

MINUTES OF THE CITY COUNCIL  
CITY OF CEDAR RAPIDS, IOWA

June 10, 2014, 12:00 noon

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 Olson, Poe, Russell, Shey, Shields, Vernon and Weinacht. Also present were City Manager Jeff Pomeranz and City Attorney Jim Flitz. Absent, Council member Gulick.

The invocation was given by Public Safety Chaplain Pat Reick.

Pledge of Allegiance.

Good News announcements were given by Mayor Corbett.

Mayor Corbett and Council member Weinacht presented a Proclamation regarding the Horizons Summer Meals Kick-off on June 16, 2014.

Mayor Corbett and Council member Poe presented a Proclamation regarding the St. George Orthodox Christian Church centennial recognition on August 31, 2014.

Resolutions and motions 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 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. (Joe Mailander). No comments or objections were heard or filed.

Ordinance No. \_\_\_\_\_, being an Ordinance granting 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., was presented and read the first time.

Council member Poe 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 Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

A public hearing was held 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. and the City of Cedar Rapids (Joe Mailander). One objection was heard. No written comments or objections were filed.

Ordinance No. \_\_\_\_\_, being an Ordinance granting 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. and 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 Poe. Approved, Ayes, Council members Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

A public hearing was held to consider amending Chapter 12 of the Municipal Code, Water Service, to clarify the intent and implementation of the water connection fee (Joe Mailander). No comments or objections were heard or filed.

Ordinance No. \_\_\_\_\_, being an Ordinance amending Chapter 12 of the Municipal Code, Water Service, to clarify the intent and implementation of the water connection fee, 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 Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

A public hearing was held to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, to clarify the intent and implementation of the sanitary sewer connection fee (Joe Mailander). No comments or objections were heard or filed.

Ordinance No. \_\_\_\_\_, being an Ordinance amending Chapter 13 of the Municipal Code, Wastewater Facilities, to clarify the intent and implementation of the sanitary sewer connection fee, 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 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 FY 2015 Curb Repair Project – Contract 1 project (estimated cost is \$330,000) (Doug Wilson). One comment was heard. No written comments or objections were filed.

0701-06-14, adopting plans, specifications, form of contract and estimated cost for the FY 2015 Curb Repair Project – Contract 1 project (Paving for Progress).

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Edgewood Road Pedestrian Overpass Bridge and Shared Use Path from Prairie

Valley Court SW to 37<sup>th</sup> Avenue SW project (estimated cost is \$1,766,000) (Doug Wilson). No comments or objections were heard or filed.

0702-06-14, adopting plans, specifications, form of contract and estimated cost for the Edgewood Road Pedestrian Overpass Bridge and Shared Use Path from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project (estimated cost is \$334,000) (Doug Wilson). No comments or objections were heard or filed.

0703-06-14, adopting plans, specifications, form of contract and estimated cost for the 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 19<sup>th</sup> Street SE, Bever Avenue SE, And Garden Drive SE Pavement Rehabilitation Improvements project (estimated cost is \$1,428,000) (Paving for Progress) (Doug Wilson). No comments or objections were heard or filed.

0704-06-14, adopting plans, specifications, form of contract and estimated cost for the 19<sup>th</sup> Street SE, Bever Avenue SE, And Garden Drive SE Pavement Rehabilitation Improvements project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 project (estimated cost is \$133,000) (Doug Wilson). No comments or objections were heard or filed.

0705-06-14, adopting plans, specifications, form of contract and estimated cost for the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 project.

A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar Rapids Police Department Firearms Range Improvements – Phase I project (estimated cost is \$690,000) (Rob Davis and Capt. Bernie Walther). No comments or objections were heard or filed.

0706-06-14, adopting plans, specifications, form of contract and estimated cost for the Cedar Rapids Police Department Firearms Range Improvements – Phase I project.

Public comments were heard.

