

*“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 25, 2016 at 4:00 PM 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

## PUBLIC HEARINGS

1. A public hearing will be held to consider granting a change of zone for property at 1200 Edgewood Road NW from R-2, Single Family Residence Zone District, to RMF-2, Multiple Family Residence Zone District, as requested by CB Cedar Rapids Housing LLLP and the City of Cedar Rapids (Joe Mailander). CIP/DID #RZNE-022803-2016
  - a. First Reading: Ordinance granting a change of zone for property at 1200 Edgewood Road NW from R-2, Single Family Residence Zone District, to RMF-2, Multiple Family Residence Zone District, as requested by CB Cedar Rapids Housing LLLP and the City of Cedar Rapids.
2. ~~A public hearing will be held to consider granting a change of zone with a Preliminary Site Development Plan for property at 4480 Blairs Ferry Road NE from A, Agriculture Zone District, to R-2, Single Family Residence Zone District, and RMF-1, Multiple Family Residence Zone District, as requested by Genesis Equities, LLC and Calvary Chapel Iowa (Joe Mailander). CIP/DID #RZNE-023589-2016~~ **Hearing cancelled at the request of the Development Services Department and rescheduled to November 15, 2016.**
  - a. ~~First Reading: Ordinance granting a change of zone with a Preliminary Site Development Plan for property at 4480 Blairs Ferry Road NE from A, Agriculture Zone District to R-2, Single Family Residence Zone District and RMF-1, Multiple Family Residence Zone District as requested by Genesis Equities, LLC and Calvary Chapel Iowa.~~

## **PUBLIC COMMENT**

*This is an opportunity for the public to address the City Council on any subject pertaining to Council action scheduled for today. If you wish to speak, place your name on the sign-up sheet on the table outside the Council Chambers and approach the microphone when called upon.*

## **MOTION TO APPROVE AGENDA**

## **CONSENT AGENDA**

*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 individual discussion unless Council requests that an item be removed for separate consideration.*

3. Motion to approve minutes.
4. Resolution establishing stop control on Henderson Avenue SE at the intersection of 32nd Street SE, stopping all traffic on Henderson Avenue SE for 32nd Street SE, to allow drivers to adequately observe approaching traffic. CIP/DID #60-17-031
5. Resolution authorizing the removal of a temporary traffic signal and establishing all-way stop control at the intersection of 34th Street SE and Cottage Grove Avenue SE. CIP/DID #60-17-031
6. Resolution authorizing the removal of a traffic signal and establishing all-way stop control at the intersection of J Avenue and Center Point Rd NE. CIP/DID #60-17-031
7. Preliminary resolution for the construction of sidewalk improvements and sanitary sewer service replacements for the O Avenue NW Improvements Phase I from 16th Street NW to Ellis Boulevard NW project. **(Paving for Progress)** CIP/DID #3012121-00
8. Preliminary resolution for the construction of sanitary sewer services and new driveway improvements within the boundaries of the public right-of-way for the Memorial Drive SE Roadway and Utility Improvements from Mount Vernon Road to Bever Avenue project. **(Paving for Progress)** CIP/DID #301379-00
9. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012008-00
10. Motion authorizing publication of a public notice that on November 1, 2016 a resolution will be considered to execute a Rental Agreement with Koch Brothers for the rental of 11 Lanier digital copiers for the following City departments: Animal Control, Building Services, City Manager's Office, Airport, Engineering, Police and Water. CIP/DID #PUR0916-052

