

# CITY OF CEDAR RAPIDS, IOWA

## MINUTES OF THE CITY COUNCIL

### REGULAR SESSION

March 8, 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 Scott Olson, Scott Overland, Ann Poe, Ralph Russell, Pat Shey and Justin Shields. Also present were City Manager Jeff Pomeranz and City Attorney Jim Flitz. Absent, Council members Kris Gulick and Susie Weinacht.

The invocation was given by Public Safety Chaplain Jim Coyle.

Pledge of Allegiance.

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 Fiscal Year 2017 Annual Budget (Casey Drew). One objection was heard. No written comments or objections were filed.

0263-03-16

- a. Resolution adopting the Fiscal Year 2017 Annual Budget.

Council member Poe moved to approve; seconded by Council member Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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2. A public hearing was held to consider amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates (Casey Drew and Steve Hershner). No comments or objections were heard or filed.

- a. First Reading: Ordinance amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates.

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 Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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3. A public hearing was held to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates (Casey Drew and Steve Hershner). No comments or objections were heard or filed.

- a. First Reading: Ordinance amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates.

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 Overland.

Absent: Council members Gulick and Weinacht.

Result: ***Approved.***

4. A public hearing was held to consider amending Chapter 24 of the Municipal Code, Solid Waste and Recycling, by repealing existing rates and establishing new rates (Casey Drew and Steve Hershner). No comments or objections were heard or filed.

- a. First Reading: Ordinance amending Chapter 24 of the Municipal Code, Solid Waste and Recycling, by repealing existing rates and establishing new rates.

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 Overland.

Absent: Council members Gulick and Weinacht.

Result: ***Approved.***

5. A public hearing was held to consider amending the franchise granted to MidAmerican Energy by increasing the franchise fee from 2 percent to 3 percent (Casey Drew). No comments or objections were heard or filed.

005-16

- a. First and possible Second and Third Readings: Ordinance amending the franchise granted to MidAmerican Energy by increasing the franchise fee from 2 percent to 3 percent.

Council member Poe moved the approval of the Ordinance on its first reading; seconded by Council member Overland.

Absent: Council members Gulick and Weinacht.

Result: ***Approved.***

Council member Overland 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 Poe.

Absent: Council members Gulick and Weinacht.

Result: ***Adopted.***

6. A public hearing was held to consider amending the franchise granted to Linn County Rural Electric Cooperative (REC) by increasing the franchise fee from 2 percent to 3 percent (Casey Drew). No comments or objections were heard or filed.

006-16

- a. First and possible Second and Third Readings: Ordinance amending the franchise granted to Linn County Rural Electric Cooperative (REC) by increasing the franchise fee from 2 percent to 3 percent.

Council member Poe moved the approval of the Ordinance on its first reading; seconded by Council member Overland.
Absent: Council members Gulick and Weinacht.
Result: <b>Approved.</b>
Council member Overland moved that the rule requiring three readings on three different days be suspended and the Ordinance be approved on its second reading and adopted on its third and final reading; seconded by Council member Poe.
Absent: Council members Gulick and Weinacht.
Result: <b>Adopted.</b>

7. A public hearing was held to consider amending the franchise granted to Interstate Power and Light Company (Alliant) by increasing the franchise fee from 2 percent to 3 percent (Casey Drew). No comments or objections were heard or filed.

007-16

- a. First and possible Second and Third Readings: Ordinance amending the franchise granted to Interstate Power and Light Company (Alliant) by increasing the franchise fee from 2 percent to 3 percent.

Council member Poe moved the approval of the Ordinance on its first reading; seconded by Council member Overland.
Absent: Council members Gulick and Weinacht.
Result: <b>Approved.</b>
Council member Overland moved that the rule requiring three readings on three different days be suspended and the Ordinance be approved on its second reading and adopted on its third and final reading; seconded by Council member Poe.
Absent: Council members Gulick and Weinacht.
Result: <b>Adopted.</b>

8. A public hearing was held to consider a request by Jelinek Companies LLC for an Urban Revitalization Area designation for the rehabilitation of the historic Ideal Theatre Building at 213 16th Avenue SE and 1614 2nd Street SE (Caleb Mason). No comments or objections were heard or filed.

0264-03-16

- a. Resolution authorizing an Urban Revitalization Area designation for the rehabilitation of the historic Ideal Theatre Building at 213 16th Avenue SE and 1614 2nd Street SE.

