

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

December 15, 2015, 4:00 PM

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

The invocation was given by Council member Poe.

Pledge of Allegiance.

Mayor Corbett and Council member Poe presented a plaque to Council member Vernon for her years of service and dedication.

Mayor Corbett and Council member Weinacht presented a Proclamation declaring December 2015 as Human Rights Month.

A presentation regarding the Lions Club International Donation for NW Recreation Center was given by Sven Leff and Gary Glockhoff.

Good News announcements were given by Mayor Corbett.

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

1. A public hearing was held to consider the proposed Miron Construction Urban Renewal Area and Plan at 335 French Court SW and an Ordinance relating to collection of tax increment within the proposed area (Caleb Mason). One objection was heard. No written comments or objections were filed.

1744-12-15

- a. Resolution approving the Miron Construction Urban Renewal Area at 335 French Court SW.

Council member Poe moved to approve; seconded by Council member Vernon.
Nays: Council members Gulick, Russell and Weinacht.
Absent: Council member Shey.
Result: <i>Approved.</i>

- b. First Reading: Ordinance relating to collection of tax increment within the proposed Miron Construction Urban Renewal Area at 335 French Court SW. **TEMPORARILY DEFERRED UNTIL AFTER PUBLIC HEARING NO. 3.**

2. A public hearing was held to consider amending Chapter 32 of the Municipal Code, the 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 (Jeff Hintz). No comments or objections were heard or filed.

072-15

- a. First and possible Second and Third Readings: Ordinance amending Chapter 32 of the Municipal Code, the 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 Poe moved the approval of the Ordinance on its first reading; seconded by Council member Vernon.
Absent: Council member Shey.
Result: Approved.
Council member Gulick moved that the rule requiring three readings on three different days be suspended and that the Ordinance be approved on its second reading and adopted on its third and final reading; seconded by Council member Vernon.
Absent: Council member Shey.
Result: Adopted.

3. A public hearing was held 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 (Amanda Grieder). Comments and objections were heard and filed.

1. a. First Reading: Ordinance relating to collection of tax increment within the proposed Miron Construction Urban Renewal Area at 335 French Court SW. **TEMPORARILY DEFERRED FROM PUBLIC HEARING NO. 1.**

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

4. A public hearing was held 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 (Doug Wilson). No comments or objections were heard or filed.

1745-12-15

- a. Resolution vacating 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 Vernon moved to approve; seconded by Council member Poe.
Absent: Council member Shey.
Result: Approved.

5. A public hearing was held 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 (Doug Wilson). No comments or objections were heard or filed.

1746-12-15

- a. Resolution vacating 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 Poe.
Absent: Council member Shey.
Result: Approved.

6. A public hearing was held to consider the Resolution of Necessity (Proposed) for the 26th Street SW Improvements from 76th Avenue SW to 60th Avenue SW project (Doug Wilson). Objections were heard. No written comments or objections were filed.

1747-12-15

- a. Resolution deferring action until January 26, 2016 on the Resolution of Necessity (Proposed) for the 26th Street SW Improvements from 76th Avenue SW to 60th Avenue SW project.

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

7. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 2016 Tree and Vegetation Removal project (estimated cost is \$106,800) (Doug Wilson). (Paving for Progress) Objections were heard. No written comments or objections were filed.

1748-12-15

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the 2016 Tree and Vegetation Removal project.

Council member Gulick moved to approve; seconded by Council member Olson.
Absent: Council member Shey.
Result: Approved.

8. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Sanitary Sewers Quadrant Flood Repairs, Northwest and Southwest Lining Package #8 project (estimated cost is \$2,140,000) (Sandy Pumphrey). (Flood) No comments or objections were heard or filed.

1749-12-15

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Sanitary Sewers Quadrant Flood Repairs, Northwest and Southwest Lining Package #8 project.

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

9. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Veterans Memorial Stadium Americans with Disabilities Act (ADA) Compliance project (estimated cost is \$227,000) (Nate Kampman). No comments or objections were heard or filed.

1750-12-15

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Veterans Memorial Stadium Americans with Disabilities Act (ADA) Compliance project.

