vernon. Acting City Manager Casey Drew requested that Item Number 25r (Resolution authorizing Administrative Agreement with Application Software, Inc. (ASI) for Flexible Spending Services for the period of January 1, 2012 to December 31, 2014, administrative fees and services for this time period are estimated at \$33,188.00) be removed from the agenda. Council member Swore requested that Item Number 25q (Resolution providing VenuWorks of Cedar Rapids, LLC 180 days written notice to terminate management agreement for Paramount Theatre) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Vernon moved to approve the Consent Agenda; seconded by Council member Wieneke. Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing dates for:

- a. November 8, 2011 – to consider granting an Electric Line and Access Easement to Interstate Power and Light Company, an Iowa Corporation, from a portion of City-owned property located south of 10th Street SE and adjacent to and west of 1800 10th Street SE (formerly known as the RESCAR parcel).
- b. November 8, 2011 – to consider the vacation of a 30-foot drainage easement located at 45 Miller Avenue SW as requested by Four Oaks Family and Children’s Services.
- c. November 8, 2011 – to consider the continuation of the disposition of excess City-owned single family residential property located at 816 E Avenue NW.
- d. November 8, 2011 – to consider the conveyance of an Underground Electric Line Easement with Interstate Power and Light Company, an Iowa Corporation, for property located on City-owned land at Seminole Valley Park.
- e. November 8, 2011 – to consider a request by the National Czech & Slovak Museum and Library to rename “A Street SW” from 15th Avenue SW to 16th Avenue SW to “Inspiration Place SW.”
- f. November 8, 2011 – to consider the vacation and disposition of public ways and grounds in and to the property described as a 3.5-foot by 200-foot strip of City-owned parking lot located along the southeasterly property line of 1612 C Street SW as requested by Robert P. Schaffer.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for November 8, 2011 and advertising for bids by publishing notice to bidders for the Joint Communications Network Construction Group 2 EDA Project #05-79-04926 and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on November 9, 2011 (estimated cost is \$2,450,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for November 8, 2011 and advertising for bids by publishing notice to bidders for the Joint Communications Network Group 3 Downtown System Improvements and Repair project, and authorizing the City Engineer, or designee, to receive an open the bids and publicly announce the results on November 9, 2011 (estimated cost is \$307,000) (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. Chuck E. Cheese, 170 Collins Road NE;
- b. Cedar Rapids Galaxy 16 Cine’, 5340 Council Street NE;
- c. Creative Croissants, 2121 Arthur Collins Parkway SW, Suite #3;
- d. Daniel Arthur’s, 821 3rd Avenue SE;
- e. Fareway Store #963, 4220 16th Avenue SW;
- f. Golden Egg, 3025 Mt Vernon Road SE (new-changing to class C-Commercial);
- g. Granite City Food & Brewery, 4755 1st Avenue SE;
- h. Hawthorn Suites by Wyndham, 4444 Czech Lane NE;
- i. Hy-Vee Drug Store #3, 2405 Mt Vernon Road SE;
- j. Hy-Vee Drug Store #4, 4825 Johnson Avenue NW;
- k. Java Creek Café, 588 Boyson Road NE, Suite #112;
- l. Metro Buffet, 448 33rd Avenue SW;
- m. Noodles & Company, 310 Collins Road NE (new-formerly US Cellular);
- n. Primetime Sports Bar, 4001 Center Point Road NE;
- o. Thai Moon, 4362 16th Avenue SW;

p. Tornado's Tournament Room, 315 14th Avenue SE.

1398-10-11, approving payment of bills.

1399-10-11, approving payment of payroll.

1400-10-11, intent to assess for Utilities – Water Division for delinquent municipal utility bills at 24 properties.

1401-10-11, levy assessment for Utilities – Water Division for delinquent municipal utility bills at 14 properties.

1402-10-11, accepting Water system improvements installed in the public portion of the Armed Forces Reserve Center Project and approving the Maintenance Bond in the amount of \$83,189 submitted by Gee Grading & Excavating, Inc.

1403-10-11, accepting Water system improvements installed in Cedar Ridge Place 4th Addition – Part 2 and approving the Maintenance Bond in the amount of \$41,254 submitted by Abode Construction, Inc.

1404-10-11, accepting Oakland Road NE from 29th Street to K Avenue (Extended) Sidewalk project, final payment in the amount of \$4,319.72 to Vieth Construction Corporation (original contract amount was \$96,503.25; final contract amount is \$143,990.52).

1405-10-11, accepting Cedar Valley Lake Urban Fishery Entrance Road, Parking Lot, and Trail Project, final payment in the amount of \$78,037.55 to L.L. Pelling Company, Inc. (original contract amount was \$1,461,551; final contract amount is \$1,560,751).

1406-10-11, conveying the City Council's support of the Blue Zones Project and directing staff to participate in the preparation of the Cedar Rapids Blue Zone statement of interest.

1407-10-11, approving the establishment and installation of a school crosswalk on the east approach of E Avenue NW and West Post Road NW.

1408-10-11, amending Resolution No. 1223-09-11 by changing the wording from "the City of Cedar Rapids will commit a share of the necessary local matching funds for the project..." to read "the City of Cedar Rapids will commit the necessary local matching funds for the project...", as requested by the Iowa Department of Transportation (IDOT) in connection with the 18th Street SW from Wilson Avenue SW to 16th Avenue SW project.

1409-10-11, amending Resolution No. 1222-09-11 by changing the wording from "the City of Cedar Rapids will commit a share of the necessary local matching funds for the project..." to read "the City of Cedar Rapids will commit the necessary local funds for the project..." as requested by the Iowa Department of Transportation (IDOT) in connection with the

new backage road from C Avenue NE to Lindale Mall along the south side of Northland Square shopping center.

1410-10-11, rescinding the following Resolutions and abandoning the Woodborough 9th Addition Sidewalk Infill Project:

- a. Resolution No. 1259-09-11, Preliminary Resolution proposing that Portland cement sidewalk be constructed at 4722 Chestnut Ridge Road NE, designated as Woodborough 9th Addition Infill Project;
- b. Resolution No. 1260-09-11, Resolution Fixing Value of Lots and Adopting the Preliminary Plat and Schedule for the Woodborough 9th Addition Sidewalk Infill Project;
- c. Resolution No. 1261-09-11, Resolution Setting a Public Hearing Date for October 25, 2011 to Consider the Resolution of Necessity (Proposed) for the construction of the Woodborough 9th Addition Sidewalk Infill Project.

1411-10-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 11 properties in connection with the HUD Community Development Block Grant (FLOOD).

1412-10-11, Amendment No. 3 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying a release of contingency in the amount of \$23,500 for additional design services in connection with the Flood Management Structure and Amphitheater project (original contract amount was \$670,000; total contract amount with this amendment is \$700,000).

1413-10-11, Amendment No. 2 to renew Agreement for printing & high speed copying with Copyworks for an estimated amount of \$100,000 (original contract amount was \$100,000; renewal contract amount is \$100,000).

1414-10-11, Change Order No. 9 in the amount of \$26,077.71 with Horsfield Construction, Inc. & Subsidiary for the 6th Street SW Corridor Improvements from Waconia Avenue to Prairie Creek project (original contract amount was \$5,364,048.14; total contract amount with this amendment is \$5,482,511.62).

1415-10-11, awarding and approving contract in the amount of \$24,820, bond and insurance of All American Concrete, Inc. for the 1st Avenue East Downtown District Sidewalk Repair 100-Block, SE Side at American Building project (estimated cost is \$22,900).

1416-10-11, Professional Services Agreement with Foth Infrastructure and Environment, LLC for an amount not to exceed \$64,898 for design and contract document production services in connection with the 6th Street SW from Waconia Avenue to 66th Avenue Pavement Rehabilitation project.

1417-10-11, 28E Memorandum of Agreement with All Saints Elementary School for participation in the adult guard program for Fiscal Year 2012, reimbursing All Saints Elementary

School for 50% of the costs for wages (up to \$10.86/hour), fringes and updated equipment up to a maximum of \$2,243.93.

1418-10-11, 28E Memorandum of Agreement with the Cedar Rapids Community School District for participation in the adult guard program for Fiscal Year 2012, reimbursing the Cedar Rapids Community School District for 50% of the costs for wages (up to \$10.86/hour), fringes and updated equipment up to a maximum of \$56,098.21.

1419-10-11, 28E Memorandum of Agreement with St. Jude's Elementary School of the Holy Family School System for participation in the adult guard program for Fiscal Year 2012, reimbursing the Holy Family School System for 50% of the costs for wages (up to \$10.86/hour), fringes and updated equipment up to a maximum of \$2,243.93.

1420-10-11, 28E Memorandum of Agreement with St. Matthew School for participation in the adult guard program for Fiscal Year 2012, reimbursing St. Matthew School for 50% of the costs for wages (up to \$10.86/hour), fringes and updated equipment up to a maximum of \$1,121.96.

1421-10-11, 28E Memorandum of Agreement with the Linn Mar Community School District for participation in the adult guard program for Fiscal Year 2012, reimbursing Linn Mar Community School District for 50% of the costs for wages (up to \$10.86/hour), fringes and updated equipment up to a maximum of \$1,121.96.

1422-10-11, Lease – Business Property in the amount of \$350 per month for a one year term with two options to extend the lease term one year for each option, with Junge Lincoln Mercury, Inc. for City-owned land located at the east half of 5131 Council Street NE.

1423-10-11, Purchase Agreement in the amount of \$1,932 and accepting a Temporary Grading Easement for Construction from Nancy G. Bena and Gordon D. Bena (owners); accepting a Tenant Purchase Agreement in the amount of \$1 from Carl Machula and Hilda Machula (tenants), from land located 6301 Mount Vernon Road SE in connection with the Indian Creek and Dry Run Creek Trunk Sanitary Sewer Capacity Improvements-Phase 1 project.

1424-10-11, Corrective Warranty Deed from Cedar House Properties, LLC for land located at 3233 Cameo Lane SW in connection with the 33rd Avenue SW Reconstruction and Turn Lane Improvements from Coyote Road to Remington Street project.

1425-10-11, Letter of Agreement with the Iowa State Historic Preservation Officer and the Iowa Economic Development Authority Regarding E Avenue NW Storm Sewer Infrastructure Flood Recovery Replacement Project Supplemental Community Development Block Grant Disaster Recovery Infrastructure Project in connection with the E Avenue NW from 3rd Street to 13th Street Storm Sewer, Water Main, Sidewalk and Street Improvements project.

1426-10-11, Professional Services Agreement with Brown and Caldwell for an amount not to exceed \$77,000 for the Cedar Rapids WPCF BioWin Simulator Update project.

1427-10-11, Lease Agreement for Cropland Rental with Douglas M. Schrader for lease of approximately 77 acres of cropland adjacent to the WPC Facility for the period of March 2, 2012 to December 31, 2012 for the total amount of \$42,486.29.

1428-10-11, Pierce Manufacturing to repair corrosion damage on the Fire Department's 2000 Pierce Dash Fire Pumper for a total amount of \$39,727.

1429-10-11, Amendment No. 4 to the Environmental Assessment Services for Flood Damaged Commercial Structures Agreement with Impact7G to reflect the cost for seven additional properties for an amount not to exceed \$15,985 (original contract amount was \$43,730; total amount with this amendment is \$83,955) (FLOOD).

1430-10-11, endorsing the Cedar Rapids Airport Commission's naming of the terminal at The Eastern Iowa Airport the Donald J. Canney Terminal.

1431-10-11, Amendment No. 1 to Demolition of Flood Damaged Structures-Quality Chef with D.W. Zinser Company to reflect an increase in the scope of work for an amount not to exceed \$233,336 (original contract amount was \$107,150; total amount with this amendment is \$340,486) (FLOOD).

0000-00-00, providing VenuWorks of Cedar Rapids, LLC 180 days written notice to terminate management agreement for Paramount Theatre. Council member Shields moved to table the resolution; seconded by Council member Podzimek. Ayes, Council members Shields, Swore, Vernon and Wieneke. Nays, Council members Gulick, Karr, Podzimek and Mayor Corbett. **MOTION FAILED.** Council member Podzimek moved the adoption of the resolution; seconded by Council member Gulick. Aye, Mayor Corbett. Nays, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon and Wieneke. **RESOLUTION FAILED.**

Report on bids for the Veterans Memorial Phase I project (FLOOD). (Mike Jager)

Rinderknecht Associates, Inc. Cedar Rapids, IA	Base Bid Alternate #1 Total	\$5,590,000 (\$50,000) \$5,540,000
Tricon Construction Group Dubuque, IA	Base Bid Alternate #1 Total	\$5,561,000 \$50,100 \$5,611,100
Miron Construction Cedar Rapids, IA	Base Bid Alternate #1 Total	\$5,722,700 (\$60,900) \$5,661,800

Kleiman Construction Cedar Rapids, IA	Base Bid Alternate #1 Total	\$5,817,501 (\$43,600) \$5,779,718
Knutson Construction Services, Inc., Iowa City, IA		Incomplete Bid

Report on bids for the 2011 Raising East Well Field Vertical Wells project. (Pat Ball)

The Northway Corporation	Marion, IA	\$399,250
Layne-Christensen Company	Grimes, IA	\$444,000
Municipal Well & Pump	Waupun, WI	\$493,887

1432-10-11, awarding and approving contract in the amount of \$399,250, bond and insurance of The Northway Corporation for the 2011 Raising East Well Field Vertical Wells project (estimated cost is \$405,000) (FLOOD).

