

MINUTES OF THE CITY COUNCIL CITY OF CEDAR RAPIDS, IOWA

May 26, 2015, 4:00 PM

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

The invocation was given by Public Safety Chaplain Phil Saunders.

Pledge of Allegiance.

Good News announcements were given by Mayor Corbett.

A presentation regarding the 2014 Long Term Plan was given by Long Term Planning Commission members Lydia Brown and Todd McNall and Assistant City Manager Sandi Fowler.

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

1. A public hearing was held to consider the Fiscal Year 2015 Budget Amendment (Casey Drew). One objection was heard. No written comments or objections were filed.

0712-05-15

- a. Resolution approving Fiscal Year 2015 Budget Amendment.

Council member Gulick moved to approve; seconded by Council member Vernon.
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Result: Approved.

2. A public hearing was held to consider a change of zone for property at 1027 9th Street SW from R-3, Single Family Residence Zone District to O-S, Office/Service Zone District as requested by C.R. Ryders, LLC (Vern Zakostecky). No comments or objections were heard or filed.

- a. First Reading: Ordinance granting a change of zone for property at 1027 9th Street SW from R-3, Single Family Residence Zone District to O-S, Office/Service Zone District as requested by C.R. Ryders, LLC.

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 Olson.

Result: Approved.

3. A public hearing was held to consider a change of zone for property at 1017 Rockford Road SW from I-1, Light Industrial Zone District to R-3, Single Family Residence Zone District as requested by Mark G. Henderson Trust and Linda Nicholson (Vern Zakostelecky). One written objection was filed. No comments or objections were heard.

036-15

- a. First, Second and Third Readings: Ordinance granting a change of zone for property at 1017 Rockford Road SW from I-1, Light Industrial Zone District to R-3, Single Family Residence Zone District as requested by Mark G. Henderson Trust and Linda Nicholson.

Council member Vernon moved the approval of the Ordinance on its first reading; seconded by Council member Poe.

Result: **Approved.**

Council member Gulick moved that the rule requiring three readings on three different days be suspended and the Ordinance be approved on its second reading and adopted on its third and final reading; seconded by Council member Vernon.

Result: **Adopted.**

4. A public hearing was held to consider a change of zone for property at 2903 C Avenue NE and 316 29th Street NE from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District as requested by Hawkeye Land Co. (Vern Zakostelecky). No comments or objections were heard or filed.

- a. First Reading: Ordinance granting a change of zone for property at 2903 C Avenue NE and 316 29th Street NE from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District as requested by Hawkeye Land Co.

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 Olson.

Result: **Approved.**

5. A public hearing was held to consider amending Ordinance No. 002-14 to delete condition No. 7 of the rezoning for property at 4625 Tower Terrace Road NE from A, Agriculture Zone District to C-MU, Commercial Mixed Use Zone District as requested by the Development Services Department (Vern Zakostelecky). No comments or objections were heard or filed.

- a. First Reading: Ordinance amending Ordinance No. 002-14 to delete condition No. 7 of the rezoning for property at 4625 Tower Terrace Road NE from A, Agriculture Zone District to C-MU, Commercial Mixed Use Zone District, as requested by the Development Services Department.

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 Olson.

Result: **Approved.**

6. A public hearing was held to consider the Resolution of Necessity (Proposed) for the Collins Road (IA 100) Phase 1 Complete Streets Project from East of Northland Avenue NE to Twixt Town Road NE project (Doug Wilson). One objection was heard. No written comments or objections were filed.

0713-05-15

- a. Resolution adopting without amendment the Resolution of Necessity (Proposed) for the Collins Road (IA 100) Phase 1 Complete Streets Project from East of Northland Avenue NE to Twixt Town Road NE.

Council member Olson moved to approve; seconded by Council member Gulick.

Result: **Approved.**

7. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 2nd Avenue from 6th Street SW to 1st Street SE and 3rd Avenue from 6th Street SW to 3rd Street SE One-Way Conversion project (estimated cost is \$710,000) (Doug Wilson). One objection was heard. No written comments or objections were filed.

0714-05-15

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the 2nd Avenue from 6th Street SW to 1st Street SE and 3rd Avenue from 6th Street SW to 3rd Street SE One-Way Conversion project.

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

Result: **Approved.**

8. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the B Avenue NW Roadway Improvements from Highland Drive NW to 8th Street NW project (estimated cost is \$1,441,000) (Doug Wilson). (Paving for Progress) No comments or objections were heard or filed.

