

# CITY OF CEDAR RAPIDS, IOWA

## MINUTES OF THE CITY COUNCIL

### REGULAR SESSION

April 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 members Poe and Shields presented a Proclamation thanking Senator John Culver for his years of public service and ongoing support for the City of Cedar Rapids.

Mayor Corbett and Council member Weinacht presented a Proclamation declaring April 2016 as Fair Housing Month.

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 authorization of the issuance of Not to Exceed \$39,900,000 General Obligation Bonds (Essential Corporate Purpose) – FY16 GO Bonds for Budgeted Projects and the Refunding of Series 2007A and 2008A (Michele Tamerius). One objection was heard. No written comments or objections were filed.

0395-04-16

- a. Resolution instituting proceedings to take additional action for the issuance of Not to Exceed \$39,900,000 General Obligation Bonds (Essential Corporate Purpose).

Council member Gulick moved to approve; seconded by Council member Poe.
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Result: <b>Approved.</b>
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2. A public hearing was held to consider the authorization of the issuance of Not to Exceed \$1,000,000 General Obligation Bonds (General Corporate Purpose-1) – FY16 GO Bonds for Budgeted Projects (Michele Tamerius). One objection was heard. No written comments or objections were filed.

0396-04-16

- a. Resolution instituting proceedings to take additional action for the issuance of Not to Exceed \$1,000,000 General Obligation Bonds (General Corporate Purpose-1).

Council member Gulick moved to approve; seconded by Council member Poe.
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Result: <b>Approved.</b>
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3. A public hearing was held to consider the authorization of the issuance of Not to Exceed \$1,000,000 General Obligation Bonds (General Corporate Purpose-2) – FY16 GO Bonds for Budgeted Projects (Michele Tamerius). One objection was heard. No written comments or objections were filed.

0397-04-16

- a. Resolution instituting proceedings to take additional action for the issuance of Not to Exceed \$1,000,000 General Obligation Bonds (General Corporate Purpose-2).

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

Result: ***Approved.***

4. A public hearing was held to consider the authorization of the issuance of Not to Exceed \$700,000 Taxable General Obligation Bonds (General Corporate Purpose-3) – FY16 GO Bonds for Budgeted Projects (Michele Tamerius). One objection was heard. No written comments or objections were filed.

0398-04-16

- a. Resolution instituting proceedings to take additional action for the issuance of Not to Exceed \$700,000 Taxable General Obligation Bonds (General Corporate Purpose-3).

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

Result: ***Approved.***

5. A public hearing was held to consider the authorization of the issuance of Not to Exceed \$1,200,000 Taxable General Obligation Urban Renewal Bonds (Essential Corporate Urban Renewal Purpose) – FY16 GO Bonds for Budgeted Projects (Michele Tamerius). One objection was heard. No written comments or objections were filed.

0399-04-16

- a. Resolution instituting proceedings to take additional action for the issuance of Not to Exceed \$1,200,000 Taxable General Obligation Bonds (Essential Corporate Urban Renewal Purpose).

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

Result: ***Approved.***

6. A public hearing was held to consider the authorization of the issuance of Not to Exceed \$16,000,000 Water Revenue Bonds – FY16 Water Revenue Bonds for Budgeted Projects (Michele Tamerius). One objection and one comment were heard. No written comments or objections were filed.

0400-04-16

- a. Resolution instituting proceedings to take additional action for the issuance of Not to Exceed \$16,000,000 Water Revenue Bonds.

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

Result: ***Approved.***

7. A public hearing was held to consider the authorization of the issuance of Not to Exceed \$6,000,000 Sewer Revenue Bonds – FY16 Sewer Revenue Bonds for Budgeted Projects (Michele Tamerius). One objection was heard. No written comments or objections were filed.

0401-04-16

- a. Resolution instituting proceedings to take additional action for the issuance of Not to Exceed \$6,000,000 Sewer Revenue Bonds.

Council member Gulick moved to approve; seconded by Council member Poe.
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Result: <b>Approved.</b>
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8. A public hearing was held to consider amending Chapter 72 of the Municipal Code, Stormwater Management, revising the stormwater utility fee structure and incentives (Sandy Pumphrey). No comments or objections were heard or filed.
9. A public hearing was held to consider Cedar Rapids Transit's FY17 Consolidated Transit Funding Application to the Iowa Department of Transportation for federal and state transit funding assistance (Brad DeBrower). No comments or objections were heard or filed.

0402-04-16

- a. Resolution authorizing Cedar Rapids Transit to submit the FY17 Consolidated Transit Funding Application to the Iowa Department of Transportation for federal and state transit funding assistance.

Council member Gulick moved to approve; seconded by Council member Russell.
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Result: <b>Approved.</b>
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10. A scheduled public hearing to consider amending the 28E Agreement with the City of Fairfax dated on or about March 14, 2001 regarding, among other things, the future annexation of properties between the two cities was cancelled.
11. A public hearing was held to consider granting a change of zone for property at 4200 C Street SW from I-2, General Industrial Zone District, to I-1, Light Industrial Zone District as requested by Hill's Maple Crest Farms Partnership (Johnny Alcivar). No comments or objections were heard or filed.

