

MINUTES OF THE CITY COUNCIL CITY OF CEDAR RAPIDS, IOWA

July 14, 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, Pat Shey, Justin Shields, Monica Vernon and Susie Weinacht. Absent, Council member Ralph Russell. Also present were City Manager Jeff Pomeranz and City Attorney Jim Flitz.

The invocation was given by Public Safety Chaplain Tim Pridegon.

Pledge of Allegiance.

Good News announcements.

Mayor Corbett and Council members Vernon, Shey and Shields presented a Proclamation declaring July 22, 2015 as Sisters of Mercy Day.

Mayor Corbett and Council member Weinacht presented a Proclamation declaring July 27, 2015 as Tournament of Drums Day.

Mayor Corbett and Council member Poe presented a Proclamation declaring July 25, 2015 as Asian Heritage 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 disposition of excess City-owned property described as a 2.16-acre parcel of land located northerly of and adjacent to 300 50th Avenue Court SW as requested by Croell Redi-Mix, Inc. (Rita Rasmussen). No comments or objections were heard or filed.

0976-07-15

- a. Resolution authorizing the disposition of excess City-owned property described as a 2.16-acre parcel of excess City-owned land located northerly of and adjacent to 300 50th Avenue Court SW as requested by Croell Redi-Mix, Inc.

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

2. A public hearing was held to consider the vacation and disposition of public ways and grounds in and to the property described as a 2,132-square-foot parcel of excess City-owned right-of-way and a 2,287-square-foot parcel of excess City-owned right-of-way located southwesterly of 6006 Rapids Ridge Road NE as requested by DX4 Investments, LLC and Calvary Chapel Iowa (Rita Rasmussen). No comments or objections were heard or filed.

- a. First Reading: Ordinance vacating public ways and grounds in and to the property described as a 2,132-square-foot parcel of excess City-owned right-of-way and a 2,287-square-foot parcel of excess City-owned right-of-way located southwesterly of 6006 Rapids Ridge Road NE as requested by DX4 Investments, LLC and Calvary Chapel Iowa.

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.
Absent: Council member Russell.
Result: Approved.

3. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 20th Avenue SW East of 13th Street Culvert Replacement project (estimated cost is \$273,000) (Dave Wallace). No comments or objections were heard or filed.

0977-07-15

- a. Resolution adopting plans, specifications, form of contract and estimated cost for 20th Avenue SW East of 13th Street Culvert Replacement project.

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

4. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Prairie Creek From J Street SW to Cedar River Sanitary Sewer Reconstruction, Phase 2 project (estimated cost is \$4,120,000) (Dave Wallace). (Flood) No comments or objections were heard or filed.

0978-07-15

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Prairie Creek From J Street SW to Cedar River Sanitary Sewer Reconstruction, Phase 2 project.

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

5. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Council Street NE from North City Limit to Woodcrest Street Hot Mix Asphalt Overlay project (estimated cost is \$200,000) (Doug Wilson). (Paving for Progress) No comments or objections were heard or filed.

0979-07-15

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Council Street NE from North City Limit to Woodcrest Street Hot Mix Asphalt Overlay project.

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

6. A public hearing was held 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) (Jennifer Pratt). No comments or objections were heard or filed.

0980-07-15

- a. Resolution authorizing an Urban Revitalization Area designation for the renovation of property at 2727 16th Avenue SW.

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

- b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the MidAmerican Aerospace Urban Revitalization Area designation at 2727 16th Avenue SW.

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.
Abstain (1): Council member Olson.
Absent: Council member Russell.
Result: Approved.

7. A public hearing was held to consider a change of zone for property at 1225 13th Street NW from R-3, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by The Meth-Wick Community, Inc (Joe Mailander). No comments or objections were heard or filed.

- a. First Reading: Ordinance granting a change of zone for property at 1225 13th Street NW from R-3, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by The Meth-Wick Community, Inc.

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.
Abstain (1): Council member Olson.
Absent: Council member Russell.
Result: Approved.

Public comments were heard.

Motion to approve the agenda.

