

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

May 24, 2016, 4:00 PM

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

The invocation was given by Public Safety Chaplain Phil Saunders.

Pledge of Allegiance.

Good News announcements were given by Mayor Corbett.

Mayor Corbett and Council member Poe presented a Proclamation declaring June 11, 2016 as Asian Heritage Day.

Mayor Corbett and Council member Weinacht presented a Proclamation declaring May 25, 2016 as Law Day.

A presentation regarding the U.S. Cellular Center and Paramount Theatre being named among the Top 200 venues in the world for 2015 was given by Sharon Cummins, Matt Felling, Mike Silva and Jason Anderson.

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

1. A public hearing was held to consider the Fiscal Year 2016 Budget Amendment (Heidi Stiffler). No comments or objections were heard or filed.

0633-05-16

- a. Resolution adopting the Fiscal Year 2016 Budget Amendment.

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

2. A public hearing was held to consider enacting a new Chapter 42A of the Municipal Code, Mobile Food Vendors, to create specific regulations applicable to mobile food vendors (Bill Micheel and Jeff Hintz). No comments or objections were heard or filed.

- a. First Reading: Ordinance enacting a new Chapter 42A of the Municipal Code, Mobile Food Vendors, to create specific regulations applicable to mobile food vendors.

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

3. A public hearing was held 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 (Daniel Gibbins and Sven Leff). No comments or objections were heard. Two written comments were filed.

- a. First Reading: Ordinance 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 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.
Absent: Council member Olson.
Result: Approved.

4. A scheduled public hearing 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 was cancelled at the request of the applicant.

5. A public hearing was held to consider granting a change of zone for properties at 1400 and 1412 6th Street SW from O-S, Office/Service Zone District, to C-2, Central Business Zone District as requested by George Elossais (Johnny Alcivar). No comments or objections were heard or filed.

- a. First Reading: Ordinance granting a change of zone for properties at 1400 and 1412 6th Street SW from O-S, Office/Service Zone District, to C-2, Central Business Zone District as requested by George Elossais.

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 Weinacht.
Absent: Council member Olson.
Result: Approved.

6. A public hearing was held 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 (Amanda Vande Voorde). (Flood) No comments or objections were heard or filed.

7. A public hearing was held to consider the Resolution of Necessity (Proposed) for the Northwood Drive NE from south of Brookland Drive NE to 42nd Street NE Roadway Rehabilitation project (Doug Wilson). (Paving for Progress) One objection was heard. One written comment was filed.

0634-05-16

- a. Resolution adopting as amended the Resolution of Necessity (Proposed) for the Northwood Drive NE from south of Brookland Drive NE to 42nd Street NE Roadway Rehabilitation project.

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

8. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2016 Curb Repair Project (estimated cost is \$305,000) (Doug Wilson). (Paving for Progress) No comments or objections were heard or filed.

0635-05-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2016 Curb Repair Project.

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

9. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the West Post Road NW from Gordon Avenue NW to Plainview Drive NW Roadway Reconstruction project (estimated cost is \$1,524,000) (Doug Wilson). (Paving for Progress) No comments or objections were heard or filed.

0636-05-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the West Post Road NW from Gordon Avenue NW to Plainview Drive NW Roadway Reconstruction project.

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

10. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project (estimated cost is \$1,330,000) (Doug Wilson). (Paving for Progress) No comments or objections were heard or filed.

0637-05-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost 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 Russell.
Absent: Council member Olson.
Result: Approved.

11. 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. 2 project (estimated cost is \$929,950) (Nate Kampman). No comments or objections were heard or filed.

0638-05-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Curb Ramp Repair Project – NW Bid Package No. 2 project.

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

12. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Parks & Recreation ADA Facility Improvements project (estimated cost is \$653,000) (Sven Leff). No comments or objections were heard or filed.

0639-05-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Parks & Recreation ADA Facility Improvements project.

