

CITY OF CEDAR RAPIDS, IOWA

MINUTES OF THE CITY COUNCIL

REGULAR SESSION

May 10, 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 (left at 1:55 p.m.), 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 Council member Poe.

Pledge of Allegiance.

Good News announcements were given by Mayor Corbett.

A presentation regarding the redesigned City website was given by Information Technology Director Nic Roberts and Communications Director Maria Johnson.

Mayor Corbett and Council member Weinacht presented a Proclamation declaring May 10, 2016 as Xavier Boys Basketball Team Day.

Mayor Corbett and Council member Olson presented a Proclamation declaring May 2016 as Building Safety 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 vacation and disposition of public ways and grounds in and to the property described as an 80-foot wide strip of excess City-owned right-of-way described as D Avenue NE northeasterly from College Drive NE and 14th Street NE between E Avenue NE and D Avenue NE as requested by Coe College (Rita Rasmussen). No comments or objections were heard or filed.

- a. First Reading: Ordinance vacating public ways and grounds described as an 80-foot wide strip of excess City-owned right-of-way described as D Avenue NE northeasterly from College Drive NE and 14th Street NE between E Avenue NE and D Avenue NE as requested by Coe College.

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

Result: <i>Approved.</i>

2. A public hearing was held to consider granting a change of zone for property at 420, 470 and 550 French Court SW from C-3, Regional Commercial Zone District, to I-1, Light Industrial Zone District, as requested by Caledonia Haulers, Inc. (Johnny Alcivar). No comments or objections were heard or filed.

- a. First Reading: Ordinance granting a change of zone for property at 420, 470 and 550 French Court SW from C-3, Regional Commercial Zone District, to I-1, Light Industrial Zone District, as requested by Caledonia Haulers, Inc.

Council member Weinacht 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.**

3. A public hearing was held to consider granting a change of zone for property north of 74th Street NE and east of Crescent View Drive NE from R-3, Single Family Residence Zone District, to R-3D, Two Family Zone District as requested by Abode Construction, Inc. and Phyllis M. Rausch (Dave Houg). No comments or objections were heard. One written objection was filed.

- a. First Reading: Ordinance granting a change of zone for property north of 74th Street NE and east of Crescent View Drive NE from R-3, Single Family Residence Zone District, to R-3D, Two Family Zone District for as requested by Abode Construction, Inc. and Phyllis M. Rausch.

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

Result: **Approved.**

4. A public hearing was held to consider granting a change of zone for property at 1004 11th Street NE from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District for as requested by David J. and Teresa M. Wilford (Dave Houg). No comments or objections were heard or filed.

- a. First Reading: Ordinance granting a change of zone for property at 1004 11th Street NE from R-3, Single Family Residence Zone District to I-1, Light Industrial Zone District for as requested by David J. and Teresa M. Wilford.

Council member Weinacht 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 Olson.

Nay: Council member Poe.

Result: **Approved.**

5. A public hearing was held to consider amending Chapter 37 of the Municipal Code, Fire Code, by repealing Section 37.1 therefrom and enacting in lieu thereof a new Section 37.1 regarding the adoption of the International Fire Code, 2015 edition as amended (Chief Mark English and Vance McKinnon). No comments or objections were heard or filed.

- a. First Reading: Ordinance amending Chapter 37 of the Municipal Code, Fire Code, by repealing Section 37.1 therefrom and enacting in lieu thereof a new Section 37.1 regarding the adoption of the International Fire Code, 2015 edition as amended.

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

Result: ***Approved.***

6. A public hearing was held to consider the Resolution of Necessity (Proposed) for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project (Doug Wilson) (Paving for Progress). No comments or objections were heard or filed.

0561-05-16

- a. Resolution adopting without amendment the Resolution of Necessity (Proposed) for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project.

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

Result: ***Approved.***

7. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the McCarthy Road SE from west of Van Vechten Park Road to Memorial Drive SE Roadway and Utility Improvement project (estimated cost is \$1,048,000) (Doug Wilson) (Paving for Progress). No comments or objections were heard or filed.

0562-05-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the McCarthy Road SE from west of Van Vechten Park Road to Memorial Drive SE Roadway and Utility Improvement project.

