

MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

May 27, 2014, 4:00 p.m.

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 First Street SE, Cedar Rapids, Iowa. Present, Mayor Corbett, Council members Gulick, Olson, Poe, Russell, Shey, Shields, Vernon and Weinacht. Also present were City Manager Jeff Pomeranz and City Attorney Jim Flitz.

The invocation was given by Public Safety Chaplain Rick Gail.

Pledge of Allegiance.

“Good News” announcements were given by Mayor Corbett.

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

A public hearing was held to consider a request by Kingston Village LLC for an Urban Revitalization Area designation for the construction of a 64 unit apartment building for property at 6th Avenue SW between 2nd and 3rd Streets SW (Jennifer Pratt). One comment was heard. No written comments or objections were filed.

0619-05-14, authorizing an Urban Revitalization Area designation for the construction of a 64 unit apartment building at 6th Avenue SW between 2nd and 3rd Streets SW.

Ordinance No. _____, being an Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Kingston Village Urban Revitalization Area designation at 6th Avenue SW between 2nd and 3rd Streets SW, was presented and read the first time.

Council member Shey moved the approval of the Ordinance on its first reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for action at a later date; seconded by Council member Poe. Approved, Ayes, Council members Gulick, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

A public hearing was held to consider enacting a new Chapter 42A of the Municipal Code, Aggressive Solicitation, pertaining to begging or solicitation of money, by placing certain limitations on the means by which such activity occurs in order to protect public safety (Capt. Steve O’Konek). Comments and objections were heard. One written objection was filed.

Council member Gulick moved that the proposed Ordinance enacting a new Chapter 42A of the Municipal Code be referred back to the Public Safety and Youth Services Committee for further review; seconded by Council member Weinacht. Approved, Ayes, Council members Gulick, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

A public hearing was held to consider a change of zone for property north of Highway 30 and east of Union Drive SW from A, Agriculture Zone District to R-2, Single Family Residence Zone District as requested by College Farms, LLC (Joe Mailander and Dave Wallace). Comments and objections were heard. Written objections were filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property north of Highway 30 and east of Union Drive SW from A, Agriculture Zone District to R-2, Single Family Residence Zone District as requested by College Farms, LLC, was presented and read the first time.

Council member Vernon moved the approval of the Ordinance on its first reading with the condition that the Preliminary Plat for College Farms First Addition be referred to the City Council for approval after review by the City Planning Commission; seconded by Council member Gulick. Discussion was held. Council member Vernon then withdrew the motion.

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 Russell. Approved, Ayes, Council members Gulick, Olson, Poe, Russell, Shey, Vernon and Weinacht. Nays, Council member Shields and Mayor Corbett.

A public hearing was held to consider a change of zone for property at 1408 4th Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for property at 1408 4th Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc., was presented and read the first time.

Council member Russell moved the approval of the Ordinance on its first reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for action at a later date; seconded by Council member Weinacht. Approved, Ayes, Council members Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett. Abstain, Council members Gulick and Olson.

A public hearing was held to consider a change of zone for properties at 1008, 1012, 1018 and 1024 2nd Street SE, 208 11th Avenue SE, 1009, 1013, 1019 and 1021 3rd Street SE from RMF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Acme Electric Company, Inc., 3rd Ward Development, LLC and the City of Cedar Rapids (Joe Mailander). No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance granting a change of zone for properties at 1008, 1012, 1018 and 1024 2nd Street SE, 208 11th Avenue SE, 1009, 1013, 1019 and 1021 3rd Street SE

from MF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Acme Electric Company, Inc., 3rd Ward Development, LLC and the City of Cedar Rapids, was presented and read the first time.

Council member Olson moved the approval of the Ordinance on its first reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for action at a later date; seconded by Council member Poe. Approved, Ayes, Council members Gulick, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

A public hearing was held to consider a change of zone for 54 City-owned properties for the Single Family New Construction Program from R-3, Single Family Residence Zone District, RMF-1 and RMF-2, Multiple Family Residence Zone District and C-3, Regional Commercial Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by the City of Cedar Rapids (Joe Mailander). No comments or objections were heard or filed.

