

**PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF CORALVILLE,  
JOHNSON COUNTY, IOWA SUBJECT TO THE APPROVAL BY THE CORALVILLE  
CITY COUNCIL AT A SUBSEQUENT MEETING**

A Regular Meeting of the City Council of the City of Coralville, Johnson County, IA was held at City Hall, 1512 7<sup>th</sup> Street on Tuesday, September 27, 2011 with Mayor Jim L. Fausett presiding and was called to order at 7:00 P.M.

The following Council Members were present: Gill, Weihe, Lundell. Absent: Hoeft, Gross.

The following staff was present: City Attorney Don Diehl, City Attorney Kevin Olson; City Administrator Kelly Hayworth; Asst. City Administrator Ellen Habel; Building & Zoning Official Jim Kessler; City Engineer Dan Holderness; Asst. Engineer Scott Larson; Police Chief Barry Bedford; Asst. Fire Chief Orey Schwitzer; Director of Parks & Recreation Sherri Proud; Director of Parking and Transportation Vicky Robrock; Human Resource/Risk Manager Mike Funke; Telecommunications Assistant Joe Hotek; City Clerk Thorsten J. Johnson.

Motion by Gill, seconded by Weihe to approve the agenda with the removal of Item #29. Motion carried. Ayes: 3. Absent: 2.

Votes are 3 Ayes and 2 Absent for Motions, Resolutions and Ordinances unless otherwise noted.

There were no citizen comments.

Gil Janes with Howard R. Green Company presented the Iowa ASCE 2011 Outstanding Civil Engineering Project Award for the First Avenue Corridor Recovery & Protection Project to the Mayor and Council. Janes noted the award recognizes the extensive teamwork and responsiveness of the City of Coralville following the 2008 Flood. Janes recognized the work of project managers Andrew Marsh and Tim Cutsworth from Howard R. Green Company and City Administrator Kelly Hayworth, Asst. City Administrator Ellen Habel, City Engineer Dan Holderness, Asst. City Engineer Scott Larson, Police Chief Barry Bedford and Fire Chief David Stannard and other City Staff and volunteers that helped with the 2008 Flood, grants and flood mitigation and prevention projects.

Senior Loss Control Representative Dean Schade of the Iowa Municipalities Workers Compensation Association (IMWCA) presented the IMWCA Best Practices Award and a \$2,000.00 check to Mayor Jim L. Fausett and Asst. Fire Chief Orey Schwitzer. The award is given to members that meet strict loss control and safety guidelines. Only 7 members have received this award. Schade recognized the leadership and hard work of City Administrator Kelly Hayworth, Human Resource/Risk Manager Mike Funke and the Safety Committee of Coralville.

**EWALT SANITARY TRUNK SEWER 2011 ~ PUBLIC HEARING**

Mayor Jim L. Fausett declared this the time for a public hearing on the plans, specifications, estimate of cost and form of contract for the Ewalt Sanitary Trunk Sewer 2011. There were no public or written comments. Fausett closed the public hearing.

After the resolution, Mayor Jim L. Fausett noted this project will extend the Ewalt Sanitary Trunk Sewer to the Coral Court area and eliminate an existing temporary lift station and forcemain. The bid date is 10/11/2011.

**RESOLUTION NO. 2011-219**

RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, ESTIMATE OF COST AND FORM OF CONTRACT; ORDERING BIDS; SETTING DATE FOR THE RECEIVING OF SAID BIDS; AND DIRECTING PUBLISHED NOTICE OF THE BID LETTING, ALL FOR THE EWALT SANITARY TRUNK SEWER 2011 was introduced by Gill, seconded by Weihe. A roll call vote was taken. Resolution declared adopted.

**LEASE AGREEMENT ~ PUBLIC HEARING**

Mayor Jim L. Fausett declared this the time for a public hearing on the proposal to lease certain real property for a term not to exceed fifty-six years with an option to purchase by tenant in connection of a brewery and related facilities, expansions and improvements. There were no public or written comments. Fausett closed the public hearing.

It was noted this lease is for the Backpocket Brewery in the Iowa River Landing District.