Council member Weinacht moved to approve; seconded by Council member Vernon.
Not present: Council member Shields.
Absent: Council member Shey.
Result: Approved.

Public comments were heard.

Motion to approve the agenda.

Council member Vernon moved to approve; City Manager Pomeranz requested that Item 28a (resolution accepting the Cottage Grove Parkway SE Flood Risk Reduction Berm project) be removed from the agenda and that Item 30ac be corrected to refer to Amendment 2; Council member Russell requested that Item 17 be moved from the consent agenda to the regular agenda; seconded by Council member Poe.
Absent: Council member Shey.
Result: Approved as amended.

Motion to approve the consent agenda.

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

Motion to approve the minutes.

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

Council member Gulick spoke regarding Item 19 and explained the appraisal process for all three direct reports to the City Council -- the City Manager, City Attorney and City Clerk.

1751-12-15

11. Preliminary Resolution for the construction of sidewalk improvements for the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road project.

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

- 1752-12-15 12. Resolution accepting the established fair market value in the amount of \$2,400 for the acquisition of real property located at 115 17th Avenue SE, owned by Ethel Ann Beardsley, Kayann M. Evans and Charles Evans in connection with the Cedar Rapids Flood Control System project.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |
- 1753-12-15 13. Resolution referring to the Linn County Compensation Commission 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)
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |
- 1754-12-15 14. Resolution accepting the findings of the Highway 30 Area Study conducted by the Corridor Metropolitan Planning Organization and directing staff to use it as a resource in evaluating future Land Development cases.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |
- 1755-12-15 15. Resolution establishing a Design Review Technical Advisory Committee for the MedQuarter Design Review Overlay District.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |
- 1756-12-15 16. Resolution approving the City of Cedar Rapids City Planning Commission Work Plan for 2016.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |
- 1757-12-15 18. Resolution approving the City of Cedar Rapids Visual Arts Commission Work Plan for 2016.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |

- 1758-12-15 19. Resolution authorizing a 4.15% wage increase for the City Manager according to the terms of his employment contract.

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

Absent: Council member Shey.

Result: Approved.

- 1759-12-15 20. Resolution appointing Alex Anderson as Assistant City Attorney II.

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

Absent: Council member Shey.

Result: Approved.

21. Motions setting public hearing dates, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by publishing notice to bidders, and authorizing City officials or designees to receive and open bids and publicly announce the results for:

- a. January 12, 2016 – 18th Street SW Extension from Wilson Avenue to 16th Avenue PCC Pavement – Grade and Replace project, with bid opening January 20, 2016 at the Iowa Department of Transportation (estimated cost is \$2,329,537).

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

Absent: Council member Shey.

Result: Approved.

- b. January 12, 2016 – 42nd Street NE from I-380 to Wenig Road NE – Pavement and Water Main Relocation project, with bid opening January 20, 2016 (estimated cost is \$3,550,000). (Paving for Progress)

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

Absent: Council member Shey.

Result: Approved.

- c. January 12, 2016 – 74th Street NE from White Ivy Place to C Avenue NE — Roadway Improvements project, with bid opening January 13, 2016 (estimated cost is \$2,044,000). (Paving for Progress)

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

Absent: Council member Shey.

Result: Approved.

- d. January 12, 2016 – C Avenue NE Improvements from Collins Road to Blairs Ferry Road PCC Pavement – Grade and Replace project, with bid opening January 20, 2016 at the Iowa Department of Transportation (estimated cost is \$2,313,000).

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

Absent: Council member Shey.

Result: Approved.

- e. January 12, 2016 – Demolition Services of Buildings and Associated Materials – Sinclair Site project, with bid opening January 13, 2016 (estimated cost is \$350,000).

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

Absent: Council member Shey.

Result: **Approved.**

22. Motion assessing \$300 civil penalties for violation of State Code regarding the sale of tobacco/vapor products to minors against:
- a. Casey's General Store #2850, 5655 C Street SW.
 - b. Casey's General Store #2792, 9001 6th Street SW.