Ordinance No. 035-14, being an Ordinance granting a change of zone for the Single Family New Construction Program from R-3, Single Family Residence Zone District, RMF-1 and RMF-2, Multiple Family Residence Zone District and C-3, Regional Commercial Zone District to R-TN, Traditional Neighborhood Residence Zone District 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; seconded by Council member Poe. Approved, Ayes, Council members Gulick, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht 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 Poe. Adopted, Ayes, Council members Gulick, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

A public hearing was held to consider the Fiscal Year 2014 Budget Amendment (Casey Drew). No comments or objections were heard or filed.

0620-05-14, approving Fiscal Year 2014 Budget Amendment.

A public hearing was held to consider the vacation and disposition of public ways and grounds in and to the property described as Buffalo Road NE between Blairs Ferry Road and Edgewood Road as requested by Transamerica Life Insurance Company (Doug Wilson). No comments or objections were heard or filed.

Ordinance No. 036-14, being an Ordinance vacating public ways and grounds in and to the property described as Buffalo Road NE between Blairs Ferry Road and Edgewood Road as requested by Transamerica Life Insurance Company, was presented and read the first time.

Council member Vernon moved the approval of the Ordinance on its first reading; seconded by Council member Russell. Approved, Ayes, Council members Gulick, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht 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 Weinacht. Adopted, Ayes, Council members Gulick, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

0621-05-14, authorizing the disposition of the property described as Buffalo Road NE between Blairs Ferry Road and Edgewood Road as requested by Transamerica Life Insurance Company.

A public hearing was held to consider the proposal to discontinue the Parks and Recreation Commission created by Municipal Code Section 6.05, discontinue the River Recreation Commission created by Municipal Code Section 6.14, create a new Municipal Code Section 6.05, Parks, Waterways and Recreation Commission, and amend Chapter 55 of the Municipal Code concerning boat and other river regulations, and directing that notice be published (Sven Leff). No comments or objections were heard or filed.

Ordinance No. _____, being an Ordinance amending the Municipal Code of the City of Cedar Rapids, Iowa, by: repealing sections 6.05 and 6.14 of the Cedar Rapids Municipal Code concerning City Administration; adopting a new section 6.05 of the Cedar Rapids Municipal Code concerning City Administration; repealing sections 55.01(d), 55.06, 55.07, 55.08, 55.11, 55.12, 55.13, 55.14, 55.15 and 55.17 of the Cedar Rapids Municipal Code concerning boat and other river regulations; and adopting new sections 55.01(d), 55.06, 55.07, 55.08, 55.11, 55.12, 55.13, 55.14, 55.15 and 55.17 of the Cedar Rapids Municipal Code concerning boat and other river regulations, was presented and read the first time.

Council member Weinacht 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 Olson. Approved, Ayes, Council members Gulick, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 42nd Street NE and I-380 Intersection Improvements project (estimated cost is \$423,000) (Doug Wilson). No comments or objections were heard or filed.

0622-05-14, adopting plans, specifications, form of contract and estimated cost for the 42nd Street NE and I-380 Intersection Improvements project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to

East Corporate Limits project (estimated cost is \$470,000) (Doug Wilson). No comments or objections were heard or filed.

0623-05-14, adopting plans, specifications, form of contract and estimated cost for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project (Paving for Progress).

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase II project (estimated cost is \$220,000) (Doug Wilson). No comments or objections were heard or filed.

0624-05-14, adopting plans, specifications, form of contract and estimated cost for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase II project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 1st Street SW Alley from 3rd to 5th Avenue SW Sanitary Sewer Repair project (estimated cost is \$132,000) (Dave Wallace). No comments or objections were heard or filed.

0625-05-14, adopting plans, specifications, form of contract and estimated cost for the 1st Street SW Alley from 3rd to 5th Avenue SW Sanitary Sewer Repair project (FLOOD).

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project (estimated cost is \$374,000) (Steve Hershner). No comments or objections were heard or filed.

0626-05-14, adopting plans, specifications, form of contract and estimated cost for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 16th Ave SW & Williams Blvd SW Water Main Loop Closure project (estimated cost is \$60,000) (Steve Hershner). No comments or objections were heard or filed.