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

- b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Ideal Theatre Urban Revitalization Area designation at 213 16th Avenue SE and 1614 2nd Street SE.

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 Russell.

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

9. A public hearing was held to consider amendments to the Future Land Use Map of the City of Cedar Rapids as part of the annual review of EnvisionCR, the City's Comprehensive Plan (Seth Gunnerson). No comments or objections were heard or filed.

0265-03-16

- a. Resolution amending the Future Land Use Map of the City of Cedar Rapids as part of the annual review of EnvisionCR, the City's Comprehensive Plan.

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

10. A public hearing was held to consider an Electric Line Easement Agreement from property located on City-owned land westerly of and adjacent to 2nd Avenue SE and between 32nd Street Drive and 33rd Street Drive in connection with rebuilding and upgrading an existing overhead transmission line at this location as requested by ITC Midwest LLC (Rita Rasmussen). No comments or objections were heard or filed.

0266-03-16

- a. Resolution authorizing the execution of an Electric Line Easement Agreement from property located on City-owned land westerly of and adjacent to 2nd Avenue SE and between 32nd Street Drive and 33rd Street Drive in connection with rebuilding and upgrading an existing overhead transmission line at this location as requested by ITC Midwest LLC.

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

11. A public hearing was held to consider amending Chapter 64 of the Municipal Code, Offenses Against Property, by deleting Section 64.13 therefrom regarding discrimination in housing (Brent Long and Judy Goldberg). No comments or objections were heard or filed.

- a. First Reading: Ordinance amending Chapter 64 of the Municipal Code, Offenses Against Property, by deleting Section 64.13 therefrom regarding discrimination in housing.

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 Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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12. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Edgewood Road NW from E Avenue NW to F Avenue NW – Roadway Improvements project (estimated cost is \$649,000) (Doug Wilson). (Paving for Progress). No comments or objections were heard or filed.

0267-03-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Edgewood Road NW from E Avenue NW to F Avenue NW – Roadway Improvements project.

Council member Olson moved to approve; seconded by Council member Poe.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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13. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Pump House project (estimated cost is \$2,650,000) (Steve Hershner). No comments or objections were heard or filed.

0268-03-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Pump House project.

Council member Olson moved to approve; seconded by Council member Poe.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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14. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Northwest Water Treatment Plant Roof Replacements project (estimated cost is \$880,000) (Steve Hershner). No comments or objections were heard or filed.

0269-03-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Northwest Water Treatment Plant Roof Replacements project.

Council member Olson moved to approve; seconded by Council member Poe.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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Motion to approve the agenda.

Council member Poe moved to approve; City Manager Pomeranz requested that Item 29a be corrected to refer to March 22 as the public hearing date, not March 8; seconded by Council member Overland.
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Absent: Council members Gulick and 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 Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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15. Motion to approve the minutes.

Council member Poe moved to approve; seconded by Council member Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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- 0270-03-16 16. Resolution of support and authorizing conditional City financial assistance in support of a Low Income Housing Tax Credit (LIHTC) application for City-owned property at 1200 Edgewood Road NW as proposed by CommonBond Communities.

Council member Poe moved to approve; seconded by Council member Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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- 0271-03-16 17. Resolution authorizing Amendment No. 1 to the Westdale Area Neighborhood Association boundary.

Council member Poe moved to approve; seconded by Council member Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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- 0272-03-16 18. Resolution accepting the established fair market value in the amount of \$28,500 for the total acquisition of property located at 20 22nd Avenue SW, owned by Cedar Rapids Transmission, Inc., in connection with the Cedar Rapids Flood Control project.

Council member Poe moved to approve; seconded by Council member Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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- 0273-03-16 19. Resolution authorizing the buyout of the Federal interest in Lot 44 in the amount of \$830,680.00.

Council member Poe moved to approve; seconded by Council member Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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- 0274-03-16 20. Resolution in support of a Linn County Emergency Management Commission request to the Federal Emergency Management Agency (FEMA) to establish Highway 30 as the southern boundary of subarea 24 for the Radiological Emergency Planning Zone.
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
- 0275-03-16 21. Resolution authorizing the Utilities Director to attend the National Association of Clean Water Agencies 2016 National Water Policy Forum & Fly-In in Washington, DC in April for an estimated amount of \$3,410.
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
- 0276-03-16 22. Resolution authorizing seven members of Iowa Task Force 1 to attend Structural Collapse Technician 4 training in College Station, TX for a total amount of \$21,266.
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
- 0277-03-16 23. 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 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project. (Paving for Progress)
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
- 0278-03-16 24. 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 Northwood Drive NE, from South of Brookland Drive NE to 42nd Street NE Roadway Rehabilitation project. (Paving for Progress)
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
- 0279-03-16 25. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the 26th Street SW Improvements from 76th Avenue SW to 60th Avenue SW project.
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |

