

# CITY OF CEDAR RAPIDS, IOWA

## MINUTES OF THE CITY COUNCIL

### REGULAR SESSION

July 12, 2016, 12:00 PM

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

The invocation was given by Public Safety Chaplain Tim Pridegon.

Pledge of Allegiance.

Good News announcements were given by Mayor Corbett.

Mayor Corbett and Council member Poe presented a Proclamation declaring July 23, 2016 as Celebration of ADA.

A presentation regarding the Cedar Rapids Metro Economic Alliance MOU Report was given by Doug Neumann (opening remarks regarding first two presentations were given by Jasmine Almoayed).

A presentation regarding the Czech Village New Bohemia Main Street MOU Report was given by Jennifer Pruden.

A presentation regarding the Cedar Rapids Business Survey was given by David Connolly (opening remarks were given by Jasmine Almoayed).

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 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 (Johnny Alcivar). No comments or objections were heard or filed.

036-16

- a. First and possible Second and Third Readings: Ordinance 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 Poe moved the approval of the Ordinance on its first reading; seconded by Council member Weinacht.
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Result: <b>Approved.</b>
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Council member Gulick moved that the rule requiring three readings on three different days be suspended and that the Ordinance be approved on its second reading and adopted on its third and final reading; seconded by Council member Weinacht.
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Result: <b>Adopted.</b>
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2. A public hearing was held 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 (Rita Rasmussen). No comments or objections were heard or filed.

0896-07-16

- a. Resolution authorizing execution of a Purchase Agreement in the amount of \$197,000, a Quitclaim Deed to the State of Iowa, and a Quitclaim Deed to Linn County for 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 in connection with the future extension of Highway 100.

Council member Poe moved to approve; seconded by Council member Weinacht.
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Result: <b><i>Approved.</i></b>
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3. A public hearing was held to consider the Resolution of Necessity (Proposed) for the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project (Doug Wilson) (Paving for Progress). One comment and one objection were heard. One written objection was filed.

0897-07-16

- a. Resolution deferring until September 27, 2016 the vote on the Resolution of Necessity (Proposed) for the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project.

Council member Olson moved to approve; seconded by Council member Poe.
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Result: <b><i>Approved.</i></b>
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4. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Northwood Drive NE from South of Brookland Drive NE to 42nd Street NE Roadway Reconstruction project (estimated cost is \$840,000) (Doug Wilson) (Paving for Progress). No comments or objections were heard or filed.

0898-07-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Northwood Drive NE from South of Brookland Drive NE to 42nd Street NE Roadway Reconstruction project.

Council member Olson moved to approve; seconded by Council member Poe.
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Result: <b><i>Approved.</i></b>
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5. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 1st Avenue E from 27th Street NE to 34th Street NE HMA Resurfacing Phase 3 project (estimated cost is \$1,895,000) (Nate Kampman) (Paving for Progress). No comments or objections were heard or filed.

0899-07-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the 1st Avenue E from 27th Street NE to 34th Street NE HMA Resurfacing Phase 3 project.

Council member Gulick moved to approve; seconded by Council member Weinacht.
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Result: <b><i>Approved.</i></b>
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6. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Sinclair Levee – Grading/Gatewell Package project (estimated cost is \$5,200,000) (Rob Davis). No comments or objections were heard or filed.

0900-07-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Sinclair Levee – Grading/Gatewell Package project.

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

Result: **Approved.**

Public comments were heard.

Motion to approve the agenda.

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

Result: **Approved.**

Motion to approve the consent agenda.

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

Result: **Approved.**

7. Motion to approve the minutes.

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

Result: **Approved.**

0901-07-16

8. Resolution adopting an amendment to the Citizen Participation Plan for the Community Development Block Grant (CDBG) and the HOME Investment Partnership Program.

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

Result: **Approved.**

0902-07-16

9. Resolution rescinding Resolution No. 183-2-63, which approved the installation of yield signs at the intersection of 16th Street and Park Avenue SE, and approving the installation of stop signs on 16th Street SE at the intersection of Park Avenue SE.