11. Motions setting public hearing dates for:
- a. November 1, 2016 – to consider granting a change of zone for property at 4625 Tower Terrace Road NE from C-MU, Commercial Mixed Use Zone District, to C-3, Regional Commercial Zone District, as requested by HJD Investments, L.L.C. CIP/DID #RZNE-023801-2016
  - b. November 1, 2016 – to consider the vacation and disposition of public ways and grounds in and to a 0.16 acre parcel of excess City-owned right-of-way land located southeasterly of the Diagonal Drive and 3rd Street SW intersection as requested by Kingston Family Apartments, LP. CIP/DID #ROWV-023840-2016
  - c. November 15, 2016 – to consider amending Chapter 71 of the Municipal Code, Erosion and Sediment Control for Construction Sites, to include a new permit fee schedule for major and minor erosion control permits, additional Stormwater Pollution Prevention Plan requirements and definition modifications and additions to support implementation of a new topsoil policy; and amending Chapter 72 of the Municipal Code, Stormwater Management, to include topsoil requirements for both private and public developments for retaining and restoring soil quality for purposes of stormwater management. CIP/DID #43-17-012
  - d. November 15, 2016 – to consider granting a change of zone with a Preliminary Site Development Plan for property at 4480 Blairs Ferry Road NE from A, Agriculture Zone District, to R-2, Single Family Residence Zone District, and RMF-1, Multiple Family Residence Zone District, as requested by Genesis Equities, LLC and Calvary Chapel Iowa. CIP/DID #RZNE-023589-2016
  - e. December 6, 2016 – to consider annexation of territory east of Ely Road SW and south of Ivanhoe Road as requested by Correll Land Development Corporation. CIP/DID #ANNX-006261-2013
12. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- a. Cedar Rapids Galaxy 16 Cine, 5340 Council Street NE.
  - b. Chili's Southwest Grill & Bar, 1250 Collins Road NE.
  - c. Granite City Food & Brewery, 4755 1st Avenue SE.
  - d. Hurricane Grill and Wings, 4444 1st Avenue NE.
  - e. Hy-Vee C-Store #5, 1440 32nd Street NE.
  - f. Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day permit for an event on October 29, 2016).
  - g. Hy-Vee Food Store #7, 5050 Edgewood Road NE (5-day permit for an event at 415 12th Avenue SE on November 4, 2016).
  - h. JJ's on Johnson, 235 Edgewood Road NW (new – new ownership; class C retail license).
  - i. JJ's on Johnson, 235 Edgewood Road NW (new – new ownership; class E license).
  - j. Kum & Go #514, 1420 Mount Vernon Road SE.
  - k. L'Auberge, 3531 Mount Vernon Road SE.
  - l. Lucky's on Sixteenth, 86 16th Avenue SW.
  - m. Metro Buffet, 448 33rd Avenue SW.
  - n. Miguel's, 175 Jacolyn Drive NW (new – new ownership).
  - o. Primetime Sports Bar & Restaurant, 4001 Center Point Road NE.
  - p. Vernon Bar & Grill, 3025 Mount Vernon Road SE.

13. Resolutions approving:
  - a. Payment of bills. CIP/DID #FIN2016-01
  - b. Payroll. CIP/DID #FIN2016-02
  - c. Transfer of funds. CIP/DID #FIN2016-03
14. Resolution approving a special event application for:
  - a. The Eastern Iowa Health Center Grand Opening events (includes road closure) on October 27 and 29, 2016. CIP/DID #SPEC-004428-2016
15. Resolutions approving assessment actions:
  - a. Intent to assess – Solid Waste & Recycling – clean-up costs – seven properties. CIP/DID #SWM-013-16
  - b. Levy assessment – Solid Waste & Recycling – clean-up costs – eight properties. CIP/DID #SWM-010-16
  - c. Intent to assess – Water Division – delinquent municipal utility bills – 51 properties. CIP/DID #WTR102516-001
  - d. Levy assessment – Water Division – delinquent municipal utility bills – 24 properties. CIP/DID #WTR091316-001
16. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
  - a. East Side Sanitary Sewer Interceptor Repairs project, final payment in the amount of \$363,470.60 and 4-year Performance Bond submitted by Municipal Pipe Tool Co., LLC (original contract amount was \$7,855,968.40; final contract amount is \$7,269,411.99). **(Flood)** CIP/DID #SSD013-04
  - b. Park Place NE from Council Street to North Park Place Lane Pavement Rehabilitation project, final payment in the amount of \$19,099.33 and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$417,792.44; final contract amount is \$381,986.60). **(Paving for Progress)** CIP/DID #3012128-02
  - c. West Post Road NW from Plainview Drive NW to E Avenue NW Roadway Reconstruction project, final payment in the amount of \$45,128.04 and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$961,883.70; final contract amount is \$902,560.77). **(Paving for Progress)** CIP/DID #3012120-04
17. Resolutions approving final plats:
  - a. Meadowridge Addition for land at 1900 Stoney Point Road SW. CIP/DID #FLPT-023763-2016
  - b. Killdeer Meadows Addition to Johnson County, Iowa for land located at 2616 120th Street NW. CIP/DID #FLPT-023573-2016
18. Resolutions approving actions regarding purchases, contracts and agreements:
  - a. Public Works Department purchase of rock salt from Morton Salt, Inc. in an amount not to exceed \$781,674.67 for a maximum purchase of 10,849 tons of rock salt for winter snow and ice control. CIP/DID #80-17-006
  - b. Purchase and Service Agreement with Taser International, Inc. for 120 X26P Tasers and supporting equipment for the Police Department in the amount of \$153,362.19. CIP/DID #PD0004