1433-10-11, Development Agreement with Stark Real Estate Holdings, Inc. for the disposition and redevelopment of City-owned commercial property located at 1501/1507 C Street SW in the Consolidated Central Urban Renewal Area and acquired through the City's Voluntary Property Acquisition Program (FLOOD). Nay, Council member Wieneke.

Ordinance No. 050-11, being an Ordinance vacating public ways and grounds in and to the property described as a 37,388 square-foot parcel of City-owned right-of-way, including 16th Avenue SE from 10th Street SE through 15th Street SE; a portion of 15th Street SE located between 16th Avenue SE and 17th Avenue SE; the alley located between the east right-of-way line of 10th Street SE and the west right-of-way line of 15th Street SE, south of 16th Avenue SE and north of 17th Avenue SE, Cedar Rapids, Iowa, as requested by Cargill, Inc., was presented and read the second time.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Wieneke and Mayor Corbett. Council member Vernon was absent for this vote.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Wieneke and Mayor Corbett. Council member Vernon was absent for this vote.

1434-10-11, executing a Quit Claim Deed and accepting an Agreement for Private Sanitary Sewer Facilities and Covenant to Maintain Private Water Main Facilities from Cargill, Inc. Council member Vernon was absent for this vote.

Ordinance No. 051-11, being an Ordinance relating to collection of tax increment within the Amended and Restated Consolidated Technology Park Urban Renewal Area per Amendment No. 1 (FLOOD), was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Wieneke. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 052-11, being an Ordinance relating to collection of tax increment within the Diamond V Mills Urban Renewal Area located at 2575 60th Avenue SW (FLOOD), was presented and read the second time.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 053-11, being an Ordinance relating to collection of tax increment within the Amended and Restated Southwest Urban Renewal Area per Amendment No. 1 (FLOOD), was presented and read the second time.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 054-11, being an Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow Urban Agriculture as a primary use in all zone districts (FLOOD), was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. _____, being an Ordinance amending Chapter 61 of the Municipal Code, Traffic Regulations, by repealing Section 61.110, Ticketing and Payment of Parking Violation, and enacting a new Section 61.110, updating wording to reflect current fine amounts and changing "Parking Violations" to read "Downtown Parking Management, Inc". and adding Downtown Parking Management, Inc. to the Parking Violation Administrative Review Panel, was presented and read the first time.

Council member Gulick 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 Karr. Approved, Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public comments were heard.

City Council communications were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 8:13 p.m. to meet Tuesday, November 8, 2011 at 4:30 p.m.

Amy Stevenson, City Clerk

Absent, Council member Shey
Nay, Council member Gulick
Nay, Council member Karr
Nay, Council member Podzimek
Nay, Council member Shields
Nay, Council member Swore
Nay, Council member Vernon
Nay, Council member Wieneke
Nay, Mayor Corbett

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

November 8, 2011, 4:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney James Flitz. Absent, Council member Podzimek.

The invocation was given by Police Chaplain Rick Gail.

Pledge of Allegiance

A Greater Cedar Rapids Community Foundation Flood Report presentation was given by Les Garner, Jr.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider granting an Electric Line and Access Easement Agreement to Interstate Power and Light Company, an Iowa Corporation, from a portion of City-owned land located south of 10th Street SE and adjacent to and west of 1800 10th Street SE (formerly known as the RESCAR parcel). No comments or objections were heard or filed.

1435-11-11, authorizing execution of an Electric Line and Access Easement Agreement to Interstate Power and Light Company, an Iowa Corporation, from a portion of City-owned land located south of 10th Street SE and adjacent to and west of 1800 10th Street SE (formerly known as the RESCAR parcel).

A public hearing was held to consider the conveyance of an Underground Electric Line Easement with Interstate Power and Light Company, an Iowa Corporation, for property located on City-owned land at Seminole Valley Park. No comments or objections were heard or filed.

1436-11-11, authorizing execution of a Purchase Agreement in the amount of \$6,440 and execution of an Underground Electric Line Easement with Interstate Power and Light Company, an Iowa Corporation, for property located on City-owned land at Seminole Valley Park.

A public hearing was held to consider the vacation of a 30-foot drainage easement located at 45 Miller Avenue SW, as requested by Four Oaks Family and Children's Services. No comments or objections were heard or filed.

1437-11-11, vacating a 30-foot drainage easement located at 45 Miller Avenue SW, as requested by Four Oaks Family and Children's Services.

A public hearing was held to consider the continuation of the disposition of excess City-owned single family residential property located at 816 E Avenue NW. One comment was heard. No written comments or objections were filed.

1438-11-11, continue the disposition of excess City-owned single family residential property located at 816 E Avenue NW. Nay, Council member Shields.

A public hearing was held to consider the vacation and disposition of public ways and grounds in and to the property described as a 3.5-foot by 200-foot strip of City-owned parking lot located along the southeasterly property line of 1612 C Street SW as requested by Robert P. Schaffer. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance vacating public ways and grounds in and to the property described as a 3.5-foot by 200-foot strip of City-owned parking lot located along the southeasterly property line of 1612 C Street SW as requested by Robert P. Schaffer, was presented and read the first time.

Council member Wieneke 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 Karr. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider a request by the National Czech & Slovak Museum and Library to rename "A Street SW" from 15th Avenue SW to 16th Avenue SW to "Inspiration Place SW". No comments or objections were heard or filed.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Joint Communications Network Construction Group 2 EDA Project #05-79-04926 project (estimated cost is \$2,450,000). No comments or objections were heard or filed.

1439-11-11, adopting plans, specifications, form of contract and estimated cost for the Joint Communications Network Construction Group 2 EDA Project #05-79-04926 project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Joint Communications Network Group 3 Downtown System Improvements and Repair project (estimated cost is \$307,000) (FLOOD). No comments or objections were heard or filed.

1440-11-11, adopting plans, specifications, form of contract and estimated cost for the Joint Communications Network Group 3 Downtown System Improvements and Repair project.

Public comments were heard.

Council member Wieneke moved to approve the Agenda; seconded by Council member Vernon. City Manager Jeff Pomeranz requested that Item Number 34 (Ordinance granting a change of zone for property at 2121 North Towne Lane NE from I-1, Light Industrial Zone District to C-3, Regional Commercial Zone District as requested by Muslim American Society) have a second reading only. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing dates for:

- a. November 22, 2011 – to consider a change of zone for property at 4201 Beverly Road SW from A, Agriculture Zone District to R-1, Single Family Residence Zone District as requested by James & Amber Dostal.
- b. November 22, 2011 – to consider a change of zone for property at 5101 18th Avenue SW from C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District as requested by Lehman, Allsop & Evans LLC.
- c. November 22, 2011 – to consider a change of zone for property south of Ellis Road NW approximately 1900 feet west of Ellis Road NW and Edgewood Road NW intersection with two of the properties from R-1, Single Family Residential to RMF-2, Multi-Family Residential, and one property from RMF-2, Multi-Family Residential to R-1, Single Family Residential as requested by Stoney Point Heights LLC and Marcus M. & Elizabeth J. Nelson.
- d. November 22, 2011 – to consider amending the Citizen Participation Plan for Community Development Block Grant (CDBG) and HOME Investment Partnership Program funds by deleting a representative from the Affordable Housing Commission and adding a representative from the Linn County Continuum of Care Planning and Policy Council on the Grants and Programs Citizens Advisory Committee and modifying the appointment term to run from July 1 through June 30 of each year.
- e. November 22, 2011 – to consider repealing Chapter 23 of the Municipal Code, Cats, Dogs and Other Animals, and enacting a new Chapter 23 updating the definition and reference to Urban Chickens, updating reptile restrictions, increasing fines for scheduled offenses, creating a definition and disposition for Potentially Dangerous and Dangerous Animals rather than Vicious, and adding references to Iowa Code for ease in prosecution of abuse/neglect.

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for November 22, 2011 and advertising for bids by publishing notice to bidders for the Veterans Memorial Controls Package and authorizing the Veterans Memorial Director, or designee, to receive and open the bids and publicly announce the results on January 4, 2012 (estimated cost is \$300,000) (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. Aldi #18, 5425 Blairs Forest Boulevard NE;
- b. Aldi #25, 1860 Edgewood Road SW;
- c. Cedar Rapids Symphony Orchestra, dba Orchestra Iowa, 119 3rd Avenue SE (new);
- d. Guppy's on the Go, 1532 Ellis Boulevard NW;
- e. Hy-Vee Food Store #1, 1843 Johnson Avenue NW;
- f. Hy-Vee Food Store #2, 279 Collins Road NE;
- g. Mahoney's CR, 1602 E Avenue NE;
- h. Martin Hoeger, 735 Prairie Drive NE (5-day Special Class C permit for "I Know Jack" Fundraiser Event November 19, 2011 at Regis Middle School);
- i. Ruby Tuesday, 2215 Edgewood Drive SW;
- j. Vito's, 4100 River Ridge Drive NE;
- k. Willy Woodburn's Café, 232 16th Avenue SW.

1441-11-11, approving payment of bills.

1442-11-11, approving payment of payroll.

1443-11-11, approving transfer of funds.

1444-11-11, appointing Allison Antes and Elizabeth Hoskins to the Parking Violation Administrative Review Panel (effective through [June 30, 2014](#)).

1445-11-11, vote of thanks to Arthur Friis, Lori Haskell and Jeff Hembera for serving as members of the Parking Violation Administrative Review Panel.

1446-11-11, approving The Old Prague Christmas Market event on December 2-3, 2011.

1447-11-11, approving The Fire & Ice Festival: Winter Wonderland event on December 3, 2011.

1448-11-11, approving The Fire & Ice Festival: Holiday DeLight Parade on December 3, 2011.

1449-11-11, intent to assess for Solid Waste & Recycling for cleanup costs at 3 properties.

1450-11-11, levy assessment for Solid Waste & Recycling for cleanup costs at 5 properties.

1451-11-11, intent to assess for Utilities – Water Division for delinquent municipal utility bills for 23 properties.

1452-11-11, levy assessment for Utilities – Water Division for delinquent municipal utility bills at 15 properties.

1453-11-11, accepting Water system improvements installed in Crescent View 1st Addition – Phase II (Lots 70-76 and Buildings 1-7 and 27-30) and approving Maintenance Bond in the amount of \$44,617 submitted by Abode Construction, Inc.

1454-11-11, establishing the times and dates of regularly scheduled City Council meetings to be held in calendar year 2012.

1455-11-11, establishing 2-hour parking for both sides of 2nd Street SW from 1st Avenue West to 2nd Avenue SW.

1456-11-11, expanding the City's financial institution depository limits.

1457-11-11, accepting two Grant of Public Temporary Turn-Around Easement documents and an amended Agreement to construct a Temporary Asphalt Turn-Around with Thomas Dostal Developers, Inc. associated with Hawks Point Fourth Addition.

1458-11-11, approving the establishment and installation of a school crosswalk on the east approach of F Avenue NW and 13th Street NW.

1459-11-11, accepting work and fixing amount to be assessed for the Oakland Road NE from 29th Street to K Avenue (Extended) Sidewalk Project.

1460-11-11, rescinding Resolution No. 0646-05-11, a duplicate of Resolution No. 0890-07-11 authorizing purchase of property from Guaranty Realty Inc. for the new Cedar Rapids Public Library (FLOOD).

1461-11-11, Development Agreement and Special Warranty Deed for the construction of single-family dwellings through the Single Family New Construction Program (SFNC) to Premiere Developers for property at 1026 10th Street NW (FLOOD).

1462-11-11, Development Agreement and Special Warranty Deed for the construction of single-family dwellings through the Single Family New Construction Program (SFNC) to Skogman Homes for property at 1604 8th Street NW (FLOOD).

1463-11-11, Development Agreement and Special Warranty Deed for the construction of single-family dwellings through the Single Family New Construction Program (SFNC) to Skogman Homes for property at 1708 9th Street NW.

1464-11-11, Development Agreement and Special Warranty Deed for the construction of single-family dwellings through the Single Family New Construction Program (SFNC) to Hope Community Development Association for property at 1809 Mallory Street SW.

1465-11-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 7 properties in connection with the HUD Community Development Block Grant (CDBG) (FLOOD).

1466-11-11, accepting 2010 Raising Seminole Valley Vertical Wells project and authorizing final retainage payment in the amount of \$11,271.28 to Municipal Well & Pump (original contract amount was \$215,767; final contract amount is \$225,427.59) (FLOOD).

1467-11-11, Amendment No. 1 to the Multiple Pass Well Rehabilitation Treatment Agreement with Frazier Well Services, LLC to reflect a change to the scope of work for an amount not to exceed \$9,175 (original contract amount was \$59,475; total contract amount with this amendment is \$68,650).

1468-11-11, Amendment No. 3 to the Convention Complex Hotel Repairs Agreement with Ace Refrigeration, Inc. to reflect additional cost for cold storage winterization of the Convention Complex Hotel for an amount not to exceed \$45,990 (original contract amount was \$4,929; total contract amount with this amendment is \$64,651.54).

1469-11-11, Amendment No. 3 to citywide Agreement for fire sprinkler services with Continental Fire Sprinkler Company to drain the fire sprinkler system and remove sprinkler heads at the Convention Complex Hotel for a total amount not to exceed \$18,000 (original contract amount was \$5,478, total contract amount with this amendment is \$32,678).