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

Result: **Approved.**

0903-07-16

10. Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Bever Avenue SE Sidewalk Extension from 30th Street SE to 34th Street SE project.

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

Result: **Approved.**

0904-07-16

11. Resolution setting a public hearing for July 26, 2016 on the proposed sale of land to Nordstrom, Inc., a Washington corporation.

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

Result: **Approved.**

- 0905-07-16 12. Resolution determining the necessity and setting dates of a public hearing for August 23, 2016 and consultation with affected taxing entities, and referral to City Planning Commission for a report and recommendation on the proposed Amendment No. 1 to the 42nd Street and Edgewood Urban Renewal Plan for the 42nd Street and Edgewood Urban Renewal Area.
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| Council member Overland moved to approve; seconded by Council member Weinacht. |
| Result: <b>Approved.</b>   |
- 0906-07-16 13. Resolution determining the necessity and setting dates of a public hearing for August 23, 2016 and consultation with affected taxing entities, and referral to City Planning Commission for a report and recommendation on the proposed Amendment No. 1 to the Apache Hose and Belting Company, Inc. Urban Renewal Plan for the Apache Hose and Belting Company, Inc. Urban Renewal Area.
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| Council member Overland moved to approve; seconded by Council member Weinacht. |
| Result: <b>Approved.</b>   |
- 0907-07-16 14. Resolution determining the necessity and setting dates of a public hearing for August 23, 2016 and consultation with affected taxing entities, and referral to City Planning Commission for a report and recommendation on the proposed Amendment No. 3 to the Council Street Urban Renewal Plan for the Council Street Urban Renewal Area.
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| Council member Overland moved to approve; seconded by Council member Weinacht. |
| Result: <b>Approved.</b>   |
- 0908-07-16 15. Resolution determining the necessity and setting dates of a public hearing for August 23, 2016 and consultation with affected taxing entities, and referral to City Planning Commission for a report and recommendation on the proposed Amendment No. 1 to the Northtowne Market Urban Renewal Plan for the Northtowne Market Urban Renewal Area.
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| Council member Overland moved to approve; seconded by Council member Weinacht. |
| Result: <b>Approved.</b>   |
16. Motions setting public hearing dates for:
- a. July 26, 2016 – to consider initiating the competitive disposition process and inviting competitive redevelopment proposals for nine City-owned properties located in Czech Village near the intersection of 16th Avenue SW and C Street SW.
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| Council member Overland moved to approve; seconded by Council member Weinacht. |
| Result: <b>Approved.</b>   |
- b. July 26, 2016 – to consider initiating the competitive disposition process and inviting competitive redevelopment proposals for four vacant City-owned properties at 68 15th Avenue SW, 72 15th Avenue SW, 76 15th Avenue W and 1505 B Street SW. (Flood)
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| Council member Overland moved to approve; seconded by Council member Weinacht. |
| Result: <b>Approved.</b>   |
- c. July 26, 2016 – to consider initiating the competitive disposition process and inviting competitive redevelopment proposals for two City-owned properties at 904 and 908 5th Street SE purchased through the Voluntary Acquisition Program. (Flood)
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| Council member Overland moved to approve; seconded by Council member Weinacht. |
| Result: <b>Approved.</b>   |

- d. July 26, 2016 – to consider initiating the competitive disposition process and inviting competitive redevelopment proposals for vacant City-owned property at 535 1st Street SW purchased through the Voluntary Acquisition Program. (Flood)

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

Result: **Approved.**

- e. July 26, 2016 – to consider an Underground Electric Line Easement agreement in connection with existing underground facilities on vacant City-owned land located southwesterly of the 10th Avenue and 15th Street SE intersection as requested by Interstate Power and Light Company.

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

Result: **Approved.**

- f. July 26, 2016 – to consider the vacation of an 8,175 square-foot sanitary sewer easement located adjacent to and northerly of 3645 Stone Creek Circle SW as requested by Legacy Commercial Group, LLC.

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

Result: **Approved.**

- g. August 9, 2016 – to consider annexation of property located at 3500 Ellis Road NW as requested by Wilmar Development Co.

