

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

January 12, 2016, 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, Scott Overland, Ann Poe, Ralph Russell, Pat Shey, Justin Shields and Susie Weinacht. Also present were City Manager Jeff Pomeranz and City Attorney Jim Flitz.

The invocation was given by Public Safety Chaplain Pat Rieck.

Pledge of Allegiance.

Good News announcements were given by Mayor Corbett.

Mayor Corbett and Council member Overland presented a Proclamation declaring January 18, 2016 as Dr. Martin Luther King Jr. 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 continuation of an approved public improvement project for the 6th Street SW Roadway Improvements from Linn County Line to Capital Drive project (Rita Rasmussen). (Paving for Progress) One comment was heard. No written comments or objections were filed.

0001-01-16

- a. Resolution to continue a previously-approved capital improvement project and to proceed with the acquisition or condemnation of agricultural property and property interests not yet acquired for the 6th Street SW Roadway Improvements from Linn County Line to Capital Drive project.

Council member Olson moved to approve; seconded by Council member Poe.
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Result: <b><i>Approved.</i></b>
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2. A public hearing was held to consider the proposed specifications, form of contract and estimated cost for the Demolition Services of Buildings and Associated Materials – Sinclair Site project (estimated cost is \$350,000) (John Riggs). No comments or objections were heard or filed.

0002-01-16

- a. Resolution adopting specifications, form of contract and estimated cost for the Demolition Services of Buildings and Associated Materials – Sinclair Site project.

Council member Olson moved to approve; seconded by Council member Poe.
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Result: <b><i>Approved.</i></b>
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3. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 18th Street SW Extension from Wilson Avenue to 16th Avenue PCC Pavement – Grade and Replace project (estimated cost is \$2,329,537) (Doug Wilson). No comments or objections were heard or filed.

0003-01-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the 18th Street SW Extension from Wilson Avenue to 16th Avenue PCC Pavement – Grade and Replace project.

Council member Olson moved to approve; seconded by Council member Poe.
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Result: <b>Approved.</b>
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4. A public hearing was held to consider the proposed plans, specifications, form of contract, estimated cost for the 42nd Street NE from I-380 to Wenig Road NE – Pavement and Water Main Relocation project (estimated cost is \$3,550,000) (Doug Wilson). (Paving for Progress) No comments or objections were heard or filed.

0004-01-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the 42nd Street NE from I-380 to Wenig Road NE – Pavement and Water Main Relocation project.

Council member Gulick moved to approve; seconded by Council member Poe.
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Result: <b>Approved.</b>
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5. A public hearing was held to consider the proposed plans, specifications, form of contract, estimated cost for the 74th Street NE from White Ivy Place to C Avenue NE – Roadway Improvements project (estimated cost is \$2,044,000) (Doug Wilson). (Paving for Progress) No comments or objections were heard or filed.

0005-01-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the 74th Street NE from White Ivy Place to C Avenue NE – Roadway Improvements project.

Council member Olson moved to approve; seconded by Council member Poe.
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Result: <b>Approved.</b>
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6. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the C Avenue NE Improvements from Collins Road to Blairs Ferry Road PCC Pavement – Grade and Replace project (estimated cost is \$2,313,000) (Doug Wilson). One comment was heard. No written comments or objections were filed.

0006-01-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the C Avenue NE Improvements from Collins Road to Blairs Ferry Road PCC Pavement – Grade and Replace project.

Council member Gulick moved to approve; seconded by Council member Overland.
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Result: <b>Approved.</b>
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Motion to approve the agenda.

Council member Poe moved to approve; seconded by Council member Weinacht.
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Result: <b>Approved.</b>
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Motion to approve the consent agenda.

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

Result: **Approved.**

7. Motion to approve the minutes.

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

Result: **Approved.**

0007-01-16

8. Resolution referring to the Linn County Compensation Commission and authorizing publication of a Notice of Condemnation Hearing for the acquisition of abandoned 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.

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

Result: **Approved.**

0008-01-16

9. Resolution accepting work and fixing amount to be assessed for the 2013 Northeast Side School Routes Sidewalk Improvements project.