Council member Vernon moved to approve the Agenda; seconded by Council member Poe. City Manager Pomeranz announced that Item 30s (Professional Services Agreement with Hall & Hall Engineers, Inc. for an amount not to exceed \$179,975 for professional services in connection with the Northwood Drive NE Roadway Rehabilitation Improvements from Glass Road to 42<sup>nd</sup> Street project) should read \$176,975, and that item 32a (Resolution awarding and approving contract in the amount of

\$348,924.00, bond and insurance of Ricklefs Excavating Ltd., Anamosa, IA for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project) was removed from the agenda. Ayes, Council members Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett. Motion carried as amended.

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

Motion to approve minutes.

Motions setting public hearing dates for:

- a. June 24, 2014 – to consider a change of zone for property at 821 and 825 Shaver Road NE from I-1, Light Industrial Zone District to C-2, Community Commercial Zone District as requested by Noleshawk Investments, LLC and the City of Cedar Rapids;
- b. June 24, 2014 – to consider a change of zone for 12 City-owned properties for the Single Family New Construction Program from R-3, Single Family Residence Zone District, RMF-2, Multiple Family Residence Zone District and C-2, Community Commercial Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by the City of Cedar Rapids;
- c. June 24, 2014 – to consider the vacation of a 10-foot wide utility easement located at 4825 Johnson Avenue NW as requested by Hy-Vee, Inc.;
- d. June 24, 2014 – to consider the disposition of excess City-owned property acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the fourth round of the Single Family New Construction Program (FLOOD);
- e. June 24, 2014 – to consider the disposition of City-owned commercial property at 400 12<sup>th</sup> Avenue SE (former Iowa Iron Works site) and inviting redevelopment proposals (FLOOD);
- f. June 24, 2014 – to consider the disposition of City-owned vacant property at the corner of Zika Avenue NW and 16<sup>th</sup> Street NW (commonly called Chipping Green site) and inviting redevelopment proposals (FLOOD);
- g. June 24, 2014 – to consider the disposition of City-owned commercial property at 1919, 1915, 1895 and 1871 Ellis Boulevard NW and inviting redevelopment proposals (FLOOD).

Motion approving the beer/liquor/wine applications of:

- a. Bata's Restaurant, 1006 3<sup>rd</sup> Street SE;
- b. Benz Beverage Depot, 501 7<sup>th</sup> Avenue SE;
- c. Brewhemia (CSPS), 1101-1103 3<sup>rd</sup> Street SE (new – formerly Brewed Cafe at CSPS);
- d. Brewhemia (TCR), 102 3<sup>rd</sup> Street SE (formerly Brewed Cafe at TCR);
- e. Casey's General Store #2762, 20 Miller Avenue SW;
- f. Casey's General Store #2763, 641 Edgewood Road NW;
- g. Casey's General Store #2766, 380 33<sup>rd</sup> Avenue SW;
- h. Casey's General Store #2772, 3349 Mount Vernon Road SE;
- i. Casey's General Store #2773, 3625 Edgewood Road SW;
- j. Casey's General Store #2787, 1661 32<sup>nd</sup> Street NE;
- k. Casey's General Store #2850, 5655 C Street SW;
- l. Cedar Rapids Residence Inn, 1900 Dodge Road NE;
- m. Cedar River Landing, 310 F Avenue NW (outdoor service for an event on July 18-20, 2014);
- n. Flamingo, 1211 Ellis Boulevard NW (outdoor service for an event on June 21-22, 2014);
- o. Hazzard County Saloon, 322 2<sup>nd</sup> Avenue SE (5-day permit for an event at Veterans

