

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

August 9, 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, Pat Shey, Justin Shields and Susie Weinacht. Also present were City Manager Jeff Pomeranz and City Attorney Jim Flitz. Absent, Council member Ralph Russell.

The invocation was given by Public Safety Chaplain Tim Carter.

Pledge of Allegiance.

Good News announcements were given by Mayor Corbett.

A presentation regarding the Entrepreneurial Development Center MOU Report was given by Curt Nelson after an introduction 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 amending Chapter 22A of the Municipal Code, Nuisance Property, by deleting Chapter 22A and enacting a new Chapter 22A in its place, by adding provisions relating to victims of crime or abuse and modifying the exemption for certain calls for emergency assistance (Amanda Grieder). One comment was heard. No objections were heard or filed.
  - a. First Reading: Ordinance amending Chapter 22A of the Municipal Code, Nuisance Property, by deleting Chapter 22A and enacting a new Chapter 22A in its place, by adding provisions relating to victims of crime or abuse and modifying the exemption for certain calls for emergency assistance.

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

2. A public hearing was held to consider the continuation of the disposition of excess City-owned property described as a non-conforming vacant lot located at 1314 1st Street SW (Rita Rasmussen). No comments or objections were heard or filed.

1049-08-16

- a. Resolution authorizing the disposition of excess City-owned property described as a non-conforming vacant lot located at 1314 1st Street SW.

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

3. A public hearing was held to consider annexation of property located at 3500 Ellis Road NW as requested by Wilmar Development Co. (Johnny Alcivar). No comments or objections were heard or filed.

1050-08-16

- a. Resolution authorizing the 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.
Absent: Council member Russell.
Result: <b>Approved.</b>

4. A public hearing was held to consider granting a change of zone for property at 1731 Center Point Road NE from C-2, Community Commercial Zone District, to C-3, Regional Commercial Zone District, as requested by Ronald L. and Karen S. White and Jason C. Jones (Johnny Alcivar). No comments or objections were heard or filed.

- a. First Reading: Ordinance granting a change of zone for property at 1731 Center Point Road NE from C-2, Community Commercial Zone District, to C-3, Regional Commercial Zone District, as requested by Ronald L. and Karen S. White and Jason C. Jones.

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

5. A public hearing was held to consider granting a change of zone for property at 1834 Blairs Ferry Road NE from I-1, Light Industrial Zone District, to C-3, Regional Commercial Zone District, as requested by Vua Property Management, L.C. (Johnny Alcivar). No comments or objections were heard or filed.

- a. First Reading: Ordinance granting a change of zone for property at 1834 Blairs Ferry Road NE from I-1, Light Industrial Zone District, to C-3, Regional Commercial Zone District, as requested by Vua Property Management, L.C.

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

6. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2017 Sidewalk Repair Program – Contract No. 1 project (estimated cost is \$569,000) (Nate Kampman). No comments or objections were heard or filed.

1051-08-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2017 Sidewalk Repair Program – Contract No. 1 project.

Council member Gulick moved to approve; seconded by Council member Overland.
Absent: Council member Russell.
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. 4 project (estimated cost is \$307,000) (Nate Kampman). No comments or objections were heard or filed.

1052-08-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Curb Ramp Repair Project – NW Bid Package No. 4 project.

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

8. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Indian Creek Tree Restoration project (estimated cost is \$425,000) (Dave Wallace). No comments or objections were heard or filed.

1053-08-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Indian Creek Tree Restoration project. No comments or objections were heard or filed.

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

Public comments were heard.

Motion to approve the agenda.

Council member Poe moved to approve; Council member Overland requested that Item 25y be moved from the consent agenda to the regular agenda; seconded by Council member Weinacht.
Absent: Council member Russell.
Result: <b>Approved as amended.</b>

Motion to approve the consent agenda.

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

9. Motion to approve the minutes.

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

1054-08-16

10. Resolution authorizing sponsorship of FY2017 Redevelopment Tax Credits Program applications to be submitted to the Iowa Economic Development Authority.