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

Result: **Approved.**

0009-01-16

10. Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road project.

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

Result: **Approved.**

0010-01-16

11. Resolution creating a Wellbeing Advisory Committee to assist the Cedar Rapids City Council with matters related to wellbeing and adopting the proposed by-laws of the newly created Committee.

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

Result: **Approved.**

0011-01-16

12. Resolution authorizing the Parks & Recreation Department to name the baseball field at Daniels Park, 940 Oakland Road NE, "Bill Quinby Field".

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

Result: **Approved.**

0012-01-16

13. Resolution appointing Justin Shields as Mayor Pro Tempore.

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

Result: **Approved.**

0013-01-16

14. Resolution eliminating the Lead Parking Meter Technician position in accordance with the Parking Agreement.

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

Result: **Approved.**

0014-01-16

15. Resolution authorizing a Police Officer to attend Iowa Law Enforcement Academy, Johnston, IA, from January 11, 2016 to April 15, 2016 in an amount not to exceed \$10,000.

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

Result: **Approved.**

16. Motion amending the motion approved on December 15, 2015 to extend the bid opening date to January 27, 2016 at 11:00 a.m. for the 42nd Street NE from I-380 to Wenig Road NE – Pavement and Water Main Relocation project (estimated cost is \$3,550,000) (Paving for Progress)

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

Result: **Approved.**

17. Motions setting public hearing dates for:

- a. January 26, 2016 – to consider public comments regarding identification of community development needs, program funding for development of proposed activities, and program performance for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, prior to developing an Annual Action Plan for the period of July 1, 2016 to June 30, 2017.

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

Result: **Approved.**

- b. January 26, 2016 – to consider the disposition of excess City-owned property at 1766 Mallory Street SW acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the fourth round of Single Family New Construction Program. (Flood)

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

Result: **Approved.**

- c. January 26, 2016 – to consider the vacation of a 403 square-foot utility easement located at 4201 42nd Street NE as requested by 42nd and Edgewood LLC.

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

Result: **Approved.**

- d. January 26, 2016 – to consider granting a change of zone for property at 4600 20th Avenue SW as requested by Midwest 3PL and Rick Stickle from C-3, Regional Commercial Zone District, to I-1, Light Industrial Zone District.

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

Result: **Approved.**

- e. January 26, 2016 – to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to clarify the Czech Bohemia Overlay District with design standards and guidelines.

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

Result: **Approved.**

- f. January 26, 2016 – to consider amending Ordinance No. 073-15 to correct the legal description of the Czech Village-New Bohemia Self-Supported Municipal Improvement District (SSMID).

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

Result: **Approved.**

- g. February 9, 2016 – to consider annexation of territory north of 16th Avenue NW and east of 80th Street NW as requested by the Laurence A. Schulte Trust.

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

Result: **Approved.**

18. 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 26, 2016 – 1st Avenue East South of 24th Street Drive SE Storm Sewer Improvements project, with bid opening January 27, 2016 (estimated cost is \$89,000).

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

Result: **Approved.**

- b. January 26, 2016 – 27th Street SW between 28th Avenue and 29th Avenue Culvert Replacement project, with bid opening February 3, 2016 (estimated cost is \$528,000).

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

Result: **Approved.**

- c. January 26, 2016 – West Post Road NW from Plainview Drive NW to E Avenue NW Roadway Reconstruction project, with bid opening on February 3, 2016 (estimated cost is \$1,388,000). (Paving for Progress)

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

Result: **Approved.**

- d. January 26, 2016 – WPCF Chlorine System Upgrade project, with bid opening February 10, 2016 (estimated cost is \$5,420,000).

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

Result: **Approved.**

19. Motions assessing \$300 civil penalties for violation of State Code regarding the sale of tobacco/vapor products to minors against:

- a. Hawkeye Convenience Store, 4830 Johnson Avenue NW.  
b. Kum & Go #517, 3132 1st Avenue NE.  
c. Road Ranger #5148, 550 Wilson Avenue SW.  
d. The Hazy Hideaway, 49 Kirkwood Court SW.