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

Result: ***Approved.***

8. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 8th Avenue and 16th Avenue Bridges over the Cedar River Expansion Joint Replacement project (estimated cost is \$265,000) (Doug Wilson) (Paving for Progress). No comments or objections were heard or filed.

0563-05-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the 8th Avenue and 16th Avenue Bridges over the Cedar River Expansion Joint Replacement project.

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

Result: ***Approved.***

9. A scheduled public hearing to consider the proposed plans, specifications, form of contract and estimated cost for the Replacement of Fire Hydrants, Valves and Blow Off Completes FY17 project was cancelled at the request of the Utilities Department.

Public comments were heard.

Motion to waive the 24-hour rule and amend the agenda to include a motion on the consent agenda (Item 26ae) approving temporary outdoor alcohol service for WineStyles, 4201 42nd Street NE, Suite 170, for an event on May 20, 2016.

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

Result: **Approved.**

Motion to approve the agenda.

Council member Poe moved to approve; City Manager Pomeranz requested that Item 24e be corrected to refer to property at 1727 2nd Street SW; 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.**

10. Motion to approve the minutes.

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

Result: **Approved.**

- 0564-05-16 11. Resolution of Support for the Parks and Recreation Department to submit a letter to the Iowa Department of Natural Resources requesting assistance with the 2016 goose roundup including the processing of captured adult geese.

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

Result: **Approved.**

- 0565-05-16 12. Resolution of Support for Workforce Housing Tax Credits with Rowell Hardware Development, LLC for the renovation of the former Rowell Hardware building at 120 3rd Avenue SW and providing local match funds under the City's Historic Preservation Economic Development program.

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

Result: **Approved.**

- 0566-05-16 13. Resolution waiving objection to proposed annexation for properties on the north side of East Robins Road and west of Alburnett Road as requested by the City of Marion.

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

Result: **Approved.**

- 0567-05-16 14. Resolution authorizing the establishment of an advisory group for the Mount Vernon Road Corridor Action Plan.

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

Result: **Approved.**

- 0568-05-16 15. Resolution authorizing the use of four internal streets within the Westdale project area as approved lot street frontage.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |
- 0569-05-16 16. Preliminary Resolution for the construction of sidewalk improvements and the removal and replacement of bituminous fiber (Orangeburg) sanitary sewer services for the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project. (Paving for Progress)
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |
- 0570-05-16 17. Resolution referring to the Linn County Compensation Commission for the total acquisition of property located at 65 20th Avenue SW, owned by Maria L. Ortega, in connection with the Cedar Rapids Flood Control System project.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |
- 0571-05-16 18. Resolution establishing "No Parking Anytime" on the north side of 5th Avenue SE from 150 feet east of 10th Street SE to 250 feet east of 10th Street SE.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |
- 0572-05-16 19. Resolution to adopt the revised Procurement Manual.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |
- 0573-05-16 20. Resolution granting a second 30-day extension through June 8, 2016, for the Going Out of Business License issued to Cellar Door, 2900 1st Avenue NE.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Abstain: Council member Olson. |
| Result: Approved. |
- 0574-05-16 21. Resolution authorizing a Database Analyst to attend Oracle University Database Administration Workshop in Schaumburg, IL from May 15 – 20, 2016 for an estimated total amount of \$5,207.66.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |
- 0575-05-16 22. Resolution authorizing the Civil Rights Commission Executive Director to participate in the Certified Public Management Program on a monthly basis in Des Moines, IA from July 2016 – December 2018 for an estimated total amount of \$5,874.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Result: Approved. |

- 0576-05-16 23. Resolution approving the Business Travel Report for Utilities Director to attend the National Association of Clean Water Agencies (NACWA) 2016 Summer Conference in Denver, Co in July 2016 for an estimated amount of \$3,100.

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

Result: **Approved.**

24. Motions setting public hearing dates for:

- a. May 24, 2016 – to consider the Fiscal Year 2016 Budget Amendment.

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

Result: **Approved.**

- b. May 24, 2016 – to consider amending Chapter 42 of the Municipal Code, Pushcarts, Peddlers, Solicitors And Transient Merchants, to create a Mobile Food Vending subsection, Chapter 42A, with specific regulations applicable to mobile food vendors.

