

“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 28, 2017 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 the Resolution of Necessity (Proposed) for the 1st Avenue E from 34th Street to 40th Street, PCC Sidewalk, PCC Pavement, and Traffic Signals, Phase 4A project (Brenna Fall). (**Paving for Progress**) CIP/DID #301240-10
 - a. Resolution with respect to the adoption of the Resolution of Necessity proposed for the 1st Avenue E from 34th Street to 40th Street, PCC Sidewalk, PCC Pavement, and Traffic Signals, Phase 4A project.
2. A public hearing will be held to consider a Conservation Easement over a vacant, City-owned parcel of land located in the northerly and easterly side of the Sanctuary at Ellis Park First Addition, north of Zika Avenue NW, between 16th Street NW and Park NW (Sara Buck). CIP/DID #OB1241850
 - a. Resolution authorizing execution of a Conservation Easement over a vacant, City-owned parcel of land located in the northerly and easterly side of the Sanctuary at Ellis Park First Addition, north of Zika Avenue NW, between 16th Street NW and Park NW.

3. ~~A public hearing will be held to consider granting a change of zone for property located on the south side of Kirkwood Parkway SW and west of C Street SW from C-3, Regional Commercial Zone District, to RMF-2, Residential Multi-Family Zone District, as requested by The Villas at Kirkwood, LLC (Kirsty Sanchez). CIP/DID #RZNE-025644-2017 Public hearing cancelled at the request of the Development Services Department and rescheduled to December 5, 2017.~~
- a. ~~First and Possible Second and Third Readings: Ordinance granting a change of zone for property located on the south side of Kirkwood Parkway SW and west of C Street SW from C-3, Regional Commercial Zone District, to RMF-2, Residential Multi-Family Zone District, as requested by The Villas at Kirkwood, LLC.~~
4. A public hearing will be held to consider the continuation of the disposition of excess City-owned property described as a nonconforming vacant lot located at 1016 B Avenue NW (Carol Morgan). CIP/DID #PRD-025649-2017
- a. Resolution authorizing the continuation of the disposition of excess City-owned property described as a nonconforming vacant lot located at 1016 B Avenue NW.
5. A public hearing will be held to consider the continuation of the disposition of excess City-owned property described as a vacant lot located at 601 H Avenue NW (Carol Morgan). CIP/DID #PRD-025650-2017
- a. Resolution authorizing the continuation of the disposition of excess City-owned property described as a vacant lot located at 601 H Avenue NW.
6. A public hearing will be held to consider the continuation of the disposition of excess City-owned property described as a nonconforming vacant lot located at 604 H Avenue NW (Carol Morgan). CIP/DID #PRD-025648-2017
- a. Resolution authorizing the continuation of the disposition of excess City-owned property described as a nonconforming vacant lot located at 604 H Avenue NW.
7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 2018 Internal Inspection of Large Diameter Sanitary Sewer project (estimated cost is \$455,000) (Dave Wallace). CIP/DID #6550048-01
- a. Resolution adopting plans, specifications, form of contract and estimated cost for the 2018 Internal Inspection of Large Diameter Sanitary Sewer project.
8. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the C Street SW North of Highway 30 Anaerobic Sewer Capacity Improvements project (estimated cost is \$1,050,000) (Dave Wallace). CIP/DID #6550049-02
- a. Resolution adopting plans, specifications, form of contract and estimated cost for the C Street SW North of Highway 30 Anaerobic Sewer Capacity Improvements project.

9. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the O Avenue NW Improvements Phase I from 16th Street NW to Ellis Boulevard NW project (estimated cost is \$4,060,000) (Doug Wilson). **(Paving for Progress)**
CIP/DID #3012121-02
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the O Avenue NW Improvements Phase I from 16th Street NW to Ellis Boulevard NW project.
10. A public hearing will be held to consider the plans, specifications, form of contract and estimated cost for the WPCF Sewer Lining and Manhole Rehabilitation project (estimated cost is \$2,000,000) (Steve Hershner). CIP/DID #615033-02
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the WPCF Sewer Lining and Manhole Rehabilitation project.

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.