0627-05-14, adopting plans, specifications, form of contract and estimated cost for the 16th Ave SW & Williams Blvd SW Water Main Loop Closure project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 16th Avenue SW (400-Ft East of 23rd Street SW to Williams Blvd SW) Water Main Rehabilitation project (estimated cost is \$460,000) (Steve Hershner). No comments or objections were heard or filed.

0628-05-14, adopting plans, specifications, form of contract and estimated cost for the 16th Avenue SW (400-Ft East of 23rd Street SW to Williams Blvd SW) Water Main Rehabilitation project.

Public comments were heard.

Council member Weinacht moved to approve the Agenda; seconded by Council member Poe. Approved, Ayes, Council members Gulick, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

Council member Weinacht moved to approve the Consent Agenda; seconded by Council member Poe. Approved, Ayes, Council members Gulick, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

Motion to approve minutes.

Motions setting public hearing dates for:

- a. June 10, 2014 – to consider a change of zone for property at 1023 and 1027 6th Street SE from R-TN, Traditional Neighborhood Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C.;
- b. June 10, 2014 – to consider a change of zone for property at 1140 C Street SW and 1223 1st Street SW from O-S, Office/Service Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C.;
- c. June 10, 2014 – to consider amending Chapter 12 of the Municipal Code, Water Service, to clarify the intent and implementation of the water connection fee;
- d. June 10, 2014 – to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, to clarify the intent and implementation of the sanitary sewer connection fee.

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the FY 2015 Curb Repair Project – Contract 1 project and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 18, 2014 (estimated cost is \$330,000) (Paving for Progress).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the Edgewood Road Pedestrian Overpass Bridge and Shared Use Path from Prairie Valley Court SW to 37th Avenue SW project, with bid opening scheduled for June 17, 2014 at the Iowa Department of Transportation (estimated cost is \$1,766,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the 29th Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 11, 2014 (estimated cost is \$334,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the Cedar Rapids Police Department Firearms Range Improvements – Phase I project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 18, 2014 (estimated cost is \$690,000).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the 19th Street SE, Bever Avenue SE, And Garden Drive SE Pavement Rehabilitation Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 18, 2014 (estimated cost is \$1,428,000) (Paving for Progress).

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for June 10, 2014 and advertising for bids by publishing notice to bidders for the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on June 11, 2014 (estimated cost is \$133,000).

Motion to approve the Tax Exemption Certificate for Series 2014C and the Continuing Disclosure Certificate for Series 2014C.

0629-05-14, authorizing and providing for the issuance of and securing the payment for \$11,570,000 Sewer Revenue Bonds, Series 2014C, 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 2014D and the Continuing Disclosure Certificate for Series 2014D.

0630-05-14, authorizing and providing for the issuance of and securing the payment for \$4,570,000 Water Revenue Bonds, Series 2014D, under the provisions of the City Code of Iowa, and providing for a method of payment of the bonds.

Motion approving the beer/liquor/wine applications of:

- a. Blind Pig, 3325 Center Point Road NE (new – new ownership);
- b. Brewed Cafe, 1101 3rd Street SE (5-day permit for an event at the Cedar Rapids Public Library, 450 5th Avenue SE, on June 7, 2014) (Abstain, Council member Gulick);
- c. Casa Las Glorias, 2245 Blairs Ferry Road NE;
- d. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at 475 1st Street SW (McGrath Amphitheatre Cedar Rapids), for an event on June 13, 2014);
- e. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at 475 1st Street SW (McGrath Amphitheatre Cedar Rapids), for an event on June 6, 2014);
- f. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at 475 1st Street SW (McGrath Amphitheatre Cedar Rapids), for an event on June 20, 2014);
- g. Cedar River Landing, 310 F Avenue NW (outdoor service for an event on June 20-22, 2014);
- h. Cedar River Landing, 310 F Avenue NW (outdoor service for an event on June 6-8, 2014);
- i. Cedar River Landing, 310 F Avenue NW (outdoor service for an event on June 14-15, 2014);
- j. Cedar River Landing, 310 F Avenue NW (outdoor service for an event on July 4-6, 2014);
- k. Chrome Horse Slop House & Saloon, 1202 3rd Street SE (outdoor service for an event on June 27-28, 2014);