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

13. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Parks & Recreation ADA Site Improvements project (estimated cost is \$1,623,911) (Sven Leff). No comments or objections were heard or filed.

0640-05-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Parks & Recreation ADA Site Improvements project.

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

Public comments were heard.

Motion to approve the agenda.

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

Motion to approve the consent agenda.

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

14. Motion to approve the minutes.

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

- 0641-05-16 15. Resolution authorizing the issuance of \$35,565,000 General Obligation Bonds, Series 2016A, and levying a tax to pay said bonds; which includes approval of the Tax Exemption Certificate and Continuing Disclosure Certificate.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0642-05-16 16. Resolution authorizing the issuance of \$1,590,000 Taxable General Obligation Bonds, Series 2016B, and levying a tax to pay said bonds; which includes approval of the Continuing Disclosure Certificate.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0643-05-16 17. Resolution authorizing the issuance of \$5,015,000 Sewer Revenue Bonds, Series 2016C; which includes approval of the Tax Exemption Certificate and Continuing Disclosure Certificate.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0644-05-16 18. Resolution authorizing the issuance of \$13,835,000 Water Revenue Bonds, Series 2016D; which includes approval of the Tax Exemption Certificate and Continuing Disclosure Certificate.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0645-05-16 19. Preliminary resolution for the construction of sidewalk improvements for the Bever Avenue SE Sidewalk Extension from 30th Street SE to 34th Street SE project.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0646-05-16 20. Preliminary resolution for the removal and replacement of bituminous fiber (Orangeburg) sanitary sewer services for the Memorial Drive SE from McCarthy Road SE to Mount Vernon Road SE Roadway and Utility Improvements project. (Paving for Progress)
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0647-05-16 21. Preliminary resolution for the construction of sidewalk improvements within the boundaries of the public right-of-way for the Seminole Valley Road NE from Fords Crossing NE to 42nd Street NE project. (Paving for Progress)
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |

- 0648-05-16 22. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project. (Paving for Progress)
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0649-05-16 23. Resolution fixing value of lots and adopting preliminary plat and schedule, estimated cost and proposed preliminary plans and specifications for the construction of 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. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0650-05-16 24. Resolution authorizing adoption of the Highway 100 Corridor Management Plan.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0651-05-16 25. Resolution establishing “No Parking Anytime” on the north side of 30th Street Drive SE from Needles Road SE to Tama Street SE; at the completion of the 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project a double yellow centerline will be placed on the road and bike lanes established in each direction.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0652-05-16 26. Resolution authorizing the addition of one part-time intern position for the Corridor Metropolitan Planning Organization.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0653-05-16 27. Resolution authorizing a three-year contract with the Cedar Rapids Police Bargaining Union.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0654-05-16 28. Resolution authorizing the mailing and publication of a Notice of Intent to Proceed with an approved capital improvement project for the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project and to commence with the acquisition of a portion of agricultural property for this project and setting a public hearing date for June 28, 2016. (Paving for Progress)
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |

29. Resolution determining the necessity and setting a public hearing date for June 28, 2016 and consultation with affected taxing entities, and referral to Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the Grand Living Urban Renewal Area.

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

Absent: Council member Olson.

Result: **Approved.**

30. Motion amending the motion approved on May 10, 2016 to correct the bid opening date to June 8, 2016 for the Parks and Recreation ADA Facility Improvements project.

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

Absent: Council member Olson.

Result: **Approved.**

31. Motion amending the motion approved on May 10, 2016 to correct the bid opening date to June 8, 2016 for the Parks and Recreation ADA Site Improvements project.

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

Absent: Council member Olson.

Result: **Approved.**

32. Motions setting public hearing dates for:

- a. June 14, 2016 – Replacement of Fire Hydrants, Valves and Blow Off Completes FY17 project (estimated cost is \$84,380).

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

Absent: Council member Olson.

