

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

June 28, 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 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. Absent, Council member Kris Gulick.

The invocation was given by Public Safety Chaplain Jim Coyle.

Pledge of Allegiance.

Good News announcements were given by Mayor Corbett.

A presentation regarding Rezone Cedar Rapids was given by Elizabeth Garvin, LSL Planning, and Bill Micheel.

A presentation regarding the City of Cedar Rapids Pursuit of Sustainability Spring 2016 Update was given by Eric Holthaus and Steve Hershner.

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

1. A public hearing was held to consider granting a change of zone for a portion of the property at 6677 16th Avenue SW from PUD-1, Planned Unit Development One Zone District, to RMF-2, Multiple Family Residential Zone District, as requested by Hart-Frederick Consultants and Sharp Investments, LLC (Johnny Alcivar). No comments or objections were heard or filed.
  - a. First Reading: Ordinance granting a change of zone for a portion of the property at 6677 16th Avenue SW from PUD-1, Planned Unit Development One Zone District, to RMF-2, Multiple Family Residential Zone District, as requested by Hart-Frederick Consultants and Sharp Investments, LLC.

Council member Shields moved the approval of the Ordinance on its first reading and that it be filed in the office of the City Clerk for public inspection, as required by law, to be considered for action at a later date; seconded by Council member Poe.
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Absent: Council member Gulick.
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Result: <b><i>Approved.</i></b>
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2. A public hearing was held to consider granting a change of zone for property at 430 16th Avenue SW from PUB, Public Zone District, to O-S, Office/Service Zone District, as requested by Succession, LC (Johnny Alcivar). No comments or objections were heard or filed.

- a. First Reading: Ordinance granting a change of zone for property at 430 16th Avenue SW from PUB, Public Zone District, to O-S, Office/Service Zone District, as requested by Succession, LC. No comments or objections were heard or filed.

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.
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Absent: Council member Gulick.
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Result: <b><i>Approved.</i></b>
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3. A public hearing was held to consider the proposed Grand Living Urban Renewal Area and Plan generally located south of 1st Avenue SE and west of Collins Rd SE, and an Ordinance relating to collection of tax increment within the proposed area (Caleb Mason and Jennifer Pratt). No comments or objections were heard or filed.

- a. Resolution approving the 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.
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Abstain: Council member Olson.
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Absent: Council member Gulick.
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Result: <b><i>Approved.</i></b>
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- b. First Reading: 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 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.
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Abstain: Council member Olson.
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Absent: Council member Gulick.
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Result: <b><i>Approved.</i></b>
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4. A public hearing was held to consider public comments prior to adopting an amendment to the Citizen Participation Plan for the Community Development Block Grant (CDBG) and the HOME Investment Partnership Program. No comments or objections were heard or filed.

0817-06-16

5. A public hearing was held to consider the continuation of an approved public improvement project for the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project (Rita Rasmussen) (Paving for Progress). One comment was heard. No written comments or objections were filed.

0818-06-16

- a. Resolution to continue a previously-approved capital improvement project and to commence with the acquisition or condemnation of agricultural property and property interests not yet acquired for the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project.

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

6. A public hearing was held to consider the proposed specifications, form of contract and estimated cost for the Environmental Remediation and Demolition Services project (estimated cost is \$160,000) (John Riggs). No comments or objections were heard or filed.

0819-06-16

- a. Resolution adopting specifications, form of contract and estimated cost for the Environmental Remediation and Demolition Services project.

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

7. 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. 3 project (estimated cost is \$668,000) (Nate Kampman). No comments or objections were heard or filed.

0820-06-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Curb Ramp Repair Project – NW Bid Package No. 3 project.

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

8. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project (Nate Kampman) (Paving for Progress). No comments or objections were heard or filed.

0821-06-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project.

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

9. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road, Phase 1 – Grading project (estimated cost is \$480,000) (Nate Kampman). No comments or objections were heard or filed.

0822-06-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road, Phase 1 – Grading project.

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

Motion to approve the agenda.

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

Motion to approve the consent agenda.

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

City Manager Pomeranz requested that Item 30r (28E Agreement with the Cedar Rapids Community School District for the School Resource Officer Program for the term July 1, 2016 through June 30, 2018) be removed from the agenda and that the dollar amount in Item 17 be corrected to \$39,375.