- a. First Reading: Ordinance granting a change of zone for property at 4200 C Street SW from I-2, General Industrial Zone District, to I-1, Light Industrial Zone District as requested by Hill's Maple Crest Farms Partnership.

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.
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Abstain: Council member Olson.
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Result: <b>Approved.</b>
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12. A public hearing was held to consider public comments regarding identification of community development needs, program funding for development of proposed activities, and specific budget allocations for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, prior to adopting an Annual Action Plan for the period of July 1, 2016 to June 30, 2017 (Paula Mitchell). One comment was heard. No written comments or objections were filed.

13. A public hearing was held to consider an Urban Revitalization Area designation for IGD Industries, Inc. at 4200 C Street SW for redevelopment of the existing commercial building and creation of new jobs (Caleb Mason). No comments or objections were heard or filed.

0403-04-16

- a. Resolution authorizing an Urban Revitalization Area designation for redevelopment of the existing commercial building and creation of new jobs as requested by IGD Industries, Inc. at 4200 C Street SW.

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

Abstain: Council member Olson.

Result: **Approved.**

- b. First Reading: Ordinance establishing the IGD Industries, Inc. Urban Revitalization Area designation at 4200 C Street SW.

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.

Abstain: Council member Olson.

Result: **Approved.**

14. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2016 Sidewalk Repair Program – Contract No. 2 project (estimated cost is \$600,000) (Nate Kampman). No comments or objections were heard or filed.

0404-04-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2016 Sidewalk Repair Program – Contract No. 2 project.

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

Result: **Approved.**

15. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Curb Ramp Repair Project – NW Bid Package No. 1 project (estimated cost is \$473,000) (Nate Kampman). No comments or objections were heard or filed.

0405-04-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Curb Ramp Repair Project – NW Bid Package No. 1 project.

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

Result: **Approved.**

16. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 26th Street SW Improvements from 76th Avenue SW to 60th Avenue SW project (estimated cost is \$1,961,000) (Doug Wilson). No comments or objections were heard or filed.

0406-04-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the 26th Street SW Improvements from 76th Avenue SW to 60th Avenue SW project.

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

Result: **Approved.**

17. A public hearing was held to consider the Resolution of Necessity (Proposed) for the 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project (Doug Wilson). (Paving for Progress) No comments or objections were heard or filed.

0407-04-16

- a. Resolution adopting as amended the Resolution of Necessity (Proposed) for the 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project.

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

Result: **Approved.**

Public comments were heard.

Motion to approve the agenda.

Council member Poe moved to approve; City Manager Pomeranz requested that Items 36c and 36d (motions setting public hearings for Parks & Recreation ADA Facility and Site Improvements projects) be removed from the agenda; Council member Russell requested that Item 24 be moved from the consent agenda to the regular agenda; seconded by Council member Weinacht.

Result: **Approved.**

Motion to approve the consent agenda.

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

Result: **Approved.**

18. Motion to approve the minutes.

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

Result: **Approved.**

0408-04-16

19. Resolution referring to the Linn County Compensation Commission the acquisition of property located at 20 22nd Avenue SW, owned by Cedar Rapids Transmission, Inc., in connection with the Cedar Rapids Flood Control System project. (Flood)

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

Result: **Approved.**

0409-04-16

20. Resolution referring to the Linn County Compensation Commission the partial acquisition of a Temporary Construction Easement from land located at 3261 Bever Avenue SE, owned by Ian K. Shaw and Ashley A. Shaw, in connection with the Bever Avenue SE Sidewalk Extension from 30th Street SE to 34th Street SE project.

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

Result: **Approved.**

0410-04-16

21. Resolution authorizing negotiation of an agreement with Neighborhood Development Corporation of Cedar Rapids, Inc. providing City tax increment funds up to \$150,000.

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

Result: **Approved.**

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| 0411-04-16 | <p>22. Resolution of support for the re-scoping of the Collins Road (IA 100) Phase 1 Complete Streets Project from East of Northland Avenue NE to Twixt Town Road NE.</p> <p>Council member Poe moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p>  |
| 0412-04-16 | <p>23. Resolution rejecting bid for the Bridge Replacement, McCloud Place NE over McCloud Run project (estimated cost is \$1,000,000).</p> <p>Council member Poe moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p>   |
| 0413-04-16 | <p>25. Resolution authorizing a one-time \$15,000 grant to the Iowa Startup Accelerator for development of a housing site plan concept adjacent to their current facility at 415 12th Avenue SE.</p> <p>Council member Poe moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p>   |
| 0414-04-16 | <p>26. Resolution amending the 28E Agreement for professional staffing services between the Cedar Rapids Civil Rights Commission and the Marion Civil Rights Commission.</p> <p>Council member Poe moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p>   |
| 0415-04-16 | <p>27. Resolution amending Resolution No. 0357-03-16 to correct reimbursement amount to the developer for the upsized water main installed in Wexford Heights 1st Addition – Phase 1 to \$17,772.30.</p> <p>Council member Poe moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p>   |
| 0416-04-16 | <p>28. Resolution establishing “No Parking 7:00 AM to 4:00 PM Monday through Friday” on the west side of 4th Street SW from 100 feet north of 14th Avenue SW to 45 feet south of 12th Avenue SW in an effort to increase sight distance and ease of navigation for City vehicles entering and leaving the City Services Center.</p> <p>Council member Poe moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p>  |
| 0417-04-16 | <p>29. Resolution rescinding Resolution No. 0892-10-08, which established “No Parking – Bus Loading Zone 8:00 am to 4:00 pm except Saturdays, Sundays and Holidays” on the west side of 11th Street NW for 150 feet centered on the entryway sidewalk into Harrison Elementary School, and establishing “No Parking – Bus Loading Zone 8:00 am to 4:00 pm except Saturdays, Sundays and Holidays” on 11th Street NW, 60 feet south of M Avenue for a distance of 90 feet, and also establishing “1 Hour Parking 7:00 am to 5:00 pm except Saturdays, Sundays and Holidays” on 11th Street NW, 150 feet south of M Avenue to L Avenue NW.</p> <p>Council member Poe moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p> |