Result: **Approved.**

- b. June 14, 2016 – to consider granting a change of zone for property at 1528 A Avenue NE from R-3D, Two-Family Residence Zone District, to RMF-1, Multiple Family Residence Zone District as requested by Lori Kintzle and Cameron West.

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

Absent: Council member Olson.

Result: **Approved.**

- c. June 14, 2016 – to consider granting a change of zone for property north of Stone Creek Circle SW and east of Dean Road SW from C-1, Mixed Neighborhood Convenience Zone District, to RMF-2, Multiple Family Residence Zone District as requested by Vintage Living, LLC and Legacy Commercial Group, LLC.

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

Absent: Council member Olson.

Result: **Approved.**

- d. June 14, 2016 – to consider the vacation of a .96-acre drainage and storm sewer easement located at 3235 Prairie Valley Court SW as requested by Prairie Pine Properties, LLC.

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

Absent: Council member Olson.

Result: **Approved.**

- e. June 28, 2016 – to consider an ordinance relating to collection of tax increment within the proposed Grand Living Urban Renewal Area generally located south of 1st Avenue SE and west of Collins Rd SE.

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

- 33. 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. June 14, 2016 – Repair of Water Service Lines FY17, with bid opening on June 15, 2016 (estimated cost is \$300,000).

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

- b. June 14, 2016 – CEMAR Trail: Phase 1B HMA Trail project and CEMAR Trail: Phase 1D HMA Trail project, with bid opening on June 21, 2016 at the Iowa Department of Transportation (estimated cost is \$760,000).

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

- c. June 14, 2016 – Kirkwood Standpipe Demolition project, with bid opening on June 29, 2016 (estimated cost is \$137,500).

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

- d. June 14, 2016 – Water Pollution Control Facility Odor Control Upgrades project, with bid opening on July 13, 2016 (estimated cost is \$5,200,000).

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

- 34. Motion assessing a \$500 civil penalty for a violation of State Code regarding the sale of alcohol to minors against:
 - a. Road Ranger #5149, 2349 Blairs Ferry Road NE.

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

- 35. Motion approving the beer/liquor/wine applications of:
 - a. Brewhemia, 1101 3rd Street SE.
 - b. Casa Las Glorias, 2245 Blairs Ferry Road NE.
 - c. Cedar Rapids Jaycees, 475 1st Street SW (5-day permit for an event at the McGrath Amphitheatre Cedar Rapids, 475 1st Street SE, on June 3, 2016).
 - d. Cedar Rapids Jaycees, 475 1st Street SW (5-day permit for an event at the McGrath Amphitheatre Cedar Rapids, 475 1st Street SE, on June 10, 2016).

