MINUTES OF THE CITY COUNCIL
CITY OF CEDAR RAPIDS, IOWA

June 9, 2015, 12:00 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 Council member Poe.

Pledge of Allegiance.

Good News announcements were given by Mayor Corbett.

Mayor Corbett and Council member Shields presented a Proclamation declaring June 21, 2015 as 2015 Ask Day.

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 proposed specifications, form of contract and estimated cost for the Environmental Remediation and Demolition Services project (estimated cost is $226,200) (John Riggs). (Flood) No comments or objections were heard or filed.

0781-06-15

a. Resolution adopting specifications, form of contract and estimated cost for the Environmental Remediation and Demolition Services project.

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

2. A public hearing was held 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) (Dave Wallace). (Paving for Progress) No comments or objections were heard or filed.

0782-06-15

a. Resolution adopting 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.

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

3. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the West Post Road NW from Gordon Avenue NW to E Avenue NW – Water Main Replacement project (estimated cost is $730,000) (Dave Wallace). (Paving for Progress) One comment was heard. No objections were heard or filed.

0783-06-15 a. Resolution adopting plans, specifications, form of contract and estimated cost for the West Post Road NW from Gordon Avenue NW to E Avenue NW – Water Main Replacement project.

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

Public comments were heard.

Motion to approve the agenda.

Council member Vernon moved to approve; City Manager Pomeranz requested that Item Number 9 (resolution accepting the established fair market value in the amount of $180 for the partial acquisition of a temporary grading easement for construction from land at 6200 26th Street SW, owned by Christopher and Jolene Snyder, Contract Purchasers and Kenneth and Jeanne Snyder, Fee Owners, in connection with the 26th Street Improvements from 76th Avenue SW to 60th Avenue SW project) be removed from the agenda; seconded by Council member Poe.
Result***: Approved as amended.***

Motion to approve the consent agenda.

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

4. Motion to approve the minutes.

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

0784-06-15 5. Resolution designating a portion of City-owned land located between 32nd Street Drive SE and 33rd Street Drive SE, easterly of 1st Avenue SE, as 2nd Avenue SE right-of-way.

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

0785-06-15 6. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the Collins Road (IA 100) Phase 1 Complete Streets Project from East of Northland Avenue NE to Twixt Town Road NE project.

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

0786-06-15 7. Resolution referring to the Linn County Compensation Commission the partial acquisition 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.

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

0787-06-15 8. Resolution referring to the Linn County Compensation Commission partial acquisitions for right-of-way and temporary grading easement for construction from Keith A Schmitz, owner of property located at 2014 18th Street SW; and 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 in connection with the 18th Street SW from Wilson Avenue SW to 13th Avenue SW Improvements project. (Paving for Progress)

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

0788-06-15 10. Resolution approving Amendment No. 1 to the Neighborhood Work Plans and budgets for Fiscal Year 2016.

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

0789-06-15 11. Resolution approving the creation of the Westdale Area Neighborhood Association boundary and providing a budget of $3,000 for Fiscal Year 2016.

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

0790-06-15 12. Resolution approving sponsorship for a Business Financial Assistance Application to the Iowa Economic Development Authority (IEDA) by Ralcorp Holdings, Inc. (commonly known as ConAgra Foods) with operations at 601 16th Street NE.

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

0791-06-15 13. Resolution approving sponsorship for a Business Financial Assistance Application to the Iowa Economic Development Authority (IEDA) by United Fire & Casualty Company to assist with expansion of operations at 118 2nd Avenue SE with the local match being satisfied through Tax Increment Financing.

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

0792-06-15 14. Resolution authorizing the Fire Chief or the Chief's designee to execute Agreements for Use, Release, and Indemnification for properties used as training sites until midnight on December 31, 2015.

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

0793-06-15 15. Resolution authorizing Fiscal Year 2016 Hotel Motel application allocations and primary allocations in the amount of $3,358,606.74.

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

0794-06-15 16. Resolution amending Resolution No. 0325-03-15 to correct road closures for the Cedar Rapids Freedom Festival Parade on June 27, 2015.