- 0418-04-16 30. Resolution rescinding Resolution No. 1089-08-06, which established “No Parking Anytime” on the west side of the east leg of Forest Drive SE from Sinclair Avenue SE north 100 feet.  
 Council member Poe moved to approve; seconded by Council member Weinacht.  
 Result: **Approved.**
- 0419-04-16 31. Resolution authorizing a three-year contract with the Chauffeurs, Teamsters and Helpers, Local 238.  
 Council member Poe moved to approve; seconded by Council member Weinacht.  
 Result: **Approved.**
- 0420-04-16 32. Resolution authorizing a three-year contract with the Cedar Rapids Association of Firefighters, Local 11.  
 Council member Poe moved to approve; seconded by Council member Weinacht.  
 Result: **Approved.**
- 0421-04-16 33. Resolution cancelling the public hearing set for April 26, 2016 and resetting the public hearing to May 24, 2016 for the construction of the Northwood Drive NE, from South of Brookland Drive NE to 42nd Street NE Roadway Rehabilitation project. (Paving for Progress)  
 Council member Poe moved to approve; seconded by Council member Weinacht.  
 Result: **Approved.**
- 0422-04-16 34. Resolution cancelling the public hearing set for April 26, 2016 and resetting the public hearing to May 10, 2016 for consideration of the Resolution of Necessity (Proposed) for the construction of the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project. (Paving for Progress)  
 Council member Poe moved to approve; seconded by Council member Weinacht.  
 Result: **Approved.**
35. Motions setting public hearing dates for:  
 a. April 26, 2016 – to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to fix scrivener's errors, allow projecting signage on multi-family buildings within a Design Review Overlay District, and updating definitions.  
 Council member Poe moved to approve; seconded by Council member Weinacht.  
 Result: **Approved.**
- b. April 26, 2016 – to consider granting a change of zone for property at 1140 Lincoln Avenue NE and 1135 Weare Avenue NE from R-3, Single Family Residence Zone District, to I-1, Light Industrial Zone District as requested by Randy Oxley and Ruth Cadwallader.  
 Council member Poe moved to approve; seconded by Council member Weinacht.  
 Result: **Approved.**
- c. April 26, 2016 – to consider the disposition of City-owned property at 525, 529, and 533 Valor Way SW, including the former Knutson building, and inviting redevelopment proposals. (Flood)  
 Council member Poe moved to approve; seconded by Council member Weinacht.  
 Result: **Approved.**

36. 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. April 26, 2016 – 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project, with bid opening April 27, 2016 (estimated cost is \$1,400,000). (Paving for Progress)

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

Result: **Approved.**

- b. April 26, 2016 – Beverly Road SW Culvert Replacement project, with bid opening April 27, 2016 (estimated cost is \$206,000).

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

Result: **Approved.**

- e. April 26, 2016 – 1st Avenue Bridge Over Cedar River Repair Project, with bid opening May 4, 2016 (estimated cost is \$1,765,000). (Paving for Progress)

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

Result: **Approved.**

- f. April 26, 2016 – Cedar Rapids Police Department Firearms Range Improvements – Phase II project, with bid opening May 11, 2016 (estimated cost is \$754,000).

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

Result: **Approved.**

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

- a. All Saints Church, 720 29th Street SE (5-day permit for an event on April 30, 2016).  
Butcher Block Steakhouse, 568 Boyson Road NE.  
Country Inn & Suites, 9100 Atlantic Drive SW.  
Discount Liquor, 2933 1st Avenue SE (new – new corporation and ownership).  
El Paraiso Bar & Grill, 2730 Edgewood Road SW.  
Hacienda Las Glorias, 715 1st Avenue SW.  
Hacienda Las Glorias II, 4317 Center Point Road NE.  
Hometown Inn & Suites, 3315 Southgate Court SW.  
Hy-Vee #5 Club Room, 3235 Oakland Road NE (transfer for an event at Cedar Rapids Public Library, 450 5th Avenue SE, on May 5, 2016).  
Hy-Vee #7 Club Room, 5050 Edgewood Road NE.  
Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day permit for an event at Veterans Memorial Coliseum and Ballroom, 50 2nd Avenue Bridge, on April 15-16, 2016).  
Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day permit for events at Veterans Coliseum and Armory, 50 2nd Avenue Bridge, on April 29-30, 2016).  
Iowa Brewing Company, 708 3rd Street SE (new – formerly Aging Services).  
R G Books, 3611 1st Avenue SE.  
Walgreens #12393, 5750 C Avenue NE.  
Wild Hog Saloon & Eatery, 350 Commercial Drive (5-day permit for an event May 12-14, 2016 at Metro Harley Davidson, 2415 Westdale Drive SW).