- e. Cedar Rapids Jaycees, 475 1st Street SW (5-day permit for an event at the McGrath Amphitheatre Cedar Rapids, 475 1st Street SE, on June 17, 2016).
- f. Cedar River Landing, 301 F Avenue NW (outdoor service for an event June 3-5, 2016).
- g. Cedar River Landing, 301 F Avenue NW (outdoor service for an event June 10-12, 2016).
- h. Cedar River Landing, 301 F Avenue NW (outdoor service for an event June 17-19, 2016).
- i. Cedar River Landing, 301 F Avenue NW (outdoor service for an event June 17-19, 2016).
- j. Club Basix, 3916 1st Avenue NE (outdoor service for an event June 3-5, 2016).
- k. CVS/Pharmacy #8526, 4116 Center Point Road NE.
- l. CVS/Pharmacy #8532, 2711 Mount Vernon Road SE.
- m. Doubletree by Hilton Cedar Rapids Convention Complex, 350 1st Avenue NE. Dublin City Pub, 415 1st Street SE.
- n. Flamingo, 1211 Ellis Boulevard (transfer to Veterans Memorial Coliseum, 50 2nd Avenue Bridge, for an event June 11, 2016).
- o. Fraternal Order of Eagles Post #2272, 1735 11th Street NW. Hy-Vee Market Cafe #1, 1843 Johnson Avenue NW.
- p. Hy-Vee #6 Tasting Room, 4035 Mount Vernon Road SW (transfer to the Cedar Rapids Public Library, 450 5th Avenue SE, for an event June 11, 2016).
- q. Lion Bridge Brewing Company, 59 16th Avenue SW (outdoor service for an event June 9, 2016).
- r. Lion Bridge Brewing Company, 59 16th Avenue SW (outdoor service for an event June 23, 2016).
- s. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event June 4, 2016).
- t. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event June 11-15, 2016).
- u. New Shack Tavern, 2545 Old River Road SW (outdoor service for an event May 28, 2016).
- v. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event June 3, 2016).
- w. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event June 10, 2016).
- x. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event June 17, 2016).
- y. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event June 21-22, 2016).
- aa. Pancheros Mexican Grill, 2315 Edgewood Road SW.
- ab. Pei's Mandarin, 3287 6th Street SW.
- ac. Pizza Hut #4311, 223 Collins Road NE.
- ad. Residence Inn South, 730 33rd Avenue SW (new – new construction).
- ae. Rock Bar American Grill, 219 2nd Avenue SE.
- af. Rumors, 400 F Avenue NW (outdoor service for an event June 4-5, 2016).
- ag. Rumors, 400 F Avenue NW (outdoor service for an event June 17-18, 2016).
- ah. Rumors, 400 F Avenue NW (outdoor service for an event June 24-25, 2016).
- ai. Saucy Focaccia, 5100 Fountains Drive NE (new – new construction).
- aj. Sierra Foods, 3326 Center Point Road NE.
- ak. Third Base Brewery, 500 Blairs Ferry Road NE (new – new ownership).
- al. Time Out Lounge, 3230 16th Avenue SW. Tobacco Outlet Plus #560, 2846 Mount Vernon Road SE.
- am. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event June 2-4, 2016).

- ap. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event June 9-11, 2016).
- aq. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event June 16-18, 2016).
WineStyles Tasting Station, 4201 42nd Street NE, Suite 170 (outdoor service – permanent).

Council member Poe moved to approve; seconded by Council member Weinacht.
Abstain, items w, x, y and z: Council member Gulick.
Absent: Council member Olson.
Result: Approved.

0656-05-16

36. Resolutions approving:
a. Payment of bills.

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

0657-05-16

- b. Payroll.

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

0658-05-16

- c. Transfer of funds.

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

0659-05-16

37. Resolutions appointing and/or reappointing the following individuals:
a. Appointing Gina Johnson (effective through June 30, 2017) to the Cedar Rapids ADA Advisory Committee.

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

0660-05-16

- b. Reappointing Sarah Coleman and Richard Good (effective through June 30, 2019) to the Building/Fire Board of Appeals.

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

0661-05-16

- c. Reappointing John Albert, Timothy Charles and Richard Cooley (effective through June 30, 2019) to the Cedar Rapids Medical Self-Supported Municipal Improvement District Commission.

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

- 0662-05-16 38. Resolution approving the special event application for:
a. St. Ludmila’s Kolach Festival event (includes road closure) on June 10, 2016.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0663-05-16 39. Resolutions approving assessment actions:
a. Levy assessment – Solid Waste & Recycling – delinquent weed mowing charges – 279 properties.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0664-05-16 b. Intent to assess – Solid Waste & Recycling – clean-up costs – three properties.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0665-05-16 c. Levy assessment – Water Division – delinquent municipal utility bills – 17 properties.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0666-05-16 d. Intent to assess – Water Division – delinquent municipal utility bills – 10 properties.
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
40. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
- 0667-05-16 a. Greene Square Revitalization project, final payment in the amount of \$12,800 and 4-year Performance Bond submitted by Kleiman Construction Inc. (original contract amount was \$1,735,978; final contract amount is \$1,895,684.76).
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0668-05-16 b. Sydney Court NW Storm Sewer Improvements project and 4-year Performance Bond submitted by Lodge Construction, Inc. (original contract amount was \$30,955; final contract amount is \$30,955).
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |
- 0669-05-16 c. D Avenue NW at 26th Street Storm Sewer Improvements project and 4-year Performance Bond submitted by Yordi Excavating, Inc. (original contract amount was \$51,320; final contract amount is \$51,320).
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| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Olson. |
| Result: Approved. |