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

Result: **Approved.**

- c. May 24, 2016 – to consider amending Chapter 63 of the Municipal Code, Offenses Against Public Safety, by deleting subsection (e) of 63.10A and enacting a new subsection (e) of Section 63.10A in its place allowing the hunting of waterfowl on certain private, undeveloped lands within the city limits under appropriate circumstances, and correcting a scrivener's error.

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

Result: **Approved.**

- d. May 24, 2016 – to consider granting a change of zone for property at 1400 and 1412 6th Street SW from O-S, Office/Service Zone District to C-2, Community Commercial Zone District as requested by George Elossais.

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

Abstain: Council member Olson.

Result: **Approved.**

- e. May 24, 2016 – to consider granting a change of zone for property at 1727 2nd Street SW from R-3, Single Family Residence Zone District, to R-TN, Traditional Neighborhood Residence Zone District as requested by Scallon Custom Homes, LLC.

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

Result: **Approved.**

- f. May 24, 2016 – to consider the disposition of excess City-owned properties located at 2335 16th Street NW, 110 6th Street SW, 112 6th Street SW, 221 4th Avenue SW, 511 2nd Street SW and 0 Vacant Lot SW (GPN 142835100800000) acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for participation in the Single Family New Construction Program. (Flood)

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

Result: **Approved.**

25. 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. May 24, 2016 – 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project, with bid opening May 25, 2016 (estimated cost is \$1,330,000). (Paving for Progress)

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

Result: **Approved.**

- b. May 24, 2016 – Curb Ramp Repair Project – NW Bid Package No. 2 project, with bid opening June 1, 2016 (estimated cost \$929,950).

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

Result: **Approved.**

- c. May 24, 2016 – West Post Road NW from Gordon Avenue NW to Plainview Drive NW Roadway Reconstruction project, with bid opening June 1, 2016 (estimated cost is \$1,524,000). (Paving for Progress)

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

Result: **Approved.**

- d. May 24, 2016 – FY 2016 Curb Repair Project, with bid opening June 8, 2016 (estimated cost is \$305,000). (Paving for Progress)

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

Result: **Approved.**

- e. May 24, 2016 – Parks and Recreation ADA Facility Improvements project, with bid opening June 14, 2016 (estimate of cost is \$653,000).

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

Result: **Approved.**

- f. May 24, 2016 – Parks and Recreation ADA Site Improvements project, with bid opening June 14, 2016 (estimate of cost is \$1,623,911).

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

Result: **Approved.**

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

- a. Avacentre – Cedar Rapids, 2121 Bowling Street SW.
- b. Beaver Creek Saloon, 1010 2nd Avenue SW.
- c. Blind Pig, 3325 Center Point Road NE.
- d. Cancun Mexican Grill & Bar, 365 33rd Avenue SW.
- e. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre – Cedar Rapids, 475 1st Street SE, on May 20, 2016).
- f. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre – Cedar Rapids, 475 1st Street SE, on May 27, 2016).
- g. Cedar Rapids Moose Lodge #304, 1820 West Post Road SW.
- h. Chrome Horse, 1140 Blairs Ferry Road NE (5-day permit for an event on May 26, 2016 at McGrath Motor Sports, 4645 Center Point Road NE).
- i. Chrome Horse, 1140 Blairs Ferry Road NE (additional outdoor service area for an event on May 27-29, 2016).
- j. Chrome Horse, 1140 Blairs Ferry Road NE (additional outdoor service area for an event on May 19-22, 2016).
- k. Elmcrest Country Club, 1000 36th Street NE.