Council member Vernon moved to approve; City Manager Pomeranz announced that Item Number 23f should be corrected to state 1618 34th Street SE instead of 1718 34 th Street SE; seconded by Council member Poe.
Absent: Council member Russell.
Result: Approved.

Motion to approve the consent agenda.

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

8. Motion to approve the minutes.

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

0981-07-15

9. Resolution committing to provide local matching funds and 20-year maintenance for the CEMAR Trail Phase 4 – Lindale Connector from the Marion city limits north to Highway 100 and Lindale Mall Shopping Center project.

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

0982-07-15

10. Resolution extending the competitive proposal deadline from June 25, 2015 to July 23, 2015 for the disposition and redevelopment of City-owned property at 1203 and 1205 7th Street SE and vacant land on the 600 block of 12th Avenue SE. (Flood)

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

0983-07-15

11. Resolution referring to the Linn County Compensation Commission (in accordance with eminent domain proceedings) the partial acquisition of a temporary grading easement for construction for land located at 2025 18th Street SW, owned by Virginia E. Roths, 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.
Absent: Council member Russell.
Result: Approved.

0984-07-15

12. Resolution adopting the final schedule and levying of assessments and providing for the payment thereof for the FY 2015 Curb Repair Project – Contract 1 project.

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

13. Motion authorizing publication of a public notice that on July 28, 2015 a Resolution will be considered to execute a Lease Agreement in the amount of \$650 per month with Noleshawk Investments LLC for office space at 205 2nd Avenue SE.

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

Absent: Council member Russell.

Result: Approved.

14. Motions setting public hearing dates for:
- a. July 28, 2015 – to consider the vacation and disposition of public ways and grounds in and to the property described as an 8,469-square-foot parcel of excess City-owned right-of-way located southeasterly of and adjacent to the intersection of Edgewood Road and 42nd Street NE as requested by 42nd and Edgewood, LLC.

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

Absent: Council member Russell.

Result: Approved.

- b. July 28, 2015 – to consider the vacation of a 20-foot-wide drainage easement located at 5328, 5322 and 5316 Ruhd Street SW as requested by Thomas Dostal Developers, Inc., Hinton Construction, Inc., and Cheryl and Larry Davenport.

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

Absent: Council member Russell.

Result: Approved.

15. 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. July 28, 2015 – Edgewood Road Water Main Replacement project, with bid opening August 12, 2015 (estimated cost is \$1,400,000).

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

Absent: Council member Russell.

Result: Approved.

- b. July 28, 2015 – Horizontal Collector Well No. 5 Caisson & Laterals project, with bid opening August 12, 2015 (estimated cost is \$1,950,000).

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

Absent: Council member Russell.

Result: Approved.

16. Motion approving the beer/liquor/wine applications of:
- a. Big Discount Liquor, 5427 Center Point Road NE.
- b. Bistro on the River, 411 1st Street SE.
- c. BP On 1st, 2824 1st Avenue NE.
- d. The Broken Spoke, 2010 Sylvia Avenue NE (5-day permit for a an event at 2010 Sylvia Avenue NE (parking lot) on July 22-26, 2015).
- e. Casey's General Store #2767, 3434 1st Avenue NE.
- f. Cedar Rapids Jaycees, 475 1st Street SW (5-day permit for an event at the McGrath Amphitheatre, 475 1st Street SW, on July 31, 2015).
- g. Cedar Rapids Jaycees, 475 1st Street SW (5-day permit for an event at the McGrath Amphitheatre, 475 1st Street SW, on August 14, 2015).
- h. Cedar Rapids Jaycees, 475 1st Street SW (5-day permit for an event at the McGrath

