

“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, November 15, 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
 - ❖ Proclamation – World Pancreatic Cancer Day (Diane Rambousek, Brittany Oglesby and Kevin Keating)
 - ❖ Proclamation – Civil Air Patrol Week (Maj. J. Francisco Molina, Col. Anita Elliott, Capt. Rick Lewis, Lt. Robert Wendel, Andrew J. Kuehl and Logan J. Kuehl)
 - ❖ Presentation – National Czech & Slovak Museum and Library Update (Gail Naughton)

PUBLIC HEARINGS

1. A public hearing will be held 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 (Jennifer Winter). CIP/DID #43-17-012
 - a. First Reading: Ordinance 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.
 - b. First Reading: Ordinance 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.

2. A public hearing will be held to consider granting a change of zone for property at 116 15th Street NE from R-3D, Two Family Residence Zone District, to C-1, Mixed Neighborhood Convenience Zone District, as requested by Cameron S. West (Dave Houg). CIP/DID #RZNE-023857-2016
 - a. First Reading: Ordinance granting a change of zone for property at 116 15th Street NE from R-3D, Two Family Residence Zone District, to C-1, Mixed Neighborhood Convenience Zone District, as requested by Cameron S. West.
3. A public hearing will be held to consider granting a change of zone with a Preliminary Site Development Plan for properties at 4625 and 4497 Tower Terrace Road NE from C-MU, Commercial Mixed Use Zone District, and A, Agriculture Zone District, to C-3, Regional Commercial Zone District, as requested by HJD Investments, L.L.C. (Dave Houg). CIP/DID #RZNE-023801-2016
 - a. First Reading: Ordinance granting a change of zone with a Preliminary Site Development Plan for properties at 4625 and 4497 Tower Terrace Road NE from C-MU, Commercial Mixed Use Zone District, and A, Agriculture Zone District, to C-3, Regional Commercial Zone District, as requested by HJD Investments, L.L.C.
4. A public hearing will be held to consider the vacation of a 0.9-acre utility easement and a 5-foot recreational easement located at 1201 Blairs Ferry Road NE as requested by Hunter Companies, LLC (Rita Rasmussen). CIP/DID #EASE-022828-2016
 - a. Resolution vacating a 0.9-acre utility easement and a 5-foot recreational easement located at 1201 Blairs Ferry Road NE as requested by Hunter Companies, LLC.
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Edgewood Road NW Intersection Improvements from E Avenue NW to F Avenue NW project (estimated cost is \$530,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #301689-03
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Edgewood Road NW Intersection Improvements from E Avenue NW to F Avenue NW project.
6. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Sinclair Detention Pond – Building Debris Removal and Asbestos Remediation project (estimated cost is \$1,800,000) (Rob Davis). CIP/DID #3316509-70
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Sinclair Detention Pond – Building Debris Removal and Asbestos Remediation project.
7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the WPCF Primary Sludge Screen Process Improvements project (estimated cost is \$1,090,640) (Bruce Jacobs). CIP/DID #615212-03
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the WPCF Primary Sludge Screen Process Improvements project.

8. 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
 - 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.

9. Motion to approve minutes.
10. Resolution ending the state of emergency relating to the flooding of the City of Cedar Rapids, Iowa in September and October 2016. CIP/DID #ATT000008
11. Resolution authorizing submittal of Annual Urban Renewal Area Report to the Iowa Department of Management for the City's 21 Urban Renewal Areas. CIP/DID #OB163407
12. Resolution authorizing submittal of Tax Increment Financing Indebtedness Certifications to the Linn County Auditor indicating the total debt incurred and revenues collected through June 30, 2016 within each of the City's 21 Urban Renewal Areas. CIP/DID #OB163407
13. Resolution of Support of an application for Workforce Housing Tax Credits through the Iowa Economic Development Authority from Knutson, LLC for the redevelopment of the former Knutson Building at 525 Valor Way SW. CIP/DID #OB1292698
14. Resolution authorizing a Temporary Use Permit until June 15, 2018 for Streb Construction Company, Inc. for a concrete batch plant for property west of Stoney Point Road SW and south of 16th Avenue SW. CIP/DID #PSDP-024006-2016