- c. Amendment No. 5 to the contract with USIC Locating Services, Inc. for fiber locating and marking services for the Information Technology Department to reflect the cost of additional services for an amount not to exceed \$30,000 (original contract amount was \$120,000; total contract amount with this amendment is \$150,000). CIP/DID #0812-061
- d. Amendment No. 2 to renew contract with Priority Dispatch Corporation for Software License and Service Agreement for the Joint Communications Division for 60 months in the amount of \$118,952 (original contract amount was \$23,750; renewal contract amount is \$118,952). CIP/DID #061000-01
- e. Contract with Emergency Reporting for a records management system for the Fire Department for an amount not to exceed \$117,622.50 over the 5.5-year contract period. CIP/DID #PUR0216-145
- f. Amendment No. 3 to renew contract with Halvorson Trane for energy management system monitoring services for Facilities Maintenance Services for an amount not to exceed \$57,340 (original contract amount was \$84,720; renewal contract amount is \$57,340). CIP/DID #0314-169
- g. Amendment No. 1 to renew contract with Copyworks for printing and high-speed copying as needed citywide for an annual amount not to exceed \$120,000 (original contract amount was \$120,000; renewal contract amount is \$120,000). CIP/DID #PUR0715-014
- h. Contract with ProSource Technologies, LLC for Right of Way Acquisition Services-First Avenue East project for the Engineering Division for an amount not to exceed \$137,484. CIP/DID #301240-09
- i. Contract with Lansing Brothers Construction Company, Inc. for demolition services for the RACM Structure project for the former Lang Roofing building located at 2204 A Street SW for the Building Services Department in the amount of \$96,650. CIP/DID #PUR0916-044
- j. Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$69,691 for the UASB Reactor No. 2 Improvements Project. CIP/DID #615162-05
- k. Amendment No. 1 to the Professional Services Agreement with McClure Engineering Co. for an amount not to exceed \$22,603 for additional engineering design and construction administration services on the Raw Water Main Relocation project (original contract amount was \$53,944; total contract amount with this amendment is \$76,547). CIP/DID #6250044-01
- l. Amendment No. 2 to the Professional Services Agreement with Shive-Hattery, Inc. for an amount not to exceed \$3,250 for the additional construction inspection and management services to the Southbound Right Turn Lane, IA-13 and Bertram Road project engineering services (original contract amount was \$28,588; total contract amount with this amendment is \$43,338). CIP/DID #6150015-01
- m. Amendment No. 2 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$62,276 for engineering design services in connection with the 16th Avenue SE from 4th Street to 5th Street Pavement Improvements project (original contract amount was \$159,658; total contract amount with this amendment is \$248,344). **(Paving for Progress)** CIP/DID #3012154-01