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

- 1055-08-16 11. Resolution referring to the Linn County Compensation Commission the partial acquisition of a permanent retaining wall easement and a temporary grading easement for construction from Cedar View Apartments LP for land located at 1100 O Avenue NW and from Joan M. Wenzel for land located at 1156 O Avenue NW, in connection with the O Avenue NW Improvements Phase I from 16th Street NW to Ellis Boulevard NW project. (Paving for Progress)
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |
- 1056-08-16 12. Resolution rescinding Resolution No. 572-4-77, which established stop control at the intersection of N Avenue and 6th Street NW, stopping all north/south traffic on 6th Street for N Avenue NW; and establishing stop control at the intersection of N Avenue and 6th Street NW, stopping all eastbound traffic on N Avenue for 6th Street NW.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |
- 1057-08-16 13. Resolution authorizing a Systems Analyst to attend the CommunityLIVE OnBase Conference in Kissimmee, FL from September 10 — 15, 2016 for an estimated total amount of \$4,902.25.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |
- 1058-08-16 14. Resolution authorizing a Systems Analyst to attend Lenel OnGuard training in Seattle, WA from September 18 — 23, 2016 for an estimated total amount of \$4,292.20.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |
- 1059-08-16 15. Resolution authorizing a Database Analyst to attend the SQL PASS Summit 2016 in Seattle, WA from October 25 — 29, 2016 for an estimated total amount of \$3,900.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |
16. Motions setting public hearing dates for:
- August 23, 2016 — to consider granting a change of zone for property at 221 4th Avenue SW from C-3, Regional Commercial Zone District, to R-3, Single Family Residence Zone District, as requested by Scallon Custom Homes, LLC.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |

- b. August 23, 2016 — to consider granting approval of a Preliminary Site Development Plan for an “Essential Service” as requested by the State of Iowa for property zoned PUB, Public Zone District, at 5400 16th Avenue SW.

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

- c. August 23, 2016 — to consider the disposition of three excess City-owned properties located at 0 Vacant Lot SE (GPN 142720202200000), 0 Vacant Lot SE (GPN 142720702500000) and 0 Vacant Lot SE (GPN 142720200400000) for participation 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 Russell.
Result: <b>Approved.</b>

- d. September 27, 2016 — to consider an Urban Revitalization Area designation for ReConserve of Iowa, Inc. for the construction of a new industrial facility east of Edgewood Road SW and south of 60th Avenue SW.

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

- 17. 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. August 23, 2016 — 66th Avenue SW Roadway Improvements from Locust Road to 6th Street, Phase 1 – Utility Improvements project, with bid opening August 24, 2016 (estimated cost is \$880,000). (Paving for Progress)

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

- b. August 23, 2016 – Raw Water Main Relocation project, with bid opening September 14, 2016 (estimated cost is \$670,000).

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

- 18. Motion approving the beer/liquor/wine applications of:

- a. Applebee’s Neighborhood Grill - Edgewood Road, 2645 Edgewood Road SW.
- b. Benz Beverage Depot, 501 7th Avenue SE (5-day permit for an event on August 20, 2016).
- c. Bread Garden Market, 225 Linn Street, Iowa City (5-day permit for an event on August 26, 2016, at Veterans Memorial Coliseum, 50 2nd Avenue Bridge).
- d. Carlos O’Kelly’s, 2635 Edgewood Road SW.
- e. Casey’s General Store #2765, 5050 Northland Avenue NE.
- f. Casey’s General Store #2771, 501 6th Street SW.