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

Result: **Approved.**

<u>0423-04-16</u>	38. Resolutions approving: a. Payment of bills.	Council member Poe moved to approve; seconded by Council member Weinacht. Result: <b>Approved.</b>
<u>0424-04-16</u>	b. Payroll.	Council member Poe moved to approve; seconded by Council member Weinacht. Result: <b>Approved.</b>
<u>0425-04-16</u>	39. Resolution thanking the following individual: a. Vote of thanks to Barbara Beets for serving on the Cedar Rapids ADA Advisory Committee.	Council member Poe moved to approve; seconded by Council member Weinacht. Result: <b>Approved.</b>
<u>0426-04-16</u>	40. Resolutions approving the special event applications for: a. Benz Beer Festival event (includes road closures) on May 7, 2016.	Council member Poe moved to approve; seconded by Council member Weinacht. Result: <b>Approved.</b>
<u>0427-04-16</u>	b. Rip Roar Kids Triathlon event (includes road closures) on July 2, 2016.	Council member Poe moved to approve; seconded by Council member Weinacht. Result: <b>Approved.</b>
<u>0428-04-16</u>	41. Resolutions approving assessment actions: a. Levy assessment – Public Works – delinquent snow removal charges – 25 properties	Council member Poe moved to approve; seconded by Council member Weinacht. Result: <b>Approved.</b>
<u>0429-04-16</u>	b. Levy assessment – Water Division – delinquent municipal utility bills – 14 properties.	Council member Poe moved to approve; seconded by Council member Weinacht. Result: <b>Approved.</b>
<u>0430-04-16</u>	c. Levy assessment – Water Division – delinquent municipal utility bills – 11 properties.	Council member Poe moved to approve; seconded by Council member Weinacht. Result: <b>Approved.</b>
<u>0431-04-16</u>	d. Intent to assess – Water Division – delinquent municipal utility bills – 43 properties.	Council member Poe moved to approve; seconded by Council member Weinacht. Result: <b>Approved.</b>
<u>0432-04-16</u>	42. Resolutions accepting subdivision improvements and approving Maintenance Bonds: a. Water system improvements installed in Kreb's 1st Addition – Phase 1 and 2-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$75,858.	Council member Poe moved to approve; seconded by Council member Weinacht. Result: <b>Approved.</b>

0433-04-16

- b. Water system improvements installed in Westwind Creek 9th Addition and 2-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$42,960.

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

Result: **Approved.**

0434-04-16

- c. Water system improvements installed in Hawks Point 4th Addition – Phase 3 and 2-year Maintenance Bond submitted by Borst Bros. Construction, Inc., in the amount of \$22,350.

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

Result: **Approved.**

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

0435-04-16

- a. Water Pollution Control HVAC Upgrades project, final retainage payment in the amount of \$52,658.84 and 2-year Performance Bond submitted by Modern Sheet Metal Inc. (original contract amount was \$1,091,000.00; final contract amount is \$1,053,176.87).

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

Result: **Approved.**

0436-04-16

- b. 16th Avenue SW (400-Ft East of 23rd Street SW to Williams Blvd SW) Water Main Rehabilitation project, final payment in the amount of \$29,148.27 and 2-year Performance Bond submitted by Rathje Construction Co. (original contract amount was \$609,805.00; final contract amount is \$582,965.36).

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

Result: **Approved.**

0437-04-16

- c. 18th Street NW from Zika Ave NW to Meiers Court NW Drainage Improvements project, final payment in the amount of \$4,280 and 4-year Performance Bond submitted by BWC Excavating, LC (original contract amount was \$81,500; final contract amount is \$85,600).

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

Abstain: Council member Gulick.

Result: **Approved.**

0438-04-16

- d. Arterial Portland Cement Concrete Pavement Repair and Joint and Crack Routing and Sealing project, final payment in the amount of \$27,693.06 and 4-year Performance Bond submitted by Eastern Iowa Excavating & Concrete, LLC (original contract amount was \$531,572.50; final contract amount is \$553,861.15). (Paving for Progress)

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

Result: **Approved.**

0439-04-16

- e. Edgewood Road NW Pavement Rehabilitation Improvements from Johnson Avenue NW to E Avenue NW project, final payment in the amount of \$31,120.10 and 4-year Performance Bond submitted by Eastern Iowa Excavating & Concrete, LLC (original contract amount was \$719,554.80; final contract amount is \$622,402.04). (Paving for Progress)