0670-05-16

41. Resolution approving a final plat:
a. IGD First Addition for land located at 4150 C Street SW.

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

0671-05-16

42. Resolutions approving actions regarding purchases, contracts and agreements:
a. Amendment No. 1 to the contract with LSL Planning for Consulting Services for New Zoning Code for the Community Development Department to reflect the additional cost of a Strategic Growth Plan added to the scope of the project for an amount not to exceed \$80,000 (original contract amount was \$265,089; total contract amount with this amendment is \$345,089).

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

0672-05-16

- b. Amendment No. 1 to the contract with Shive-Hattery, Inc. for Design Services for ADA Compliance for the Parks and Recreation Department to extend the term of the contract and to reflect the cost of additional survey and design services for an amount not to exceed \$35,000 (original contract amount was \$172,455; total contract amount with this amendment is \$207,455).

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

0673-05-16

- c. Amendment No. 4 to the contract with Culver's Lawn & Landscape for Median Landscape Maintenance for the Streets Division to reflect additional cost for services for an amount not to exceed \$22,000 (original contract amount was \$2,500; total contract amount with this amendment is \$64,989.77).

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

0674-05-16

- d. Amendment No. 8 to the contract with Nature Care Company dba Quality Care for Lawn Care and Landscape Maintenance for the Facilities Maintenance Services Division to reflect the additional cost to add services for Fire Stations 3 and 9 for an amount not to exceed \$2,000 (original contract amount was \$35,000; total contract amount with this amendment is \$62,000).

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

0675-05-16

- e. Amendment No. 4 to renew contract with Ahead LLC for EMC Avamar Enterprise Backup Solution for the Information Technology Department for an annual amount not to exceed \$56,430.14 (original contract amount was \$225,063.02; renewal contract amount is \$56,430.14).

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

0676-05-16

f. Approving the standardization of computer and server hardware to Dell and authorizing the Information Technology Department purchase of \$200,000 in computer hardware from Dell, Inc. and \$300,000 in server hardware from CDW Government, Inc. through June 30, 2017.

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

0677-05-16

g. Amendment No. 3 to the Master Agreement with Tyler Technologies for EnerGov Application and Maintenance not to exceed \$1,245,000 (original contract amount was \$1,495,489; total contract amount with this amendment is \$3,509,360).

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

0678-05-16

h. Agreement for Digital Radio Equipment and Network with Communications Engineering Company (CEC) for June 1, 2016 through June 30, 2017 for an amount not to exceed \$400,000.

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

0679-05-16

i. Fleet Services Division purchase of four tandem axle side loaders from Cedar Rapids Truck Center, Inc. in the amount of \$1,228,800.

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

0680-05-16

j. Contract with Elliott Equipment Co. for Sectional Rods & Accessories for the Sewer Division for an annual amount not to exceed \$50,000.

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

0681-05-16

k. Interlocal Byrne Justice Assistance Grant (JAG) Program Award Agreement with Linn County for the purchase of surveillance technology items.

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

0682-05-16

l. Amendment No. 4 to the Professional Services Agreement with Brain Engineering, Inc. specifying an increased amount not to exceed \$2,000 for design services in connection with the B Avenue NW Improvements from Highland Drive to 8th Street project (original contract amount was \$55,697; total contract amount with this amendment is \$157,903). (Paving for Progress)

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

0683-05-16

- m. Professional Services Agreement with Shoemaker & Haaland for an amount not to exceed \$138,864 for design services in connection with the Cherokee Trail from Cedar River to Morgan Creek Park project.