- Memorial Building, 50 2<sup>nd</sup> Avenue, Auditorium, on June 21, 2014);
- p. Juke Joint, 1736 16<sup>th</sup> Avenue SW (outdoor service for an event on June 14-16, 2014);
- q. Kazoku Asian Cuisine, 221 2<sup>nd</sup> Avenue SE (outdoor service for the sidewalk cafe);
- r. Lion Bridge Brewing Company, 59 16<sup>th</sup> Avenue SW (outdoor service for beer garden);
- s. McGrath Amphitheatre Cedar Rapids, 475 1<sup>st</sup> Street SW (5-day permit for an event on July 4, 2014);
- t. McGrath Amphitheatre Cedar Rapids, 475 1<sup>st</sup> Street SW (5-day permit for an event on July 10, 2014);
- u. National Czech & Slovak Museum & Library, 1400 Inspiration Place SW;
- v. Pho Vietnamese Restaurant, 2315 Edgewood Road SW (new – formerly CiCi Pizza);
- w. Ruby's Pizzeria, 223 2<sup>nd</sup> Street SE (new – formerly Teeghan's Ice Bar);
- x. Rumors, 400 F Avenue NW (outdoor service for an event on June 27-29, 2014);
- y. Rumors, 400 F Avenue NW (outdoor service for an event on July 25-27, 2014);
- z. Rumors, 400 F Avenue NW (outdoor service for an event on July 11-13, 2014);
- aa. Tobacco Outlet Plus #520, 124 Collins Road NE;
- bb. Walgreens #03875, 2821 1<sup>st</sup> Avenue SE;
- cc. Walgreens #05042, 3325 16<sup>th</sup> Avenue SW;
- dd. Wal-Mart #2716, 3601 29<sup>th</sup> Avenue SW;
- ee. Williams Boulevard Amoco, 2601 Williams Boulevard SW (switching to class E liquor).

0707-06-14, approving payment of bills.

0708-06-14, approving payment of payroll.

0709-06-14, approving transfer of funds.

0710-06-14, intent to assess for Solid Waste & Recycling clean-up costs at two properties.

0711-06-14, intent to assess for Utilities – Water Division delinquent municipal utility bills at 26 properties.

0712-06-14, 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. 3 to the Urban Renewal Plan for the Amended and Restated Southwest Urban Renewal Area.

0713-06-14, accepting Veterans Memorial Phase III – Bid Package #8 – Wood Flooring project, authorizing issuance of final payment in the amount of \$4,766.30 and approving 2-Year Performance Bond submitted by J Wood Sports Flooring, LLC (original contract amount was \$88,500; final contract amount is \$95,326) (FLOOD).

0714-06-14, accepting E Avenue NW-Phase II 13th Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements project, authorizing issuance of final payment in the amount of \$146,795.82 and approving 4-year Performance Bond submitted by Zinser Grading & Excavating, LLC (original contract amount was \$2,987,467.35; final contract amount is \$2,935,916.38).

0715-06-14, accepting Indian Creek Trunk Sanitary Sewer – Segment 2 – Phase 1 Reconstruction project, authorizing issuance of final payment in the amount of \$164,958.19 and approving 4-year Performance Bond submitted by S.J. Louis Construction, Inc. (original contract amount was \$3,578,000; final contract amount is \$3,299,163.89).

0716-06-14, accepting 8th Street SE Rehabilitation from 1st Avenue E to 3rd Avenue SE, authorizing issuance of final payment in the amount of \$20,839.22 and approving 4-year Performance Bond submitted by L.L. Pelling Company, Inc. (original contract amount was \$377,390.75; final contract amount is \$416,784.49).

0717-06-14, accepting 2012 Raising West Well Field Vertical Wells project, authorizing issuance of final retainage payment in the amount of \$12,982.01 and approving 2-Year Performance Bond submitted by the Northway Corporation (original contract amount was \$240,378; final contract amount is \$259,640.15) (FLOOD).

0718-06-14, authorizing execution of a Development Agreement with AHNI Holdings for property at 1402 4<sup>th</sup> Avenue SE participating in the third and fourth rounds of the Single Family New Construction Program (FLOOD). Abstain, Council member Olson.

0719-06-14, authorizing execution of a Development Agreement with AHNI Holdings for property at 1447 4<sup>th</sup> Avenue SE participating in the third and fourth rounds of the Single Family New Construction Program (FLOOD). Abstain, Council member Olson.