0715-05-15

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the B Avenue NW Roadway Improvements from Highland Drive NW to 8th Street NW project.

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

Result: **Approved.**

9. 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 2 project (estimated cost is \$480,000) (Doug Wilson). (Paving for Progress) No comments or objections were heard or filed.

0716-05-15

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2015 Curb Repair Project – Contract 2 project.

Council member Vernon moved to approve; seconded by Council member Olson.

Result: **Approved.**

10. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Edgewood Road NW Pavement Rehabilitation Improvements from Johnson Avenue NW to E Avenue NW project (estimated cost is \$770,000) (Doug Wilson). (Paving for Progress) No comments or objections were heard or filed.

0717-05-15

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Edgewood Road NW Pavement Rehabilitation Improvements from Johnson Avenue NW to E Avenue NW project.

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

11. A scheduled public hearing was cancelled and rescheduled for June 9 to consider the proposed plans, specifications, form of contract and estimated cost for the 7th Street SE and 8th Street SE Roadway Rehabilitation from A Avenue NE to 12th Avenue SE project (estimated cost is \$1,700,000) (Doug Wilson). (Paving for Progress)

12. A public hearing was held to consider the vacation and disposition of public ways and grounds in and to the property described as 4th Street SE between 10th Avenue and 12th Avenue SE as requested by The Depot Development, LLC (Dave Wallace and Caleb Mason). No comments or objections were heard or filed.

- a. First Reading: Ordinance vacating public ways and grounds described as 4th Street SE between 10th Avenue and 12th Avenue SE as requested by The Depot Development, LLC.

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 Vernon.
Result: Approved.

13. A public hearing was held to consider the disposition of a 6,080 square-foot strip of former railroad right-of-way located northwesterly of 12th Avenue SE and northeasterly of and adjacent to 4th Street SE as requested by Depot Development, LLC (Dave Wallace). No comments or objections were heard or filed.

14. A public hearing was held to consider an ordinance relating to collection of tax increment within the proposed Center Point Urban Renewal Area (Kirsty Sanchez and Caleb Mason). No comments or objections were heard or filed.

0718-05-15

- a. Resolution approving the Center Point Urban Renewal Area Plan at 1427 Center Point Road NE.

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

- b. First Reading: Ordinance relating to collection of tax increment within the proposed Center Point Urban Renewal Area located at 1427 Center Point Road NE.

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.
Result: Approved.

15. A public hearing was held to consider the proposed Creekside Urban Renewal Area and Plan located at 1415 Center Point Road NE and an Ordinance relating to collection of tax increment within the proposed area (Kirsty Sanchez). No comments or objections were heard or filed.

0719-05-15

- a. Resolution approving the Creekside Urban Renewal Area Plan at 1415 Center Point Road NE.

Council member Olson moved to approve; seconded by Council member Vernon.

Result: **Approved.**

- b. First Reading: Ordinance relating to collection of tax increment within the proposed Creekside Urban Renewal Area located at 1415 Center Point Road NE.

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 Vernon.

Result: **Approved.**

16. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar River East Flood Wall – North of Interstate 380 – Cedar Rapids, IA – Phase 2 – Floodwall project (estimated cost is \$11,500,000) (Rob Davis). No comments or objections were heard or filed.

0720-05-15

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Cedar River East Flood Wall – North of Interstate 380 – Cedar Rapids, IA – Phase 2 — Floodwall project.

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

Result: **Approved.**

17. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Northwest Recreation Center project (estimated cost is \$3,550,000) (Sven Leff). (Flood) No comments or objections were heard or filed.

0721-05-15

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Northwest Recreation Center project.

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

Result: **Approved.**

18. A public hearing was held to consider the disposition of City-owned property at 1203 7th Street SE, 1205 7th Street SE and vacant land on the 600 block of 12th Avenue SE and inviting redevelopment proposals (Seth Gunnerson). (Flood) No comments or objections were heard or filed.

Public comments were heard.

Motion to approve the Agenda.

Council member Poe moved to approve; City Manager Pomeranz requested that Item No. 53 (discussion and resolution authorizing the disposition of City-owned commercial property at 525 Valor Way SW, commonly known as the Knutson Building) be removed from the agenda; seconded by Council member Weinacht.

Result: **Approved.**

Motion to approve the Consent Agenda.

