

*“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, January 10, 2017 at 12:00 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 repealing Chapters 52 and 52B of the Municipal Code, Taxicabs/Limousines and Pedicabs, and enacting and adopting in lieu thereof new taxicab and pedicab regulations (Brad DeBrower and Sgt. Mike Wallerstedt).
  - a. First Reading: Ordinance repealing Chapter 52 of the Municipal Code, Taxicabs and Limousines, and enacting and adopting in lieu thereof new taxicab regulations. CIP/DID #OB665165
  - b. First Reading: Ordinance repealing Chapter 52B of the Municipal Code, Pedicabs, and enacting and adopting in lieu thereof new pedicab regulations. CIP/DID #OB821170
2. A public hearing will be held to consider granting a change of zone for property at 1247 4th Avenue SE from O-S, Office/Service Zone District, to RMF-2, Multiple Family Residence Zone District, with a Preliminary Site Development Plan as requested by Willis Dady Emergency Shelter, Inc. (Kirsty Sanchez). CIP/DID #RZNE-024069-2016
  - a. First Reading: Ordinance granting a change of zone for property at 1247 4th Avenue SE from O-S, Office/Service Zone District, to RMF-2, Multiple Family Residence Zone District, with a Preliminary Site Development Plan as requested by Willis Dady Emergency Shelter, Inc.

3. ~~A public hearing will be held to consider amending Chapter 61 of the Municipal Code, Traffic Regulations, by deleting Section 61.137A and enacting new Section 61.137A in its place, modifying the administrative hearing procedure and the categories of conduct that subject vehicles to seizure and impoundment (Dale Moyle). CIP/DID #OB506063 **Cancelled at the request of the Police Department.**~~
4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 3rd Avenue SW from 6th Street SW to 1st Street SW Pavement Rehabilitation project (estimated cost is \$1,600,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012155-02
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 3rd Avenue SW from 6th Street SW to 1st Street SW Pavement Rehabilitation project.
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the City Hall Lower Level Rebuild projects (Wallboard Material, Install Wallboard, Painting, Epoxy Floor, Fitness Flooring and Sump Pits) (estimated cost is \$177,500) (Brent Schlotfeldt). **(Flood)** CIP/DID #OB18521
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the City Hall Lower Level Rebuild projects.

### **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.*

6. Motion to approve minutes.
7. Resolution appointing Justin Shields as Mayor Pro Tempore for a term of one year. CIP/DID #CLK001-17
8. Resolution authorizing the Finance Director to commit the current and future fund balances of a new Special Revenue Fund – Fire Grants. CIP/DID #FIN2017-09

9. Resolution of support for The History Center's application for a Community Attraction and Tourism grant for the renovation of the historic Douglas Mansion and pledge of \$10,000 upon award. CIP/DID #CM001-17
10. Resolution approving the City Planning Commission Work Plan for 2017. CIP/DID #OB572803
11. Resolution approving the Historic Preservation Commission Work Plan for 2017. CIP/DID #OB691376
12. Resolution approving the Visual Arts Commission Work Plan for 2017. CIP/DID #OB625453
13. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the Wiley Boulevard from 31st Avenue SW to 650 Feet North of 29th Avenue SW Roadway Improvements project. CIP/DID #301627-00
14. Resolution setting a public hearing for February 14, 2017 to consider the Resolution of Necessity (Proposed) for the construction of the 51st Street NE at Council Street NE Reconstruction project. CIP/DID #301491-00
15. Resolution setting a public hearing for February 14, 2017 to consider the Resolution of Necessity (Proposed) for the construction of the 6th Street SW from Linn County Line to Capital Drive SW Roadway Improvements project. **(Paving for Progress)** CIP/DID #3012130-00
16. Resolution setting a public hearing for February 28, 2017 to consider the Resolution of Necessity (Proposed) for the construction of the O Avenue NW Improvements Phase I from 16th Street NW to Ellis Boulevard NW project. **(Paving for Progress)** CIP/DID #3012121-00
17. Motions setting public hearing dates for:
  - a. January 24, 2017 – to consider renewal of the Downtown Cedar Rapids Self-Supported Municipal Improvement District. CIP/DID #OB572853
  - b. January 24, 2017 – to consider public comments regarding identification of community development needs, program funding for development of proposed activities and program performance for the Community Development Block Grant and HOME Investment Partnership Programs, prior to developing an Annual Action Plan for the period of July 1, 2017 to June 30, 2018. CIP/DID #OB246513
18. 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. January 24, 2017 – Kirkwood Elevated Water Storage Tank project, with bid opening February 1, 2017 (estimated cost is \$3,900,000). CIP/DID #6250040-03
  - b. January 24, 2017 – 18th Street SW North of Wilson Avenue SW Detention Basin project, with bid opening February 1, 2017 (estimated cost is \$420,000). CIP/DID #304257-02
  - c. January 24, 2017 – WPC Electric Grid Improvements project, with bid opening February 15, 2017 (estimated cost is \$2,700,000). CIP/DID #615197-02