- l. Chrome Horse Slop House & Saloon, 1202 3rd Street SE (outdoor service for an event on June 20-22, 2014);
- m. Clarion Hotel & Convention Center, 525 33rd Avenue SW (outdoor service for an event on June 8, 2014);
- n. Club Basix, 3916 1st Avenue NE (outdoor service for an event on May 31-June 2, 2014);
- o. Cobble Hill Eatery & Dispensary, 219 2nd Street SE (adding native wine);
- p. CVS/Pharmacy #8526, 4116 Center Point Road NE;
- q. CVS/Pharmacy #8532, 2711 Mount Vernon Road SE;
- r. Dublin City Pub, 415 1st Street SE;
- s. Fraternal Order of Eagles Post #2272, 1735 11th Street NW;
- t. Hy-Vee #7 Club Room, 5050 Edgewood Road NE (transfer to 50 2nd Avenue Bridge for an event on June 10, 2014);
- u. JM O'Malley's, 1502 H Avenue NE (outdoor service for an event on June 6-24, 2014);
- v. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on June 14-18, 2014);
- w. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on June 25-29, 2014);
- x. NewBo City Market, 1100 3rd St SE (outdoor service for an event on June 7, 2014) (bstain, Council member Gulick);
- y. Olive Garden, 367 Collins Road NE;
- z. Pancheros Mexican Grill, 2315 Edgewood Road SW;
- aa. Pizza Hut #4311, 223 Collins Road NE;
- bb. Pizza Hut #4351, 1640 Edgewood Road SW;
- cc. Popoli Ristorante & Sullivan's Bar, 101 3rd Avenue SW (outdoor service for a sidewalk cafe);
- dd. Red Lobster #870, 163 Collins Road NE;
- ee. Red Robin America's Gourmet Burgers & Spirits, 4625 1st Avenue SE;
- ff. Rock Bar American Grill, 219 2nd Avenue SE (new – formerly Ginsberg Jewelers);
- gg. Rumors, 400 F Avenue NW (outdoor service for an event on May 30 – June 1, 2014);
- hh. Rumors, 400 F Avenue NW (outdoor service for an event on June 13-15, 2014);
- ii. Sierra Foods, 3326 Center Point Road NE (switching to Class E Liquor);
- jj. Time Out Lounge, 3230 16th Avenue SW;
- kk. Tobacco Outlet Plus #560, 2846 Mount Vernon Road SE.

0631-05-14, approving payment of bills.

0632-05-14, approving payment of payroll.

0633-05-14, approving Iowa Association of Business and Industry (ABI) Taking Care of Business Conference reception event on the 2nd Avenue Bridge (includes road closure) on June 10, 2014.

0634-05-14, establishing two non-regular, temporary/hourly FTEs for the Civil Rights Commission from grant funding beginning July 1, 2014, to assist in outreach and investigations related to HUD.

0635-05-14, determining the necessity and setting dates of a public hearing for June 24, 2014 and consultation with affected taxing entities to be held on the proposed Amendment No. 1 to the Urban Renewal Plan for the River Ridge North Urban Renewal Area.

0636-05-14, determining the necessity and setting dates of a public hearing for June 24, 2014 and consultation with affected taxing entities to be held on the proposed Amendment No. 1 to the Urban Renewal Plan for the Rockwell Collins Urban Renewal Area.

0637-05-14, determining the necessity and setting dates of a public hearing for June 24, 2014 and consultation with affected taxing entities to be held on the proposed Amendment No. 1 to the Urban Renewal Plan for the Village Urban Renewal Area.

0638-05-14, intent to assess for Solid Waste & Recycling clean-up costs at two properties.

0639-05-14, intent to assess for Utilities – Water Division delinquent municipal utility bills at 47 properties.

0640-05-14, levy assessment for Utilities – Water Division delinquent municipal utility bills at 32 properties.

0641-05-14, accepting Cedar Rapids Convention Complex – Video Technology Systems project, authorizing issuance of final payment in the amount of \$37,413.11 and approving 2-year Performance Bond submitted by TS Sports (original contract amount was \$2,305,818.78; final contract amount is \$2,323,600.49).