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

23. Motion approving the beer/liquor/wine applications of:
- a. Cedar River Landing, 301 F Avenue NW.
 - b. CJ's Sports Bar & Grill, 62 17th Avenue SW.
 - c. El Rancho Mexican Restaurant, 2747 16th Avenue SW.
 - d. Ernie's Avenue Tavern, 69 16th Avenue SW.
 - e. Hy-Vee #7 Club Room, 5050 Edgewood Road NE (transfer to Cedar Rapids Scottish Rite Temple, 616 A Avenue NE, for an event on December, 19, 2015).
 - f. Jersey's Pub & Grub Downtown, 200 1st Avenue NE.
 - g. The Keg, 719 5TH Street SE.
 - h. L J's Catering at Shores Event Center, 700 16th Street NE.
 - i. Little Bohemia, 1317 3rd Street SE.
 - j. Quarter Barrel Arcade & Brewery, 616 2nd Avenue SE (new – formerly Club Co2).
 - k. Road Ranger #5148, 550 Wilson Avenue SW (new – switching to class E liquor).
 - l. Union Station, 1724 16th Avenue SW.
 - m. Westdale Bowling Center, 2020 Scotty Drive SW.
 - n. WineStyles Tasting Station, 4201 42nd Street NE (new – new construction).

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

1760-12-15

24. Resolutions approving:
- a. Payment of bills.

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

1761-12-15

- b. Payroll.

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

1762-12-15

- c. Transfer of funds.

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

25. Resolutions appointing, reappointing and thanking the following individuals:
- 1763-12-15 a. Appointing Sam Claassen (effective through June 30, 2018) to the Cedar Rapids ADA Advisory Committee.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |
- 1764-12-15 b. Appointing Anthony Brown (effective through June 30, 2016) to the City Planning Commission.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |
- 1765-12-15 c. Reappointing Sandi Fowler (effective through December 31, 2019) and appointing Roy Hesemann (effective through December 31, 2019) and Scott Overland (effective through December 31, 2017) to the Corridor Metropolitan Planning Organization.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |
- 1766-12-15 d. Vote of thanks to Scott Overland for serving on the City Planning Commission.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |
- 1767-12-15 e. Vote of thanks to Monica Vernon for serving on the Corridor Metropolitan Planning Organization.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |
- 1768-12-15 f. Vote of thanks to the late George Hamman for serving as a Commissioner Emeritus on the Veterans Memorial Commission.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |
26. Resolutions approving assessment actions:
- 1769-12-15 a. Levy assessment – Water Division – delinquent municipal utility bills – 23 properties.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |
- 1770-12-15 b. Intent to assess – Water Division – delinquent municipal utility bills – 27 properties.
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| Council member Vernon moved to approve; seconded by Council member Poe. |
| Absent: Council member Shey. |
| Result: Approved. |

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

1771-12-15

- a. Portland Cement Concrete paving in Crescent View Third Addition – Phase 1 and 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$128,324.61.

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

Absent: Council member Shey.

Result: **Approved.**

1772-12-15

- b. Sanitary sewer in Crescent View Third Addition – Phase 1 and 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$9,750.

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

Absent: Council member Shey.

Result: **Approved.**

1773-12-15

- c. Storm sewer in Crescent View Third Addition – Phase 1 and 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$129,526.32.

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

Absent: Council member Shey.

Result: **Approved.**

1774-12-15

- d. Portland Cement Concrete paving in Stags Leap Estates Second Addition and 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$31,640.70.

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

Absent: Council member Shey.

Result: **Approved.**

1775-12-15

- e. Portland Cement Concrete paving in Stags Leap Estates Second Addition and 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$52,443.

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

Absent: Council member Shey.

Result: **Approved.**

1776-12-15

- f. Sanitary sewer in Stags Leap Estates Second Addition and 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$28,981.48.

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

Absent: Council member Shey.

Result: **Approved.**

1777-12-15

- g. Storm sewer in Stags Leap Estates Second Addition and 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$99,313.20.

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

Absent: Council member Shey.