1470-11-11, Amendment No. 6 to Courier and Security Guard Service Agreement with Per Mar Security Services to reflect additional security guard services for the Convention Complex Hotel for an amount not to exceed \$40,626 (original amount was \$92,284; total contract amount with this amendment is \$168,652).

1471-11-11, Change Order No. 3 in the amount of \$54,196 with TSF Structures, Inc. for the Cedar Rapids Convention Complex Primary Steel Bid Package project (original contract amount was \$2,767,966; total contract amount with this amendment is \$3,076,515).

1472-11-11, Agreement for the purchase of Fiber Optic Cable with Wesco Distribution for an amount not to exceed \$488,396.32.

1473-11-11, Fleet Services Division purchase of two 84" Brand FX Fiberglass Service Bodies from Cortez Truck Equipment in the amount of \$27,706.

1474-11-11, Water Pollution Control purchase of six Automatic Shutoff Valves from Schimberg Company in the amount of \$31,500.

1475-11-11, Pre-opening Consulting Services Agreement related to the Event Center Arena with VenuWorks, Inc. for an amount not to exceed \$160,000.

1476-11-11, Cedar Rapids Ice Arena purchase of preventative and corrective HVAC Services from B.G. Brecke, Inc. for an annual amount not to exceed \$50,000.

1477-11-11, purchase of City property and boiler insurance coverage through Aon Risk Services Central, Inc. for an amount not to exceed \$391,966.

1478-11-11, Corrective Warranty Deed and a Corrective Easement for Utility from Hunter Properties, LLC for vacant land located on the south side of Wilson Avenue SW and

between Edgewood Road SW and 33rd Street SW in connection with property previously acquired to accommodate improvements to Wilson Avenue SW.

1479-11-11, authorizing the issuance of final payment in the amount of \$567.07 to Chicago Central & Pacific Railroad Company for surface repair of the railroad crossing on I Avenue NE.

1480-11-11, authorizing the issuance of final payment in the amount of \$844.93 to Chicago Central & Pacific Railroad Company for surface repair of the railroad crossing on McCloud Place NE.

1481-11-11, authorizing the issuance of final payment in the amount of \$1,969.09 to Chicago Central & Pacific Railroad Company for surface repair of the railroad crossing on J Avenue NE.

1482-11-11, accepting a refund due to the City for overpayment in the amount of \$105.34 from the Chicago Central & Pacific Railroad Company for surface repair of the railroad crossing on Hubbard Avenue NE.

1483-11-11, Joint Funding Agreement with the United States Geological Survey (USGS) for the Cooperative Study of the Cedar River and the City's Well Fields for FY12 for a project cost of \$246,780 (project cost to be shared on a 45/55 basis with the City's share to be \$135,735).

1484-11-11, License Agreement with the Cedar Rapids and Iowa City Railway Company (CRANDIC) allowing the installation of a 16-inch water main crossing through the CRANDIC R-O-W south of US Highway 30 and a one-time standard crossing fee of \$750.

1485-11-11, Administrative Agreement with Application Software, Inc.(ASI) for Flexible Spending Services for the time period of January 1, 2012 to December 31, 2014 (Administrative fees and services for this time period are estimated to be \$33,188).

1486-11-11, Grant application for a State Energy Program Grant administered through the Iowa Office of Energy Independence (IOEI) to assist with the funding of energy efficient lighting retrofits at the 3rd Avenue Parkade.

1487-11-11, awarding and approving contract in the amount of \$5,540,000, bond and insurance of Rinderknecht Associates, Inc. for Veterans Memorial Phase I project (estimated cost is \$7,200,000) (FLOOD).

1488-11-11, Amendment No. 11 to the Grant Agreement with the Iowa Economic Development Authority (IEDA) for the Expanded Business Recovery Programs providing for an additional \$5,000,000 (original grant award was \$7,500,000; total grant award with this amendment is \$60,000,000) (FLOOD).

1489-11-11, Addendum No. 2 to the Agreement for Administrative Services for the Expanded Jumpstart Business Recovery Programs and Steam Conversion Programs with ProSource Technologies, Inc. providing for distribution of an additional \$5,000,000 (original contract amount to be distributed was \$29,640,000; total contract amount to be distributed with amendment is \$34,640,000) (FLOOD).

1490-11-11, Amendment No. 1 to the Professional Services Agreement with Brown & Caldwell for an amount not to exceed \$444,900 for additional engineering services for the Cedar Rapids Water Pollution Control Facility Short Term Biosolids Reduction and Incineration System Repairs project (original contract amount was \$2,076,000; total contract amount with this amendment is \$2,520,900) (FLOOD)

1491-11-11, Change Order No. 1 in the amount of \$42,129.63 plus additional 10 working days with D.W. Zinser Company for the 1st Street Parkade Demolition project (original contract amount was \$748,450; total contract amount with this amendment is \$790,579.63) (FLOOD).

1492-11-11, Change Order No. 1 in the amount of \$39,080 with Miron Construction Company, Inc. for the Paramount Theatre Flood Recovery & Renovation – Bid Package 1 project (original contract amount was \$5,434,000; total contract amount with this amendment is \$5,473,080) (FLOOD).

1493-11-11, Special Warranty Deed conveying City-owned property located at 1222 10th Street NW to Affordable Housing Network, Inc. through the Residential Property Disposition program (FLOOD).

Report on bids for the N Avenue NW 2011 Water Main Replacement project. (Pat Ball)

Ricklefs Excavating, Ltd. (Anamosa, IA)	\$205,977.50
Dolan Excavating LLC (Manchester, IA)	\$208,106.50
Pirc-Tobin Construction, Inc. (Alburnett, IA)	\$228,305.00
Dave Schmitt Construction (Cedar Rapids)	\$230,719.30
Rathje Construction Co. (Marion, IA)	\$236,370.25
Borst Bros. Construction, Inc. (Marion, IA)	\$252,777.20
Gee Grading & Excavating (Cedar Rapids)	\$253,981.50
Connolly Construction, Inc. (Cascade, IA)	\$260,086.65
Sulzberger Excavating, Inc. (Muscatine, IA)	\$288,488.50

Report on Bids for the 3rd Avenue East Bridge Water Main Repair between 1st Street SE and Mays Island project. (Pat Ball)

Ricklefs Excavating, LTD (Anamosa, IA)	\$ 95,653.00
Connolly Construction Inc. (Peosta, IA)	\$139,395.00

1494-11-11, awarding and approving contract in the amount of \$95,653 plus incentive up to \$1,500, bond and insurance of Ricklefs Excavating LTD of Anamosa, IA for the 3rd Avenue

East Bridge Water Main Repair between 1st Street SE and Mays Island project (estimated cost is \$130,000).

Report on bids for the 74th Street NE from West Park Road to 500' West of White Ivy Place Water Main and Sanitary Sewer Project. (Doug Wilson)

Connolly Construction, Inc. (Cascade, IA)	\$327,775.35
Ricklefs Excavating, Ltd (Anamosa, IA)	\$332,399.50
Pirc-Tobin Construction, Inc. (Alburnett, IA)	\$335,091.75
Abode Construction, Inc. (Cedar Rapids, IA)	\$344,098.50
Rathje Construction Co. (Marion, IA)	\$344,455.50
Sulzberger Excavating, Inc. (Muscatine, IA)	\$351,962.50
Dave Schmitt Construction (Cedar Rapids, IA)	\$367,403.25
Borst Brothers Construction, Inc. (Marion, IA)	\$367,928.50
Dolan Excavating, LLC (Manchester, IA)	\$380,395.00
Gee Grading & Excavating, Inc. (Cedar Rapids, IA)	\$426,603.00

1495-11-11, awarding and approving contract in the amount of \$327,775.35 plus incentive up to \$10,000, bond and insurance of Connolly Construction, for the 74th Street NE From West Park Road to 500' West of White Ivy Place Water Main and Sanitary Sewer Project.

Discussion: Jennifer Pratt

1496-11-11, authorizing the City Manager to pursue a Development Agreement with Stark Real Estate Holdings, Inc for the disposition and redevelopment of City-owned commercial property located at 1132 Ellis Boulevard NW, the former A&W Restaurant site, acquired through the City's Voluntary Property Acquisition Program (FLOOD).

Ordinance No. 055-11, being an Ordinance granting a change of zone for property at 2121 North Towne Lane NE from I-1, Light Industrial Zone District to C-3, Regional Commercial Zone District as requested by Muslim American Society, was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Wieneke. Approved, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 1201 8th Street NW from O-S, Office/Service Zone District to C-2, Community Commercial Zone District as requested by Glenda M. Fillenworth, was presented and read the second time.

Council member Karr moved the approval of the Ordinance on its second reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for passage at a later date; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 056-11, being an Ordinance amending Chapter 61 of the Municipal Code, Traffic Regulations, by repealing Section 61.110, Ticketing and Payment of Parking Violation, and enacting a new Section 61.110, updating wording to reflect current fine amounts and changing "Parking Violations" to read "Downtown Parking Management, Inc."; and adding Downtown Parking Management, Inc. to the Parking Violation Administrative Review Panel, was presented and read the second time.

Council member Karr moved the approval of the Ordinance on its second reading; seconded by Council member Wieneke. Approved, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public Comments were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 6:13 p.m. to meet Tuesday, November 22, 2011 at 4:30 p.m.

Amy Stevenson, City Clerk

Absent, Council member Podzimek
Nay, Council member Shields

Cedar Rapids, Iowa, November 16, 2011; 12:00 noon

Council met for a Special Session in City Hall, 3851 River Ridge Drive NE, North Conference Room. Present, Mayor Pro Tempore Vernon, Council members Gulick, Karr, Shey (via telephone), Shields, Swore, and Wieneke. Also present were City Manager Jeff Pomeranz, City Attorney James Flitz, Dave Elgin, City Engineer and Jeff Morrow with Anderson-Bogert. Absent, Mayor Corbett and Council member Podzimek.

A presentation was given by Jeff Morrow, Anderson-Bogert regarding the Medical District and the 10th Street Improvement Options.

Jeff Morrow presented four options to Council regarding the Medical District and 10th Street Improvements:

Option #1: Three Lane Layout

Option #2: Five Lane Layout

Option #3: Five Lane/Three Lane Hybrid Layout

Option #4: Five Lane/Four Lane Hybrid Layout

Discussion was held. It was the consensus of the Council to honor the Development Agreement already in place with PCI, St. Luke's Hospital and Mercy Medical Center which is to widen 10th Street SE to five lanes between 1st Avenue and 3rd Avenue SE. There will be further discussion at a later date regarding 10th Street Improvement options between 3rd Avenue and 8th Avenue SE.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

Council adjourned at 1:35 p.m.

Alissa Kaiser, Deputy City Clerk

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

November 22, 2011, 4:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Pro Tempore Vernon, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney James Flitz. Absent, Mayor Corbett.

The invocation was given by Council member Chuck Swore.

Pledge of Allegiance

A 2011 James Farrell Award of Excellence presentation was given by Mary Lee Malmberg, Cedar Rapids Area Convention & Visitors Bureau.

A presentation regarding the use of the City's dollars which were contributed to Priority One in the past year was given by Dee Baird, Priority One.

Resolutions were adopted with all Council members and Mayor Pro Tempore Vernon voting "Aye" unless noted.

A public hearing was held to consider a change of zone for property at 4201 Beverly Road SW from A, Agriculture Zone District to R-1, Single Family Residence Zone District as requested by James and Amber Dostal. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 4201 Beverly Road SW from A, Agriculture Zone District to R-1, Single Family Residence Zone District as requested by James and Amber Dostal, was presented and read the first time.

Council member Wieneke 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 Karr. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

A public hearing was held to consider a change of zone for property at 5101 18th Avenue SW from C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District as requested by Lehman, Allsop & Evans LLC. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 5101 18th Avenue SW from C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District as requested by Lehman, Allsop & Evans LLC, was presented and read the first time.

Council member Swore 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 Karr. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

A public hearing was held to consider a change of zone for property south of Ellis Road NW approximately 1900 feet west of Ellis Road NW and Edgewood Road NW Intersection with two of the properties from R-1, Single Family Residential to RMF-2, Multi-Family Residential and one property from RMF-2, Multi-Family Residential to R-1, Single Family Residential as requested by Stoney Point Heights LLC and Marcus M. & Elizabeth J. Nelson. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property south of Ellis Road NW approximately 1900 feet west of Ellis Road NW and Edgewood Road NW Intersection with two of the properties from R-1, Single Family Residential to RMF-2, Multi-Family Residential and one property from RMF-2, Multi-Family Residential to R-1, Single Family Residential as requested by Stoney Point Heights LLC and Marcus M. & Elizabeth J. Nelson, was presented and read the first time.

Council member Wieneke 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 Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

A public hearing was held to consider amending the Citizen Participation Plan for Community Development Block Grant (CDBG) and HOME Investment Partnership Program funds by deleting a representative from the Affordable Housing Commission and adding a representative from the Linn County Continuum of Care Planning and Policy Council on the Grants and Programs Citizens Advisory Committee and modifying the appointment term to run from July 1 through June 30 of each year. No comments or objections were heard or filed.