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

Result: **Approved.**

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

- a. Casey's General Store #2778, 201 8th Avenue SE.  
b. Cobble Hill Eatery & Dispensary, 219 2nd Street SE.  
c. Flamingo, 1211 Ellis Boulevard NW.  
d. Irish Democrat, 3207 1st Avenue SE.  
e. JW's Pub & Grub, 58 Miller Avenue SW.  
f. Lava, 5400 Edgewood Road NE.  
g. Leo 1, 1500 1st Avenue NE (new – formerly Sam Liquor & Tobacco).  
h. Mulligan's Pub, 1060 Old Marion Road NE (new – new ownership).  
i. Otis' Tailgators Sports Bar, 3969 Center Point Road NE.  
j. Penguin's, 208 2nd Avenue SE (new – formerly The Vault).

- k. Todd's on the Go, 235 Edgewood Road NW.
- l. Union Station Hall, 1736 16th Avenue SW (new – formerly Juke Joint).

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

Result: **Approved.**

21. Resolutions approving:

0015-01-16

- a. Payment of bills.

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

Result: **Approved.**

0016-01-16

- b. Payroll.

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

Result: **Approved.**

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

0017-01-16

- a. Appointing Jerad Nylin (effective through June 30, 2018) to the Cedar Rapids ADA Advisory Committee.

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

Result: **Approved.**

0018-01-16

- b. Appointing Sherri Schuchmann (effective through June 30, 2017) to the Veterans Memorial Commission.

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

Result: **Approved.**

0019-01-16

- c. Vote of thanks to Doug Elliott for serving on the Library Board of Trustees.

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

Result: **Approved.**

0020-01-16

- d. Vote of thanks to Hattie Holmes for serving on the Veterans Memorial Commission.

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

Result: **Approved.**

23. Resolutions approving assessment actions:

0021-01-16

- a. Levy assessment – housing nuisance abatement charges – one property.

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

Result: **Approved.**

0022-01-16

- b. Levy Assessment – Solid Waste & Recycling – clean-up costs – three properties.

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

Result: **Approved.**

0023-01-16

- c. Intent to assess – Solid Waste & Recycling – clean-up costs – two properties.

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

Result: **Approved.**

0024-01-16

- d. Levy assessment – Water Division – delinquent municipal utility bills – 13 properties.

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

Result: **Approved.**

0025-01-16

e. Levy assessment – Water Division – delinquent municipal utility bills – 13 properties.

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

Result: **Approved.**

0026-01-16

f. Intent to assess – Water Division – delinquent municipal utility bills – 41 properties.

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

Result: **Approved.**

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

0027-01-16

a. Portland Cement Concrete in Kreb First Addition and 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$70,000.

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

Result: **Approved.**

0028-01-16

b. Portland Cement Concrete pavement in Cedar River Bluffs Second Addition, Phase 2 and 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$100,000.

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

Result: **Approved.**

0029-01-16

c. Sanitary sewer in Cedar River Bluffs Second Addition Phase 2, Lots Four and Five and 2-year Maintenance Bond submitted by Schrader Excavating and Grading Co. in the amount of \$49,494.70.

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

Result: **Approved.**

0030-01-16

d. Storm sewer in Cedar River Bluffs Second Addition Phase 2, Lots Four and Five and 2-year Maintenance Bond submitted by Schrader Excavating and Grading Co. in the amount of \$111,328.62.

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

Result: **Approved.**

0031-01-16

e. Portland Cement Concrete pavement in Stoney Point Twenty-Fourth Addition and 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$95,000.

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

Result: **Approved.**

0032-01-16

f. Sanitary sewer in Stoney Point Twenty-Fourth Addition and 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$59,548.

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

Result: **Approved.**

0033-01-16

g. Storm sewer in Stoney Point Twenty-Fourth Addition and 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$114,951.