- l. Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day permit for an event at Veterans Memorial Coliseum, 50 2nd Avenue Bridge, on May 21, 2016).
- m. Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day permit for an event at Veterans Memorial Armory, 50 2nd Avenue Bridge, on May 14, 2016).
- n. Java Creek Cafe, 588 Boyson Road NE.
- o. JM O'Malley's, 1502 H Avenue NE (outdoor service for an event on June 16-19, 2016).
- p. Mount Mercy University, 1330 Elmhurst Drive NE.
- q. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event on May 20, 2016).
- r. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event on May 27, 2016).
- s. Olive Garden, 367 Collins Road NE.
- t. Phong Lan Vietnamese Restaurant, 216 8th Street SE.
- u. Red Baron Bar & Dance Club, 62 16th Avenue SW.
- v. Red Lion Lounge, 3970 Center Point Road NE.
- w. Red Robin America's Gourmet Burgers & Spirits, 4625 1st Avenue SE.
- x. St. Ludmila Catholic Church, 211 21st Avenue SW (5-day beer permit for an event on June 9-11, 2016).
- y. Tobacco Outlet Plus #520, 124 Collins Road NE.
- z. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on May 19-21, 2016).
- aa. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on May 26-28, 2016).
- ab. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on May 12-14, 2016).
- ac. US Cellular Center, 370 1st Avenue NE.
- Wild Hog Saloon & Eatery, 350 Commercial Drive (5-day permit for an event June 9-11, 2016 at Metro Harley Davidson, 2415 Westdale Drive SW).
- ad. 2016 at Metro Harley Davidson, 2415 Westdale Drive SW).
- ae. Wine Styles, 4201 42nd Street NE, Suite 170 (outdoor service for an event on May 20, 2016).

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

Abstain, items q and r: Council member Gulick.
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Result: Approved.

27. Resolutions approving:

0577-05-16

- a. Payment of bills.

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

Result: Approved.

0578-05-16

- b. Payroll.

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

Result: Approved.

28. Resolutions appointing and thanking the following individuals:

0579-05-16

- a. Appointing Ben Rogers (effective through December 31, 2016) to the Safe, Equitable and Thriving (S.E.T.) Communities Task Force.

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

Result: Approved.

0580-05-16

- b. Vote of thanks to Linda Langston for serving on the Safe, Equitable and Thriving (S.E.T.) Communities Task Force.

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

Result: ***Approved.***

0581-05-16

29. Resolutions approving assessment actions:

- a. Intent to assess – Water Division – delinquent municipal utility bills – 29 properties.

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

Result: ***Approved.***

0582-05-16

- b. Intent to assess – Solid Waste & Recycling – clean-up costs – seven properties.

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

Result: ***Approved.***

0583-05-16

30. Resolutions accepting subdivision improvements and approving Maintenance Bonds:

- a. Sanitary sewer in Wexford Heights First Addition and 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$279,178.90.

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

Result: ***Approved.***

0584-05-16

- b. Storm sewer in Wexford Heights First Addition and 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$332,968.80.

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

Result: ***Approved.***

0585-05-16

- c. Portland Cement Concrete in Wexford Heights First Addition and 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$225,000.

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

Result: ***Approved.***

0586-05-16

31. Resolutions approving final plats:

- a. Imperial Acres First Addition for land located at 2901 Old River Road SW.

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

Result: ***Approved.***

0587-05-16

- b. Jackpine First Addition to Cedar Rapids, Linn County, Iowa for land located at 4401 Bowling Street SW.

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

Result: ***Approved.***

0588-05-16

- c. Menards First Addition to Cedar Rapids, Linn County, Iowa for land located at 2800 Wiley Boulevard SW.

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

Result: ***Approved.***

32. Resolutions authorizing execution of Amendments No. 1 to Development Agreements with Jim Sattler, Inc. for properties participating in the fourth round of the Single Family New Construction program:

0589-05-16

a. 6001 Ridgewood Meadows Lane NE.

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

Result: ***Approved.***

0590-05-16

b. 6300 Ridgewood Meadows Lane NE.

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

Result: ***Approved.***

0591-05-16

c. 6318 Ridgewood Meadows Lane NE.

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

Result: ***Approved.***

0592-05-16

d. 8615 Flatbush Court NE.

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

Result: ***Approved.***

0593-05-16

e. 8621 Flatbush Court NE.

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

Result: ***Approved.***

0594-05-16

f. 8627 Flatbush Court NE.

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

Result: ***Approved.***

0595-05-16

g. 8703 Flatbush Court NE.

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

Result: ***Approved.***

0596-05-16

h. 9407 Grand Oaks Drive NE.

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

Result: ***Approved.***

0597-05-16

i. 9413 Grand Oaks Drive NE.

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

Result: ***Approved.***

0598-05-16

j. 9425 Grand Oaks Drive NE.

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

Result: ***Approved.***

0599-05-16

k. 9426 Grand Oaks Drive NE.

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

Result: ***Approved.***

0600-05-16

l. 9500 Grand Oaks Drive NE.