0642-05-14, accepting 6th Street SW Corridor Improvements from Waconia Avenue to Prairie Creek project, Change Order Nos. 15 and 16 deducting a total amount of \$146,932.10, authorizing issuance of final payment in the amount of \$30,000 and approving 4-year Performance Bond submitted by Horsfield Construction, Inc. (original contract amount was \$5,364,048.14; final contract amount with this amendment is \$5,275,212.03).

0643-05-14, accepting Veterans Memorial Phase III – Bid Package #12 – Mechanical, HVAC and Plumbing project, authorizing issuance of final payment in the amount of \$48,734.16 and approving 2-Year Performance Bond submitted by Day Mechanical Systems, Inc. (original contract amount was \$918,800; final contract amount is \$974,683.21) (FLOOD).

0644-05-14, accepting Citywide Energy Management System project, authorizing issuance of final payment in the amount of \$28,490.53 and approving 2-Year Performance Bond submitted by Halvorson Trane (original contract amount was \$475,745; final contract amount is \$569,810.87) (FLOOD).

0645-05-14, execution of Development Agreement and Special Warranty Deed with Cedar Ridge Homes, Inc. for City-owned property at 235 11th Street NW participating in the third round of the Single Family New Construction (SFNC) Program (FLOOD). Abstain, Council member Olson.

0646-05-14, execution of Development Agreement and Special Warranty Deed with S&J Homes, LLC for City-owned property at 359 14th Avenue SW participating in the third round of the Single Family New Construction (SFNC) Program (FLOOD). Abstain, Council member Olson.

0647-05-14, execution of Development Agreement and Special Warranty Deed with Skogman Construction Company of Iowa for City-owned property at 623 3rd Avenue SW participating in the third round of the Single Family New Construction (SFNC) Program (FLOOD). Abstain, Council member Olson.

0648-05-14, execution of Development Agreement and Special Warranty Deed with Skogman Construction Company of Iowa for City-owned property at 818 10th Street SW participating in the third round of the Single Family New Construction (SFNC) Program (FLOOD). Abstain, Council member Olson.

0649-05-14, execution of Development Agreement and Special Warranty Deed with Thomas Dostal Developers, Inc. for City-owned property at 1791 Mallory Street SW participating in the third round of the Single Family New Construction (SFNC) Program (FLOOD). Abstain, Council member Olson.

0650-05-14, Preliminary Resolution for the construction of pavement improvements for the Alley between F Avenue and G Avenue NW from 9th Street to 8th Street Portland Cement Concrete Pavement project.

0651-05-14, approving the establishment and installation of school crosswalks on the north and west approaches of the E Avenue and 13th Street NW intersection for Roosevelt Middle School.

0652-05-14, authorizing and providing for the issuance of \$4,280,000 General Obligation Bonds, Series 2014A, levying a tax to pay said bonds, approval of tax exemption certificate and continuing disclosure certificate.

0653-05-14, authorizing and providing for the issuance of \$10,475,000 Taxable General Obligation Urban Renewal Bonds, Series 2014B, levying a tax to pay said bonds and approval of continuing disclosure certificate.

0654-05-14, authorizing the IT CIO and EAS Manager, for an amount not to exceed \$6,900, to attend the Gartner Infrastructure & Operations Management Summit in Orlando, Florida.

0655-05-14, Amendment No. 5 to Agreement for Legislative Services with Heartland Strategies, LLC, (formerly known as Grant Consulting LLC/L&L Murphy Consulting Associates) for the one year period of July 1, 2014 – June 30, 2015 for an amount not to exceed of \$60,000 (original contract amount is \$60,000; total contract with this amendment is \$360,000).

0656-05-14, Amendment No. 2 to renew Contract for Fuel Services with Fauser Energy Resources for all City departments, The Eastern Iowa Airport and the Cedar Rapids/Linn County Solid Waste Agency for an estimated annual amount of \$3,800,000 (original contract amount was \$3,200,000; renewal contract amount is \$3,800,000).

0657-05-14, Amendment No. 4 to add services to Agreement for Health Services for the Human

Resources Department with St. Luke's Work Well Solutions, for an amount not to exceed \$30,000 (original contract amount was \$52,162.46; renewal contract amount with this amendment is \$115,000).