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

0795-06-15 17. Resolution in support of seeking a structural assessment and cost estimates for the City-owned commercial property at 525 Valor Way SW (commonly known as the Knutson Building). (Flood)

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

0796-06-15 18. Resolution in support of a constitutional amendment to restore the right to limit spending in our elections, and for state and federal lawmaking to assure transparency such that entities and persons spending significant sums in our elections are known to the public.

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

0797-06-15 19. Resolution authorizing the Water Utilities Process & Facilities Engineer 1 to attend the Bentley Learning Conference for Water Analysis & Design in New Orleans, LA. for an estimated amount of $3,027.

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

20. Motions setting public hearing dates for:

a. June 23, 2015 – to consider repealing Chapter 33 of the Municipal Code, Building Code, and enacting and adopting in lieu thereof a new Building Code and the 2015 editions of the International Building and International Residential Building Codes with modifications.

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

b. June 23, 2015 – to consider repealing Chapter 37 of the Municipal Code, Fire Code, and enacting and adopting in lieu thereof a new Fire Code and the 2015 edition of the International Fire Code with modifications.

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

c. June 23, 2015 – to consider repealing Chapter 35 of the Municipal Code, Plumbing Code, and enacting and adopting in lieu thereof a new Plumbing Code and the 2015 edition of the Uniform Plumbing Code with modifications.

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

d. June 23, 2015 – to consider repealing Chapter 36 of the Municipal Code, Mechanical Code, and enacting and adopting in lieu thereof a new Mechanical Code and the 2015 edition of the International Mechanical Code with modifications.

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

e. June 23, 2015 – to consider repealing Chapter 34 of the Municipal Code, Electrical Code, and enacting and adopting in lieu thereof a new Electrical Code and the 2014 edition of the National Electrical Code with modifications.

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

f. June 23, 2015 – to consider repealing Chapter 29 of the Municipal Code, Housing Code, and enacting and adopting in lieu thereof a new Housing Code and the 2015 edition of the International Property Maintenance Code.

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

g. June 23, 2015 – to consider a Parking Asset Lease Agreement with Downtown Parking Management Inc.

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

h. June 23, 2015 – to consider the disposition of excess City-owned property described as a 2.17-acre parcel of vacant land located at Greenbranch Lane NE, westerly of 6300 42nd Street NE, as requested by the State of Iowa in connection with the future extension of Highway 100.

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

i. June 23, 2015 – to consider the vacation of a 22-foot-wide water main easement located at 1140 K Avenue NW, as requested by Meth-Wick Community, Inc.

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

j. July 14, 2015 – to consider a request by MidAmerican Aerospace, Ltd. for an Urban Revitalization Area designation for the renovation of property at 2727 16th Avenue SW (former Kmart West building).

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

21. 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 23, 2015 – Water Pollution Control Facility North Ash Lagoon Liner project, with bid opening July 15, 2015 (estimated cost is $1,360,000).

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

b. June 23, 2015 – 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 4 project, with bid opening on July 8, 2015 (estimated cost is $2,466,000). (Flood)

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

c. June 23, 2015 – East Side Sanitary Sewer Interceptor Repairs, Bid Package 1 project, with bid opening on June 24, 2015 (estimated cost is $490,000). (Flood)

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

d. June 23, 2015 – SE Quadrant Sanitary Sewer Improvements Phase 2, Package 4 project, with bid opening on June 24, 2015 (estimated cost is $1,080,000). (Flood)

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

22. Motion assessing a $300 civil penalty for violation of State Code regarding the sale of tobacco/vapor products to minors against:

a. BP on 1st, 2824 1st Avenue NE.