- g. Cedar Rapids Metro Economic Alliance, 501 1st Street SE (5-day permit for the Cedar Rapids Market After Dark event on August 27, 2016 at 2nd, 3rd and 5th Streets SE from 1st Avenue to 4th Avenue, 2nd and 3rd Avenues SE from 1st Street to 6th Street SE).
- h. Checkers Tavern & Eatery, 3120 6th Street SW (additional outdoor service for an event on August 20 - 21, 2016).
- i. Coe College/Sodexo, 1220 1st Avenue NE (transfer for an event on August 13, 2016 at Veterans Memorial Coliseum, 50 2nd Avenue Bridge).
- j. Dollar General #10774, 266 Blairs Ferry Road NE.
- k. Dollar General #3781, 151 Jacolyn Drive NW.
- l. Dollar General #6190, 403 Edgewood Road NW.
- m. Dollar General #9141, 3451 Mount Vernon Road SE.
- n. El Bajio, 555 Gateway Place SW (new – formerly Cancun #2).
- o. Flamingo, 2310 1st Avenue NE (transfer to St. Matthew's Church, 2310 1st Avenue NE, for an event on August 27, 2016).
- p. Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day permit for an event on August 20, 2016 at Veterans Memorial Ballroom, 51 1st Avenue Bridge).
- q. Hy-Vee #7 Market Grille, 5050 Edgewood Road NE.
- r. Just Coz, 406 6th Street SW.
- s. New Shack Tavern, 2545 Old River Road SW (outdoor service for an event on September 10, 2016).
- t. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event on September 9, 2016).
- u. Porky's Bar & Grill, 4617 J Street SW.
- v. Puerto Vallarta Bar & Grill, 588 Boyson Road NE.
- w. Rumors, 400 F Avenue NW.
- x. Wild Hog Saloon & Eatery, 350 Commercial Drive (5-day permit for an event August 27, 2016 at Metro Harley Davidson, 2415 Westdale Drive SW).

Council member Poe moved to approve; seconded by Council member Weinacht.
Abstain, items g and t: Council member Gulick.
Absent: Council member Russell.
Result: <b>Approved.</b>

19. Resolutions approving:  
 a. Payment of bills.

1060-08-16

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

1061-08-16

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

- 1062-08-16 20. Resolution appointing the following individual:  
a. Douglas Hamilton (effective through June 30, 2019) to the Mechanical Board of Appeals.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |
- 1063-08-16 21. Resolutions approving the special event applications for:  
a. Benz Beer Nuts Beer Festival (includes road closure) on August 20, 2016.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |
- 1064-08-16 b. NewBo Art Fest (includes road closure) on September 4, 2016.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |
- 1065-08-16 c. New Bo Run, amending Resolution No. 0991-07-16, to correct the date to September 4, 2016.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |
- 1066-08-16 22. Resolutions approving assessment actions:  
a. Intent to assess — Solid Waste & Recycling — clean-up costs — two properties.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |
- 1067-08-16 b. Levy assessment — Solid Waste & Recycling — clean-up costs — two properties.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |
- 1068-08-16 c. Levy assessment — Solid Waste & Recycling — delinquent weed mowing charges — 111 properties.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |
- 1069-08-16 d. Intent to assess — Water Division — delinquent municipal utility bills — 56 properties.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |
- 1070-08-16 e. Levy assessment — Water Division — delinquent municipal utility bills — 23 properties.
- |   |
|---|
| Council member Poe moved to approve; seconded by Council member Weinacht. |
| Absent: Council member Russell.   |
| Result: <b>Approved.</b>  |

1071-08-16

- f. Levy assessment — Building Services — delinquent nuisance abatement charges — one property.

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

- 23. Resolutions accepting projects, approving Performance Bonds and authorizing final payments:

1072-08-16

- a. Water Pollution Control UASB Reactor #3 Improvements project, final retainage payment in the amount of \$12,494.49 and 2-year Performance Bond submitted by WRH, Inc. (original contract amount was \$262,000; final contract amount is \$249,889.79).

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

1073-08-16

- b. 18th Street NW South of B Avenue Sanitary Sewer Point Repair project, final payment in the amount of \$2,743.59 and 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. (original contract amount was \$42,926.50; final contract amount is \$54,871.77).

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

- 24. Resolutions approving final plats:

1074-08-16

- a. Novey First Addition to Linn County, Iowa for land located at 9209 Feather Ridge Road.

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

1075-08-16

- b. Gardenview Third Addition to Cedar Rapids, Linn County, Iowa for land located at the extension of Bryant Boulevard SW, east of Stoney Point Road SW.

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

- 25. Resolutions approving actions regarding purchases, contracts and agreements:

1076-08-16

- a. Amendment No. 4 to renew contract with Walsworth Publishing Company, Inc. for printing of magazine-style newsletter for the Communications Division for an annual amount not to exceed \$210,000 (original contract amount was \$240,000; renewal contract amount is \$210,000).

