

# CITY OF CEDAR RAPIDS, IOWA

## MINUTES OF THE CITY COUNCIL

### REGULAR SESSION

September 13, 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, Ralph Russell, Pat Shey, Justin Shields and Susie Weinacht. Also present were City Manager Jeff Pomeranz and City Attorney Jim Flitz. Absent, Council member Ann Poe.

The invocation was given by Public Safety Chaplain Rick Gail.

Pledge of Allegiance.

Good News announcements were given by Mayor Corbett.

Mayor Corbett presented a Proclamation declaring September 15 to October 15, 2016 as Latino Heritage Month.

Mayor Corbett and Council member Overland presented a Proclamation declaring September 2016 as Life Insurance Awareness Month.

Mayor Corbett and Council member Olson presented a Proclamation declaring September 25 to October 1, 2016 as Cedar Rapids Rail Safety Week.

Mayor Corbett and Council members Weinacht and Olson presented a Proclamation declaring September 9, 2016 as the 11th Annual Five Seasons Stand Down Day.

A presentation regarding the FY17 Government Finance Officers Association Distinguished Budget Presentation Award was given by Casey Drew.

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

1. A public hearing was held to consider the vacation and disposition of public ways and grounds described as a 60-foot by 130-foot parcel of excess City-owned right-of-way located between 2117 and 2137 Chandler Street SW for the fourth round of Single Family New Construction Program as requested by the City of Cedar Rapids (Rita Rasmussen). No comments or objections were heard or filed.

- a. First Reading: Ordinance vacating public ways and grounds in and to the property described as a 60-foot by 130-foot parcel of excess City-owned right-of-way located between 2117 and 2137 Chandler Street SW.

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

Absent: Council member Poe.
-----------------------------

Result: <b><i>Approved.</i></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 380 8th Avenue SW (Rita Rasmussen). No comments or objections were heard or filed.

1184-09-16

- a. Resolution authorizing the disposition of excess City-owned property described as a non-conforming vacant lot located at 380 8th Avenue SW.

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

3. A public hearing was held to consider a Temporary Electric Line Easement Agreement and a Temporary Overhang Easement Agreement over vacant City-owned land located at 55 12th Avenue SE and southerly through Masaryk Park and 123 14th Avenue SE, in connection with the temporary relocation of an existing overhead transmission line to accommodate the Sinclair Levee – Grading/Gatewell Package as requested by the City of Cedar Rapids and ITC Midwest LLC (Rita Rasmussen). No comments or objections were heard or filed.

1185-09-16

- a. Resolution authorizing the execution of a Temporary Electric Line Easement Agreement and a Temporary Overhang Easement Agreement over vacant City-owned land located at 55 12th Avenue SE and southerly through Masaryk Park and 123 14th Avenue SE, in connection with the temporary relocation of an existing overhead transmission to accommodate the Sinclair Levee – Grading/Gatewell Package as requested by the City of Cedar Rapids and ITC Midwest LLC.

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

4. A public hearing was held to consider amendments to the Section 8 Housing Choice Voucher (HCV) Program Public Housing Agency (PHA) Administrative Plan (Sara Buck). No comments or objections were heard or filed.

1186-09-16

- a. Resolution approving amendments to the Section 8 Housing Choice Voucher (HCV) Program Public Housing Agency (PHA) Administrative Plan.

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

5. A public hearing was held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow for development which incorporates the Flood Control System in the Northwest Flood Mitigation Overlay District (Bill Micheel). No comments or objections were heard or filed.

- a. First Reading: Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow for development which incorporates the Flood Control System in the Northwest Flood Mitigation Overlay District.

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 Weinacht.
---

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

6. A public hearing was held to consider amending Chapter 61 of the Municipal Code, Traffic Regulations, by establishing school speed limits to be enforced based on signs specifying AM and PM time periods and days of the week (Matt Myers and John Witt). No comments or objections were heard or filed.

- a. First Reading: Ordinance amending Chapter 61 of the Municipal Code, Traffic Regulations, by establishing school speed limits in Section 61.029 to be enforced based on signs specifying AM and PM time periods and days of the week.

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.
--

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

7. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Alley between D Avenue NE and E Avenue NE from College Drive NE to 14th Street NE Improvements project (estimated cost is \$99,300) (Sandy Pumphrey). No comments or objections were heard or filed.