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

Result: **Approved.**

- h. August 23, 2016 – to consider annexation of property located west of 6th Street SW and south of Tharp Road SW as requested by Roger C. Klouda.

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

Result: **Approved.**

- i. August 23, 2016 – to consider amending Ordinance No. 084-14 relating to collection of tax increment within the 42nd Street and Edgewood Urban Renewal Area.

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

Result: **Approved.**

- j. August 23, 2016 – to consider amending Ordinance No. 009-15 relating to collection of tax increment within the Apache Hose and Belting Company, Inc. Urban Renewal Area.

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

Result: **Approved.**

- k. August 23, 2016 – to consider amending Ordinance No. 041-03 relating to collection of tax increment within the Council Street Urban Renewal Area.

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

Result: **Approved.**

- l. August 23, 2016 – to consider amending Ordinance No. 079-14 relating to collection of tax increment within the Northtowne Market Urban Renewal Area.

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

Result: **Approved.**

17. Motion approving the beer/liquor/wine applications of:
- a. Big Discount Liquor, 5427 Center Point Road NE.
  - b. Bistro on the River, 411 1st Street SE.

- c. BP On 1st, 2824 1st Avenue NE.
- d. Cedar Rapids Ice Arena, 1100 Rockford Road SW.
- e. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre Cedar Rapids, 475 1st Street SE, on July 22, 2016).
- f. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre Cedar Rapids, 475 1st Street SE, on July 29, 2016).
- g. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on July 29-31, 2016).
- h. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on August 5-7, 2016).
- i. Cenex Gas Station, 502 E Avenue NW.
- j. Chipotle Mexican Grill #2275, 4444 1st Avenue NE, Suite 538.
- k. Chrome Horse, 4645 Center Point Road NE (5-day permit for an event at McGrath Motor Sports, 4645 Center Point Road NE, on July 28, 2016).
- l. Chrome Horse, 1140 Blairs Ferry Road NE (outdoor service for an event on July 21-24, 2016).
- m. Chrome Horse, 1140 Blairs Ferry Road NE (outdoor service for an event on July 29-31, 2016).
- n. Eastbank Venue & Lounge, 97 3rd Avenue SE (new – formerly Smulekoff's).
- o. Fas Mart #5150, 3330 16th Avenue SW (new – class E liquor – formerly Road Ranger #5150).
- p. Fraternal Order of Eagles Post #2272, 1735 11th Street NW (outdoor service for an event on July 23-24, 2016).
- q. Genghis Grill, 2230 Edgewood Road SW (new – new ownership).
- r. Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day permit for an event at Veterans Memorial Ballroom, 51 1st Avenue Bridge, on July 15, 2016).
- s. Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day permit for an event at Veterans Memorial Coliseum, 50 2nd Avenue Bridge, on July 30, 2016).
- t. Iowa Brewing Company, 708 3rd Street SE (adding permanent outdoor service area).
- u. Los Compadres Mexican Bar & Grill, 2825 6th Street SW.
- v. The Lost Cuban, 209 3rd Street SE.
- w. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on July 25-29, 2016).
- x. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on August 1-8, 2016).
- y. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on August 8-12, 2016).
- z. New Shack Tavern, 2545 Old River Road SW (outdoor service for an event on July 23, 2016).
- aa. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event on July 22, 2016).
- ab. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event on July 29, 2016).
- ac. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event on August 5, 2016).
- ad. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event on August 12, 2016).
- ae. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event on August 13, 2016).
- af. Red Lobster, 163 Collins Road NE.

- ag. Rumors, 400 F Avenue NW (outdoor service for an event on July 15-16, 2016).
- ah. Siamville Thai Cuisine, 3635 1st Avenue SE.
- ai. Stadium Lounge Bar & Grill, 957 Rockford Road SW (outdoor service for an event on July 30, 2016).
- aj. Super Burrito Lupita's Bakery, 3300 Johnson Avenue NW
- ak. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on July 21-23, 2016).
- al. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on July 28-30, 2016).
- am. Turner Alley Brewing Company, 2715 12th Street SW (outdoor service for an event on August 4-6, 2016).
- an. Vineria Wine Shop, 264 Blairs Ferry Road NE.