Result: **Approved.**

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

1778-12-15

b. Northeast Side School Routes Sidewalk Improvement Project, final payment in the amount of \$8,492.04 and 4-year Performance Bond submitted by BWC Excavating, LC (original contract amount was \$165,954; final contract amount is \$169,840.81).

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

Abstain: Council member Gulick.

Absent: Council member Shey.

Result: **Approved.**

1779-12-15

c. FY 2014 Sidewalk and Ramp Repair Program – Contract No. 1, final payment in the amount of \$7,204.98 and 4-year Performance Bond submitted by Curtis Contracting Corp. (original contract amount was \$126,147; final contract amount is \$144,099.62).

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

Absent: Council member Shey.

Result: **Approved.**

1780-12-15

d. Selected J Avenue Campus 2014 Renovations project, final payment in the amount of \$52,026.11 and 2-year Performance Bond submitted by Garling Construction, Inc. (original contract amount was \$984,000; final contract amount is \$1,040,522.18).

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

Absent: Council member Shey.

Result: **Approved.**

1781-12-15

e. J Avenue WTP Ammonia Feed System Upgrades project, final payment in the amount of \$7,394.60 and 2-year Performance Bond submitted by Modern Piping, Inc. (original contract amount was \$155,945; final contract amount is \$147,891.70).

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

Absent: Council member Shey.

Result: **Approved.**

1782-12-15

f. Blairs Ferry Rd and Miller Road NE Traffic Signal Installation project, final payment in the amount of \$4,725.87 and 4-year Performance Bond submitted by Trey Electric Corporation (original contract amount was \$94,644; final contract amount is \$94,978).

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

Absent: Council member Shey.

Result: **Approved.**

1783-12-15

g. 3rd Avenue Parkade Structural Repairs Phase 1 project, Change Order No. 1 (Final) in the amount of \$13,340, final payment in the amount of \$2,297 and 2-year Performance Bond submitted by Vector Construction, Inc. (original contract amount was \$37,600; final contract amount is \$45,940).

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

Absent: Council member Shey.

Result: **Approved.**

1784-12-15

- h. Oakland Road NE (Northwesterly Side) from Golf Street to Golfview Drive Portland Cement Concrete (PCC) Sidewalk project, final payment in the amount of \$2,576.54 and 5-year Contractor's Bond submitted by Vieth Construction Corporation (original contract amount was \$84,170.50; final contract amount is \$85,884.71).

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

Absent: Council member Shey.

Result: **Approved.**

1785-12-15

- i. 3rd Avenue, 4th Avenue and Ground Transportation Center Parkade Repair Project, final payment in the amount of \$18,390.33 and 4-year Performance Bond submitted by Western Waterproofing Company, Inc. (original contract amount was \$377,806.32; final contract amount is \$377,806.32).

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

Absent: Council member Shey.

Result: **Approved.**

1786-12-15

- j. Cedar River East Floodwall PepsiCo/Quaker Area, Phase 1 – Transmission Main Pressure Connections and Service Line Valve Installation project, final payment in the amount of \$53,728.89 and 2-year Performance Bond submitted by WRH Inc. (original contract amount was \$993,000; final contract amount is \$1,074,577.82).

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

Absent: Council member Shey.

Result: **Approved.**

29. Resolution approving final plat:

1787-12-15

- a. Westwind Creek 9th Addition for land located at Hillsboro Dr SW and Huntsboro Ln SW extensions.

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

Absent: Council member Shey.

Result: **Approved.**

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

1788-12-15

- a. Amendment No. 6 to extend Contract for Janitorial Supplies with SupplyWorks – Interline Brands Inc. for an additional amount not to exceed \$45,000 (original contract amount was \$150,000; renewal contract amount was \$190,000; extended renewal amount is \$235,000).

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

Absent: Council member Shey.

Result: **Approved.**

1789-12-15

- b. Fleet Services Division purchase of one Showmobile Trailer for Wenger Corporation in the amount of \$141,834.

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

Absent: Council member Shey.