A public hearing was held to consider repealing Chapter 23 of the Municipal Code, Cats, Dogs, and Other Animals, and enacting a new Chapter 23 updating the definition and reference to Urban Chickens, updating reptile restrictions, increasing fines for scheduled offenses, creating a definition and disposition for Potentially Dangerous and Dangerous Animals rather than Vicious, and adding references to Iowa Code for ease in prosecution of abuse/neglect. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance repealing Chapter 23 of the Municipal Code, Cats, Dogs, and Other Animals, and enacting a new Chapter 23 updating the definition and reference to Urban Chickens, updating reptile restrictions, increasing fines for scheduled offenses, creating a definition and disposition for Potentially Dangerous and Dangerous Animals rather than Vicious, and adding references to Iowa Code for ease in prosecution of abuse/neglect, was presented and read the first time.

Council member Wieneke 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 Karr. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon.

A public hearing was held to consider proposed plans, specifications, form of contract and estimated cost for the Veterans Memorial Controls Package project (estimated cost is \$300,000). No comments or objections were heard or filed.

1497-11-11, adopting plans, specifications, form of contract, and estimated cost for the Veterans Memorial Controls Package project (FLOOD).

Public comments were heard.

Council member Gulick moved to approve the Agenda; seconded by Council member Karr. City Manager Jeff Pomeranz requested that Item Number 29 (Ordinance granting a change of zone for property at 1201th Street NW from O-S, Office/Service Zone District to C-2, Community Commercial Zone District as requested by Glenda M. Fillenworth) be removed from the agenda. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Motion carried as amended.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Gulick. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Motion carried.

Motion to approve minutes.

Motions setting public hearing dates for:

- a. December 6, 2011 – to consider a change of zone for property at the City Block between 1st and 2nd Avenue SE and 7th and 8th Street SE from C-4, Central Business Zone District to PUB, Public Zone District as requested by the City of Cedar Rapids.
- b. December 6, 2011 – to consider an Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, correcting scrivener's errors and clarifying various sections.
- c. December 6, 2011 – to consider an Ordinance amending Chapter 69 of the Municipal Code, Civil Rights Commission, adding coverage for gender identity

under all areas (employment, housing, education, public accommodations, credit), adding familial and marital status to employment, education and public accommodations, adding lawful source of income to housing and making changes to the design and construction requirements affecting places of public accommodations.

- d. December 6, 2011 – to consider the disposition of City-owned commercial properties at 1140 C Street SW and 1223 1st Street SW (former 1st Community Credit Union) and inviting competitive proposals for the redevelopment of this property in the Consolidated Central Urban Renewal Area and acquired through the City's Voluntary Property Acquisition Program (FLOOD).
- e. December 6, 2011 – to consider the disposition of City-owned commercial property at 1126 Ellis Boulevard NW and inviting competitive proposals for the redevelopment of this property in the Consolidated Central Urban Renewal Area and acquired through the City's Voluntary Property Acquisition Program (FLOOD).

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for December 6, 2011 and advertising for bids by publishing notice to bidders for the Environmental Remediation and Demolition Services for Nuisance Structures and authorizing the Purchasing Manager, or designee, to receive and open bids and publicly announce the results on December 21, 2011 (estimated cost is \$244,500).

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for December 6, 2011 and advertising for bids by publishing notice to bidders for the Environmental Remediation Services for Flood Damaged Commercial Structures and authorizing the Purchasing Manager, or designee, to receive and open bids and publicly announce the results on December 21, 2011 (estimated cost is \$200,516).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for December 6, 2011 and advertising for bids by publishing a notice to bidders for the Polk Elementary Sidewalks project, with bid opening scheduled for December 20, 2011 at the Iowa Department of Transportation (IDOT) (estimated cost is \$110,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for December 6, 2011 and advertising for bids by publishing notice to bidders for the Water Main Crossing of US Highway 30 - East of Highway 30 and C Street Interchange project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on December 14, 2011 (estimated cost is \$425,000).

Motion approving the beer/liquor/wine applications of:

- a. 3rd Street Saloon, 1201 ½ 3rd Street SE;
- b. Al's Blue Toad, 86 16th Avenue SW;
- c. Beijing Chinese Restaurant, 421 Edgewood Road NW;
- d. Casey's General Store #2212, 130 41st Avenue Drive SW;
- e. Daman Discount Liquor, 2933 1st Avenue SE;
- f. Gringos Mexican Restaurant, 207 1st Avenue SE;

- g. Outback Steakhouse, 3939 1st Avenue SE;
- h. Outskirts, 58 Miller Avenue SW.

1498-11-11, approving payment of bills.

1499-11-11, approving payment of payroll.

1500-11-11, appointing Susie Weinacht to the Board of Ethics (effective through June 30, 2012).

1501-11-11, levy assessment for Solid Waste & Recycling for cleanup costs at 2 properties.

1502-11-11, intent to assess for Utilities – Water Division for delinquent municipal utility bills at 16 properties.

1503-11-11, levy assessment for Utilities – Water Division for delinquent municipal utility bills at 11 properties.

1504-11-11, accepting project and Performance Bond and authorizing issuance of final payments for the Water Division's East Well Field Electric Grid Voltage Conversion Project and final retainage payment in the amount of \$33,737.75 to Price Industrial Electric Inc. (original contract amount was \$699,000; final contract amount is \$694,591).

1505-11-11, approving the Final Plat of 20th Street Timber First Addition, located at 2054 and 2060 20th Street NW.

1506-11-11, approving the Final Plat of Rapids Ridge Estates Third Addition, located north of Blairs Ferry Road NE and west of Milburn Road NE.

1507-11-11, approving the Final Plat of Summerfield Fourteenth Addition, located at Kensington Drive NE extension, south of Amelia Drive NE.

1508-11-11, establishing a monthly rate for the use of additional 35 gallon garbage carts (GARBY) provided by the Utilities Department – Solid Waste and Recycling Division.

1509-11-11, adopting and levying final schedule of assessments and providing for the payment thereof for the Oakland Road NE from 29th Street to K Avenue (Extended) Sidewalk Project.

1510-11-11, granting a reduction for an interior side yard setback from 5-feet to 3.3-feet for property at 315 McKinsie Court NE and zoned R-2/PUD-O, Single Family Residence Zone District/Planned Unit Development Overlay District as requested by property owners, Frank W. and Kathryn J. Coe.

1511-11-11, authorizing submittal of Tax Increment Financing (TIF) Indebtedness Certifications to the Linn County Auditor indicating the total debt incurred and revenues collected through June 30, 2010 within each of the City's twelve (12) Urban Renewal Areas.

1512-11-11, authorizing execution of the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 5 properties in connection with the HUD Community Development Block Grant (CDBG) (FLOOD).

1513-11-11, Amendment No. 1 to the Professional Services Agreement with Environmental Design International, Inc. specifying an increased amount not to exceed \$49,186.50 for hazardous materials sampling in connection with the Cedar Rapids Convention Complex Hazardous Materials Survey project (original contract amount was \$54,398.50; total contract amount with this amendment is \$103,585).

1514-11-11, Authorizing dues payment of \$48,725.98 to the Corridor Metropolitan Planning Organization for Fiscal Year 2012.

1515-11-11, Purchase of one John Deere 323D Compact Track Loader, one John Deere SB72H Snow Blower-High Flow, one John Deere RC72 Rotary Cutter and one John Deere PR72B Angle Power Rake from GreenValley Ag & Turf LLC in the amount of \$67,537.95.

1516-11-11, Agreement for Police Patrol Vehicle Electronics Installation with Graybill Communication for Fleet Services for an annual amount not to exceed \$51,712.50.

1517-11-11, Agreement for Welding Gases & Supplies with Matheson for a total annual amount not to exceed \$35,000.

1518-11-11, Amendment No. 3 to renew Agreement for Graphic Design and Layout Services with ME&V through June 30, 2012 for an amount not to exceed \$150,000 (original contract amount was \$50,000; renewal contract amount is \$150,000).

1519-11-11, Agreement for the purchase and installation of Lime Sludge Chute Replacement with Weitz Industrial, LLC for an amount not to exceed \$43,500.

1520-11-11, Purchase Agreement in the amount of \$29,800 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Staco Investment Corporation for vacant land located north of Mount Vernon Road SE and east of Rosedale Road SE in connection with the Indian Creek and Dry Run Creek Trunk Sanitary Sewer Capacity Improvements – Phase 1 project.

1521-11-11, Purchase order in the amount of \$35,516 with Dave Schmitt Construction, Inc. for the Penn Avenue NW Storm Sewer Extension project.

1522-11-11, Federal Aid Agreement in the amount of \$46,235 with the Iowa Department of Transportation (IDOT) for a Safe Routes to School Program Project in connection with the Harrison Elementary School Sidewalks project.

1523-11-11, Federal Aid Agreement in the amount of \$72,719 with the Iowa Department of Transportation (IDOT) for a Safe Routes to School Program Project in connection with the

29th Street SW from Wilson Avenue to Van Buren Drive Sidewalk project (Van Buren Elementary School).

1524-11-11, Awarding and approving contract in the amount of \$205,977.50, bond and insurance of Ricklefs Excavating, Ltd for the N Avenue NW 2011 Water Main Replacement project (estimated cost is \$320,000).

1525-11-11, Professional Services Agreement with McClure Engineering Company for an amount not to exceed \$76,645 for design services for the Willowbrook-Georgia Water and Sewer Improvements project.

1526-11-11, Amendment No. 10 to the Professional Services Agreement with Ryan Companies US specifying an increased amount not to exceed \$555,476 for construction management services in connection with the Select City-Owned Flood Damaged Building Facilities project (original contract amount was \$5,096,166; total contract amount with this amendment is \$5,821,919) (FLOOD).

1527-11-11, Amendment No. 2 to the Professional Services Agreement with Shive Hattery, Inc. specifying an increased amount not to exceed \$6,128 for surveying services in connection with the Public Works Building (PWE006) and Solid Waste Building (PWE010) – Flood Recovery Land Surveying project (original contract amount was \$23,757; total contract amount with this amendment is \$29,885) (FLOOD).

1528-11-11, Amendment No. 1 to the agreement with Tim Hildreth Company, Inc. for the Veterans Memorial Boiler Purchase Package to expand the scope of services to include extended warranties of an additional 12 months in the amount of \$7,947 (original contract amount was \$198,256; total amount with this amendment is \$206,203) (FLOOD).

1529-11-11, Professional Services Agreement with Braun Intertec Corporation for an amount not to exceed \$59,884.50 for construction testing and inspection services in connection with the Cedar Rapids Public Library project (FLOOD).

1530-11-11, Purchase of 42 internal joint sleeves from Link-Pipe, Inc. for an amount not to exceed \$163,466.85 which will be used to stop ground water infiltration into underground sewer mains in connection with the Main Inceptor, from A Street SW to Prairie Creek, Sanitary Sewer Restoration project (FLOOD).

1531-11-11, Grant Project Agreement for submission to the Iowa Homeland Security and Emergency Management Division (HSEMD) to secure grant funding to construct Flood Protection Improvements at the Water Pollution Control Facility (WPCF) (FLOOD).

1532-11-11, Agreement for Paramount Theatre Restoration of the Flood Damaged Wurlitzer Organ with Crome Organ Co. for an amount not to exceed \$884,000 (FLOOD).

1533-11-11, Special Warranty Deed conveying City-owned property located at 610 G Avenue NW to Affordable Housing Network, Inc. through the Residential Property Disposition program (FLOOD).

1534-11-11, Negotiation of an Agreement for Private Redevelopment with 2001 Development Corporation for the disposition of 427 1st Street SE, commonly known as the Science Station, in the Consolidated Central Urban Renewal Area (FLOOD).

1535-11-11, Corrective Warranty Deed from 2001 Development Corporation for a portion of land located at 117 3rd Avenue SE in connection with the Paramount Theatre Flood Recovery & Renovation project (FLOOD).

1536-11-11, Corrective Warranty Deed from the Cedar Rapids Symphony Orchestra Association, Inc. for a portion of land located at 119 3rd Avenue SE in connection with the Paramount Theatre Flood Recovery & Renovation project (FLOOD).

Report on bids for the Joint Communications Network Construction Group 2 EDA Project. (Doug Wilson)

Rohl Networks, LP (Jupiter, FL)	\$2,359,843.19
Underground Piercing, Inc. (Rogers, MN)	\$2,592,330.69
Price Industrial Electric, Inc. (Hiawatha, IA)	\$3,244,735.21
Dig America, Inc. (St. Cloud, MN)	\$4,181,278.93

Report on bids for the Joint Communications Network Group 3 Downtown System Improvements and Repair project (FLOOD). (Doug Wilson)

Price Industrial Electric, Inc. (Hiawatha, IA)	\$404,898.85
Possible Incentive	<u>\$ 9,000.00</u>
Total Award	\$413,898.85

Dig America, Inc. (St. Cloud, MN)	\$581,934.85
Underground Piercing, Inc. (Rogers, MN)	\$686,968.44

1537-11-11, awarding and approving contract in the amount of \$404,898.85 plus incentive up to \$9,000, bond and insurance of Price Industrial Electric, Inc. for the Joint Communications Network Group 3 Downtown System Improvements and Repair project.

Report on bids for the Veterans Memorial Phase II project (FLOOD). (Mike Jager)

Garling Construction	\$4,903,000.00
Kleiman Construction	\$4,977,403.00
Knutson Construction Services	\$4,895,000.00
Miron Construction	\$4,794,000.00
Rinderknecht Associates, Inc.	\$4,687,000.00
Tricon Construction Group	\$4,848,000.00

1538-11-11, Presentation and accepting the Ellis Harbor Business Plan and Feasibility Study. Council member Podzimek was absent for this vote.