- Amphitheatre, 475 1st Street SW, on August 7, 2015).
- i. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on July 24-26, 2015).
- j. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on August 14-16, 2015).
- k. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on August 7-9, 2015).
- l. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on July 31-August 2, 2015).
- m. Cenex Gas Station, 502 E Avenue NW.
- n. Chipotle Mexican Grill, 4444 1st Avenue NE.
- o. Emil's Hideaway, 222 Glenbrook Drive SE (5-day permit for an event at McGrath Powersports, 4645 Center Point Road NE, on July 30, 2015).
- p. Hy-Vee #3 C-Store, 2300 Bowling Street SW.
- q. The Lost Cuban, 209 3rd Street SE (new license).
- r. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on July 25-29, 2015).
- s. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on August 1-5, 2015).
- t. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on July 18-22, 2015).
- u. NewBo Ale House & Sushi, 1201 3rd Street SE (outdoor service for an event on July 24-26, 2015).
- v. Papa Juan's Mexican Restaurant, 5505 Center Point Road NE (outdoor service area for an event on July 22-26, 2015).
- w. Point Liquor & Tobacco, 4107 Center Point Road NE (new ownership).
- x. Red Lobster, 163 Collins Road NE.
- y. Rumors, 400 F Avenue NW (outdoor service for an event on August 21-23, 2015).
- z. Rumors, 400 F Avenue NW (outdoor service for an event on July 24-26, 2015).
- aa. Rumors, 400 F Avenue NW (outdoor service for an event on August 7-9, 2015).
- ab. Siamville Thai Cuisine, 3635 1st Avenue SE.
- ac. Starlite Room, 3300 1st Avenue NE.
- ad. Super Burrito Lupita's Bakery, 3300 Johnson Avenue NW.
- ae. Vineria Wine Shop, 264 Blairs Ferry Road NE.

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

17. Resolutions approving:

0985-07-15

- a. Payment of bills.

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

0986-07-15

- b. Payroll.

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

- 0987-07-15 18. Resolution reappointing the following individual:
a. Reappointing Gary Grant (effective through June 30, 2018) to the Veterans Memorial Commission.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Russell. |
| Result: Approved. |
- 0988-07-15 19. Resolutions approving the special event applications for:
a. Cedar Rapids Fire Department Fill the Boot for MDA events July 17, August 14 and September 2-4 with rain date of September 5, 2015.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Russell. |
| Result: Approved. |
- 0989-07-15 b. HADSA's Step Up for Down Syndrome Walk (includes road closures) on September 27, 2015.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Russell. |
| Result: Approved. |
- 0990-07-15 20. Resolutions approving assessment actions:
a. Intent to assess – Water Division – delinquent municipal utility bills – 60 properties.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Russell. |
| Result: Approved. |
- 0991-07-15 b. Levy assessment – Water Division – delinquent municipal utility bills – 21 properties.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Russell. |
| Result: Approved. |
- 0992-07-15 c. Levy assessment – Water Division – delinquent municipal utility bills – three properties.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Russell. |
| Result: Approved. |
- 0993-07-15 21. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:
a. Storm sewer in Red Rock Addition – Phase III and 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$33,140.50.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Russell. |
| Result: Approved. |
- 0994-07-15 b. Sanitary sewer in Red Rock Addition – Phase III and 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$12,362.50.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Russell. |
| Result: Approved. |

0995-07-15

- c. Portland Cement Concrete pavement in Red Rock Addition – Phase III and 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$40,000.

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

- 22. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:

0996-07-15

- a. Prairie Drive NE from 29th Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project and final payment in the amount of \$4,029.86 to Vieth Construction Corporation (original contract amount was \$139,741; final contract amount is \$134,328.69).

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

0997-07-15

- b. 1st Avenue (IA 922/US BUS 151) Marion Boulevard & Collins Road, PCC (Portland Cement Concrete) Pavement Widening with HMA (Hot Mix Asphalt) Resurfacing project and approving Change Order No. 17 (Final) in the amount of \$337,278.29 with Peterson Contractors, Inc. (original contract amount was \$7,661,700.36; final contract amount is \$9,297,653.46).