11. Motion to approve minutes.
12. Resolution establishing a tentative City Council meeting schedule for calendar year 2018.
CIP/DID #CLK002-17
13. Resolution authorizing the City Manager or designee to approve or deny applications for temporary transfers of liquor or beer licenses and permits and temporary outdoor service area permits when the underlying license or permit was previously approved. CIP/DID #OB337094
14. Resolution authorizing reimbursement for the Assistant City Manager's attendance at the International City/County Management Association Annual Conference in San Antonio, TX from October 20-25, 2017 in the amount of \$3,243.82. CIP/DID #CM007-20
15. Resolution amending Resolution No. 1299-09-17, which authorized the Fleet Transit Garage Supervisor to attend Genfare farebox training, to reflect the final cost of \$3,140.65. CIP/DID #FLT023

16. Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the 2018 Sanitary Sewer Service Replacement Project. CIP/DID #6550057-00
17. Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Center Point Road NE from 29th Street NE to 32nd Street NE Pavement Rehabilitation project. **(Paving for Progress)** CIP/DID #3012148-00
18. Resolution setting a public hearing for December 5, 2017 to consider an Underground Electric Line Easement agreement in connection with an upgrade to existing facilities and located on City-owned property described as vacant land located between 108 and 116 Brentwood Drive NE as requested by Interstate Power and Light Company. CIP/DID #ESCY-025439-2017
19. Resolution setting a public hearing for December 19, 2017 to consider the Resolution of Necessity (Proposed) for the construction of the E Avenue NW from Iowa Highway 100 to Stoney Point Road project. **(Paving for Progress)** CIP/DID #3012181-00
20. Motions setting public hearing dates for:
 - a. December 5, 2017 – to consider granting a change of zone for property located on vacant land east of 16th Avenue SE Extension and south of 5th Street SE from R-3D, Two-Family Residence Zone District, and I-2, General Industrial Zone District, to C-3, Regional Commercial Zone District, as requested by Hatch Development Group. CIP/DID #RZNE-025770-2017
 - b. December 5, 2017 – to consider granting a change of zone for property located on the south side of Kirkwood Parkway SW and west of C Street SW from C-3, Regional Commercial Zone District, to RMF-2, Residential Multi-Family Zone District, as requested by The Villas at Kirkwood, LLC. CIP/DID #RZNE-025644-2017
21. 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 5, 2017 – Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road, Phase 2 – Paving project, with bid opening December 19, 2017 at the Iowa Department of Transportation (estimated cost is \$1,100,000). CIP/DID #325008-03
 - b. December 19, 2017 – Kirkwood & 60th Avenue Booster Station Upgrades project, with bid opening January 10, 2018 (estimated cost is \$1,000,000). CIP/DID #6250046-02
22. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
 - a. Casey's General Store #3561, 1532 Ellis Boulevard NW.
 - b. Hy-Vee Food Store #7, 5050 Edgewood Road NE (5-day permit for an event at PCI, 202 10th Street SE).
 - c. Jim's Foods, 812 6th Street SW.
 - d. Outback Steakhouse, 3939 1st Avenue SE.
 - e. Red Ginger, 2230 Edgewood Road SW (new – formerly Genghis Grill).
 - f. The Weather Vane, 5240 Edgewood Road NE (new – formerly Beef O'Brady's).
 - g. WineStyles Tasting Station, 4201 42nd Street NE. CIP/DID #OB1145716

23. Resolutions approving:
- Payment of bills. CIP/DID #FIN2017-01
 - Payroll. CIP/DID #FIN2017-02
 - Transfer of funds. CIP/DID #FIN2017-03
24. Resolutions approving assessment actions:
- Intent to assess – Solid Waste & Recycling – clean-up costs – three properties. CIP/DID #SWM-020-17
 - Levy assessment – Solid Waste & Recycling – clean-up costs – five properties. CIP/DID #SWM-017-17
 - Intent to assess – Water Division – delinquent municipal utility bills – 52 properties. CIP/DID #WTR112817-01
 - Levy assessment – Water Division – delinquent municipal utility bills – 25 properties. CIP/DID #WTR102417-01
25. Resolutions accepting subdivision improvements and approving Maintenance Bonds:
- Sanitary sewer in Knollwood Park Fifth Addition and 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$73,460. CIP/DID #FLPT-024317-2017
 - Storm sewer in Knollwood Park Fifth Addition and 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$114,070. CIP/DID #FLPT-024317-2017
 - Storm sewer at Wilson Avenue SW and CRANDIC Railroad and 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$40,890. CIP/DID #304990-00
26. Resolution accepting a project, approving a Performance Bond and authorizing a final payment:
- Cedar Rapids North Gateway Sign project, release of retainage in the amount of \$6,240 and 4-year Performance Bond submitted by Ricklefs Excavating, Ltd. (original contract amount was \$166,777; final contract amount is \$167,363.50). CIP/DID #197001-02
27. Resolutions approving final plats:
- Tech Place Fifth Addition for land located east of C Street Road SW and north of 76th Avenue Drive SW. CIP/DID #FLPT-024580-2017
 - Ayers First Addition for land located on the northwest corner of Edgewood Road NW and Crestwood Drive NW. CIP/DID #FLPT-025768-2017
28. Resolutions approving actions regarding purchases, contracts and agreements:
- Amendment No. 1 to renew contract with Matheson Trigas Inc. for welding gases and supplies for all City departments for an annual amount not to exceed \$75,000 (original contract amount was \$40,000; renewal contract amount is \$75,000). CIP/DID #PUR0816-030
 - Contract with Kamals Inc. for carpet installation at the Police Department for the Facilities Maintenance Services Division in the amount of \$58,529. CIP/DID #PUR1017-065
 - Amendment No. 3 to renew contract with Crawford Quarry Company for lagoon ash sand storage for the Water Pollution Control Facility for an annual amount not to exceed \$240,000 (original contract amount was \$80,000; renewal contract amount is \$240,000). CIP/DID #PUR1115-091