- 0280-03-16 26. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road project.
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
- 0281-03-16 27. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37th Avenue SW project.
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
- 0282-03-16 28. Resolution setting a public hearing for April 12, 2016 to consider the Resolution of Necessity (Proposed) for the construction of the 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project. (Paving for Progress)
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
29. Motions setting public hearing dates for:
- a. March 22, 2016 – to consider granting a change of zone for property south of 66th Avenue SW and west of Kirkwood Boulevard SW from C-1, Mixed Neighborhood Convenience Zone District, to C-2, Community Commercial Zone District as requested by The Votroubek Real Estate Group and Kirkwood Community College.
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
- b. March 22, 2016 – to consider amending Chapter 69 of the Municipal Code, Civil Rights Commission, to reduce the number of members from nine to seven.
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
30. 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. March 22, 2016 – Bridge Replacement, McCloud Place NE over McCloud Run project, with bid opening March 15, 2016 at the Iowa Department of Transportation (estimated cost is \$1,000,000).
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |



- b. March 22, 2016 – Seminole Valley Road NE – Sanitary Sewer Improvement Project, 42nd Street from Seminole Valley Road NE to Edgewood Road NE project, with bid opening March 23, 2016 (estimated cost is \$1,312,000). (Paving for Progress)

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

- c. March 22, 2016 – Cedar Riverwalk 2nd Avenue to 3rd Avenue SE project, with bid opening March 30, 2016 (estimated cost is \$80,000).

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

- d. March 22, 2016 – 8th Avenue SW Roadway Improvements from L Street SW to 7th Street SW project, with bid opening March 30, 2016 (estimated cost is \$700,000). (Paving for Progress)

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

- e. March 22, 2016 – 2016 Sidewalk Infill Project, Phases 1 & 2 project, with bid opening March 30, 2016 (estimated cost is \$420,000).

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

- f. March 22, 2016 – NewBo/Parking Lot 44 Pump Station at 10th Avenue SE project, with bid opening April 6, 2016 (estimated cost is \$7,000,000).

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

- g. March 22, 2016 – Seminole River Bank Armoring project, with bid opening April 13, 2016 (estimated cost is \$208,000).

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

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

- a. Dollar General #9141, 3451 Mount Vernon Road SE.

- b. Family Dollar #4541, 901 1st Avenue SW.

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

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

- a. Beef O'Brady's, 5240 Edgewood Road NE.

- b. Bricks Bar & Grill, 320 2nd Avenue SE (additional outdoor service area for an event on March 16-18, 2016).

- c. Broken Spoke, 2010 Sylvia Avenue NE.
- d. Cedar Rapids Kernels, 950 Rockford Road SW.
- e. Coe College, 1220 1st Avenue NE (transfer for an event at 50 2nd Avenue Bridge, Veterans Memorial Building, on March 18-19, 2016).
- f. Cottage Grove Place, 2115 1st Avenue SE.
- g. Guppy's On The Go, 1532 Ellis Boulevard NW.
- h. Guppy's On The Go, 235 Edgewood Road NW.
- i. Hill Brothers Jiffy Mart, 1904 Mount Vernon Road SE.
- j. Hy-Vee Gas #7, 3935 Blairs Ferry Road NE.
- k. Lone Star Steakhouse & Saloon, 4545 1st Avenue SE.
- l. Playtime Tap, 933 14th Avenue SW.
- m. Road Ranger #5147, 1430 1st Avenue NE.
- n. Road Ranger #5149, 2349 Blairs Ferry Road NE.
- o. Road Ranger #5150, 3330 16th Avenue SW.
- p. Road Ranger #5151, 380 Blairs Ferry Road NE.
- q. Ruby's Pizzeria, 223 2nd Street SE (new – new ownership).
- r. Tom's Homeport, 624 Center Point Road NE (outdoor service for an event on March 10-14, 2016).
- s. Townsquare Live Events, 240 Greenwich Avenue, Greenwich, CT (5-day permit for an event on March 12, 2016 at Doubletree by Hilton, 350 1st Avenue NE).

