

*“Cedar Rapids is a vibrant urban hometown –
a beacon for people and businesses invested in building
a greater community now and for the next generation.”*

NOTICE OF CITY COUNCIL MEETING

The Cedar Rapids City Council will meet in Regular Session on Tuesday, September 9, 2014 at 12:00 noon in the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. (*Please silence mobile devices.*)

A G E N D A

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations:
 - ❖ Proclamation – Gentleman Day (Autumn Craft, Sonya Masse, Jaye Kennedy, Tara Beck, David Thielen, Ashley Taylor, Nelly Hill)
 - ❖ Proclamation – Constitution Week (Peg Wilkinson)
 - ❖ Proclamation – National Childhood Cancer Awareness Month (Gary Cotton, Stephanie Horn)

PUBLIC HEARINGS

1. A public hearing will be held to consider the continuation of the disposition of excess City-owned property by sealed bid and described as three commercial parcels located at 1400 and 1412 6th Street SW and a vacant lot with structure located westerly of and adjacent to 1400 and 1412 6th Street SW (Rita Rasmussen).
 - a. Resolution to continue the disposition of excess City-owned property by sealed bid and described as three commercial parcels located at 1400 and 1412 6th Street SW and a vacant lot with structure located westerly of and adjacent to 1400 and 1412 6th Street SW. CIP/DID #3302500004-00
2. A public hearing will be held to consider the continuation of the disposition of excess City-owned property by sealed bid and described as a vacant lot with structure located at 217 10th Avenue SW (Rita Rasmussen).
 - a. Resolution to continue the disposition of excess City-owned property by sealed bid and described as a vacant lot with structure located at 217 10th Avenue SW. CIP/DID #3302500004-00

3. A public hearing will be held to consider a change of zone for property at 2727 16th Avenue SW from R-2, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by MidAmerican Aerospace and S & C Realty Associates (Vern Zakostelecky).
 - a. First Reading: Ordinance granting a change of zone for property at 2727 16th Avenue SW from R-2, Single Family Residence Zone District to C-3, Regional Commercial Zone District as requested by MidAmerican Aerospace and S & C Realty Associates. CIP/DID #RZNE-011721-2014
4. A public hearing will be held to consider a change of zone for property at 1103 and 1201 Blairs Ferry Road NE from I-1, Light Industrial Zone District to PUD-1, Planned Unit Development One Zone District as requested by Hunter Companies, LLC, Nash Finch Company and Northwestern States Portland Cement Co. (Vern Zakostelecky).
 - a. First Reading: Ordinance granting a change of zone for property at 1103 and 1201 Blairs Ferry Road NE from I-1, Light Industrial Zone District to PUD-1, Planned Unit Development One Zone District as requested by Hunter Companies, LLC, Nash Finch Company and Northwestern States Portland Cement Co. CIP/DID #RZNE-011742-2014
5. A public hearing will be held to consider a change of zone for property at 1415 Bever Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. (Vern Zakostelecky).
 - a. First Reading: Ordinance granting a change of zone for property at 1415 Bever Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. CIP/DID #RZNE-011780-2014
6. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Police Station Roof Replacement project (estimated cost is \$400,000) (Brent Schlotfeldt).
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Police Station Roof Replacement project. CIP/DID #0814-030

PUBLIC COMMENT

If you wish to address the City Council on any subject pertaining to City Council action scheduled for today, please use the sign-up sheet (next to the agendas) located on the table outside the Council Chambers. Please approach the microphone when called upon.

MOTION TO APPROVE AGENDA

CONSENT AGENDA

***Note: These are routine items, some of which are old business and some of which are new business. They will be approved by one motion without separate discussion unless Council requests an item be removed to be considered separately.**

