

“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, December 5, 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
 - ❖ Proclamation – Human Rights Month (LaSheila Yates)
 - ❖ Proclamation – Entrepreneurship and Innovation Day (David Tominsky, Jill Wilkins, Laura Kaiden, Molly Monk, Jessalyn Holdcraft)

PUBLIC HEARINGS

1. A public hearing will be held 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 (Carol Morgan). CIP/DID #ESCY-025439-2017
 - a. Resolution authorizing execution of 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.

2. A public hearing will be held to consider 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 (Kirsty Sanchez). CIP/DID #RZNE-025770-2017
 - a. First Reading: Ordinance 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.
3. A public hearing will be held to consider 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
 - 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 proposed plans, specifications, form of contract and estimated cost for the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road, Phase 2 – Paving project (estimated cost is \$1,100,000) (Brenna Fall). CIP/DID #325008-03
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road, Phase 2 – Paving project.
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the IA 100: East of Northland Avenue NE to East of Twixt Town Road NE and Lindale Drive to approximately 800 feet North PCC Pavement Widening, Miscellaneous project (estimated cost is \$9,283,000) (Brenna Fall). CIP/DID #301446-06
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the IA 100: East of Northland Avenue NE to East of Twixt Town Road NE and Lindale Drive to approximately 800 feet North PCC Pavement Widening, Miscellaneous project.
6. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Northwood Drive NE from Glass Road NE to South of Brookland Drive NE Roadway Reconstruction project (estimated cost is \$980,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012115-03
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Northwood Drive NE from Glass Road NE to South of Brookland Drive NE Roadway Reconstruction 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.

7. Motion to approve minutes.
8. Resolution continuing negotiation of a Development Agreement with Neighborhood Development Corporation of Cedar Rapids for the disposition and redevelopment of City-owned property at 535 1st Avenue SW purchased through the Voluntary Acquisition Program. **(Flood)** CIP/DID #DISP-0005-2016
9. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the 1st Avenue E from 34th Street to 40th Street, PCC Sidewalk, PCC Pavement, and Traffic Signals, Phase 4A project. CIP/DID #301240-10
10. Resolution setting a public hearing for January 23, 2018 to consider the Resolution of Necessity (Proposed) for the construction of the 2018 Sanitary Sewer Service Replacement Project. CIP/DID #6550057-00
11. Resolution setting a public hearing for January 23, 2018 to consider the Resolution of Necessity (Proposed) 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
12. Motions setting public hearing dates for:
 - a. December 19, 2017 – to consider a change of zone for property at 6025 Ridgemount Drive NE from C-2, Community Commercial Zone District, to RMF-1, Residential Multi-Family Zone District, with a Preliminary Site Development Plan as requested by Gerald R. Eganhouse. CIP/DID #RZNE-025775-2017
 - b. December 19, 2017 – to consider a change of zone for property at 6420 Rockwell Drive NE from O-S, Office/Service Zone District, to RMF-1, Residential Multi-Family Zone District, with a Preliminary Site Development Plan as requested by Ridgemont Land Investors, L.C. CIP/DID #RZNE-025774-2017

13. 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 19, 2017 – FY18 Sanitary Sewer Point Repairs project, with bid opening December 20, 2017 (estimated cost is \$136,000). CIP/DID #655996-12
 - b. December 19, 2017 – Outer Ellis Boat Harbor (EEE) Sheet Piling Repair project, with bid opening December 20, 2017 (estimated cost is \$147,000). CIP/DID #312077-02
14. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
 - a. Axel's Sports Grill, 951 Blairs Ferry Road NE (new – new ownership).
 - b. Caucho, 1202 3rd Street SE.
 - c. Cedar River Landing, 301 F Avenue NW.
 - d. Fas Mart #5148, 550 Wilson Avenue SW.
 - e. Grin N Goose, 227 2nd Avenue SE.
 - f. Little Bohemia, 1317 3rd Street SE.
 - g. Mr. B's, 629 2nd Avenue SW.
 - h. Quarter Barrel Arcade & Brewery, 616 2nd Avenue SE.
 - i. The Station, 3645 Stone Creek Circle SW.
 - j. Tycoon, 427 2nd Avenue SE (5-day license for an event).
 - k. Union Station, 1724 16th Avenue SW.
 - l. Winifred's Restaurant, 3847 1st Avenue SE.
15. Resolutions approving:
 - a. Payment of bills. CIP/DID #FIN2017-01
 - b. Payroll. CIP/DID #FIN2017-02
16. Resolution approving the special event application for:
 - a. Holiday DeLight Parade (includes road closures) on December 9, 2017. CIP/DID #SPEC-004239-2017
17. Resolutions approving assessment actions:
 - a. Intent to assess – Solid Waste & Recycling – clean-up costs – nine properties. CIP/DID #SWM-021-17
 - b. Levy assessment – Solid Waste & Recycling – clean-up costs – four properties. CIP/DID #SWM-018-17
 - c. Intent to assess – Water Division – delinquent municipal utility bills – 60 properties. CIP/DID #WTR120517-01
18. Resolution accepting project, approving Performance Bond and authorizing final payment:
 - a. Riverfront Park Reconstruction Project, final payment in the amount of \$8,692.55 and 2-year Performance Bond submitted by Dave Schmitt Construction (original contract amount was \$172,815; final contract amount is \$173,851). CIP/DID #PUR0617-252
19. Resolutions approving final plats:
 - a. Bee Line First Addition for land located on the northeast corner of Booth Street SW and 43rd Avenue SW. CIP/DID #FLPT-025420-2017
 - b. Benesh Acres Addition for land located north of Walford Road and east of Interstate 380. CIP/DID #FLPT-019948-2015