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

19. Motion to approve the minutes.

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

0722-05-15

20. Resolution accepting the established fair market value for the total acquisition of a property, partial acquisitions of right-of-way, and a temporary grading easement for construction from Keith A. Schmitz, owner of property located at 2014 18th Street SW; Milo Spina and Sharon El Benesh, trustees of the Evelyn Irene Spina Revocable Trust u/d/o October 7, 1996, owner of property located at 1820 Rockford Road SW; and Marlene R. Steichen, owner of property located at 1732 Wilson Avenue SW; in connection with the 18th Street SW from Wilson Avenue SW to 13th Avenue SW Improvements project. (Paving for Progress)

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

0723-05-15

21. Resolution accepting the established fair market value for the partial acquisitions of temporary easements for construction, permanent easements, and fee title from multiple properties and owners in connection with the Collins Road (IA 100) Phase 1 Complete Streets Project from East of Northland Avenue NE to Twixt Town Road NE project.

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

0724-05-15

22. Resolution supporting the application of a Transportation Investment Generating Economic Recovery (TIGER) Grant by Linn County for the construction of the entrance and exit ramps connecting 80th Street SW and Iowa Highway 100 at the proposed interchange of U.S. Highway 30 / Iowa Highway 100 Extension with 80th Street SW / 16th Avenue SW and for realigning 16th Avenue SW to be continuous with 80th Street SW.

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

0725-05-15

23. Resolution to continue a previously approved capital improvement project and to proceed with the acquisition or condemnation of agricultural property and property interests not yet acquired for the 27th Street SW Culvert Replacement project.

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

0726-05-15

24. Resolution accepting the 2014 Long Term Plan.

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

- 0727-05-15 25. Resolution adopting the updated Comprehensive Trails Plan Connectivity Network Map.
 Council member Poe moved to approve; seconded by Council member Weinacht.
 Result: **Approved.**
- 0728-05-15 26. Resolution authorizing the issuance of \$26,270,000 General Obligation Bonds, Series 2015A, and levying a tax to pay said bonds; which includes approval of the Tax Exemption Certificate and Continuing Disclosure Certificate.
 Council member Poe moved to approve; seconded by Council member Weinacht.
 Result: **Approved.**
- 0729-05-15 27. Resolution authorizing the issuance of \$11,180,000 Taxable General Obligation Bonds, Series 2015B, and levying a tax to pay said bonds; which includes approval of the Continuing Disclosure Certificate.
 Council member Poe moved to approve; seconded by Council member Weinacht.
 Result: **Approved.**
- 0730-05-15 28. Resolution authorizing the issuance of and securing the payment for \$7,025,000 Sewer Revenue Bonds, Series 2015C; which includes approval of the Tax Exemption Certificate and Continuing Disclosure Certificate.
 Council member Poe moved to approve; seconded by Council member Weinacht.
 Result: **Approved.**
- 0731-05-15 29. Resolution authorizing the issuance of and securing the payment for \$9,945,000 Water Revenue Bonds, Series 2015D; which includes approval of the Tax Exemption Certificate and Continuing Disclosure Certificate.
 Council member Poe moved to approve; seconded by Council member Weinacht.
 Result: **Approved.**
- 0732-05-15 30. Resolution approving and authorizing a form of Loan and Disbursement Agreement with the Iowa Finance Authority, authorizing and providing for the issuance of and securing the payment for \$2,130,000 Sewer Revenue Capital Loan Notes, Series 2015 (SRF) and providing for a method of payment of said notes; which includes approval of the Tax Exemption Certificate.
 Council member Poe moved to approve; seconded by Council member Weinacht.
 Result: **Approved.**
- 0733-05-15 31. Resolution amending Resolution No. 0524-05-11 (approving and authorizing a Loan and Disbursement Agreement with the Iowa Finance Authority and Authorizing and providing for the issuance of Sewer Revenue Capital Loan Notes, Series 2011) in order to provide for the funding of a water restoration project under the terms of a new series 2015 note to be Issued in the principal amount of \$5,576,427.46, which includes approval of a Supplemental Tax Exemption Certificate.
 Council member Poe moved to approve; seconded by Council member Weinacht.
 Result: **Approved.**