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

Result: ***Approved.***

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

0601-05-16

- a. Amendment No. 2 to the Contract with Recreation Accessibility Consultants, LLC for ADA Compliance Consulting and ILA Services for the City Manager's Office to add additional services to the scope for an amount not to exceed \$66,515.50 (original contract amount was \$935,120; total contract amount with this amendment is \$1,001,635.50).

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

Result: **Approved.**

0602-05-16

- b. Agreement authorizing RSM US LLP to perform annual audits for the fiscal years ending June 30, 2016, 2017, 2018, 2019 and 2020 in the amount of \$429,745 and \$2,900 for FY2016, \$2,900 for FY2017, \$3,100 for FY2018, \$3,100 for FY2019 and FY2020 and \$3,100 per additional major program audits above four major program audits.

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

Result: **Approved.**

0603-05-16

- c. Purchase of National Flood Insurance Program coverage through Selective Insurance Company of America for a one-year period for an amount not to exceed \$150,000.

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

Result: **Approved.**

0604-05-16

- d. Contract with Pierce Manufacturing for the purchase of one Velocity Heavy Rescue Truck for the Fire Department in the amount of \$722,783.00.

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

Result: **Approved.**

0605-05-16

- e. Amendment No. 2 to the Contract with Ament Design for Design Services for ADA Compliance at the Cedar Rapids Ice Arena to extend the contract and reflect the additional cost to increase the scope for an amount not to exceed \$23,500 (original contract amount was \$29,750; total contract amount with this amendment is \$53,250).

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

Result: **Approved.**

0606-05-16

- f. Contract with Cedar Service Company for Roofing Services for Facilities Maintenance Services for two years for an annual amount not to exceed \$70,000.

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

Result: **Approved.**

0607-05-16

- g. Amendment No. 2 to the contract for Palo Alto Firewalls with Torus Technologies, Inc for the Information Technology Department to add an additional firewall to the contract and to reflect the additional cost for an amount not to exceed \$21,967 (original contract amount was \$168,030; total contract amount with this amendment is \$207,598).

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

Result: **Approved.**

0608-05-16

- h. Contract with Traffic Control Corporation for the Traffic Signal System Software and Controller project for the Traffic Engineering Division for an amount not to exceed \$736,044.

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

Result: **Approved.**

0609-05-16

- i. Traffic Engineering Division purchase of 70 Axis PTZ Cameras from Electronic Technology Inc. in the amount of \$189,350.

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

Result: **Approved.**

0610-05-16

- j. Amendment No. 6 to the contract with Pro-West & Associates, Inc. for GIS One-Call Utility Locate System for various City departments to extend contract and reflect additional maintenance and support services for an amount not to exceed \$10,000 (original contract amount was \$43,000; total contract amount with this amendment is \$80,050).

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

Result: **Approved.**

0611-05-16

- k. Amendment No. 1 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$49,149 for professional services in connection with the 1st Avenue E from 27th Street to 40th Street Pavement Rehabilitation, Infrastructure and Trail Improvements Final Design Services project (original contract amount was \$420,445; total contract amount with this amendment is \$469,594). (Paving for Progress)

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

Abstain: Council member Gulick.

Result: **Approved.**

0612-05-16

- l. Amendment No. 3 to the Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed \$189,348 for consulting services in connection with the Cedar Rapids Flood Mitigation System – West Side Phase 1 Consulting Services project (original contract amount was \$3,409,543; total contract amount with this amendment is \$5,216,350).

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

Result: **Approved.**

0613-05-16

- m. Amendment No. 1 to the Professional Services Agreement with Stanley Consultants, Inc. specifying an increased amount not to exceed \$3,714,764 for consulting services in connection with the Cedar Rapids Flood Mitigation System – East Side Phase 1 Consulting Services project (original contract amount was \$3,959,599; total contract amount with this amendment is \$7,674,363).

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

Result: **Approved.**

0614-05-16

- n. Awarding and approving contract in the amount of \$5,950,000 plus Alternate Bid of \$0, bond and insurance of Williams Brothers Construction, Inc. for the NewBo/Parking Lot 44 Pump Station at 10th Ave SE project (estimated cost is \$7,000,000).

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

Result: **Approved.**

0615-05-16

- o. Change Order No. 1 in the amount of \$5,112.44 with Eastern Iowa Excavating & Concrete, LLC for the 1st Avenue East & 12th Street SE Sidewalk and Curb Repair project (original contract amount was \$40,483.00; total contract amount with this amendment is \$44,095.44).