**RESOLUTION NO. 2011-220**

RESOLUTION MAKING FINAL DETERMINATIONS AND APPROVING THE LEASE OF CERTAIN REAL PROPERTY IN CONNECTION WITH THE CONSTRUCTION AND OPERATION OF A BREWERY AND RELATED FACILITIES, EXPANSIONS AND IMPROVEMENTS IN THE IOWA RIVER LANDING; AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF VARIOUS DOCUMENTS IN CONNECTION THEREWITH INCLUDING THE FOLLOWING: A GROUND LEASE; A SEPARATE AGREEMENT; A GUARANTY; AND RELATED DOCUMENTS AND RELATED MATTERS was introduced by Weihe, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

**LOT 1, OAKDALE COMMONS ~ PUBLIC HEARING**

Building & Zoning Official Jim Kessler reported this lot is located on the southwest corner of 12<sup>th</sup> Avenue and Oakdale Boulevard. Lot 1 is just north of the Tabernacle Baptist Church and is 2.2 acres in side. Kids Incorporated is the developing a state licensed child care facility that will handle 200+ kids. During the school year they plan to care for 215 infant through preschool children and during the summer they will care for 60 additional children up to the ages 5 through 12. The building will be mostly brick and stone with a drop off site and outdoor play area. All the utilities will be public except Ashlynd Drive. There will be plenty of parking and all child care rooms will have exits as required by code. They will have extensive landscaping and the parking will be screened. The facility has a 10 year contract with the University Research Park to be the preferred care provider for children from the research park. The Planning & Zoning Commission recommended Council approval with a 5-0 vote.

Mayor Jim L. Fausett declared this the time for a public hearing on the rezoning from C-PUD 1, Commercial Planned Unit Development One District, to C-PUD 2, Commercial Planned Unit Development Two District, and the C-PUD-B Site Plan for Lot 1, Oakdale Commons, Coralville, Iowa. There were no public or written comments. Fausett closed the public hearing.

After the ordinance was read Councilperson John Lundell asked if there is enough stacking room to handle the traffic. Building & Zoning Official Jim Kessler responded they have plenty of stacking room with circulation through the drive and space to park and pick their kids up. There will be another access to Oakdale Road in the future.

**ORDINANCE 2011-1019A** AN ORDINANCE AMENDING THE CORALVILLE ZONING ORDINANCE THE SAME BEING ORDINANCE NO. 664, AS PREVIOUSLY AMENDED, REZONING CERTAIN PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CORALVILLE, JOHNSON COUNTY, IOWA, AND GENERALLY KNOWN AS LOT 1, OAKDALE COMMONS FROM C-PUD 1, COMMERCIAL PLANNED UNIT DEVELOPMENT ONE DISTRICT, TO C-PUD 2, COMMERCIAL PLANNED UNIT DEVELOPMENT TWO DISTRICT was introduced by Lundell, seconded by Weihe for 1<sup>st</sup> consideration. A roll call vote was taken. Motion carried.

**AUDITOR'S PARCLES 2002-007 & 2002-008 AND THAT PORTION OF LOTS 2 & 3, HEARTLAND PLAZA, PART TWO ~ PUBLIC HEARING**

Building & Zoning Official Jim Kessler showed the Council site plans for the proposed Costco site and former Amana Warehouse. The larger portion of the warehouse will be converted into an indoor parking facility and the northeastern part of the building will be the retail facility. The facility will park 550 cars with designated parking for employees. The eastern access to the site has been closed and there is a new entrance and exit drive from the eastern loading dock. Left and right turn lanes will be added on

westbound Heartland Drive, a left turn lane will be added to eastbound Heartland Drive and left turn lane will be added to Commerce Drive. Landscaping will be added to the site and the building will be repainted. The City has acquired 7 feet of Right of Way along Heartland Drive for future road expansion and Costco will pay for a future trail system from Commerce Drive to Ewalt pond that will tie into Jones Boulevard. Costco will pay for all improvements except the Heartland Drive sanitary sewer line, which will be paid for with connection fees. A three island Costco Gas Station will be built on the west side of the property. The Planning & Zoning Commission Report recommended Council approval 5-0.

Mayor Jim L. Fausett declared this the time for a public hearing on re-zoning from I-2, Light Industrial District, to C-PUD 2, Commercial Planned Unit Development Two District, and the C-PUD-B Site Plan for Auditor's Parcels 2002-007 & 2002-008 and that portion of Lots 2 & 3, Heartland Plaza, Part Two, Coralville, Iowa. There were no public or written comments. Fausett closed the public hearing.

After the resolution was read, Mayor Jim L. Fausett asked if ventilation for the parking facility had been addressed. Building & Zoning Official Jim Kessler responded Costco will install three ventilation fans. Kessler pointed out pedestrian walkways inside and outside the parking facility. There will be an automotive center access in the parking facility. Councilperson John Lundell asked what the parking requirements were for the location. Kessler responded 5 per thousand square feet and this facility will have about 4 per thousand square feet and they will need a variance for it. They expect their peak hours to be in the afternoon.