- 0734-05-15 32. Resolution rescinding Resolution No. 1345-10-69, which established “No Parking” on the south side of 16th Avenue SW from C Street SW westerly to the alley between C Street SW and D Street SW, and Resolution No. 311-3-73, which established “No Parking” on the north side of 16th Avenue SW for a distance of 75 feet west of C Street SW, and rescinding any other “No Parking” restrictions on both sides of 16th Avenue SW from C Street SW to D Street SW.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |
- 0735-05-15 33. Resolution reallocating seasonal FTE’s to support Secretary IV positions in Parks and Recreation.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |
- 0736-05-15 34. Resolution authorizing the Assistant City Manager to attend the Harvard Kennedy School of Government Senior Executives in State and Local Government program in Cambridge, MA for an amount not to exceed \$14,500.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |
- 0737-05-15 35. Resolution amending Resolution No. 0640-05-15 to amend road closure times for the Cedar Rapids Freedom Festival Fourth of July Celebration on July 4, 2015.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |
36. Motions setting public hearing dates, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by publishing notice to bidders, and authorizing City officials or designees to receive and open bids and publicly announce the results for:
- a. June 9, 2015 — Environmental Remediation and Demolition Services Project, with bid opening June 10, 2015 (estimated cost is \$226,200). (Flood)
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |
- b. June 9, 2015 — 7th Street SE and 8th Street SE Roadway Rehabilitation from A Avenue NE to 12th Avenue SE project, with bid opening May 20, 2015 (estimated cost is \$1,700,000). (Paving for Progress)
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |
37. Motion assessing a \$1,500 civil penalty for violation of State Code regarding the sale of tobacco/vapor products to minors against:
- a. Kum & Go #514, 1420 Mt. Vernon Road SE.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |

38. Motion approving the beer/liquor/wine applications of:
- a. Brewhemia (CSPS), 1101-1103 3rd Street SE.
 - b. The Broken Spoke, 2010 Sylvania Avenue NE (adding permanent outdoor service area).
 - c. Casa Las Glorias, 2245 Blairs Ferry Road NE.
 - d. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on June 5-7, 2015).
 - e. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on June 12-14, 2015).
 - f. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on June 19-21, 2015).
 - g. CVS/Pharmacy #8526, 4116 Center Point Road NE.
 - h. CVS/Pharmacy #8532, 2711 Mount Vernon Road SE.
 - i. Doubletree by Hilton Cedar Rapids Convention Complex, 350 1st Avenue NE.
 - j. Fraternal Order of Eagles Post #2272, 1735 11th Street NW.
 - k. Hy Vee Market Cafe #1, 1843 Johnson Avenue NW (new — market cafe in Hy Vee Food Store #1).
 - l. McGrath Amphitheatre Cedar Rapids, 475 1st Street (5-day permit for an event on June 8-12, 2015).
 - m. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on June 24-28, 2015).
 - n. Olive Garden, 367 Collins Road NE.
 - o. Phong Lan Vietnamese Restaurant, 216 8th Street SE.
 - p. Pizza Hut #4311, 223 Collins Road NE.
 - q. Pizza Hut #4351, 1640 Edgewood Road SW.
 - r. Rock Bar American Grill, 219 2nd Avenue SE.
 - s. Sierra Foods, 3326 Center Point Road NE.
 - t. St. Ludmila Catholic Church, 211 21st Avenue SW (5-day beer permit for an event on June 12, 2015).
 - u. Time Out Lounge, 3230 16th Avenue SW.
 - v. Wild Hog Saloon & Eatery, 350 Commercial Drive, Walford (5-day permit for an event on June 11, 2015 at Metro Harley Davidson, 2415 Westdale Drive SW).
 - w. Wild Hog Saloon & Eatery, 350 Commercial Drive, Walford (5-day permit for an event on July 9, 2015 at Metro Harley Davidson, 2415 Westdale Drive SW).

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

39. Resolutions approving:

0738-05-15

- a. Payment of bills.

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

0739-05-15

- b. Payroll.

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

0740-05-15

- c. Transfer of funds.

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

40. Resolution thanking the following individual:

0741-05-15

a. Vote of thanks to Charity Tyler for serving on the Cedar Rapids Board of Ethics.

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

Result: **Approved.**

41. Resolution approving the special event application for:

0742-05-15

a. New Bo Run event (includes road closures) on September 6, 2015.

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

Result: **Approved.**

42. Resolutions approving assessment actions:

0743-05-15

a. Levy assessment – Water Division – delinquent municipal utility bills – 25 properties.

