

**CITY OF CEDAR RAPIDS, IOWA
MINUTES OF THE CITY COUNCIL
REGULAR SESSION**

December 1, 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 Pro Tempore Monica Vernon, Council members Kris Gulick, Scott Olson, Ann Poe, Ralph Russell, Pat Shey and Justin Shields. Absent, Mayor Ron Corbett and Council member Susie Weinacht. Also present were City Manager Jeff Pomeranz and City Attorney Mo Sheronick.

The invocation was given by Public Safety Chaplain Taha Tawil.

Pledge of Allegiance.

Mayor Pro Tempore Vernon and City Attorney Jim Flitz presented Assistant City Attorney Mo Sheronick with a retirement award acknowledging 29 years of service to the City of Cedar Rapids.

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

1. A public hearing was held to consider the vacation and disposition of public ways and grounds in and to the property described as that portion of 7th Avenue SW between the easterly line of 3rd Street SW and the westerly line of the alley from Diagonal Drive SW to 8th Avenue SW as requested by Landover Corporation (Rita Rasmussen and Paula Mitchell). No comments or objections were heard or filed.

- a. First Reading: Ordinance vacating public ways and grounds in and to the property described as that portion of 7th Avenue SW between the easterly line of 3rd Street SW and the westerly line of the alley from Diagonal Drive SW to 8th Avenue SW as requested by Landover Corporation.

| |
|--|
| Council member Olson moved the approval of the Ordinance on its first reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for action at a later date; seconded by Council member Poe. |
|--|

| |
|---|
| Absent: Mayor Corbett, Council member Weinacht. |
|---|

| |
|--------------------------|
| Result: Approved. |
|--------------------------|

2. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 1st Avenue East from 27th to 29th and 31st to 34th Street Utilities Replacement project (estimated cost is \$1,870,000) (Doug Wilson). (Paving for Progress) No comments or objections were heard or filed.

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the 1st Avenue East from 27th to 29th and 31st to 34th Street Utilities Replacement project.

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

| |
|---|
| Absent: Mayor Corbett, Council member Weinacht. |
|---|

| |
|--------------------------|
| Result: Approved. |
|--------------------------|

1666-12-15

3. A public hearing was held to consider the plans, specifications, form of contract and estimated cost for the UASB Reactor No. 3 Improvements project (estimated cost is \$250,000) (Steve Hershner). No comments or objections were heard or filed.

1667-12-15

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the UASB Reactor No. 3 Improvements project.

| |
|---|
| Council member Gulick moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

Motion to approve the agenda.

| |
|---|
| Council member Poe moved to approve; City Manager Pomeranz requested that Item 18o (Professional Services Agreement with Anderson Bogert Engineers and Surveyors, Inc. for an amount not to exceed \$159,658 for engineering design services in connection with the 16th Avenue SE from 4th Street to 5th Street Pavement Improvements project) be removed from the agenda; seconded by Council member Olson. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

Motion to approve the consent agenda.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

4. Motion to approve the minutes.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1668-12-15

5. Resolution of support and authorizing conditional City financial assistance in support of a Low Income Housing Tax Credit (LIHTC) application as proposed by Kingston Senior Apartments, LP.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1669-12-15

6. Resolution of support and authorizing conditional City financial assistance in support of a Low Income Housing Tax Credit (LIHTC) application as proposed by MV Affordable Housing, LLC.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

- 1670-12-15 7. Resolution authorizing submission of a grant application to the U.S. Environmental Protection Agency for a Site Specific Hazardous Substances Assessment Grant in the amount of \$200,000 to be utilized for the assessment of Cedar Lake.

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

- 1671-12-15 8. Resolution authorizing the Utilities Director to attend the National Association of Clean Water Agencies (NACWA) 2016 Winter Conference in San Diego, CA in February 2016 for an estimated amount of \$3,548.