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

0998-07-15

- c. Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – Mechanical & Plumbing project and release of partial final payment in the amount of \$239,638.68 to Modern Piping, Inc. (original contract amount was \$4,570,000; final contract amount is \$4,792,773). (Flood)

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

0999-07-15

- d. Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction – General Contractor project and release of partial final payment in the amount of \$425,210.56 to Miron Construction Company, Inc. (original contract amount was \$19,185,000; final contract amount is \$20,190,763.10). (Flood)

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

1000-07-15

- e. Veterans Memorial Phase I project and approving Change Order No. 17 in the amount of \$428, final payment in the amount of \$311,012.60 and 2-year Performance Bond submitted by Rinderknecht Associates, Inc. (original contract amount was \$5,540,000; final contract amount is \$6,220,252). (Flood)

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

1001-07-15

f. Veterans Memorial Phase II project and approving Change Order No. 16 (Final) in the amount of \$37,557, final payment in the amount of \$261,314.40 and 2-year Performance Bond submitted by Rinderknecht Associates, Inc. (original contract amount was \$4,687,000; total contract amount with this amendment is \$5,226,288). (Flood)

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

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

1002-07-15

a. Thomas Dostal Developers, Inc. for property at 5309 Dostal Drive SW. (Flood)

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

1003-07-15

b. Thomas Dostal Developers, Inc. for property at 5311 Dostal Drive SW. (Flood)

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

1004-07-15

c. Thomas Dostal Developers, Inc. for property at 5411 Dostal Drive SW. (Flood)

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

1005-07-15

d. Thomas Dostal Developers, Inc. for property at 5413 Dostal Drive SW. (Flood)

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

1006-07-15

e. Johannes Brothers Construction, Inc. for property at 1616 34th Street SE. (Flood)

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

1007-07-15

f. Johannes Brothers Construction, Inc. for property at 1618 34th Street SE. (Flood)

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

1008-07-15

g. Johannes Brothers Construction, Inc. for property at 1620 34th Street SE. (Flood)

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

1009-07-15

h. Johannes Brothers Construction, Inc. for property at 1622 34th Street SE. (Flood)

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

1010-07-15

i. Johannes Brothers Construction, Inc. for property at 1624 34th Street SE. (Flood)

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

1011-07-15

j. Johannes Brothers Construction, Inc. for property at 1626 34th Street SE. (Flood)

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

24. 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:

1012-07-15

a. S & J Homes, LLC for property at 451 9th Avenue SW. (Flood)

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

1013-07-15

b. Hope Community Development Association, Inc. for property at 619 9th Avenue SW. (Flood)

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

1014-07-15

c. Hope Community Development Association, Inc. for property at 621 9th Avenue SW. (Flood)

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

1015-07-15

d. Scallon Custom Homes, LLC for property at 933 4th Street SW. (Flood)

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

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

1016-07-15

a. Amendment No. 1 to the Professional Services Agreement with Dixon Engineering, Inc. specifying an increased amount not to exceed \$17,600 for the 2015 Cleaning, Repairing, and Painting of 2,000,000 Gallon Hydropillar – C St Water Tower project (original contract amount was \$52,900; total contract amount with this amendment is \$70,500).

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

1017-07-15

- b. Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$150,000 for the Water Division Electric Metering Upgrade project.

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

Absent: Council member Russell.

Result: **Approved.**

1018-07-15

- c. Professional Services Agreement with McClure Engineering Co. for an amount not to exceed \$53,944 for the Raw Water Main Relocation project.

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

Absent: Council member Russell.

Result: **Approved.**

1019-07-15

- d. Amendment No. 1 to the Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$25,000 for additional work to the Water Pollution Control Anaerobic Pretreatment Heat Exchanger Replacement project (original contract amount was \$300,000; total contract amount with this amendment is \$325,000).

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

Absent: Council member Russell.

Result: **Approved.**

1020-07-15

- e. Amendment No. 2 to the Professional Services Agreement with McClure Engineering Co. specifying an increased amount not to exceed \$8,580 for design services in connection with the Edgewood Road NW Multiuse Pathway from O Avenue NW to Ellis Road NW project (original contract amount was \$78,590; total contract amount with this amendment is \$122,185).

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

Absent: Council member Russell.

Result: **Approved.**

1021-07-15

- f. Professional Services Agreement with Terracon Consultants, Inc. for an amount not to exceed \$32,805 for construction testing and inspection services in connection with the Northwest Recreation Center project. (Flood)

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

Absent: Council member Russell.