0720-06-14, authorizing execution of a Development Agreement with AHNI Holdings for property at 1508 6<sup>th</sup> Avenue SE participating in the third and fourth rounds of the Single Family New Construction Program (FLOOD). Abstain, Council member Olson.

0721-06-14, authorizing execution of a Development Agreement and Special Warranty Deed with Premiere Developers, Inc. for City-owned property at 1019 11<sup>th</sup> St NW participating in the third round of the Single Family New Construction Program (FLOOD). Abstain, Council member Olson.

0722-06-14, authorizing execution of a Development Agreement and Special Warranty Deed with Thomas Dostal Developers, Inc. for City-owned property at 503 6<sup>th</sup> Avenue SW participating in the third round of the Single Family New Construction Program (FLOOD). Abstain, Council member Olson.

0723-06-14, authorizing execution of a Development Agreement and Special Warranty Deed with AHNI Holdings for City-owned property at 1419 5<sup>th</sup> Avenue SE participating in the third round of the Single Family New Construction Program (FLOOD). Abstain, Council member Olson.

0724-06-14, authorizing execution of a Development Agreement and Special Warranty Deed with S&J Homes, LLC for City-owned property at 613 A Avenue NW participating in the fourth round of the Single Family New Construction Program (FLOOD).

0725-06-14, authorizing execution of a Development Agreement and Special Warranty Deed with Cedar Ridge Homes, Inc. for City-owned property at 726 L Avenue NW participating in the fourth round of the Single Family New Construction Program (FLOOD).

0726-06-14, authorizing execution of a Development Agreement and Special Warranty Deed with Premiere Developers, Inc. for City-owned property at 709 3<sup>rd</sup> Avenue SW participating in the fourth

round of the Single Family New Construction Program (FLOOD).

0727-06-14, approving the final plat of Airport Commerce Park Tenth Addition, located at Capital Drive SW extension, west of Atlantic Drive SW.

0728-06-14, fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Alley between F Avenue and G Avenue NW from 9th Street to 8th Street Portland Cement Concrete Pavement project.

0729-06-14, establishing an easement for sanitary sewer service on City-owned property located at 1319 Ellis Boulevard NW in connection with the NW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project (FLOOD).

0730-06-14, authorizing an extension of the Public Works Department Flood Recovery Construction Contract Specialist position until December 31, 2014.

0731-06-14, execution of the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for one property in connection with the HUD Community Development Block Grant (CDBG) (FLOOD).

0732-06-14, authorizing submittal of the amended Annual Urban Renewal Area Report to the Iowa Department of Management for the City's 16 Urban Renewal Areas.

0733-06-14, authorizing final payment of the city share for the Cedar River Feasibility Study.

0734-06-14, approving reimbursement in the amount of \$10,147.29 to Turnberry 1, LLC for oversized water main installed in Ushers Ridge 8th Addition.

0735-06-14, authorizing Venuworks to direct food and beverage sales at the Ice Arena per terms outlined in the Ice Arena Management Agreement.

0736-06-14, Amendment No. 2 to the Professional Services Agreement with Brain Engineering, Inc. specifying an increased amount not to exceed \$49,600 for professional services in connection with the B Avenue NW Improvements from Highland Drive to 8th Street project (original contract amount was \$55,697; total contract amount with this amendment is \$105,297) (Paving for Progress).

0737-06-14, Amendment No. 2 to the Professional Services Agreement with Snyder & Associates, Inc. for professional services in connection with the 19th Street SE, Bever Avenue SE, and Garden Drive SE Improvements project (original contract amount was \$106,000; total contract amount with this amendment is \$200,764) (Paving for Progress).

0738-06-14, Amendment No. 3 to renew Contract for Appraisal Services with Cook Appraisal LLC for the Public Works Department for an estimated annual amount of \$50,000 (original contract amount was \$50,000; renewal contract amount is \$50,000).