- d. Contract with Garrison Minerals LLC for magnesium hydroxide 45% solution for the Water Pollution Control Facility for an annual amount not to exceed \$500,000. CIP/DID #PUR1017-061
- e. Amendment No. 4 to renew contract with Hydro Solutions, Inc. for anaerobic micronutrient solution for the Water Pollution Control Facility for an annual amount not to exceed \$85,000 (original contract amount was \$85,000; renewal contract amount is \$85,000). CIP/DID #1013-067
- f. Amendment No. 1 to renew contract with Mississippi Lime Company for quicklime for Water Operations and the Water Pollution Control Facility for an annual amount not to exceed \$1,800,000 (original contract amount was \$1,800,000; renewal contract amount is \$1,800,000). CIP/DID #PUR1016-067
- g. Amendment No. 5 to renew contract with Nalco Company for boiler and cooling water chemicals for the Water Pollution Control Facility for an annual amount not to exceed \$60,000 (original contract amount was \$60,000; renewal contract amount is \$60,000). CIP/DID #1013-065
- h. Amendment No. 3 to renew contract with Polydyne, Inc. for polymer clarifloc C-321 for the Water Pollution Control Facility for an annual amount not to exceed \$475,000 (original contract amount was \$475,000; renewal contract amount is \$475,000). CIP/DID #1014-085
- i. Amendment No. 4 to the contract with Polydyne, Inc. for polymer clarifloc C-321 for the Water Pollution Control Facility to reflect the additional purchase of chemicals for an amount not to exceed \$120,000 (original contract amount was \$475,000; total contract amount with this amendment is \$595,000). CIP/DID #1014-085
- j. Amendment No. 4 to renew contract with U.S. Peroxide, LLC for hydrogen peroxide 50% technical grade for the Water Pollution Control Facility for an annual amount not to exceed \$100,000 (original contract amount was \$40,000; renewal contract amount is \$100,000). CIP/DID #1214-123
- k. Amendment No. 2 to renew contract with Viking Chemical Company for phosphoric acid 75% bulk liquid for the Water Pollution Control Facility for an annual amount not to exceed \$75,000 (original contract amount was \$30,000; renewal contract amount is \$75,000). CIP/DID #PUR1016-064
- l. Amendment No. 4 to renew contract with Hawkins, Inc. for sodium silicofluoride for the Water Division for an annual amount not to exceed \$58,000 (original contract amount was \$58,000; renewal contract amount is \$58,000). CIP/DID #1213-099
- m. Amendment No. 2 to renew contract with Praxair, Inc. for liquid carbon dioxide for the Water Division for an annual amount not to exceed \$250,000 (original contract amount was \$250,000; renewal contract amount is \$250,000). CIP/DID #PUR1015-078
- n. Amendment No. 5 to renew contract with Tanner Industries, Inc. for anhydrous ammonia for the Water Division for an annual amount not to exceed \$125,000 (original contract amount was \$85,200; renewal contract amount is \$125,000). CIP/DID #1014-082
- o. Professional Services Agreement with Snyder & Associates, Inc. for an amount not to exceed \$172,000 for design services in connection with the Harrison Detention Basin Capacity Improvements project. CIP/DID #304427-02
- p. Finance Department transfer of property taxes collected for the Downtown SSMID to the Cedar Rapids Downtown SSMID through fiscal year 2018 for an amount not to exceed \$562,857. CIP/DID #FIN2017-35
- q. Finance Department transfer of property taxes collected for the Medical SSMID to Cedar Rapids Medical SSMID through fiscal year 2018 for an amount not to exceed \$320,045. CIP/DID #FIN2017-34

