January 22, 2019, 5:30 PM

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 First Street SE, Cedar Rapids, Iowa. Present, Mayor Bradley G. Hart, Council members Marty Hoeger, Scott Olson, Tyler Olson, Scott Overland, Ann Poe, Dale Todd, Ashley Vanorny and Susie Weinacht. Also present were City Manager Jeff Pomeranz and City Attorney Jim Flitz.

The invocation was given by Public Safety Chaplain Steve Schoepf.

Pledge of Allegiance.

Good News announcements.

Mayor Hart and Council member Vanorny presented a Proclamation declaring January 2019 as Slavery and Human Trafficking Prevention and Awareness Month.

A presentation regarding the Cedar Rapids Tourism Office was given by Casey Drew and Mike Silva.

Resolutions and motions were adopted with all Council members and Mayor Hart voting “Aye” unless noted.

1. A public hearing was held to consider the proposed Edgewood Town Center Urban Renewal Plan and an Ordinance relating to the collection of tax increment within the proposed Edgewood Town Center Urban Renewal Area (Caleb Mason). No comments or objections were heard or filed.

   a. Resolution approving the Urban Renewal Plan for the Edgewood Town Center Urban Renewal Area.

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

   Result: Approved.

   b. First Reading: Ordinance relating to the collection of tax increment within the proposed Edgewood Town Center Urban Renewal Area.

   Council member T. 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.

   Result: Approved.
2. A public hearing was held to consider the disposition of City-owned properties at 1302 and 1306 3rd Street SE and inviting competitive redevelopment proposals (Lauren Freeman and Caleb Mason). No comments or objections were heard or filed.

   a. Resolution authorizing the continuation of the disposition of City-owned properties at 1302 and 1306 3rd Street SE and inviting competitive redevelopment proposals.
   
   Council member Todd moved to approve; seconded by Council member Overland.
   
   Result: Approved.

3. A public hearing was held to consider the annexation of territory located south of Wright Brothers Boulevard SW and east of Earhart Lane SW as requested by Krivanek Farm, LLC (Vern Zakostelecky). One comment was heard. One written comment was filed.

   a. Resolution authorizing the annexation of territory located south of Wright Brothers Boulevard SW and east of Earhart Lane SW as requested by Krivanek Farm, LLC.
   
   Council member Hoeger moved to approve; seconded by Council member S. Olson.
   
   Result: Approved.

4. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 12th Avenue SE Roadway and Utility Improvements from 17th Street to 400’ East of 19th Street project (estimated cost is $840,000) (Brenna Fall). (Paving for Progress) No comments or objections were heard or filed.

   a. Resolution adopting plans, specifications, form of contract and estimated cost for the 12th Avenue SE Roadway and Utility Improvements from 17th Street to 400’ East of 19th Street project.
   
   Council member Poe moved to approve; seconded by Council member Todd.
   
   Result: Approved.

5. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the US Cellular Center ADA Compliance project (estimated cost is $359,000) (Jeff Koffron). No comments or objections were heard or filed.

   a. Resolution adopting plans, specifications, form of contract and estimated cost for the US Cellular Center ADA Compliance project.
   
   Council member Overland moved to approve; seconded by Council member Hoeger.
   
   Result: Approved.

Motion to approve the agenda.

   Council member Weinacht moved to approve; City Manager Pomeranz requested that Item 37 (presentation and Resolution authorizing execution of a Professional Services Agreement with T.Y. Lin International for an amount not to exceed $3,287,086 for design services in connection with the 8th Avenue Bridge Design – Phase 1 project) be removed from the agenda; seconded by Council member T. Olson.
   
   Result: Approved as amended.
Motion to approve the consent agenda.

Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: **Approved.**

6. Motion to approve the minutes.

Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: **Approved.**

7. Resolution amending the times of regularly scheduled City Council meetings to be held in calendar year 2019.

Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: **Approved.**

8. Resolution amending the Development Services Fee Schedule in connection with updated review and permitting procedures adopted as part of the new Chapter 32, Zoning Code.

Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: **Approved.**

9. Resolution authorizing the disbursement of $200,000 in hotel/motel funds to the USA Roller Sports tournament for a “bid fee” if the event is awarded to Cedar Rapids.

Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: **Approved.**

10. Resolution authorizing City participation in the Complete Count Committee to assist in public outreach efforts for the 2020 Census.

Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: **Approved.**

11. Resolution approving the location and project scope for public art on the south lawn of City Hall in an amount not to exceed $60,000.

Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: **Approved.**


Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: **Approved.**


Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: **Approved.**
<table>
<thead>
<tr>
<th>Resolution Number</th>
<th>Resolution Description</th>
<th>Council Member</th>
<th>Seconded by</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>0068-01-19</td>
<td>Resolution approving the Cedar Rapids Historic Preservation Commission Work Plan for 2019.</td>
<td>S. Olson</td>
<td>Vanorny</td>
<td>Approved</td>
</tr>
<tr>
<td>0069-01-19</td>
<td>Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the Council Street NE from Collins Road to south of 46th Street Improvements project. (Paving for Progress)</td>
<td>S. Olson</td>
<td>Vanorny</td>
<td>Approved</td>
</tr>
<tr>
<td>0070-01-19</td>
<td>Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the Forest Drive SE from Grande Avenue to Mount Vernon Road Pavement and Water Main Improvements project. (Paving for Progress)</td>
<td>S. Olson</td>
<td>Vanorny</td>
<td>Approved</td>
</tr>
<tr>
<td>0071-01-19</td>
<td>Resolution authorizing the elimination of the Ushers Ferry/Farmers Market Program Supervisor position, creation of a new Athletic Coordinator position, and reclassification of a part-time Secretary 4 to a full-time Customer Service Representative I in the Recreation Division effective February 2.</td>
<td>S. Olson</td>
<td>Vanorny</td>
<td>Approved</td>
</tr>
<tr>
<td>0072-01-19</td>
<td>Resolution authorizing a Community Development Planner III to attend the National Planning Conference in San Francisco, CA from April 13-16, 2019 at a cost of $3,765.</td>
<td>S. Olson</td>
<td>Vanorny</td>
<td>Approved</td>
</tr>
<tr>
<td>0073-01-19</td>
<td>Resolution authorizing the Community Development Director to attend the National Planning Conference in San Francisco, CA from April 13-16, 2019 at a cost of $3,765.</td>
<td>S. Olson</td>
<td>Vanorny</td>
<td>Approved</td>
</tr>
<tr>
<td>0074-01-19</td>
<td>Resolution authorizing a Police Officer to attend the K9 Trainers Course in Sharpsville, PA from February 3-April 20, 2019 for an estimated amount of $11,021.25.</td>
<td>S. Olson</td>
<td>Vanorny</td>
<td>Approved</td>
</tr>
</tbody>
</table>
21. Resolution setting a public hearing for February 12, 2019 to consider the vacation and disposition of public ways and grounds in and to the property described as two 2,211-square-foot parcels of excess City-owned Dostal Court right-of-way located at 4908 Dostal Court SW as requested by Community Savings Bank.

Result: Approved.

22. Resolution setting a public hearing for February 12, 2019 to consider the vacation of a 10-foot-wide Utility Easement located at 4908 Dostal Court SW as requested by Community Savings Bank.

Result: Approved.

23. Resolution setting a public hearing on February 26, 2019 and consultation with affected taxing agencies on the proposed Amendment No. 1 to the Urban Renewal Plan for the Earhart Lane Urban Renewal Area.

Result: Approved.

24. Motion setting a public hearing date for:
   a. February 12, 2019 – to consider public comments regarding identification of community development needs, program funding for development of proposed activities, and program performance for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, prior to developing an Annual Action Plan for the period of July 1, 2019 to June 30, 2020.

Result: Approved.

25. 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. February 12, 2019 – Ellis Boulevard NW from I Avenue to O Avenue Pavement Rehabilitation project (estimated cost is $641,000). (Paving for Progress)

Result: Approved.

   b. February 12, 2019 – FY 2019 Sidewalk Repair Program – Contract No. 2 project (estimated cost is $97,000).