**ORDINANCE 2011-1020** AN ORDINANCE AMENDING THE CORALVILLE ZONING ORDINANCE THE SAME BEING ORDINANCE NO. 664, AS PREVIOUSLY AMENDED, REZONING CERTAIN PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CORALVILLE, JOHNSON COUNTY, IOWA, AND GENERALLY KNOWN AS AUDITOR'S PARCELS 2002-007 & 2002-008 AND THAT PORTION OF LOTS 2 & 3, HEARTLAND PLAZA, PART TWO FROM I-2, LIGHT INDUSTRIAL DISTRICT, TO C-PUD 2, COMMERCIAL PLANNED UNIT DEVELOPMENT TWO DISTRICT was introduced by Gill, seconded by Lundell for 1<sup>st</sup> consideration. A roll call vote was taken. Motion carried.

### **CORAL GALLERIA, PART ONE**

Building & Zoning Official Jim Kessler reported the preliminary plat subdivides Greer's Third Subdivision Lots 1 & 2 and Jacob's Clear Creek Third Subdivision Lot 1 into Coral Galleria, Part One and creates eight building lots. The final plat details Lot 8 for the construction of a hotel. It was noted this subdivision is located south of Highway 6 between the 25<sup>th</sup> Avenue and Coral Ridge Avenue intersections. The Planning & Zoning Commission recommended Council approval of both plats with a 5-0 vote.

### **RESOLUTION NO. 2011-221**

RESOLUTION APPROVING THE PRELIMINARY PLAT OF CORAL GALLERIA, PART ONE, CORALVILLE, IOWA was introduced by Weihe, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

### **RESOLUTION NO. 2011-222**

RESOLUTION APPROVING THE FINAL PLAT OF CORAL GALLERIA, PART ONE, CORALVILLE, IOWA was introduced by Lundell, seconded by Weihe. A roll call vote was taken. Resolution declared adopted.

### **LOT 5, OAK SPRINGS SUBDIVISION**

After the ordinance was read, Building & Zoning Official Jim Kessler showed the council the new plat. The duplex with Oakdale Road access will move west 5 feet. Councilperson Tom Gill asked if trees will be removed. Kessler responded trees will be removed to construct the drive, grade the area and build the units but there will be a conservation area where no trees can be removed without the City Forester's permission. Rita Sigmund, President of the Board of Directors of the Terra Ridge Homeowners Association, noted one of their buildings was now on the plat map that had been overlooked on the last one. Sigmund was glad to have positive feedback for the association and hoped to move forward as good

neighbors with the Oak Springs development. It was noted this a 5.49 acre lot located north of Oakdale Road and west of Terra Ridge Subdivision.

After the ordinance was read, City Attorney Kevin Olson reported he had worked with the developer and all the terms that have been discussed are in the development agreement.

**ORDINANCE 2011-1018** AN ORDINANCE AMENDING THE CORALVILLE ZONING ORDINANCE THE SAME BEING ORDINANCE NO. 664, AS PREVIOUSLY AMENDED, REZONING CERTAIN PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CORALVILLE, JOHNSON COUNTY, IOWA, AND GENERALLY KNOWN AS LOT 5, SPRING OAKS SUBDIVISION FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT, TO R-PUD 2, RESIDENTIAL PLANNED UNIT DEVELOPMENT TWO DISTRICT was introduced by Gill, seconded by Lundell for third and final consideration. A roll call vote was taken. Ordinance declared adopted after its publication as required by law.

**RESOLUTION NO. 2011-223**

RESOLUTION APPROVING THE PUD B SITE PLAN FOR LOT 5, OAK SPRINGS SUBDIVISION, CORALVILLE, IOWA was introduced by Weihe, seconded by Lundell. A roll call vote was taken. Resolution declared adopted.

**CAMP CARDINAL BOULEVARD WATER CONNECTION FEES**

It was noted the connection fee payment is \$35,570.56.

**RESOLUTION NO. 2011-224**

RESOLUTION ACKNOWLEDGING PAYMENT IN FULL OF THE CAMP CARDINAL BOULEVARD WATER CONNECTION FEES FOR CARDINAL POINTE NORTH, CORALVILLE, IOWA was introduced by Lundell, seconded by Weihe. A roll call vote was taken. Resolution declared adopted.

**WEST CORALVILLE CONNECTION FEES**

It was noted the connection fee payment is \$75,608.06.