Result: **Approved.**

1022-07-15

- g. Supplemental Agreement No. 3 to the Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed \$66,048 for design services in connection with the Collins Road NE (IA 100) from Twixt Town Road to F Avenue and Northland Avenue from South of Collins Road to 1,100 Feet North of Collins Road project (original contract amount was \$1,353,577; total contract amount with this amendment is \$1,549,277).

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

Absent: Council member Russell.

Result: **Approved.**

1023-07-15

- h. Supplemental Agreement No. 1 to the Professional Services Agreement with Foth Infrastructure & Environment, LLC specifying an increased amount not to exceed \$219,175 for design services in connection with the C Avenue NE from Collins Road to Blairs Ferry Road project and the Collins Road NE from C Avenue to Twixt Town Road widening project (original contract amount was \$345,100; total contract amount with this amendment is \$564,275).

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

Absent: Council member Russell.

Result: **Approved.**

1024-07-15

- i. Professional Services Agreement with Shive-Hattery, Inc. for an amount not to exceed \$89,061.20 for design services in connection with the Five Seasons Parkade Structural Repairs project.

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

Absent: Council member Russell.

Result: **Approved.**

1025-07-15

- j. Amendment No. 1 to the Professional Services Agreement with Hall & Hall Engineers, Inc. specifying an increased amount not to exceed \$7,290 for design services in connection with the 16th Avenue & Williams Parkway SW Traffic Signal Upgrading project (original contract amount was \$16,810; total contract amount with this amendment is \$24,100).

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

Absent: Council member Russell.

Result: **Approved.**

1026-07-15

- k. Amendment No. 7 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$10,066 for design services in connection with the CEMAR Trail Phase 1 and 2 project (original contract amount was \$134,000; total contract amount with this amendment is \$466,298).

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

Absent: Council member Russell.

Result: **Approved.**

1027-07-15

- l. Rescinding Resolution No. 0507-04-15, which authorized execution of Amendment No. 3 to the Professional Services Agreement for geotechnical evaluation services in connection with the Public Library in error; and authorizing execution of Amendment No. 1 to the Professional Services Agreement for this project with Braun Intertec Corporation specifying an increased amount not to exceed \$11,995 (original contract amount was \$17,367; total contract amount with this amendment is \$29,362). (Flood)

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

Absent: Council member Russell.

Result: **Approved.**

1028-07-15

- m. Change Order No. 10 in the amount of \$15,941 with Woodruff Construction, LLC for the Ground Transportation Center Renovation project (original contract amount was \$9,162,000; total contract amount with this amendment is \$9,306,773). (Flood)

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

Absent: Council member Russell.

Result: **Approved.**

1029-07-15

- n. Change Order No. 8 in the amount of \$738 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 \$144,805.67).

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

1030-07-15

- o. Support Agreement and software license for a three-year agreement with Vermont Systems, Inc. in the amount of \$38,689.89 for the RecTrac and GolfTrac reservation systems used for recreation and golf registration and reservations.

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

1031-07-15

- p. Preconstruction Agreement for Primary Road Project with the Iowa Department of Transportation (IDOT) in the amount of \$369,000 for sanitary sewer and water main improvements to be incorporated into the Highway 100 from North of E Avenue Interchange Northerly to Covington Road (County Road W36) including Bridges over Silver Creek project.

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

1032-07-15

- q. Amendment No. 2 to the Agreement for Private Redevelopment with NewBo City Market at 1100 3rd Street SE. (Flood)

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

1033-07-15

- r. Agreement to Convey Properties and Terminate Development Agreement with Cedar Ridge Homes for City-owned property at 718 2nd Street SW acquired through the Voluntary Property Acquisition Program. (Flood)

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

1034-07-15

- s. Agreement to Convey Properties and terminate Development Agreement with Skogman Construction Company of Iowa for City-owned property at 623 3rd Avenue SW acquired through the Voluntary Property Acquisition Program. (Flood)

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

1035-07-15

- t. Lease Agreement for three years with Gatto, LLC to lease City-owned property at 214 1st Street SW for parking. (Flood)

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

1036-07-15

u. Memorandum of Agreement with the Iowa Startup Accelerator and funding in the amount of \$50,000 for July 1, 2015 to June 30, 2016.