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

- 1672-12-15 9. Resolution accepting the established fair market value in the amount of \$2,700 for the partial acquisition of right-of-way and a temporary grading easement for construction from land located at 823 74th Street NE, owned by The 823 74th Street NE, Cedar Rapids, IA 52402 Land Trust, S. Smith, Trustee, in connection with the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project. (Paving for Progress)

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

- 1673-12-15 10. Resolution authorizing the mailing and publication of a Notice of Intent to Proceed with an approved capital improvement project for the 6th Street SW Roadway Improvements from Linn County Line to Capital Drive and to commence with the right-of-way and temporary easement acquisitions from a portion of agricultural property for this project and setting a public hearing date for January 12, 2016. (Paving for Progress)

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

11. Motions setting public hearing dates for:
- December 15, 2015 – to consider amending Chapter 32 of the Municipal Code, Zoning Ordinance, to remove Section 32.05.020.A.5 – Detached Garage Limitations, correcting a scrivener’s error as intended in approved Ordinance 027-14.

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

- December 15, 2015 – to consider amending Chapter 22A of the Municipal Code, Nuisance Property, by deleting Chapter 22A and enacting a new Chapter 22A in its place, establishing regulations relating to statement of public policy, nuisance activity, service of notice, prohibitions, and administrative appeals.

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

- c. December 15, 2015 – to consider the vacation of a 1.13 acre storm sewer and drainage easement located at 10745 High Life Court SW as requested by West Side Property 103, LLC.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

- d. December 15, 2015 – to consider the vacation of a 10-foot wide utility easement located at 11801 6th Street SW as requested by West Side Property 103, LLC.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

- 12. 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. December 15, 2015 – 2016 Tree and Vegetation Removal project, with bid opening December 16, 2015 (estimated cost is \$106,800).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

- b. December 15, 2015 – Veterans Memorial Stadium Americans with Disabilities Act (ADA) Compliance project, with bid opening December 23, 2015 (estimated cost is \$227,375).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

- c. December 15, 2015 – Sanitary Sewers Quadrant Flood Repairs, Northwest and Southwest Lining Package #8 project, with bid opening January 6, 2016 (estimated cost is \$2,140,000). (Flood)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

- 13. Motion approving the beer/liquor/wine applications of:
 - a. Jim's Foods, 812 6th Street SW (new – new corporation).
 - b. Miguel's, 175 Jacolyn Drive NW.
 - c. Mr. B's, 629 2nd Avenue SW.
 - d. The Station, 3645 Stone Creek Circle SW.
 - e. Winifred's Restaurant, 3847 1st Avenue SE.
 - f. Xavier's, 1401 1st Avenue SE.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

- 1674-12-15 14. Resolutions approving:
a. Payment of bills.
- | |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |
- 1675-12-15 b. Payroll.
- | |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |
- 1676-12-15 15. Resolutions appointing, reappointing and thanking the following individuals:
a. Appointing Ashlyn Lincoln (effective through June 30, 2017) and Catherine Hafsi (effective through June 30, 2018) to the Cedar Rapids ADA Advisory Committee.
- | |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |
- 1677-12-15 b. Appointing Angie Charipar (effective through December 31, 2018) to the Area Ambulance Board of Directors.
- | |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |
- 1678-12-15 c. Appointing Christopher Thoms (effective through June 30, 2018) to the Parks, Waterways & Recreation Commission.
- | |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |
- 1679-12-15 d. Appointing Michael Butterfield (effective through June 30, 2018) to the Cedar Rapids Storm Water Commission.
- | |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |
- 1680-12-15 e. Appointing Daniel Kane (effective through June 30, 2016) to the Veterans Memorial Commission.
- | |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |
- 1681-12-15 f. Vote of thanks to Richard Davis and Kathleen Good for serving on the Cedar Rapids ADA Advisory Committee.
- | |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1682-12-15

- g. Vote of thanks to Jeffrey Pomeranz for serving on the Area Ambulance Board of Directors.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1683-12-15

- 16. Resolutions approving assessment actions:
 - a. Intent to assess – Solid Waste & Recycling – clean-up costs – one property.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1684-12-15

- b. Levy assessment – Solid Waste & Recycling – clean-up costs – one property.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1685-12-15

- c. Intent to assess – Water Division – delinquent municipal utility bills – 35 properties.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1686-12-15

- d. Levy assessment – Water Division – delinquent municipal utility bills – 17 properties.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

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

1687-12-15

- a. Auburn Drive SW (South of) Storm and Sanitary Sewer Improvements project, final payment in the amount of \$12,510.47 and 4-year Performance Bond submitted by Borst Brothers Construction, Inc. (original contract amount was \$263,840.25; final contract amount is \$250,209.47).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1688-12-15