**RESOLUTION NO. 2011-225**

RESOLUTION ACKNOWLEDGING PAYMENT IN FULL OF THE WEST CORALVILLE CONNECTION FEES FOR WESTCOR BUSINESS PARK, PART 6A, CORALVILLE, IOWA was introduced by Gill, seconded by Weihe. A roll call vote was taken. Resolution declared adopted.

**HEARTLAND DRIVE SANITARY SEWER CONNECTION FEE DISTRICT**

After the resolution was read, City Attorney Kevin Olson reported this connection fee district will serve Costco and the Heartland Drive area and Costco will pay \$206,000.00 after the City completes the project. Notice will be sent to the affected property owners. It was noted the public hearing will be held 10/25/2011.

**RESOLUTION NO. 2011-226**

RESOLUTION SETTING A PUBLIC HEARING AND DIRECTING MAILED NOTICE TO AFFECTED PROPERTY OWNERS FOR THE HEARTLAND DRIVE SANITARY SEWER CONNECTION FEE DISTRICT was introduced by Weihe, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

**STREET FINANCE REPORT**

It was noted this report itemizes the allocation of funds used to construct, repair and maintain City streets.

**RESOLUTION NO. 2011-227**

RESOLUTION APPROVING THE FISCAL YEAR 2011 ANNUAL STREET FINANCE REPORT was introduced by Lundell, seconded by Weihe. A roll call vote was taken. Resolution declared adopted.

**BONDS**

It was noted this issue will pay for the cost of constructing storm water drainage improvements as part of the Iowa River Landing project. The public hearing will be 10/25/2011.

**RESOLUTION NO. 2011-228**

RESOLUTION TO FIX DATE FOR A PUBLIC HEARING ON A LOAN AGREEMENT IN A PRINCIPAL AMOUNT NOT TO EXCEED \$5,000,000 was introduced by Gill, seconded by Lundell. A roll call vote was taken. Resolution declared adopted.

**DEVELOPMENT AGREEMENT**

After the resolution was read, Councilperson Tom Gill thanked the Staff for their hard work to get to this point. Councilperson John Lundell noted this area was an industrial wasteland and the soils were contaminated. Lundell thought this is a great opportunity that needs to be taken or they will regret it. Lundell noted this is an investment in the community and district. Councilperson John Weihe saw this as a catalyst for a half a billion dollars in the first phase of development. Mayor Jim L. Fausett remembered when the area was not a desirable location and how the Council wanted to make this a gateway to the area. Mayor Jim L. Fausett allowed Mark Vande Haar to make some comments. Vande Haar expressed his concerns on investing \$9 million in one business that will not spur development and the lack of public input in the process. City Clerk Thorsten J. Johnson read the following comments. Councilperson Bill Hoeft wrote, "Even though I am unable to attend the September 27, 2011 council meeting. I support the vote for the agenda item regarding Von Maur." Councilperson Mitch Gross wrote, "I am sorry I am unable to be there tonight, I am presenting at a conference in Kentucky that has been scheduled for some time. I am supportive of the IRL and agree that in order for the project to be a success, there must be an anchor tenant, and I am happy that tenant is Von Maur. While I support the general premise of the resolution, there are provisions in the agreement that I support removing such as language regarding relocation expenses and the termination of Von Maur's lease. I also hope there will be a chance for the public to speak at tonight's meeting to voice their opinions." There were no other public or written comments.

**RESOLUTION NO. 2011-229**

RESOLUTION PROVIDING FOR AND APPROVING THE SALE OF LAND, THE MAKING OF GRANTS AND THE APPROVAL OF AN ANCHOR RETAIL AREA DEVELOPMENT AGREEMENT, A DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS, A SEPARATE AGREEMENT, A WORK LETTER AND RELATED DOCUMENTS RELATING TO THE CONSTRUCTION AND OPERATION OF A DEPARTMENT STORE IN THE IOWA RIVER LANDING, AND RELATED MATTERS was introduced by Weihe, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

**SIDEWALK REPAIR PROJECT – 2011**

Asst. City Engineer Scott Larson reported the quotes are for the repair of sidewalks in the area generally west of 14<sup>th</sup> Avenue, south of I-80 and north of the corporate limits. The engineer's estimate was \$46,748.25 and the low bid was from LJ Stevens & Co., Inc. for \$43,935.30. Staff recommended awarding the contract to LJ Stevens & Co., Inc. and staff has been pleased with their past work for the City.

After the resolution was read, City Attorney Kevin Olson reported properties on the list that get their work done before the contractor arrives will not be assessed by the City. Councilperson John Lundell asked if the work would start soon. Olson responded yes the contract will be signed tonight.