1187-09-16

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Alley between D Avenue NE and E Avenue NE from College Drive NE to 14th Street NE Improvements project.

Council member Russell moved to approve; seconded by Council member Overland.
---

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

Public comments were heard.

Motion to approve the agenda.

Council member Weinacht moved to approve; Mayor Corbett requested that Item 20b be moved from the consent agenda to the regular agenda; City Manager Pomeranz requested that Item 28f be amended to correct the amount of the change order; seconded by Council member Gulick.
--

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

Motion to approve the consent agenda.

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

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

8. Motion to approve the minutes.

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

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

- 1188-09-16 9. Resolution amending Resolution No. 735-4-01, which established permit fees for moving permits, and establishing new fees compatible with the Iowa Department of Transportation permit fees.

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

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

- 1189-09-16 10. Resolution establishing stop control on Eastern Boulevard SE at the intersection of Sinclair Avenue SE, stopping all traffic on Eastern Boulevard SE for Sinclair Avenue SE, in order to allow drivers to adequately observe approaching traffic.

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

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

- 1190-09-16 11. Resolution establishing stop control on Linn Boulevard SE at the intersection of Sinclair Avenue SE, stopping all traffic on Linn Boulevard SE for Sinclair Avenue SE, in order to allow drivers to adequately observe approaching traffic.

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

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

- 1191-09-16 12. Preliminary Resolution for the construction of turn lane improvements within the boundaries of the public right-of-way for the 6th Street SW Roadway Improvements from Linn County Line to Capital Drive SW project. (Paving for Progress)

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

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

- 1192-09-16 13. Resolution referring to the Linn County Compensation Commission the partial acquisition of temporary construction easement from land located at 801 O Avenue NW, owned by Dale E. May and Doris B. May, in connection with the O Avenue NW Improvements Phase I from 16th Street NW to Ellis Boulevard NW project. (Paving for Progress)
- |  |
|--|
| Council member Weinacht moved to approve; seconded by Council member Gulick. |
| Absent: Council member Poe.  |
| Result: <b>Approved.</b>   |
- 1193-09-16 14. Resolution referring to the Linn County Compensation Commission the partial acquisition of temporary construction easement from land located at 323 40th Street NE, owned by Leonard H. Kolar, Beatrice A. Kolar and RW33 LLC, in connection with the C Avenue NE from Collins Road to 40th Street NE Pavement and Water Main Reconstruction project. (Paving for Progress)
- |  |
|--|
| Council member Weinacht moved to approve; seconded by Council member Gulick. |
| Absent: Council member Poe.  |
| Result: <b>Approved.</b>   |
- 1194-09-16 15. Resolution of support for Workforce Housing Tax Credits for Waldo Morris and Nancy Mowry Properties, LLC for the renovation of the Cedar River Towers building at 101 1st Avenue NE and providing local match funds under the City's Local Match Economic Development program.
- |  |
|--|
| Council member Weinacht moved to approve; seconded by Council member Gulick. |
| Absent: Council member Poe.  |
| Result: <b>Approved.</b>   |
- 1195-09-16 16. Resolution of support for proposed National Register of Historic Places landmark designation for Iowa Highway Commission, District 6 Building for property at 430 16th Avenue SW.
- |  |
|--|
| Council member Weinacht moved to approve; seconded by Council member Gulick. |
| Absent: Council member Poe.  |
| Result: <b>Approved.</b>   |
- 1196-09-16 17. Resolution authorizing the Finance Department to electronically file the City Street Financial Report for the fiscal year ending June 30, 2016 with the Iowa Department of Transportation.
- |  |
|--|
| Council member Weinacht moved to approve; seconded by Council member Gulick. |
| Absent: Council member Poe.  |
| Result: <b>Approved.</b>   |
- 1197-09-16 18. Resolution establishing the City's new financial institution depository limits.
- |  |
|--|
| Council member Weinacht moved to approve; seconded by Council member Gulick. |
| Absent: Council member Poe.  |
| Result: <b>Approved.</b>   |

1198-09-16

19. Resolution authorizing the Police Chief to attend the 2016 International Association of Chiefs of Police Conference and the Major City Chiefs' Association Meeting in San Diego, CA, from October 13-19, 2016 for an estimated total amount of \$3,447.70.