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

Result: **Approved.**

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

0034-01-16

- a. Cedar Rapids Police Department Firearms Range Improvements – Phase 1 project, final payment in the amount of \$59,969.03 and 2-year Performance Bond submitted by Kleiman Construction, Inc. (original contract amount was \$1,173,188; final contract amount is \$1,199,380.69).

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

Result: **Approved.**

0035-01-16

- b. Boyson Road NE Pavement Rehabilitation Improvements from C Avenue to East Corporate Limits project, final payment in the amount of \$29,973.04 and 4-year Performance Bond submitted by L.L. Pelling Company, Inc. (original contract amount was \$703,834.30; final contract amount is \$599,460.79). (Paving for Progress)

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

Result: **Approved.**

0036-01-16

- c. Coe Road NE Pavement Rehabilitation Improvements from A Avenue to Center Point Road project, final payment in the amount of \$25,470.18 and 4-year Performance Bond submitted by L.L. Pelling Company, Inc. (original contract amount was \$539,161; final contract amount is \$509,403.56). (Paving for Progress)

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

Result: **Approved.**

0037-01-16

- d. C Avenue NE from Collins Road to Blairs Ferry Road Phase 1 – Utility Improvements project, final payment in the amount of \$21,016.34 and 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. (original contract amount was \$415,811.20; final contract amount is \$420,326.82).

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

Result: **Approved.**

0038-01-16

- e. Valley Brook Drive SE Channel Restoration Improvements project, final payment in the amount of \$17,941.11 and 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. (original contract amount was \$378,114.05; final contract amount is \$358,822.24).

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

Result: **Approved.**

0039-01-16

- f. WPCF Unit Substation Replacement project, final retainage payment in the amount of \$30,783.65 and 2-year Performance Bond submitted by Price Industrial Electric, Inc. (original contract amount was \$617,500; final contract amount is \$615,673).

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

Result: **Approved.**

0040-01-16

- g. Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 3 Reconstruction project, final payment in the amount of \$137,034.46 and 4-year Performance Bond submitted by S.M. Hentges & Sons, Inc. (original contract amount was \$2,794,758.59; final contract amount is \$2,740,689.27).

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

Result: **Approved.**



0041-01-16

- h. NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 2 project, final payment in the amount of \$55,530.95 and 4-year Performance Bond submitted by Tschiggfrie Excavating (original contract amount was \$1,260,191.30; final contract amount is \$1,110,618.95). (Flood)

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

Result: **Approved.**

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

0042-01-16

- a. Cedar Valley Habitat for Humanity, Inc. for property at 1026 12th Street NE. (Flood)

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

Result: **Approved.**

0043-01-16

- b. Jim Sattler Inc. for property at 3617 Forest Valley Court NE. (Flood)

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

Result: **Approved.**

0044-01-16

- c. S & J Homes, LLC for property at 320 Cherry Park Drive NW. (Flood)

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

Result: **Approved.**

0045-01-16

- d. S & J Homes, LLC for property at 3602 Forest Valley Court NE. (Flood)

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

Result: **Approved.**

0046-01-16

- e. Skogman Construction Company of Iowa for property at 701 Limerock Drive NW. (Flood)

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

Abstain: Council member Olson.

Result: **Approved.**

27. 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:

0047-01-16

- a. Premiere Developers, Inc. for property at 1033 10th Street NW. (Flood)

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

Result: **Approved.**

0048-01-16

- b. Stonebrook Homes, LLC for property at 507 7th Avenue SW. (Flood)

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

Result: **Approved.**

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

0049-01-16

- a. Purchase of excess casualty insurance coverage through Aon Risk Services Central, Inc. from States Self-Insurers Retention Group in the amount of \$318,217.

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

Result: **Approved.**

0050-01-16

- b. Amendment No. 2 to renew contract with Per Mar Security Services for Citywide Courier and Security Guard Services for two years for an annual amount not to exceed \$100,000 (original contract amount was \$200,000; renewal contract amount is \$200,000).

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

Result: **Approved.**

0051-01-16

- c. Authorizing additional funds regarding the retention of Ahlers and Cooney, P.C. as outside legal counsel regarding the Veterans Memorial Building.