7. Motion to approve minutes.
8. Motions setting public hearing dates for:
 - a. September 23, 2014 – to consider the disposition of a .75-acre parcel of vacant City-owned land located northerly of Ellis Road NW at 80th Street NW as requested by the State of Iowa; CIP/DID #52-15-003
 - b. September 23, 2014 – to consider the vacation of public ways and grounds described as a portion of a frontage road easement located at 2701 12th Avenue SW as requested by Quarton Place 2 Limited Partnership; CIP/DID #EASE-011980-2014
 - c. September 23, 2014 – to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, adding a Northwest Flood Mitigation Overlay District with specific guidelines applicable to land use applications and permits; CIP/DID #OB1294914
 - d. September 23, 2014 – to consider the disposition of nine excess City-owned properties at 606 and 610 J Avenue NW; 1106, 1108, 1110 and 1116 6th Street NW; and 1101, 1111 and 1113 Ellis Boulevard NW acquired through the Voluntary Property Acquisition Program (**FLOOD**); CIP/DID #OB959319
 - e. September 23, 2014 – to consider the disposition of City-owned commercial property at 615 K Avenue NW; 1125, 1127 and 1129 Ellis Boulevard NW; and 1130 and 1138 6th Street NW and inviting redevelopment proposals (**FLOOD**); CIP/DID #OB1058253
 - f. October 7, 2014 – to consider an Ordinance relating to collection of tax increment within the proposed Northtowne Market Urban Renewal Area at 1201 Blairs Ferry Road NE; CIP/DID #OB1300915
 - g. October 7, 2014 – to consider an Ordinance relating to collection of tax increment for the Amendment No. 1 to the Council Street Urban Renewal Plan; CIP/DID #OB41576
 - h. October 7, 2014 – to consider an Ordinance relating to collection of tax increment within the proposed New Pioneer Urban Renewal Area at 3338 Center Point Road NE; CIP/DID #OB1303711
 - i. October 21, 2014 – to consider a request by Red Star Yeast for the expansion of the existing Urban Revitalization Area to provide for future growth of its current facility located at 950 60th Avenue SW; CIP/DID #OB66779
 - j. October 21, 2014 – to consider a request by Acme Electric Company, Inc. for an amendment to the Acme Electric Company, Inc. Urban Revitalization Plan to allow for the construction of six new row houses. CIP/DID #OB865223
9. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for September 23, 2014 and advertising for bids by publishing notice to bidders for the 29th Street NE from West of Eastern Avenue to Staub Court Storm Sewer and Water Main Improvements project and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on October 8, 2014 (estimated cost is \$320,000). CIP/DID #304378-01

10. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- a. Adelita's Mexican Grill, 2383 Blairs Ferry Road NE;
 - b. Benz Beverage Depot, 501 7th Avenue SE (5-day permit for an event in the street on September 27, 2014);
 - c. Bulicek's Deli & Brew, 1616 6th Street SW;
 - d. Butcher Block Steakhouse, 1117 1st Avenue SE;
 - e. Checkers Tavern & Eatery, 3120 6th Street SW (outdoor service for an event on October 4-5, 2014);
 - f. CVS/Pharmacy #8443, 3419 16th Avenue SW;
 - g. Jerks Island Bar & Grill, 1810 6th Street SW (new – formerly TJ's Steakhouse);
 - h. Jersey's Pub & Grub, 5761 C Street SW (outdoor service for an event on September 14-15, 2014);
 - i. The Keg, 719 5th Street SE (outdoor service for an event on September 20, 2014);
 - j. Kum & Go #508, 30 Four Oaks Drive SW;
 - k. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day permit for an event on October 2-6, 2014);
 - l. National Czech & Slovak Museum & Library, 1400 Inspiration Place SW (5-day permit for an event on October 3, 2014);
 - m. Paddy O'Rourke's, 608 16th Street NE (outdoor service for an event on September 19-20, 2014);
 - n. Pancheros Mexican Grill, 5300 Edgewood Road NE, Suite 100;
 - o. Rumors, 400 F Avenue NW (outdoor service for an event on September 19-21, 2014);
 - p. Theatre Cedar Rapids, 102 3rd Street SE (new license);
 - q. Time Out Lounge, 3230 16th Avenue SW (outdoor service for an event on September 27-28, 2014);
 - r. Zeppelins, 5300 Edgewood Road NE, Suite 500;
 - s. Zins, 227 2nd Avenue SE.
11. Resolutions (3) approving payment of bills and payroll. CIP/DID #OB1143566
12. Resolution thanking Sean Newlin for serving on the Grants and Programs Citizens Advisory Committee. CIP/DID #OB534302
13. Resolution approving the special event application for Benz Beverage Depot Beer Nuts Festival on September 27, 2014 (includes road closure); CIP/DID #SPEC-024638-2014
14. Resolution setting a public hearing date for October 7, 2014 to consider the Resolution of Necessity (Proposed) for the construction of the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements project. CIP/DID #301500-00
15. Resolution setting a public hearing date for October 7, 2014 to consider the Resolution of Necessity (Proposed) for the construction of the 2015 Sidewalk Infill Project. CIP/DID #3012074-00
16. Resolution determining the necessity and setting dates of a public hearing for October 7, 2014 and consultation with affected taxing entities, and referral to the City Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the Northtowne Market Urban Renewal Area. CIP/DID #OB1300915