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

Absent: Council member Poe.

Result: **Approved.**

20. Motions setting public hearing dates for:

- a. September 27, 2016 – to consider granting a change of zone for property located north of E Avenue NW and west of Blue Stone Street NW from A, Agriculture Zone District, to R-2, Single Family Residence Zone District, as requested by Midwest Development Co and William K. and Debra J. Robinson.

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

Absent: Council member Poe.

Result: **Approved.**

- c. September 27, 2016 – to consider a Temporary Electric Line Easement Agreement over City-owned Parking Lot 44 located between the Cedar River and 2nd Street SE and southwesterly of 11th Avenue SE, in connection with the temporary relocation of an existing overhead transmission to accommodate the NewBo/Parking Lot 44 Pump Station at 10th Avenue SE project as requested by the City of Cedar Rapids and ITC Midwest LLC.

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

Absent: Council member Poe.

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. September 27, 2016 – Indian Creek Tree Restoration project, with bid opening September 28, 2016 (estimated cost is \$425,000).

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

Absent: Council member Poe.

Result: **Approved.**

- b. September 27, 2016 – Veterans Stadium Parking Lot – ADA Compliance, Crack Fill and Seal Coating project, with bid opening September 28, 2016 (estimated cost is \$105,000).

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

Absent: Council member Poe.

Result: **Approved.**

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

- a. 1st Avenue Wine House, 3412 1st Avenue NE.  
b. Bo Town Entertainment, 1730 2nd Street SE (5-day permit for an event at 1730 2nd Street SE, 1624 2nd Street SE, 1748 2nd Street SE and including City property on 2nd Street SE on September 17, 2016).

- c. Comfort Inn & Suites, 2025 Werner Avenue NE.
- d. CVS/Pharmacy #8443, 3419 16th Avenue SW.
- e. The History Center, 716 Oakland Road NE (5-day permit for an event at 800 2nd Avenue SE on September 22, 2016).
- f. Hy-Vee #5 Club Room, 3235 Oakland Road NE (transfer to Brucemore, 2160 Linden Drive SE, for an event on September 17, 2016).
- g. Kwik Star #165, 3730 Williams Boulevard SW (new – formerly Bank of the West).
- h. Kwik Star #283, 8835 Runway Court SW.
- i. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on September 20, 2016).
- j. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on October 4-8, 2016).
- k. Mother's Place, 115 North Akir, Latimer, IA (5-day permit for an event at Veterans Memorial Coliseum, 50 2nd Avenue Bridge, on September 24, 2016).
- l. New Shack Tavern, 2545 Old River Road SW (outdoor service for an event on September 24-25, 2016).
- m. Oyama Sushi Japanese Steakhouse, 5350 Council Street NE (new ownership).
- n. Pancheros Mexican Grill, 5300 Edgewood Road NE.
- o. Sam's Club #8162, 2605 Blairs Ferry Road NE.
- p. Time Out Lounge, 3230 16th Avenue SW (outdoor service for an event on September 17-18, 2016).
- q. Zeppelin's Restaurant, 5300 Edgewood Road NE.

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

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

23. Resolutions approving:

1199-09-16

- a. Payment of bills.

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

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

1200-09-16

- b. Payroll.

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

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

24. Resolutions thanking the following individuals:

1201-09-16

- a. Vote of thanks to Gary Hinzman for serving on the Civil Service Commission.

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

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

1202-09-16

- b. Vote of thanks to Jason Willis for serving on the Medical Quarter Design Review Technical Advisory Committee.

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

Absent: Council member Poe.
-----------------------------

Result: <b>Approved.</b>
--------------------------

1203-09-16	25. Resolutions approving the special event applications for: a. Bo Town Harvest Moon Fest event (includes road closure) on September 17, 2016.
1204-09-16	b. Czech Village Association CzechFest event (includes road closures) on September 25, 2016.
1205-09-16	c. HADSA's Step Up for Down Syndrome Walk event (includes road closures) on September 25, 2016.
1206-09-16	d. Five Seasons Invitational Marching Band Competition (includes road closures) on October 1, 2016.
1207-09-16	26. Resolutions approving assessment actions: a. Intent to assess – Water Division – delinquent municipal utility bills – 55 properties.
1208-09-16	b. Levy assessment – Water Division – delinquent municipal utility bills – eight properties.
1209-09-16	c. Levy Assessment – Water Division – delinquent municipal utility bills – 31 properties.
1210-09-16	d. Intent to assess – Solid Waste & Recycling – clean-up costs – eight properties.



27. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:

1211-09-16

- a. Sanitary sewer in The Sanctuary at Ellis and 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$36,805.

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

Absent: Council member Poe.

Result: **Approved.**

1212-09-16

- b. Storm sewer in The Sanctuary at Ellis and 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$6,920.

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

Absent: Council member Poe.

Result: **Approved.**

1213-09-16

- c. Water system improvements installed in The Sanctuary at Ellis 1st Addition and 2-year Maintenance Bond submitted by Abode Construction Inc., in the amount of \$42,555.

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

Absent: Council member Poe.

Result: **Approved.**

28. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:

1214-09-16

- a. 8th Avenue SW Pavement Rehabilitation Improvements from 10th Street to 7th Street project; final payment in the amount of \$16,672.03 and 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. (original contract amount was \$319,638.50; final contract amount is \$333,440.56). (Paving for Progress)

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

Absent: Council member Poe.

Result: **Approved.**

1215-09-16

- b. 18th Street SW from 16th Avenue to 13th Avenue Roadway Improvements project, final payment in the amount of \$32,753.23 and 4-year Performance Bond submitted by Eastern Iowa Excavating & Concrete, LLC (original contract amount was \$644,018.60).

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

Absent: Council member Poe.

Result: **Approved.**

1216-09-16

- c. 29th Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project, final payment in the amount of \$15,652.04 and 4-year Performance Bond submitted by Vieth Construction Corp. (original contract amount was \$321,675; final contract amount is \$313,040.78).

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

Absent: Council member Poe.

Result: **Approved.**

1217-09-16

- d. Hidden Hollow Lane East of 16th Street NW Storm Sewer Improvements project and 4-year Performance Bond submitted by SulzCo, LLC (original contract amount was \$61,629.75; final contract amount is \$58,463.55).

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

Absent: Council member Poe.

Result: **Approved.**

1218-09-16

- e. Indian Creek Trunk Sanitary Sewer Segment 1 – Rehabilitation project, final payment in the amount of \$23,898.30 and 4-year Performance Bond submitted by Visu-Sewer (original contract amount was \$287,630; final contract amount is \$477,966).

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

Absent: Council member Poe.

Result: **Approved.**

1219-09-16

- f. Repair of Water Service Lines FY16 project, Change Order No. 2 (final) in the amount of \$37,692.72, final (retainage) payment in the amount of \$19,008.80 and 2-year Maintenance Bond submitted by B. G. Brecke, Inc. (original contract amount was \$252,640.89; final contract amount is \$420,333.61).

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

Absent: Council member Poe.

Result: **Approved.**

1220-09-16

- g. Tree Inventory Services Project, final payment in the amount of \$9,324 to ArborPro, Inc. (original contract amount was \$189,000; final contract amount is \$186,480).

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

Absent: Council member Poe.

Result: **Approved.**

1221-09-16

- h. Utility Disconnect Services for Nuisance Structures agreement for the Building Services Division, Amendment No. 7 to reflect the difference between the estimated quantities and actual quantities and 4-year Maintenance Bond submitted by BWC Excavating, LC (original contract amount was \$23,105.56; final contract amount is \$97,119.91).

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

Abstain: Council member Gulick.

Absent: Council member Poe.

Result: **Approved.**

29. Resolution approving a final plat:

1222-09-16

- a. Van Vechten First Addition for land located at 2121, 2123, 2133 and 2135 Mount Vernon Road SE.

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

Absent: Council member Poe.