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

23. Motion approving the beer/liquor/wine applications of:

a. Bata's Restaurant, 1006 3rd Street SE.
b. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre, 475 1st Street SW, on June 19, 2015).
c. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre, 475 1st Street SW, on July 10, 2015).
d. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre, 475 1st Street SW, on July 17, 2015).
e. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre, 475 1st Street SW, on July 24, 2015).
f. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on June 26-28, 2015).
g. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on July 17-19, 2015).
h. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on July 10-12, 2015).

i. Dublin City Pub, 415 1st Street SE.
j. Emil's Hideaway, 222 Glenbrook Drive SE (5-day permit for an event at McGrath Powersports, 4645 Center Point Road NE, on June 25, 2015).
k. Home Run Sports Bar & Grill, 302 3rd Avenue SW (new – annual license).
l. Millstream Brewhaus, 2121 Arthur Collins Parkway SW.
m. National Czech & Slovak Museum & Library, 1400 Inspiration Place SW.
n. NewBo City Market, 1100 3rd Street SE (outdoor service for the Revival on the River event on June 20, 2015).
o. NewBo City Market, 1100 3rd Street SE (outdoor service for Freedom Festival event on June 28-29, 2015).
p. NewBo City Market, 1100 3rd Street SE (outdoor service for events on July 4, 2015).
q. Pancheros Mexican Grill, 2315 Edgewood Road SW.
r. Pudil-Janss Wedding, 50 2nd Avenue Bridge (5-day permit for a wedding reception on June 20, 2015 at Veterans Memorial Coliseum, 50 2nd Avenue Bridge).
s. Red Robin America's Gourmet Burgers & Spirits, 4625 1st Avenue SE.
t. Rumors, 400 F Avenue NW (outdoor service for an event on June 12-14, 2015).
u. Rumors, 400 F Avenue NW (outdoor service for an event on June 26-28, 2015).
v. Rumors, 400 F Avenue NW (outdoor service for an event on July 10-12, 2015).
w. Tobacco Outlet Plus #560, 2846 Mount Vernon Road SE.
x. Wal-Mart #2716, 3601 29th Avenue SW.

Council member Vernon moved to approve; seconded by Council member Poe.
Abstain, Items 23n, 23o and 23p (1): Council member Gulick.
Result***: Approved.***

24. Resolutions approving:

0798-06-15 a. Payment of bills.

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

0799-06-15 b. Payroll.

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

25. Resolutions appointing, reappointing and thanking the following individuals:

0800-06-15 a. Appointing David Yeoman (effective through June 30, 2018) to the Airport Commission.

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

0801-06-15 b. Reappointing Todd Barker and appointing James Vancura (effective through June 30, 2020) to the Board of Adjustment.

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

0802-06-15 c. Reappointing Susan O'Connor and appointing Jerald Bertelson (effective through June 30, 2018) to the Cedar Rapids Board of Ethics.

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

0803-06-15 d. Reappointing Julie Sterling, Michael Sundall, Julianne Thomas and Ted Townsend and appointing Gordon Epping (effective through June 30, 2018) to the Cedar Rapids Medical Self-Supported Municipal Improvement District Commission.

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

0804-06-15 e. Reappointing Janice Cummings, Amy Sams and Robert Sternowski (effective through June 30, 2020) to the City Band Commission.

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

0805-06-15 f. Reappointing James Halverson and Kim King (effective through June 30, 2018) to the City Planning Commission.

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

0806-06-15 g. Reappointing Keith Rippy (effective through June 30, 2018) to the Civil Rights Commission.

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

0807-06-15 h. Reappointing Korlin Kazimour (effective through June 30, 2019) to the Civil Service Commission.

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

0808-06-15 i. Reappointing Diann Barrigar and Monica Davis (effective through June 30, 2018) to the (Czech Bohemia) Design Review Technical Advisory Committee.

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

0809-06-15 j. Reappointing Steven Dummermuth, Jr., Ann Lipsky, and Cathy Terukina and appointing Andrew Morf (effective through June 30, 2018) to the Downtown Cedar Rapids Self-Supported Municipal Improvement District Commission.

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

0810-06-15 k. Reappointing Theodore Meiners and Erik Munson (effective through June 30, 2018) to the Electrical Board of Appeals.