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

Absent: Council member Olson.

Result: **Approved.**

0684-05-16

- n. Change Order No. 1 in the amount of \$130,000 with B.G. Brecke, Inc. for the Repair of Water Service Lines FY16 project and to extend the existing contract through July 31, 2016 (original contract amount was \$252,640.89; total contract amount with this amendment is \$382,640.89).

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

Absent: Council member Olson.

Result: **Approved.**

0685-05-16

- o. Change Order No. 2 Final deducting the amount of \$2,673.80 with Pirc-Tobin Construction, Inc. for the 18th Street NW South of B Avenue Sanitary Sewer Point Repair project (original contract amount was \$42,926.40; total contract amount with this amendment is \$54,871.77).

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

Absent: Council member Olson.

Result: **Approved.**

0686-05-16

- p. Change Order No. 2 in the amount of \$2,900 with Visu-Sewer, Inc. for the Indian Creek Trunk Sanitary Sewer Segment 1 Rehabilitation project (original contract amount was \$287,630; total contract amount with this amendment is \$483,030).

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

Absent: Council member Olson.

Result: **Approved.**

0687-05-16

- q. Change Order No. 3 in the amount of \$28,803.40 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 \$251,194.31).

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

Absent: Council member Olson.

Result: **Approved.**

0688-05-16

- r. Change Order No. 3 in the amount of \$70,871.71 with S.M. Hentges & Sons, Inc. for the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 3 project (original contract amount was \$8,675,135.78; total contract amount with this amendment is \$8,639,058.49). (Flood)

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

Absent: Council member Olson.

Result: **Approved.**

0689-05-16

- s. Change Order No. 2 in the amount of \$80,917 with CAJ Enterprises, Inc. dba Chris Jones Trucking for the 2016 Tree and Vegetation Removal project (original contract amount was \$129,410; total contract amount with this amendment is \$224,627). (Paving for Progress)

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

Absent: Council member Olson.

Result: **Approved.**

0690-05-16

- t. Change Order No. 6 final deducting the amount of \$64,414.62, plus two additional working days, with L.L. Pelling Company, Inc. for the 7th Street SE and 8th Street SE Roadway Rehabilitation from A Avenue NE to 12th Avenue SE project (original contract amount was \$1,346,955.75; total contract amount with this amendment is \$1,423,156.29). (Paving for Progress)

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

0691-05-16

- u. Development Agreement with Green Development 12th Avenue, LLC for the disposition and redevelopment of City-owned properties at 1203 and 1205 7th Street SE and vacant land on 12th Avenue SE. (Flood)

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

0692-05-16

- v. Development Agreement with Green Development 12th Avenue, LLC for the Best Oil and Refinery Company Service Station building redevelopment at 624 12th Avenue SE.

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

0693-05-16

- w. Development Agreement with OPC Allan Investments, LLC for the A & P Tea Company building redevelopment at 222 3rd Avenue SW.

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

0694-05-16

- x. Amending Resolution No. 0074-01-16 by extending until October 25, 2016 the negotiation of a Development Agreement with Happel Enterprises, LLC for the redevelopment of City-owned property at 1871, 1895, 1915, and 1919 Ellis Boulevard NW.

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

0695-05-16

- y. Development Agreement with Scallon Custom Homes, LLC for property at 528 Greenfield Street NE participating in the second round of the Single Family New Construction Program. (Flood)

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

0696-05-16

- z. Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 3608 Forest Valley Court NE participating in the third round of the Single Family New Construction program. (Flood)

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

0697-05-16

aa. Amendment No. 1 to the Development Agreement with Jim Sattler, Inc. for property at 3617 Forest Valley Court NE participating in the third round of the Single Family New Construction program. (Flood)

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

Absent: Council member Olson.

Result: **Approved.**

0698-05-16

ab. Development Agreements with Wilshire, L.L.C. for properties located at 9321 Grand Oaks Drive NE and 8903 Norway Drive NE participating in the third round of the Single Family New Construction Program. (Flood)

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

Absent: Council member Olson.