0658-05-14, Amendment No. 1 to renew Agreement for EMC Avamar Enterprise Backup Solution for the Information Technology Department with Ahead LLC for an amount not to exceed \$270,000 (original contract amount was \$225,063.02; renewal contract amount is \$270,000).

0659-05-14, Amendment No. 1 to renew Agreement for NetApp Primary & Secondary SAN Solutions for the Information Technology Department with IP Pathways, LLC for an amount not to exceed \$150,000 (original contract amount was \$284,286.83; renewal contract amount is \$150,000).

0660-05-14, Amendment No. 10 to the Contract for City Services Center Furniture, Fixtures and Equipment (FF&E) Packages with Triplett Interior Solutions to move three workstations for Traffic Engineering that were not on the original specifications for an amount not to exceed \$400 (original contract amount was \$299,520.80; total contract amount with this amendment is \$375,556.13) (FLOOD).

0661-05-14, Amendment No. 2 to the Professional Services Agreement with Arcadis U.S., Inc. (dba Red Oak Consultants) for the Utilities Financial Planning and Cost of Service Rate Model Update for an amount not to exceed \$9,000 (original contract was \$22,600; total contract with this amendment is \$31,600).

0662-05-14, Amendment No. 17 to the Disaster Recovery Housing Contract 08-DRH-008 with the Iowa Economic Development Authority (IEDA) (original contract amount was \$7,085,247; total contract amount with this amendment is \$47,604,523).

0663-05-14, Amendment No. 18 to the Disaster Recovery Housing Contract 08-DRH-008 with the Iowa Economic Development Authority (IEDA) (original contract amount was \$7,085,247; total contract amount with this amendment is \$49,297,343).

0664-05-14, Amendment No. 14 to the Disaster Recovery Housing Contract 08-DRH-208 with the Iowa Economic Development Authority (IEDA) (original contract amount was \$12,146,137; total contract amount with this amendment is \$60,418,505).

0665-05-14, Amendment No. 2 to the Private Redevelopment Agreement with Matthew 25 Ministry Hub, Inc., for the disposition and redevelopment of City-owned properties at 432, 500, and 502 F Avenue NW.

0666-05-14, Amendment to the Development Agreement approved as part of the Final Plat of Ellis Park Church of God First Addition, and approving a Concrete Sidewalk Petition and Assessment Agreement, for property located at 2260 Edgewood Road NW.

0667-05-14, amending Resolution No. 1799-10-86 Condition No. 1 to except Lot 12 from the requirement that vehicular access is restricted to internal drives only.

0668-05-14, Change Order No. 15 in the amount of \$291,466.15 with Peterson Contractors, Inc. for the 1st Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC (Portland Cement Concrete) Pavement Widening with HMA (Hot Mix Asphalt) Resurfacing project (original contract amount was \$7,661,700.36; total contract amount with this amendment is \$9,095,338.54).

0669-05-14, Change Order No. 9 (Final) deducting the amount of \$106,397.77 with Zinser Grading & Excavating, LLC for the E Avenue NW – Phase II 13th Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements project (original contract amount was \$3,037,467.35; total contract amount with this amendment is \$2,935,916.38).

0670-05-14, Change Order No. 19 in the amount of \$111,660.04 with Price Industrial Electric, Inc. for the Joint Communications Network Splicing and Testing – Groups 1 and 3, Traffic Signal Interconnect Groups 1 and 2 project (original contract amount was \$1,148,668; total contract amount with this amendment is \$2,098,569.70).

0671-05-14, Change Order No. 10 in the amount of \$60,232.82 with S.M. Hentges & Sons, Inc. for the Cedar River Sanitary Sewer Crossing Improvements project (original contract amount was \$5,394,964; total contract amount with this amendment is \$5,599,498.20).

0672-05-14, Change Order No. 1 in the amount of \$26,416 with S.M. Hentges & Sons, Inc. for the Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 2 Reconstruction project (original contract amount was \$1,835,940.67; total contract amount with this amendment is \$1,862,356.67).

0673-05-14, Change Order No. 7 (Final) deducting the amount of \$21,516.42 with Ricklefs Excavating, Ltd. for the Bever-Linden-Blake SE Area 2011 Water Main Improvements – Phase 1 project (original contract amount was \$437,716.80; total contract amount with this amendment is \$453,887.72).