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

0811-06-15 l. Reappointing Brenda Blevins and appointing Dwight Olson, Rebecca Stonawski, Esaie Toingar and Emily Weber (effective through June 30, 2016) to the Grants and Programs Citizens Advisory Committee.

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

0812-06-15 m. Reappointing B.J. Hobart, Tim Oberbroeckling and Barbara Westercamp (effective through June 30, 2018) to the Cedar Rapids Historic Preservation Commission.

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

0813-06-15 n. Reappointing Sarah Coleman and James Thatcher (effective through June 30, 2018) to the Housing Code Board of Appeals.

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

0814-06-15 o. Reappointing Brian Joyner (effective through June 30, 2018) to the Mechanical Board of Appeals.

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

0815-06-15 p. Reappointing Jackie Thompson-Oster and Bill Unger and appointing Stephanie Logan (effective through June 30, 2018) to the Parks, Waterways & Recreation Commission.

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

0816-06-15 q. Reappointing Thomas Day and James Meier-Gast (effective through June 30, 2018) to the Plumbing Board of Appeals.

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

0817-06-15 r. Reappointing Constance Arens (effective through June 30, 2018) to the Veterans Memorial Commission.

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

0818-06-15 s. Reappointing Marilee Fowler and appointing Ashley Glassberg, Kristy Raine and David VanAllen (effective through June 30, 2018) to the Visual Arts Commission.

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

0819-06-15 t. Vote of thanks to Dan Thies for serving on the Airport Commission.

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

0820-06-15 u. Vote of thanks to David Lodge for serving on the Board of Adjustment.

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

0821-06-15 v. Vote of thanks to Philip Wasta and Marcia Watson for serving on the Cedar Rapids Medical Self-Supported Municipal Improvement District Commission.

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

0822-06-15 w. Vote of thanks to Paulette Hall for serving on the Civil Rights Commission.

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

0823-06-15 x. Vote of thanks to John Riccolo for serving on the Downtown Cedar Rapids Self-Supported Municipal Improvement District Commission.

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

0824-06-15 y. Vote of thanks to Leland Freie and Danielle Rings for serving on the Grants and Programs Citizens Advisory Committee.

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

0825-06-15 z. Vote of thanks to Tammi Janey for serving on the Parks, Waterways & Recreation Commission.

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

0826-06-15 aa. Vote of thanks to Mel Andringa, Arbe Bareis and Ann Knierim for serving on the Visual Arts Commission.

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

26. Resolution approving the special event application for:

0827-06-15 a. St. Ludmila's Kolach Festival event (includes road closure) on June 12-14, 2015.

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

27. Resolutions approving assessment actions:

0828-06-15 a. Intent to assess – Water Division – delinquent municipal utility bills – 10 properties.

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

0829-06-15 b. Levy assessment – Water Division – delinquent municipal utility bills – nine properties.

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

28. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:

0830-06-15 a. Portland Cement Concrete paving in Hawks Point Fifth Addition and 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of $45,000.

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

0831-06-15 b. Off-site sanitary sewer extension in Hawks Point Fifth and Future Additions and 2-year Maintenance Bond submitted by Borst Brothers Construction, Inc. in the amount of $171,584.

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

0832-06-15 c. Sanitary sewer in Hawks Point Fifth Addition and 2-year Maintenance Bond submitted by Borst Brothers Construction, Inc. in the amount of $101,706.

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

0833-06-15 d. Storm sewer in Hawks Point Fifth Addition and 2-year Maintenance Bond submitted by Borst Brothers Construction, Inc. in the amount of $70,942.

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

29. Resolution accepting project and approving Performance Bond:

0834-06-15 a. FY 2014 Hydroseeding Project and 4-year Performance Bond submitted by Eastern Iowa Excavating & Concrete, LLC (original contract amount was $14,575; final contract amount is $13,646.65).

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

30. Resolutions approving final plats:

0835-06-15 a. Knollwood Park Third Addition for land located at Grand Oaks Drive NE between Stratton Drive NE and Winchell Drive NE.