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

Result: **Approved.**

0616-05-16

- p. Purchase Agreement in the amount of \$8,500 and accepting an Easement for Retaining Wall and a Temporary Grading Easement for construction from Dorothy Beardsley from land located at 1600 11th Street NW in connection with the O Avenue NW Reconstruction Project from Hillside Drive to Ellis Boulevard. (Paving for Progress)

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

Result: **Approved.**

0617-05-16

- q. Purchase Agreement in the amount of \$2,200 and accepting an Easement for Retaining Wall and a Temporary Grading Easement for Construction from Kevin Rolfs from land located at 1326 O Avenue NW in connection with the O Avenue NW Reconstruction Project from Hillside Drive to Ellis Boulevard. (Paving for Progress)

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

Result: **Approved.**

0618-05-16

- r. Purchase Agreement in the amount of \$2,501 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for construction from the Cedar Rapids Community School District from land located at 4343 Marilyn Drive NE in connection with the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation project. (Paving for Progress)

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

Result: **Approved.**

0619-05-16

- s. Total Real Estate Acquisition Purchase Agreement in the amount of \$141,000 plus an amount estimated to be \$46,000 in relocation benefits to Juan M. Trevino, Jr. and Holly L. Trevino, and accepting a Warranty Deed for property located at 4509 C Avenue NE, in connection with the Collins Road (IA 100) from Council Street NE to 1st Avenue project.

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

Result: **Approved.**

0620-05-16

- t. Development Agreement and Special Warranty Deed with Scallon Custom Homes, L.L.C. for City-owned property at 211 10th 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 Weinacht.

Result: **Approved.**

0621-05-16

- u. Development Agreements with NewBo Development Group LLC for properties at 2204, 2206, 2208, 2210 and 2212 Tranquil Court NW participating in the third round of the Single Family New Construction Program. (Flood)

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

Result: **Approved.**

0622-05-16

- v. Development Agreements with NewBo Development Group LLC for properties at 2214, 2216, 2218, 2220 and 2222 Tranquil Court 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.**

34. Report on bids for the Beverly Road SW Culvert Replacement project (estimated cost is \$206,000) (Dave Wallace):

Connolly Construction, Inc., Peosta, IA, \$157,710.95
Rathje Construction Co., Marion, IA, \$158,712.00
Ricklefs Excavating, Ltd., Anamosa, IA, \$164,467.00 (math error found)
Peterson Contractors, Inc., Reinbeck, IA, \$167,087.00
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA, \$177,970.00
Borst Brothers Construction, Inc., Marion, IA, \$185,746.75
Bushman Excavating, Inc., , \$186,929.00
Lodge Construction, Inc., Clarksville, IA, \$188,645.00
Minturn, Inc., Brooklyn, IA, \$202,515.20 (math error found)
B.G. Brecke, Inc., Cedar Rapids, IA, \$203,907.30 (math error found)
Horsfield Construction, Inc., Epworth, IA, \$223,232.50

0623-05-16

- a. Resolution awarding and approving contract in the amount of \$155,005 plus incentive up to \$4,000, bond and insurance of Ricklefs Excavating, Ltd. for the Beverly Road SW Culvert Replacement project.

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

Result: Approved.

35. Report on bids for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project (estimated cost is \$1,400,000) (Doug Wilson). (Paving for Progress)

Dave Schmitt Construction Co., Inc., Cedar Rapids, IA, \$1,174,134.65
Ricklefs Excavating, Ltd, Anamosa, IA, \$1,277,417.34
Rathje Construction Co., Marion, IA, \$1,298,192.91
Pirc-Tobin Construction, Inc., Alburnett, IA , \$1,300,367.59

0624-05-16

- a. Resolution awarding and approving contract in the amount of \$1,174,134.65, plus incentive up to \$50,000, bond and insurance of Dave Schmitt Construction Company, Inc. for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project.

Council member Olson moved to approve; seconded by Council member Poe.
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Result: Approved.