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

1077-08-16

- b. Amendment No. 3 to renew contract with Fauser Energy Resources for motor oil and lubricants for the Fleet Services Division for an annual amount not to exceed \$145,000 (original contract amount was \$145,000; renewal contract amount is \$145,000).

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

1078-08-16

- c. Amendment No. 3 to renew contract with Ultramax Ammunition for ammunition for the Police Department for an annual amount not to exceed \$90,000 (original contract amount was \$70,000; renewal contract amount is \$90,000).

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

1079-08-16

- d. Contract with VIQ Solutions Inc./Dataworxs for an electronic dictation transcription system for the Police Department for an amount not to exceed \$95,243.

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

1080-08-16

- e. User Agreement with the Iowa Department of Public Safety for the Iowa On-Line Warrants and Articles System.

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

1081-08-16

- f. Amendment No. 5 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 \$40,000 (original contract amount was \$2,500; total contract amount with this amendment is \$104,989.77).

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

1082-08-16

- g. Professional Services Agreement with Shive-Hattery, Inc. for an amount not to exceed \$89,984.92 for design services in connection with the C Street SW from Bowling Street to Wilson Avenue Drive Roadway Rehabilitation project. (Paving for Progress)

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

1083-08-16

- h. Amendment No. 1 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC, specifying an increased amount not to exceed \$134,286 for engineering design services in connection with the O Avenue NW Roadway Improvements from Edgewood Road to Ellis Boulevard project (original contract amount was \$916,420; total contract amount with this amendment is \$1,050,706). (Paving for Progress)

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

1084-08-16

- i. Amendment No. 2 to the Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed \$40,200 for design services in connection with the Memorial Drive SE Roadway and Utility Improvements from Mount Vernon Road to Bever Avenue project (original contract amount was \$271,017; total contract amount with this amendment is \$328,220). (Paving for Progress)

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

1085-08-16

- j. Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$100,000 for design services in connection with the FY17 Miscellaneous Storm Sewer Improvements project.

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

1086-08-16

- k. Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$148,641 for design services in connection with the Cottage Grove Parkway Stormwater Management Study project.

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

1087-08-16

- l. Professional Services Agreement Amendment No. 1 with Snyder and Associates, Inc. specifying an increased amount not to exceed \$45,010 for design services in connection with the 18th Street SW North of Wilson Avenue Detention Basin project (original contract amount was \$89,620; total contract amount with this amendment is \$134,630).

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

1088-08-16

- m. 28E Agreement with the Cedar Rapids Community School District to renew the School Resource Officer Program for the term July 1, 2016 through June 30, 2018.

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

1089-08-16

- n. 28E Agreement with Linn County to accept payment for construction in the amount of \$20,000 for a Hot Mix Asphalt (HMA) overlay on Seminole Valley Road NE from Fords Crossing Road to 42nd Street NE. (Paving for Progress)

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

1090-08-16

- o. Grant application to the Iowa Department of Natural Resources for a REAP Grant to fund the conversion of 82 acres of Sac and Fox Greenway to native pollinator habitat and installation of interpretive signage.

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

1091-08-16

- p. Commitment to maintain the Sac & Fox Portland Cement Concrete Trail Extension from Indian Creek to Trailridge Road SE in good condition for 20 years from the time of its construction.

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

Absent: Council member Russell.

Result: **Approved.**

1092-08-16

- q. Rescinding Resolution No. 0945-07-16, which accepted an easement for a retaining wall and temporary grading easement, and authorizing execution of a Purchase Agreement in the amount of \$12,700 and accepting a warranty deed for right-of-way and an easement for retaining wall and 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 Poe moved to approve; seconded by Council member Weinacht.

Absent: Council member Russell.

Result: **Approved.**

1093-08-16

- r. Development Agreements with Thomas Dostal Developers Inc. for properties located at 5404 Dostal Drive SW and 5406 Dostal Drive SW 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 Russell.

Result: **Approved.**

1094-08-16

- s. Rescinding Resolution No. 1625-11-15, which established a Development Agreement with Cedar Valley Habitat for Humanity, Inc. for property at 1026 12th Street 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 Russell.