0739-06-14, Amendment No. 3 to renew Contract for Appraisal Services with Commercial Appraisers of Iowa, Inc. for the Public Works Department for an estimated annual amount of \$50,000

(original contract amount was \$50,000; renewal contract amount is \$50,000).

0740-06-14, Amendment No. 2 to renew Contract for Appraisal Review Services with Oakwood Appraisal Company for the Public Works Department for an estimated annual amount of \$25,000 (original contract amount was \$25,000; renewal contract amount is \$25,000).

0741-06-14, Amendment No. 2 to renew Contract for Appraisal Review Services with Hattery Real Estate Appraisals, LLC for the Public Works Department for an estimated annual amount of \$25,000 (original contract amount was \$25,000; renewal contract amount is \$25,000).

0742-06-14, Amendment No. 3 to renew Contract for Title Report Services with Iowa Title Services for the Public Works Department for an estimated annual amount of \$50,000 (original contract amount was \$15,000; renewal contract amount is \$50,000).

0743-06-14, Amendment No. 1 to renew Agreement for the purchase of Residential Water Meters with Ferguson Waterworks for the Utilities Department for a total annual amount not to exceed \$225,000 (original contract amount was \$134,000; renewal contract amount is \$225,000).

0744-06-14, Amendment No. 3 to renew Agreement for Commercial Water Meters & Accessories with Ferguson Waterworks for the Water Service Division for a total annual amount not to exceed \$200,000 (original contract amount was \$80,000; renewal contract amount is \$200,000).

0745-06-14, Amendment No. 1 to add items to Agreement for Exterior Signage for City Services Center with Frankensigns LLC for a total additional amount of \$4,704 (original contract amount was \$22,853.43; total contract amount with this amendment is \$27,557.43).

0746-06-14, Amendment of the contract between Iowa Economic Development Authority (IEDA), Raining Rose, Inc., and the City of Cedar Rapids to transfer investment tax credits over to research and development tax credits.

0747-06-14, Amendment No. 1 to the Development Agreement with New Leaf Historic Properties for the redevelopment of property at 213 13th Avenue SE, authorizing a 120-day time extension for completion of construction.

0748-06-14, Change Order No. 1 in the amount of \$31,968.10 with Ricklefs Excavating, Ltd. for the SW Quadrant Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (original contract amount was \$1,765,564.20; total contract amount with this amendment is \$1,846,532.30) (FLOOD).

0749-06-14, Change Order No. 1 in the amount of \$96,000 with B. G. Brecke, Inc. for the Repair of Water Service Lines FY14 project (original contract amount was \$238,140; total contract amount with this amendment is \$336,140).

0750-06-14, Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$160,000 for the J Avenue Water Plant Generator Addition project.

0751-06-14, Professional Services Agreement with Hall & Hall Engineers for an amount not to

exceed \$52,400 for design services in connection with the 2015 Sidewalk Infill project.

0752-06-14, Professional Services Agreement with Ament Design for an amount not to exceed \$60,610 for design services in connection with the Edgewood Road SW Roadway Rehabilitation Improvements from Johnson Avenue to E Avenue project (Paving for Progress).

0753-06-14, Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$215,282 for design services in connection with the 7th and 8th Street SE Roadway Rehabilitation Improvements from A Avenue to 8th Avenue Approach project (Paving for Progress).

0754-06-14, Professional Services Agreement with Hall & Hall Engineers, Inc. for an amount not to exceed \$176,975 for professional services in connection with the Northwood Drive NE Roadway Rehabilitation Improvements from Glass Road to 42nd Street project (Paving for Progress).

0755-06-14, Easement for Storm Sewer and Temporary Grading Easement for Construction from the Cedar Rapids Country Club land located at 550 27th Street Drive SE in connection with the Valley Brook Drive SE Channel Restoration Improvements project.

0756-06-14, Purchase Agreement in the amount of \$7,665 and accepting a Warranty Deed from Interstate Power and Light Company from vacant land located south of K Avenue NE, west of Prairie Drive NE in connection with Northeast Side School Routes Sidewalk Improvements project.