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

Result: **Approved.**

0744-05-15

b. Intent to assess – Water Division – delinquent municipal utility bills – 50 properties.

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

Result: **Approved.**

43. Resolution accepting project, approving Performance Bond and authorizing final payment:

0745-05-15

a. Chemical Building Floor Drain Replacement Project, final payment in the amount of \$2,683 and 2-Year Performance Bond submitted by B.G. Brecke, Inc. (original contract amount was \$35,149; final contract amount is \$53,659.98).

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

Result: **Approved.**

44. Resolutions authorizing execution of Development Agreements for properties participating in the fourth round of the Single Family New Construction Program:

0746-05-15

a. Affordable Housing Network, Inc. for property at 1241 3rd Avenue SE. (Flood)

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

Abstain (2): Council member Gulick, Council member Olson.

Result: **Approved.**

0747-05-15

b. Affordable Housing Network, Inc. for property at 1411 Bever Avenue SE. (Flood)

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

Abstain (2): Council member Gulick, Council member Olson.

Result: **Approved.**

0748-05-15

c. Affordable Housing Network, Inc. for property at 1417 Bever Avenue SE. (Flood)

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

Abstain (2): Council member Gulick, Council member Olson.

Result: **Approved.**

45. Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned properties participating in the fourth round of the Single Family New Construction Program:

0749-05-15

a. Scallon Custom Homes, L.L.C. for property at 409 6th Avenue SW. (Flood)

Council member Poe moved to approve; seconded by Council member Weinacht.
Abstain (1): Council member Olson.
Result: Approved.

0750-05-15

b. Scallon Custom Homes, L.L.C. for property at 629 8th Avenue SW. (Flood)

Council member Poe moved to approve; seconded by Council member Weinacht.
Abstain (1): Council member Olson.
Result: Approved.

0751-05-15

c. Skogman Construction Company of Iowa for property at 500 7th Avenue SW. (Flood)

Council member Poe moved to approve; seconded by Council member Weinacht.
Abstain (1): Council member Olson.
Result: Approved.

0752-05-15

d. Skogman Construction Company of Iowa for property at 616 5th Street SW. (Flood)

Council member Poe moved to approve; seconded by Council member Weinacht.
Abstain (1): Council member Olson.
Result: Approved.

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

0753-05-15

a. Amendment No. 3 to the Professional Services Agreement with Terracon Consultants, Inc. specifying an increased amount not to exceed \$9,042.50 for material testing services in connection with the City Services Center project (original contract amount was \$56,248; total contract amount with this amendment is \$115,200.50). (Flood)

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

0754-05-15

b. Amendment No. 3 to the Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$3,600 for additional work on the Selected J Avenue Campus 2014 Renovations project (original contract amount was \$106,500; total contract amount with this amendment is \$131,100).

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

0755-05-15

c. Amendment No. 5 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors for an amount not to exceed \$1,887.50 for the Chandler St, 20th St, 18th St and 16th Ave SW Water Main Replacement project (original contract amount was \$126,521; total contract amount with this amendment is \$246,648.50).

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

0756-05-15

- d. Amendment No. 2 to the Construction Contract Agreement with B. G. Brecke, Inc. in the amount of \$25,000 for the replacement of Fire Hydrants and Blow Off Completes FY15 project (original contract amount was \$53,340; total contract amount with this amendment is \$103,340).

Council member Poe moved to approve; seconded by Council member Weinacht.
Abstain (1): Council member Olson.
Result: **Approved.**

0757-05-15

- e. Fleet Services Division purchase of two Ford F350 crew cab trucks from Junge Center Point in the amount of \$95,688.

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

0758-05-15

- f. Letter of Agreement Renewal with B. G. Brecke, Inc. for an estimated amount of \$252,640.89 for the FY16 Repair of Water Service Lines project (original contract amount was \$238,140; renewal contract amount is \$252,640.89).

Council member Poe moved to approve; seconded by Council member Weinacht.
Abstain (1): Council member Olson.
Result: **Approved.**

0759-05-15

- g. Amendment No. 1 to renew Contract for Energy Management System (EMS) Monitoring Services with Halvorson Trane for Facilities Maintenance Services for an annual amount not to exceed \$84,720 (original contract amount was \$84,720; renewal contract amount is \$84,720).

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

0760-05-15

- h. Contract for Concrete Crushing with Bushman Excavating, Inc. for the Public Works Department — Street Operations in the amount of \$80,000.