- n. Supplemental Agreement No. 4 to the Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed \$312,062 for design services in connection with the Collins Road NE (IA 100) from Twixt Town Road to F Avenue and Northland Avenue from South of Collins Road to 1,100 Feet North of Collins Road project (original contract amount was \$1,353,577; total contract amount with this amendment is \$1,861,339). CIP/DID #301446-02
- o. Amendment No. 1 to the Professional Services Agreement with Braun Intertec Corporation specifying an increased amount not to exceed \$32,960 for mitigation services in connection with the 501 and 503 3rd Avenue SW, Monitoring and Reporting (Former Duchess Cleaners) project (original contract amount was \$210,720; total contract amount with this amendment is \$243,680). CIP/DID #3302500003-06
- p. Change Order No. 2 in the amount of \$107,349.38 with Insituform Technologies USA, Inc. for the Sanitary Sewers Quadrant Flood Repairs, 27 to 36 Inch, Lining Package #6 project (original contract amount was \$1,979,165.50; total contract amount with this amendment is \$2,043,704.56). **(Flood)** CIP/DID #SSD011-08
- q. Change Order No. 2 in the amount of \$70,774 with Municipal Pipe Tool Co., LLC for the Sanitary Sewers Quadrant Flood Repairs Northwest and Southwest Lining Package #8 project (original contract amount was \$1,632,624; total contract amount with this amendment is \$1,665,886). **(Flood)** CIP/DID #SSD103-15
- r. Change Order No. 4 Final in the amount of \$101,385.36 with Dave Schmitt Construction Co., Inc. for the SE Quadrant Sanitary Sewer Improvements Phase 2, Package 5 project (original contract amount was \$936,722.05; total contract amount with this amendment is \$884,342.49). **(Flood)** CIP/DID #SSD104-09
- s. Change Order No. 7 Final deducting the amount of \$52,457.96 with Dave Schmitt Construction Co., Inc. for the NE Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 5 project (original contract amount was \$1,755,389; total contract amount with this amendment is \$1,804,216.83). **(Flood)** CIP/DID #SSD102-06
- t. Change Order No. 7 in the amount of \$123,751.55 with Rathje Construction Company for the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation project (original contract amount was \$3,108,134.70; total contract amount with this amendment is \$3,383,568.51). **(Paving for Progress)** CIP/DID #3012092-02
- u. Change Order No. 4 Final deducting the amount of \$35,010.25 with Midwest Concrete, Inc. for the 2016 Sidewalk Infill Project Phases 1 and 2 project (original contract amount was \$409,010.25; total contract amount with this amendment is \$426,577.50). CIP/DID #3012074-02
- v. Change Order No. 4 in the amount of \$13,300.55, plus four additional calendar days, with Dave Schmitt Construction Co., Inc. for the Oakland Road NE from H Avenue NE to J Avenue NE Pavement Rehabilitation project (original contract amount was \$1,161,496.35; total contract amount with this amendment is \$1,226,525.43). **(Paving for Progress)** CIP/DID #3012099-02
- w. Change Order No. 6 in the amount of \$23,658.53 with Horsfield Construction, Inc. for the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project (original contract amount was \$1,261,252.34; total contract amount with this amendment is \$1,442,818.52). **(Paving for Progress)** CIP/DID #3012050-02
- x. Change Order No. 3 in the amount of \$18,923.97 with Eastern Iowa Excavating & Concrete, LLC for the Edgewood Road NW Roadway Improvements from E Avenue NW to F Avenue NW project (original contract amount was \$779,655.50; total contract amount with this amendment is \$810,060.41). **(Paving for Progress)** CIP/DID #301689-02