- b. Environmental Remediation and Demolition Services Project, Amendment No. 2 in the amount of \$2,211, final payment in the amount of \$11,151 and 2-year Performance Bond submitted by BWC Excavating LC (original contract amount was \$210,210; final contract amount is \$223,021).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Abstain: Council member Gulick. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1689-12-15

- c. 1st Avenue, 2nd Avenue and 3rd Avenue SE between 1st Street and 4th Street Streetscape Repair project, Change Order No. 1 (Final) in the amount of \$9,196 and 4-year Performance Bond submitted by Central States Concrete, LLC (original contract amount was \$61,477; total contract amount with this amendment is \$70,673).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1690-12-15

- d. 1st Avenue East From 34th Street to 40th Street Utilities Rehabilitation project, Change Order No. 9 (Final) deducting the amount of \$214,592 and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$2,259,949.02; final contract amount is \$2,101,646.02). (Paving for Progress)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1691-12-15

- e. FY 2015 Curb Repair Project – Contract 2 project, Change Order No. 2 (Final) deducting the amount of \$14,299, final payment in the amount of \$26,945.02 and 4-year Performance Bond submitted by Ti-Zack Concrete, Inc. (original contract amount was \$496,955; total contract amount with this amendment is \$538,900.47). (Paving for Progress)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1692-12-15

- f. WPC C-3 Clarifier Rehabilitation project, final retainage payment in the amount of \$56,404.80 and 2-year Performance Bond submitted by WRH, Inc. (original contract amount was \$1,030,000; final contract amount is \$1,128,096).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1693-12-15

- g. Ground Transportation Center Renovation project, final payment in the amount of \$150,336.79 and Performance Bond for one year for site and building construction and four years for all roadwork construction submitted by Woodruff Construction, LLC (original contract amount was \$9,162,000; final contract amount is \$9,430,938). (Flood)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1694-12-15

- 18. Resolutions approving actions regarding purchases, contracts and agreements:
 - a. Purchase of Stop Loss Insurance coverage from Wellmark for the City of Cedar Rapids Medical Plan in the amount of \$310,948.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1695-12-15

- b. Amendment No. 6 to the contract with L.L. Pelling Company for Asphalt Products for citywide purchases to reflect the additional cost of asphalt product purchases for an amount not to exceed \$225,000 (original contract amount was \$650,000; total contract amount with this amendment is \$1,000,000).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1696-12-15

- c. Amendment No. 5 to the contract with King's Material, Inc. for Concrete Products for citywide purchases to reflect the additional cost of concrete product purchases for an amount not to exceed \$200,000 (original contract amount was \$15,000; total contract amount with this amendment is \$515,000).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1697-12-15

- d. Amendment No. 5 to the contract with Bituminous Materials & Supply, L.P. for road oil for all City departments to reflect the additional cost of road oil products for an amount not to exceed \$75,000 (original contract amount was \$150,000; total contract amount with this amendment is \$225,000).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1698-12-15

- e. Amendment No. 3 to the contract for Engineering Division Furniture with Triplett Interior Solutions to extend the term of the contract and to reflect the cost of additional furniture for an amount not to exceed \$8,398.73 (original contract amount was \$24,988; total contract amount with this amendment is \$75,266.02). (Flood)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1699-12-15

- f. Fleet Services Division purchase of two Ford F550 chassis from Junge Center Point in the amount of \$94,950.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1700-12-15

- g. Fleet Services Division purchase of fire truck repair services through Reliant Fire Apparatus in the amount of \$66,395.37.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1701-12-15

- h. Information Technology Department purchase of rental Tier III data space and circuitry needs from Involta, LLC in the annual amount of \$282,600.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1702-12-15

- i. Software Maintenance Agreement with Integrated Data Products, Inc. in the amount of \$50,080 for maintenance and support of the City's document and imaging software suite.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1703-12-15

- j. Amendment No. 3 to the contract with USIC Locating Services, Inc. for Fiber Locating and Marking Services for the Information Technology Department to increase the contract amount for an amount not to exceed \$45,000 (original contract amount was \$75,000; total contract amount with this amendment is \$120,000).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1704-12-15

- k. Contract with CineMassive Displays LLC for the Traffic Operations Center Video Wall System project for the Traffic Engineering Division for an amount not to exceed \$167,461.18.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1705-12-15