Council member Overland moved to approve; seconded by Council member Weinacht.
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Abstain, items aa-ae: Council member Gulick.
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Result: <b>Approved.</b>
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- 0909-07-16 18. Resolutions approving:  
a. Payment of bills.

Council member Overland moved to approve; seconded by Council member Weinacht.
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Result: <b>Approved.</b>
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- 0910-07-16 b. Payroll.

Council member Overland moved to approve; seconded by Council member Weinacht.
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Result: <b>Approved.</b>
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- 0911-07-16 19. Resolution appointing the following individual:  
a. Appointing Shawn Grommon (effective through June 30, 2017) to the Grants and Programs Citizens Advisory Committee.

Council member Overland moved to approve; seconded by Council member Weinacht.
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Result: <b>Approved.</b>
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- 0912-07-16 20. Resolution approving an assessment action:  
a. Intent to assess – Water Division – delinquent municipal utility bills – 33 properties.

Council member Overland moved to approve; seconded by Council member Weinacht.
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Result: <b>Approved.</b>
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- 0913-07-16 21. Resolutions accepting subdivision improvements and approving Maintenance Bonds:  
a. Sanitary sewer in Tech Place Fourth Addition and 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$20,899.80.

Council member Overland moved to approve; seconded by Council member Weinacht.
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Result: <b>Approved.</b>
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- 0914-07-16 b. Storm sewer in Tech Place Fourth Addition and 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$74,541.40.

Council member Overland moved to approve; seconded by Council member Weinacht.
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Result: <b>Approved.</b>
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22. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:

0915-07-16

- a. 1st Avenue East south of 24th Street Drive SE Storm Sewer Improvements project, final payment in the amount of \$3,433.01 and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$71,696.80; final contract amount is \$68,660.20).

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

Result: **Approved.**

0916-07-16

- b. 7th Street SE and 8th Street SE Roadway Rehabilitation from A Avenue NE to 12th Avenue SE project, final payment in the amount of \$71,157.81 and 4-year Performance Bond submitted by L.L. Pelling Company, Inc. (original contract amount was \$1,346,955.75; final contract amount is \$1,423,156.29). (Paving for Progress)

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

Result: **Approved.**

0917-07-16

- c. 16th Avenue SW (Between 18th and 20th Streets SW) Storm Sewer Improvements project, Change Order No. 4 (Final) deducting the amount of \$10,809, final payment in the amount of \$11,719.27 and 4-year Performance Bond submitted by Lodge Construction, Inc. (original contract amount was \$174,902.50; total contract amount with this amendment is \$234,385.31).

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

Result: **Approved.**

0918-07-16

- d. 20th Avenue SW east of 13th Street Culvert Replacement project, final payment in the amount of \$12,514.29 and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$245,667; final contract amount is \$250,285.88).

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

Result: **Approved.**

0919-07-16

- e. Veterans Memorial Stadium Americans with Disabilities Act (ADA) Compliance project, final payment in the amount of \$6,061.90 and 1-year Performance Bond submitted by Tricon General Construction (original contract amount was \$116,000; final contract amount is \$121,237.92).

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

Result: **Approved.**

23. Resolutions approving final plats:

0920-07-16

- a. Stone Creek Commercial Second Addition to Cedar Rapids, Linn County, Iowa for land located at 5710 Dean Road SW.

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

Result: **Approved.**

0921-07-16

- b. Westdale Third Addition to Cedar Rapids, Linn County, Iowa for land located at 2800 Edgewood Road SW.