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

Result: **Approved.**

- 0440-04-16 44. Resolutions approving final plats:  
a. Airport Commerce Park Twelfth Addition for land located at 640 Wright Brothers Boulevard SW.  
Council member Poe moved to approve; seconded by Council member Weinacht.  
Result: **Approved.**
- 0441-04-16 b. Vernon Valley Ninth Addition to Linn County for land located at Vernon Valley Drive, north of Mt. Vernon Road and west of Highway 13.  
Council member Poe moved to approve; seconded by Council member Weinacht.  
Result: **Approved.**
- 0442-04-16 45. Resolutions authorizing execution of Development Agreements for properties participating in the fourth round of the Single Family New Construction Program:  
a. Save Cedar Rapids Heritage, for property at 1425 5th Avenue SE. (Flood)  
Council member Poe moved to approve; seconded by Council member Weinacht.  
Result: **Approved.**
- 0443-04-16 b. Todd Richardson Construction, LTD. for properties at 5309 and 5311 Dostal Drive SW. (Flood)  
Council member Poe moved to approve; seconded by Council member Weinacht.  
Result: **Approved.**
- 0444-04-16 46. Resolution authorizing execution of a Development Agreement and Special Warranty Deed for City-owned property participating in the fourth round of the Single Family New Construction Program:  
a. Stonebrook Homes, LLC for property at 718 2nd Avenue SW. (Flood)  
Council member Poe moved to approve; seconded by Council member Weinacht.  
Result: **Approved.**
- 0445-04-16 47. Resolutions approving actions regarding purchases, contracts and agreements:  
a. Contract with HD Supply Waterworks for water system fittings for the Water Division for an annual amount not to exceed \$85,000.  
Council member Poe moved to approve; seconded by Council member Weinacht.  
Result: **Approved.**
- 0446-04-16 b. Contract with Schimberg Co. for water system pipe, fittings and appurtenances for the Water Division for an annual amount not to exceed \$1,000,000.  
Council member Poe moved to approve; seconded by Council member Weinacht.  
Result: **Approved.**
- 0447-04-16 c. Contract with Utility Equipment Company for water system fittings for the Water Division for an annual amount not to exceed \$65,000.  
Council member Poe moved to approve; seconded by Council member Weinacht.  
Result: **Approved.**
- 0448-04-16 d. Awarding and approving contract in the amount of \$674,896.12, bond and insurance of Tri-City Electric Company for the Water Division Electric Metering Upgrade project.  
Council member Poe moved to approve; seconded by Council member Weinacht.  
Result: **Approved.**

0449-04-16

- e. Contract with Stark Enterprises, Inc. for Mowing Services for City Weed Ordinance for the Solid Waste Division for an annual amount not to exceed \$60,000.

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

Result: ***Approved.***

0450-04-16

- f. Amendment No. 4 to the contract with Greg's Lawn and Landscaping for Mowing Services for City Weed Ordinance for the Solid Waste Division to reflect an increase in the volume of services for an amount not to exceed \$11,414 (original contract amount was \$30,000; total contract amount with this amendment is \$146,414).

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

Result: ***Approved.***

0451-04-16

- g. Amendment No. 7 to the contract with Nature Care Company dba Quality Care for lawn care and landscape maintenance to reflect the additional cost to add services for the City Services Center for an amount not to exceed \$25,000 (original contract amount was \$35,000; total contract amount with this amendment is \$60,000).

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

Result: ***Approved.***

0452-04-16

- h. Amendment No. 3 to renew the contract with Logan Contractors Supply, Inc. for Flexible Crack & Joint Sealant for various City departments for an annual amount not to exceed \$50,400 (original contract amount was \$50,400; renewal contract amount is \$50,400).

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

Result: ***Approved.***

0453-04-16

- i. Amendment No. 4 to renew the contract with C.J. Moyna & Sons, Inc. for Quarry Products for various City departments for an annual amount not to exceed \$65,000 (original contract amount was \$65,000; renewal contract amount is \$65,000).

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

Result: ***Approved.***

0454-04-16

- j. Amendment No. 4 to renew the contract with Crawford Quarry Company for Quarry Products for various City departments for an annual amount not to exceed \$65,000 (original contract amount was \$65,000; renewal contract amount is \$65,000).

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

Result: ***Approved.***

0455-04-16

- k. Amendment No. 4 to the contract with Martin Marietta Materials for Quarry Products for various City departments for an amount not to exceed \$50,000 (original contract amount was \$20,000; total contract amount with this amendment is \$70,000).

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

Result: ***Approved.***

0456-04-16

- l. Amendment No. 4 to renew the contract with Wendling Quarries, Inc. for Quarry Products for various City departments for an annual amount not to exceed \$90,000 (original contract amount was \$90,000; renewal contract amount is \$90,000).

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

Result: ***Approved.***

0457-04-16

- m. Amendment No. 4 to renew the contract with Croell Redi-Mix, Inc. for Concrete Products for various City departments for an annual amount not to exceed \$60,000 (original contract amount was \$60,000; renewal contract amount is \$60,000).

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

Result: **Approved.**

0458-04-16

- n. Amendment No. 6 to renew the contract with King's Material, Inc. for concrete products for various City departments for an annual amount not to exceed \$600,000 (original contract amount was \$15,000; renewal contract amount is \$600,000).

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

Result: **Approved.**

0459-04-16

- o. Amendment No. 6 to renew the contract with Bituminous Materials & Supply, L.P. for road various products for all City departments for an annual amount not to exceed \$225,000 (original contract amount was \$150,000; renewal contract amount is \$225,000).

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

Result: **Approved.**

0460-04-16

- p. Amendment No. 7 to renew the contract with L.L. Pelling Company for asphalt products for various City departments for an annual amount not to exceed \$1,000,000 (original contract amount was \$650,000; renewal contract amount is \$1,000,000).