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

Result: **Approved.**

0052-01-16

- d. Retaining Lynch Dallas P.C. as outside legal counsel regarding the Hayes v. Kieler, et al. lawsuit.

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

Result: **Approved.**

0053-01-16

- e. Amendment No. 3 to the Agreement for Real Estate Acquisition Legal Services with Bradley and Riley, PC to close the Agreement for the HUD Community Development Block Grant Voluntary Property Acquisition Program (original contract amount was \$117,903.68; final contract amount is \$103,994.16). (Flood)

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

Result: **Approved.**

0054-01-16

- f. Public Works Department purchase of rock salt from Compass Minerals America, Inc. in an amount not to exceed \$1,030,040 for a maximum purchase of 13,200 tons of rock salt for winter snow and ice control.

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

Result: **Approved.**

0055-01-16

- g. Fleet Services Division purchase of one crew cab chassis with dump body from Junge Center Point in the amount of \$54,471.

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

Result: **Approved.**

0056-01-16

- h. Fleet Services Division purchase of one regular cab chassis with dump body from Junge Center Point in the amount of \$51,609.

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

Result: **Approved.**

0057-01-16

- i. Fleet Services Division purchase of one chassis with Knapheide service body from Pat McGrath Chrysler Jeep Dodge Ram in the amount of \$87,762.65.

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

Result: **Approved.**

0058-01-16

- j. Golf Division purchase of merchandise for resale at Ellis, Gardner, Jones and Twin Pines golf course clubhouses from Acushnet Company (Titleist and Foot Joy) in an amount of \$71,007.50, with future purchases not to exceed \$85,000.

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

Result: **Approved.**

0059-01-16

- k. Golf Division purchase of merchandise for resale at Ellis, Gardner, Jones and Twin Pines golf course clubhouses from Callaway Golf for an amount not to exceed \$20,000.

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

Result: **Approved.**

0060-01-16

- l. Golf Division purchase of merchandise for resale at Ellis, Gardner, Jones and Twin Pines golf course clubhouses from Ping for an amount not to exceed \$30,000.

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

Result: **Approved.**

0061-01-16

- m. Annual Maintenance Agreement with Communications Engineering Company for the City-Wide Physical Security Management Platform including hardware and software in the amount of \$150,000.

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

Result: **Approved.**

0062-01-16

- n. Contract with Alfa Laval, Inc. for Centrifuge Rotating Assembly Repair for the Water Pollution Control Facility for an amount not to exceed \$278,599.44.

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

Result: **Approved.**

0063-01-16

- o. Contract with Crawford Quarry Company for Lagoon Ash Sand Storage for the Water Pollution Control Facility for an annual amount not to exceed \$80,000.

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

Result: **Approved.**

0064-01-16

- p. Amendment No. 1 to the Professional Services Agreement with ALLTRANS, Inc. specifying an increased amount not to exceed \$96,000 for design services in connection with the 66th Avenue SW Roadway Improvements from Locust Road to 6th Street project (original contract amount was \$141,170; total contract amount with this amendment is \$237,170). (Paving for Progress)

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

Result: **Approved.**

0065-01-16

- q. Amendment No. 2 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$8,824 for professional services in connection with the CEMAR Trail Lindale Connector project (original contract amount was \$43,290; total contract amount with this amendment is \$52,114).

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

Abstain: Council member Gulick.

Result: **Approved.**

0066-01-16

- r. Amendment No. 2 to the Professional Services Agreement with Hall & Hall Engineers, Inc. specifying an increased amount not to exceed \$4,621 for additional services to the 2015 Seminole River Bank Armoring project (original contract amount was \$36,490; total contract amount with this amendment is \$44,171).

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

Result: **Approved.**

0067-01-16

- s. Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$105,370 for design services in connection with the O Avenue Watershed Drainage Study project.

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

Result: **Approved.**

0068-01-16

- t. Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$880,000 for the J Avenue Water Treatment Plant Process Improvements – Phase 2 project.

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

Result: **Approved.**

0069-01-16

- u. Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$210,000 for the WPC Electric Grid Improvements project.