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

Result: **Approved.**



0922-07-16	<p>24. Resolutions approving actions regarding purchases, contracts and agreements:</p> <p>a. Fleet Services Division purchase of two 2016 Chevrolet Colorado pickup trucks from Bob Brown Chevrolet for use by the Engineering Division, in the amount of \$61,503.</p> <p>Council member Overland moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p>
0923-07-16	<p>b. Contract with Iowa Title Company Linn County II LLC for title report services for the Engineering Division for two years for an annual amount not to exceed \$50,000.</p> <p>Council member Overland moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p>
0924-07-16	<p>c. Amendment No. 1 to renew contract with Reliant Fire Apparatus, Inc. for Pricing Agreement for parts and training for the Fleet and Fire Departments for an annual amount not to exceed \$50,000 (original contract amount was \$60,000; renewal contract amount is \$50,000).</p> <p>Council member Overland moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p>
0925-07-16	<p>d. Fleet Services purchase of three 2016 Toro Greensmasters, one 2016 Toro Groundskeeper and one Toro Reelmaster riding mowers for use by the Golf Division from MTI Distributing in the amount of \$151,386.18, and authorizing Fleet Services to use an existing Toro 325D mower as trade-in value of \$1,500 towards the purchase price.</p> <p>Council member Overland moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p>
0926-07-16	<p>e. Amendment No. 1 to the contract with HBK Engineering, LLC for Design Services for ADA Compliance of Cedar Rapids Parking Ramps for Park Cedar Rapids for additional services in the amount of \$27,256 (original contract amount was \$24,764; total contract amount with this amendment is \$52,020).</p> <p>Council member Overland moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p>
0927-07-16	<p>f. Amendment No. 2 to renew the contract with Brown Supply Inc. for sewer castings for the Sewer Division for an annual amount not to exceed \$100,000 (original contract amount was \$50,000; renewal contract amount is \$100,000).</p> <p>Council member Overland moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p>
0928-07-16	<p>g. Amending Resolution No. 0609-05-16 with Electronic Technology Inc. to purchase 10 additional Axis PTZ cameras for Traffic Engineering for \$27,050 (original amount was \$189,350; amount with this resolution is \$216,400).</p> <p>Council member Overland moved to approve; seconded by Council member Weinacht.</p> <p>Result: <b>Approved.</b></p>
0929-07-16	<p>h. Amendment No. 7 to renew contract with B.G. Brecke, Inc. for process systems services for the Water Pollution Control Facility for an annual amount not to exceed \$200,000 (original contract amount was \$100,000; renewal contract amount is \$200,000).</p> <p>Council member Overland moved to approve; seconded by Council member Weinacht.</p> <p>Abstain: Council member Olson.</p> <p>Result: <b>Approved.</b></p>

0930-07-16

- i. Awarding and approving contract in the amount of \$754,879.75, bond and insurance of Dave Schmitt Construction Co., Inc. for the CEMAR Trail: Phase 1B HMA Trail project and the CEMAR Trail: Phase 1D HMA Trail project (estimated cost is \$760,000).

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

Result: **Approved.**

0931-07-16

- j. Awarding and approving contract in the amount of \$1,046,279 plus incentive up to \$22,000, bond and insurance of Ti-Zack Concrete, Inc. for the Curb Ramp Repair Project-NW Bid Package No. 2 Project (estimated cost is \$929,950).

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

Result: **Approved.**

0932-07-16

- k. Amendment No. 2 to the Professional Services Agreement with Hall & Hall Engineers, Inc. specifying an increased amount not to exceed \$15,880 for design services in connection with the 16th Avenue and Williams Parkway SW Traffic Signal Upgrading project (original contract amount was \$16,810, total contract amount with this amendment is \$39,980).

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

Result: **Approved.**

0933-07-16

- l. Amendment No. 4 to the Professional Services Agreement with Novak Design Group, PLC specifying an increased amount not to exceed \$80,462 for design services in connection with the Northwest Recreation Center project (original contract amount was \$390,000; total contract amount with this amendment is \$487,372). (Flood)

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

Result: **Approved.**

0934-07-16

- m. Change Order No. 1 in the amount of \$20,287.28 with Curtis Contracting Corporation for the 2015 Sidewalk Ramp Improvements project (original contract amount was \$109,033; total contract amount with this amendment is \$129,320.28).