Result: **Approved.**

1790-12-15

- c. Amendment No. 2 to renew contract with Pool Tech Midwest, Inc. for pool chemicals for the Parks and Recreation Department for an annual amount not to exceed \$70,000 (original contract amount was \$70,000; renewal contract amount is \$70,000).

Council member Vernon moved to approve; seconded by Council member Poe.
Abstain: Council member Gulick.
Absent: Council member Shey.
Result: Approved.

1791-12-15

- d. Amendment No. 4 to renew contract with USIC Locating Services, Inc. for Fiber Locating and Marking Services for the Information Technology Department for an annual amount not to exceed \$120,000 (original contract amount was \$75,000; renewal contract amount is \$120,000).

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

1792-12-15

- e. Contract with Shive-Hattery, Inc. for Design Services for ADA Compliance for the Parks & Recreation Department for an amount not to exceed \$172,455.

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

1793-12-15

- f. Amendment No. 1 to renew contract with Carus Corporation for zinc orthophosphate for the Water Division for an annual amount not to exceed \$117,000 (original contract amount was \$117,000; renewal contract amount is \$117,000).

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

1794-12-15

- g. Amendment No. 2 to renew contract with Hawkins, Inc. for sodium silicofluoride for the Water Division for an annual amount not to exceed \$58,000 (original contract amount was \$58,000; renewal contract amount is \$58,000).

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

1795-12-15

- h. Contract with Praxair, Inc. for liquid carbon dioxide for the Water Division for an annual amount not to exceed \$250,000.

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

1796-12-15

- i. Amendment No. 1 to renew contract with Tanner Industries, Inc. for anhydrous ammonia for the Water Division for an annual amount not to exceed \$90,000 (original contract amount was \$85,200; renewal contract amount is \$90,000).

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

1797-12-15

- j. Amendment No. 1 to renew contract with DPC Industries, Inc. for liquid chlorine for the Water Division and Water Pollution Control Facility for an annual amount not to exceed \$227,000 (original contract amount was \$227,000; renewal contract amount is \$227,000).

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

1798-12-15

- k. Amendment No. 4 to renew contract with Mississippi Lime Company for quicklime for the Water Division and Water Pollution Control Facility for an annual amount not to exceed \$1,400,000 (original contract amount was \$1,376,000; renewal contract amount is \$1,400,000).

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

1799-12-15

- l. Amendment No. 4 to renew contract with Airgas-North Central, Inc. for liquid oxygen for the Water Pollution Control Facility for an annual amount not to exceed \$100,000 (original contract amount was \$100,000; renewal contract amount is \$100,000).

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

1800-12-15

- m. Amendment No. 4 to renew contract with Garrison Minerals, LLC for magnesium hydroxide 45% solution for the Water Pollution Control Facility for an annual amount not to exceed \$405,000 (original contract amount was \$175,000; renewal contract amount is \$405,000).

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

1801-12-15

- n. Amendment No. 3 to renew contract with Hydrite Chemical Company for liquid magnesium bisulfite 30% for the Water Pollution Control Facility for an annual amount not to exceed \$320,000 (original contract amount was \$160,000; renewal contract amount is \$320,000).

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

1802-12-15

- o. Amendment No. 3 to renew contract with Hydrite Chemical Company for nitric acid 41-degree technical grade liquid in totes for the Water Pollution Control Facility for an annual amount not to exceed \$50,000 (original contract amount was \$45,000; renewal contract amount is \$50,000).

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

1803-12-15

- p. Amendment No. 2 to renew contract with Hydro Solutions, Inc. for anaerobic micronutrient solution for the Water Pollution Control facility for an annual amount not to exceed \$85,000 (original contract amount was \$85,000; renewal contract amount is \$85,000).

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

1804-12-15

- q. Amendment No. 2 to renew contract with K.A. Steel Chemicals, Inc. for sodium hypochlorite 12% for the Water Pollution Control Facility for an annual amount not to exceed \$250,000 (original contract amount was \$250,000; renewal contract amount is \$250,000).