Result: **Approved.**

1095-08-16

- t. Development Agreement and Special Warranty Deed with Stonebrook Homes, LLC for City-owned property at 953 N 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 Russell.

Result: **Approved.**

1096-08-16

- u. Change Order No. 3 Final deducting the amount of \$1,064 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 \$477,966).

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

Absent: Council member Russell.

Result: **Approved.**

1097-08-16

- v. Change Order No. 7 in the amount of \$92,008.65 with Rathje Construction Company for the 42nd Street NE from I-380 Northbound Off Ramp to East of the Cedar River Trail — Traffic Signals project (original contract amount was \$824,160.67; total contract amount with this amendment is \$1,170,463.94).

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

1098-08-16

- w. Change Order No. 6 in the amount of \$8,593.20, plus 3 additional working days, with L.L. Pelling Company, Inc. for the 19th Street SE, Bever Avenue SE, and Garden Drive SE Pavement Rehabilitation Improvements project (original contract amount was \$1,922,103; total contract amount with this amendment is \$2,072,085.36). (Paving for Progress)

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

1099-08-16

- x. Assignment and Assumption Agreement with Gatto, LLC in connection with the redevelopment of 100 and 102 3rd Avenue SW.

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

1100-08-16

- z. Awarding and approving contract in the amount of \$1,829,801.29, plus incentive up to \$20,000, bond and insurance of Vieth Construction Corp. for the 1st Avenue E from 27th Street NE to 34th Street NE HMA Resurfacing Phase 3 project (estimated cost is \$1,895,000).

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

1101-08-16

- aa. Awarding and approving contract in the amount of \$435,057.44, bond and insurance of Rathje Construction Company for the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road, Phase 1 — Grading project (estimated cost is \$480,000).

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

1102-08-16 25 y.

- (**Moved from consent agenda**) Discussion and Resolution awarding and approving contract in the amount of \$6,590,000, bond and insurance of Williams Brothers Construction, Inc. for the Water Pollution Control Facility Odor Control Upgrades project.

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

26. Report on bids for the Sinclair Levee — Grading/Gatewell Package (estimated cost is \$5,200,000) (Rob Davis).  
 Legacy Corporation of IL, East Moline, IL, \$4,488,880.00  
 Williams Brothers Construction, Inc., Peoria, IL, \$4,500,000.00  
 Peterson Contractors, Inc. Reinbeck, IA, \$4,791,144.55  
 Tricon General Construction, Cedar Rapids, IA, \$4,816,000.00  
 DW Zinser Company, Walford, IA, \$5,348,347.23  
 CJ Moyna & Sons, Inc., Elkader, IA, \$6,192,870.44
27. Presentation and Resolutions authorizing Revision No. 2 to the Cedar River Flood Control System Master Plan and execution of a Professional Services Agreement with Shoemaker & Haaland for an amount not to exceed \$170,012 for preliminary design services in connection with the 8th Avenue Bridge Replacement Over the Cedar River Design Concept Services project (Rob Davis).

1103-08-16

- a. Resolution authorizing Revision No. 2 to the Cedar River Flood Control System Master Plan.

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

1104-08-16

- b. Resolution authorizing execution of a Professional Services Agreement with Shoemaker & Haaland for an amount not to exceed \$170,012 for preliminary design services in connection with the 8th Avenue Bridge Replacement Over the Cedar River Design Concept Services project.

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

1105-08-16

28. Discussion and Resolution amending the Cedar Rapids Business Assistance Revolving Loan Fund (RLF) to allocate an additional \$50,000 of the total RLF to the MICRO Loan program, bringing the total for the MICRO Loan to \$100,000 (Jasmine Almoayed & Les Garner, Greater Cedar Rapids Community Foundation).

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

1106-08-16

29. Presentation and Resolution adopting the Civil Rights Commission FY17 Work Plan (LaSheila Yates and Chair Salma Igram).

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

Public comments were heard.

Motion to adjourn.

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

City Council adjourned at 2:05 p.m. to meet Tuesday, August 23, 2016 at 4:00 p.m.

Amy Stevenson, City Clerk