**RESOLUTION NO. 2011-230**

RESOLUTION ACCEPTING QUOTATION AND AWARDING CONSTRUCTION CONTRACT FOR THE SIDEWALK REPAIR PROJECT – 2011 was introduced by Lundell, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

**IOWA RIVER LANDING INFRASTRUCTURE IMPROVEMENTS – QUARRY ROAD – 2011**

City Engineer Dan Holderness reported 3 bids were received at 11:00 a.m. and the low bid was from All American Concrete, Inc. of West Liberty, Iowa for \$955,808.03. The completion date was changed from November of 2011 to June of 2012. Staff reported they worked with American Concrete, Inc. before and recommend approval of their bid. It was noted this project involves the construction of approximately 425 lineal feet of Quarry Road north of the East 9<sup>th</sup> Street/Quarry Road roundabout and future Iowa River Landing Place.

**RESOLUTION NO. 2011-231**

RESOLUTION ACCEPTING BIDS AND AWARDING THE CONSTRUCTION CONTRACT FOR THE IOWA RIVER LANDING INFRASTRUCTURE IMPROVEMENTS – QUARRY ROAD – 2011 was introduced by Gill, seconded by Weihe. A roll call vote was taken. Resolution declared adopted.

**RESOLUTION NO. 2011-232**

RESOLUTION APPROVING THE CONTRACT AND BOND DOCUMENTS FOR THE IOWA RIVER LANDING INFRASTRUCTURE IMPROVEMENTS – QUARRY ROAD – 2011 was introduced by Weihe, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

**I-JOBS II STORM WATER IMPROVEMENTS PROJECT 2011**

City Engineer Dan Holderness report this project involves the construction of flood protection measures along the north side of Clear Creek between Highway 6 and Biscuit Creek and the west side of Biscuit Creek between Clear Creek and 5<sup>th</sup> Street and because of the low bids received he recommended some work be done on the east side of Biscuit Creek between 5<sup>th</sup> Street and Clear Creek. Three bids were received on September 1<sup>st</sup> and Peterson Contractors Inc. had the low bid of \$2,279,566.25, which was below the engineer's estimate of \$3,574,600.00. The City has worked with Peterson Contractors, Inc. and staff recommended approval of the low bid.

**RESOLUTION NO. 2011-233**

RESOLUTION ACCEPTING BIDS AND AWARDING THE CONSTRUCTION CONTRACT FOR THE I-JOBS II STORM WATER IMPROVEMENTS PROJECT 2011 was introduced by Lundell, seconded by Weihe. A roll call vote was taken. Resolution declared adopted.

**RESOLUTION NO. 2011-234**

RESOLUTION APPROVING THE CONTRACT AND BOND DOCUMENTS FOR THE I-JOBS II STORM WATER IMPROVEMENTS PROJECT 2011 was introduced by Gill, seconded by Lundell. A roll call vote was taken. Resolution declared adopted.

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) STORM WATER PUMP STATIONS  
2011**

It was noted this resolution authorizes the City Attorney to negotiate and obtain all property interests for the project, including the use of eminent domain if necessary.

**RESOLUTION NO. 2011-235**

RESOLUTION AUTHORIZING THE ACQUISITION OF ALL PROPERTY INTEREST NECESSARY FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) STORM WATER PUMP STATIONS 2011 was introduced by Weihe, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

**TRANSIT GRANT**

After the resolution was read, Councilperson Tom Gill asked how long the City had been working on the Intermodal facility. City Administrator Kelly Hayworth responded it has been about 10 years. It was noted this is a \$13,046,826.00 grant request for the intermodal facility with a \$3,875,278.00 local match.

**RESOLUTION NO. 2011-236**

RESOLUTION AUTHORIZING THE SUBMISSION OF A TIGER III APPLICATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE CORALVILLE TRANSIT INTERMODAL FACILITY was introduced by Lundell, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

**CORALVILLE CENTER FOR THE PERFORMING ARTS GRANT**

It was noted this is a \$10,000.00 grant request to fund rental subsidies for the use of the Coralville Center for the Performing Arts by non-profit performance organizations with annual budgets below \$100,000.00.

**RESOLUTION NO. 2011-237**

RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE COMMUNITY FOUNDATION OF JOHNSON COUNTY FOR NON-PROFIT PERFORMANCE ORGANIZATION RENTAL SUBSIDIES was introduced by Gill, seconded by Weihe. Resolution declared adopted.

**IOWA RIVER LANDING ANCHOR TENANT AGREEMENTS**

**RESOLUTION NO. 2011-238**

It was noted this agreement is not to exceed \$26,640.00.