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

0836-06-15 b. Knollwood Park Fourth Addition for land located at Flatbush Court NE, north of Winchell Drive NE.

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

0837-06-15 c. Lakeside Fourth Addition for land located at 2202-2300 Aspen Ridge SE.

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

0838-06-15 d. Wilderness Estates Ninth Addition for land located at Bobcat Drive NW extension, south of Wolf Drive NW.

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

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

0839-06-15 a. Contract for tennis court resurfacing project with Tennis Courts Unlimited, Inc. for the Parks & Recreation Department in the amount of $54,216.

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

0840-06-15 b. Amendment No. 5 to renew contract for recycling carts with Rehrig Pacific Company for the Solid Waste Division for an amount not to exceed $30,000 (original contract amount was $350,000; renewal amount is $30,000).

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

0841-06-15 c. Amendment No. 1 to the contract for Palo Alto Firewalls with Torus Technologies, Inc. to add an additional firewall to the contract and to reflect the additional cost for an amount not to exceed $17,601 (original contract amount was $168,030; total contract amount with this amendment is $185,631).

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

0842-06-15 d. Warranty Deed in the amount of $1 from Country Creek, LLC to establish street right-of-way known as Ridgewood Meadows Lane NE.

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

0843-06-15 e. Purchase Agreement in the amount of $25,400 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Charisma Joy Wickham and Brian Irvin Wickham from land located at 2105 18th Street SW in connection with the 18th Street SW Extension Project from Wilson Avenue SW to 13th Avenue SW.

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

0844-06-15 f. Amending Resolution No. 0613-04-15 by adding payment terms and authorizing reimbursement to Quaker Manufacturing, LLC for a Project Coordinator for an amount not to exceed $96,000 through March 1, 2016 and for an amount not to exceed $128,000 for the period of March 1, 2016 through December 31, 2016, in connection with the Cedar River Floodwall project.

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

0845-06-15 g. 2015 Byrne Justice Assistance Grant (JAG) Program Award Agreement with Linn County for the purchase of body worn cameras.

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

0846-06-15 h. User Agreement to pay quarterly invoices for using the Iowa On-Line Warrants and Articles System.

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

0847-06-15 i. Sponsorship Agreement between the City's Convention Complex Manager, DoubleTree Management, LLC, VenuWorks of Cedar Rapids, LLC and Westdale for a term of two years, with a total payment of $20,000.

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

0848-06-15 j. Sponsorship Agreement between the City's Convention Complex Manager, DoubleTree Management, LLC, VenuWorks of Cedar Rapids, LLC and Alliant Energy for a term of two years with a total payment of $41,530.

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

0849-06-15 k. Agreement with the Union Pacific Railroad for an amount not to exceed $28,000 for preliminary engineering and other preliminary activities in connection with the Downtown Rail Signal Modifications project.

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

0850-06-15 l. Professional Services Agreement with Hall & Hall Engineers, Inc. for an amount not to exceed $36,490 for engineering services for the 2015 Seminole River Bank Armoring project.

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

0851-06-15 m. Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed $201,003 for design services in connection with the Stormwater Master Plan Update project.

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

0852-06-15 n. Amendment No. 3 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed $60,000 for engineering services in connection with the SE Quad, Flood Area Sanitary Sewer Repairs, Phase II project (original contract amount was $306,440; total contract amount with this amendment is $366,440). (Flood)

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

0853-06-15 o. Amendment No. 3 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC, specifying an increased amount not to exceed $7,100 for engineering services in connection with the Detention Basins #112 and #206 Water Quality Improvements project (original contract amount was $45,441; total contract amount with this amendment is $60,921).

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

0854-06-15 p. Rescinding Resolution No. 0779-05-15 due to incorrect award amount listed on the council agenda and awarding and approving contract in the amount of $1,091,000, bond and insurance of Modern Sheet Metal, Inc. for the Water Pollution Control Facility Unit Substation Replacement project.

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

0855-06-15 q. Awarding and approving contract in the amount of $33,333.40 plus incentive up to $1,500, bond and insurance of B.G. Brecke, Inc. for the Cornell Street SW South of Devonwood Avenue Sanitary Sewer Point Repair project (estimated cost is $48,000).