Result: **Approved.**

0699-05-16

ac. Development Agreements with Johannes Brothers Construction, Inc. for properties at 1734 Bobcat Drive NW and 1415 Kodiak Drive 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.

Absent: Council member Olson.

Result: **Approved.**

0700-05-16

ad. Development Agreements with Thomas Dostal Developers, Inc. for properties at 5312 Dostal Drive SW and 5314 Dostal Drive 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.

Absent: Council member Olson.

Result: **Approved.**

0701-05-16

ae. Development Agreements with Todd Richardson Construction, Ltd. for properties at 5320 Dostal Drive SW and 5322 Dostal Drive 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.

Absent: Council member Olson.

Result: **Approved.**

0702-05-16

af. Assignment and Assumption of Development Agreement from Jim Sattler, Inc. to S & J Homes, LLC for property at 6318 Ridgewood Meadows Lane NE participating in the fourth round of the Single Family New Construction program. (Flood)

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

Absent: Council member Olson.

Result: **Approved.**

0703-05-16

ag. Assignment and Assumption of Development Agreement from Jim Sattler, Inc. to Sattler Homes, Inc. for property at 6001 Ridgewood Meadows Lane NE participating in the fourth round of the SFNC program. (Flood)

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

Absent: Council member Olson.

Result: **Approved.**

0704-05-16

ah. Release of Obligations under Development Agreements in conjunction with an Assignment and Assumption of Development Agreement from Hobart Historic Restoration, LLC to Cedar Valley Habitat for Humanity, Inc. for properties at 1100, 1104 and 1108 K Street 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.
Absent: Council member Olson.
Result: Approved.

0705-05-16

ai. Purchase Agreement in the amount of \$2,150 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Casey's Marketing Company from land located at 641 Edgewood Road NW in connection with the Edgewood Road NW Roadway Improvements from E Avenue NW to O Avenue NW project. (Paving for Progress)

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

0706-05-16

aj. Total Acquisition Purchase Agreement in the amount of \$107,300 with Debbie Kay Kula for real property located at 65 21st Avenue SW in connection with the Cedar Rapids Flood Control System project.

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

0707-05-16

ak. Total Acquisition Purchase Agreement in the amount of \$22,700 with Debbie Kay Kula for real property located at 67 21st Avenue SW in connection with the Cedar Rapids Flood Control System project.

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

0708-05-16

al. Rescinding Resolution No. 0618-05-16, which incorrectly referenced the type of conveyance document provided, and authorizing a Purchase Agreement in the amount of \$2,501 and accepting a Quit Claim 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.
Absent: Council member Olson.
Result: Approved.

0709-05-16

am. Purchase Agreement in the amount of \$645 and accepting an Easement for Drainage and a Temporary Grading Easement for Construction from Milo Spina and Sharon E. Benesh, Trustees of the Evelyn Irene Spina Revocable Trust u/d/o/ October 7, 1996, from land located at 1820 Rockford Road SW in connection with the 18th Street SW north of Wilson Avenue Detention Basin project.

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

0710-05-16

- an. Accepting the Affidavit for Sewer Service Line Reimbursement from property owners at 406 21st Street NW to reimburse the City on a monthly installment basis for the replacement of their sewer service line.

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

0711-05-16

- ao. 28E Agreement in the amount of \$2,000,000 with the cities of Marion, Hiawatha and Robins for the construction of Segments 7 and 11 of the Indian Creek and Dry Run Creek Sanitary Sewer Capacity Improvements project.

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

0712-05-16

- ap. Main Street Iowa Program Agreement with the Iowa Economic Development Authority and the Czech Village/New Bohemia Main Street District.