- l. Amendment No. 3 to renew contract with General Traffic Controls, Inc. for Pedestrian Traffic Signal Heads with Countdown Display and Mounting Brackets for the Traffic Engineering Division for an annual amount not to exceed \$75,000 (original contract amount was \$75,000; renewal contract amount is \$75,000).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1706-12-15

- m. Amendment No. 2 to the contract with Tanner Industries, Inc. for anhydrous ammonia for the Water Division to reflect the additional cost for volume increase of product for an amount not to exceed \$20,000 (original contract amount was \$85,200; total contract amount with this amendment is \$105,200).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1707-12-15

- n. Amendment No. 3 to renew contract with Ranch Cryogenics, Inc. for cryogenic oxygen system maintenance and repair services for the Water Pollution Control Facility for an annual amount not to exceed \$55,000 (original contract amount was \$55,000; renewal contract amount is \$55,000).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1708-12-15

- p. Professional Services Agreement with Braun Intertec Corporation for an amount not to exceed \$210,720 for monitoring and reporting services in connection with the 501 and 503 3rd Avenue SW, Monitoring and Reporting (Former Duchess Cleaners) project.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1709-12-15

- q. Amendment No. 3 to the Professional Services Agreement with Shive-Hattery, Inc. specifying an increased amount not to exceed \$11,200 for design services in connection with the 27th Street SW Culvert Replacement project (original contract amount was \$38,997.50; total contract amount with this amendment is \$60,877.50).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1710-12-15

- r. Amendment No. 3 to the Professional Services Agreement with Shive-Hattery, Inc. specifying an increased amount not to exceed \$92,750 for design services in connection with the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project (original contract amount was \$215,280; total contract amount with this amendment is \$493,285). (Paving for Progress)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1711-12-15

- s. Professional Services Agreement with Shoemaker & Haaland Professional Engineers for an amount not to exceed \$1,313,256.20 for engineering design services in connection with the 6th Street SW from 33rd Avenue to 15th Avenue Reconstruction project (Paving for Progress). (Paving for Progress)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1712-12-15

- t. Change Order No. 4 (Final) deducting the amount of \$40,499.80 with BWC Excavating, LC for the Northeast Side School Routes Sidewalk Improvement Project (original contract amount was \$170,054; total contract amount with this amendment is \$169,840.81).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Abstain: Council member Gulick. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1713-12-15

- u. Change Order No. 7 in the amount of \$31,893.29, plus 5 working days, with Dave Schmitt Construction Co., Inc. for the NE Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 1 project (original contract amount was \$874,227.25; total contract amount with this amendment is \$973,721.94). (Flood)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1714-12-15

- v. Change Order No. 4 in the amount of \$244 with Horsfield Construction, Inc. for the 19th Street SE Roadway & Utility Improvements From Mount Vernon Road SE to Glenway Drive SE project (original contract amount was \$1,212,355.30; total contract amount with this amendment is \$1,275,949.30). (Paving for Progress)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1715-12-15

- w. Change Order No. 3 in the amount of \$50,378.75 with 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 (original contract amount was \$1,346,955.75; total contract amount with this amendment is \$1,444,705.89). (Paving for Progress)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1716-12-15

- x. Change Order No. 6 (Final) deducting the amount of \$182,997.37 with Pirc-Tobin Construction, Inc. for the 4th Avenue SE Pavement Rehabilitation from 5th Street SE to 19th Street SE project (original contract amount was \$2,219,444.15; total contract amount with this amendment is \$2,521,318.46). (Paving for Progress)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1717-12-15

- y. Change Order No. 5 in the amount of \$18,589.18 with Rathje Construction Company for the 42nd Street NE from I-380 Northbound Off Ramp to East of the Cedar River Trail – Traffic Signals project (original contract amount was \$824,160.67; total contract amount with this amendment is \$1,074,691.65).

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1718-12-15

- z. Change Order No. 5 in the amount of \$44,527.13 with Rathje Construction Company for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 2 project (original contract amount was \$931,429.33; total contract amount with this amendment is \$998,711.03). (Flood)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1719-12-15

- aa. Change Order No. 12 in the amount of \$4,380.68 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 \$1,861,896.89). (Flood)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1720-12-15

- ab. Grant agreement with the Iowa Department of Natural Resources for a \$300,000 grant from the Resource Enhancement and Projection Fund (REAP) to support acquisition of 7.33 acres (three parcels) for future development of a residential park with parking, trails, prairie and signage, located on Wilson Avenue SW.