Result: Approved.

   c. February 12, 2019 – CEMAR Trail: Phase 1A PCC Sidewalk/Trail on H Avenue NE from the Cedar Lake Loop Trail (West of Shaver Road NE) to Oakland Road NE project (estimated cost is $1,150,000).

Result: Approved.
d. February 12, 2019 – Forest Drive SE from Grande Avenue to Mount Vernon Road Pavement and Water Main Improvements project (estimated cost is $1,115,000). (Paving for Progress)

Council member S. Olson moved to approve; seconded by Council member Vanorny.
Result: Approved.

26. Motion assessing a civil penalty for violation of State Code regarding the sale of tobacco/vapor products to minors against:
   a. The Station, 3645 Stone Creek Circle SW (second offense – $1,500).

Council member S. Olson moved to approve; seconded by Council member Vanorny.
Result: Approved.

27. Motion assessing a civil penalty for violation of State Code regarding the sale of alcohol to minors against:
   a. Big Discount Liquor, 5427 Center Point Road NE (first offense – $500).

Council member S. Olson moved to approve; seconded by Council member Vanorny.
Result: Approved.

28. Motion approving the beer/liquor/wine applications of:
   a. Aces & Eights Saloon, 62 16th Avenue SW.
   b. Black Sheep Social Club, 600 1st Street SE.
   c. Club Basix, 3916 1st Avenue NE.
   d. Flamingo, 1211 Ellis Boulevard NW.
   e. Irish Democrat, 3207 1st Avenue SE.
   f. Lion Bridge Brewing Company, 59 16th Avenue SW.
   g. Local Pour, 302 3rd Avenue SW.
   h. May City Bowl, 1648 Trent Street SW.
   i. Point Liquor & Tobacco, 3221 Center Point Road NE.
   k. Ramada Hotel and Conference Center, 525 33rd Avenue SW.
   l. Tomaso’s Pizza, 3234 Center Point Road NE.
   m. Tru by Hilton, 3900 Westdale Pkwy SW.
   n. Viking Lounge, 1971 16th Avenue SW.

Council member S. Olson moved to approve; seconded by Council member Vanorny.
Result: Approved.

29. Resolutions approving:

   0078-01-19
   a. Payment of bills.

Council member S. Olson moved to approve; seconded by Council member Vanorny.
Result: Approved.

   0079-01-19
   b. Payroll.

Council member S. Olson moved to approve; seconded by Council member Vanorny.
Result: Approved.
c. Transfer of funds.

Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: Approved.

30. Resolutions thanking the following individuals:

a. Vote of thanks to Jeff Capps for serving on the Affordable Housing Commission.

Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: Approved.

b. Vote of thanks to Karla Scriven for serving on the Visual Arts Commission.

Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: Approved.

31. Resolutions approving assessment actions:


Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: Approved.


Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: Approved.

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

a. ADA Ramps and Skywalk Improvements Group 1 project, Change Order No. 6 in the amount of $2,100.51, final payment in the amount of $14,921.12 and 2-year Performance Bond submitted by Tricon General Construction, Inc. (original contract amount was $243,000; final contract amount with this amendment is $298,422.39).

Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: Approved.

b. Bever Avenue SE Sidewalk Extension from 30th Street SE to 34th Street SE project, final payment in the amount of $14,429.48 and 4-year Performance Bond submitted by Horsfield Construction, Inc. (original contract amount was $329,877.40; final contract amount is $288,589.60).

Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: Approved.

c. City Hall ADA Compliance Project, final payment in the amount of $12,474.28 and 2-year Performance Bond submitted by Tricon General Construction, Inc. (original contract amount was $208,000; final contract amount is $249,485.85).

Council member S. Olson moved to approve; seconded by Council member Vanorny.

Result: Approved.
d. City Services Center ADA Compliance Project, Change Order No. 4 in the amount of $10,118.03, final payment in the amount of $17,590.86 and 2-year Performance Bond submitted by Tricon General Construction, Inc. (original amount was $248,000; final contract amount with this amendment is $351,817.21).