17. Resolution determining the necessity and setting dates of a public hearing for October 7, 2014 and consultation with affected taxing entities, and referral to the City Planning Commission for a report and recommendation on the proposed Amendment No. 1 to the Council Street Urban Renewal Plan for the Council Street Urban Renewal Area. CIP/DID #OB41576
18. Resolution determining the necessity and setting dates of a public hearing for October 7, 2014 and consultation with affected taxing entities, and referral to the City Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the New Pioneer Urban Renewal Area. CIP/DID #OB1303538
19. Resolutions approving assessment actions:
 - a. Levy assessment – Solid Waste & Recycling – clean-up costs – two properties; CIP/DID #OB1294619
 - b. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 21 properties. CIP/DID #OB1303518
20. Resolutions accepting projects, approving Performance Bonds and authorizing issuance of final payments:
 - a. WPCF Lenel and Security Camera Upgrades project, final payment in the amount of \$28,694.64 and 2-year Performance Bond submitted by Price Industrial Electric, Inc. (original contract amount was \$585,000; final contract amount is \$573,892.84); CIP/DID #615125-06
 - b. 1st Avenue East from 17th Street to 27th Street SE and 40th Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project, final payment in the amount of \$3,013.32 and 4-year Performance Bond submitted by Illowa Investment, Inc. (original contract amount was \$58,012; final contract amount is \$60,266.40); CIP/DID #3012034-02
 - c. 2nd Street SE Parking Ramp at 7th Avenue – Mechanical project, final payment in the amount of \$12,833.95 and 2-year Performance Bond submitted by Bowker Mechanical Contractors, LLC (original contract amount was \$215,000; final contract amount is \$256,678.79); CIP/DID #635120-21
 - d. FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project, final payment in the amount of \$12,198.72 and 4-year Performance Bond submitted by BWC Excavating, LC (original contract amount was \$189,177.50; final contract amount is \$243,974.39); CIP/DID #3017012-01
 - e. Meiers Court NW Drainage Improvements project, and 4-year Performance Bond submitted by Ricklefs Excavating, Ltd. (original contract amount was \$46,000; final contract amount is \$48,185.30); CIP/DID #304363-02
 - f. E Ave NW at West Post Road Storm Sewer Crossing project, and 4-year Performance Bond submitted by Pirc-Tobin Construction (original contract amount was \$20,929; final contract amount is \$20,324.50). CIP/DID #304392-01
21. Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned property participating in the fourth round of the Single Family New Construction Program (**FLOOD**): CIP/DID #OB540257
 - a. Cedar Valley Habitat for Humanity, Inc. for property at 358 7th Avenue SW;
 - b. Premiere Developers, Inc. for property at 1424 L Street SW.
22. Resolution authorizing execution of a Development Agreement and Special Warranty Deed for City-owned property participating in the third round of the Single Family New Construction Program (**FLOOD**). CIP/DID #OB540257
 - a. Skogman Construction Company of Iowa for property at 1238 10th Street NW.

23. Resolution approving the final plat of Crescent View Third Addition, located north of 74th Street NE and east of Crescent View Boulevard NE. CIP/DID #FLPT-006801-2013
24. Resolution establishing a public utility easement varying from 10 feet to 20 feet in width on City-owned property located at 214 1st Street SW in connection with redevelopment of the adjacent parcels located on 3rd Avenue SW between 1st Street and the alley. CIP/DID #49-15-023
25. Resolution fixing value of lots for the construction of the Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements project. CIP/DID #306163-00
26. Resolution accepting work and fixing amount to be assessed for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project. CIP/DID #3017012-00
27. Resolution accepting work and fixing amount to be assessed for the FY 2013 Sidewalk Repair and Ramp Program – Contract No. 1 project. CIP/DID #3017013-00
28. Resolution waiving the City's right to review a subdivision of land for property at 4950 and 5050 Deer View Road as requested by Mary H. Krivit, Tork J. Harman and Lynn M. Dennis for Woodland Estates 10th Addition to Linn County. CIP/DID #PRPT-012917-2014
29. Resolution extending the competitive proposal deadline from September 30 to October 28, 2014 for the disposition of City-owned property at the 400 block of 1st Street SW bounded by 1st and 2nd Streets and 4th and 5th Avenues SW acquired through the Voluntary Acquisition Program for the property disposition process and inviting redevelopment proposals **(FLOOD)**. CIP/DID #OB1292699
30. Resolution authorizing submittal of a grant application to the Iowa Department of Transportation (IDOT) for Iowa Clean Air Attainment Program (ICAAP) funds to provide funding for the Old Marion Road at C Avenue NE Intersection Improvements project. CIP/DID #301446-00
31. Resolution authorizing submittal of a grant application to the Iowa Department of Transportation (IDOT) for Iowa Clean Air Attainment Program (ICAAP) funds to provide funding for the realignment of 51st Street NE at Council Street NE to provide more separation from Collins Road. CIP/DID #301491-00
32. Resolution approving the 2014-2017 Cedar Rapids Transit Title VI Program. CIP/DID #OB1303503
33. Resolutions approving actions regarding Purchases/Contracts/Agreements:
 - a. Amendment No. 3 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$3,500 for design services in connection with the Collins Road NE Improvements Backage Road from C Avenue NE to Northland Avenue Extension project (original contract amount was \$39,617; total contract amount with this amendment is \$53,947); CIP/DID #301446-04
 - b. Amendment No. 2 to the Professional Services Agreement with Shive-Hattery, Inc. specifying an increased amount not to exceed \$24,946 for design services in connection with the Edgewood Road SW and Wiley Boulevard SW from Williams Boulevard to 16th Avenue project (original contract amount was \$37,393; total contract amount with this amendment is \$71,092) **(Paving for Progress)**; CIP/DID #3012084-01