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

1805-12-15

- r. Amendment No. 2 to renew contract with K.A. Steel Chemicals, Inc. for sodium hydroxide 50% bulk for the Water Pollution Control Facility for an annual amount not to exceed \$150,000 (original contract amount was \$150,000; renewal contract amount is \$150,000).

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

1806-12-15

- s. Amendment No. 3 to renew contract with Nalco Company for boiler and cooling water chemicals for an annual amount not to exceed \$60,000 (original contract amount was \$60,000; renewal contract amount is \$60,000).

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

1807-12-15

- t. Amendment No. 3 to renew contract with Polydyne, Inc. for emulsion polymer Clarifloc CE-939 for the Water Pollution Control Facility for an annual amount not to exceed \$350,000 (original contract amount was \$300,000; renewal contract amount is \$350,000).

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

1808-12-15

- u. Amendment No. 1 to renew contract with Polydyne, Inc. for polymer Clarifloc C-321 for the Water Pollution Control Facility for an annual amount not to exceed \$475,000 (original contract amount was \$475,000; renewal contract amount is \$475,000).

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

1809-12-15

- v. Amendment No. 2 to renew contract with U.S. Peroxide, LLC for hydrogen peroxide for the Water Pollution Control Facility for an annual amount not to exceed \$100,000 (original contract amount was \$40,000; renewal contract amount is \$100,000).

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

1810-12-15

- w. Renewal of Administrative Services Agreement with Application Software, Inc. for 2016 flexible spending services (estimated cost is \$17,208).

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

1811-12-15

- x. Amendment No. 3 to the contract for City Employee Health Screening and Risk Assessment Services Project with Health Solutions, LLC to renew the agreement for an estimated annual amount of \$250,000 (original contract amount was \$750,000; renewal contract amount is \$250,000).

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

1812-12-15

- y. Disbursement Agreement with the Medical SSMID through fiscal year 2016.

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

1813-12-15

- z. Parking Assets Lease Agreement with Downtown Parking Management Inc. (DPMI) from January 1, 2016 through December 31, 2020.

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

1814-12-15

- aa. Interagency Agreement with the Iowa Department of Inspections and Appeals for fraud investigation in the Section 8 HCV Program/Public Housing Authority.

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

1815-12-15

- ab. Amendment No. 22 to Contract 08-DRH-008 with the Iowa Economic Development Authority (IEDA) to clarify reporting requirements and extend the contract end date to December 31, 2016. (Flood)

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

1816-12-15

- ac. Amendment No. 2 to the Community Development Block Grant Program contract to increase the Iowa Economic Development Authority (IEDA) Section 106 Planning Grant by \$45,000 to assist in fulfilling the commitment required by the Letter of Agreement with IEDA and the State Historic Preservation Officer (original grant amount was \$309,570; total grant amount with this amendment is \$354,570).

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

Absent: Council member Shey.

Result: **Approved.**

1817-12-15

- ad. Amendment No. 2 to the Letter of Agreement with the Iowa State Historic Preservation Officer and the Iowa Economic Development Authority (IEDA) regarding CDBG-DRHB property acquisition and mitigation of adverse effects.

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

Absent: Council member Shey.

Result: **Approved.**

1818-12-15

- ae. Notice of Intent to Apply and subsequent submission of a grant application to the Vision Iowa Community Attraction & Tourism (CAT) program due January 15, 2016 for enhancements to the Tree of Five Seasons Plaza at the proposed Flood Control System.

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

Absent: Council member Shey.

Result: **Approved.**

1819-12-15

- af. Grant application to the Corridor Metropolitan Planning Organization for Federal Surface Transportation Program or Transportation Alternatives Program funds for the Lindale Trail Extension and the Seminole Valley Trail.

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

Absent: Council member Shey.

Result: **Approved.**

1820-12-15

- ag. Application to the Corridor Metropolitan Planning Organization for up to \$934,000 for design and partial construction in Federal Fiscal Year 2020 for Federal Surface Transportation Program (STP) funds for construction to accommodate future connection to State Highway 100 from 80th Street SW at the U.S. Highway 30/218 interchange.

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

Absent: Council member Shey.