Result: **Approved.**

<u>1223-09-16</u>	30. Resolutions approving actions regarding purchases, contracts and agreements: a. Fleet Services Division purchase of one wheeled excavator from Altorfer, Inc. in the amount of \$250,540.
Council member Weinacht moved to approve; seconded by Council member Gulick.	
Absent: Council member Poe.	
Result: <b>Approved.</b>	
<u>1224-09-16</u>	b. Amendment No. 7 to the contract with Pro-West & Associates, Inc. for GIS One-Call Utility Locate System for various City departments to reflect additional maintenance and support services in the amount of \$2,100 (original contract amount was \$43,000; total contract amount with this amendment is \$82,150).
Council member Weinacht moved to approve; seconded by Council member Gulick.	
Absent: Council member Poe.	
Result: <b>Approved.</b>	
<u>1225-09-16</u>	c. Police Department purchase of one FARO Focus3D X 130 HDR laser scanner and supporting equipment in the amount of \$71,491.30 from FARO Technologies, Inc.
Council member Weinacht moved to approve; seconded by Council member Gulick.	
Absent: Council member Poe.	
Result: <b>Approved.</b>	
<u>1226-09-16</u>	d. Contract with Darrahs, Inc. for as-needed towing and storage of vehicles for the Police Department and the Fleet Services Division for three years for an annual amount not to exceed \$30,000.
Council member Weinacht moved to approve; seconded by Council member Gulick.	
Absent: Council member Poe.	
Result: <b>Approved.</b>	
<u>1227-09-16</u>	e. Agreement Regarding Assignment of Wetland Maintenance Contracts to assign four contracts with Griggs Environmental Strategies, Inc. to EOR Iowa, LLC.
Council member Weinacht moved to approve; seconded by Council member Gulick.	
Absent: Council member Poe.	
Result: <b>Approved.</b>	
<u>1228-09-16</u>	f. Traffic Engineering Division purchase of 140 NEMA MMU2-16LEip LCD malfunction management units from MoboTrex to monitor traffic signals for an amount not to exceed \$97,300.
Council member Weinacht moved to approve; seconded by Council member Gulick.	
Absent: Council member Poe.	
Result: <b>Approved.</b>	
<u>1229-09-16</u>	g. Traffic Engineering Division purchase of 29 Tesco Model 2000 VA Battery Backup Systems from Mid American Signal, Inc. for an amount not to exceed \$166,750.
Council member Weinacht moved to approve; seconded by Council member Gulick.	
Absent: Council member Poe.	
Result: <b>Approved.</b>	

1230-09-16

- h. Amendment No. 7 to renew contract with Mailing Services Inc. for mailing services for the Water Division for an annual amount not to exceed \$205,000 (original contract amount was \$175,000; renewal contract amount is \$205,000).

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

Absent: Council member Poe.

Result: **Approved.**

1231-09-16

- i. Amendment No. 1 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$66,944 for design services in connection with the 3rd Avenue Improvements from 6th Street SW to 5th Street SE project (original contract amount was \$193,930; total contract amount with this amendment is \$260,874). (Paving for Progress)

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

Abstain: Council member Gulick.

Absent: Council member Poe.

Result: **Approved.**

1232-09-16

- j. Professional Services Agreement with Bolton & Menk, Inc. for an amount not to exceed \$320,029 for design services in connection with the 8th Avenue SW from 18th Street SW to Rockford Road SW project. (Paving for Progress)

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

Absent: Council member Poe.

Result: **Approved.**

1233-09-16

- k. Professional Services Agreement with Snyder & Associates, Inc. for an amount not to exceed \$490,960 for design services in connection with the 15th Avenue SW – 12th Street to C Street Roadway Improvements project. (Paving for Progress)

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

Absent: Council member Poe.

Result: **Approved.**

1234-09-16

- l. Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$127,636 for design services in connection with the 29th Street NE from 1st Avenue E to I-380 project. (Paving for Progress)

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

Absent: Council member Poe.

Result: **Approved.**

1235-09-16

- m. Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$65,000 for design services in connection with the Stormwater Master Plan – Stormwater Modeling Support Services project.

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

Absent: Council member Poe.

Result: **Approved.**

1236-09-16

- n. Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$85,000 for the Water Division Variable Frequency Drive Replacement project.

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

Absent: Council member Poe.

Result: **Approved.**

1237-09-16

- o. Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$130,000 for the WPC Solids Dewatering HVAC Improvements project.

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

Absent: Council member Poe.

Result: **Approved.**

1238-09-16

- p. Awarding and approving contract in the amount of \$50,129.50, bond and insurance of SulzCo, LLC for the West Side Infrastructure Removals project (estimated cost is \$90,000).

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

Absent: Council member Poe.