- c. Amendment No. 3 to renew Contract for Snow Removal Services with BladeWorks – 20/20 Development for Facilities Maintenance for an estimated annual amount of \$35,000 (original contract amount was \$8,200; renewal contract amount is \$35,000); CIP/DID #0913-044
- d. Amendment No. 5 to renew Agreement for Mailing Services with Mailing Services, Inc. for the Utilities Department for a total annual amount not to exceed \$183,000 (original contract amount was \$175,000; renewal contract amount is \$183,000); CIP/DID #0910-055
- e. Amendment No. 3 to the contract for Lime Sludge Hauling Removal and Disposal – Northwest Water Treatment Plant Lagoons Project with Mike McMurrin Trucking, Inc. to reflect increased quantities of sludge for an amount not to exceed \$113,280 (original contract amount was \$354,000; total contract amount with this amendment is \$467,280); CIP/DID #0513-256
- f. Professional Services Agreement with Snyder and Associates, Inc. for an amount not to exceed \$538,484 for design services in connection with the West Post Road NW from E Avenue to Gordon Avenue and Midway Drive NW from West Post Road to Wiley Boulevard Roadway Improvements project (**Paving for Progress**); CIP/DID #3012120-01
- g. Professional Services Agreement with Watersmith Engineering for an amount not to exceed \$44,838 for design services in connection with the Sanitary Sewer Lift Station Evaluations project; CIP/DID #6550004-01
- h. Professional Services Agreement with Foth Infrastructure and Environmental, LLC for an amount not to exceed \$916,472 for design services in connection with the O Avenue NW Roadway Improvements from Edgewood Road to Ellis Boulevard project (**Paving for Progress**); CIP/DID #3012121-01
- i. Professional Services Agreement with Hall & Hall Engineers, Inc. for an amount not to exceed \$26,590 for design services in connection with the Seminole Valley Road NE Alternative Access Conceptual Plan; CIP/DID #301925-01
- j. Purchase Agreement in the amount of \$4,700 and accepting a Warranty Deed and Temporary Grading Easement for Construction from Scott C. Evans, Renay C. Evans, Shawn G. Evans and Karine H. Apineru-Evans from land located at 3875 Oakland Road NE in connection with the Oakland Road NE Sidewalk from Golf Street to Golfview Drive project; CIP/DID #301374-00
- k. Awarding and approving contract in the amount of \$49,825 plus incentive up to \$1,000, bond and insurance of Rathje Construction Company for the City Hall Roof Drain Repair project (estimated cost is \$37,000); CIP/DID #353039-09
- l. Awarding and approving contract in the amount of \$43,000 plus incentive up to \$1,500, bond and insurance of Hardscape Solutions of Iowa for the FY 2015 Downtown Streetscape Enhancement project (estimated cost is \$40,000); CIP/DID #321549-01
- m. Professional Services Agreement with CP Solutions, Inc. for an amount not to exceed \$45,000 for Cathodic Protection Design, Training, Testing and Inspection; CIP/DID #625542-2014064-02
- n. Professional Services Agreement with CH2M HILL Engineers, Inc. for an amount not to exceed \$78,461 for the WPCF Biofilter Evaluation project; CIP/DID #615236-01
- o. Authorizing the City Attorney, Chief of Police and the Eastern Iowa Airport Public Safety Commander to execute a State of Iowa Department of Public Safety Iowa On-Line Warrants and Articles User Agreement; CIP/DID #OB759137
- p. Assignment and Assumption of Development Agreement from Schissel, LLC to Cedar Ridge Homes, Inc. for property at 408 5th Avenue SW participating in the third round of the Single Family New Construction Program (**FLOOD**); CIP/DID #OB540257