0674-05-14, Change Order No. 4 (Final) deducting the amount of \$27,853.90 with L.L. Pelling Company, Inc. for the 8th Street SE Rehabilitation from 1st Avenue E to 3rd Avenue SE project (original contract amount was \$377,390.75; total contract amount with this amendment is \$416,784.49).

0675-05-14, Change Order No. 16 in the amount of \$12,164 with Knutson Construction Services Midwest, Inc. for the Cedar Rapids Public Library Project – General Contractor project (original contract amount was \$14,235,000; total contract amount with this amendment is \$15,578,957.10) (FLOOD).

0676-05-14, Change Order No. 11 in the amount of \$27,519.27 with Bowker Mechanical Contractors, LLC for the Cedar Rapids Public Library Project – Fire Suppression, Plumbing & HVAC project (original contract amount was \$3,676,000; total contract amount with this amendment is \$3,978,828.89) (FLOOD).

0677-05-14, Change Order No. 11 in the amount of \$11,042.21 with Maxwell Construction, Inc.

for the 2nd Street SE From 9th Avenue to the Sinclair Site Sanitary Sewer Reconstruction project (original contract amount was \$2,791,496.24; total contract amount with this amendment is \$3,025,173.51) (FLOOD).

0678-05-14, Change Order No. 2 for the Hoover Trail Park project in the amount of \$3,495 (original contract amount was \$62,998; total contract amount with this amendment is \$71,608.25).

0679-05-14, awarding and approving contract in the amount of \$1,373,570.60 plus incentive up to \$49,000, bond and insurance of Rathje Construction Company for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 3 project (estimated cost is \$1,720,000) (FLOOD).

0680-05-14, Memorandum of Agreement with the Federal Bureau of Investigation for continued use of the Cedar Rapids Police Department's firearms range located at 2727 Old River Road SW, in exchange for the FBI providing additional funding for facility improvements

0681-05-14, Memorandum of Agreement with the City of Mount Vernon for continued use of the Cedar Rapids Police Department's firearms range at 2727 Old River Road SW, in exchange for the City of Mount Vernon providing funding for facility improvements.

0682-05-14, Fire Department purchase of radio equipment from RACOM Corporation for an amount not to exceed \$100,000 through June 30, 2015.

0683-05-14, Transit Department purchase of one 176" wheelbase, diesel, light-duty, ADA bus in the amount of \$85,000.

0684-05-14, accepting Cedar Rapids Convention Complex Hotel Guest Room Fabrications project and authorizing issuance of final payment to DI, LLC in the amount of \$9,044 (original contract amount was \$189,219.10; final contract amount is \$240,901.04).

0685-05-14, Fleet Services Division purchase of a computer equipment package from Keltek Incorporated, to be used to equip eight new Police Department vehicles, in the amount of \$106,569.39.

0686-05-14, Doubletree Management, LLC to execute a Maintenance Agreement with O'Keefe Elevator Company for a term of five years, commencing on June 1, 2014 in connection with the Cedar Rapids Convention Complex Hotel project.

0687-05-14, Doubletree Management, LLC to execute a Maintenance Agreement with Schindler Elevator Company for a term of 10 years, commencing on June 1, 2014 in connection with the Cedar Rapids Convention Complex Hotel project.

0688-05-14, Fleet Services Division purchase of an emergency equipment package from Keltek Incorporated, to up fit eight new Police Department vehicles, in the amount of \$65,268.77.

0689-05-14, Contract for Energy Management System (EMS) Monitoring and Maintenance Services with Halvorson Trane for Facilities Maintenance Services for an annual amount not to exceed \$84,720.

0690-05-14, Contract for Banking and Investment Services with US Bank for the Finance Department – Treasury Operations for an annual amount not to exceed \$800,000.

0691-05-14, Fire Department purchase of 28 self-contained breathing apparatus (SCBA) units from Sandry Fire Supply, L.L.C. in the amount of \$112,700.

0692-05-14, Fleet Services purchase and delivery of three mid-size sedans from Billion Automotive in the amount of \$47,400.

0693-05-14, Letter of Agreement Renewal with B. G. Brecke, Inc. for the Repair of Water Service Lines FY15 for an estimated cost of \$245,284.20. Abstain, Council member Olson.