19. Motions assessing civil penalties for violation of State Code regarding the sale of tobacco/vapor products to minors against:
  - a. Casey's General Store #2778, 201 8th Avenue SE (second offense – \$1,500). CIP/DID #CIG002597-05-2016
  - b. Fas Mart #5148, 550 Wilson Avenue SW (second offense – \$1,500). CIP/DID #CIG002845-06-2016
  - c. Point Liquor & Tobacco, 4107 Center Point Road NE (first offense – \$300). CIP/DID #CIG002612-05-2016
  - d. TKO Vapor, 4444 1st Avenue NE (first offense – \$300). CIP/DID #CIG002829-06-2016
20. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
  - a. Casey's General Store #2778, 201 8th Avenue SE.
  - b. Cobble Hill Eatery & Dispensary, 219 2nd Street SE.
  - c. Hy-Vee Food Store #1, 5000 J Street SW (5-day permit for an event at 5000 J Street SW on January 14, 2017).
  - d. JW's Pub & Grub, 58 Miller Avenue SW.
  - e. La Cantina, 5400 Edgewood Road NE (new – formerly Lava).
  - f. Leo 1, 1500 1st Avenue NE.
  - g. Mulligan's Pub, 1060 Old Marion Road NE.
  - h. Otis' Tailgators Sports Bar, 3969 Center Point Road NE.
  - i. Penguin's, 208 2nd Avenue SE.
21. Resolutions approving:
  - a. Payment of bills. CIP/DID #FIN2017-01
  - b. Payroll. CIP/DID #FIN2017-02
22. Resolutions approving assessment actions:
  - a. Intent to assess – Solid Waste & Recycling – clean-up costs – seven properties. CIP/DID #SWM-001-17
  - b. Levy assessment – Solid Waste & Recycling – clean-up costs – three properties. CIP/DID #SWM-014-16
  - c. Levy assessment – Solid Waste & Recycling – delinquent weed mowing charges – 54 properties. CIP/DID #FIN2017-05
  - d. Intent to assess – Water Division – delinquent municipal utility bills – 30 properties. CIP/DID #WTR011017-01
  - e. Levy assessment – Water Division – delinquent municipal utility bills – 25 properties. CIP/DID #WTR120616-001
23. Resolutions accepting subdivision improvements and approving Maintenance Bonds:
  - a. Storm sewer in Krebs First Addition, Phase 2 and 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$88,834. CIP/DID #FLPT-016336-2015
  - b. Sanitary sewer in Krebs First Addition, Phase 2 and 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$52,410. CIP/DID #FLPT-016336-2015
  - c. Storm sewer in Gardenview Third Addition and 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$50,984.75. CIP/DID #FLPT-022402-2015
  - d. Storm sewer in Oakridge Estates Fourth Addition and 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$67,418. CIP/DID #FLPT-022296-2015