Result: **Approved.**

1821-12-15

- ah. Application to the Corridor Metropolitan Planning Organization for an additional \$760,000 for Federal Surface Transportation Program (STP) funds for the Tower Terrace Road NE from C Avenue to Alburnett Road project.

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

Absent: Council member Shey.

Result: **Approved.**

1822-12-15

- ai. Amending Resolution No. 1579-11-15 to correct the award amount to \$56,690 plus incentive up to \$2,000 for the Jupiter Avenue NW West of Wiley Boulevard Drainage Improvements project.

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

1823-12-15

- aj. Change Order Nos. 8 and 9 for a total amount of \$25,009.96 with Peterson Contractors, Inc. for the Edgewood Road Pedestrian Overpass Bridge and Shared Use Path from Prairie Valley Court SW to 37th Avenue SW project (original contract amount was \$2,014,119.92; total contract amount with these amendments is \$2,079,191.58).

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

1824-12-15

- ak. 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. (Paving for Progress)

Council member Vernon moved to approve; seconded by Council member Poe.
Abstain: Council member Gulick.
Absent: Council member Shey.
Result: Approved.

1825-12-15

- al. Amendment No. 1 to the Professional Services Agreement with Hall & Hall Engineers, Inc. specifying an increased amount not to exceed \$16,174 for design services in connection with the 12th Avenue SE and McCarthy Road SE Roadway and Utility Improvements project (original contract amount was \$341,590; total contract amount with this amendment is \$357,764.) (Paving for Progress)

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

1826-12-15

- am. Amendment No. 2 to the Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed \$1,617,459 for consulting services in connection with the Cedar Rapids Flood Mitigation System – West Side Phase 1 Consulting Services project (original contract amount was \$3,409,543; total contract amount with this amendment is \$5,027,002).

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

1827-12-15

- an. Development Agreement with Scallon Custom Homes, LLC for property at 1237 4th Street SW participating in the fourth round of the Single Family New Construction Program. (Flood)

Council member Vernon moved to approve; seconded by Council member Poe.
Absent: Council member Shey.

Result: **Approved.**

1828-12-15

ao. Rescinding Resolution No. 1002-07-15, which authorized execution of a Development Agreement with Thomas Dostal Developers, Inc. for property at 5309 Dostal Drive SW participating in the fourth round of the Single Family New Construction Program. (Flood)

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

Absent: Council member Shey.

Result: **Approved.**

1829-12-15

ap. Rescinding Resolution No. 1003-07-15, which authorized execution of a Development Agreement with Thomas Dostal Developers, Inc. for property at 5311 Dostal Drive SW participating in the fourth round of the Single Family New Construction Program. (Flood)

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

Absent: Council member Shey.

Result: **Approved.**

1830-12-15

aq. Rescinding Resolution No. 0915-06-15, which authorized execution of a Development Agreement with Thomas Dostal Developers, Inc. for property at 5315 Dostal Drive SW participating in the fourth round of the Single Family New Construction Program. (Flood)

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

Absent: Council member Shey.

Result: **Approved.**

1831-12-15

ar. Rescinding Resolution No. 0916-06-15, which authorized execution of a Development Agreement with Thomas Dostal Developers, Inc. for property at 5317 Dostal Drive SW participating in the fourth round of the Single Family New Construction Program. (Flood)

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

Absent: Council member Shey.

Result: **Approved.**

1832-12-15

as. Rescinding Resolution No. 0917-06-15, which authorized execution of a Development Agreement with Thomas Dostal Developers, Inc. for property at 5321 Dostal Drive SW participating in the fourth round of the Single Family New Construction Program. (Flood)

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

Absent: Council member Shey.

Result: **Approved.**

1833-12-15

at. Purchase Agreement in the amount of \$2,860 and accepting a Warranty Deed for right-of-way and a temporary grading easement for construction from The Lovely Lane United Methodist Church located at 2424 42nd Street 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 Vernon moved to approve; seconded by Council member Poe.

Absent: Council member Shey.