Ordinance No. 057-11, being an Ordinance vacating public ways and grounds in and to the property described as a 3.5-foot by 200-foot strip of City-owned parking lot located along the southeasterly property line of 1612 C Street SW as requested by Robert P. Schaffer, was presented and read the second time.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Wieneke. Approved, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Council member Podzimek was absent for this vote.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Council member Podzimek was absent for this vote.

1539-11-11, authorizing the disposition of the property described as a 3.5-foot by 200-foot strip of City-owned parking lot located along the southeasterly property line of 1612 C Street SW as requested by Robert P. Schaffer. Council member Podzimek was absent for this vote.

Public comments were heard.

Council member Wieneke moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Wieneke and Mayor Pro Tempore Vernon. Council member Podzimek was absent for this vote.

City Council adjourned at 6:46 p.m. to meet Tuesday, December 6, 2011 at 4:30 p.m.

Alissa Kaiser, Deputy City Clerk

Absent, Mayor Corbett

Cedar Rapids, Iowa, November 23, 2011; 12:30 p.m.

City Council met for a Special Session in City Hall, 3851 River Ridge Drive NE, North Conference Room. Present, Council members Gulick, Karr, Shields, Swore and Wieneke. Also present were City Manager Jeff Pomeranz, Judy Lehman, Purchasing Manager and Doug Carper, Flood Recovery Construction Coordinator. Absent, Mayor Corbett, Council members Podzimek, Shey and Vernon. Council member Swore chaired the meeting.

The following motion and resolution were approved with all Council members voting "Aye" unless noted.

Motion approving the beer/liquor/wine applications of JM O'Malley's, 1502 H Avenue NE (outdoor service for an event on November 23 - 27, 2011).

Discussion: Doug Carper

1540-11-11, awarding and approving contract in the amount of \$42,916, bond and insurance of Iowa-Illinois Taylor Insulation for the Environmental Remediation Services for Flood Damaged Structure-True North Building project (estimated cost is \$50,000) (FLOOD).

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Shields, Swore and Wieneke.

Meeting adjourned at 12:42 p.m.

Alissa Kaiser, Deputy City Clerk

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

December 6, 2011, 4:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Podzimek (left the meeting at 6:35 p.m.), Shey, Shields, Swore, Vernon and Wieneke. Also present were City Manager Jeff Pomeranz and City Attorney James Flitz.

The invocation was given by Fire Chaplain Phil Saunders.

Pledge of Allegiance

A presentation recognizing Finance staff for certificate of achievement for excellence in financial reporting for fiscal year ending June 30, 2010 was given by Casey Drew. Finance staff members recognized at the meeting were Regina Anderson, Julie Gallagher, Chad Till and Andy Hoenig.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider amending Chapter 69 of the Municipal Code, Civil Rights Commission, adding coverage for gender identity under all areas (employment, housing, education, public accommodations, credit), adding familial and marital status to employment, education and public accommodations, adding lawful source of income to housing and making changes to the design and construction requirements affecting places of public accommodations. One comment and 11 objections were heard. Written correspondence was filed (34 letters of support, 5 letters of objection, 76 letters requesting lawful source of income be removed, 2 letters questioning the definition of lawful source of income, 16 letters requesting information and/or the Ordinance be delayed or tabled for further discussion and 1 letter of comment regarding income).

A public hearing was held to consider a change of zone for property at the City Block between 1st and 2nd Avenue SE and 7th and 8th Street SE from C-4, Central Business Zone District to PUB, Public Zone District for construction of a new Central Fire Station as requested by the City of the Cedar Rapids. One comment was heard. No written comments or objections were filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at the City Block between 1st and 2nd Avenue SE and 7th and 8th Street SE from C-4, Central Business Zone District to PUB, Public Zone District for construction of a new Central Fire

Station as requested by the City of Cedar Rapids (**FLOOD**), was presented and read the first time.

Council member Vernon 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 Gulick. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, correcting scrivener's errors and clarifying various sections. One comment was heard. No written comments or objections were filed.

Ordinance No. _____, being an Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, correcting scrivener's errors and clarifying various sections, was presented and read the first time.

Council member Shields 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. **DIED FOR LACK OF A SECOND. ORDINANCE FAILED.**

A public hearing was held to consider the disposition of City-owned commercial properties at 1140 C Street SW and 1223 1st Street SW (former 1st Community Credit Union) and inviting competitive proposals for the redevelopment of this property in the Consolidated Central Urban Renewal Area and acquired through the City's Voluntary Property Acquisition Program (**FLOOD**). No comments or objections were heard or filed.

A public hearing was held to consider the disposition of City-owned commercial property at 1126 Ellis Boulevard NW and inviting competitive proposals for the redevelopment of this property in the Consolidated Central Urban Renewal Area and acquired through the City's Voluntary Property Acquisition Program (**FLOOD**). No comments or objections were heard or filed.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Water Main Crossing of US Highway 30 - East of Highway 30 and C Street Interchange project (estimated cost is \$425,000). No comments or objections were heard or filed.

1541-12-11, adopting plans, specifications, form of contract and estimated cost for the Water Main Crossing of US Highway 30 - East of Highway 30 and C Street Interchange project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Polk Elementary Sidewalks project, with bid opening

scheduled for December 20, 2011 at the Iowa Department of Transportation (IDOT) (estimated cost is \$110,000). Two objections were heard. One letter of concern was filed.

0000-00-00, adopting plans, specifications, form of contract and estimated cost for the Polk Elementary Sidewalks project. Council member Shields moved to table the resolution; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Podzimek, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried. **RESOLUTION TABLED.**

A public hearing was held to consider the proposed specifications, form of contract and estimated cost for the Environmental Remediation and Demolition Services for Nuisance Structures (estimated cost is \$244,500). One comment was heard. No written comments or objections were filed.

1542-12-11, adopting specifications, form of contract and estimated cost for the Environmental Remediation and Demolition Services for Nuisance Structures.

A public hearing was held to consider the proposed specifications, form of contract and estimated cost for the Environmental Remediation Services for Flood Damaged Commercial Structures (estimated cost is \$200,516). No comments or objections were heard or filed.

1543-12-11, adopting specifications, form of contract and estimated cost for the Environmental Remediation Services for Flood Damaged Commercial Structures (FLOOD).

Public comments were heard.

Council member Podzimek left the meeting at 6:35 p.m. and therefore did not vote on the following motions, resolutions (as noted on the resolutions themselves) or ordinances.

Council member Wieneke moved to approve the Agenda; seconded by Council member Swore. City Manager Jeff Pomeranz requested that Item Number 11d (motion setting a public hearing date for January 10, 2012 to consider the annexation of property south of 42nd Street NE on the east side of Emerson Avenue NE as requested by Sheryl I. Jahnelt and Richard J. Williams) be corrected to read Richard J. Mitchell. Council member Vernon requested Item Number 18 (Resolution approving the special event application for the KHAK 50th Birthday Concert & KRNA Rock Jam on June 9 and 10, 2012) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing dates for:

- a. December 20, 2011 – to consider a change of zone for property at 1056 & 1060 Center Point Road NE from C-1, Mixed Neighborhood Convenience Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Kent Opperman;
- b. December 20, 2011 – to consider the vacation of public ways and grounds in and to the property described as a 1,806 square-foot parcel of right-of-way located in the alley between 1st Avenue and 2nd Avenue SE and between 3rd Street and 4th Street SE as requested by the City of Cedar Rapids in connection with the Cedar Rapids Convention Complex Parking Structure project;
- c. January 10, 2012 – to consider the annexation of property west of East Post Road at the intersection of East Post Road and Kenilworth Court (305 East Post Road SE) as requested by the City of Cedar Rapids;
- d. January 10, 2012 – to consider the annexation of property south of 42nd Street NE on the east side of Emerson Avenue NE (3940 Emerson Avenue NE) as requested by Sheryl I. Jahnel and Richard J. Mitchell.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for December 20, 2011 and advertising for bids by publishing notice to bidders for the Hawkeye Downs Road SW Culvert Replacement - Flood project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on December 21, 2011 (estimated cost is \$410,000).

Motion filing plans, specification, form of contract, estimated cost, setting a public hearing date for December 20, 2011 and advertising for bids by publishing notice to bidders for the 1st Street SW Outdoor Amphitheater & Festival Grounds project, and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on January 11, 2012 (estimated cost is \$4,900,000).

Motion authorizing publication of a public notice that on December 20, 2011 a resolution will be considered to execute a Rental Agreement with Koch Brothers for the rental of five Lanier digital copiers for the following City departments: Animal Control, Water, Information Technology, Police and Code Enforcement.

Motion approving the beer/liquor/wine applications of:

- a. ARA Gallery, 4850 Armar Drive SE (5-day license for an event on December 15, 2011);
- b. ARA Gallery, 4850 Armar Drive SE (5-day license for an event on December 29, 2011);
- c. Big Daddy's, 629 2nd Avenue SW;
- d. Cedar River Landing, 310 F Avenue NW;
- e. Cranky Hank's, 4444 1st Avenue NE, Suite #454;
- f. Genghis Grill, 5001 1st Avenue SE, Suite #101;
- g. Hill Brother's Jiffy Mart, 1904 Mt Vernon Road SE (new ownership);
- h. Jersey's Pub & Grub, 200 1st Avenue NE (new-formerly CR Chop House);
- i. Lava Coastal Cuisine, 5400 Edgewood Road NE (new-formerly Wok N Roll);
- j. Little Bohemia, 1317 3rd Street SE;
- k. Miguel's, 175 Jacolyn Drive NW;

- l. Park Town BP, 4141 Center Point Road NE (new-changing to Class E-Liquor);
- m. Red Frog, 88 16th Avenue SW;
- n. Winifred's, 3847 1st Avenue SE;
- o. Xavier's, 1401 1st Avenue SE.

Motion assessing a \$500 civil penalty for violation of State Code regarding the sale of alcohol to minors against:

- a. BP on First Avenue, 2824 1st Avenue NE;
- b. Green Gable Inn, 1227 J Avenue NE;
- c. Hill Brothers Jiffy Mart, 1904 Mt Vernon Road SE;
- d. Hy-Vee Drug Store #3, 2405 Mt Vernon Road SE;
- e. Los Compadres Mexican Bar & Grill, 2825 6th Street SW;
- f. Uptown Liquor & Tobacco, 2000 Wiley Blvd SW, Suite #106;
- g. Westside Lounge, 325 Edgewood Road NW.

1544-12-11, approving payment of bills.

1545-12-11, approving payment of payrolls.

1546-12-11, approving transfer of funds.

1547-12-11, levying assessments for delinquent municipal utility bills at 12 properties.

1548-12-11, accepting Water system improvements installed in Hawk's Point 4th Addition – Phase II (Lots 14-28 and 42-56, through Sta. 14+91 on Dostal Drive SW) and approving Maintenance Bond submitted by Borst Bros. Const. Inc. in the amount of \$21,084.

1549-12-11, accepting the CRWPCF Permanent Flood Repairs – Package 1 project, approving Performance Bond and authorizing final payment in the amount of \$43,219.55 to Rice Lake Construction Group (original contract amount was \$2,938,000; final contract amount is \$3,166,927.04) (FLOOD).

1550-12-11, accepting the Buchanan Drive SE from 26th Street to Memorial Drive (North Side) Sidewalk project and approving Performance Bond (original contract amount was \$41,490.10; final contract amount is \$42,625.09).

1551-12-11, approving the Final Plat of Old Fleck First Addition for property located at 1825 and 1855 Edgewood Road SW.

1552-12-11, amending Resolution No. 0435-05-07 to reflect a revised contract amount of \$130,442.28 for a New Public Road Crossing Overpass Agreement with the Union Pacific Railroad Company in connection with the Edgewood Road SW Bridge over Prairie Creek, Bridge Replacement project.

1553-12-11, amending the Citizen Participation Plan for Community Development Block Grant (CDBG) and HOME Investment Partnership Program funds by deleting a representative from the Affordable Housing Commission and adding a representative from the Linn County Continuum of Care Planning and Policy Council on the Grants and Programs Citizens Advisory

Committee and modifying the appointment term to run from July 1 through June 30 of each year.

1554-12-11, adopting an update to the Cedar Rapids Metropolitan Area Standard Specifications for Public Improvements (METRO Specs), specifically Section 01110 – Testing and Quality Control and Section 02500 – Water Mains.

1555-12-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 6 properties in connection with the HUD Community Development Block Grant (CDBG) (FLOOD).

1556-12-11, permitting the registration of the structure located on City-owned land at 55 12th Avenue SE after the program deadline for the voluntary acquisition program funded under the Iowa Economic Development Authority (IEDA) Community Development Block Grant (CDBG) (FLOOD).

1557-12-11, execution of a Development Agreement and Special Warranty Deed for Cedar Valley Habitat for Humanity for property at 320 7th Street SW (FLOOD).

1558-12-11, execution of a Development Agreement and Special Warranty Deed for Cedar Valley Habitat for Humanity for property at 1220 L Street SW (FLOOD).

1559-12-11, execution of a Development Agreement and Special Warranty Deed for Cedar Valley Habitat for Humanity for property at 1807 1st Street SW (FLOOD).

1560-12-11, authorizing utilization up to an additional \$206,270 in Local Option Sales Tax (LOST) dollars to meet the revised demand estimates for three existing LOST-funded activities specifically flood insurance reimbursement, acquisition of homes damaged less than 50% and residential rent protection (FLOOD).

1561-12-11, establishing interim and final program deadlines for the Jumpstart Housing Assistance Program (FLOOD).