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

Result: **Approved.**

0461-04-16

- q. Contract with D.W. Zinser Company for Demolition Services for the RACM Structures project for the Building Services Department in the amount of \$69,900.

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

Result: **Approved.**

0462-04-16

- r. Amendment No. 5 to the contract with Commercial Appraisers of Iowa, Inc. for appraisal services for the Engineering Division to reflect the additional cost of services provided for an amount not to exceed \$50,000 (original contract amount was \$50,000; total contract amount with this amendment is \$100,000).

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

Result: **Approved.**

0463-04-16

- s. Amendment No. 1 to renew contract with Mobotrex for Traffic Signal Equipment for the Traffic Engineering Division for an annual amount not to exceed \$250,000 (original contract amount was \$250,000; renewal contract amount is \$250,000).

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

Result: **Approved.**

0464-04-16

- t. Amendment No. 4 to renew contract with Sandry Fire Supply for Morning Pride Turnout Gear for the Fire Department for an annual amount not to exceed \$62,000 (original contract amount was \$90,000; renewal contract amount is \$62,000).

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

Result: **Approved.**

0465-04-16

- u. Amending Resolution No. 1700-12-15 to name Pierce Manufacturing, in lieu of Reliant Fire Apparatus, as the vendor to whom payment shall be made for approved fire truck repair services.

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

Result: **Approved.**

0466-04-16

- v. Amendment No. 1 to the contract with Myers-Cox Company for Food Concession Products for the Parks & Recreation Department to adjust pricing for the upcoming twelve-month period for an annual amount not to exceed \$120,000 (original contract amount was \$120,000; renewal contract amount is \$120,000).

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

Result: **Approved.**

0467-04-16

- w. Amendment No. 3 to the contract with Kelly Services, Inc. for Temporary Staffing Services for the Human Resources Department to increase the annual amount by an additional amount not to exceed \$50,000 (original contract amount for current renewal period was \$50,000; total contract amount for renewal period with this amendment is \$100,000).

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

Result: **Approved.**

0468-04-16

- x. Fleet Services Division rental of one 2015 John Deere 624K loader from Martin Equipment for use by the Streets Maintenance Division in the amount of \$6,500 per month.

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

Result: **Approved.**

0469-04-16

- y. Amendment No. 2 to the Professional Services Agreement with Shoemaker & Haaland Professional Engineers, revising the scope of services, releasing contingency of \$10,269.90 and terminating the agreement for engineering design services in connection with the 34th Street SE at Indian Creek Tributary Bridge Replacement project (original contract price was \$64,084.67; total contract price with this amendment is \$140,317.69). (Paving for Progress)

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

Result: **Approved.**

0470-04-16

- z. Amendment No. 1 to the Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$243,000 for the WPC Operations & Maintenance Building HVAC Upgrade project (original contract amount was \$110,000; total contract amount with this amendment is \$353,000).

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

Result: **Approved.**

0471-04-16

- aa. Amendment No. 1 to the Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$231,000 for the J Avenue Water Treatment Plant Process Improvements – Phase 2 project (original contract amount was \$880,000; total contract amount with this amendment is \$1,111,000).

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

Result: **Approved.**

0472-04-16

- ab. Amendment No. 1 to the Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$150,000 for the Water Division Electric Metering Upgrade project (original contract amount was \$150,000; total contract amount with this amendment is \$300,000).

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

Result: **Approved.**

0473-04-16

- ac. Amendment No. 1 to the Professional Services Agreement with Table Group Consulting Firm for Organizational Development Training Sessions.

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

Result: **Approved.**

0474-04-16

- ad. Change Order No. 3 in the amount of \$103,964 with Ricklefs Excavating, Ltd. for the Edgewood Road Water Main Replacement project (original contract amount was \$696,794.80; total contract amount with this amendment is \$814,558.80).

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

Result: **Approved.**

0475-04-16

- ae. Change Order No. 1 in the amount of \$14,300, plus five working days, with CAJ Enterprises, Inc. dba Chris Jones Trucking for the 2016 Tree and Vegetation Removal (original contract amount was \$129,410; total contract amount with this amendment is \$143,710). (Paving for Progress)

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

Result: **Approved.**

0476-04-16

- af. Change Order No. 1 in the amount of \$36,004 with Lodge Construction, Inc. for the 16th Avenue SW (Between 18th and 20th Streets SW) Storm Sewer Improvements project (original contract amount was \$174,902.50; total contract amount with this amendment is \$210,906.50).

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

Result: **Approved.**

0477-04-16

- ag. Change Order No. 4 in the amount of \$33,444 with Garling Construction, Inc. for the Northwest Recreation Center project (original contract amount was \$3,597,000; total contract amount with this amendment is \$3,803,328). (Flood)

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

Result: **Approved.**

0478-04-16

- ah. Change Order No. 4 in the amount of \$63,806.01 with L.L. Pelling Company, Inc. for the 1st Avenue E from approximately 325 feet south of 34th Street NE to 40th Street NE HMA Resurfacing Phase 1 (original contract amount was \$3,214,451.79; total contract amount with this amendment is \$3,386,437.10).

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

Result: **Approved.**

0479-04-16

- ai. Grant application for \$27,000 to the State Historical Society of Iowa for assistance with the development of an update to the Guidelines for Cedar Rapids Historic Districts.