RESOLUTION APPROVING AN ENGINEERING SERVICES AGREEMENT WITH SHIVE-HATTERY, INC. FOR THE IOWA RIVER LANDING ANCHOR TENANT PUD SITE PLAN was introduced by Weihe, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

**RESOLUTION NO. 2011-239**

It was noted this agreement is not to exceed \$34,050.00.

RESOLUTION APPROVING AN ENGINEERING SERVICES AGREEMENT WITH SHIVE-HATTERY, INC. FOR THE IOWA RIVER LANDING ANCHOR TENANT SITE IMPROVEMENTS was introduced by Lundell, seconded by Weihe. A roll call vote was taken. Resolution declared adopted.

**RESOLUTION NO. 2011-240**

It was noted this agreement is not to exceed \$31,500.00

RESOLUTION APPROVING A LANDSCAPING SERVICES AGREEMENT WITH RDG PLANNING & DESIGN FOR THE IOWA RIVER LANDING ANCHOR TENANT LANDSCAPING was introduced by Gill, seconded by Lundell. A roll call vote was taken. Resolution declared adopted.

**IOWA RIVER LANDING RETAIL OFFICE BUILDINGS A & B AGREEMENTS**

**RESOLUTION NO. 2011-241**

It was noted this agreement is not to exceed \$14,800.00.

RESOLUTION APPROVING AN ENGINEERING SERVICES AGREEMENT WITH SHIVE-HATTERY, INC. FOR IOWA RIVER LANDING RETAIL OFFICE BUILDINGS A & B SITE CIVIL was introduced by Weihe, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

**RESOLUTION NO. 2011-242**

It was noted this agreement is not to exceed \$32,000.00.

RESOLUTION APPROVING AMENDMENT NO. 1 TO A CONSULTING SERVICES AGREEMENT WITH 505 DESIGN TO COMPLETE THE ENVIRONMENTAL GRAPHICS DESIGN PROJECT was introduced by Lundell, seconded by Weihe. A roll call vote was taken. Resolution declared adopted.

After Resolution No. 2011-242 was read, Councilperson John Lundell asked City Administrator Kelly Hayworth to explain what the projects the previous agreements were for. Hayworth explained Retail Buildings A & B will be between the parking ramp and East 2<sup>nd</sup> Avenue. The buildings will consist of 80,000 square feet with 40,000 square feet on the first floor for retail and 40,000 square feet on the second floor for office space. The graphics design project is for all the signage in the district to let people know how to get around.

**ABANDONMENT OF WELLS**

After the resolution was read, City Administrator noted the price will be \$5,000.00 to close each observation well, plus incidentals and the wells are located at Holiday Road and 12<sup>th</sup> Avenue. The DNR recommended both wells be abandoned.

**RESOLUTION NO. 2011-243**

RESOLUTION APPROVING AN AGREEMENT WITH NORTHWAY WELL AND PUMP COMPANY TO ABANDON TWO OBSERVATION WELLS was introduced by Gill, seconded by Weihe. A roll call vote was taken. Resolution declared adopted.

**ABANDONED RESIDENTIAL PROPERTIES**

After the Resolution was read, City Administrator Kelly Hayworth explained these houses have been foreclosed on and abandoned. They are causing health issues in the neighborhoods. City Attorney Kevin Olson explained the City can go to court to have the nuisance abated or the City can take possession of the properties and abate the nuisance. Olson explained the nuisances that have not been abated after notification to property owners and judgment holders.

**RESOLUTION NO. 2011-244**

RESOLUTION DIRECTING THE CITY ATTORNEY TO TAKE ALL NECESSARY ACTION TO ABATE NUISANCE AND/OR TAKE TITLE TO THE ABANDONED RESIDENTIAL PROPERTIES AT 1702 13<sup>TH</sup> STREET AND 2317 BELMONT DRIVE was introduced by Weihe, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

**WELLMARK BLUE CROSS/BLUE SHIELD**

After the resolution was read, Human Resource & Risk Manager Mike Funke explained the City of Coralville has received a 1.51% rate increase for calendar year 2012. Wellmark's book of business shows 7.25% increases and the Corridor Business Journal reported increases of Iowa health insurance premiums for businesses at 10.1%. This rate is very good for the City and Funke recommended accepting it.



**RESOLUTION NO. 2011-245**

RESOLUTION APPROVING THE QUOTATION OF WELLMARK BLUE CROSS/BLUE SHIELD COVERAGE FOR CITY EMPLOYEES was introduced by Lundell, seconded by Gill. A roll call vote was taken. Resolution declared adopted.