- c. Kingston Family First Addition for land located on the southeast corner of Diagonal Drive SW and 3rd Street SW. CIP/DID #FLPT-025444-2017
20. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Annual Maintenance Agreement with Communications Engineering Company for the physical security management platform including hardware and software in the amount of \$149,069.50. CIP/DID #109130-18
 - b. Amendment No. 6 to the contract with C.J. Moyna & Sons, Inc. for quarry products to reflect the additional purchases of quarry products for an amount not to exceed \$35,000 (original contract amount was \$65,000; total contract amount with this amendment is \$100,000). CIP/DID #0213-182
 - c. Amendment No. 6 to the contract with Crawford Quarry Company for quarry products to reflect the additional purchases of quarry products for an amount not to exceed \$35,000 (original contract amount was \$65,000; total contract amount with this amendment is \$100,000). CIP/DID #0213-182
 - d. Amendment No. 8 to the contract with Hawkeye Ready-Mix, Inc. for concrete products to reflect the additional purchases of concrete products for an amount not to exceed \$35,000 (original contract amount was \$45,000; total contract amount with this amendment is \$80,000). CIP/DID #0213-183
 - e. Amendment No. 2 to the contract with HBK Engineering, LLC for Engineering Design Services for ADA Compliance to reflect the additional cost for design services for the Parks and Recreation Department for an amount not to exceed \$177,645 (original contract amount was \$108,147; total contract amount with this amendment is \$732,115). CIP/DID #PUR1216-136
 - f. Amendment No. 2 to the contract with HBK Engineering, LLC for Engineering Design Services for ADA Compliance – Group 2 Facilities to add survey, design and construction support for five City facilities for an amount not to exceed \$34,918 (original contract amount was \$79,500; total contract amount with this amendment is \$194,568). CIP/DID #PUR0317-205
 - g. Amendment No. 1 to renew contract with Matheson Tri-Gas, Inc. for liquid oxygen for the Water Pollution Control Facility for an annual amount not to exceed \$100,000 (original contract amount was \$100,000; renewal contract amount is \$100,000). CIP/DID #PUR1016-066
 - h. Contract with Alexander Chemical Corporation for liquid chlorine for the Water Division and the Water Pollution Control Facility for an annual amount not to exceed \$230,000. CIP/DID #PUR1017-069
 - i. Amendment No. 3 to renew contract with Carus Corporation for zinc orthophosphate for the Water Division for an annual amount not to exceed \$117,000 (original contract amount was \$117,000; renewal contract amount is \$117,000). CIP/DID #1014-080
 - j. Amending Resolution No. 1560-11-17 to correct the contract amount to \$1,598,937.75 for the Downtown Walkway from the Convention Center Ramp to U.S. Bank with Miron Construction Co., Inc. CIP/DID #635129-02
 - k. Change Order No. 2 in the amount of \$274,477.98 with DW Zinser Company, Inc. for the Sinclair Detention Basin Asbestos Remediation and Grading project (original contract amount was \$2,086,797; total contract amount with this amendment is \$2,566,774.05). CIP/DID #3316509-71