Council member Poe moved to approve; seconded by Council member Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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33. Resolutions approving:

0283-03-16

- a. Payment of bills.

Council member Poe moved to approve; seconded by Council member Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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0284-03-16

- b. Payroll.

Council member Poe moved to approve; seconded by Council member Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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34. Resolutions appointing, reappointing and thanking the following individuals:

0285-03-16

- a. Appointing Jessalyn Holdcraft (effective through June 30, 2017) and David Castelluccio (effective through June 30, 2018) to the Czech Village-New Bohemia Self-Supported Municipal Improvement District Commission.

Council member Poe moved to approve; seconded by Council member Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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0286-03-16

- b. Vote of thanks to Sara Marino for serving on the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board.

Council member Poe moved to approve; seconded by Council member Overland.
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Absent: Council members Gulick and Weinacht.
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Result: <b>Approved.</b>
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- 0287-03-16 35. Resolution approving the special event application for:  
a. Bricks St. Patrick's Day Celebration (includes alley closure) on March 17, 2016.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
- 0288-03-16 36. Resolutions approving assessment actions:  
a. Levy assessment – housing nuisance abatement charges – two properties.
- |   |
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
- 0289-03-16 b. Intent to assess – Solid Waste & Recycling – clean-up costs – three properties.
- |   |
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
- 0290-03-16 c. Levy assessment – Water Division – delinquent municipal utility bills – 18 properties.
- |   |
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
- 0291-03-16 d. Intent to assess – Water Division – delinquent municipal utility bills – 20 properties.
- |   |
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
37. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
- 0292-03-16 a. Police Department Roof Replacement Project, final payment in the amount of \$16,175 and 2-year Performance Bond submitted by Black Hawk Roof Company (original contract amount was \$326,000; final contract amount is \$326,000).
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |
- 0293-03-16 b. 34th Street SE Spoon Creek Bridge Repair project, final payment in the amount of \$6,000 and 1-year Performance Bond submitted by Peterson Contractors, Inc. (original contract amount was \$120,000; final contract amount is \$120,000). (Paving for Progress)
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| Council member Poe moved to approve; seconded by Council member Overland. |
| Absent: Council members Gulick and Weinacht.                              |
| Result: <b>Approved.</b>  |

- 0294-03-16 38. Resolutions approving final plats:  
a. Brouard First Addition for land located at 3601 Rogers Road NW.  

Council member Poe moved to approve; seconded by Council member Overland.
Absent: Council members Gulick and Weinacht.
Result: <b>Approved.</b>
- 0295-03-16 b. Heartland First Addition to Linn County for land located at 2215 Edgewood Road SW.  

Council member Poe moved to approve; seconded by Council member Overland.
Absent: Council members Gulick and Weinacht.
Result: <b>Approved.</b>
- 0296-03-16 c. Northtowne Market Second Addition for land located at 1201 Blairs Ferry Road NE.  

Council member Poe moved to approve; seconded by Council member Overland.
Absent: Council members Gulick and Weinacht.
Result: <b>Approved.</b>
- 0297-03-16 39. Resolution authorizing execution of a Development Agreement for property participating in the fourth round of the Single Family New Construction Program:  
a. Scallon Custom Homes, LLC. for property at 1322 9th Street NW. (Flood)  

Council member Poe moved to approve; seconded by Council member Overland.
Absent: Council members Gulick and Weinacht.
Result: <b>Approved.</b>
- 0298-03-16 40. 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:  
a. Cedar Valley Habitat for Humanity, Inc. for property at 430 9th Avenue SW. (Flood)  

Council member Poe moved to approve; seconded by Council member Overland.
Absent: Council members Gulick and Weinacht.
Result: <b>Approved.</b>
- 0299-03-16 b. Ken-Del Properties, LLC dba Willshire, LLC for property at 1410 N Street SW. (Flood)  

Council member Poe moved to approve; seconded by Council member Overland.
Absent: Council members Gulick and Weinacht.
Result: <b>Approved.</b>
- 0300-03-16 c. Jaylee, Inc. for properties at 504, 508 and 512 C Avenue NW. (Flood)  

Council member Poe moved to approve; seconded by Council member Overland.
Absent: Council members Gulick and Weinacht.
Result: <b>Approved.</b>

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

0301-03-16

- a. Assignment and Assumption of Development Agreement from Neighborhood Development Corporation of Cedar Rapids, Inc. to Scallon Custom Homes, LLC. for property at 723 8th Avenue SW participating in the fourth round of the Single Family New Construction Program. (Flood)

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

0302-03-16

- b. Information Technology Department purchase of a video wall for traffic monitoring needs from Communications Engineering Company for an amount not to exceed \$72,773.49.