- q. Development Agreement with Cargill, Inc. for disposition of City-owned properties at 903, 908 and 915 16th Avenue SE; 1616 9th Street SE; 900, 906, 916, 919; and 923 17th Avenue SE; and 929 Hull Avenue SE acquired through the City's Voluntary Acquisition Program (**FLOOD**); CIP/DID #OB811370
- r. Payment of \$68,563.25 to the Iowa Individual Health Reinsurance Association for annual assessment due October 8, 2014; CIP/DID #OB1303589
- s. Contract for Seal Coat Parking Lot project with L.L. Pelling Co. Inc. for the Utilities Department for an amount not to exceed \$38,860; CIP/DID #0714-023
- t. Contract for Hoover Trail Park Pavilion project with Connerley Construction LLC for the Parks and Recreation Department for an amount not to exceed \$32,836; CIP/DID #0814-028
- u. Contract for Painting of Cherry Hill Pool Slide Supports project with Van Nevel Coatings & Restoration for the Parks and Recreation Department for an amount not to exceed \$46,500. CIP/DID #0514-191

REGULAR AGENDA

- 34. Report on bids for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization project (estimated cost is \$90,000) (Doug Wilson).
 - a. Resolution awarding and approving contract in the amount of \$85,650 plus incentive up to \$1,000, bond and insurance of Trey Electric Corp. for the Blairs Ferry Road and Ushers Ferry Road NE Traffic Signalization project (estimated cost is \$90,000). CIP/DID #306266-02
- 35. Report on bids for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels project (estimated cost is \$550,000) (John Riggs).
 - a. Resolution awarding and approving contract for an amount not to exceed \$355,440 bond and insurance of D.W. Zinser Company for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels project (**FLOOD**). CIP/DID #0714-013

ORDINANCES

(Second and possible Third Readings)

- 36. Ordinance granting a change of zone for property at 6340 Muirfield Drive SW from C-MU, Commercial Mixed Use Zone District to O-S, Office/Service Zone District as requested by Kids Inc. and Abode Construction, Inc. CIP/DID #RZNE-011223-2014
- 37. Ordinance granting a change of zone for property at 2015 J Street SW from R-3, Single Family Residence Zone District to R-3D, Two Family Residence Zone District as requested by Robert J. Burrell. CIP/DID #RZNE-011471-2014

38. Ordinance granting a change of zone for property at 435 8th Avenue SW, 1238 10th Street NW, 1116 K Street SW and 809 E Avenue NW from R-3, Single Family Residence Zone District and RMF-1 and RMF-2, Multiple Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by the City of Cedar Rapids and Michael and Lindsey Meier. CIP/DID #RZNE-011893-2014
39. Ordinance granting a change of zone for City-owned property at 1016 2nd Street SW, 1100 K Street SW, 1104 K Street SW and 1108 K Street SW from R-3, Single Family Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by the City of Cedar Rapids. CIP/DID #RZNE-011919-2014
40. Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Kenworth Urban Revitalization Area designation near Kenworth Court SW. CIP/DID #OB1294795
41. Ordinance amending Chapter 62 of the Municipal Code, Offenses Against Public Peace and Morals, by enacting section 62.35, Synthetic Drugs, relating to possession, distribution, sale and advertisement of synthetic drugs. CIP/DID #OB1298683
42. Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow small portable A-frame signs, commonly called sandwich board signs, in commercial areas. CIP/DID #OB1298817
43. Ordinance amending Chapter 66 of the Municipal Code, Helicopter Landing Areas, by deleting Section 66.06 therefrom and enacting a new Section 66.06 which authorizes the Fire Chief or Chief's designee to issue temporary special permits for temporary landing or takeoff of helicopters within the city limits. CIP/DID #OB1300754

PUBLIC INPUT

This is an opportunity for the public to address the City Council on any subject pertaining to City Council business.

CITY MANAGER COMMUNICATIONS AND DISCUSSION

COUNCIL COMMUNICATIONS AND DISCUSSION

***Note: During this portion of the meeting Council Members may bring forward communications, concerns and reports on various matters and may discuss the items specifically listed:**

1. Mayor Corbett:
2. Council member Gulick:
3. Council member Olson:
4. Council member Poe:
5. Council member Russell:
6. Council member Shey:
7. Council member Shields:
8. Council member Vernon:
9. Council member Weinacht:

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