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

0856-06-15 r. Awarding and approving contract in the amount of $1,316,955.75 plus incentive up to $30,000, bond and insurance of L.L. Pelling Company, Inc. 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). (Paving for Progress)

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

0857-06-15 s. Awarding and approving contract in the amount of $147,857.50 plus incentive up to $3,000, bond and insurance of Sulz Co., LLC for the Penn Avenue NW at 1st Street NW Storm Sewer Improvements – Phase 1 project (estimated cost is $118,000).

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

0858-06-15 t. Awarding and approving contract in the amount of $367,806.32 plus incentive up to $10,000 bond and insurance of Western Waterproofing Co., Inc. for the 3rd Avenue, 4th Avenue and Ground Transportation Center Parkade Repair project (estimated cost is $460,000).

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

0859-06-15 u. Change Order No. 1 in the amount of $67,497.60 with Ti-Zack Concrete, Inc. for the FY 2015 Curb Repair Project – Contract 1 (original contract amount was $444,170; total contract amount with this amendment is $511,667.60). (Paving for Progress)

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

0860-06-15 v. Change Order No. 2 in the amount of $38,949.60 with Iowa Erosion Control, Inc. for the Wiley Boulevard SW from Williams Boulevard SW to 16th Avenue SW and Edgewood Road SW from Williams Boulevard SW to 16th Avenue SW Pavement Rehabilitation Improvements project (original contract amount was $1,778,021.51; total contract amount with this amendment is $1,837,416.68). (Paving for Progress)

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

0861-06-15 w. Change Order No. 2 in the amount of $29,781.97 plus one additional calendar day with Rathje Construction Company for the Glass Road NE Roadway Rehabilitation Improvements from Edgewood Road to Wenig Road project (original contract amount was $2,427,085.88; total contract amount with this amendment is $2,481,262.18). (Paving for Progress)

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

0862-06-15 x. Change Order No. 3 in the amount of $694.60 with Borst Brothers Construction, Inc. for the Cottage Grove Parkway SE Flood Risk Reduction Berm project (original contract amount was $722,134; total contract amount with this amendment is $757,288.20).

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

0863-06-15 y. Change Order No. 4 (Final) to adjust for incentive payment not earned, with Iowa State Contractors, Inc. for the Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase II project (original contract amount was $219,000; total contract amount with this amendment is $232,084.10).

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

0864-06-15 z. Change Order No. 5 in the amount of $24,091.03 with L.L. Pelling Company, Inc. for the 19th Street SE, Bever Avenue SE, And Garden Drive SE Pavement Rehabilitation Improvements project (original contract amount was $1,922,103; total contract amount with this amendment is $2,063,492.16). (Paving for Progress)

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

0865-06-15 aa. Change Order No. 6 in the amount of $58,115.35 with Iowa Erosion Control, Inc. for the Diagonal Drive SW Improvements from Interstate 380 to West 8th Avenue Bridge Approach project (original contract amount was $1,711,989.97; total contract amount with this amendment is $1,817,746.24). (Paving for Progress)

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

0866-06-15 ab. Change Order No. 7 in the amount of $3,203.20 with Curtis Contracting Corp. for the FY 2014 Sidewalk and Ramp Repair Program – Contract No. 1 project (original contract amount was $126,147; total contract amount with this amendment is $144,067.67).

