

“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, August 28, 2018 at 5:30 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
 - ❖ Presentation – Cedar Rapids Certified 4-STAR Community Designation (Steve Hershner and Eric Holthaus)

PUBLIC HEARINGS

1. A public hearing will be held to consider the vacation of a 25-foot wide Public Sanitary Sewer Easement located at 5300 16th Avenue SW as requested by Westdale Apartments, L.P. (Rita Rasmussen). CIP/DID #EASE-027276-2018
 - a. Resolution vacating a Public Sanitary Sewer Easement located at 5300 16th Avenue SW as requested by Westdale Apartments, L.P.
2. A public hearing will be held to consider a change of zone for property located at 3550 Stone Creek Circle SW from C-1, Mixed Neighborhood Convenience Zone District, to RMF-2, Residential Multi-Family Zone District, as requested by Speyside Development, LLC (Dave Houg). CIP/DID #RZNE-027369-2018
 - a. First Reading: Ordinance granting a change of zone for property located at 3550 Stone Creek Circle SW from C-1, Mixed Neighborhood Convenience Zone District, to RMF-2, Residential Multi-Family Zone District, as requested by Speyside Development, LLC.

3. A public hearing will be held to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, by establishing a fee district and lift station connection fees for the Wexford Heights Lift Station (Sandy Pumphrey). CIP/DID #6550011-00
 - a. First Reading: Ordinance amending Chapter 13 of the Municipal Code, Wastewater Facilities, by establishing a fee district and lift station connection fees for the Wexford Heights Lift Station.
4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2019 Sidewalk Repair Program – Contract No. 1 project (estimated cost is \$440,000) (Brenna Fall). CIP/DID #3017019-01
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2019 Sidewalk Repair Program – Contract No. 1 project.
5. A public hearing will be held to consider the proposed specifications, form of contract and estimated cost for the Daniels Park Playground project (estimated cost is \$150,000) (Steve Krug). CIP/DID #PUR0718-020
 - a. Resolution adopting specifications, form of contract and estimated cost for the Daniels Park Playground project.
6. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Electrical Distribution in Ellis Harbor project (estimated cost is \$328,000) (Brent Schlotfeldt). CIP/DID #PUR0718-018
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Electrical Distribution in Ellis Harbor project.
7. A public hearing will be held to consider the proposed specifications, form of contract and estimated cost for the Veterans Memorial Stadium Erosion Control and Decking Replacement project (estimated cost is \$165,000) (Doug Nelson). CIP/DID #PUR0718-016
 - a. Resolution adopting specifications, form of contract and estimated cost for the Veterans Memorial Stadium Erosion Control and Decking Replacement 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.

8. Motion to approve the minutes.
9. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the 18th Street SW Extension from Wilson Avenue to 16th Avenue PCC Pavement – Grade and Replace project. CIP/DID #301500-00
10. Resolution establishing “No Parking Anytime” for the bus stops on the south side of Twixt Town Road NE from 125 feet east of Southview Drive to 350 feet east of Southview Drive. CIP/DID #60-19-021
11. Resolution establishing yield control for southbound traffic on Schaeffer Drive SW at the intersection of Allview Drive. CIP/DID #60-19-031
12. Resolution rescinding Resolution No. 991-5-01, which established a yield sign at the intersection of 32nd Street Drive SE and Emerald Avenue, and establishing stop control on Emerald Avenue SE at the intersection of 32nd Street Drive. CIP/DID #60-19-031
13. Resolution authorizing three Fire Department employees to attend Structural Collapse 1 and 2 training in Camp Douglas, WI for a total amount of \$10,590. CIP/DID #FIR0818-12345
14. Resolution authorizing the Police Chief to attend the 2018 International Association of Chiefs of Police Conference and the Major City Chiefs' Association Meeting in Orlando, FL from October 4-10, 2018 for an estimated amount of \$3,281.10. CIP/DID #PD0032
15. Resolution setting a public hearing for September 11, 2018 to consider the vacation of public ways and grounds in and to the property described as the 40-foot by 115-foot parcel of excess street right-of-way located southwesterly of and adjacent to 1505 B Street SW as requested by the City of Cedar Rapids and the Czech Village Association. CIP/DID #ROWV-026721-2018
16. Resolution setting a public hearing for September 11, 2018 to consider the vacation of public ways and grounds in and to the property described as the 20-foot by 175-foot parcel of excess street right-of-way located northwesterly of and adjacent to 1702 C Street SW as requested by the City of Cedar Rapids and the Czech Village Association. CIP/DID #ROWV-026770-2018
17. Resolution setting a public hearing for September 11, 2018 to consider the vacation of public ways and grounds in and to the property described as the 50-foot by 200-foot parcel of excess street right-of-way located southwesterly of and adjacent to 69 16th Avenue SW between 16th and 17th Avenues SW as requested by the City of Cedar Rapids and the Czech Village Association. CIP/DID #ROWV-026722-2018