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

Result: **Approved.**

0480-04-16

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

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

Result: **Approved.**

0481-04-16

- ak. Preconstruction Agreement for Primary Road Project with the Iowa Department of Transportation in the amount of \$609,982.27 for storm sewer, water main, and traffic signal improvements to be incorporated into the Grading and Structures on Iowa 100 from East of Ushers Ferry Road to east of Edgewood Road, and Grading and Paving on Edgewood Road from South of North River Boulevard to South of Blairs Ferry Road project.

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

Result: **Approved.**

0482-04-16

- al. 28E Agreement with Linn County to participate in the estimated cost of construction of \$201,844.96 for a Hot Mix Asphalt (HMA) overlay on Tower Terrace Road from Milburn Road east 1.8 miles to North Center Point Road and on Edgewood Road from Tower Terrace Road north 0.54 miles to the Hiawatha City Limits. (Paving for Progress)

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

Result: **Approved.**

0483-04-16

- am. Third Amendment to the Development Agreement with Westdale CR Ventures #1, LLC and Frew Development Group, LLC for redevelopment of the former Westdale Mall site generally located at 2500 Edgewood Road SW.

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

Result: **Approved.**

0484-04-16

- an. Purchase Agreement in the amount of \$70,800 and accepting an Easement for Sanitary Sewer and a Temporary Construction Easement from the United States Postal Service from land located at 615 6th Avenue SE in connection with the SE Quadrant, 2008 Flood, Sanitary Sewer Repairs project. (Flood)

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

Result: **Approved.**

0485-04-16

- ao. Purchase Agreement in the amount of \$770 and accepting a Right-of-Way Easement and a Temporary Construction Easement from the United States Postal Service from land located at 615 6th Avenue SE in connection with the 8th Avenue SE and 7th Street SE Signal project. (Paving for Progress)

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

Result: **Approved.**

0486-04-16

- ap. Purchase Agreement in the amount of \$1,440 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Harold D. Hellentall and Susan J. Hellentall from land located at 519 Walford Road in connection with the 6th Street SW from Linn County Line to Capital Drive Roadway Improvements project. (Paving for Progress)

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

Result: **Approved.**

0487-04-16

aq. Total Acquisition Purchase Agreement in the amount of \$355,000 and accepting a Warranty Deed from Dwight E. Hughes, Jr., for real property located at 2012 & 2100 Wilson Avenue SW in connection with the Hughes Preserve Park project.

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

Result: ***Approved.***

0488-04-16

ar. Total Acquisition Purchase Agreement in the amount of \$47,000 and accepting a Warranty Deed from Dwight E. Hughes, Jr., for real property located at 2106 Balsam Drive SW in connection with the Hughes Preserve Park project.

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

Result: ***Approved.***

0489-04-16

as. Corrective Special Warranty Deed with Premiere Developers, Inc. for property at 1033 10th Street NW participating in the fourth round of the Single Family New Construction Program. (Flood)

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

Result: ***Approved.***

0490-04-16

at. Corrective Special Warranty Deed with Neighborhood Development Corporation for property at 621 9th Avenue SE participating in the fourth round of the Single Family New Construction Program. (Flood)

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

Result: ***Approved.***

0491-04-16

au. Accepting a bid in the amount of \$1,200 from Todd A. Lowder and approving a Quit Claim Deed for the disposition of the non-conforming vacant lot located at 117 9th Street NW.

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

Result: ***Approved.***

0492-04-16

24. **(Moved from consent agenda)** Resolution directing the City's appointed Cedar Lake Study Committee representatives to continue participation in the Cedar Lake Study Committee; appropriate City staff are directed to assist in the administration of any contract whereby a Phase II Environmental Site Assessment will be performed; and study and evaluate public ownership for City Council consideration in the future.

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

Result: ***Approved.***

48. Report on bids for the Northwest Water Treatment Plant Roof Replacements project (estimated cost is \$880,000) (Steve Hershner).

Jim Giese Commercial Roofing, Inc., Dubuque, IA, \$830,160  
Advanced Builders Corporation, Cedar Rapids, IA, \$875,000  
Cedar Service Company, Cedar Rapids, IA, \$950,056  
T&K Roofing Company, Inc., Ely, IA, \$1,090,000  
Dryspace, Inc., Cedar Rapids, IA, \$1,285,019

0493-04-16

- a. Resolution awarding and approving contract in the amount of \$830,160, bond and insurance of Jim Giese Commercial Roofing, Inc. for the Northwest Water Treatment Plant Roof Replacements project.

Council member Poe moved to approve; seconded by Council member Weinacht.
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Result: <b>Approved.</b>
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49. Report on bids for the Horizontal Collector Well No. 5 Pump House project (estimated cost is \$2,650,000) (Steve Hershner).

Calacci Construction Company, Inc., Iowa City, IA, \$2,899,990  
WRH, Inc., Amana, IA, \$2,918,000  
Tricon General Construction, Inc., Dubuque, IA, \$2,925,000  
Williams Brothers Construction, Inc., Peoria, IL, \$2,930,000  
Kleiman Construction, Inc., Cedar Rapids, IA, \$3,250,582

0494-04-16

- a. Resolution awarding and approving contract in the amount of \$2,899,990, bond and insurance of Calacci Construction Company, Inc. for the Horizontal Collector Well No. 5 Pump House project.