- e. Sanitary sewer in Oakridge Estates Fourth Addition and 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$55,390. CIP/DID #FLPT-022296-2015
24. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
- a. Kirkwood Standpipe Demolition project, final retainage payment in the amount of \$2,150 and 2-year Performance Bond submitted by D.W. Zinser Company (original contract amount was \$53,000; final contract amount is \$43,000). CIP/DID #6250040-02
  - b. SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project, final payment in the amount of \$80,642.50 and 4-year Performance Bond submitted by Ricklefs Excavating, Ltd. (original contract amount was \$1,815,564.20; final contract amount is \$1,612,849.96). **(Flood)** CIP/DID #SSD103-11
  - c. FY 2016 Curb Repair project, final payment in the amount of \$13,666.71 and 4-year Performance Bond submitted by Midwest Concrete, Inc. (original contract amount was \$301,950; final contract amount is \$273,334.25). **(Paving for Progress)** CIP/DID #301998-08
  - d. FY 2016 Sidewalk and Ramp Repair Program – Contract No. 1 project, final payment in the amount of \$26,412.72 and 4-year Performance Bond submitted by Ti-Zack Concrete, Inc. (original contract amount was \$606,346; final contract amount is \$528,254.50). CIP/DID #3017016-01
  - e. 2016 Sidewalk Infill Project Phases 1 & 2 project, final payment in the amount of \$21,328.88 and 4-year Performance Bond submitted by Midwest Concrete, Inc. (original contract amount was \$409,010.25; final contract amount is \$426,577.50). CIP/DID #3012074-02
  - f. West Side Infrastructure Removals project and 4-year Performance Bond submitted by SulzCo LLC (original contract amount was \$50,129.50; final contract amount is \$49,254.47). CIP/DID #3311504-01
  - g. Leroy Street SW from Johnson Avenue to 1st Avenue and Spencer Drive SW Roadway Improvements project, final payment in the amount of \$23,742.62 and 4-year Performance Bond submitted by Horsfield Construction, Inc. (original contract amount was \$429,861.80; final contract amount is \$474,852.31). **(Paving for Progress)** CIP/DID #3012125-02
  - h. Edgewood Road Pedestrian Overpass Bridge and Shared Use Path from Prairie Valley Court SW to 37th Avenue SW project, Change Order No. 12 (Final) deducting the amount of \$950.64, final payment in the amount of \$30,000 and 4-year Contractors Bond submitted by Peterson Contractors, Inc. (original contract amount was \$2,014,119.92; total contract amount with this amendment is \$2,039,042.33). CIP/DID #305121-02
25. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Purchase of excess casualty insurance coverage through TrueNorth Companies, LLC from States Self-Insurers Risk Retention Group in the amount of \$370,039. CIP/DID #FIN2017-08
  - b. Amendment No. 7 to the contract with USIC Locating Services, Inc. for fiber locating and marking services for the Information Technology Department to increase the contract amount for an amount not to exceed \$100,000 (original contract amount was \$120,000; total contract amount with this amendment is \$250,000). CIP/DID #0812-061