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

0761-05-15

- i. Amendment No. 3 to renew contract for EMC Avamar Enterprise Backup Solution with Ahead LLC for the Information Technology Department for an annual amount not to exceed \$54,975 (original contract amount was \$225,063.02; renewal contract amount is \$54,975).

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

0762-05-15

- j. Contract for Feasibility Studies of Historic Structures with RDG Planning & Design for the Community Development Department in the amount of \$142,000. (Flood)

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

0763-05-15

- k. Purchase of National Flood Insurance Program coverage through Selective Insurance Company of America for an amount not to exceed \$96,719.

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

0764-05-15

- l. Fleet Services Division purchase of an emergency equipment package from Keltek Inc. to upfit 12 new police utility vehicles in the amount of \$299,781.

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

0765-05-15

m. Purchase Order in the amount of \$138,117.43 to Van Meter, Inc. for Rockwell Automation PLC Equipment for the Water Division.

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

Result: **Approved.**

0766-05-15

n. Professional Services Agreement with Shive-Hattery, Inc. for an amount not to exceed \$40,000 for the NW Water Treatment Plant HVAC Evaluation Study.

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

Result: **Approved.**

0767-05-15

o. Purchase Order in the amount of \$32,755 to JWC Environmental for exchange/repair of the Muffin Monster Grinder at the Morgan Creek Lift Station.

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

Result: **Approved.**

0768-05-15

p. Purchase of one 2015 Toro Greensmaster and one 2015 Toro Reelmaster riding mowers from MTI Distributing in the amount of \$80,478.78 for use at Gardner Golf Course.

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

Result: **Approved.**

0769-05-15

q. Special Warranty Deed with Kingston Lofts, LLC conveying City-owned property at 200, 210 and 212 3rd Avenue SW. (Flood)

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

Result: **Approved.**

0770-05-15

r. Purchase Agreement in the amount of \$9,500 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for construction from Larry G. Spina, Arlene D. Spina, Barbara A. Woodward (f/k/a Barbara A. Spina) and John S. Woodward for vacant land located on the east side of 18th Street SW directly north of 2105 18th Street SW and south of 2025 18th Street SW in connection with the 18th Street SW from Wilson Avenue SW to 13th Avenue SW Improvements project. (Paving for Progress)

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

Result: **Approved.**

0771-05-15

s. Non-Franchise Utility License Agreement with Unite Private Networks, LLC for right-of-way encroachments located throughout Cedar Rapids.

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

Result: **Approved.**

0772-05-15

t. Purchase Agreement in the amount of \$960 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Evans & Son, LLC for land located at 3325 Center Point Road NE in connection with the Bridge Replacement – McCloud Place NE Over McCloud Run project.

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

Result: **Approved.**

0773-05-15

u. Purchase Agreement in the amount of \$25,000 and accepting a Warranty Deed, Easement for Utilities and Temporary Grading Easement for Construction from W W J Investments for land located at 1850 McCloud Place NE in connection with the Bridge Replacement – McCloud Place NE Over McCloud Run project.

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

Result: **Approved.**

0774-05-15

v. Accepting a bid in the amount of \$3,500 from Paul A. Bristol III and approving a Quit Claim Deed for the disposition of land located at 413 3rd Street SW.

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

Result: **Approved.**

0775-05-15

w. Grant Program Contract Extension to July 30, 2015 with Office of Drug Control Policy for Methamphetamine Drug Hot Spots Grant Program.

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

Result: **Approved.**

0776-05-15

x. Purchase Agreement with the Cedar Rapids and Iowa City Railway Company (CRANDIC) for release of leasehold interest in the railroad right-of-way corridor from south of 9th Avenue SE to near the Cedar River, and also a strip north of 12th Avenue SE on the northwest side of 400 12th Avenue SE in connection with the 4th Street SE Railroad Right-of-Way Corridor from South of 9th Avenue SE to the Cedar River project.

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

Result: **Approved.**

0777-05-15

y. Residential Tenant Purchase Agreement and authorization of relocation benefits for an estimated amount of \$37,975 to Jill LaFond for real property located at 63 17th Avenue SW in connection with the Czech Village Area Property Acquisition project.