- y. Change Order No. 5 in the amount of \$1,734.90 with Pirc-Tobin Construction, Inc. for the B Avenue NW from Highland Drive NW to 8th Street NW Roadway Improvements project (original contract amount was \$1,913,406.54; total contract amount with this amendment is \$2,062,920.44). **(Paving for Progress)** CIP/DID #3012091-02
- z. Change Order No. 3 in the amount of \$15,793.91 with Vieth Construction Corp. for the 8th Avenue SW Roadway Improvements from L Street SW to 7th Street SW project (original contract amount was \$729,655.45; total contract amount with this amendment is \$792,189.77). **(Paving for Progress)** CIP/DID #3012151-02
- aa. Accepting the Affidavit for Service Line Reimbursement from Jerimy C. Matheny for monthly installment reimbursements for a water service line for property located at 2500 Mount Vernon Road SE. CIP/DID #WTR102516-002
- ab. Final payment to Linn County in the amount of \$29,268.23 for the actual cost of construction for a Hot Mix Asphalt overlay on Stoney Point Road NW from E Avenue to 540 feet south of Covington Road project. **(Paving for Progress)** CIP/DID #3012182-00
- ac. Final payment to Linn County in the amount of \$194,507.92 for the actual cost of construction for a Hot Mix Asphalt overlay on Tower Terrace Road from Milburn Road east 1.8 miles to N. Center Point Road and on Edgewood Road from Tower Terrace Road north 0.54 miles to the Hiawatha City Limits project. **(Paving for Progress)** CIP/DID #3012179-00
- ad. Ratifying Amendment No. 3 to the Iowa Economic Development Authority Section 106 Planning Grant, increasing the amount from \$354,570 to \$360,319, to assist in fulfilling activities required by the Letter of Agreement between the City of Cedar Rapids, IEDA and the Iowa State Historic Preservation Officer. CIP/DID #OB68320
- ae. Development Agreement with Stone Creek Senior Partners LLC for the development of an 82-unit senior housing project at 5710 Dean Road SW. CIP/DID #TIF-0007-2016
- af. Total Acquisition Purchase Agreement in the amount of \$3,000 to BC Investments, L.L.C., for vacant real property located at 90 21st Avenue SW, in connection with the Cedar River Flood Control System project. CIP/DID #3313200-00
- ag. Purchase Agreement in the amount of \$783 and accepting a Storm Sewer Easement from Oak Park Associates Limited Partnership, aka Oak Park Associates, for land located at 1210 15th Street SE in connection with the 12th Avenue SE Roadway and Utility Improvement from 7th Street SE to 400 feet East of 19th Street SE project. **(Paving for Progress)** CIP/DID #3012131-00
- ah. Purchase Agreement in the amount of \$470 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Kim Kacere for land located at 1126 7th Street SE in connection with the 12th Avenue SE Roadway and Utility Improvement from 7th Street SE to 400 feet East of 19th Street SE project. **(Paving for Progress)** CIP/DID #3012131-00
- ai. Purchase Agreement in the amount of \$386 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from West Side Property 103, LLC for vacant land located south of 519 Walford Road and north of 10950 High Life Court SW in connection with the 6th Street SW from Linn County Line to Capital Drive Improvements project. **(Paving for Progress)** CIP/DID #3012130-00
- aj. Real Estate Exchange Agreement with Interstate Power and Light Company and Special Warranty Deeds for City-owned properties at 402, 404, 408 and 413 H Avenue NW and 816, 820, 824, 828 and 908 4th Street NW, and acceptance of a General Warranty Deed for property at the intersection of Glass and Wenig Road NE. **(Flood)** CIP/DID #DISP-0001-2015

## **REGULAR AGENDA**

19. Report on bids for the Bridge Replacement – McCloud Place NE over McCloud Run project (estimated cost is \$1,200,000) (Doug Wilson). CIP/DID #305031-03

## **ORDINANCES**

### **Second and possible Third Readings**

20. Ordinance adopting signage regulations for the Northtowne Market Development located between Council Street NE and Rockwell Drive NE on the south side of Blairs Ferry Road NE as requested by Hunter Companies, LLC. CIP/DID #RZNE-011742-2014

## **PUBLIC INPUT**

*This is an opportunity for the public to address the City Council on any subject pertaining to Council business. If you wish to speak, place your name on the sign-up sheet on the table outside the Council Chambers and approach the microphone when called upon.*

## **CITY MANAGER COMMUNICATIONS AND DISCUSSIONS**

### **COUNCIL COMMUNICATIONS AND DISCUSSION**

*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 Overland
5. Council member Poe
6. Council member Russell
7. Council member Shey
8. Council member Shields
9. Council member Weinacht

*Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a City Council public meeting, should contact the City Clerk's Office at (319) 286-5060 or email [cityclerk@cedar-rapids.org](mailto:cityclerk@cedar-rapids.org) as soon as possible but no later than 48 hours before the event.*

*Agendas and minutes for Cedar Rapids City Council meetings can be viewed at [www.cedar-rapids.org](http://www.cedar-rapids.org)*