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

1721-12-15

- ac. Waiving the City's right to review the final plat of Hunt Addition to Linn County (minor boundary adjustment) and accepting an agreement to annex for property at 3982 Old Ferry Road.

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

1722-12-15

- ad. Quit Claim Deed in the amount of \$1 from Linn County, Iowa for vacant land located at the southwest intersection of A Street SW and 21st Avenue SW in connection with the Cedar Rapids Flood Control System project.

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

1723-12-15

- ae. Purchase Agreement in the amount of \$175 and accepting a Warranty Deed for right-of-way from Edith T. Barger from land located at 4023 Northwood Drive NE in connection with the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation project. (Paving for Progress)

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

1724-12-15

- af. Purchase Agreement in the amount of \$175 and accepting a Warranty Deed for right-of-way from Cindy L. Gagnon from land located at 4201 Northwood Drive NE in connection with the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation project. (Paving for Progress)

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

1725-12-15

- ag. Warranty Deed in the amount of \$1 from William R. Woodburn and Linda K. Pochobradsky for right-of-way from land located 1509 J Street SW in connection with the Single Family New Construction program.

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

1726-12-15

- ah. Development Agreement and Special Warranty Deed with Scallon Custom Homes, L.L.C. for City-owned property at 623 3rd Avenue SW participating in the fourth round of the Single Family New Construction program. (Flood)

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

1727-12-15

- ai. Rescinding Resolution No. 1033-07-15, which authorized execution of a Special Warranty Deed and an Agreement to Convey Properties and Terminate Development Agreement with Cedar Ridge Homes, Inc. for property at 718 2nd Street SW, and authorizing the execution of an Agreement to Terminate the Development Agreement with Cedar Ridge Homes, Inc. and accepting a Special Warranty Deed effectuating the conveyance of property at 718 2nd Street SW in accordance with the Agreement in the third round of the Single Family New Construction Program. (Flood)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1728-12-15

- aj. Rescinding Resolution No. 1034-07-15, which authorized execution of a Special Warranty Deed and an Agreement to Convey Properties and Terminate Development Agreement with Skogman Construction Company of Iowa for property at 623 3rd Avenue SW, and authorizing the execution of an Agreement to Terminate the Development Agreement with Skogman Construction Company of Iowa and accepting a Special Warranty Deed effectuating the conveyance of property at 623 3rd Avenue SW in accordance with the Agreement. (Flood)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Abstain: Council member Olson. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1729-12-15

- ak. Rescinding Resolution No. 1251-08-15, which authorized execution of a Special Warranty Deed and an Agreement to Convey Properties and Terminate Development Agreement with Skogman Construction Company of Iowa for property at 505 9th Street SW, and authorizing the execution of an Agreement to Terminate the Development Agreement with Skogman Construction Company of Iowa and accepting a Special Warranty Deed effectuating the conveyance of property in accordance with the Agreement. (Flood)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Abstain: Council member Olson. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1730-12-15

- al. Development Agreement with Newbo Development Group, LLC for property at 1320 Ellis Boulevard NW, participating in the third round of the Single Family New Construction Program. (Flood)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1731-12-15

- am. Purchase Agreement in the amount of \$1 and accepting an easement for drainage and a temporary grading easement for construction from College Community School District from land located at 8015 Kirkwood Boulevard SW in connection with the Kirkwood Boulevard SW at Hoosier Creek Culvert Improvements project.

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1732-12-15

- an. Purchase Agreement in the amount of \$1 and accepting an easement for drainage and a temporary grading easement for construction from College Community School District from land located at 8304 Kirkwood Boulevard SW in connection with the Kirkwood Boulevard SW at Hoosier Creek Culvert Improvements project.

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

1733-12-15

- ao. Purchase Agreement in the amount of \$2,600 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Tho Ha and Quanying Chen from land located at 805 74th Street NE in connection with the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project. (Paving for Progress)

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

1734-12-15

- ap. Purchase Agreement in the amount of \$3,000 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Scott R. Crawford and Jonetta R. Crawford from land located at 901 74th Street NE in connection with the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project. (Paving for Progress)

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

1735-12-15

- aq. Purchase Agreement in the amount of \$7,500 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from J.T. Holdings, L.L.C. from land located at 401 74th Street NE in connection with the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project. (Paving for Progress)

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

1736-12-15

- ar. Purchase Agreement in the amount of \$10,300 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Noelridge Christian Church of Cedar Rapids, Iowa from land located at 7111 C Avenue NE in connection with the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project. (Paving for Progress)

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

1737-12-15

- as. Purchase Agreement in the amount of \$2,700 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from John P. Perich and Christi J. Perich, f/k/a Christi J. O'Dell, from land located at 811 74th Street NE in connection with the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project. (Paving for Progress)

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

Absent: Mayor Corbett, Council member Weinacht.