Result: **Approved.**

1239-09-16

- q. Change Order No. 4 in the amount of \$20,861.87 with Municipal Pipe Tool Company, LLC for the East Side Sanitary Sewer Interceptor Repairs project (original contract amount was \$7,855,968.40; total contract amount with this amendment is \$8,119,548.04). (Flood)

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

Absent: Council member Poe.

Result: **Approved.**

1240-09-16

- r. Rejecting all bids for the Indian Creek Tree Restoration project (estimated cost is \$428,000).

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

Absent: Council member Poe.

Result: **Approved.**

1241-09-16

- s. Joint Funding Agreement with the U.S. Department of Interior, Geological Survey (USGS) for the continuing Assessment of Ground-Water Flow and Quality for the Cedar Rapids Alluvium for the period of October 1, 2016 through September 30, 2017 for a project cost of \$219,735 (project cost to be shared on a 38/62 basis with the City's share being \$135,735).

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

Absent: Council member Poe.

Result: **Approved.**

1242-09-16

- t. Agreement for a Transportation Alternatives Program project with the Iowa Department of Transportation (IDOT) in the amount of \$164,000 for the Sac & Fox Portland Cement Concrete Trail Extension from Indian Creek to Trailridge Road SE project.

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

Absent: Council member Poe.

Result: **Approved.**

1243-09-16

- u. Terminating Iowa Clean Air Attainment Program (ICAAP) Agreement No. 2012-ICAAP-06 in the amount of \$514,160 with the Iowa Department of Transportation (IDOT) in connection with the Cottage Grove SE and Forest Drive SE Traffic Control and Capacity Improvements project.

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

Absent: Council member Poe.

Result: **Approved.**

1244-09-16

- v. Amendment No. 21 to Contract 08-DRH-208 with the Iowa Economic Development Authority to add an additional \$105,188 in storm water management funding for Cornerstone Place (previous contract amount was \$73,769,320; contract amount with this amendment is \$73,974,508). (Flood)

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

Absent: Council member Poe.

Result: **Approved.**

1245-09-16

- w. Acceptance of Conditions and Agricultural Land Use Notification forms for Linn County Board of Adjustments for property in the 1800 block of 80th Street NW.

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

Absent: Council member Poe.

Result: **Approved.**

1246-09-16

- x. Agreement with the Union Pacific Railroad for an amount not to exceed \$10,000 for preliminary engineering and other preliminary activities in connection with the Downtown Rail Signal Modifications project as part of the signalization of 1st Avenue East and 4th Street.

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

Absent: Council member Poe.

Result: **Approved.**

1247-09-16

- y. Authorizing negotiation of a Lease Agreement with National Czech & Slovak Museum and Library for four vacant City-owned properties at 68 15th Avenue SW, 72 15th Avenue SW, 76 15th Avenue SW and 1505 B Street SW.

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

Absent: Council member Poe.

Result: **Approved.**

1248-09-16

- z. Authorizing negotiation of a short-term lease with Horizons, A Family Service Alliance for properties at 904 and 908 5th Street SE.

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

Absent: Council member Poe.

Result: **Approved.**

1249-09-16

- aa. Member Community Billing Agreement with Republic Services of Iowa, LLC for direct billing for recyclables processing and direct receipt of any revenue share.

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

Absent: Council member Poe.

Result: **Approved.**

1250-09-16

- ab. 28E Agreement with All Saints Elementary School for participation in the adult crossing guard program for FY 2017, reimbursing All Saints Elementary School for 50 percent of the costs for wages up to \$11.46 per hour, fringes and updated equipment, up to a maximum of \$1,903.94.

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

Absent: Council member Poe.

Result: **Approved.**

1251-09-16

- ac. 28E Agreement with the Cedar Rapids Community School District (CRCSD) for participation in the adult crossing guard program for FY 2017, reimbursing CRCSD for 50 percent of the costs for wages up to \$11.46 per hour, fringes and updated equipment, up to a maximum of \$59,022.12.

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

Absent: Council member Poe.

Result: **Approved.**

1252-09-16

- ad. 28E Agreement with the Linn Mar Community School District for participation in the adult crossing guard program for FY 2017, reimbursing Linn Mar Community School District for 50 percent of the costs for wages up to \$11.46 per hour, fringes and updated equipment, up to a maximum of \$1,903.94.