**Council member S. Olson moved to approve; seconded by Council member Vanorny.**  
**Result:** *Approved.*

e. Electrical Distribution in Ellis Harbor project, Change Order No. 2 in the amount of $7,430.72, final payment in the amount of $11,186.29 and 2-year Performance Bond submitted by Acme Electric Co. (original contract amount was $216,295; final contract amount with this amendment is $223,725.72).

**Council member S. Olson moved to approve; seconded by Council member Vanorny.**  
**Result:** *Approved.*

f. Hughes Park Improvements Phase 1 project, Change Order No. 4 in the amount of $22,868.37, final payment in the amount of $16,095.47 and 2-year Performance Bond submitted by Pirc Tobin Construction, Inc. (original contract amount was $287,399; final contract amount with this amendment is $321,909.37).

**Council member S. Olson moved to approve; seconded by Council member Vanorny.**  
**Result:** *Approved.*

g. Ushers Ferry Historic Village ADA Compliance project, Change Order No. 5 in the amount of $6,265.40, final payment in the amount of $33,829.24 and 2-year Performance Bond submitted by Tricon General Construction, Inc. (original contract amount was $604,000; final contract amount with this amendment is $676,584.75).

**Council member S. Olson moved to approve; seconded by Council member Vanorny.**  
**Result:** *Approved.*

### 33. Resolution approving a final plat:

a. TH Development Second Addition for land located west of 6th Street SW and south of 76th Avenue SW.

**Council member S. Olson moved to approve; seconded by Council member Vanorny.**  
**Result:** *Approved.*

### 34. Resolutions approving actions regarding purchases, contracts and agreements:

a. Amendment No. 2 to the contract with Northway Well & Pump Company for the Golf Course Well Inspections project for the Golf Division to reflect the additional cost for Gardner Golf Course well repairs for an amount not to exceed $43,851.57 (original contract amount was $3,737; total contract amount with this amendment is $77,500.35).

**Council member S. Olson moved to approve; seconded by Council member Vanorny.**  
**Result:** *Approved.*

b. Contract with Segal Waters Consulting for a classification and compensation study for the Human Resources Department for an amount not to exceed $192,500.

**Council member S. Olson moved to approve; seconded by Council member Vanorny.**  
**Result:** *Approved.*
c. Contract with CertaPro Painters for miscellaneous painting services for the Water Pollution Control Facility for six months, with a possible 18-month extension, for an annual amount not to exceed $150,000.

Council member S. Olson moved to approve; seconded by Council member Vanorny.  
Result: **Approved.**

0096-01-19  
d. Amendment No. 7 to renew contract with BWC Excavating LC for the excavation and hauling of lagoon ash sand for the Water Pollution Control Facility for an annual amount not to exceed $140,000 (original contract amount was $164,000; renewal contract amount is $140,000).

Council member S. Olson moved to approve; seconded by Council member Vanorny.  
Result: **Approved.**

0097-01-19  

Council member S. Olson moved to approve; seconded by Council member Vanorny.  
Result: **Approved.**

0098-01-19  
f. Amendment No. 2 to the Professional Services Agreement with Black & Veatch Corporation for an amount not to exceed $4,800 for the WPC Cryogenic Plant Miscellaneous Improvements project (original contract amount was $670,000; total contract amount with this amendment is $740,800).

Council member S. Olson moved to approve; seconded by Council member Vanorny.  
Result: **Approved.**

0099-01-19  
g. Memorandum of Agreement with the Medical Self-Supported Municipal Improvement District Commission to amend the roles and responsibilities for services, maintenance and improvements within the boundaries of the district.

Council member S. Olson moved to approve; seconded by Council member Vanorny.  
Result: **Approved.**

0100-01-19  
h. Amendment No. 28 to Contract 08-DRH-008 with the Iowa Economic Development Authority to extend the contract term to June 30, 2019.