Result: **Approved.**

1738-12-15

at. Purchase Agreement in the amount of \$9,400 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Phyllis M. Rausch from land located at 880 74th Street NE in connection with the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project (Paving for Progress)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1739-12-15

au. Purchase Agreement in the amount of \$3,100 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Kevin A. Schuver and Katelynn M. Schuver from land located at 717 74th Street NE in connection with the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project. (Paving for Progress)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

1740-12-15

av. Purchase Agreement in the amount of \$2,700 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Jennifer A. Vogel from land located at 817 74th Street NE in connection with the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project. (Paving for Progress)

| |
|--|
| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

19. Report on bids for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 5 project (estimated cost is \$959,000) (Sandy Pumphrey).
 Dave Schmitt Construction, Inc., Cedar Rapids, IA, \$916,722.05
 Pirc-Tobin Construction, Inc., Alburnett, IA, \$945,474.80
 Rathje Construction Co, Marion, IA, \$944,630.50
 Tschiggfrie Excavating, Dubuque, IA, \$1,038,672.50 (math error found in bid)

1741-12-15

a. Resolution awarding and approving contract in the amount of \$916,722.05 plus incentive up to \$20,000, bond and insurance of Dave Schmitt Construction, Inc. for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 5 project.

| |
|---|
| Council member Gulick moved to approve; seconded by Council member Russell. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

20. Report on bids for the Veterans Memorial Stadium Ribbon Message Board project (estimated cost is \$290,000) (Nathan Kampman).
Daktronics, Inc., Brookings, SD, \$272,150

1742-12-15

- a. Resolution awarding and approving contract in the amount of \$272,150 plus incentive up to \$2,000, bond and insurance of Daktronics, Inc. for the Veterans Memorial Stadium Ribbon Message Board project.

| |
|--|
| Council member Russell moved to approve; seconded by Council member Poe. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

21. Report on bids for the 2015 Sidewalk Ramp Improvements project (estimated cost is \$117,331) (Nathan Kampman).

Curtis Contracting Corp., Cedar Rapids, IA, \$104,033.00
Midwest Concrete, Inc., Peosta, IA, \$123,915.00
Spring Lake Construction, Polk City, IA, \$127,220.00 (math errors found in bid)
Hunt Construction Co., Inc., Alburnett, IA, \$134,011.00 (math errors found in bid)
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA, \$140,518.75
Central States Concrete, Inc., Marion, IA, \$140,198.65 (math errors found in bid)

1743-12-15

- a. Resolution awarding and approving contract in the amount of \$104,033 plus incentive up to \$5,000, bond and insurance of Curtis Contracting Corp. for the 2015 Sidewalk Ramp Improvements project.

| |
|--|
| Council member Russell moved to approve; seconded by Council member Poe. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

071-15

22. Ordinance granting a change of zone from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District for property at 1766 and 1770 Mallory Street SW as requested by Scallon Custom Homes and the City of Cedar Rapids.

| |
|--|
| Council member Olson moved the approval of the Ordinance on its second reading; seconded by Council member Poe. |
| Absent: Mayor Corbett, Council member Weinacht. |
| 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 Olson. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Adopted. |

23. Presentation and Ordinance establishing the Czech Village-New Bohemia Self-Supported Municipal Improvement District (Kirsty Sanchez).

| |
|---|
| Council member Gulick moved the approval of the Ordinance on its first reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for action at a later date; seconded by Council member Poe. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

Public comments were heard.

Motion to adjourn.

| |
|--|
| Council member Gulick moved to approve; seconded by Council member Shey. |
| Absent: Mayor Corbett, Council member Weinacht. |
| Result: Approved. |

City Council adjourned at 12:38 p.m. to meet Tuesday, December 15, 2015 at 4 p.m.

Amy Stevenson, City Clerk