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

Absent: Council member Poe.

Result: **Approved.**

1253-09-16

- ae. Authorizing negotiations of a Development Agreement with the Czech Village Association for nine City-owned properties described as City Parking Lot 8 adjacent to 1612 C Street SW, City Parking Lot 30 adjacent to 73-87 16th Avenue SW, City Parking Lot 31 adjacent to 62-72 16th Avenue SW and City Parking Lot 32 adjacent to 86-92 16th Avenue SW.

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

Absent: Council member Poe.

Result: **Approved.**

1254-09-16

- af. Fifth Amendment to the Development Agreement with Westdale CR Ventures #1, LLC and Frew Development Group, LLC for redevelopment of the former Westdale Mall site generally located at 2500 Edgewood Road SW for the release of 50% of remaining Phase Two Loan in amount of \$1,125,000.

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

Absent: Council member Poe.

Result: **Approved.**

1255-09-16

- ag. Amendment No. 1 to Development Agreements with NewBo Development Group LLC for properties at 2204, 2206, 2208, 2210 and 2212 Tranquil Court NW participating in the third round of the Single Family New Construction Program. (Flood)

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

Absent: Council member Poe.

Result: **Approved.**

1256-09-16

- ah. Amendment No. 1 to Development Agreements with NewBo Development Group LLC for properties at 2214, 2216, 2218, 2220 and 2222 Tranquil Court NW participating in the fourth round of the Single Family New Construction Program. (Flood)

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

Absent: Council member Poe.

Result: **Approved.**

1257-09-16

- ai. Amendment No. 1 to the Development Agreement and Special Warranty Deed with Cedar Valley Habitat for Humanity, Inc. for City-owned property at 1100 K Street SW participating in the fourth round of the Single Family New Construction Program. (Flood)

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

Absent: Council member Poe.

Result: ***Approved.***

1258-09-16

- aj. Purchase Agreement in the amount of \$1 and accepting a Warranty Deed from Jeffrey L. Maxwell and Jennifer L. Maxwell from vacant land located north of 6606 Choctaw Ridge Road NE and south of 3211 Seminole Valley Road NE in connection with the Seminole Valley Road from 42nd Street NE to Fords Crossing Roadway Improvements project. (Paving for Progress)

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

Absent: Council member Poe.

Result: ***Approved.***

1259-09-16

- ak. Purchase Agreement in the amount of \$550 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for construction from Chad C. Sherrets and Amy C. Sherrets from land located 3400 E Avenue NW in connection with the Edgewood Road NW from E Avenue NW to F Avenue NW–Roadway Improvements project. (Paving for Progress)

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

Absent: Council member Poe.

Result: ***Approved.***

1260-09-16

- al. Purchase Agreement in the amount of \$9,100 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Polaski Properties, L.L.C. from vacant land located at the northeast corner of O Avenue NW and 16th Street 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 Weinacht moved to approve; seconded by Council member Gulick.

Absent: Council member Poe.

Result: ***Approved.***

1261-09-16

- am. Purchase Agreement in the amount of \$1 and accepting a Special Warranty Deed from Mercy Medical Center for land located at 800 7th Street SE in connection with the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project. (Paving for Progress)

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

Absent: Council member Poe.

Result: ***Approved.***



1262-09-16

- an. Purchase Agreement in the amount of \$5,000 and accepting a Special Warranty Deed and Temporary Grading Easement for Construction from Mercy Medical Center for land located at 723 8th Avenue SE in connection with the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project. (Paving for Progress)

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

Absent: Council member Poe.

Result: **Approved.**

1263-09-16

- ao. Establish right-of-way on City-owned property located at 7700 18th Street SW prior to the transfer of title to Nordstrom, Inc., for future 18th Street SW improvements.

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

Absent: Council member Poe.

Result: **Approved.**

- 20b. *(Moved from consent agenda)* Discussion and Motion setting a public hearing for September 27, 2016 to consider granting a change of zone for property at 1200 Edgewood Road NW from R-2, Single Family Residence Zone District, to RMF-2, Multiple Family Residence Zone District, as requested by CB Cedar Rapids Housing LLLP and the City of Cedar Rapids. Council member Weinacht announced that due to a board relationship she would be recusing herself from this item. Council member Gulick announced that due to a conflict involving a client he would be recusing himself on this item. Also, Council member Gulick will be absent from the September 27 meeting and announced that he will file with the City Clerk a written recusal for the public hearing and any subsequent action on this item.

