

*“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, October 7, 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 – America Reads: Reading Is Contagious Days (Marcia Hughes)
 - ❖ Proclamation – White Cane Safety Day (Delores Reisinger)
 - ❖ Proclamation – National Disability Employee Awareness Month (Tammy Cronin, Leland Freie, Paulette Hall, Johnny Alcivar Zuniga and LaSheila Yates)
 - ❖ Proclamation – The Summerland Project recognition (Mary Meisterling)

PUBLIC HEARINGS

1. A public hearing will be held to consider a change of zone for property at the northeast corner of the intersection of Zika Avenue NW and 16th Street NW from R-1, Single Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Newbo Development Group, LLC and the City of Cedar Rapids (Vern Zakostelecky).
 - a. First Reading: Ordinance granting a change of zone for property at the northeast corner of the intersection of Zika Avenue NW and 16th Street NW from R-1, Single Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Newbo Development Group, LLC and the City of Cedar Rapids. CIP/DID #RZNE-010979-2014

2. A public hearing will be held to consider a proposed Amendment No. 1 to the Council Street Urban Renewal Plan and an Ordinance relating to collection of tax increment within the proposed area (Kirsty Sanchez).
 - a. Resolution approving Amendment No. 1 to the Council Street Urban Renewal Plan; CIP/DID #OB41576
 - b. First Reading: Amending Ordinance No. 041-03, relating to collection of tax increment within the Council Street Urban Renewal Area. CIP/DID #OB41576
3. A public hearing will be held to consider the proposed Northtowne Market Urban Renewal Area and Plan located at 1201 Blairs Ferry Road NE and an Ordinance relating to collection of tax increment within the proposed area (Kirsty Sanchez).
 - a. Resolution approving the Northtowne Market Urban Renewal Area at 1201 Blairs Ferry Road NE; CIP/DID #OB1300915
 - b. First Reading: Ordinance relating to collection of tax increment within the proposed Northtowne Market Urban Renewal Area located at 1201 Blairs Ferry Road NE. CIP/DID #OB1300915
4. A public hearing will be held to consider the proposed New Pioneer Urban Renewal Area and Plan located at 3338 Center Point Road NE, authorizing negotiations for a Development Agreement and an Ordinance relating to collection of tax increment within the proposed area (Kirsty Sanchez).
 - a. Resolution approving the New Pioneer Urban Renewal Area at 3338 Center Point Road NE; CIP/DID #OB1303711
 - b. Resolution authorizing negotiations for a Development Agreement with New Pioneer's Cooperative Society; CIP/DID #OB1303711
 - c. First Reading: Ordinance relating to collection of tax increment within the proposed New Pioneer Urban Renewal Area located at 3338 Center Point Road NE. CIP/DID #OB1303711
5. A public hearing will be held to consider the Resolution of Necessity (Proposed) for the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements project (Doug Wilson).
 - a. Resolution with respect to the adoption of the Resolution of Necessity (Proposed) for the 18th Street SW from Wilson Avenue SW to 16th Avenue SW Improvements project. CIP/DID #301500-00
6. A public hearing will be held to consider the Resolution of Necessity (Proposed) for the construction of the 2015 Sidewalk Infill project (Doug Wilson).
 - a. Resolution with the respect to the adoption of the Resolution of Necessity (Proposed) for the 2015 Sidewalk Infill project. CIP/DID #3012074-00

7. A public hearing will be held to consider a Substation Site Easement Agreement with Interstate Power and Light Company in connection with an electric substation expansion and rebuild located on City-owned land at the southwest corner of Twin Pines Golf Course and the intersection of 42nd Street and Edgewood Road NE (Rita Rasmussen).
 - a. Resolution authorizing execution of a Substation Site Easement Agreement with Interstate Power and Light Company in connection with an electric substation expansion and rebuild located on City-owned land at the southwest corner of Twin Pines Golf Course and the intersection of 42nd Street and Edgewood Road NE. CIP/DID #49-15-022

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.**

8. Motion to approve minutes.
9. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the Water Pollution Control Facility Roughing Filter #4 Dome Replacement and Concrete Repair project, and authorizing the Utilities Director, or designee, to receive and open bids and publicly announce the results on November 5, 2014 (estimated cost is \$1,925,000). CIP/DID #615238-01
10. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the FY 2015 Curb Repair Project – Contract 1 project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on October 22, 2014 (estimated cost is \$430,000) **(Paving for Progress)**. CIP/DID #301998-06

11. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the Prairie Valley Court SW Sidewalk Extension project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on October 29, 2014 (estimated cost is \$120,000). CIP/DID #301083-06
12. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the Selected J Avenue Campus 2014 Renovations project, and authorizing the Utilities Director, or designee, to receive and open bids and publicly announce the results on November 5, 2014 (estimated cost is \$900,000). CIP/DID #6250031-02
13. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 21, 2014 and advertising for bids by publishing notice to bidders for the Cedar River East Floodwall PepsiCo/Quaker Oats Area, Phase 1 – Transmission Main Pressure Connections and Service Line Valve Installation project, and authorizing the Utilities Director, or designee, to receive and open bids and publicly announce the results on November 5, 2014 (estimated cost is \$1,225,000). CIP/DID #330260-04
14. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
 - a. Bricks Bar & Grill, 320 2nd Avenue SE;
 - b. Buffalo Wild Wings, 1100 Blairs Ferry Road NE;
 - c. Cooter's, 729 1st Avenue NW;
 - d. Cranky Hank's Pizza, 4444 1st Avenue NE (5-day permit for an event at 50 2nd Avenue Bridge, Veterans Memorial Building, on October 18, 2014);
 - e. Eurest Dining Services (Aegon), 6400 C Street SW;
 - f. Holiday Inn Express, 3320 Southgate Court SW;
 - g. Holiday Inn Express, 1230 Collins Road NE;
 - h. Julia-n-LeChef Katering Kitchen, 426 1st Avenue NW (5-day permit for an event at 51 1st Avenue Bridge, Veterans Memorial Building, on October 18, 2014);
 - i. Lancer Lanes, 3203 6th Street SW;
 - j. Leonardo's Pizza, 2228 16th Avenue SW;
 - k. 'Migo's, 86 16th Avenue SW (new – formerly Blue Toad);
 - l. Noodles & Company, 310 Collins Road NE;
 - m. Oyama Sushi Japanese Steakhouse, 5350 Council Street NE;
 - n. St. Pius X Parish, 4949 Council Street NE (5-day permit for an event on October 17-22, 2014);
 - o. Taste of India, 1060 Old Marion Road NE Suite E;
 - p. Tienda Mexicana La Guanajuato, 3915 Center Point Road NE;
 - q. White Star Ale House, 305 2nd Avenue SE.
15. Resolutions (3) approving payment of bills and payroll. CIP/DID #OB1143566
16. Resolution thanking the following individuals:
 - a. Vote of thanks to Lora Ferguson and Heidi Taylor for serving on the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board. CIP/DID #OB400545

17. Resolutions approving assessment actions:

- a. Levy assessment – Solid Waste & Recycling – clean-up costs – six properties; CIP/DID #OB1298688
- b. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 52 properties; CIP/DID #OB1314715
- c. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 23 properties. CIP/DID #OB1300835

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

- a. Sanitary sewer in Crescent View First Addition – Phase IV and 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$29,446.19; CIP/DID #47-10-028
- b. Storm sewer in Crescent View First Addition – Phase IV and 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$26,953.68; CIP/DID #47-10-028
- c. Portland Cement Concrete pavement in Crescent View First Addition – Phase IV and 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$59,287.50; CIP/DID #47-10-028
- d. Water system improvements in Applewood Hills 11th Addition and 2-Year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$30,283. CIP/DID #2011060-01

19. Resolutions accepting projects, approving Performance Bonds and/or authorizing issuance of final payments:

- a. 2nd Street SE Parking Ramp at 7th Avenue – General Construction project, final payment in the amount of \$402,782 and 2-year Performance Bond submitted by Knutson Construction Services Midwest, Inc. (original contract amount was \$7,801.500; final contract amount is \$8,055,633); CIP/DID #635120-20
- b. Sun Valley Neighborhood SE Storm Sewer Installation project, final payment in the amount of \$8,973.21 and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$170,784.95; final contract amount is \$179,464.25); CIP/DID #304224-04
- c. Q Avenue NW at Ellis Boulevard NW Flood Protection Improvements project, final payment in the amount of \$4,006.69 and 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. (original contract amount was \$86,384.40; final contract amount is \$80,133.81); CIP/DID #304285-02
- d. Five Seasons Parkade Skywalk – Phase II Exterior Renovations project, final payment in the amount of \$3,796.04 and 2-year Performance Bond submitted by Woodruff Construction, LLC (original contract amount was \$64,700; final contract amount is \$75,920.78); CIP/DID #635125-02
- e. Veterans Memorial Phase III – Bid Package #11 – Fire Protection project, final payment in the amount of \$6,417.16 and 2-Year Performance Bond submitted by Blackhawk Automatic Sprinkler, Inc. (original contract amount was \$128,670; final contract amount is \$128,343) **(FLOOD)**; CIP/DID #VME001-06
- f. Veterans Memorial Phase III – Bid Package #4 – Carpentry, Doors, Hardware and Specialties project, final payment in the amount of \$32,510.40 and 2-Year Performance Bond submitted by Tricon General Construction, Inc. (original contract amount was \$488,000; final contract amount is \$650,207.85) **(FLOOD)**. CIP/DID #VME001-06