15. Resolution amending the assessment schedule for one property for the FY 2013 Sidewalk Repair and Ramp Program – Contract No. 1 project. CIP/DID #3017013-01
16. Resolution extending a severance package to employees who would lose their employment with the City of Cedar Rapids through a department reorganization effort. CIP/DID #HR0016
17. Resolution authorizing a 5 percent wage increase for the City Manager according to the terms of his employment contract. CIP/DID #HR0017
18. Resolution setting a public hearing for December 20, 2016 to consider the Resolution of Necessity (Proposed) for the construction of the Wiley Boulevard from 31st Avenue SW to 650 Feet North of 29th Avenue SW Roadway Improvements project. CIP/DID #301627-00
19. Motion setting a public hearing date for:
 - a. December 6, 2016 – to consider the vacation and disposition of public ways and grounds in and to the property described as a 10-foot by 140-foot parcel of excess City-owned right-of-way located easterly of and adjacent to 1616 6th Street SW and 602 18th Avenue SW as requested by Children on First, Inc. CIP/DID #ROWV-023835-2016
20. Motions setting public hearing dates and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results for:
 - a. December 6, 2016 – 2017 Tree and Vegetation Removal project, with bid opening December 7, 2016 (estimated cost is \$80,000). **(Paving for Progress)** CIP/DID #301990-10
 - b. December 6, 2016 – 4th Street Railroad Right-of-Way Corridor Trackage Removal project, with bid opening December 7, 2016 (estimated cost is \$478,000). CIP/DID #3012062-04
21. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
 - a. 3rd Street Convenience, 216 3rd Street SE.
 - b. Aldi #61, 5425 Blairs Forest Boulevard NE.
 - c. Aldi #62, 1860 Edgewood Road SW.
 - d. Beijing Chinese Restaurant, 421 Edgewood Road NW.
 - e. Country Inn & Suites by Carlson, 4444 Czech Lane NE.
 - f. Hy-Vee – Marion, 3600 Highway 151, Marion (5-day license for an event at Veterans Memorial Ballroom, 50 2nd Avenue Bridge, on November 26, 2016).
 - g. Hy-Vee Food Store #2, 279 Collins Road NE.
 - h. Jim's Foods, 812 6th Street SW.
 - i. Kum & Go #520, 2604 16th Avenue SW.
 - j. New Pioneer Food Co-op, 3338 Center Point Road NE.
 - k. Outback Steakhouse, 3939 1st Avenue SE.
 - l. Red Frog, 88 16th Avenue SW (transfer to Teamsters Local Union #238, 5000 J Street SW, for an event on November 15-21, 2016).
 - m. Stadium Lounge Bar & Grill, 957 Rockford Road SW.
 - n. Vito's on 42nd, 4100 River Ridge Drive NE.
 - o. Williams Boulevard Amoco, 2601 Williams Boulevard SW.
 - p. Willy Woodburns Cafe, 232 16th Avenue SW.

22. Resolutions approving:
- Payment of bills. CIP/DID #FIN2016-01
 - Payroll. CIP/DID #FIN2016-02
 - Transfer of funds. CIP/DID #FIN2016-03
23. Resolution appointing the following individual:
- Appointing Anthony DeLaney (effective through June 30, 2018) to the Medical Quarter Design Review Technical Advisory Committee. CIP/DID #OB525028
24. Resolutions approving the special event applications for:
- Fire & Ice Festival: Pre-Parade Activities (includes road closures) on December 3, 2016. CIP/DID #SPEC-006078-2016
 - Fire & Ice Festival: Holiday DeLight Parade (includes road closures) on December 3, 2016. CIP/DID #SPEC-006073-2016
25. Resolutions approving assessment actions:
- Intent to assess – Solid Waste & Recycling – clean-up costs – four properties. CIP/DID #SWM-014-16
 - Levy assessment – Solid Waste & Recycling – clean-up costs – five properties. CIP/DID #SWM-011-16
 - Intent to assess – Water Division – delinquent municipal utility bills – 40 properties. CIP/DID #WTR111516-001
 - Levy assessment – Water Division – delinquent municipal utility bills – 9 properties. CIP/DID #WTR101116-001
26. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:
- Portland Cement Concrete pavement in Oakridge Estates Fourth Addition and 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$143,893.22. CIP/DID #FLPT-022296-2015
 - Water system improvements installed in Wilderness Estates 9th Addition and 2-year Maintenance Bond submitted by Bushman Excavating, Inc. in the amount of \$19,549. CIP/DID #2015080-01
 - Water system improvements installed for Thompson Truck and Trailer off 6th Street SW and 2-year Maintenance Bond submitted by Schrader Excavating and Grading Co. in the amount of \$63,155. CIP/DID #2016055-01
27. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
- Bridge Guardrail Post Repair Located on the J Street SW Bridge Over U.S. Highway 30 project and 4-year Performance Bond submitted by Anne Duffield Construction, Inc. (original contract amount was \$8,860; final contract amount is \$8,860). CIP/DID #305133-02
 - Environmental Remediation and Demolition Services, final payment in the amount of \$5,774.50 and 2-year Performance Bond submitted by D.W. Zinser Company (original contract amount was \$111,990, final contract amount is \$115,490). CIP/DID #PUR0516-206
 - Morgan Creek Estates 1st Addition Detention Basin Improvements project and 4-year Performance Bond submitted by Ricklefs Excavating, Ltd. (original contract amount was \$19,650; final contract amount is \$17,699.56). CIP/DID #304437-02