**SIGN APPLICATION (DELETED)**

**MOTION BY GILL TO APPROVE CONSENT CALENDAR items a-cc inclusive:**

- a) Approve minutes for September 9, 2011 Special Meeting.
- b) Approve Taxicab Company License for **Go Cab**: 09/28/2011 to 02/28/2012.
- c) Approve payment to **Terracon Consultants, Inc.** for:
  - i) South CRANDIC 2011 (#T239616) \$10,622.76
  - ii) 2011 Brownfields Grant (#T236517) \$3,940.00
  - iii) 2008 Brownfields Grant (#T237919) \$10,708.75
  - iv) Oakdale Blvd Extension Phase I ESA (#T237922) \$3,706.25
  - v) Pathry Inc. Brownfields (#T237986) \$22,588.11
  - vi) Camp Cardinal Blvd Water Booster Station (#T243690) \$501.75
  - vii) Coral Ridge Avenue Extension (Jacob's 3<sup>rd</sup> Subdivision) (#T243690) \$4,355.50
- d) Approve payment to **Communications Infrastructure Services Group** for:
  - i) Services on preparation for installation of optical fiber to Plaza on 5<sup>th</sup> Facility (#20110066) \$767.00
  - ii) Services on preparation for installation of optical fiber to Plaza on 5<sup>th</sup> Facility (#20110073) \$4,502.00
- e) Approve payment to **Slabach Construction Co., Inc.** for optical fiber work to Plaza on 5<sup>th</sup> (#18186): \$6,791.50.
- f) Approve payment to **MidAmerican Energy Company** for relocation of 161kV transmission structure SW of Clear Creek Bridge along 1<sup>st</sup> Avenue (#12950-00001): \$19,770.74.
- g) Approve payment to **ESCO Automation** for Water Treatment Plant Gas Chlorination Equipment & Replacement (#046980): \$4861.70.
- h) Approve payment to **Beaton, Inc.** to fix Burger King's irrigation for 1<sup>st</sup> Avenue Reconstruction Project: \$1,814.77.
- i) Approve payment to **RDG Planning & Design** for:
  - i) Iowa Riverfront Master Plan (#34008) \$9,883.20
  - ii) Iowa River Landing Wetland Park Phase 2 (#34014) \$9,929.38
- j) Approve payment to **Veenstra & Kimm, Inc.** for:
  - i) Heartland Dr. Sanitary Sewer Extension 2011 – Design Services (#1) \$1,250.00
  - ii) WWTP NPDES Renewal (#1) \$129.90
  - iii) Ewalt Sanitary Trunk Sewer 2011 (#2) \$3,750.00
  - iv) Sludge Tank Roof Modifications (#4) \$2,218.00
  - v) Muddy Creek Lift Station Repairs (#8) \$3,853.44
  - vi) Sludge Tank Investigation (#8) \$1,578.62
  - vii) James Street Trunk Sewer Resident Review (#9) \$224.05
  - viii) Camp Cardinal Blvd Water System Impr – Resident Review (#7) \$2,184.19
  - ix) WWTP Rotary Screen Base Repair (#3) \$249.90
  - x) Digester – Resident Review (#13) \$2,752.51
  - xi) Digester – General Services (#16) \$3,496.60
- k) Approve payment to **Howard R. Green Company** for:
  - i) CDBG Storm Water Backflow Impr – Phase 2 Gates (#76169) \$439.50
  - ii) 1<sup>st</sup> Ave./I-80 IJR and Streamline EA (#76132) \$1,211.38
  - iii) CDBG Storm Water Pump Stations (#76172) \$227,473.40
  - iv) I-Jobs Flood Recovery & Protection Berms & Pump Station (#76170) \$22,437.01
  - v) I-Jobs II Storm Water Improvements 2011 (#76171) \$9,058.50
- l) Approve payment to **McComas-Lacina Construction** for added I.T. work and half of the additional pull box work (#2144): \$29,019.00.
- m) Approve payment to **Nextbus, Inc.** for 1<sup>st</sup> year of contract (#24981): \$13,620.00.