- l. Change Order No. 2 in the amount of \$37,330.66 with Eastern Iowa Excavating & Concrete, LLC for the 1st Avenue East (Iowa Highway 922) from 13th Street SW to 16th Street NE – Curb Ramp Design project (original contract amount was \$228,437.20; total contract amount with this amendment is \$280,009.26). CIP/DID #3012036-02
- m. Change Order No. 5 in the amount of \$8,921.36 with Pirc-Tobin Construction, Inc. for the 10th Street SE from 4th Avenue SE to 5th Avenue SE Paving Rehabilitation and Streetscaping project (original contract amount was \$943,327.40; total contract amount with this amendment is \$1,018,527.78). CIP/DID #3012035-03
- n. Change Order No. 7 in the amount of \$93,964.90, plus 30 additional calendar days, with Pirc Tobin Construction, Inc. for the C Avenue NE from Collins Road to 40th Street NE Pavement and Water Main Reconstruction project (original contract amount was \$1,999,178.42; total contract amount with this amendment is \$2,342,138.71) **(Paving for Progress)** CIP/DID #3012008-02
- o. Change Order No. 8 in the amount of \$72,632.88 with Rathje Construction Company for the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project (original contract amount was \$2,214,135.10; total contract amount with this amendment is \$2,646,616.20). **(Paving for Progress)** CIP/DID #3012127-02
- p. Change Order No. 7 in the amount of \$18,500 with Rathje Construction Company for the Czech Village Utility Relocation 16th Avenue SW to Landfill project (original contract amount was \$3,202,936; total contract amount with this amendment is \$4,702,760.25). CIP/DID #3313530-10
- q. Change Order No. 6 in the amount of \$100,049.12 with Rathje Construction Company for the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project (original contract amount was \$3,473,561.65; total contract amount with this amendment is \$3,753,645.12). **(Paving for Progress)** CIP/DID #3012116-03
- r. Change Order No. 2 in the amount of \$61,653.16, plus five additional working days, with Ricklefs Excavating, Ltd. for the 51st Street NE at Council Street NE Reconstruction project (original contract amount was \$1,628,399.84; total contract amount with this amendment is \$1,758,407.42). CIP/DID #301491-05
- s. Purchase Agreement in the amount of \$700 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Bryce A. Richmond and Susanna J. Richmond for land located at 897 Daniels Street NE in connection with the CEMAR Trail Phase 1A – H Avenue NE from Cedar Lake to Oakland Road project. CIP/DID #325012-00
- t. Purchase Agreement in the amount of \$4,895 and accepting a Trustee Warranty Deed from Leo E. Rigel, Trustee of the Marvin W. Rigel Testamentary Trust U/W, and a Warranty Deed from Hermina B. Rigel for right-of-way and Temporary Grading Easement for Construction for land located at 205 Wright Brothers Boulevard SW in connection with the Wright Brothers Commerce Park private development project. CIP/DID #FLPT-025254-2017
- u. Retaining Lynch Dallas P.C. as outside legal counsel regarding the Gossman Estate, et al v. Jones, et al lawsuit. CIP/DID #ATT000012
- v. Retaining Mohammad H. Sheronick as outside legal counsel for individual defendants regarding the Gossman Estate, et al v. Jones, et al lawsuit. CIP/DID #ATT000013
- w. Terminating the Water Reserve Fund Agreement for the Woodmoor Additions, located north of Highway 30 and east of Honey Grove Road, and directing the release of the Woodmoor Additions Water Reserve Fund. CIP/DID #OB194693

REGULAR AGENDA

21. Report on bids for the 2018 Internal Inspection of Large Diameter Sanitary Sewer project (estimated cost is \$455,000) (Dave Wallace). CIP/DID #6550048-01
22. Report on bids for the C Street SW North of Highway 30 Anaerobic Sewer Capacity Improvement project (estimated cost is \$1,050,000) (Dave Wallace). CIP/DID #6550049-02
 - a. Resolution awarding and approving contract in the amount of \$864,757.50, plus incentive up to \$50,000, bond and insurance of Ricklefs Excavating, Ltd. for the C Street SW North of Highway 30 Anaerobic Sewer Capacity Improvements project.

ORDINANCES

Second and possible Third Readings

23. 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

*** The City Council will meet immediately following the City Council Regular Session to discuss the annual performance reviews of the City Manager, City Attorney and City Clerk. This meeting may be closed pursuant to Iowa Code Section 21.5(1)(i) (2017).

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