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

0867-06-15 ac. Change Order No. 9 in the amount of $9,487.10 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (original contract amount was $1,815,564.20; total contract amount with this amendment is $1,828,576.82). (Flood)

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

32. Report on bids for the Northwest Recreation Center project (estimated cost is $3,550,000) (Dave Wallace). (Flood)

Garling Construction, Inc., Belle Plaine, IA $3,419,000
Unzeitig Construction, Cedar Rapids, IA $3,467,000
Kleiman Construction, Inc., Cedar Rapids, IA $3,517,061
Larson & Larson Construction Management, Urbandale, IA $3,610,000
Woodruff Construction, LLC, Fort Dodge, IA $3,611,000
Tricon General Construction, Cedar Rapids, IA $3,830,000

33. Report on bids 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) (Dave Wallace).

Price Industrial Electric, Inc., Robins, IA $992,035.40

34. Report on bids for the B Avenue NW Roadway Improvements from Highland Drive NW to 8th Street NW project (estimated cost is $1,441,000) (Dave Wallace). (Paving for Progress)

Eastern Iowa Excavating & Concrete, LLC, Cascade, IA $1,425,624.55
E & F Paving Company, LLC, Cedar Rapids, IA $1,526,216.30
Rathje Construction Co., Marion, IA $1,648,550.10

0868-06-15 a. Resolution rejecting bids for the B Avenue NW Roadway Improvements from Highland Drive NW to 8th Street NW project.

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

35. Report on bids for the FY 2015 Curb Repair Project – Contract 2 (estimated cost is $480,000) (Dave Wallace). (Paving for Progress)

Ti-Zack Concrete, Inc., LeCenter, MN $492,455
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA $525,700
Midwest Concrete, Inc., Peosta, IA $536,510
Rathje Construction Co., Marion, IA $569,110

0869-06-15 a. Resolution awarding and approving contract in the amount of $492,455 plus incentive up to $4,500, bond and insurance of Ti-Zack Concrete, Inc. for the FY 2015 Curb Repair Project – Contract 2 project.

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

36. Report on bids for the Edgewood Road NW Pavement Rehabilitation Improvements from Johnson Avenue NW to E Avenue NW project (estimated cost is $770,000) (Dave Wallace). (Paving for Progress)

Eastern Iowa Excavating & Concrete, LLC, Cascade, IA $690,054.80
Hawkeye Paving Corp., Bettendorf, IA $855,188.80
Iowa Erosion Control, Victor, IA $899,638.07
Rathje Construction Co., Marion, IA $953,040.55

0870-06-15 a. Resolution awarding and approving contract in the amount of $690,054.80 plus incentive up to $29,500, bond and insurance of Eastern Iowa Excavating & Concrete, LLC for the Edgewood Road NW Pavement Rehabilitation Improvements from Johnson Avenue NW to E Avenue NW project.

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

0871-06-15 37. Discussion and Resolution authorizing execution of a Development Agreement with Lofts of Red Cedar, LLC for the disposition and redevelopment of City-owned property at 107 and 109 4th Avenue SW, 404, 406, 416, 418, 422, 424 and 426 1st Street SW and 108 5th Avenue SW, acquired through the Voluntary Property Acquisition Program (Jennifer Pratt and Caleb Mason). (Flood)

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

038-15 38. Ordinance relating to collection of tax increment within the proposed Center Point Urban Renewal Area located at 1427 Center Point Road NE.

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.***

039-15 39. Ordinance relating to collection of tax increment within the proposed Creekside Urban Renewal Area located at 1415 Center Point Road NE.

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.***

040-15 40. 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 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.***

041-15 41. 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 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.***

042-15 42. 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 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.

1:05 PM, Motion to recess and reconvene in the Chambers Conference Room and meet 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. Closed session is authorized by Iowa Code Section 21.5(1)(c) (2015).

Council member Gulick moved to approve; seconded by Council member Vernon. Council was polled by the Mayor.
Result***: Approved.***

At 2:33 PM the City Council reconvened in the Council Chambers.

Motion to authorize the City Attorney's Office to seek judicial review of the Iowa Department of Transportation's May 11, 2015 decision regarding traffic cameras.

Council member Russell moved to approve; seconded by Council member Shields.
Not Present: Council member Vernon.
Result***: Approved.***

Motion to adjourn.

Council member Shields moved to approve; seconded by Council member Shey.
Not Present: Council member Vernon.
Result***: Approved.***

City Council adjourned at 2:36 PM to meet Tuesday, June 23, 2015 at 4:00 PM.

Amy Stevenson, City Clerk