Motion to reconsider the vote on the consent agenda.

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

Motion to approve the amended consent agenda.

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

10. Motion to approve the minutes.

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

<u>0823-06-16</u>	11.	Resolution restating fees for licenses and permits issued by the Cedar Rapids City Clerk. Council member Overland moved to approve; seconded by Council member Weinacht. Absent: Council member Gulick. Result: <b>Approved.</b>
<u>0824-06-16</u>	12.	Resolution granting 11 ambulance vehicle licenses to Area Ambulance Service at 2730 12th Street SW. Council member Overland moved to approve; seconded by Council member Weinacht. Absent: Council member Gulick. Result: <b>Approved.</b>
<u>0825-06-16</u>	13.	Resolution authorizing the City Manager to negotiate, approve and make the offer of settlement to the United States Securities and Exchange Commission in connection with the Municipalities Continuing Disclosure Cooperation Initiative. Council member Overland moved to approve; seconded by Council member Weinacht. Absent: Council member Gulick. Result: <b>Approved.</b>
<u>0826-06-16</u>	14.	Resolution authorizing the Finance Department to issue payment of \$569,590.73 to DoubleTree by Hilton for a calendar year 2015 operating loss for the convention center and arena. Council member Overland moved to approve; seconded by Council member Weinacht. Absent: Council member Gulick. Result: <b>Approved.</b>
<u>0827-06-16</u>	15.	Resolution authorizing payment of FY17 annual dues to the Corridor Metropolitan Planning Organization in the amount of \$57,768.86. Council member Overland moved to approve; seconded by Council member Weinacht. Absent: Council member Gulick. Result: <b>Approved.</b>
<u>0828-06-16</u>	16.	Resolution authorizing payments to various non-profit special events held in Cedar Rapids for FY16 from the Special Event Public Safety Fund. Council member Overland moved to approve; seconded by Council member Weinacht. Absent: Council member Gulick. Result: <b>Approved.</b>
<u>0829-06-16</u>	17.	Resolution authorizing a grant of \$39,375 to Czech Village/New Bohemia Main Street District for FY17 for operational services. Council member Overland moved to approve; seconded by Council member Weinacht. Absent: Council member Gulick. Result: <b>Approved.</b>

- 0830-06-16 18. Resolution authorizing a Civil Rights Commission Investigator to attend the National Fair Housing Training Academy Week Three Investigator Training in Burlington, MA from May 16-20, 2016 for an estimated total amount of \$3,917.

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

Absent: Council member Gulick.

Result: **Approved.**

- 0831-06-16 19. Resolution setting a public hearing for July 26, 2016 to consider the Resolution of Necessity (Proposed) for the construction of the Memorial Drive SE from McCarthy Road SE to Mount Vernon Road SE Roadway and Utility Improvements project (Paving for Progress).

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

Absent: Council member Gulick.

Result: **Approved.**

20. Motions setting public hearing dates for:

- a. July 12, 2016 – to consider granting a change of zone for a portion of former railroad right-of-way property south of Skylee Drive NE and east of Council Street NE from I-1, Light Industrial Zone District, to PUD-1, Planned Unit Development One Zone District, as requested by Hunter Companies, LLC.

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

Absent: Council member Gulick.

Result: **Approved.**

- b. July 12, 2016 – to consider the disposition of excess City-owned property described as a 3.58 acre parcel and a 1.4 acre parcel of vacant land located at the intersection of Ellis Road and 80th Street NW as requested by the State of Iowa in connection with the future extension of Highway 100.

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

Absent: Council member Gulick.

Result: **Approved.**

- c. July 26, 2016 – to consider annexation of property located west of Stony Point Road NW and north of Black Granite Road as requested by William K. and Debra J. Robinson.

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

Absent: Council member Gulick.

Result: **Approved.**

21. Motions setting public hearing dates and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results for:

- a. July 12, 2016 – Northwood Drive NE from south of Brookland Drive NE to 42nd Street NE Roadway Reconstruction project, with bid opening July 13, 2016 (estimated cost is \$840,000) (Paving for Progress).

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

Absent: Council member Gulick.

Result: **Approved.**

- b. July 12, 2016 – 1st Avenue E from 27th Street NE to 34th Street NE HMA Resurfacing Phase 3 project, with bid opening July 19, 2016 at the Iowa Department of Transportation (estimated cost is \$1,895,000) (Paving for Progress).