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

Absent: Council member Russell.

Result: **Approved.**

1037-07-15

v. Memorandum of Agreement with the Entrepreneurial Development Center and funding in the amount of \$100,000 for July 1, 2015 to June 30, 2016.

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

Abstain (1): Council member Gulick.

Absent: Council member Russell.

Result: **Approved.**

1038-07-15

w. Memorandum of Agreement with Diversity Focus and funding in the amount of \$40,000 for July 1, 2015 to June 30, 2016.

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

Absent: Council member Russell.

Result: **Approved.**

1039-07-15

x. Special Warranty Deed with The Depot Development, LLC for City-owned property at 400 12th Avenue SE. (Flood)

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

Absent: Council member Russell.

Result: **Approved.**

1040-07-15

y. Traffic Signal Easement from Target Corporation for land located at 1030 Blairs Ferry Road NE in connection with the Northtowne Market Development project.

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

Absent: Council member Russell.

Result: **Approved.**

1041-07-15

z. Traffic Signal & Sidewalk Easement Agreement from Hunter Companies LLC for land located at 1103 Blairs Ferry Road NE in connection with the Northtowne Market Development project.

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

Absent: Council member Russell.

Result: **Approved.**

1042-07-15

aa. Traffic Signal & Sidewalk Easement Agreement from Hunter Companies, LLC for land located at 1201 and 1103 Blairs Ferry Road NE in connection with the Northtowne Market Development project.

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

Absent: Council member Russell.

Result: **Approved.**

1043-07-15

ab. Payment of an Economic Development Grant of \$7,499 to satisfy the 3rd Street SE Streetscape Reinvestment Project assessment for Jelinek Companies, LLC for property located at 1121 and 1125 3rd Street SE and 216 12th Avenue SE.

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

Absent: Council member Russell.

Result: **Approved.**

1044-07-15

- ac. Amendment No. 24 to the Contract Agreement with the Iowa Economic Development Authority (IEDA) reducing the grant award by an amount of \$381,730 for the voluntary property acquisition and demolition project funded under the Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program (original contract price was \$95,474,137; total contract amount with this amendment is \$125,012,813).

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

Absent: Council member Russell.

Result: **Approved.**

1045-07-15

- ad. Certification of Local Government Approval for Non-Profit Organizations Receiving Statewide Emergency Solutions Grant Funds for Shelter through the Iowa Finance Authority, as requested by Area Substance Abuse Council, Catherine McAuley Center, Hawkeye Area Community Action Program, Inc., Waypoint Services for Women, Children and Families and Willis Dady Emergency Shelter.

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

Abstain (1): Council member Gulick.

Absent: Council member Russell.

Result: **Approved.**

1046-07-15

- ae. Grant application for \$138,000 to the U.S. Department of Housing and Urban Development for two Housing and Family Self-Sufficiency (FSS) Program Coordinators.

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

Absent: Council member Russell.

Result: **Approved.**

1047-07-15

- af. Non-Franchise Utility License Agreement with Southwestco Wireless, LP d/b/a Verizon Wireless, for right-of-way encroachment located throughout Cedar Rapids.

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

Absent: Council member Russell.

Result: **Approved.**

1048-07-15

- ag. Agreement with Heartland Strategies, LLC for a one-year period of July 1, 2015 to June 30, 2016 for an amount not to exceed \$60,000 to assist the City in developing a clear, achievable legislative strategy.

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

Absent: Council member Russell.

Result: **Approved.**

1049-07-15

- ah. Amendment No. 4 to the contract for concrete products with King's Material, Inc. to reflect the additional cost of concrete products used for an amount not to exceed \$300,000 (original contract amount was \$15,000; total contract amount with this amendment is \$315,000).

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

Absent: Council member Russell.

Result: **Approved.**

1050-07-15

- ai. Contract with the University of Iowa – State Hygienic Laboratory for state hygienic laboratory testing and analysis for Fiscal Year 2016 for an amount not to exceed \$33,539.

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

Absent: Council member Russell.