- d. Jupiter Avenue NW West of Wiley Boulevard Drainage Improvements project, final payment in the amount of \$2,822.40 and 4-year Performance Bond submitted by Ricklefs Excavating, Ltd. (original contract amount was \$58,690; final contract amount is \$56,448). CIP/DID #304440-02
 - e. Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase 1 project, final payment in the amount of \$3,261.43 and 4-year Performance Bond submitted by Iowa State Contractors, Inc. (original contract amount was \$68,800; final contract amount is \$65,228.60). CIP/DID #314338-03
 - f. Veterans Memorial Stadium 2014 Storm Sewer Improvements – Phase 2 project, final payment in the amount of \$11,604.20 and 4-year Performance Bond submitted by Iowa State Contractors, Inc. (original contract amount was \$219,000; final contract amount is \$232,084.10). CIP/DID #314338-04
28. Resolution approving a final plat:
- a. Westdale Fifth Addition to Cedar Rapids, Linn County, Iowa for land located at 2700 Edgewood Road SW. CIP/DID #FLPT-023076-2016
29. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Payment of \$70,368 to the United States Treasury for the 2016 Affordable Care Act Transitional Reinsurance Contribution due January 17, 2017. CIP/DID #FIN2016-27
 - b. Purchase of property insurance coverage, including \$100 million in excess flood insurance, through TrueNorth Companies, LC in the amount of \$1,289,718. CIP/DID #FIN2016-28
 - c. Contract with Borst Bros. Const. Inc. for Flood Related River Debris Removal project for the Engineering Division for an amount not to exceed \$77,400. **(Flood)** CIP/DID #PUR1016-077
 - d. Fleet Services Division purchase of three chassis with side loaders from Pat McGrath Chrysler Jeep Dodge Ram Fiat in the amount of \$306,511. CIP/DID #PUR0916-057
 - e. Amendment No. 6 to renew contract with Pomeroy IT Solutions for Avaya network equipment and maintenance for the Information Technology Department for an estimated 18-month amount not to exceed \$100,000 (original contract amount was \$306,111.46; renewal contract amount is \$100,000). CIP/DID #0113-152
 - f. Amendment No. 6 to renew contract with USIC Locating Services, Inc. for fiber locating and marking services for the Information Technology Department for an annual amount not to exceed \$150,000 (original contract amount was \$75,000; renewal contract amount is \$150,000). CIP/DID #0812-061
 - g. Amendment No. 4 to renew contract with General Traffic Controls, Inc. for pedestrian traffic signal heads with countdown display and mounting brackets for the Traffic Engineering Division for an annual amount not to exceed \$75,000 (original contract amount was \$75,000; renewal contract amount is \$75,000). CIP/DID #0912-072
 - h. Reimbursement to Ryan Companies for the street lighting installed surrounding the Cedar Real Estate Group III, LLC development at 201 First Street SE in connection with the First Street SE Street Lighting Pilot Program. CIP/DID #321550-00
 - i. Amendment No. 1 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors specifying an increased amount not to exceed \$15,196 for design services in connection with the 2nd Avenue SE from 1st Street to 7th Street One-Way to Two-Way Conversion project (original contract amount was \$85,884; total contract amount with this amendment is \$101,080). CIP/DID #306253-02