Result: **Approved.**

1834-12-15

- au. Purchase Agreement in the amount of \$2,600 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Jonathan D. Southwood and Cristina M. Southwood from land located at 729 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 Vernon moved to approve; seconded by Council member Poe.

Absent: Council member Shey.

Result: **Approved.**

1835-12-15

- av. Purchase Agreement in the amount of \$3,300 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Justin P. Zimmerman and Sarah M. Zimmerman from land located at 913 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 Vernon moved to approve; seconded by Council member Poe.

Absent: Council member Shey.

Result: **Approved.**

1836-12-15

- aw. Total Acquisition Purchase Agreement in the amount of \$32,355, plus a total amount estimated to be \$1,100 in relocation benefits with Bryan W. Moeller for real property located at 1637 5th Street NW in connection with the Cedar Rapids Flood Control System project.

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

Absent: Council member Shey.

Result: **Approved.**

1837-12-15

- ax. Total Real Estate Acquisition Purchase Agreement in the amount of \$9,000 with Dustin M. White for real property located at 57 18th Avenue SW in connection with the Cedar Rapids Flood Control System project.

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

Absent: Council member Shey.

Result: **Approved.**

1838-12-15

- ay. Purchase Agreement in the amount of \$175 and accepting a Warranty Deed for right-of-way from Christopher T. and Amber L. Burington from land located 4024 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 Vernon moved to approve; seconded by Council member Poe.

Absent: Council member Shey.

Result: **Approved.**

1839-12-15

- az. Purchase Agreement in the amount of \$1,625 and accepting a Warranty Deed for right-of-way and a temporary grading easement for construction from Donald L. Freese from land located at 2051 42nd Street 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 Vernon moved to approve; seconded by Council member Poe.

Absent: Council member Shey.

Result: **Approved.**

1840-12-15

- ba. Purchase Agreement in the amount of \$175 and accepting a Warranty Deed for right-of-way from Matthew J. and Marisa Heefner from land located 4200 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 Vernon moved to approve; seconded by Council member Poe.

Absent: Council member Shey.

Result: **Approved.**

1841-12-15

17. Resolution approving the City of Cedar Rapids Historic Preservation Commission Work Plan for 2016.

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

Absent: Council member Shey.

Result: **Approved.**

31. Report on bids for the Sanitary Sewers Quadrant Flood Repairs Northeast and Southeast Lining Package #7 project (estimated cost is \$1,480,000) (Sandy Pumphrey). (Flood)
Municipal Pipe Tool Co. LLC, Hudson, IA, \$1,110,146.80
SAK Construction, LLC, O'Fallon, MO, \$1,235,941.50
Visu-Sewer, Inc., Pewaukee, WI, \$1,242,978.25
Michels Pipe Services, Brownsville, WI, \$1,448,304
Lamehi & Sons, Inc., Hugo, MN, \$1,451,957

1842-12-15

- a. Resolution awarding and approving contract in the amount of \$1,110,146.80 plus incentive up to \$40,000, bond and insurance of Municipal Pipe Tool Co. LLC for the Sanitary Sewers Quadrant Flood Repairs Northeast and Southeast Lining Package #7 project.

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

Absent: Council member Shey.

Result: **Approved.**

1843-12-15

32. Discussion and Resolution authorizing negotiation of a Development Agreement with Fountains, LLC at 5100 Edgewood Road NE providing City participation up to \$506,000 for retention of local jobs (Caleb Mason, Jennifer Pratt and Jasmine Almoayed).

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

Nays: Council members Gulick, Olson and Vernon.

Absent: Council member Shey.

Result: **Approved.**

073-15 33. Ordinance establishing the Czech Village-New Bohemia Self-Supported Municipal Improvement District.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Vernon.
Absent: Council member Shey.
Result: Approved.
Council member Gulick moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Vernon.
Absent: Council member Shey.
Result: Adopted.

Public comments were heard.

Motion to adjourn.

Council member Shields moved to approve; seconded by Council member Vernon.
Absent: Council member Shey.
Result: Approved.

City Council adjourned at 7:39 p.m. to meet Tuesday, January 12, 2016 at 12 noon.

Amy Stevenson, City Clerk