- n) Approve payment to **Hall & Hall Engineers, Inc.** for the Transit & Parks Facility (#1943): \$256.25.
- o) Approve payment to **City Circle Acting** for the “Hairspray” payout after their rent expense, tech equipment rental and credit card fees: \$40,140.04.
- p) Approve payment of Iowa River Landing Development Invoice as approved by OliverMcMillan, LLC to **Neumann Monson Architects** for:
  - i) IRL Parking Structure for MOB and Retail (#13) \$7,737.00
  - ii) IRL Parking Structure for MOB and Retail (#14) \$2,373.29
- q) Approve payment of Iowa River Landing Development Invoice as approved by OliverMcMillan, LLC to **Shive-Hattery, Inc.** for:
  - i) Iowa River Landing North of 9<sup>th</sup> (#1102360-3) \$53,160.94
  - ii) Iowa River Landing Topographic Survey (#1102370-3) \$2,592.05
- r) Approve payment of Iowa River Landing Development Invoice as approved by OliverMcMillan, LLC to **Terracon Consultants, Inc.** for Iowa River Landing Development (#T231337): \$1,742.50.
- s) Approve payment to **OliverMcMillan, LLC** for IRL reimbursable Invoices (#012RQS090911): \$18,581.59.
- t) Approve Pay Application#8 as approved by OliverMcMillan, LLC to **Peterson Contractors Inc.** for IRL Demolition/Grading Plans – Phase 1: \$350,024.55.
- u) Approve Pay Application#3 as approved by OliverMcMillan, LLC to **Metro Pavers Inc.** for Iowa River Landing: \$677,380.73.
- v) Approve Pay Application#2 as approved by OliverMcMillan, LLC to **Knutson Construction Services** for IRL Parking Ramp: \$812,250.00.
- w) Approve Change Order #5, +\$2,333.00; Change Order #6, +\$2,206.00; Change Order #7, +\$7,779.00; Change Order #8, +\$9,001.00; Change Order #9, +\$15,727.93; Change Order #10, +\$832.00; and Pay Application #8, \$593,152.77; to **Selzer Werderitsch Associates** for the Transit & Parks Facility.
- x) Approve Pay Estimate #3 to **Miron Construction Co., Inc.** for Sludge Tank Roof Demolition: \$86,408.64.
- y) Approve Change Order #14, +\$7,078.23, and Partial Payment #14, \$90,198.01, to **Tricon General Construction** for 1<sup>st</sup> Avenue Corridor Flood Recovery & Protection 2010.
- z) Approve Change Order #7, +\$265,917.31; Change Order #8, +\$13,028.10; Change Order #9, +\$24,654.50; Change Order #10, +\$203,595.00; Change Order #11, -\$213,676.60; Change Order #12, +9,375.00; and Change Order #13, +\$29,660.75 to **Peterson Contractors Inc.** for IRL Option A Grading Project.
- aa) Approve Partial Payment #16 to **Metro Pavers Inc.** for 1<sup>st</sup> Avenue Reconstruction: \$300,331.58.
- bb) Approve attendance of Vicky Robrock to the American Public Transportation Association in New Orleans, LA from 10/02-05/2011: \$1,143.02.
- cc) Approve Bill List for 09-23-11.

Seconded by Weihe. A roll call vote was taken. Motion carried.

City Administrator Kelly Hayworth reported the Library is having the “Banned Book Read” this week every hour they are open and invited the public to view their display on banned books. The Fire Department is having their annual open house on Sunday, October 16, 2011 from 1:00 p.m. to 4:00 p.m. Hayworth reminded everyone next week is Mayor’s clean up week and the Recycling Center is now open on Saturdays from 8:00 a.m. to noon.

Mayor Jim L. Fausett thanked City staff on their efforts for all that has happened in the last 6 months.

City Attorney’s Don Diehl and Kevin Olson had nothing to report.

Councilperson John Lundell invited everyone to attend the corner stone laying ceremony by the Masons for the Coralville Center for the Performing Arts Saturday at 10:00 a.m. There will be an open house from 1:00 p.m. to 5:00 p.m.

Councilperson John Weihe reported he attended the League of Cities meeting last Thursday and Friday and enjoyed the interaction with colleagues across the state. Weihe congratulated Councilperson Kris Gulick of Cedar Rapids on his appointment as President of the Iowa League of Cities. Mayor Jim L. Fausett congratulated the Cities of Dubuque and Auburn for winning All-Star Awards.

Councilperson Tom Gill thanked all the staff for their hard work on the Iowa River Landing Development. Gill thanked Deanna Trumbull for her work interviewing and acquiring new businesses for the Iowa River Landing. Gill thought it was amazing what the City has going for it with Costco, a daycare center and the development in the Iowa River Landing. Gill stated no place in the state is doing what Coralville is.

Motion by Weihe, seconded by Lundell to adjourn. Motion carried.

Jim L. Fausett, Mayor

Thorsten J. Johnson, City Clerk