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

Result: **Approved.**

0070-01-16

- v. Change Order No. 2 in the amount of \$68,965 with Garling Construction, Inc. for the Northwest Recreation Center project (original contract amount was \$3,597,000; total contract amount with this amendment is \$3,756,527) (Flood)

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

Result: **Approved.**

0071-01-16

- w. Change Order No. 4 in the amount of \$44,806.92 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 \$1,489,512.81). (Paving for Progress)

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

Result: **Approved.**

0072-01-16

- x. Change Order No. 6 in the amount of \$3,763.64 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 \$1,078,455.29).

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

Result: **Approved.**

0073-01-16

- y. Change Order No. 6 in the amount of \$9,088.85 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 \$1,007,799.88). (Flood)

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

Result: **Approved.**

0074-01-16

- z. Extending the negotiation date of a Development Agreement with Happel Enterprises, LLC to May 24, 2016 for the disposition and redevelopment of City-owned property at 1871, 1895, 1915 and 1919 Ellis Boulevard NW. (Flood)

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

Result: **Approved.**

0075-01-16

- aa. Purchase Agreement in the amount of \$1,641 and accepting an easement for storm sewer from St. Patrick's Church from land located at 120 5th Street NW in connection with the NW Quadrant, 2008 Flood, Sanitary Sewer Restoration project. (Flood)

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

Result: **Approved.**

0076-01-16

- ab. Purchase Agreement in the amount of \$750 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Polaski Properties L.L.C. from vacant land east of 16th Street NW and south of Hidden Hollow Lane NW in connection with the Hidden Hollow Lane NW East of 16th Street NW Storm Sewer Improvements project.

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

Result: **Approved.**

0077-01-16

- ac. Accepting a bid in the amount of \$5,760 from JDN Properties, LLC and approving a Quit Claim Deed for the disposition of 609 4th Avenue SW.

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

Result: **Approved.**

0078-01-16

- ad. Tenant Purchase Agreement in the amount of \$50 from Aaron and Julie Schloemer, and execution of a Purchase Agreement in the amount of \$3,225 and accepting a Trustee Warranty Deed and a Temporary Grading Easement for Construction from The 823 74th Street NE, Cedar Rapids, IA 52402 Land Trust, S. Smith, Trustee, from land located at 823 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 Poe moved to approve; seconded by Council member Weinacht.

Result: **Approved.**

0079-01-16

- ae. Warranty Deed from The Views Properties A, LLC for dedication of street right-of-way along E Ave NW and F Ave NW for property at 2975 & 3005 F Ave NW.

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

Result: **Approved.**

0080-01-16

- af. Authorizing the Public Works Department to request that the Iowa Economic Development Authority amend the project limits for the Community Development Block Grant (CDBG) Program, Disaster Recovery Infrastructure Contract 08-DRIF-200CR for the East Side Cedar River Flood Control System to include the NewBo/Sinclair neighborhood, and authorizing the City Manager or designee to execute associated contract amendment documents.

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

Result: **Approved.**

0081-01-16

- ag. Memorandum of Agreement with the Cedar Rapids Metro Economic Alliance for the fiscal year ending June 30, 2016.

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

Abstain: Council member Gulick.

Result: **Approved.**

0082-01-16

- ah. Payments to various non-profit special events held in Cedar Rapids for the fiscal year 2016 from the Special Event Public Safety Fund.

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

Result: **Approved.**

0083-01-16

ai. Economic Development Grant payment to PBI-GRR in the amount of \$187,326.58.

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

Result: **Approved.**

0084-01-16

29. Report on bids for the UASB Reactor No. 3 Improvements project (estimated cost is \$250,000) (Steve Hershner).

WRH, Inc., South Amana, IA, \$262,000

- a. Resolution awarding and approving contract in the amount of \$262,000, bond and insurance to WRH, Inc. for the UASB Reactor No. 3 Improvements project.

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

Result: **Approved.**

0085-01-16

30. Report on bids for the Veterans Memorial Stadium Americans with Disabilities Act (ADA) Compliance project (estimated cost is \$227,375) (Nate Kampman).