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

Absent: Council member Gulick.

Result: **Approved.**

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

- a. Best Western Cooper's Mill, 100 F Avenue NW.
- b. Casey's General Store #2763, 641 Edgewood Road NW.
- c. Casey's General Store #2766, 380 33rd Avenue SW.
- d. Casey's General Store #2772, 3349 Mount Vernon Road SE.
- e. Casey's General Store #2773, 3625 Edgewood Road SW.
- f. Casey's General Store #2787, 1661 32nd Street NE.
- g. Casey's General Store #2850, 5655 C Street SW.
- h. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on July 15-17, 2016).
- i. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on July 22-24, 2016).
- j. Checkers Tavern & Eatery, 3120 6th Street SW.
- k. Chrome Horse, 1140 Blairs Ferry Road NE (outdoor service for an event on July 1-3, 2016).
- l. Chrome Horse, 1140 Blairs Ferry Road NE (outdoor service for an event on July 8-10, 2016).
- m. Chrome Horse, 1140 Blairs Ferry Road NE (outdoor service for an event on July 15-17, 2016).
- n. Coral Isle Club #909, 1620 E Avenue NE.
- o. Dick's Tap & Shake Room, 1602 E Avenue NE (new – formerly Mahoney's).
- p. El Mercadito, 700 1st Avenue NW.
- q. Hawkeye Convenience Store, 250 16th Avenue SW.
- r. Hawkeye Convenience Store, 1581 1st Avenue SE.
- s. Hawkeye Convenience Store, 4830 Johnson Avenue NW.
- t. Hawkeye Convenience Store, 1120 Old Marion Road NE.
- u. Hawkeye Convenience Store, 2330 Wiley Boulevard SW.
- v. Hotel at Kirkwood, 7725 Kirkwood Boulevard SW.
- w. Hy-Vee Food Store #4, 1556 1st Avenue NE.
- x. Hy-Vee #7 Club Room, 5050 Edgewood Road NE (outdoor service for an event on July 16, 2016).

- y. Lion Bridge Brewing Company, 59 16th Avenue SW (outdoor service for an event on July 7, 2016).
- z. Lion Bridge Brewing Company, 59 16th Avenue SW (outdoor service for an event on July 21-22, 2016).
- aa. Market Express, 5340 16th Avenue SW.
- ab. Marriott, 1200 Collins Road NE (new – new ownership).
- ac. Nick's Bar & Grill, 4958 Johnson Avenue NW.
- ad. Rock Bar American Grill, 219 2nd Avenue SE (5-day license for an event at Veterans Memorial Coliseum, 50 2nd Avenue Bridge, on July 16, 2016).
- ae. Smokin' Joe's Tobacco & Liquor Outlet #14, 225 Edgewood Road NW.
- af. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on July 7-9, 2016).
- ag. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on July 14-16, 2016).
- ah. Union Station, 1724 16th Avenue SW (outdoor service for an event on July 1-3, 2016).
- ai. Veterans Memorial Grille, 51 First Avenue Bridge (new – new management; formerly Gatherings on the River).
- aj. Wild Hog Saloon & Eatery, 350 Commercial Drive, Walford, IA (5-day permit for an event July 30, 2016 at Metro Harley Davidson, 2415 Westdale Drive SW).

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

0832-06-16

- a. Payment of bills.

Council member Overland moved to approve; seconded by Council member Weinacht.
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Absent: Council member Gulick.
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Result: <b>Approved.</b>
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0833-06-16

- b. Payroll.

Council member Overland moved to approve; seconded by Council member Weinacht.
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Absent: Council member Gulick.
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Result: <b>Approved.</b>
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0834-06-16

- c. Transfer of funds.

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

0835-06-16

- a. Reappointing Carroll Reasoner and Marcia Rogers (effective through June 30, 2019) to the Airport Commission.

Council member Overland moved to approve; seconded by Council member Weinacht.
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Absent: Council member Gulick.
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Result: <b>Approved.</b>
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0836-06-16

- b. Appointing David Baker (effective through June 30, 2019) to the Cedar Rapids Board of Ethics.

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

Absent: Council member Gulick.