- j. Amendment No. 5 to the Professional Services Agreement with Ament Design specifying an increased amount not to exceed \$85,750 for design services in connection with the 51st Street NE at Council Street NE Reconstruction project (original contract amount was \$152,450; total contract amount with this amendment is \$290,150). CIP/DID #301491-01
- k. Professional Services Agreement with Shoemaker & Haaland Professional Engineers for an amount not to exceed \$384,369 for engineering design services in connection with the Center Point Road NE from J Avenue to Coe Road project. **(Paving for Progress)** CIP/DID #3012094-03
- l. Professional Services Agreement with Foth Infrastructure and Environment, LLC, for an amount not to exceed \$78,062 for engineering design services in connection with the E Avenue NW from Jacolyn Drive to Wiley Boulevard Reconstruction project. **(Paving for Progress)** CIP/DID #3012187-01
- m. Awarding and approving contract in the amount of \$1,187,312.90 bond and insurance of Iowa Bridge & Culvert for Bridge Replacement – McCloud Place NE over McCloud Run project (estimated cost is \$1,200,000). CIP/DID #305031-03
- n. Awarding and approving contract in the amount of \$3,520,000 plus incentive up to \$57,000, bond and insurance of Tricon General Construction for the Sinclair Levee – Pump Station and Detention Basin project (estimated cost is \$5,700,000). CIP/DID #3316509-04
- o. Change Order No. 1 in the amount of \$85,302.41 with Kleiman Construction Inc. for the Parks & Rec ADA Site Improvements project (original contract amount was \$1,620,739; total contract amount with this amendment is \$1,706,041.41). CIP/DID #307303-02
- p. Change Order No. 4 Final deducting the amount of \$151,237.11, plus one additional calendar day, with S.M. Hentges & Sons, Inc. for the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction – Phase 2 project (original contract amount was \$3,823,657.76; total contract amount with this amendment is \$3,840,258.19). **(Flood)** CIP/DID #SSD011-04
- q. Change Order No. 7 Final deducting the amount of \$287,179.97 with S.M. Hentges & Sons, Inc. for the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 3 project (original contract amount was \$8,675,135.78; total contract amount with this amendment is \$8,563,126.77). **(Flood)** CIP/DID #SSD011-06
- r. Change Order No. 3 Final deducting the amount of \$142,735.28 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 \$1,880,969.28). **(Flood)** CIP/DID #SSD011-08
- s. Change Order No. 1 in the amount of \$47,888.99 with Tricon General Construction for the WPCF North Ash Lagoon Liner Project (original contract amount was \$1,158,000; total contract amount with this amendment is \$1,205,888.99). CIP/DID #615195-04
- t. Agreement with the U.S. Army Engineer Research and Development Center Coastal and Hydraulics Laboratory in amount not to exceed \$156,400 for removable floodwall risk assessment and operation and deployment study associated with the Cedar River Flood Control System. CIP/DID #3312400-00
- u. Iowa Homeland Security and Emergency Management Division Memorandum of Understanding for the use of seven APX 8000 All-Band P25 portable radios by the Cedar Rapids Division of Iowa Task Force 1. CIP/DID #FIR1016-0018

- v. Iowa Brownfield Redevelopment Program Community Assistance Grant Contract in the amount of \$24,999 with the Iowa Department of Natural Resources to assist with the cost with the removal and disposal of all regulated asbestos-containing material debris from property located at 2204 A Street SW in connection with the Cedar Rapids Flood Control System project. CIP/DID #3313201-00
- w. Grant application to the Iowa Department of Transportation (IDOT) for Iowa State Recreational Trails Program funding for the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road. CIP/DID #325008-03
- x. 28E Agreement with Linn County to allow the City of Cedar Rapids to complete assessments on parcels within Linn County on 6th Street SW from Linn County Line to Capital Drive SW Roadway Improvements. **(Paving for Progress)** CIP/DID #3012130-00
- y. Agreement for private redevelopment with T.U.S.K. LLC providing for a Streetscape Property Assessment Grant of \$13,413 for property at 1010 3rd Street SE. CIP/DID #321526-00
- z. Development Agreement with Apache Hose and Belting Company, Inc. for building expansion at 4805 Bowling Street SW. CIP/DID #OB1344382
- aa. Corrective Special Warranty Deed with Kingston Corner LLC for property at 301 2nd Avenue SW. **(Flood)** CIP/DID #OB983052
- ab. Accepting bid in the amount of \$2,500 from James B. and Linda L. Surret and approving a Quit Claim Deed for the disposition of the non-conforming vacant lot located at 380 8th Avenue SW. CIP/DID #PRD-023595-2016

REGULAR AGENDA

- 30. Report on bids for the Czech Village Utility Relocation 16th AVE SW to Landfill project (estimated cost is \$4,000,000) (Rob Davis). CIP/DID #3313530-10
 - a. Resolution awarding and approving contract in the amount of \$3,194,936, plus incentive up to \$8,000, bond and insurance of Rathje Construction Company for the Czech Village Utility Relocation 16th AVE SW to Landfill project (estimated cost is \$4,000,000).
- 31. Presentation and Resolution authorizing execution of a rental agreement for 11 Lanier digital copiers for the following City departments: Animal Control, Building Services, City Manager's Office, Airport, Engineering, Police and Water (Casey Drew and Judy Lehman). CIP/DID #PUR0916-052

ORDINANCES

Second and possible Third Readings

- 32. Ordinance establishing the West Side Wolf Pack V LLC Urban Revitalization Area designation for property at 218 4th Avenue SW and adjacent vacant land. CIP/DID #URTE-0011-2016

First Reading

33. Ordinance amending Chapter 61 of the Municipal Code, Traffic Regulations, relating to parking rates, fees, penalties and hours of operation, and to provide clarification to certain definitions. CIP/DID #FIN2016-25

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 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.