- c. Contract with Crawford Quarry for storage of lime sludge for the Water Division for an annual amount not to exceed \$179,000. CIP/DID #PUR1216-121
- d. Amendment No. 3 to renew contract with BWC Excavating LC for excavation and hauling of lagoon ash sand for the Water Pollution Control Facility for an annual amount not to exceed \$98,400 (original contract amount was \$164,000; renewal contract amount is \$98,400). CIP/DID #1213-107
- e. Amendment No. 1 to the Professional Services Agreement with Shive-Hattery, Inc. for design services in connection with the C Street SW from Bowling Street to Wilson Avenue Drive Roadway Rehabilitation project for additional services for an increased amount not to exceed \$101,666 (original contract amount was \$89,985; total contract amount with this amendment is \$191,651). **(Paving for Progress)** CIP/DID #3012095-01
- f. Amendment No. 2 to the Professional Services Agreement with ALLTRANS, Inc. for design services in connection with the 66th Avenue SW Roadway Improvements from Locust Road to 6th Street project for additional services for an amount not to exceed \$18,240 (original contract amount was \$141,170; total contract amount with this amendment is \$255,410). **(Paving for Progress)** CIP/DID #3012129-01
- g. Amendment No. 2 to the Professional Services Agreement with Shive-Hattery, Inc. for design services in connection with the 17th Street NE from F Avenue NE to J Avenue NE Roadway Improvements project for additional services for an increased amount not to exceed \$6,200 (original contract amount was \$55,410; total contract amount with this amendment is \$65,450). **(Paving for Progress)** CIP/DID #3012176-01
- h. Amendment No. 2 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors for design services in connection with the 2nd Avenue SE from 1st Street to 7th Street One-Way to Two-Way Conversion project for additional services for an increased amount not to exceed \$23,245 (original contract amount was \$85,884; total contract amount with this amendment is \$124,325). CIP/DID #306253-02
- i. Change Order No. 5 in the amount \$10,818.15, plus one additional calendar day, with Dave Schmitt Construction Co., Inc. for the 7th Street SE from 4th Avenue SE to 12th Avenue SE Roadway Reconstruction and One-Way to Two-Way Conversion project (original contract amount was \$1,224,134.65; total contract amount with this amendment is \$1,296,183.71). **(Paving for Progress)** CIP/DID #3012111-04
- j. Change Order No. 4 in the amount of \$1,700 with Hunt Construction Co., Inc. for the Cedar Riverwalk 2nd Avenue to 3rd Avenue SE project (original contract amount was \$84,292.50; total contract amount with this amendment is \$97,843.19). CIP/DID #3315507-10
- k. Change Order No. 5 in the amount of \$30,439.65 with Peterson Contractors, Inc. for the 1st Avenue Bridge Over Cedar River Repair project (original contract amount was \$1,929,713.03; total contract amount with this amendment is \$1,982,558.63). CIP/DID #305132-02
- l. Change Order No. 5 Final deducting the amount of \$114,960.91 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; total contract amount with this amendment is \$1,071,564.52). **(Paving for Progress)** CIP/DID #3012099-02
- m. Change Order No. 6 Revised in the amount of \$18,574.70 with L.L. Pelling Company, Inc. for the 1st Avenue E from approximately 325 feet south of 34th Street NE to 40th Street NE HMA Resurfacing Phase 1 project (original contract amount was \$3,214,451.79; total contract amount with this amendment is \$3,534,355.91). CIP/DID #301240-06

- n. Change Order No. 7 Final deducting the amount of \$109,375.66 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 \$1,960,897.07). **(Paving for Progress)** CIP/DID #3012091-02
- o. Change Order No. 2 in the amount of \$359,974.56 with Ti-Zack Concrete, Inc. for the Curb Ramp Repair Project – NW Bid Package No. 2 project (original contract amount was \$1,068,279; total contract amount with this amendment is \$1,441,853.56). CIP/DID #3016016-05
- p. Change Order Nos. 3, 4 and 5 for a total amount of \$119,221.75 with Metro Pavers, Inc. for the 18th Street SW Extension from Wilson Avenue to 16th Avenue PCC Pavement – Grade and Replace project (original contract amount was \$1,728,825.76; total contract amount with this amendment is \$1,849,667.15). CIP/DID #301500-06
- q. Change Order No. 3 Final Revised in the amount of \$2,681.88, plus 16 additional working days, with Kleiman Construction, Inc. for the Cedar Rapids Police Department Firearms Range Improvements – Phase II project (original contract amount was \$637,328; total contract amount with this amendment is \$691,826.87). CIP/DID #310333-05
- r. Lease Agreement with 124 Investment Corporation for property at 1233 1st Avenue SE Suite F for office space for use as Police Substation in the amount of \$600 per month for one year, with a lease option of one additional year at \$630 per month. CIP/DID #PD0015
- s. Assignment and Assumption Agreements from Community Corrections Improvement Association to Community Housing Initiatives, Inc. for property at 845 31st Avenue SW, participating in the HOME Investment Partnership Program. CIP/DID #OB113178
- t. Amendment No. 22 to contract with the Iowa Economic Development Authority to adjust activity funding amounts and extend the end date to June 30, 2017. CIP/DID #08-DRH-208
- u. Amendment No. 23 to contract with the Iowa Economic Development Authority to extend the end date to June 30, 2017. CIP/DID #08-DRH-008
- v. Assignment and Assumption Agreement providing City consent to transfer the property at 423 5th Street NW (former E Avenue NW fire station) to West Side Wolf Pack III LLC. CIP/DID #OB820960
- w. Purchase Agreement in the amount of \$2,300 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from The Meth-Wick Community, Inc. for property located at 1315 O Avenue NW in connection with the O Avenue NW Reconstruction project. **(Paving for Progress)** CIP/DID #3012121-00
- x. Purchase Agreement in the amount of \$2,460 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Marc LeConte for property located at 1323 O Avenue NW in connection with the O Avenue NW Reconstruction project. **(Paving for Progress)** CIP/DID #3012121-00
- y. Purchase Agreement in the amount of \$5,400 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from The Meth-Wick Community, Inc. for land located at 1401 O Avenue NW in connection with the O Avenue NW Reconstruction project. **(Paving for Progress)** CIP/DID #3012121-00
- z. Purchase Agreement in the amount of \$2,020 and accepting an Easement for Retaining Wall and a Temporary Grading Easement for Construction from Andrew and DeAnn Crawley for property located at 1156 O Avenue NW in connection with the O Avenue NW Improvements, Phase 1 from 16th Street NW to Ellis Boulevard NW project. **(Paving for Progress)** CIP/DID #3012121-00