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

Abstain: Council members Gulick and Weinacht.

Absent: Council member Poe.

Result: **Approved.**

31. Report on bids for the 66th Avenue SW Roadway Improvements from Locust Road to 6th Street Phase 1 – Utility Improvements project (estimated cost is \$880,000) (Sandy Pumphrey).

Rathje Construction Co., Marion, IA, \$448,899.81  
Ricklefs Excavating, Ltd., Anamosa, IA, \$508,395.00  
Connolly Construction, Inc., Peosta, IA, \$542,635.85  
Langman Construction, Inc., Rock Island, IL, \$572,698.30  
Pirc-Tobin Construction, Inc., Alburnett, IA, \$652,411.70  
BWC Excavating, LC, Solon, IA, \$659,035.03  
Cornerstone Excavating, Inc., Washington, IA, \$719,133.25

1264-09-16

32. Discussion and Resolution authorizing sponsorship for a Business Financial Assistance Application to Iowa Economic Development Authority by Diamond V Mills, Inc. at 2525 60th Avenue SW with the local match being satisfied through City's Local Match Economic Development Program (Caleb Mason).

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

Absent: Council member Poe.

		Result: <b>Approved.</b>
<u>1265-09-16</u>	33.	Discussion and Resolution of support authorizing City participation under the City's Brownfield/Grayfield Economic Development Program for the proposed redevelopment of 218 4th Avenue SW as requested by West Side Wolf Pack V LLC (Caleb Mason).
		Council member Overland moved to approve; seconded by Council member Weinacht.
		Absent: Council member Poe.
		Result: <b>Approved.</b>
<u>1266-09-16</u>	34.	Discussion and Resolution authorizing execution of a Development Agreement with Knutson LLC for the disposition and redevelopment of City-owned properties at 525, 529, and 533 Valor Way SW, including the former Knutson building (Caleb Mason). (Flood)
		Council member Overland moved to approve; seconded by Council member Weinacht.
		Nays: Council members Russell and Shields.
		Absent: Council member Poe.
		Result: <b>Approved.</b>
<u>043-16</u>	35.	Ordinance 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 Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.
		Absent: Council member Poe.
		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.
		Absent: Council member Poe.
		Result: <b>Adopted.</b>
<u>044-16</u>	36.	Ordinance relating to collection of tax increment within the proposed Stone Creek Urban Renewal Area.
		Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.
		Absent: Council member Poe.
		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.
		Absent: Council member Poe.
		Result: <b>Adopted.</b>

- 045-16 37. Ordinance amending Ordinance No. 084-14, relating to collection of tax increment within the 42nd Street and Edgewood Urban Renewal Area.
- |   |
|---|
| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.   |
| Absent: Council member Poe.   |
| 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. |
| Absent: Council member Poe.   |
| Result: <b>Adopted.</b>   |
- 046-16 38. Ordinance amending Ordinance No. 009-15, relating to collection of tax increment within the Apache Hose and Belting Company, Inc. Urban Renewal Area.
- |   |
|---|
| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.   |
| Absent: Council member Poe.   |
| 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. |
| Absent: Council member Poe.   |
| Result: <b>Adopted.</b>   |
- 047-16 39. Ordinance amending Ordinance No. 041-03, relating to collection of tax increment within the Council Street Urban Renewal Area.
- |   |
|---|
| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.   |
| Absent: Council member Poe.   |
| 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. |
| Absent: Council member Poe.   |
| Result: <b>Adopted.</b>   |
- 048-16 40. Ordinance amending Ordinance No. 079-14, relating to collection of tax increment within the Northtowne Market Urban Renewal Area.
- |   |
|---|
| Council member Gulick moved the approval of the Ordinance on its second reading; seconded by Council member Weinacht.   |
| Absent: Council member Poe.   |
| 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. |
| Absent: Council member Poe.   |
| Result: <b>Adopted.</b>   |

Public comments were heard.

Motion to adjourn.

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

City Council adjourned at 2:06 p.m. to meet Tuesday, September 27, 2016 at 4 p.m.

Amy Stevenson, City Clerk