0757-06-14, Purchase Agreement in the amount of \$184,900 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Rockwell Collins, Inc. for land located at 350 and 400 Collins Road NE in connection with the C Avenue NE from Collins Road to Blairs Ferry Road Pavement Widening project.

0758-06-14, Agreement for Primary Highway Improvement project for reimbursement of eligible project costs in the amount of \$973,834 with the Iowa Department of Transportation (IDOT) in connection with the Collins Road (IA 100) from East of Northland Avenue NE to Twixt Town Road NE project.

0759-06-14, awarding and approving contract in the amount of \$2,123,449.02 plus incentive up to \$136,500, bond and insurance of Rathje Construction Company for the 1st Avenue East from 34th Street to 40th Street Utilities Rehabilitation project (estimated cost is \$2,275,000).

0760-06-14, Fleet Services Division purchase of equipment from E.H. Wachs to upfit two Utilities Department – Water Distribution Division service trucks, in the amount of \$35,330.

0761-06-14, Contract for Motor Repair Services with Janda Motor Services for various City departments for a total annual amount not to exceed \$100,000.

0762-06-14, Agreement for purchase of Trimble Survey Equipment for the Public Works Department with Precision Midwest LLC for an amount not to exceed \$42,644.

0763-06-14, Doubletree Management Services, LLC to execute an Agreement extension of five years with Audio Visual Services Group, Inc. to provide Audio Visual Services, High Speed Internet Access/Rigging Services/Power Supply Setup services in connection with the Cedar Rapids Convention Complex Hotel project.

0764-06-14, Agreement for Televising of Sanitary Service Lines for the Engineering Division with Mi-Tech Services, Inc. for a total annual amount not to exceed \$75,000.

0765-06-14, rescinding Resolution No. 0527-04-14 which authorized an Agreement with Larry's Landscape for Mowing Services for Public Works Maintenance and authorizing execution of an Agreement with Quality Care for an annual amount not to exceed \$30,000 for the mowing services.

0766-06-14, Contract for Financial Advisor Services with Public Financial Management, Inc. for the Finance Department – Treasury Operations for an estimated three year contract in the amount of \$508,590.

0767-06-14, Contract for Public Works Operations Performance Review project with Matrix Consulting Group, Ltd for the Human Resources Department for an amount not to exceed \$49,900.

0768-06-14, Transit Department purchase of eight passenger shelters from Creative Outdoor Advertising for a cost of \$60,000.

0769-06-14, 28E Agreement with the College Community School District establishing a School Resource Officer Program for the term of July 1, 2014 through June 30, 2016.

0770-06-14, 28E Agreement with the Cedar Rapids Community School District to renew the School Resource Officer Program for the term of July 1, 2014 through June 30, 2016.

0771-06-14, reimbursement of \$15,800 to Wex, Inc. for sanitary sewer lift station engineering and design costs in connection with the Wexford Heights First Addition.

0772-06-14, payment for an amount not to exceed \$80,000 to be made to Cedar Rapids Metro Economic Alliance for professional services work related to the Medical SSMID.

0773-06-14, Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for Skogman Construction of Iowa for construction of ten new single-family homes within the Cedar Rapids EZ-2 Enterprise Zone.

0774-06-14, Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for 3rd Ward Development, LLC for construction of five new single-family row houses within the Cedar Rapids EZ-2 Enterprise Zone.

0775-06-14, Special Warranty Deed with Rowell Hardware Development, LLC conveying City-owned property at 120 3rd Avenue SW acquired through the Voluntary Property Acquisition Program (FLOOD).

0776-06-14, amending the Cedar Rapids Business Assistance Revolving Loan Fund to correct

eligibility options for funding.

0777-06-14, payment to Interstate Power and Light Company in the amount of \$28,610.40 for electric utility relocation adjacent to the Cedar Rapids Central Fire Station project site.

Report on bids for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project (estimated cost is \$470,000) (Doug Wilson).