Result: **Approved.**

0837-06-16

- c. Appointing Lisa Peloquin (effective through June 30, 2017) to the City Planning Commission.

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

Absent: Council member Gulick.

Result: **Approved.**

0838-06-16

- d. Appointing Joseph Terfler (effective through June 30, 2018), Patricia Ellison and Dawn Jaffray (effective through June 30, 2019) and reappointing Linda Mattes and Fred Timko (effective through June 30, 2019) to the Downtown Cedar Rapids Self-Supported Municipal Improvement District Commission.

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

Absent: Council member Gulick.

Result: **Approved.**

0839-06-16

- e. Reappointing Tim Blumer (effective through June 30, 2019) to the Ellis Area Design Review Technical Advisory Committee.

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

Absent: Council member Gulick.

Result: **Approved.**

0840-06-16

- f. Reappointing Tim Blumer (effective through June 30, 2019) to the Kingston Village Design Review Technical Advisory Committee.

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

Absent: Council member Gulick.

Result: **Approved.**

0841-06-16

- g. Reappointing Joe Lock and Susan McDermott (effective through June 30, 2022) to the Library Board of Trustees.

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

Absent: Council member Gulick.

Result: **Approved.**

0842-06-16

- h. Reappointing Bethany Jordan (effective through June 30, 2019) to the Medical Quarter Design Review Technical Advisory Committee.

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

Absent: Council member Gulick.

Result: **Approved.**

0843-06-16

- i. Appointing Rebecca Stonawski (effective through June 30, 2017) to the Parks, Waterways & Recreation Commission.

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

Absent: Council member Gulick.

Result: **Approved.**

0844-06-16

- j. Appointing Cindy Guckenberger (effective through June 30, 2019) to the Veterans Memorial Commission.

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

Absent: Council member Gulick.

Result: **Approved.**

0845-06-16

- k. Vote of thanks to Amy Johnson and Robert Teig for serving on the Cedar Rapids Board of Ethics.

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

Absent: Council member Gulick.

Result: **Approved.**

0846-06-16

- l. Vote of thanks to Tiffany Earl, Judy Eckman, Doug Olson and Cathy Terukina for serving on the Downtown Cedar Rapids Self-Supported Municipal Improvement District Commission.

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

Absent: Council member Gulick.

Result: **Approved.**

0847-06-16

- m. Vote of thanks to Daniel Kane for serving on the Veterans Memorial Commission.

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

Absent: Council member Gulick.

Result: **Approved.**

0848-06-16

- n. Amending Resolution No. 0739-06-16 to rescind the appointment of Katherine O'Brien to the Cedar Rapids Historic Preservation Commission at the request of the appointee.

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

Absent: Council member Gulick.

Result: **Approved.**

25. Resolutions approving the special event applications for:

0849-06-16

- a. Freedom Festival Imagination Square event (includes road closures) on July 2, 2016.

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

Absent: Council member Gulick.

Result: **Approved.**

0850-06-16

- b. Cedar Boat Club Annual Fireworks event (includes road closures) on July 3, 2016.

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

Absent: Council member Gulick.

Result: **Approved.**

0851-06-16

- c. Fifth Season Races (includes road closures) on July 4, 2016.

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

Absent: Council member Gulick.

Result: **Approved.**

0852-06-16

- d. Cedar Rapids Fire Department Fill the Boot for MDA event – July 18, August 12 and August 31 to September 2, 2016 (with a rain date of September 3).

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

Absent: Council member Gulick.

Result: **Approved.**

0853-06-16

- e. Cedar Rapids Public Library Summer Dare Celebration (includes road closure) on July 30, 2016.

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

Absent: Council member Gulick.

Result: **Approved.**

26. Resolutions approving assessment actions:

0854-06-16

- a. Intent to assess – Water Division – delinquent municipal utility bills – 45 properties.

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

Absent: Council member Gulick.

Result: **Approved.**

0855-06-16

- b. Levy assessment – Water Division – delinquent municipal utility bills – six properties.

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

Absent: Council member Gulick.

Result: **Approved.**

0856-06-16

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

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

Absent: Council member Gulick.

Result: **Approved.**

0857-06-16

- d. Levy assessment – Solid Waste & Recycling – clean-up costs – seven properties.

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

Absent: Council member Gulick.