20. Resolution adopting funding priorities for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs for the period covering July 1, 2015 – June 30, 2016. CIP/DID #OB71743
21. Resolution establishing “No Parking Anytime” on the north side of Bever Avenue SE from 30th Street to 34th Street SE, and on the south side of Bever Avenue SE from Bever Circle to 34th Street SE. CIP/DID #PARK-013644-2014
22. Resolution rescinding Resolution Nos. 1189-07-93 and 968-05-94, which established “No Parking 8AM-4PM” on the south side of Boyson Road NE from Kent Drive NE to the easterly drive to Bowman Woods Elementary, and establishing “No Parking Anytime” on the north and south sides of Boyson Road NE from C Avenue to the East Corporate Limits. CIP/DID #PARK-011718-2014
23. Resolution rescinding Resolution Nos. 1253-06-04 and 1551-07-03, which established “1 Hour Parking 9AM-6PM” on the north and south sides of 3rd Avenue SW from 2nd Street to 3rd Street SW; rescinding Resolution No. 1301-9-71, which established “Loading Zone” on the north side of 3rd Avenue SW from 1st Street westerly for 22 feet; and establishing “2 Hour Parking” on both sides of 3rd Avenue SW from 1st Street to 3rd Street SW. CIP/DID #PARK-012827-2014
24. Resolution rescinding Resolution No. 0451-04-14, which authorized execution of a Permanent Easement Agreement and acceptance of a permanent easement for the construction, operation, use and maintenance of an eastbound new roadway turn lane from Interstate 380 to 42nd Street NE from the Chicago, Central & Pacific Railroad Company; and approving and ratifying a License for Roadway Agreement with the Chicago, Central & Pacific Railroad Company in connection with the 42nd Street and Interstate 380 Intersection Improvements project. CIP/DID #301614-00
25. Resolution rescinding Resolution No. 0452-04-14, which authorized execution of a Permanent Easement Agreement and acceptance of a permanent easement for the construction, operation, use and maintenance of drainage culverts, pipes and structures, including erosion control from the Chicago, Central & Pacific Railroad Company; and ratifying and approving a License for Drainage System with the Chicago, Central & Pacific Railroad Company in connection with the 42nd Street and Interstate 380 Intersection Improvements project. CIP/DID #301614-00
26. Resolution accepting the Replacement of Fire Hydrants and Blow Off Completes FY14 project, approving the 2-Year Maintenance Bond and authorizing final (retainage) payment in the amount of \$232.13 to B. G. Brecke, Inc. (original contract amount was \$53,340; the final contract amount is \$5,642.50). CIP/DID #2014037-01
27. Resolution accepting a bid in the amount of \$280,000 from Jeffrey D. Wilkin and Debra J. Wilkin, and approving a Quit Claim Deed for the disposition of excess City-owned property located at 3601 42nd Street NE. CIP/DID #52-14-006
28. Resolution adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Edgewood Road SW and Edgewood Parkway SW Traffic Signal Improvements project. CIP/DID #306163-00

29. Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Amendment No. 4 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors specifying an increased amount not to exceed \$107,196 for the Chandler St, 20th St, 18th St and 16th Ave SW Water Main Replacement project (original contract amount was \$126,521, total contract amount with this amendment is \$244,761); CIP/DID #2011061-01
- b. Amendment No. 1 to the Contract for the Environmental Assessment for Nuisance Structures project with Tetra Tech, Inc. to extend contract term and identify additional structures for an amount not to exceed \$3,242 (original contract amount was \$22,362; total contract amount with this amendment is \$25,604); CIP/DID #0911-060
- c. Amendment No. 4 to the Contract for Lime Sludge Removal and Disposal – Northwest Water Treatment Plant Lagoons with Mike McMurrin Trucking, Inc. to reflect the additional cost for 4,665 tons of additional sludge for an amount not to exceed \$33,035 (original contract amount was \$354,000; total contract amount with this amendment is \$500,315); CIP/DID #0513-256
- d. Amendment No. 11 to the Contract for City Services Center Furniture, Fixtures and Equipment (FF&E) Packages with Triplett Interior Solutions to move additional items for Fleet Services for an amount not to exceed \$895 and to extend the completion date of the project (original contract amount was \$299,520.80; total contract amount with this amendment is \$376,451.13) **(FLOOD)**; CIP/DID #0113-154
- e. Amendment No. 3 to renew Contract for Electronic Plan Room Services with Rapids Reproductions, Inc. for the Public Works Department – Engineering Division for a total annual amount not to exceed \$75,000 (original contract amount was \$148,214.51; renewal contract amount is \$75,000) **(FLOOD)**; CIP/DID #0811-027
- f. Amending Resolution No. 0070-01-14 for a purchase increase of \$20,000 to be added to the not to exceed amount of \$25,000 to obtain merchandise for resale from Ping during the 2014 season (original contract amount was \$25,000; contract amount with this amendment is \$45,000); CIP/DID #OB1026253
- g. Third Amendment to \$650,000 Promissory Note and \$101,044 Promissory Note with SA Investment LLC and Sherman Associates, Inc. respectively for renovation of the Roosevelt Building; CIP/DID #OB346228
- h. First Amendment to Memorandum of Understanding with Linn County Gaming Association, Inc. and Cedar Rapids Development Group, LLC; CIP/DID #OB792557
- i. Rescinding Resolution No. 514-3-98, which accepted the Agreement For Private Storm Water Detention for property located at 2010 Sylvia Avenue NE; CIP/DID ASDP-013710-2013
- j. Contract for Environmental Remediation and Demolition Services project with BWC Excavating, LC for the Public Works Department – Engineering Division for an amount not to exceed \$57,400; CIP/DID #0814-052
- k. Contract for Vehicle Glass Replacement and Repair Services with Safelite Fulfillment, Inc. for an amount not to exceed \$30,000 for the two-year Contract period; CIP/DID #0814-024
- l. Information Technology Department purchase of Hardened Control Switches from Erb's Technology Solutions in the amount of \$173,776.50; CIP/DID #0814-044
- m. Renewal of Fleet Focus Software Maintenance Agreement with AssetWorks, LLC., (original contract amount was \$24,570; renewal contract amount is \$25,798.50); CIP/DID #OB386344
- n. Accepting a Warranty Deed, Public Utility, Storm Sewer and Drainage Easement Agreement and a Concrete Sidewalk Petition and Assessment Agreement for property at 3011 Woodland Drive SW; CIP/DID #PLSV-012170-2014

- o. Linn County Multi-Jurisdictional Hazard Mitigation Plan 2014 – 2019 as required by FEMA; CIP/DID #OB1314891
- p. Special Warranty Deed conveying City-owned property at 1020 and 1028 3rd Street SE to New Bohemia Station, LLC (**FLOOD**); CIP/DID #OB803603
- q. Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$211,673 for design services in connection with the Waconia Avenue Sanitary Sewer Improvements project; CIP/DID #655026-03
- r. Professional Services Agreement with Anderson-Bogert Engineers and Surveyors, Inc. for an amount not to exceed \$142,120 for design services in connection with the Collins Road NE, Williams Boulevard SW and 1st Avenue SW Roadway Improvement projects; CIP/DID #301872-06
- s. Public Works Department – Streets Division purchase of traffic marking paint beads from Potters Industries, LLC for an amount not to exceed \$30,000 to be used for roadway markings; CIP/DID #80-15-007
- t. Awarding and approving contract in the amount of \$69,028.80 plus incentive up to \$1,000, bond and insurance of Ken-Way Excavating Services, Inc. for the 6805 Brentwood Drive NE Sanitary Sewer Replacement project (estimated cost is \$55,000); CIP/DID #6559995-01
- u. 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, 2014 through September 30, 2015 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). CIP/DID #625044-15

REGULAR AGENDA

- 30. Discussion and Resolution in support of the proposed mixed use development at 42nd Street NE and Edgewood Road NE and direction to negotiate a Development Agreement with 42nd Street and Edgewood, LLC. CIP/DID #OB1314912

ORDINANCES

(Second and possible Third Readings)

- 31. Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Cornerhouse Urban Revitalization Area designation at 2739 1st Avenue SE. CIP/DID #OB1298822
- 32. Ordinance 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

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:

***** The City Council will meet immediately following the City Council Regular Session to discuss the City Manager's annual performance review. This meeting may be closed pursuant to Iowa Code Sections 21.5(1)(c) and (i) (2013).**

It is the policy of the City of Cedar Rapids that all City Council public meetings are accessible to people with disabilities. If you need assistance in participating in City Council public meetings due to a disability as defined under the ADA, please call the City Clerk's Office at (319) 286-5060 at least two (2) business days prior to the scheduled meeting to request an accommodation.

**Weekly agendas for the Regular City Council Meeting, as well as Council meeting minutes, can be viewed at the following web site: www.cedar-rapids.org*