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

Result: **Approved.**

0935-07-16

- n. Change Order No. 3 (Final) deducting the amount of \$5,639.06 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 \$218,66.37). (Paving for Progress)

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

Result: **Approved.**

0936-07-16

- o. Change Order No. 1 in the amount of \$104,822.60 with Pirc-Tobin Construction, Inc. for the B Avenue NW from Highland Drive NW to 8th Street NW Roadway Improvements project (original contract amount was \$1,913,406.54; total contract amount with this amendment is \$2,018,229.14) (Paving for Progress)

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

Result: **Approved.**

0937-07-16

- p. Change Order No. 10 in the amount of \$13,750 with Peterson Contractors, Inc. for the Edgewood Road Pedestrian Overpass Bridge and Shared Use Path from Prairie Valley Court SW to 37th Avenue SW project (original contract amount was \$2,014,119.92; total contract amount with this amendment is \$2,092,941.58).

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

Result: **Approved.**

0938-07-16

- q. Change Order No. 4 in the amount of \$6,045 with Ricklefs Excavating, Ltd. for the Edgewood Road Water Main Replacement project (original contract amount was \$696,794.80; total contract amount with this amendment is \$820,603.80).

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

Result: **Approved.**

0939-07-16

- r. Change Order No. 3 in the amount of \$55,509 with Dave Schmitt Construction Company, Inc. for the NE Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2 Bid Package 5 project (original contract amount was \$1,755,389; total contract amount with this amendment is \$1,782,410.38). (Flood)

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

Result: **Approved.**

0940-07-16

- s. Change Order No. 4 in the amount of \$156,117.28 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 \$8,795,175.77). (Flood)

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

Result: **Approved.**

0941-07-16

- t. Accepting a 10 foot Traffic Signal and Public Utility Easement Agreement by MLY Real Estate, LLC for dedication of a traffic signal and utility easement along the south side of Blairs Ferry Road NE adjoining property located at 2745 Blairs Ferry Road NE.

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

Result: **Approved.**

0942-07-16

- u. Establishing a sanitary sewer easement on the vacant City-owned parcel described as a one acre parcel of vacant land located easterly of and adjacent to 3425 and 3435 3rd Avenue SE.

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

Result: **Approved.**

0943-07-16

- v. Purchase Agreement in the amount of \$3,800 and accepting an Easement for Storm Sewer and a Temporary Grading Easement for Construction from Dennis J. Harrington and Brenda Harrington from land located at 2980 & 3300 Ellis Road NW in connection with the Ellis Road NW east of River Bluffs Drive Storm Sewer Replacement Project.

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

Result: **Approved.**

0944-07-16

- w. Purchase Agreement in the amount of \$3,310 and accepting an Easement for Storm Sewer and a Temporary Grading Easement for construction from Midwest Metal Products Corporation from land located at 800 66th Avenue SW in connection with the 66th Avenue SW Roadway Improvements from Locust Road to 6th Street project. (Paving for Progress)

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

Result: **Approved.**

0945-07-16

- x. Purchase Agreement in the amount of \$12,700 and accepting an Easement for Retaining Wall and a Temporary Grading Easement from Monte D. Rife and Kelly A. Rife from land located at 1300 O Avenue NW in connection with the O Avenue NW Street Reconstruction Project from 16th Street NW to Ellis Boulevard project. (Paving for Progress)

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

Result: **Approved.**

0946-07-16

- y. Purchase Agreement in the amount of \$2,000 and accepting an Easement for Retaining Wall and a Temporary Grading Easement from Nathan J. Ruff and ToniLee Ruff from land located at 1150 O Avenue NW in connection with the O Avenue NW Reconstruction Project from 16th Street NW to Ellis Boulevard. (Paving for Progress)

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

Result: **Approved.**

0947-07-16

- z. Accepting a bid in the amount of \$5,432.10 from Gary E. Konzen and approving a Quit Claim Deed for the disposition of the vacant parcel described as a one acre parcel of vacant land located easterly of and adjacent to 3425 and 3435 3rd Avenue SE.