- r. Amendment No. 1 to the Development Agreement with Kingston Family Apartments, L.L.L.P. for the Kingston Family Apartments project, located at 7th Avenue and 3rd Street SW. CIP/DID #OB654103
- s. Development Agreement and Special Warranty Deed with Schissel, LLC for City-owned property at 820 5th Avenue SW participating in the sixth round of the Multi-Family New Construction Program. **(Flood)** CIP/DID #08-DRH-208
- t. Purchase Agreement in the amount of \$4,180 and accepting an Easement for Drainage and a Temporary Grading Easement for Construction from Abernathey Family Farms, LLC, on vacant land north of 16th Avenue SW, south of 1st Avenue West, east of 7500 16th Avenue SW, west of Rockhurst Drive SW in connection with the Rockhurst Drive SW Regional Detention Basin project. CIP/DID #304079-00
- u. Total Acquisition Purchase Agreement in the amount of \$469,820 and accepting a Warranty Deed from Abernathey Family Farms, LLC, for a total acquisition of vacant land located east of 7500 16th Avenue SW and west of 7300 16th Avenue SW in connection with the Rockhurst Drive SW Regional Detention Basin project. CIP/DID #304079-00
- v. Purchase Agreement in the amount of \$1,715 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Duane L. Van Horn and Beverly J. Van Horn for land located at 3714 Johnson Avenue NW in connection with the Johnson Avenue NW Improvements from 1st Avenue SW to Midway Drive NW project. **(Paving for Progress)** CIP/DID #3012043-00
- w. Amending Resolution No. 1475-10-17 by correcting the breakdown of compensation to Boulder Valley LLC for land located at 1658 32nd Street NE in connection with the Center Point Road NE from 29th Street NE to 32nd Street NE Pavement Rehabilitation project. **(Paving for Progress)** CIP/DID #3012148-00

REGULAR AGENDA

- 29. Report on bids for the Ely Road SW Water Transmission Main project (estimated cost is \$700,000) (Steve Hershner). CIP/DID #6250047-02
 - a. Resolution awarding and approving contract in the amount of \$548,929.95, bond and insurance of Rathje Construction Co. for the Ely Road SW Water Transmission Main project.
- 30. Report on bids for the Otis Road SE Water Transmission Main project (estimated cost is \$1,150,000) (Steve Hershner). CIP/DID #6250048-02
 - a. Resolution awarding and approving contract in the amount of \$763,542.35, bond and insurance of Rathje Construction Co. for the Otis Road SE Water Transmission Main project.
- 31. Report on bids for the 2018 Tree and Vegetation Removal project (estimated cost is \$138,000) (Doug Wilson). CIP/DID #301990-13
 - a. Resolution awarding and approving contract in the amount of \$64,700, bond and insurance of Rathje Construction Company for the 2018 Tree and Vegetation Removal project.

32. Report on bids for the Morgan Creek at F Avenue NW Sanitary Sewer Repair project (estimated cost is \$84,000) (Dave Wallace). CIP/DID #6550062-01
 - a. Resolution awarding and approving contract in the amount of \$45,088.03, plus incentive up to \$5,000, bond and insurance of Connolly Construction, Inc. for the Morgan Creek at F Avenue Sewer Repair project.

ORDINANCES

Second and possible Third Readings

33. Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to establish regulations for the sale of fireworks. CIP/DID #ZONE-0007-2017
34. Ordinance amending Chapter 37 of the Municipal Code, Fire Code, by repealing Section 37.28 – 5601.7.1 and enacting a new Section 37.28 – 5601.7.1 regarding seizure of fireworks. CIP/DID #FIR0517-0022
35. Ordinance amending Chapter 67 of the Municipal Code, Ambulance Services, by repealing Section 67.08(e) and enacting a new Section 67.08(e) regarding annual inspection of ambulances. CIP/DID #OB133487
36. Ordinance granting a change of zone for property located at 3010 Johnson Avenue NW from R-2, Single-Family Residence Zone District, to R-3D, Two-Family Residence Zone District, as requested by Keith Billick. CIP/DID #RZNE-025536-2017

First Reading

37. Ordinance amending Chapter 63 of the Municipal Code, Offenses Against Public Safety, by deleting Section 63.10B and enacting a new Section 63.10B regarding fireworks. CIP/DID #FIR0517-0022

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 or event should contact the City Clerk's Office at 319-286-5060 or 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.