Result: **Approved.**

1051-07-15

- aj. Renewal agreement for the annual software license and technical support with Oracle for the Water Division's Customer Care and Billing Solution System in the amount of \$59,909.28 for Fiscal Year 2016 (original contract amount was \$58,164.34; renewal contract amount is \$59,909.28).

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

Absent: Council member Russell.

Result: **Approved.**

1052-07-15

- ak. Renewal of the annual database software license and technical support services with Oracle in the amount of \$32,893.57 for Fiscal Year 2016 (original contract amount was \$31,935.50; renewal contract amount is \$32,893.57).

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

Absent: Council member Russell.

Result: **Approved.**

1053-07-15

- al. Amendment No. 3 to the contract for residential water meters for the Water Division with Ferguson Waterworks to reflect corrected dates for the renewal period for an annual amount not to exceed \$225,000 (original contract amount was \$134,000; renewal contract amount is \$225,000).

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

Absent: Council member Russell.

Result: **Approved.**

1054-07-15

- am. Amendment No. 1 to the contract for liquid carbon dioxide with Continental Carbonic Products, Inc. for the Water Division to reflect the additional cost of chemical purchases for an amount not to exceed \$130,000 (original contract amount was \$120,000; total contract amount with this amendment is \$250,000).

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

Absent: Council member Russell.

Result: **Approved.**

1055-07-15

- an. Amendment No. 6 to the contract for commercial water meters with Ferguson Waterworks for the Water Division for an additional amount of \$55,667.99 (original contract amount was \$80,000; total contract amount with this amendment is \$490,667.99).

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

Absent: Council member Russell.

Result: **Approved.**

1056-07-15

- ao. Amendment No. 2 to the contract for boiler and cooling water chemicals with Nalco Company for the Water Pollution Control Facility to reflect the additional cost of chemical purchases for an amount not to exceed \$15,000 (original contract amount was \$60,000; total contract amount with this amendment is \$75,000).

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

Absent: Council member Russell.

Result: **Approved.**

1057-07-15

ap. Amendment No. 2 to renew contract for tire services with Bauer Built Tire for Fleet Services Division for an annual amount not to exceed \$200,000 (original contract amount was \$200,000; renewal contract amount is \$200,000).

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

Absent: Council member Russell.

Result: **Approved.**

1058-07-15

aq. Amendment No. 2 to renew contract with Mi-Tech Services, Inc. for televising of sanitary service lines for the Engineering Division for an annual amount not to exceed \$55,000 (original contract amount was \$75,000; renewal contract amount is \$55,000).

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

Absent: Council member Russell.

Result: **Approved.**

1059-07-15

ar. Contract with Griggs Environmental Strategies Inc. for wetland maintenance services for the Edgewood Road over Prairie Creek mitigation site for the Sewer Maintenance Division for an amount not to exceed \$31,200.

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

Absent: Council member Russell.

Result: **Approved.**

1060-07-15

as. Amendment No. 1 to renew contract for criminal background check services with Fidelis Screening Solutions, LLC for the Police Department to charge fees related to police staff time to be reimbursed by Cedar Rapids landlords.

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

Absent: Council member Russell.

Result: **Approved.**

1061-07-15

at. Amendment No. 4 to renew contract with Carpenter Uniform Company for ballistic duty vests for the Police Department for an annual amount not to exceed \$31,920 (original contract amount was \$18,150; renewal contract amount is \$31,920).

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

Absent: Council member Russell.

Result: **Approved.**

1062-07-15

au. Police Department purchase of two ballistic blankets from Instant Armor in the amount of \$44,984.25.

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

Absent: Council member Russell.

Result: **Approved.**

1063-07-15

av. Rescinding Resolution No. 0994-07-14, which authorized a contract for urgent care for work related injuries with UnityPoint Clinic for the Human Resources Department which was never executed.

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

Absent: Council member Russell.

Result: **Approved.**

1064-07-15

aw. FY16 contract with Horizons in the amount of \$408,000 to provide after-hours transit service when regularly scheduled fixed-route bus service is not in operation.