Result: **Approved.**

0858-06-16

- e. Levy assessment – Solid Waste & Recycling – delinquent weed mowing charges – four properties.

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

Absent: Council member Gulick.

Result: **Approved.**

0859-06-16

- f. Levy assessment – Building Services – delinquent nuisance abatement charges – four properties.

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

Absent: Council member Gulick.

Result: **Approved.**

- 0860-06-16
27. Resolution accepting a subdivision improvement and approving a Maintenance Bond:
- a. Portland Cement Concrete pavement in Tech Place Fourth Addition and 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$100,955.40.
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| Council member Overland moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Gulick.   |
| Result: <b>Approved.</b>   |
- 0861-06-16
28. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
- a. 2015 Cleaning, Repairing & Painting 2,000,000 Gallon Hydropillar – C Street Water Tower project, final payment in the amount of \$46,279.25 and 2-year Performance Bond submitted by TMI Coatings (original contract amount was \$950,690; final contract amount is \$925,585).
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| Council member Overland moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Gulick.   |
| Result: <b>Approved.</b>   |
- 0862-06-16
- b. 2nd Street SE east of 16th Avenue Sanitary Sewer Replacement project, Change Order No. 5 (Final) deducting the amount of \$36,705, final payment in the amount of \$42,557.08 and 4-year Performance Bond submitted by Maxwell Construction (original contract amount was \$869,475; final contract amount is \$851,141.60).
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| Council member Overland moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Gulick.   |
| Result: <b>Approved.</b>   |
- 0863-06-16
- c. Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – General Contractor project, final payment in the amount of \$42,872.65 and 2-year Performance Bond submitted by Miron Construction Co., Inc. (original contract amount was \$19,185,000; final contract amount is \$20,248,216.18). (Flood)
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| Council member Overland moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Gulick.   |
| Result: <b>Approved.</b>   |
- 0864-06-16
- d. Cedar Rapids Convention Complex – Mechanical project, final payment in the amount of \$2,252.75 and 1-year Performance Bond submitted by Modern Piping, Inc. (original contract amount was \$10,917,000; final contract amount is \$12,200,205).
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| Council member Overland moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Gulick.   |
| Result: <b>Approved.</b>   |
- 0865-06-16
- e. Council Street NE from North City Limit to Woodcrest Street Hot Mix Asphalt Overlay project, final payment in the amount of \$9,953.78 and 4-year Performance Bond submitted by L.L. Pelling Company, Inc. (original contract amount was \$207,230; final contract amount is \$199,075.60).
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| Council member Overland moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Gulick.   |
| Result: <b>Approved.</b>   |

0866-06-16

- f. Penn Avenue NW at 1st Street NW Storm Sewer Improvements – Phase 1 project, final payment in the amount of \$6,509.48 and 4-year Performance Bond submitted by Sulz Co., LLC (original contract amount was \$150,857.50; final contract amount is \$130,189.68).

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

Absent: Council member Gulick.

Result: **Approved.**

0867-06-16

- g. Water Pollution Control Facility Permanent Flood Repairs Package 3 – Intermediate Lift, Final Lift, Secondary Treatment, Unit Substations 3 and 7, Cryogenic Oxygen Generation and Activated Sludge project, final payment in the amount of \$388,946.64 and 2-year Performance Bond submitted by Rice Lake Construction Group (original contract amount was \$7,748,600; final contract amount is \$7,778,932.70). (Flood)

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

Absent: Council member Gulick.

Result: **Approved.**

0868-06-16

29. Resolution approving a final plat:

- a. The Sanctuary at Ellis Park First Addition to Cedar Rapids, Linn County, Iowa for land located north of Zika Avenue NW and east of 16th Street NW.

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

Absent: Council member Gulick.

Result: **Approved.**

0869-06-16

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

- a. Amendment No. 6 to renew contract with Amperage Marketing for marketing communications services on an as-needed basis Citywide for an annual amount not to exceed \$150,000 (original contract amount was \$150,000; renewal contract amount is \$150,000).

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

Absent: Council member Gulick.

Result: **Approved.**

0870-06-16

- b. Amendment No. 2 to renew contract with Janda Motor Services for Motor Repair Services for various City departments for an annual amount not to exceed \$100,000 (original contract amount was \$100,000; renewal contract amount is \$100,000).