L.L. Pelling Company, Inc., North Liberty, IA	\$682,034.30
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0778-06-14, awarding and approving contract in the amount of \$682,034.30 plus incentive up to \$21,800, bond and insurance of L.L. Pelling Company, Inc. for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project.

Report on bids for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project (estimated cost is \$374,000) (Steve Hershner).

Ricklefs Excavating Ltd., Anamosa, IA	\$348,924.00
Rathje Construction Co., Marion, IA	\$353,930.00

Report on bids for the 16<sup>th</sup> Avenue SW (400-Ft East of 23<sup>rd</sup> Street SW to Williams Blvd SW) Water Main Rehabilitation project (estimated cost is \$460,000) (Steve Hershner).

Rathje Construction Co., Marion, IA	\$678,540.30
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Mayor Corbett turned the meeting over to Mayor Pro Tempore Vernon to chair.

0779-06-14, discussion and Resolution authorizing execution of an Agreement for Private Redevelopment and Special Warranty Deed with Cedar Real Estate Group III, LLC for construction of corporate headquarters at 1st Street SE between 2nd and 3rd Avenue SE (former 1st Street Parkade). Nay, Council member Olson. Abstain, Mayor Corbett.

Mayor Pro Tempore Vernon turned the meeting back over to Mayor Corbett to chair.

Ordinance No. 040-14, 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 third time.

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

Ordinance No.041-14, being an Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Kingston Village Urban Revitalization Area designation at 6<sup>th</sup> Avenue SW between 2<sup>nd</sup> and 3<sup>rd</sup> Streets SW, was presented and read the second time.

Council member Poe moved the approval of the Ordinance on its second reading; seconded by Council member Vernon. Approved, Ayes, Council members Olson, Poe, Russell, Shey, Shields,

Vernon, Weinacht and Mayor Corbett.

Council member Weinacht 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 Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

Ordinance No. 042-14, being an Ordinance granting a change of zone for property at 1408 4<sup>th</sup> 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 second time.

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

Council member Weinacht 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 Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett. Abstain, Council member Olson.

Ordinance No. 043-14, being an Ordinance granting a change of zone for properties at 1008, 1012, 1018 and 1024 2<sup>nd</sup> Street SE, 208 11<sup>th</sup> Avenue SE; 1009, 1013, 1019 and 1021 3<sup>rd</sup> 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., 3<sup>rd</sup> Ward Development, LLC and 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 Poe. Approved, Ayes, Council members Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

Council member Weinacht 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 Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

Ordinance No. 044-14, being an Ordinance amending Chapter 6 of the Municipal Code, City Administration, by repealing Sections 6.05 and 6.14 therefrom discontinuing the Parks and Recreation Commission and the River Recreation Commission and adopting a new Section 6.05 establishing the Parks, Waterways and Recreation Commission; and amending Chapter 55 of the Municipal Code, Boat and Other River Regulations, repealing and enacting new sections 55.01(d), 55.06, 55.07, 55.08, 55.11, 55.12, 55.13, 55.14, 55.15 and 55.17 concerning boat and other river regulations, was presented

and read the second time.

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

Council member Weinacht 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 Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

Public comments were heard.

At 1:43 p.m., Council member Weinacht moved to recess and reconvene in the Chambers Conference Room in closed session to discuss strategy with legal counsel in a matter where litigation is pending because its disclosure would likely prejudice or disadvantage the position of the City Council in that litigation, as authorized by Iowa Code Section 21.5(1)(c) (2014); seconded by Council member Vernon. Council was polled by the Mayor. Ayes, Council members Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett. Motion carried.

Council returned to open session. Council member Shields moved to adjourn; seconded by Council member Shey. Ayes, Council members Olson, Poe, Russell, Shey, Shields, Vernon, Weinacht and Mayor Corbett.

City Council adjourned at 2:21 p.m. to meet Tuesday, June 24, 2014 at 4:00 p.m.

Amy Stevenson, City Clerk

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