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

Result: **Approved.**

0948-07-16

- aa. Purchase Agreement in the amount of \$1,115 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for construction from Edgewood Baptist Church, Inc. from land located at 621 Edgewood Road NW in connection with the Edgewood Road NW from E Avenue NW to F Avenue NW Roadway Improvements project. (Paving for Progress)

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

Result: **Approved.**

0949-07-16

- ab. Purchase Agreement in the amount of \$2,845 and accepting a Warranty Deed and a Temporary Grading Easement for construction from Margaret L. Probasco from land located at 11300 6th Street SW in connection with the 6th Street SW Roadway Improvements from Linn County Line to Capital Drive project. (Paving for Progress)

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

Result: **Approved.**

0950-07-16

- ac. Development Agreement and Special Warranty Deed with Scallon Custom Homes, L.L.C. for City-owned property at 221 4th Avenue SW participating in the third round of the Single Family New Construction program. (Flood)

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

Result: **Approved.**

0951-07-16

- ad. Development Agreement and Special Warranty Deed with Stonebrook Homes, LLC for City-owned property at 511 2nd Street SW participating in the third round of the Single Family New Construction program. (Flood)

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

Result: **Approved.**

0952-07-16

- ae. Assignment and Assumption of Development Agreement from Jim Sattler, Inc. to Sattler Homes, Inc. for property at 8621 Flatbush Court NE participating in the fourth round of the Single Family New Construction program. (Flood)

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

Result: **Approved.**

0953-07-16

- af. Assignment and Assumption of Development Agreement from Neighborhood Development Corporation of Cedar Rapids, Inc. to Scallon Custom Homes, L.L.C. for property at 224 9th Street NW participating in the fourth round of the Single Family New Construction program. (Flood)

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

Result: **Approved.**

0954-07-16

- ag. Agreement to Terminate Development Agreement with Sattler Homes, Inc. for property at 6001 Ridgewood Meadows Lane NE through the fourth round of the Single Family New Construction program. (Flood)

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

Result: **Approved.**

0955-07-16

- ah. Amendment No. 1 to the Development Agreement with Kingston Corner LLC for City-owned property at 301 and 305 2nd Avenue SW. (Flood)

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

Result: **Approved.**

0956-07-16

- ai. Amending Resolution No. 1657-12-06, an existing concrete pavement petition and assessment agreement and an existing traffic signal petition and assessment agreement with Menard, Inc., to except out of the agreements Lot 1 of Menard First Addition for property located at 2800 Wiley Boulevard SW.

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

Result: **Approved.**

0957-07-16

- aj. Amending Resolution No. 0619-05-16 and authorizing an amount estimated to be \$125,000 in relocation assistance to Juan M. Trevino, Jr. and Holly L. Trevino for property located at 4509 C Avenue NE in connection with the Collins Road (IA 100) from Council Street NE to 1st Avenue project.

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

Result: **Approved.**

0958-07-16

- ak. Amendment to 28E Memorandum of Agreement with the Cedar Rapids Community School District for participation in the adult guard program for FY 2016, changing the deadline for submission of the final invoice from June 15, 2016 to June 30, 2016.

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

Result: **Approved.**

0959-07-16

- al. 28E Agreement between fire departments in Linn County to provide fire and rescue services and/or emergency medical services in Linn County and/or adjoining counties.

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

Result: **Approved.**

0960-07-16

- am. Memorandum of Agreement with the Cedar Rapids Metro Economic Alliance and funding in the amount of \$120,000 for the period beginning July 1, 2016 and ending June 30, 2017.

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

Abstain: Council member Gulick.

Result: **Approved.**

0961-07-16

- an. Memorandum of Agreement with Diversity Focus and funding in the amount of \$40,000 for the period beginning July 1, 2016 and ending June 30, 2017.

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

Result: **Approved.**

0962-07-16

- ao. Memorandum of Agreement with the Entrepreneurial Development Center and funding in the amount of \$100,000 for the period beginning July 1, 2016 and ending June 30, 2017.

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

Abstain: Council member Gulick.

Result: **Approved.**

0963-07-16

- ap. Memorandum of Agreement with the Iowa Startup Accelerator and funding in the amount of \$50,000 for the period beginning July 1, 2016 and ending June 30, 2017.