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

- 43. Report on bids for the Replacement of Fire Hydrants, Valves and Blow Off Completes FY17 project (estimated cost is \$84,380) (Steve Hershner).
 - B.G. Brecke, Inc., Cedar Rapids, IA, \$74,690
 - Lodge Construction Corp., Clarksville, IA, \$81,070
 - Yordi Excavating Inc., Cedar Rapids, IA, \$132,975
- 44. Report on bids 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)
 - Jasper Construction Services, Inc., Newton, IA, \$289,225
 - Iowa Erosion Control, Inc., Victor, IA, \$358,059.47
 - Peterson Contractors, Inc., Reinbeck, IA, \$390,000

0713-05-16

- a. Resolution awarding and approving contract in the amount of \$289,255 plus incentive up to \$5,000, bond and insurance of Jasper Construction Services, Inc. for the 8th Avenue and 16th Avenue Bridges over the Cedar River Expansion Joint Replacement project.

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

45. Report on bids 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)
- L.L. Pelling Company, Inc., North Liberty, IA, \$1,242,365.75
 - Rathje Construction Co., Marion, IA, \$1,246,030.45
 - Pirc-Tobin Construction, Inc., Alburnett, IA, \$1,338,583.90
 - Ricklefs Excavating, Ltd, Anamosa, IA, \$1,379,550

0714-05-16

- a. Resolution awarding and approving contract in the amount of \$1,242,365.75, plus incentive up to \$20,000, bond and insurance of L.L. Pelling Company, Inc. for the McCarthy Road SE from West of Van Vechten Park Road to Memorial Drive SE Roadway and Utility Improvement project.

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

46. Report on bids for the Cedar Rapids Police Department Firearms Range Improvements – Phase II project (estimated cost is \$754,000) (Doug Wilson).
- Kleiman Construction, Inc., Cedar Rapids, IA, \$632,328
 - Miron Construction, Inc., Cedar Rapids, IA, \$718,025
 - MZ Construction, Inc., Linden, WI, \$738,000
 - Tricon General Construction, Inc., Cedar Rapids, IA, \$788,000

0715-05-16

- a. Resolution awarding and approving contract in the amount of \$632,328 plus incentive up to \$5,000, bond and insurance of Kleiman Construction, Inc. for the Cedar Rapids Police Department Firearms Range Improvements – Phase II project.

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

0716-05-16

47. Discussion and Resolution authorizing staff to pursue third-party financial analysis of the proposed One Park Place, LLC project including potential structure of City participation (Caleb Mason and Jennifer Pratt).

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

025-16

48. 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 Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Poe.
Absent: Council member Olson.
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.
Absent: Council member Olson.
Result: Adopted.

- 026-16 49. Ordinance amending Chapter 72 of the Municipal Code, Stormwater Management, revising the stormwater utility fee structure and incentives.
- | |
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| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Poe. |
| Absent: Council member Olson. |
| 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. |
| Absent: Council member Olson. |
| Result: Adopted. |
- 027-16 50. 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 as requested by Abode Construction, Inc. and Phyllis M. Rausch.
- | |
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| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Poe. |
| Absent: Council member Olson. |
| 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. |
| Absent: Council member Olson. |
| Result: Adopted. |
- 028-16 51. 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 as requested by David J. and Teresa M. Wilford.
- | |
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| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Poe. |
| Absent: Council member Olson. |
| 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. |
| Absent: Council member Olson. |
| Result: Adopted. |
- 029-16 52. Ordinance granting a change of zone for properties 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.
- | |
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| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Poe. |
| Absent: Council member Olson. |
| 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. |
| Absent: Council member Olson. |
| Result: Adopted. |

- 030-16 53. Ordinance vacating 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.

Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Poe.
Absent: Council member Olson.
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.
Absent: Council member Olson.
Result: Adopted.

0717-05-16

- a. Resolution authorizing the disposition of 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.

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

Public comments were heard.

Motion to adjourn.

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

City Council adjourned at 6:18 p.m. to meet Tuesday, June 14, 2016 at 12 noon.

Alissa Van Sloten, Deputy City Clerk