Tricon General Construction, Cedar Rapids, IA, \$106,000

Kleiman Construction, Inc., Cedar Rapids, IA, \$118,821

Woodruff Construction, LLC, Waterloo, IA, \$122,750

Garling Construction, Inc., Belle Plaine, IA, \$141,000

- a. Resolution awarding and approving contract in the amount of \$106,000 plus incentive up to \$10,000, bond and insurance of Tricon General Construction for the Veterans Memorial Stadium Americans with Disabilities Act (ADA) Compliance project.

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

Result: **Approved.**

0086-01-16

31. Report on bids for the Sanitary Sewers Quadrant Flood Repairs Northwest and Southwest Lining Package #8 project (estimated cost is \$2,140,000) (Sandy Pumphrey). (Flood)

Municipal Pipe Tool Co., LLC, Hudson, IA, \$1,562,624.00

Michels Corporation, Brownsville, WI, \$1,577,872.00

Lametti & Sons, Inc., Hugo, MN, \$1,629,994.00

Insituform Technologies USA, LLC, Chesterfield, MO, \$1,764,608.60

Sak Construction, LLC, O'Fallon, MO, \$1,775,625.00

Visu-Sewer, Inc., Pewaukee, WI, \$1,901,206.84

- a. Resolution awarding and approving contract in the amount of \$1,562,624 plus incentive up to \$70,000, bond and insurance of Municipal Pipe Tool Co., LLC for the Sanitary Sewers Quadrant Flood Repairs Northwest and Southwest Lining Package #8 project.

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

Result: **Approved.**

- 0087-01-16 32. Report on bids for the 2016 Tree and Vegetation Removal project (estimated cost is \$106,800) (Paving for Progress) (Doug Wilson). (Paving for Progress)  
CAJ Enterprises, Inc. dba Chris Jones Trucking, West Branch, IA \$121,410.00  
Tschiggfrie Excavating, Dubuque, IA \$369,592.45

- a. Resolution awarding and approving contract in the amount of \$121,410, plus incentive up to \$8,000, bond and insurance of CAJ Enterprises, Inc. dba Chris Jones Trucking for the 2016 Tree and Vegetation Removal project.

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

Result: **Approved.**

- 0088-01-16 33. Report on bids for the 1st Avenue East from 27th to 29th and 31st to 34th Street Utility Replacement project (estimated cost is \$1,870,000). (Doug Wilson). (Paving for Progress)  
Pirc-Tobin Construction, Inc., Alburnett, IA, \$1,639,705.25  
Rathje Construction Co., Marion, IA, \$1,968,279.25  
Synergy Contracting, Bondurant, IA, \$2,108,676.86 (math error found in bid)

- a. Resolution awarding and approving contract in the amount of \$1,639,705.25 plus incentive up to \$103,500, bond and insurance of Pirc-Tobin Construction, Inc. for the 1st Avenue East from 27th to 29th and 31st to 34th Street Utility Replacement project.

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

Result: **Approved.**

34. Ordinance relating to the collection of tax increment within the proposed Miron Construction Urban Renewal Area located at 335 French Court SW.

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

Nays: Council members Gulick, Russell and Weinacht.

Result: **Approved.**

35. Ordinance 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 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.

Result: **Approved.**

12:45 p.m., motion to go into closed session to discuss collective bargaining negotiation strategy as allowed by Iowa Code Section 20.17(3) (2015) and to conduct the annual performance evaluations of the City Clerk and City Attorney pursuant to Iowa Code Section 21.5(1)(i) (2015).

Council member Gulick moved to approve; seconded by Council member Weinacht. The Mayor polled the Council and all members voted Aye.
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Result: <b><i>Approved.</i></b>
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After returning to open session, motion to adjourn.

Council member Shields moved to approve; seconded by Council member Weinacht.
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Absent: Council member Shey.
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Result: <b><i>Approved.</i></b>
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City Council adjourned at 2:48 p.m. to meet Tuesday, January 26, 2016 at 4 p.m.

Amy Stevenson, City Clerk