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

0303-03-16

- c. Information Technology Department purchase of PeopleSoft Financials Software Maintenance & Support from Mythics for an amount not to exceed \$500,000.

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

0304-03-16

- d. Information Technology Department purchase of updated LiDAR (Light Detection and Ranging), imagery and mapping services from Pictometry International Corporation for an amount not to exceed \$130,218.16.

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

0305-03-16

- e. Contract with Precision Midwest, Ltd. for the purchase of GPS Survey Equipment for the Sewer Division, Water Division, and Information Technology Department for an annual amount not to exceed \$100,000.

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

0306-03-16

- f. Rescinding Resolution No. 1404-09-15, which authorized Amendment No. 1 to the Contract for Online and Interactive Voice Response (IVR) Electronic Payment Services with Gila LLC, dba Municipal Services Bureau, and terminating the contract.

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

0307-03-16

- g. Professional Services Agreement with Snyder & Associates, Inc. for an amount not to exceed \$438,645 for design services in connection with the E Avenue NE Roadway Improvements from 17th Street NE to 20th Street NE project. (Paving for Progress)

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

0308-03-16

- h. Amendment No. 2 to the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$14,829 for design services in connection with the 33rd Avenue Wetland Mitigation project (original contract amount was \$31,423; total contract amount with this amendment is \$44,214).

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

0309-03-16

- i. Change Order No. 3 in the amount of \$13,357 with Garling Construction, Inc. for the Northwest Recreation Center (original contract amount was \$3,597,000; total contract amount with this amendment is \$3,769,884). (Flood)

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

0310-03-16

- j. Agreement for Utility Relocation in the amount of \$78,392 and Approval for Street Lighting with Interstate Power and Light Company in connection with the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation project.

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

0311-03-16

- k. Total Acquisition Purchase Agreement in the amount of \$2,500,000 with Hubbard Industrial Park, L.C., for real property located at 1124 1st Street NW, in connection with the Cedar Rapids Flood Control System project.

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

Abstain: Council member Olson.

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

0312-03-16

- l. Accepting a bid in the amount of \$5,000 from Maranatha Bible Church and approving a Quit Claim Deed for the disposition of the non-conforming lot located at 438 4th Avenue SW.

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

0313-03-16

- m. Accepting a bid in the amount of \$2,000 from Maranatha Bible Church and approving a Quit Claim Deed for the disposition of the non-conforming lot located at 510 3rd Avenue SW.

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

- 0314-03-16 42. Report on bids for the Southbound Right-Turn Lane, Iowa Highway 13 & Bertram Road project (estimated cost is \$214,800) (Steve Hershner).

Central States Concrete, LLC Marion, IA \$169,680  
Ricklefs Excavating, Inc. Anamosa, IA \$172,948  
Midwest Concrete, Inc. Peosta, IA \$175,087  
Dave Schmitt Construction Co. Cedar Rapids, IA \$177,428  
Rathje Construction Co. Marion, IA \$179,485.50  
Pirc-Tobin Construction Co. Alburnett, IA \$181,031.60  
Iowa Erosion Control, Inc. Victor, IA \$205,620.96  
Absolute Concrete Const., Inc. Slater, IA \$213,037.75  
Tschiggfrie Excavating Co. Dubuque, IA \$226,840.70  
Horsfield Construction, Inc. Epworth, IA \$298,580

- a. Resolution awarding and approving contract in the amount of \$169,680, bond and insurance of Central States Concrete, LLC for the Southbound Right-Turn Lane, Iowa Highway 13 and Bertram Road project.

Council member Olson moved to approve; seconded by Council member Poe.
Absent: Council members Gulick and Weinacht.
Result: <b>Approved.</b>

- 0315-03-16 43. Report on bids for the Oakland Road NE from H Avenue NE to J Avenue NE Pavement Rehabilitation project (estimated cost is \$1,413,000) (Doug Wilson). (Paving for Progress)

Dave Schmitt Construction Co., Inc., Cedar Rapids, IA, \$1,111,496.35  
BWC Excavating, LC, Solon, IA, \$1,115,193.10 (math error found)  
Tschiggfrie Excavating, Dubuque, IA, \$1,321,999.25  
Pirc Tobin Construction, Inc., Alburnett, IA, \$1,384,771.50  
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA, \$1,490,435.60  
Rathje Construction Co., Marion, IA, \$1,547,988.08

- a. Resolution awarding and approving contract in the amount of \$1,111,496.35, plus incentive up to \$50,000, bond and insurance of Dave Schmitt Construction Company, Inc. for the Oakland Road NE from H Avenue NE to J Avenue NE Pavement Rehabilitation project.