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

Result: **Approved.**

0964-07-16

- aq. Memorandum of Agreement with The Kirkwood Small Business Development Center and funding in the amount of \$10,000 for the period beginning July 1, 2016 and ending June 30, 2017.

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

Abstain: Council member Gulick.

Result: **Approved.**

25. Report on bids for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project (estimated cost is \$2,900,000) (Doug Wilson) (Paving for Progress).  
Rathje Construction Company, Marion, IA, \$2,114,135.10  
Pirc-Tobin Construction, Inc., Alburnett, IA, \$2,368,364.10  
Ricklefs Excavating, Ltd., Anamosa, IA, \$2,533,926.54

0965-07-16

- a. Resolution awarding and approving contract in the amount of \$2,114,135.10 plus incentive up to \$100,000, bond and insurance of Rathje Construction Company 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 Poe.

Result: **Approved.**

26. Report on bids for the Curb Ramp Repair Project – NW Bid Package No. 3 project (estimated cost is \$668,000) (Nate Kampman).  
Vieth Construction Corp., Cedar Falls, IA, \$697,351.00  
Ti-Zack Concrete, Inc., LeCenter, IA, \$729,440.00

0966-07-16

- a. Resolution awarding and approving contract in the amount of \$697,351 plus incentive up to \$12,000, bond and insurance of Vieth Construction Corporation for the Curb Ramp Repair Project – NW Bid Package No. 3 project.

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

Not present: Council member Overland.

Result: **Approved.**

27. Report on bids for the Environmental Remediation and Demolition Services project for the Building Services Department (John Riggs).  
DW Zinser Company, Walford, IA, \$111,990.00  
Kelly Demolition, Mt. Vernon, IA, \$173,675.75

0967-07-16

- a. Resolution awarding and approving contract for an amount not to exceed \$111,990, bond and insurance of D.W. Zinser Company for Environmental Remediation and Demolition Services (estimated cost is \$160,000).

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

Result: **Approved.**

28. Report on bids for the Kirkwood Standpipe Demolition project (estimated cost is \$137,500) (Bruce Jacobs).  
D.W. Zinser Company, 1775 Commercial Drive, Walford, IA, \$53,000

0968-07-16

- a. Resolution awarding and approving contract in the amount of \$53,000, bond and insurance of D.W. Zinser Company for the Kirkwood Standpipe Demolition project.

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

Result: **Approved.**

29. Discussion and Resolution authorizing staff to negotiate a Development Agreement with Aspect, Inc. for the disposition of City-owned property at 525, 529, and 533 Valor Way SW, including the former Knutson building (Caleb Mason and Jennifer Pratt) (Flood).

Council member Shields moved to approve; died for lack of second.

Result: **Failed.**

0969-07-16

- Discussion and Resolution authorizing staff to negotiate a Development Agreement with Hobart Historic Restoration for the disposition of City-owned property at 525, 529, and 533 Valor Way SW, including the former Knutson building (Caleb Mason and Jennifer Pratt) (Flood). *(After discussion it was the consensus of a majority of Council members to vote immediately on this resolution and not delay the project.)*

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

Nays: Council members Russell, Shields.

Abstain: Council member Olson.

Result: **Approved.**

037-16

30. 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 Residence Zone District, as requested by Hart-Frederick Consultants and Sharp Investments, LLC.

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

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 Poe.

Result: **Adopted.**

- 038-16 31. 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.
- |   |
|---|
| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.   |
| Result: <b>Approved.</b>  |
| Council member Gulick moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Weinacht. |
| Result: <b>Adopted.</b>   |
- 039-16 32. 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 Road SE.
- |   |
|---|
| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.   |
| Abstain: Council member Olson.  |
| Result: <b>Approved.</b>  |
| Council member Gulick moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Weinacht. |
| Abstain: Council member Olson.  |
| Result: <b>Adopted.</b>   |

Public comments were heard.

Motion to adjourn.

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

City Council adjourned at 2:56 p.m. to meet Tuesday, July 26, 2016 at 4:00 p.m.

Amy Stevenson, City Clerk