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

1065-07-15

26. Report on bids for the East Side Sanitary Sewer Interceptor Repairs Bid Package 1 project (estimated cost is \$490,000) (Dave Wallace). (Flood)

SAK Construction, O'Fallon, MO, \$1,197,361.75

a. Resolution rejecting all bids for the East Side Sanitary Sewer Interceptor Repairs Bid Package 1 project.

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

1066-07-15

27. Report on bids for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 4 project (estimated cost is \$2,466,000) (Dave Wallace). (Flood)

Rathje Construction Co., Marion, IA, \$2,242,374.75
Dave Schmitt Construction Co., Cedar Rapids, IA, \$2,828,323.50

a. Resolution awarding and approving contract in the amount of \$2,242,374.75 plus incentive up to \$60,000, bond and insurance of Rathje Construction Company for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 4 project.

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

1067-07-15

28. Report on bids for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 4 project (estimated cost is \$1,080,000) (Dave Wallace). (Flood)

Pirc-Tobin Construction, Inc., Alburnett, IA, \$744,242.00
Rathje Construction Co., Marion, IA, \$962,166.85
Ricklefs Excavating, Ltd., Anamosa, IA, \$987,487.00
Yordi Excavating, Inc., Cedar Rapids, IA, \$1,029,240.00 (multiplication/addition error in bid)

a. Resolution awarding and approving contract in the amount of \$744,242 plus incentive up to \$8,500, bond and insurance of Pirc-Tobin Construction, Inc. for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 4 project.

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

1068-07-15

29. Discussion and Resolution authorizing the total acquisition of a 4264 Cottage Grove Parkway SE through FEMA's Hazard Mitigation Program, and amending Resolution No. 0846-05-13 to authorize the local match through the use of Local Option Sales Tax (LOST) funding for a total acquisition of this property (Rob Davis and Sandy Pumphrey).

Council member Olson moved to approve; seconded by Council member Poe.
Nay (2): Council members Gulick, Shields.
Absent: Council member Russell.
Result: Approved.

30. Ordinance 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 including Appendix A with modifications.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.
Not Present: Council members Shields, Vernon.
Absent: Council member Russell.
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 Weinacht.
Not Present: Council members Shields, Vernon.
Absent: Council member Russell.
Result: Failed.

31. Ordinance 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 Code and International Residential Code with modifications.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.
Not Present: Council members Shields, Vernon.
Absent: Council member Russell.
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 Weinacht.
Not Present: Council members Shields, Vernon.
Absent: Council member Russell.
Result: Failed.

32. Ordinance 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 Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.
Not Present: Council members Shields, Vernon.
Absent: Council member Russell.
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 Weinacht.
Not Present: Council members Shields, Vernon.
Absent: Council member Russell.
Result: Failed.

33. Ordinance 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 Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.
Not Present: Council members Shields, Vernon.
Absent: Council member Russell.
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 Weinacht.
Not Present: Council members Shields, Vernon.
Absent: Council member Russell.
Result: Failed.

- 043-15 34. Ordinance 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 Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.
Not Present: Council member Shields.
Absent: Council member Russell.
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 Weinacht.
Not Present: Council member Shields.
Absent: Council member Russell.
Result: Adopted.

- 044-15 35. Ordinance 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 Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.
Not Present: Council member Shields.
Absent: Council member Russell.
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 Weinacht.
Not Present: Council member Shields.
Absent: Council member Russell.
Result: Adopted.

- 045-15 36. 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 Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.
Not Present: Council member Shields.
Absent: Council member Russell.
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 Weinacht.
Not Present: Council member Shields.
Absent: Council member Russell.
Result: Adopted.

- a. Resolution authorizing the disposition of 4th Street SE between 10th Avenue and 12th Avenue SE as requested by The Depot Development, LLC.

Council member Gulick moved to approve; seconded by Council member Weinacht.
Not Present: Council member Shields.
Absent: Council member Russell.
Result: Approved.

Public comments were heard.

Motion to adjourn.

Council member Shey moved to approve; seconded by Council member Olson.
Not Present: Council member Shields.
Absent: Council member Russell.
Result: Approved.

City Council adjourned at 2:04 p.m. to meet Tuesday, July 28, 2015 at 4 p.m.

Alissa Van Sloten, Deputy City Clerk