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

Absent: Council member Gulick.

Result: **Approved.**

0871-06-16

- c. Amendment No. 4 to renew contract with The Louis Berger Group, Inc. for Section 106 Review Consultant for the Housing Division for an annual amount not to exceed \$120,000 (original contract amount was \$120,000; renewal contract amount is \$120,000). (Flood)

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

Absent: Council member Gulick.

Result: **Approved.**

0872-06-16

- d. Amendment No. 3 to renew contract with Mi-Tech Services, Inc. for Televising of Sanitary Service Lines for the Engineering Division for an annual amount not to exceed \$100,000 (original contract amount was \$75,000; renewal contract amount is \$100,000).

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

Absent: Council member Gulick.

Result: **Approved.**

0873-06-16

- e. Amendment No. 2 to extend contract with Halvorson Trane for Energy Management System (EMS) Monitoring Services for Facilities Maintenance Services for an additional three months for an amount not to exceed \$21,180 (original contract amount was \$84,720; total contract amount with this amendment is \$105,900).

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

Absent: Council member Gulick.

Result: **Approved.**

0874-06-16

- f. Parks and Recreation Department Golf and Recreation Operations purchase of wholesale beer and related products from 7G Distribution LLC and Fleck Sales Company for a total amount of \$110,000 for FY17 concession sales.

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

Absent: Council member Gulick.

Result: **Approved.**

0875-06-16

- g. Amendment No. 4 to renew contract with Kelly Services, Inc. for Temporary Staffing Services for the Human Resources Department for an annual amount not to exceed \$100,000 (original contract amount was \$40,000; renewal contract amount is \$100,000).

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

Absent: Council member Gulick.

Result: **Approved.**

0876-06-16

- h. Contract with CDB Utility Contractors for fiber maintenance and repair for the Joint Communication Network for the Information Technology Department for an annual amount not to exceed \$100,000.

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

Absent: Council member Gulick.

Result: **Approved.**

0877-06-16

- i. Contract with Price Industrial Electric, Inc. for fiber maintenance and repair for the Joint Communication Network for the Information Technology Department for an annual amount not to exceed \$100,000.

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

Absent: Council member Gulick.

Result: **Approved.**

0878-06-16

- j. Contract with RSM US LLP for professional IT services for the Information Technology Department for an annual amount not to exceed \$100,000.

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

Absent: Council member Gulick.

Result: **Approved.**

0879-06-16

- k. Fleet Services Division purchase of twelve 2017 Ford Police Interceptor utility vehicles for use by the Police and Fire Departments from Stivers Ford Lincoln in the amount of \$327,726.

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

Absent: Council member Gulick.

Result: **Approved.**

0880-06-16

- l. Purchase of three Glavel Titan II, light-duty buses for a cost of \$84,636 each from Hogle Bus Co., Inc. for a total cost of \$253,908.

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

Absent: Council member Gulick.

Result: **Approved.**

0881-06-16

- m. Contract with Ferguson Waterworks for as-needed purchases of commercial water meters and accessories for the Water Division for an annual amount not to exceed \$435,000.

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

Absent: Council member Gulick.

Result: **Approved.**

0882-06-16

- n. Amendment No. 4 to renew contract with Ferguson Waterworks for Residential Water Meters for the Water Division for an annual amount not to exceed \$225,000 (original contract amount was \$134,000; renewal contract amount is \$225,000).

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

Absent: Council member Gulick.

Result: **Approved.**

0883-06-16

- o. Amendment No. 1 to the Professional Services Agreement with Anderson-Bogert Engineers and Surveyors, Inc. specifying an increased amount not to exceed \$26,410 for engineering design services in connection with the 16th Avenue SE from 4th Street to 5th Street Pavement Improvements project (original contract amount was \$159,658; total contract amount with this amendment is \$186,068). (Paving for Progress)

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

Absent: Council member Gulick.

Result: **Approved.**

0884-06-16

- p. FY17 contract with Horizons in the amount of \$408,000 for Horizons to provide after-hours transit service when regularly scheduled fixed-route bus service is not in operation.

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

Abstain: Council member Weinacht.

Absent: Council member Gulick.