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

Result: **Approved.**

47. Report on bids for the Collins Road NE (IA 100) between Council Street NE & approximately 700 feet west of Northland Avenue NE, 1st Avenue W (IA 922) between L Street SW and 3rd Street SW, 3rd Avenue SW between L Street SW & approximately 165 feet west of 3rd Street SW and Williams Boulevard SW (IA 922) from Trent Street SW to 16th Avenue SW Roadway Improvements project (estimated cost is \$1,268,000) (Rob Davis):

Hawkeye Paving Corp., Bettendorf, IA	\$1,261,355.90
Rathje Construction Co., Marion, IA	\$1,484,247.31

48. Report on bids for the Penn Avenue NW at 1st Street NW Storm Sewer Improvements – Phase 1 project (estimated cost is \$118,000) (Dave Wallace):

Sulz Co., LLC Muscatine, IA	\$147,857.50
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49. Report on bids for the 7th Street SE and 8th Street SE Roadway Rehabilitation from A Avenue NE to 12th Avenue SE project (estimated cost is \$1,700,000) (Doug Wilson): (Paving for Progress)

L.L. Pelling Company, Inc., North Liberty, IA	\$1,316,955.75
Pirc-Tobin Construction, Inc., Alburnett, IA	\$1,376,110.54
Rathje Construction Co., Marion, IA	\$1,683,403.50

50.	Report on bids for the 3rd Avenue, 4th Avenue and Ground Transportation Center Parkade Repair project (estimated cost is \$460,000) (Doug Wilson):	
	Western Waterproofing Co., Inc. West Des Moines, IA	\$329,469.10
	Total Alternates 1-5	<u>38,337.22</u>
	Total Bid	\$367,806.32
	Vector Construction, Inc., Cedar Rapids, IA	\$329,643.26
	Total Alternates 1-5	<u>44,114.00</u>
	Total Bid	\$373,757.26
	E & H Restoration, LLC, Davenport, IA	\$389,982.17
	Total Alternates 1-5	<u>82,816.34</u>
	Total Bid	\$472,798.51
	RAM Construction Services of Minnesota, LLC, Little Canada, MN	\$392,027.00
	Total Alternates 1-5	<u>53,184.00</u>
	Total Bid	\$445,211.00
	Merit Construction Services, Inc., Farmington, MN	\$392,864.00
	Total Alternates 1-5	<u>66,245.00</u>
	Total Bid	\$459,109.00
	Restoration Systems, Inc., Chaska, MN	\$447,153.11
	Total Alternates 1-5	<u>48,631.00</u>
	Total Bid	\$495,784.11

- 0778-05-15 51. Report on bids for the FY 2016 Sidewalk and Ramp Repair Program – Contract No. 1 project (estimated cost is \$517,000) (Doug Wilson):
Ti-Zack Concrete, Inc., LeCenter, MN \$599,346

a. Resolution awarding and approving contract in the amount of \$599,346 plus incentive up to \$7,000, bond and insurance of Ti-Zack Concrete, Inc. for the FY 2016 Sidewalk and Ramp Repair Program – Contract No. 1 project.

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

- 0779-05-15 52. Report on bids for the Water Pollution Control HVAC Upgrades project (estimated cost is \$1,150,000) (Steve Hershner):
Modern Sheet Metal, Inc., Cedar Rapids, IA \$1,091,000
Tricon General Construction, Inc., Cedar Rapids, IA \$1,228,000
Woodruff Construction, LLC, Fort Dodge, IA \$1,250,000

a. Resolution awarding and approving contract in the amount of \$1,150,000, bond and insurance of Modern Sheet Metal, Inc. for the Water Pollution Control HVAC Upgrades project.

Council member Weinacht moved to approve; seconded by Council member Vernon.
Result: Approved.

- 0780-05-15 54. Discussion and Resolution authorizing negotiation of a Development Agreement with Aspect, Inc. for the disposition and redevelopment of City-owned property at 97 3rd Avenue SW (former Smulekoffs building) and providing support for Workforce Housing Tax Credit funding through a local match (Caleb Mason).

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

037-15 55. Second and Third Readings: Ordinance amending Chapter 69 of the Municipal Code, Civil Rights Commission, to reduce the number of members from eleven to nine.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Vernon.

Result: Approved.

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.

Result: Adopted.

Public comments were heard.

Motion to adjourn.

Council member Shields moved to approve; seconded by Council member Shey.

Result: Approved.

City Council adjourned at 6:10 p.m. to meet Tuesday, June 9, 2015 at 12:00 noon.

Amy Stevenson, City Clerk