1562-12-11, establishing interim and final program deadlines for the Jumpstart Landlord Rental Rehabilitation Program (FLOOD).

1563-12-11, authorizing up to \$500,000 in Local Option Sales Tax (LOST) revenues to serve as gap funding to assist homeowners with repair costs that exceed Jumpstart Housing Assistance program limits (FLOOD).

1564-12-11, termination of the property lease at 421 4th Avenue SE with TrueNorth (FLOOD).

1565-12-11, Amendment No. 2 to renew Agreement for Boiler and Cooling Water Chemicals with Nalco Company for the Water Pollution Control Facility for an estimated annual

amount of \$60,000 (original contract amount was \$50,000; renewal contract amount is \$60,000).

1566-12-11, Amendment No. 2 to renew Agreement for Liquid Chlorine with Alexander Chemical Corporation for the Water Pollution Control Facility and Water Operations for an estimated annual amount of \$381,760 (original contract amount was \$240,000; renewal contract amount is \$381,760).

1567-12-11, Amendment No. 3 to renew Agreement for Sodium Hydroxide 50% Bulk with Vertex Chemical Corporation for the Water Pollution Control Facility for an estimated annual amount of \$150,000 (original contract amount was \$250,000; renewal contract amount is \$150,000).

1568-12-11, Amendment No. 4 to renew Agreement for Liquid Magnesium Bisulfite 30% with Hydrite Chemical Company for the Water Pollution Control Facility for an estimated annual amount of \$160,000 (original contract amount was \$160,000; renewal contract amount is \$160,000).

1569-12-11, Amendment No. 2 to renew Agreement for Sodium Silicofluoride with KC Industries LLC for Water Operations for an estimated annual amount of \$52,850 (original contract amount was \$50,000; renewal contract amount is \$52,850).

1570-12-11, Amendment No. 3 to renew Agreement for Nitric Acid 42-Degree Technical Grade Liquid with Hydrite Chemical Company for the Water Pollution Control Facility for an estimated annual amount of \$45,000 (original contract amount was \$40,000; renewal contract amount is \$45,000).

1571-12-11, Amendment No. 2 to renew Agreement for Sodium Hypochlorite 12% with K.A. Steel Chemicals, Inc. for the Water Pollution Control Facility for an estimated annual amount of \$250,000 (original contract amount was \$255,000; renewal contract amount is \$250,000).

1572-12-11, Amendment No. 2 to renew Agreement for Zinc Orthophosphate with Hawkins, Inc. for Water Operations for an estimated annual amount of \$171,900 (original contract amount was \$140,000; renewal contract amount is \$171,900).

1573-12-11, Amendment No. 2 to renew Agreement for Polymer Clarifloc C-321 with Polydyne, Inc. for the Water Pollution Control Facility for an estimated annual amount of \$475,000 (original contract amount was \$625,000; renewal contract amount is \$475,000).

1574-12-11, Amendment No. 2 to renew Agreement for Emulsion Polymer with Polydyne, Inc. for the Water Pollution Control Facility for an estimated annual amount of \$250,000 (original contract amount was \$458,000; renewal contract amount is \$250,000).

1575-12-11, Amendment No. 2 to renew Agreement for Anhydrous Ammonia with Tanner Industries, Inc. for Water Operations for an estimated annual amount of \$85,200 (original contract amount was \$75,000; renewal contract amount is \$85,200).

1576-12-11, Amendment No. 2 to the Agreement for Convention Complex Hotel Hazardous Material Abatement with Lindstrom Environmental, Inc. to reflect the additional cost to remove and dispose of vermiculite that was a latent discovery for an amount not to exceed \$139,950 (original contract amount was \$295,000; total contract amount with this amendment is \$542,200).

1577-12-11, Amendment No. 2 to renew Agreement for Multiple Pass Well Rehabilitation Treatment with Frazier Well Services, LLC for Water Operations for an estimated annual amount of \$59,475 (original contract amount was \$59,475; renewal contract amount with this amendment is \$59,475).

1578-12-11, Amendment No. 4 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC specifying an increased amount not to exceed \$54,425 for professional design and construction administration services in connection with the 2nd Street SE from 4th Avenue SE to 8th Avenue SE and Federal Courthouse Public Infrastructure Improvements project (original contract amount was \$210,864; total contract amount with this amendment is \$299,789).

1579-12-11, Amendment No. 2 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC (formerly d.b.a. Engineering Alliance) specifying an increased amount not to exceed \$41,755 for additional design and construction administration services associated with reconciling as-bid project limits to maximize approved I-JOBS grant monies available in connection with the 6th Street SW from US Highway 30/151/218 to Ingleside Drive SW Improvements project (original contract amount was \$433,237; total contract amount with this amendment is \$556,156).

1580-12-11, Amendment No. 3 to the Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$56,500 for right-of-way acquisition support services in connection with miscellaneous projects (original contract price was \$113,000; total contract amount with this amendment is \$395,000).

1581-12-11, Change Order No. 3 in the amount of \$20,161.19 with Gee Grading & Excavating, Inc. for the 1st Street SW from 3rd Avenue to 5th Avenue Flood Protection Levee project (original contract amount was \$805,074.70; total contract amount with this amendment is \$839,317.09).

1582-12-11, Change Order No. 1 in the amount of \$47,243.28 with Price Industrial Electric, Inc. for the Joint Communications Network Construction Group 1 project (original contract amount was \$2,212,673; total contract amount with this amendment is \$2,259,916.28).

1583-12-11, Change Order No. 3 in the amount of \$60,463.27 with Unzeitig Construction Company for the City Hall Remodel project (original contract amount was \$5,843,000; total contract amount with this amendment is \$5,927,341.62).

1584-12-11, Change Order No. 4 in the amount of \$12,211.62, plus 25.5 additional working days with Eastern Iowa Excavating & Concrete LLC for the FY 2011 Sidewalk Repair and Ramp Program – Contract No. 2 project (original contract amount was \$127,192.50; total contract amount with this amendment is \$147,876.46).

1585-12-11, Change Order No. 14 in the amount of \$3,242.04 with L.L. Pelling Company, Inc. for the 16th Avenue SW from Stoney Point Road to West Post Road Pavement Rehabilitation and Traffic Signals project (original contract amount was \$1,945,443.43; total contract amount with this amendment is \$2,098,344.02).

1586-12-11, Change Order No. 1 (final) in the amount of \$53,346.20, plus an additional 13 working days with Gee Asphalt Systems, Inc. for the 2011 Crack Sealing on Hot Mix Asphalt Streets project (original contract amount was \$100,180; total contract amount with this amendment is \$153,526.20).

1587-12-11, Change Order No. 13 in the amount of \$30,522.63 with Horsfield Construction, Inc. for the 33rd Avenue SW Reconstruction And Turn Lane Improvements From Coyote Road to Remington Street project (original contract amount was \$2,553,421.50; total contract amount with this amendment is \$2,784,477.01).

1588-12-11, awarding and approving contract in the amount of \$2,358,436.69, plus incentive up to \$8,000, bond and insurance of Rohl Networks, LP for the Joint Communications Network Construction Group 2 EDA Project (estimated cost is \$2,450,000).

1589-12-11, Agreement for Nortel & Trendnet Network Equipment for the Information Technology Department with Y and S Technologies for a total annual amount not to exceed \$40,000.

1590-12-11, Agreement for Sulfur Scrubber Solution with Cameron Process Solutions, Inc. for the Water Pollution Control Facility for an amount not to exceed \$25,000.

1591-12-11, Agreement for Magnesium Hydroxide 60% Bulk Liquid with Garrison Minerals, LLC for the Water Pollution Control Facility for an amount not to exceed \$160,000.

1592-12-11, Fleet Services purchase of one Toro Groundsmaster 5900 commercial mower from MTI Distributing for the total amount of \$75,927 (purchase is being made from the state bid contract let by the Iowa Department of Transportation (IDOT)).

1593-12-11, Warranty Deed from Joseph Koffron and Rosemary Lee Koffron for the consideration of \$1 and other valuable consideration for additional right-of-way along the northerly side of 41st Avenue SW adjoining property located at 400 41st Avenue Drive SW.

1594-12-11, Corrective Warranty Deed from the Cedar Rapids Community School District for additional right-of-way along the southerly side of Ellis Road NW for property at 2418 Edgewood Road NW.

1595-12-11, Easement for Utilities Agreement in consideration of \$1 and other valuable consideration for dedication of utility easements, and a Warranty Deed in consideration of \$10 and other valuable consideration for additional street right-of-way from Mercy Medical Center for properties located along both sides of 10th Street SE between 5th Avenue SE and 8th Avenue SE, and along 8th Avenue SE.

1596-12-11, purchase of equipment and repair services through Pearpoint, an SPX Brand company, for existing Pearpoint Closed Circuit Televising (CCTV) equipment in an amount not exceed \$95,000.

1597-12-11, purchase of equipment and repair services from MID-IOWA Solid Waste Equipment Co., Inc. for existing Closed-Circuit Televising (CCTV) equipment manufactured by AIRES and Pipe Hunter for an amount not to exceed \$65,000.

1598-12-11, purchase of Automatic Vehicle Location (AVL) equipment, service and software licenses from Racom Critical Communications for an amount not to exceed \$65,000.

1599-12-11, Amendment No. 3 to the Professional Services Agreement with Neumann Brothers, Inc. specifying an increased amount of \$28,839 for Construction Management Services in connection with the May's Island Parkade project and May's Island Maintenance Package project (original contract amount was \$3,382,480; total contract amount with this amendment is \$3,511,081.99) (FLOOD).

1600-12-11, Agreement for Utility Disconnect Services with BWC Excavating LC for an amount not to exceed \$366,970.65 (FLOOD). Abstain, Council member Gulick.

1601-12-11, Agreement for City Hall Furniture, Fixtures and Equipment (FF&E) Package with Storey Kenworthy for an amount not to exceed \$390,221.30 (FLOOD).

1602-12-11, Professional Services Agreement with Terracon Consultants, Inc. for an amount not to exceed \$54,300 for Environmental Testing Services in connection with the Five Seasons Bus Garage Replacement project (FLOOD).

1603-12-11, approving the special event application for the KHAK 50th Birthday Concert & KRNA Rock Jam on June 9 and 10, 2012. Nays, Council members Shey, Swore and Vernon.

Discussion: Thomas Smith and Christine Butterfield

1604-12-11, approving a Preliminary Site Development Plan for property south of 16th Avenue SW and north of Hughes Drive SW as requested by Jerry's Homes, Inc.

Discussion: Paula Mitchell

1605-12-11, execution of a Development Agreement with Matthew 25 Ministry Hub for City owned properties located at 811 Ellis Boulevard NW, 400 G Avenue NW, 420 G Avenue NW, 424 G Avenue NW, 432 G Avenue NW, 401 G Avenue NW, 419 G Avenue NW, 427 G Avenue NW, 431 G Avenue NW, 435 G Avenue NW, 428 F Avenue NW, 508 F Avenue NW and 512 F Avenue NW (FLOOD). Nays, Council members Gulick, Karr and Wieneke.

Discussion: Jim Thatcher

1606-12-11, rescind the waiving of building permit fees for permits in areas affected by the flood of 2008 (FLOOD).

Presentation regarding flood recovery options for the Public Works Facility, 1201 Sixth Street SW (FLOOD): Sandi Fowler, Marc Gullickson, Ryan Companies and Dave Zahradnik, Neumann Monson Architects.

Council member Swore moved to direct staff to move forward with Option 3 – New Facility; seconded by Council member Wieneke. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 058-11, being an Ordinance granting a change of zone for property at 4201 Beverly Road SW from A, Agriculture Zone District to R-1, Single Family Residence Zone District as petitioned by James and Amber Dostal, was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Vernon. Approved, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 059-11, being an Ordinance granting a change of zone for property at 5101 18th Avenue SW from C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District as petitioned by Lehman, Allsop & Evans LLC, was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Gulick. Approved, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 060-11, being an Ordinance granting a change of zone for property south of Ellis Road NW approximately 1900 feet west of Ellis Road NW and Edgewood Road NW Intersection with two of the properties from R-1, Single Family Residential to RMF-2, Multi-Family Residential and one property from RMF-2, Multi-Family Residential to R-1, Single Family Residential as requested by Stoney Point Heights LLC and Marcus M. and Elizabeth J. Nelson, was presented and read the second time.

Council member Wieneke moved the approval of the Ordinance on its second reading; seconded by Council member Gulick. Approved, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 061-11, being an Ordinance repealing Chapter 23 of the Municipal Code, Cats, Dogs, and Other Animals, and enacting a new Chapter 23 updating the definition and reference to Urban Chickens, updating reptile restrictions, increasing fines for scheduled offenses, creating a definition and disposition for Potentially Dangerous and Dangerous Animals rather than Vicious, and adding references to Iowa Code for ease in prosecution of abuse/neglect, was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Wieneke. Approved, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. _____, being an Ordinance changing the name of "A Street SW" to "Inspiration Place SW" for that portion of A Street SW from 15th Avenue SW to 16th Avenue SW as requested by the National Czech & Slovak Museum and Library, was presented and read the first time.

Council member Wieneke 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 Swore. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public comments were heard.

Council member Shields moved to adjourn; seconded by Council member Swore. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

City Council adjourned at 8:52 p.m. to meet Tuesday, December 20, 2011 at 4:30 p.m.