Council member Poe moved to approve; seconded by Council member Weinacht.
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Result: <b>Approved.</b>
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50. Report on bids for the 2016 Sidewalk Infill Project, Phases 1 & 2 project (estimated cost is \$420,000) (Nate Kampman).

Midwest Concrete, Inc., Peosta, IA, \$404,010.25  
Curtis Contracting Corp., Ely, IA, \$445,625.35  
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA, \$504,102.25  
Central States Concrete, LLC, Marion, IA, \$531,439.20  
Ti-Zack Concrete, Inc., LeCenter, MN, \$544,934.00

0495-04-16

- a. Resolution awarding and approving contract in the amount of \$404,010.25 plus incentive up to \$5,000, bond and insurance of Midwest Concrete, Inc. for the 2016 Sidewalk Infill Project, Phases 1 & 2 project.

Council member Olson moved to approve; seconded by Council member Poe.
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Result: <b>Approved.</b>
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51. Report on bids for the Seminole Valley Road NE – Sanitary Sewer Improvement Project, 42nd Street from Seminole Valley Road NE to Edgewood Road NE project (estimated cost is \$1,312,000) (Doug Wilson). (Paving for Progress)  
Rathje Construction Company, Marion, IA, \$1,349,895.08  
Iowa Erosion Control, Victor, IA, \$1,398,791.90 (math error found)  
Tschiggfrie Excavating, Dubuque, IA, \$1,516,545.33  
Pirc Tobin Construction, Inc., Alburnett, IA, \$1,573,225.72

0496-04-16

- a. Resolution awarding and approving contract in the amount of \$1,349,895.08 plus incentive up to \$40,000, bond and insurance of Rathje Construction Company for the Seminole Valley Road NE – Sanitary Sewer Improvement Project, 42nd Street from Seminole Valley Road NE to Edgewood Road NE project.

Council member Poe moved to approve; seconded by Council member Weinacht.
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Result: <b>Approved.</b>
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52. Report on bids for the 8th Avenue SW Roadway Improvements from L Street SW to 7th Street SW project (estimated cost is \$700,000) (Doug Wilson). (Paving for Progress)  
Vieth Construction Corp., Cedar Falls, IA, \$697,655.45  
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA, \$849,316.28 (math error found)  
Rathje Construction Co., Marion, IA, \$994,432.97

0497-04-16

- a. Resolution awarding and approving contract in the amount of \$697,655.45 plus incentive up to \$32,000, bond and insurance of Vieth Construction Corp for the 8th Avenue SW Roadway Improvements from L Street SW to 7th Street SW project.

Council member Poe moved to approve; seconded by Council member Weinacht.
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Result: <b>Approved.</b>
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53. Report on bids for the Cedar Riverwalk 2nd Avenue to 3rd Avenue SE project (estimated cost is \$80,000) (Rob Davis).  
Midwest Concrete LLC, Peosta, \$80,050 (math error found)  
Hunt Construction Co., Inc., Alburnett, IA, \$84,292.50  
Central States Concrete, LLC, \$109,058  
Mintum, Inc., Brooklyn, IA, \$118,566

54. Report on bids for the Flood Risk Control System NewBo/Parking Lot 44 Pump Station at 10th Avenue SE project (estimated cost is \$7,000,000) (Rob Davis).  
Williams Brothers Construction, Inc., Peoria, IL, \$5,950,000  
Tricon General Construction, Cedar Rapids, IA, \$5,963,663  
Iowa Bridge & Culvert, LC, Washington, IA, \$6,834,680  
WRH, Inc., Amana, IA, \$8,051,290

0498-04-16

55. Presentation and Resolution authorizing a Power Purchase Agreement with Eagle Point Energy-4, LLC for solar generated electricity by means of a 90kW panel array installed on the Cedar Rapids Transit Bus Garage (Brent Schlotfeldt and Eric Holthaus ).

Council member Poe moved to approve; seconded by Council member Weinacht.
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Result: <b>Approved.</b>
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- 018-16 56. Ordinance establishing Thompson Truck and Trailer Urban Revitalization Area designation at the southwest corner of 6th Street SW and 76th Avenue SW.
- |   |
|---|
| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Poe.  |
| Result: <b>Approved.</b>  |
| Council member Gulick moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Weinacht. |
| Result: <b>Adopted.</b>   |
- 019-16 57. Ordinance 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.
- |   |
|---|
| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.   |
| Abstain: Council member Olson.  |
| Result: <b>Approved.</b>  |
| Council member Gulick moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Weinacht. |
| Abstain: Council member Olson.  |
| Result: <b>Adopted.</b>   |
- 020-16 58. Ordinance amending Chapter 69 of the Municipal Code, Civil Rights Commission, to reduce the number of members from nine to seven.
- |   |
|---|
| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.   |
| Result: <b>Approved.</b>  |
| Council member Gulick moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Weinacht. |
| Result: <b>Adopted.</b>   |

Public comments were heard.

Motion to adjourn.

Council member Shields moved to approve; seconded by Council member Shey.
Result: <b>Approved.</b>

City Council adjourned at 2:38 p.m. to meet Tuesday, April 26, 2016 at 4 p.m.

Amy Stevenson, City Clerk