Council member Olson moved to approve; seconded by Council member Poe.
Absent: Council members Gulick and Weinacht.
Result: <b>Approved.</b>

- 0316-03-16 44. Presentation and Resolution authorizing the execution of a 28E Agreement with multiple agencies for the formation of the Middle Cedar Watershed Management Authority (Sandy Pumphrey).

Council member Olson moved to approve; seconded by Council member Russell.
Absent: Council members Gulick and Weinacht.
Result: <b>Approved.</b>

- 0317-03-16 45. Discussion and Resolution of support providing City participation under the City's High Quality Job Program for the proposed construction of the new Thompson Truck and Trailer facility at the SW corner of 6th Street SW and 76th Avenue SW (Caleb Mason and Joe Mailander).
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| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Council members Gulick and Weinacht.                               |
| Result: <b>Approved.</b>   |
- 0318-03-16 46. Discussion and Resolution authorizing execution of a Development Agreement and Special Warranty Deed with Shadow River, LC for the disposition and redevelopment of City owned property at 97 3rd Avenue SW (former Smulekoffs Building) (Jennifer Pratt and Caleb Mason).
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| Council member Olson moved to approve; seconded by Council member Russell. |
| Absent: Council members Gulick and Weinacht.                               |
| Result: <b>Approved.</b>   |
- 008-16 47. Ordinance vacating public ways and grounds in and to the property described as a 5.3 acre parcel of vacant City-owned land known as Osborn Park, and a 40-foot wide strip of unused right-of-way located southeasterly of 15th Avenue SE and formerly known as First Street SE, as requested by the City of Cedar Rapids in connection with the Cedar Rapids Flood Control System.
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| Council member Overland moved that the Ordinance be adopted on its third and final reading; seconded by Council member Poe. |
| Absent: Council members Gulick and Weinacht.  |
| Result: <b>Adopted.</b>   |
- 009-16 48. Ordinance granting a change of zone for property at 7708 6th Street SW from A, Agriculture Zone District, to I-2, General Industrial Zone District as requested by TH Development and Louis L. and Margaret Ellen Barta.
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| Council member Overland moved that the Ordinance be adopted on its third and final reading; seconded by Council member Poe. |
| Absent: Council members Gulick and Weinacht.  |
| Result: <b>Adopted.</b>   |



- 010-16 49. Ordinance vacating public ways and grounds in and to the property described as a 15-foot by 250-foot alley located southwesterly of and adjacent to 42 7th Avenue SW as requested by Mott, LLC.

Council member Overland moved the approval of the Ordinance on its second reading; seconded by Council member Poe.

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

Council member Overland 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 Poe.

Absent: Council members Gulick and Weinacht.

Result: **Adopted.**

0319-03-16

- a. Resolution authorizing the disposition of the property described as a 15-foot by 250-foot alley located southwesterly of and adjacent to 42 7th Avenue SW as requested by Mott, LLC.

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

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

- 011-16 50. Ordinance granting a change of zone for property north of Highway 30, east of Union Drive SW from A, Agriculture Zone District, to R-2, Single Family Residence Zone as requested by College Farms, LLC.

Council member Overland moved the approval of the Ordinance on its second reading; seconded by Council member Poe.

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

Council member Overland 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 Poe.

Absent: Council members Gulick and Weinacht.

Result: **Adopted.**

- 012-16 51. Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to expand the Northwest Flood Mitigation Overlay District with specific guidelines applicable to land use applications and permits.

Council member Overland moved the approval of the Ordinance on its second reading; seconded by Council member Poe.

Absent: Council members Gulick and Weinacht.

Result: **Approved.**

Council member Overland 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 Poe.

Absent: Council members Gulick and Weinacht.

Result: **Adopted.**

Motion to adjourn.

Council member Shields moved to approve; seconded by Council member Shey.
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Absent: Council members Gulick and Weinacht.
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Result: <b><i>Approved.</i></b>
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City Council adjourned at 1:33 p.m. to meet Tuesday, March 22, 2016 at 4 p.m.

Amy Stevenson, City Clerk