Amy Stevenson, City Clerk

Abstain, Council member Gulick
Nay, Council member Gulick
Nay, Council member Karr
Nay, Council member Shey
Nay, Council member Swore
Nay, Council member Vernon
Nay, Council member Wieneke

Cedar Rapids, Iowa, December 6, 2011; 3:15 p.m.

Council met in Special Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Shields, Shey and Wieneke. Council members Swore and Vernon arrived shortly after the motion was made to go into closed session. Also present were City Manager Jeff Pomeranz, City Attorney James Flitz, City Clerk Amy Stevenson and Legislative Liaison Angie Charipar. The City Attorney and City Clerk both left the meeting after going into closed session. Absent, Council member Podzimek.

Council member Gulick moved to go into closed session pursuant to Section 21.5 of the Iowa Code to evaluate the professional competency of individuals whose appointment, hiring, performance or discharge is being considered because it is necessary to prevent needless and irreparable injury to both individual's reputations and that both individuals have requested a closed session; seconded by Council member Wieneke. Council was polled: Ayes, Council members Gulick, Karr, Shields, Shey, Wieneke and Mayor Corbett. Motion carried.

Council returned to open session and adjourned at 4:20 p.m.

Amy Stevenson, City Clerk

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

December 20, 2011, 4:30 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 1st Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Karr, Shey, Shields, Swore, Vernon and Wieneke. Also present were Acting City Manager Casey Drew and City Attorney James Flitz. Absent, Council member Podzimek.

The invocation was given by Police Chaplain Clyde Bailey.

Pledge of Allegiance

A presentation regarding the VenuWorks/Orchestra Iowa Paramount Agreement was given by Gene Felling, VenuWorks and Robert Massey, Orchestra Iowa.

Resolutions were adopted with all Council members and Mayor Corbett voting "Aye" unless noted.

A public hearing was held to consider a change of zone for property at 1056 & 1060 Center Point Road NE from C-1, Mixed Neighborhood Convenience Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Kent Opperman. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 1056 & 1060 Center Point Road NE from C-1, Mixed Neighborhood Convenience Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Kent Opperman, was presented and read the first time.

Council member Vernon 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 Wieneke. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider the vacation of public ways and grounds in and to the property described as a 1,806 square-foot parcel of right-of-way located in the alley between 1st Avenue and 2nd Avenue SE and between 3rd Street and 4th Street SE, as requested by the City of Cedar Rapids in connection with the Cedar Rapids Convention Complex Parking Structure project. One comment was heard. No written comments or objections were filed.

Ordinance No. _____, being an Ordinance vacating public ways and grounds in and to the property described as a 1,806 square-foot parcel of right-of-way located in the alley between 1st Avenue and 2nd Avenue SE and between 3rd Street and 4th Street SE, as requested

by the City of Cedar Rapids in connection with the Cedar Rapids Convention Complex Parking Structure project, was presented and read the first time.

Council member Gulick 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 Wieneke. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

A public hearing was held to consider proposed plans, specifications, form of contract and estimated cost for the 1st Street SW Outdoor Amphitheater & Festival Grounds project (estimated cost is \$4,900,000). No comments or objections were heard or filed.

1607-12-11, adopting plans, specifications, form of contract and estimated cost for the 1st Street SW Outdoor Amphitheater & Festival Grounds project.

A public hearing was held to consider proposed plans, specifications, form of contract and estimated cost for the Hawkeye Downs Road SW Culvert Replacement - Flood project (estimated cost is \$410,000). No comments or objections were heard or filed.

1608-12-11, adopting plans, specifications, form of contract and estimated cost for the Hawkeye Downs Road SW Culvert Replacement - Flood project (FLOOD).

Public comments were heard.

Council member Wieneke moved to approve the Agenda; seconded by Council member Vernon. Acting City Manager Casey Drew requested that Item Number 32g (Amendment No. 1 to renew the Agreement for Drug and Alcohol Testing with Weland Clinical Laboratories for a total annual amount not to exceed \$40,000 (original contract amount was \$33,000, renewal contract amount is ~~\$73,000~~ \$40,000); Item Number 32h (Amendment No. 1 to renew the Agreement with St. Luke's Work Well Solutions for a total annual amount not to exceed \$60,000 (original contract amount was \$52,162.46, ~~total~~ renewal contract amount is ~~\$112,162.46~~ \$60,000) and Item Number 32i (Amendment No. 1 to renew the Agreement for Physical Therapy Services with Physiotherapy Associates for a total annual amount not to exceed \$175,000 (original contract amount was \$162,142.37, renewal contract amount is ~~\$337,142.37~~ \$175,000) be changed to state the corrected renewal contract amounts as shown above. Council member Vernon requested Item Numbers 13e and 13f (motion to approve the beer/liquor/wine applications of Hawkeye Convenience Store East, 1581 1st Avenue SE - renewal adding Class E Liquor, and Jim's Foods, 812 6th Street SW) be removed from the Consent Agenda and moved to the Regular Agenda. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried as amended.

Council member Wieneke moved to approve the Consent Agenda; seconded by Council member Vernon. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Motion to approve minutes.

Motions setting public hearing dates for:

- a. January 10, 2012 – to consider the vacation of a 354 square-foot utility easement and the vacation and disposition of public ways and grounds in and to a 388 square-foot parcel of City-owned right-of-way located at 3303 Remington Street SW as requested by Robert L. and Christina M. Slagle.
- b. January 10, 2012 – to consider the vacation and disposition of public ways and grounds in and to the property described as a 4,821 square-foot parcel of right-of-way located in the formerly-existing alley between 16th Avenue SW and 18th Avenue SW and west of 9th Street SW as requested by the Cedar Rapids Community School District.
- c. January 10, 2012 – to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to create a Czech Bohemia Overlay District with design standards and guidelines applicable to new multifamily and commercial development applications and building permits within the Overlay District.
- d. January 10, 2012 – to consider annexation of property north of Rogers Road NW and west of Edgewood Drive NW as requested by Wilmar Development Company.
- e. January 24, 2012 – to consider the disposition of real property in the Consolidated Central Urban Renewal Area (Riverside/Oak Hill Sub-area) and invitation for redevelopment proposals for property located at 1115 C Street SW (FLOOD).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for January 10, 2012 and advertising for bids by publishing notice to bidders for the Indian Creek Trunk Sanitary Sewer – Segment 2 – Phase 1 Reconstruction project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on January 25, 2012 (estimated cost is \$4,900,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for January 10, 2012 and advertising for bids by publishing notice to bidders for the Indian Creek Trunk Sanitary Sewer – Segment 1 and Main Interceptor Sanitary Sewer Manhole 21 Rehabilitation project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on January 18, 2012 (estimated cost is \$278,000).

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for January 10, 2012 and advertising for bids by publishing notice to bidders for the Environmental Remediation Services for Flood Damaged Structures and authorizing the Purchasing Manager, or designee, to receive and open bids and publicly announce the results on January 25, 2012 (estimated cost is \$247,010) (FLOOD).

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for January 10, 2012 and advertising for bids by publishing notice to bidders for the Demolition Services for Flood Damaged Structure-Iowa Air Filter Bldg and authorizing the Purchasing Manager, or designee, to receive and open bids and publicly announce the results on January 25, 2012 (estimated cost is \$165,885) (FLOOD).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for January 10, 2012 and advertising for bids by publishing notice to bidders for the FEMA Detention Basins Repairs project and authorizing the City Engineer, or designee, to receive and open the bids and publicly announce the results on January 18, 2012 (estimated cost is \$170,000) (FLOOD).

Motion setting a hearing date for January 10, 2012 in regards to a \$500 civil penalty for violation of State Code regarding the sale of alcohol to minors against Chappy's Safari Lounge, 229 16th Avenue SE.

Motion approving the beer/liquor/wine applications of:

- a. BBQ This, 560 Boyson Road NE, Suite A;
- b. CJ's Sports Bar & Grill, 62 17th Avenue SW;
- c. El Rancho, 2747 16th Avenue SW;
- d. Ernie's Avenue Tavern, 69 16th Avenue SW;
- e. (item moved to regular agenda);
- f. (item moved to regular agenda);
- g. The Keg, 719 5th Street SE;
- h. Spring House, 3980 Center Point Road NE;
- i. Todd's on the Go, 235 Edgewood Road NW;
- j. Union Station, 1724 16th Avenue SW;
- k. Westdale Bowling Center, 2020 Scotty Drive SW.

Motion assessing \$300 civil penalties for violation of State Code regarding the sale of cigarettes to minors against the following permit holders:

- a. Casey's General Store #2790, 588 Boyson Road NE, Suite 110.
- b. Casey's General Store #2787, 1661 32nd Street NE.
- c. Downtown Drug, 207 2nd Avenue SE.

1609-12-11, approving payment of bills.

1610-12-11, approving payroll.

1611-12-11, intent to assess for Solid Waste & Recycling cleanup costs at 6 properties.

1612-12-11, levying assessments for Solid Waste & Recycling cleanup costs at 2 properties.

1613-12-11, intent to assess for Utilities – Water Division delinquent municipal utility bills at 24 properties.

1614-12-11, levying assessments for Utilities – Water Division delinquent municipal utility bills at 10 properties.

1615-12-11, accepting FY 2011 Sidewalk Repair and Ramp Program, Contract No. 1 project, approving Performance Bond and authorizing final payment in the amount of \$7,280.53 to Iowa State Contractors, Inc. (original contract amount was \$143,062.50; final contract amount is \$145,610.58).

1616-12-11, accepting 40th Street NE from C Avenue NE to 1st Avenue NE, Sidewalk Extension project, approving Performance Bond and authorizing final payment in the amount of \$11,520.28 to City Wide Construction Corporation (original contract amount was \$198,249; final contract amount is \$230,405.38).

1617-12-11, accepting FHWA Bridge and Roadway Repair project, approving Performance Bond and authorizing final payment in the amount of \$22,935.23 to Peterson Contractors, Inc. (original contract amount was \$457,318.10; final contract amount is \$764,507.60).

1618-12-11, accepting Cedar Rapids Convention Complex Demolition, Site Work and Utility Package project, approving Performance Bond and authorizing final payment in the amount of \$56,855.38 to D.W. Zinser Company (original contract amount was \$874,000; final contract amount is \$1,137,107.50).

1619-12-11, accepting Immaculate Conception Church 3rd Avenue SE Drop Off Lane Extension project and approving Performance Bond (original contract amount was \$21,035.92; final contract amount is \$19,984.12).

1620-12-11, approving the Final Plat of Ridgewood Meadows 10th Addition, located at Prairie Grass Court NE and Windy Meadow Circle NE.

1621-12-11, approving the Final Plat of Cedar River Bluffs Second Addition, located at River Bluff Drive NW extension south of Ellis Road NW.

1622-12-11, approving the installation of a stop sign on the west approach at the intersection of Van Buren Drive SW and 29th Street SW.

1623-12-11, expressing the City Council's support of the Blue Zones Project and directing staff to participate in the preparation of the Cedar Rapids Blue Zones Application.

1624-12-11, adopting ballot language for a special election to be held on March 6, 2012 on the adoption of a local option sales and services tax.

1625-12-11, accepting the established fair market value in the amount of \$8,600 for the partial acquisition of a Permanent Sanitary Sewer Easement and a Temporary Easement for construction from vacant land located west of Banar Drive SW between 33rd Avenue SW and

Highway 30, owned by Nancy K. Africa and H. Frank Bellon, Jr. as Co-Trustees of the Howard F. Bellow, Sr. Revocable Trust u/d/o October 1, 2001, an undivided ½ interest; and Betty J. Bellon, as Trustee of the Betty J. Bellon Revocable Trust u/d/o October 1, 2001, an undivided ½ interest, in connection with the Highway 30 to 33rd Avenue SW (West of Banar Drive) Sanitary Sewer Extension project.

1626-12-11, accepting the established fair market value in the amount of \$140,000 for the acquisition of vacant land located at 1200 Edgewood Road NW owned by Westgate Communities, LLC, in connection with the Fire Station #3 project.

1627-12-11, accepting the established fair market value in the amount of \$73,000 for the partial acquisition of right-of-way and a Temporary Grading Easement for construction from 205 10th Street SE, owned by Michael Costas and Helen Mantice, in connection with the 10th Street SE from 1st Avenue to 4th Avenue Improvements project.

1628-12-11, accepting the Affidavit for Service Line Reimbursement from Ruth E. McMurrin, the Contract Holder, and Thomas J. Shaheen, the Deed Holder, of the property at 620 18th Avenue SW, agreeing to reimburse the City on a monthly installment basis for the replacement of the water service line.

1629-12-11, authorizing submittal of applications for a Transportation, Community, and System Preservation Program (TSCP) grant for construction of Edgewood Road SW Multi-Use Bridge/Walkway at US Highway 30 and Collins Road NE Improvements – Backage Road from C Avenue NE to Northland Avenue Extension.

1630-12-11, authorizing a 3% wage increase for the City Manager according to the terms of his employment contract.

1631-12-11, authorizing a severance package for employees whose jobs are eliminated effective for the remainder of Fiscal Year 2012 and Fiscal Year 2013.

1632-12-11, Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for 5 properties in connection with the HUD Community Development Block Grant (CDBG) (FLOOD).

1633-12-11, authorizing the new construction flood recovery option for the Public Works Facility, 1201 Sixth Street SW (FLOOD).

1634-12-11, authorizing an increase of one Temporary FTE for a Flood Recovery Program Manager for the Community Development Block Grant (CDBG) demolition process. (FLOOD).