- aa. Awarding and approving contract in the amount of \$1,790,810 plus incentive up to \$10,000, bond and insurance of Holst Trucking & Excavating, Inc. for the Sinclair Detention Pond, Building Debris Removal and Asbestos Remediation project (estimated cost is \$1,800,000). CIP/DID #3316509-70

## **ORDINANCES**

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

- 26. Ordinance granting a change of zone for property at 251 33rd Avenue SW from I-1, Light Industrial Zone District, to C-3, Regional Commercial Zone District, as requested by Kwik Trip, Inc. and Kevin and Connie Hupp. CIP/DID #RZNE-024038-2016
- 27. Ordinance granting a change of zone for property at 1871 and 1895 Ellis Boulevard NW from R-2, Single Family Residence Zone District, and C-3, Regional Commercial Zone District, to PUD-2, Planned Unit Development Zone District, as requested by Happel Enterprises, LLC and the City of Cedar Rapids. CIP/DID #RZNE-024044-2016
- 28. Ordinance vacating public ways and grounds in and to the property described as a 10-foot by 100-foot parcel of excess alley right-of-way located southerly of and adjacent to 222 9th Street NW as requested by Rebecca Lain and Loran H. Lain, Jr. CIP/DID #ROWV-023482-2016
  - a. Resolution authorizing the disposition of a 10-foot by 100-foot parcel of excess alley right-of-way located southerly of and adjacent to 222 9th Street NW as requested by Rebecca Lain and Loran H. Lain, Jr.
- 29. Ordinance vacating public ways and grounds in and to the property described as a 4-foot by 135-foot strip of excess City-owned right-of-way located northerly of and adjacent to 141 34th Street Drive SE as requested by 1756 E. Avenue, NE, LLC. CIP/DID #ROWV-022826-2016
  - a. Resolution authorizing the disposition of a 4-foot by 135-foot strip of excess City-owned right-of-way located northerly of and adjacent to 141 34th Street Drive SE as requested by 1756 E. Avenue, NE, LLC.
- 30. Ordinance vacating public ways and grounds in and to the property described as a 20-foot by 60-foot vacant parcel and a 20-foot by 190-foot vacant parcel of former alley right-of-way located easterly of and adjacent to the 5th Street SE right-of-way line and between 6th Avenue SE and 7th Avenue SE as requested by Staco Corporation. CIP/DID #ROWV-022157-2015
  - a. Resolution authorizing the disposition of property described as a 20-foot by 60-foot vacant parcel and a 20-foot by 190-foot vacant parcel of former alley right-of-way located easterly of and adjacent to the 5th Street SE right-of-way line and between 6th Avenue SE and 7th Avenue SE.



## **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)*