Council member S. Olson moved to approve; seconded by Council member Vanorny.  
Result: **Approved.**

0101-01-19  
i. Accepting a Warranty Deed and Temporary Grading Easement for Construction from Mercy Medical Center from land located at 520 10th Street SE in connection with the 10th Street SE from 5th Avenue to 8th Avenue Pavement and Streetscaping project.

Council member S. Olson moved to approve; seconded by Council member Vanorny.  
Result: **Approved.**

0102-01-19  
j. Purchase Agreement in the amount of $1 and accepting a Sanitary Sewer Easement from Danisco US Inc. from vacant land located west of 1000 41st Avenue Drive SW and east of the public road in connection with the C Street SW North of Highway 30 Anaerobic Sewer Capacity Improvements project.

Council member S. Olson moved to approve; seconded by Council member Vanorny.  
Result: **Approved.**
<table>
<thead>
<tr>
<th>Date</th>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0103-01-19</td>
<td>k.</td>
<td>Collateral Assignment of Development Agreement with Progression, LC and Cedar Rapids Bank and Trust in connection with the Kingston Quarters project at 353 2nd Avenue SW. Council member S. Olson moved to approve; seconded by Council member Vanorny. Result: <strong>Approved.</strong></td>
</tr>
<tr>
<td>0104-01-19</td>
<td>l.</td>
<td>Development Agreement with MH Legacy, LLC for the disposition and redevelopment of City-owned property along 2nd Street SW between 2nd and 3rd Avenue SW. Council member S. Olson moved to approve; seconded by Council member Vanorny. Result: <strong>Approved.</strong></td>
</tr>
<tr>
<td></td>
<td>35.</td>
<td>Report on bids for the 2019 Curb Ramp Repair: Bid Package #1 project (estimated cost is $670,000) (Brenna Fall).</td>
</tr>
<tr>
<td>0105-01-19</td>
<td>a.</td>
<td>Resolution awarding and approving contract in the amount of $547,866, plus incentive up to $10,000, bond and insurance of Ti-Zack Concrete, Inc. for the 2019 Curb Ramp Repair: Bid Package #1 project. Council member Todd moved to approve; seconded by Council member Poe. Result: <strong>Approved.</strong></td>
</tr>
<tr>
<td>0106-01-19</td>
<td>36.</td>
<td>Discussion and Resolution of support authorizing City participation in the proposed new development project at North River Boulevard NE, Edgewood Road NE and Highway 100 under the City’s Large Site Master Plan – Economic Development Program as requested by New Buffalo Land Co. LLC (Caleb Mason). Council member Hoeger moved to approve; seconded by Council member Overland. Result: <strong>Approved.</strong></td>
</tr>
<tr>
<td>001-19</td>
<td>38.</td>
<td>Ordinance amending Chapter 18 of the Municipal Code, Historic Preservation, to designate the Perkins House at 1228 3rd Avenue SE as a local historic landmark under Subsection 18.04.B. Council member Poe moved the approval of the Ordinance on its second reading; seconded by Council member T. Olson. Result: <strong>Approved.</strong> Council member S. Olson 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 Vanorny. Result: <strong>Adopted.</strong></td>
</tr>
</tbody>
</table>
Ordinance vacating public ways and grounds in and to the property described as the 50-foot by 120-foot parcel of excess street right-of-way located between and adjacent to 624 and 628 41st Street NE as requested by Larry and Kay Jordan and Bridgette N. Usher.

Council member Overland moved the approval of the Ordinance on its second reading; seconded by Council member Hoeger.

Result: Approved.

Council member S. Olson 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 Todd.

Result: Adopted.

a. Resolution authorizing the disposition of the 50-foot by 120-foot parcel of excess street right-of-way located between and adjacent to 624 and 628 41st Street NE as requested by Larry and Kay Jordan and Bridgette N. Usher.

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

Result: Approved.

Council comments were heard.

Motion to adjourn.

Council member T. Olson moved to approve; seconded by Council member Weinacht.

Result: Approved.

City Council adjourned at 6:30 p.m. to meet Tuesday, February 12, 2019 at 12 noon.

Amy Stevenson, City Clerk