1635-12-11, Amendment No. 1 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC specifying an increased amount not to exceed \$87,704 for

design services in connection with the E Avenue NW from 3rd Street to 13th Street Storm Sewer, Water Main, Sidewalk and Street Improvements project (original contract amount was \$736,603; total contract amount with this amendment is \$824,307).

1636-12-11, Amendment No. 1 to the Professional Services Agreement with Snyder and Associates, Inc. specifying an increased amount not to exceed \$22,100 for design and construction services in connection with the 5-In-1 Northbound and Southbound Bridge Repairs project (original contract amount was \$26,930; total contract amount with this amendment is \$49,040).

1637-12-11, Amendment No. 1 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$55,080 for design services in connection with the 10th Street SE Improvements from 1st Avenue to 4th Avenue project (original contract amount was \$497,000; total contract amount with this amendment is \$552,080).

1638-12-11, Amendment to Purchase Order No. 321540-03A in the amount of \$5,106 with All American Concrete, Inc. for the 1st Avenue East Downtown District Sidewalk Repair 100-Block, SE Side at American Building project (original purchase order amount was \$24,820; total contract amount with this amendment is \$29,926).

1639-12-11, Amendment to Purchase Order No. 321540-02 in the amount of \$3,147 with All American Concrete, Inc. for the 1st Avenue East Downtown District Sidewalk Repair, 400-Block 1st Avenue East project (original contract amount was \$16,240; total contract price with this amendment is \$19,487).

1640-12-11, Amendment No. 3 to renew Agreement for Pool Chemicals with Pool Tech Midwest, Inc. for Aquatics for the estimated annual amount of \$54,000 (original contract amount was \$53,365.24; renewal contract amount is \$54,000).

1641-12-11, Amendment No. 1 to renew the Agreement for Drug and Alcohol Testing with Weland Clinical Laboratories for a total annual amount not to exceed \$40,000 (original contract amount was \$33,000, renewal contract amount is \$40,000).

1642-12-11, Amendment No. 1 to renew the Agreement with St. Luke's Work Well Solutions for a total annual amount not to exceed \$60,000 (original contract amount was \$52,162.46, renewal contract amount is \$60,000).

1643-12-11, Amendment No. 1 to renew the Agreement for Physical Therapy Services with Physiotherapy Associates for a total annual amount not to exceed \$175,000 (original contract amount was \$162,142.37, renewal contract amount is \$175,000).

1644-12-11, Amendment No. 3 to renew the Agreement for Anaerobic Micronutrient Solution with Bio-Systems International for the Water Pollution Control Facility for an estimated annual amount of \$50,000 (original contract amount was \$66,420; renewal contract amount is \$50,000).

1645-12-11, Amendment No. 2 to renew the Agreement for Auto Parts Program with Sadler Power Train for the Fleet Services Division for an estimated annual amount of \$500,000 (original contract amount was \$250,000; renewal contract amount is \$500,000).

1646-12-11, Change Order No. 1 in the amount of \$63,221 with Miron Construction Company, Inc. for the Cedar Rapids Convention Complex General Contract project (original contract amount was \$28,273,698; total contract amount with this amendment is \$28,336,919).

1647-12-11, Change Order No. 5 in the amount of \$10,681.60 with Price Industrial Electric for the Traffic Signal System Upgrades and Signal Interconnect on Williams Boulevard SW and 1st Avenue W, Wiley Boulevard SW, 16th Avenue SW, Johnson Avenue NW, and Edgewood Road SW project (original contract amount was \$1,457,068.48; total contract amount with this amendment is \$1,558,289.64).

1648-12-11, Professional Services Agreement with Foth Infrastructure and Environment, LLC for an amount not to exceed \$79,959 for design and construction document services in connection with the Valley Brook Channel Restoration project.

1649-12-11, Warranty Deed from Linn County, Iowa for the consideration of \$1 and other valuable consideration for land located at 41 7th Avenue SW in connection with the 1st Street SW Outdoor Amphitheater & Festival Grounds project.

1650-12-11, Purchase Agreement with Acreage and Habitat Services LLC in the amount of \$24,500 for the purchase of wetland credits at the Brophrey Creek Mitigation Bank to offset existing emergent wetland at Fox Trail Park in connection with 74th Street NE from West Park Road to 500-Foot West of White Ivy Place Reconstruction project.

1651-12-11, Purchase Agreement in the amount of \$730 and accepting a Temporary Grading Easement for Construction from David K. Turner and Celena M. Turner from land located at 3800 Bever Avenue SE, in connection with the Bever Avenue SE Reconstruction project.

1652-12-11, Purchase Agreement in the amount of \$3,120 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Casey's Marketing Company from land located at 201 8th Avenue SE in connection with the 2nd Street SE from 8th Avenue SE to 9th Avenue SE Roadway Reconstruction and Utility Improvements project.

1653-12-11, Federal Aid Agreement in the amount of \$130,825 with the Iowa Department of Transportation (IDOT) for a Safe Routes to School Program Project in connection with the Prairie Drive NE from 29th Street to Franklin Avenue Sidewalk (Franklin Middle School) project.

1654-12-11, Real Estate Sales Contract in the amount of \$40,000 and accepting a Quit Claim Deed from Chicago, Central & Pacific Railroad Company, a Delaware corporation, for two parcels of land in connection with the CEMAR Trail project.

1655-12-11, renewal of Software Maintenance for OnBase with Integrated Data Products, Inc. (IDP) (original contract amount was \$31,801.50; renewal contract amount is \$35,986).

1656-12-11, renewal of Hardware Maintenance for Shoretel with Technical Solution Design Professionals (TSDP) (original contract amount was \$25,136; renewal contract amount is \$26,355).

1657-12-11, Agreement for 3/8" Pebble Quicklime and Ground (Fine) Quicklime with Mississippi Lime Company for Water Operations and the Water Pollution Control Facility for an amount not to exceed \$1,376,000.

1658-12-11, purchase of builders risk insurance through Aon Risk Services Central, Inc. for the Public Library project for an amount not to exceed \$37,065.

1659-12-11, Agreement for Phosphoric Acid 75% Bulk Liquid with Carus Corporation for the Water Pollution Control Facility for an amount not to exceed \$50,000.

1660-12-11, Agreement for Hydrogen Peroxide 50% Technical Grade with U.S. Peroxide LLC for the Water Pollution Control Facility for an amount not to exceed \$40,000.

1661-12-11, Rental Agreement with Koch Brothers for the rental of five Lanier digital copiers for the Animal Control, Water, Police, Code Enforcement and the Information Technology Departments.

1662-12-11, amending Resolution No. 1106-08-11 to correct the name of the awarded vendor to McCrometer for a contract in the amount of \$89,044.

1663-12-11, Fleet Services purchase of the City-supplied components for installation in police patrol vehicles from BAYCOM INC. for the total amount of \$47,780.

1664-12-11, authorizing submittal of Grant applications to HUD for Lead Hazard Control Grant Funds.

1665-12-11, Amendment No. 1 to reflect increased demolition debris in the amount of \$18,131.11 and accepting project, approving performance bond and authorizing issuance of final payment in the amount of \$46,154.11 to D.W. Zinser Company for Demolition for Flood

Damaged Structure-Gaddis Building (original contract amount was \$28,023; final contract amount with this amendment is \$46,154.11) (FLOOD).

1666-12-11, Amendment No. 2 to Demolition of Flood Damaged Structures-Quality Chef with D.W. Zinser Company to reflect an increase in the scope of work for an amount not to exceed \$24,000 (original contract amount was \$107,150; total amount with this amendment is \$364,486) (FLOOD).

1667-12-11, amending Resolution No. 1382-10-11 by correcting the amount of Amendment No. 1 from \$83,650 to \$99,250; and authorizing execution of Amendment No. 2 to the Professional Services Agreement with Terracon Consultants, Inc., specifying an increased amount not to exceed \$30,500 for environmental services in connection with the Central Fire Station project (original contract amount was \$86,300; total contract amount with this amendment is \$208,050) (FLOOD).

1668-12-11, Change Order No. 2 in the amount of \$73,375 with Miron Construction Company, Inc. for the May's Island Parkade project (original contract amount was \$724,200; total contract amount with this amendment is \$814,889) (FLOOD).

1669-12-11, Amended Lease Agreement with 1825 Edgewood Road LLC for property at 1825 Edgewood Road SW for continued use as a temporary facility for the Cedar Rapids Fire Department in the amount of \$32,591.07 per month (FLOOD).

1670-12-11, Purchase Agreement Easement in the amount of \$3,545 and accepting a License Agreement for Occupation of Railway Corridor (which includes a permanent drainage easement), and a Temporary Construction Easement for Grading and Access Agreement from the Cedar Rapids and Iowa City (CRANDIC) Railway Company from land located between 6th Street SW and J Street SW, north and south of Hawkeye Downs Road SW in connection with the Hawkeye Downs Road SW Culvert Replacement – Flood project (FLOOD).

1671-12-11, Special Warranty Deed conveying City-owned property located at 1130 9th Street NW to Cedar Valley Habitat for Humanity through the Residential Property Disposition program (FLOOD).

1672-12-11, Special Warranty Deed conveying City-owned property located at 806 D Avenue NW to Cedar Valley Habitat for Humanity through the Residential Property Disposition program (FLOOD).

1673-12-11, Agreement for Private Redevelopment with 4000 LLC for the disposition and redevelopment of City-owned property at 427 1st Street SE, commonly known as the Science Station, in the Consolidated Central Urban Renewal Area (FLOOD).

1674-12-11, Development Agreement and Special Warranty Deed with Skogman Homes for property located at 1107 7th Street SE through the Single Family New Construction Program (SFNC) (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. Hawkeye Convenience Store East, 1581 1st Avenue SE (renewal adding Class E Liquor); and
- b. Jim's Foods, 812 6th Street SW.

Report on Bids for the Water Main Crossing of US Highway 30 - East of Highway 30 and C Street Interchange project. (Pat Ball)

Dave Schmitt Construction Co. Inc. (Cedar Rapids, IA)	\$ 268,485.00
Pirc-Tobin Construction Inc. (Alburnett, IA)	\$ 289,991.50
Ricklefs Excavating, Ltd. (Anamosa, IA)	\$ 301,203.00
Sulzberger Excavating, Inc. (Muscatine, IA)	\$ 328,029.29
Maxwell Construction, Inc. (Iowa City, IA)	\$ 337,566.00
Tschiggfrie Excavating Co. (Dubuque, IA)	\$ 366,150.00
Minger Construction, Inc. (Chanhassen, MN)	\$ 438,998.65
Schrader Excavating & Grading Co. (Walford, IA)	\$ 457,958.95
Rathje Construction Co. (Marion, IA)	\$ 465,720.00

1675-12-11, awarding and approving contract in the amount of \$268,485, bond and insurance of Dave Schmitt Construction Co. Inc. for the Water Main Crossing of US Highway 30 - East of Highway 30 and C Street Interchange project (estimated cost is \$425,000).

Discussion: John Frew

1676-12-11, Presentation and Resolution authorizing execution of a letter to Doubletree Management, LLC regarding the proposed Franchise License Agreement for the City's Convention Complex Hotel (the "Earnings Claim Letter"). Doubletree Management, LLC is the Hilton affiliate with which the City will enter into a Franchise License Agreement and Management Agreement.

Discussion: John Frew

1677-12-11, Presentation and Resolution authorizing execution of a Franchise License Agreement and a Management Agreement with Doubletree Management, LLC, a subsidiary of Hilton Worldwide Management Services ("Hilton") to establish the City's Convention Complex Hotel as a Doubletree by Hilton and by which Hilton will manage the Cedar Rapids Convention Complex subject to approval by the Economic Development Agency (EDA).

Ordinance No. 062-11, being an Ordinance changing the name of "A Street SW" to "Inspiration Place SW" for that portion of A Street SW from 15th Avenue SW to 16th Avenue SW as requested by the National Czech & Slovak Museum and Library, was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Vernon. Adopted, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. 063-11, being an Ordinance granting a change of zone for property at the City Block between 1st and 2nd Avenue SE and 7th and 8th Street SE from C-4, Central Business Zone District to PUB, Public Zone District for construction of a new Central Fire Station as requested by the City of Cedar Rapids (FLOOD), was presented and read the second time.

Council member Vernon moved the approval of the Ordinance on its second reading; seconded by Council member Swore. Approved, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Council member Gulick 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 Wieneke. Adopted, Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Ordinance No. _____, being an Ordinance amending Chapter 69 of the Municipal Code, Civil Rights Commission, adding coverage for gender identity under all areas (employment, housing, education, public accommodations, credit), adding familial and marital status to employment, education and public accommodations, and making changes to the design and construction requirements affecting places of public accommodations, was presented and read the first time.

Council member Wieneke 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 Swore. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett.

Public comments were heard.

City Council communications were heard.

Council member Gulick moved to go into closed session at 6:30 p.m. pursuant to Section 21.5 of the Iowa Code to evaluate the professional competency of individuals whose appointment, hiring, performance or discharge is being considered because it is necessary to prevent needless and irreparable injury to both individual's reputations and that both individuals have requested a

closed session; seconded by Council member Swore. Council was polled. Ayes, Council members Gulick, Karr, Shey, Shields, Swore, Vernon, Wieneke and Mayor Corbett. Motion carried.

Council returned to open session and adjourned at 7:40 p.m.

Amy Stevenson, City Clerk

Absent, Council member Podzimek