0694-05-14, Purchase Order in the amount of \$58,164.34 to ORACLE for renewal of the annual software license and technical support for the Water Division's Customer Care and Billing Solution System for Fiscal Year 2015.

0695-05-14, Renewal of ESRI GIS Software Maintenance with Environmental Systems Research Institute, Inc., (original contract amount was \$56,961.23; renewal contract amount is \$60,150).

0696-05-14, Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$53,400 for the construction and Title V Permit updates and review, the CY2014 Title V Emissions Inventory, Semi-Annual Monitoring Reports, and Annual Compliance Certification for the Water Pollution Control Facility.

0697-05-14, Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for TAT Investments for the construction of a four-story multi-use building at 200, 210 and 212 3rd Avenue SW.

0698-05-14, Agreement for Use of Local Agency Roads as Detours with the Iowa Department of Transportation (IDOT) for use of local city streets as a detour during the US Highway 30 Pavement Replacement project.

Report on bids for the 1st Avenue East from 34th Street to 40th Street Utilities Rehabilitation project (estimated cost is \$2,275,000) (Doug Wilson).

Rathje Construction Company, Marion, IA	
Base Bid	\$2,123,449.02
First Ave Lane Rental	<u>\$ 150,000.00</u>
Total Bid	\$2,273,449.02
Ricklefs Excavating, Ltd, Anamosa, IA	
Base Bid	\$2,349,700.00
First Ave Lane Rental	<u>\$ 312,500.00</u>
Total Bid	\$2,662,200.00

Report on bids for the C3 Clarifier Rehabilitation project (estimated cost is \$826,000) (Steve Hershner).

WRH, Inc., South Amana, IA	\$1,030,000
Tricon General Construction, Cedar Rapids, IA	\$1,169,000

0699-05-14, awarding and approving contract in the amount of \$1,030,000, bond and insurance of WRH, Inc. for the C3 Clarifier Rehabilitation project.

0700-05-14, discussion and Resolution directing staff to require a Preliminary Site Development Plan for all development projects which require an Administrative Site Development Plan per the Zoning Ordinance and are located within an established Design Review Overlay District (Seth Gunnerson).

Ordinance No. 037-14, being an Ordinance granting a change of zone for property north of Blairs Ferry Road and west of Michael Drive and Sanden Road NE from A, Agriculture Zone District to R-1, Single Family Residence Zone District as requested by Wexford, Inc., Galilee Baptist Church of Cedar Rapids, Salem United Methodist Church of Cedar Rapids and La Vonne E. Hudson, was presented and read the third time.

Council member Gulick moved the adoption of the Ordinance as read; seconded by Council member Olson. Adopted, Ayes, Council members Gulick, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

Ordinance No. 038-14, being an Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the 1612 Development Urban Revitalization Area designation at 1612 C Street SW, 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, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht 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, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

Ordinance No. 039-14, being an Ordinance establishing the Willowbrook-Georgia-Woodview Water and Sewer Extension Area, 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, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht 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 Weinacht. Adopted, Ayes, Council members Gulick, Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

Ordinance No. _____, being an Ordinance amending Chapter 72 of the Municipal Code, Storm Water Management Ordinance, increasing tier rates by 2.5%, creating an additional non-residential tier for lots sized greater than seven acres with a daily flat rate charge of \$5.1552 per day, and providing additional clarification on definitions, was presented and read the second time.

Council member Olson moved the approval of the Ordinance on its second reading; seconded by Council member Gulick. Approved, Ayes, Council members Gulick, Olson, Poe, Russell, Shields, Vernon, Weinacht and Mayor Corbett. Council member Shey was absent for this vote.

Council member Shields moved to adjourn; seconded by Council member Poe. Approved, Ayes, Council members Gulick, Olson, Poe, Russell, Shields, Vernon, Weinacht and Mayor Corbett. Council member Shey was absent for this vote.

City Council adjourned at 6:41 p.m. to meet Tuesday, June 10, 2014 at 12:00 noon.

Amy Stevenson, City Clerk

Abstain, Council member Gulick
Abstain, Council member Olson
Nay, Council member Shields
Nay, Mayor Corbett