36. Report on bids for the 1st Avenue Bridge Over Cedar River Repair project (estimated cost is \$1,765,000) (Doug Wilson). (Paving for Progress)

Peterson Contractors, Inc., Reinbeck, IA, \$1,844,713.03
Cramer & Associates, Inc., Grimes, IA, \$2,091,552.03
Iowa Erosion Control, Inc., Victor, IA, *\$2,177,952.59 (math error found)

0625-05-16

- a. Resolution awarding and approving contract in the amount of \$1,844,713.03, plus incentive up to \$85,000, bond and insurance of Peterson Contractors, Inc. for the 1st Avenue Bridge Over Cedar River Repair Project.

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

Result: Approved.

- 0626-05-16 37. Discussion and Resolution of Support authorizing City participation in the Grand Living Senior Housing Project proposed by Ryan Companies, Inc. located south and west of 1st Avenue and Collins Road SE (Caleb Mason).
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| Council member Gulick moved to approve; seconded by Council member Russell. |
| Abstain: Council member Olson. |
| Result: Approved. |
38. Report on the receipt of bids for General Obligation Bonds, Series 2016A; Taxable General Obligation Bonds, Series 2016B; Sewer Revenue Bonds, Series 2016C; and Water Revenue Bonds, Series 2016D (Michele Tamerius and Jon Burmeister, PFM).
- 0627-05-16 a. Resolution directing the sale of \$39,615,000 (subject to adjustment per terms of offering) General Obligation Bonds, Series 2016A.
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| Council member Gulick moved to approve; seconded by Council member Overland. |
| Result: Approved. |
- 0628-05-16 b. Resolution directing the sale of \$1,635,000 (subject to adjustment per terms of offering) Taxable General Obligation Bonds, Series 2016B.
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| Council member Gulick moved to approve; seconded by Council member Overland. |
| Result: Approved. |
- 0629-05-16 c. Resolution directing the sale of \$5,135,000 (subject to adjustment per terms of offering) Sewer Revenue Bonds, Series 2016C.
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| Council member Gulick moved to approve; seconded by Council member Overland. |
| Result: Approved. |
- 0630-05-16 d. Resolution directing the sale of \$14,935,000 (subject to adjustment per terms of offering) Water Revenue Bonds, Series 2016D.
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| Council member Gulick moved to approve; seconded by Council member Overland. |
| Result: Approved. |
- 0631-05-16 e. Resolution authorizing the redemption of outstanding General Obligation Refunding Bonds, Series 2007A, dated April 1, 2007, directing that notice be given, and approving anticipatory remedial action.
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| Council member Gulick moved to approve; seconded by Council member Overland. |
| Result: Approved. |
- 0632-05-16 f. Resolution authorizing the redemption of outstanding General Obligation Bonds, Series 2008A, dated May 1, 2008, and directing that notice be given.
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| Council member Gulick moved to approve; seconded by Council member Overland. |
| Result: Approved. |
- 021-16 39. 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.
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| Council member Gulick moved the adoption of the Ordinance on its third and final reading; seconded by Council member Weinacht. |
| Abstain: Council member Olson. |
| Result: Adopted. |

- 022-16 40. Ordinance establishing the IGD Industries, Inc. Urban Revitalization Area designation at 4200 C Street SW.
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| Council member Gulick moved the adoption of the Ordinance on its third and final reading; seconded by Council member Weinacht. |
| Abstain: Council member Olson. |
| Result: Adopted. |
- 023-16 41. Ordinance 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.
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| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht. |
| Result: Approved. |
| Council member Gulick moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Weinacht. |
| Result: Adopted. |
- 024-16 42. Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to fix scrivener's errors, allows projecting signage on multi-family buildings within a Design Review Overlay District, and update definitions.
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| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht. |
| Result: Approved. |
| Council member Gulick moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Weinacht. |
| Result: Adopted. |
43. Discussion and Ordinance amending Chapter 72 of the Municipal Code, Stormwater Management, revising the stormwater utility fee structure and incentives (Sandy Pumphrey).
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| Council member Olson moved the approval of the Ordinance on its first reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for action at a later date; seconded by Council member Gulick. |
| Result: Approved. |

Council member Gulick left the meeting at 1:55 p.m.

Public comments were heard.

Motion to adjourn.

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

City Council adjourned at 2:11 p.m. to meet Tuesday, May 24, 2016 at 4 p.m.

Amy Stevenson, City Clerk