Result: **Approved.**

0885-06-16

- q. FY17 contract with Linn County in the amount of \$636,480 for Linn County LIFTS to provide ADA complementary paratransit service to eligible persons with disabilities who cannot use the fixed route bus system in Cedar Rapids, Marion, and Hiawatha.

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

Absent: Council member Gulick.

Result: **Approved.**

0886-06-16

- s. Agreement for Traffic Safety Improvement Program (TSIP) Funding agreement in the amount of \$500,000 with the Iowa Department of Transportation (IDOT) for the Kirkwood Boulevard SW and College Community School District (CCSD) South Access Drive Roundabout project.

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

Absent: Council member Gulick.

Result: **Approved.**

0887-06-16

- t. Settlement Agreement with Rinderknecht Associates, Inc., and authorizing any subsequent disbursement of settlement proceeds.

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

Absent: Council member Gulick.

Result: **Approved.**

0888-06-16

- u. Development Agreements with Thomas Dostal Developers, Inc. for properties at 5316 and 5318 Dostal Drive SW participating in the fourth round of the Single Family New Construction program. (Flood)

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

Absent: Council member Gulick.

Result: **Approved.**

0889-06-16

- v. Assignment and Assumption of Development Agreement from Jim Sattler, Inc. to Scallon Custom Homes, L.L.C. for property at 453 9th Avenue SW participating in the fourth round of the Single Family New Construction program. (Flood)

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

Absent: Council member Gulick.

Result: **Approved.**

0890-06-16

- w. Assignment and Assumption of Development Agreement from Ken-Del Properties d/b/a Wilshire, L.L.C. to Scallon Custom Homes, L.L.C. for property at 1410 N Street SW participating in the fourth round of the Single Family New Construction program. (Flood)

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

Absent: Council member Gulick.

Result: **Approved.**

0891-06-16

- x. Development Agreement and Special Warranty Deed with Stonebrook Homes, LLC for City-owned property at 2335 16th Street NW participating in the third round of the Single Family New Construction program. (Flood)

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

Absent: Council member Gulick.

Result: **Approved.**

0892-06-16

- y. Development Agreement and Special Warranty Deed with Scallon Custom Homes, L.L.C. for City-owned property at 316 6th Street SW participating in the fourth round of the Single Family New Construction program. (Flood)

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

Absent: Council member Gulick.

Result: **Approved.**



0893-06-16

- z. Development Agreements and Special Warranty Deeds with Scallon Custom Homes, L.L.C. for City-owned properties at 349 7th Avenue SW, 702 L Street SW, and 706 L Street SW participating in the fourth round of the Single Family New Construction program. (Flood)

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

Absent: Council member Gulick.

Result: **Approved.**

31. Report on bids for the CEMAR Trail: Phase 1B HMA Trail project and the CEMAR Trail: Phase 1D HMA Trail project (estimated cost is \$760,000) (Nate Kampman):  
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA, \$754,879.75  
Vieth Construction Corporation, Cedar Falls, IA, \$798,978.53

0894-06-16

32. Report on bids for the Repair of Water Service Lines FY 17 project (estimated cost is \$300,000) (Steve Hershner):  
B.G. Brecke, Inc., Cedar Rapids, IA, \$258,540

- a. Resolution awarding and approving contract in the amount of \$258,540, bond and insurance of B.G. Brecke, Inc. for the Repair of Water Service Lines FY 17 project.

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

Abstain: Council member Olson.

Absent: Council member Gulick.

Result: **Approved.**

0895-06-16

33. Discussion and Resolution of Support authorizing City participation in The Gardens CCRC proposed by Stone Creek Senior Partners LLC at 5710 Dean Road SW (Caleb Mason).

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

Absent: Council member Gulick.

Result: **Approved.**

034-16

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

Absent: Council member Gulick.

Result: **Approved.**

Council member Weinacht moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Poe.

Absent: Council member Gulick.

Result: **Adopted.**

- 035-16 35. Ordinance allowing fees for licenses and permits issued by the Cedar Rapids City Clerk to be set by City Council Resolution.

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

Motion to adjourn.

Council member Shields moved to approve; seconded by Council member Shey.
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Absent: Council member Gulick.
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Result: <b><i>Approved.</i></b>
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City Council adjourned at 5:21 p.m. to meet Tuesday, July 12, 2016 at 12 noon.

Amy Stevenson, City Clerk