18. Motions setting public hearing dates for:
- a. September 11, 2018 – to consider granting a change of zone for property located east of 80th Street SW and north of 16th Avenue SW from A, Agriculture Zone District, to PUD-1, Planned Unit Development One Zone District, as requested by BNKD Inc. and the Lawrence A. Schulte Trust. CIP/DID #RZNE-027364-2018
 - b. September 11, 2018 – to consider granting a change of zone for property located at 1718 Center Point Road NE from O-S, Office/Service Zone District, to R-3, Single Family Residence Zone District, as requested by Virgil A. & Janice E. Henley. CIP/DID #RZNE-027524-2018
 - c. September 11, 2018 - to consider granting a change of zone for property located at 1005 Blairs Ferry Road NE from I-1, Light Industrial Zone District, to PUD-1, Planned Unit Development One Zone District, as requested by Hunter Companies, LLC. CIP/DID #RZNE-027485-2018
 - d. September 11, 2018 – to consider granting a change of zone for properties located at 248 and 250 18th Street NW from R-3, Single Family Residence Zone District, to C-2, Community Commercial Zone District, as requested by Hy-Vee, Inc. CIP/DID #RZNE-027424-2018
 - e. October 8, 2018 – to consider a request by The Depot Development, LLC for an Urban Revitalization Area designation for a housing development in the 1600 block of Ellis Boulevard NW. CIP/DID #URTE-0026-2018
19. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- a. 2nd Avenue Corner Pocket, 609 2nd Avenue SW.
 - b. Adelita's Mexican Grill, 2833 Blairs Ferry Road NE.
 - c. Applebee's Neighborhood Grill, 2645 Edgewood Road SW.
 - d. Casey's General Store #2771, 501 6th Street SW.
 - e. Cedar Rapids Jaycees, 225 5th Avenue SW (5-day permit for an event at the McGrath Amphitheatre Cedar Rapids, 475 1st Street SW).
 - f. Chappy's Safari Lounge, 229 16th Avenue SW.
 - g. CVS/Pharmacy #8443, 3419 16th Avenue SW.
 - h. Daisy's Garage, 1117 1st Avenue SE.
 - i. Dollar General #10774, 266 Blairs Ferry Road NE.
 - j. Dollar General #3781, 151 Jacolyn Drive NW.
 - k. Dollar General #6190, 403 Edgewood Road NW.
 - l. Dollar General #9141, 3451 Mount Vernon Road SE.
 - m. Dostal Catering Service, 1211 Wiley Boulevard SW.
 - n. Fuzzy's Taco Shop – Cedar Rapids 1, 921 Blairs Ferry Rd NE.
 - o. Godfather's Pizza, 3647 1/2 1st Avenue SE.
 - p. Health Hut, 83 16th Avenue SW (new – formerly office space).
 - q. Hy-Vee #6 Market Cafe, 4035 Mount Vernon Road SE.
 - r. Hy-Vee #6 Tasting Room, 4035 Mount Vernon Road SE.
 - s. Hy-Vee #7 Market Grille, 5050 Edgewood Road NE (adding a permanent outdoor service area).
 - t. Hy-Vee Vets Memorial, 50 2nd Avenue Bridge (new – new management).
 - u. Kwik Star #165, 3730 Williams Boulevard SW.
 - v. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day license for an event).
 - w. Orchestra Iowa, 119 3rd Avenue SE (5-day permit for an event at Brucemore, 2160 Linden Drive SE).
 - x. St. Ludmila Catholic Church, 211 21st Avenue SW (5-day license for an event).
 - y. Tom's Homeport, 624 Center Point Road NE.
 - z. Uptown Liquor & Tobacco, 2000 Wiley Boulevard SW (new – new ownership).

20. Resolutions approving:
- Payment of bills. CIP/DID #FIN2018-01
 - Payroll. CIP/DID #FIN2018-02
 - Transfer of funds. CIP/DID #FIN2018-03
21. Resolutions appointing and thanking the following individuals:
- Appointing Ashley Balias, Dedric Doolin, Laura O'Leary, Carrie Slagle, Phoebe Trepp, Robin Tucker and Leslie Wright (effective through June 30, 2019), Tracey Achenbach, Lynn Barrett, Jeff Capps, Heather Harney, Paula Mitchell, Chad Pelley and Marty Stoll (effective through June 30, 2020), Lindsey Ellickson, Kimberly Gordon, Keith Rippey, Aaron Saylor, Donald Tyne, Mindi White and Dale Wirtjes (effective through June 30, 2021) to the Affordable Housing Commission. CIP/DID #CDF-0040-2018
 - Vote of thanks to Barbara Green for serving on the Visual Arts Commission. CIP/DID #OB572855
22. Resolutions approving assessment actions:
- Levy assessment – Building Services – delinquent nuisance abatement charges – six properties. CIP/DID #FIN2018-04
 - Intent to assess – Solid Waste & Recycling – clean-up costs – three properties. CIP/DID #SWM-012-18
 - Levy assessment – Solid Waste & Recycling – clean-up costs – three properties. CIP/DID #SWM-009-18
 - Levy assessment – Solid Waste & Recycling – delinquent weed mowing charges – 60 properties. CIP/DID #FIN2018-05
 - Intent to assess – Water Division – delinquent municipal utility bills – 29 properties. CIP/DID #WTR082818-01
 - Levy assessment – Water Division – delinquent municipal utility bills – 13 properties. CIP/DID #WTR072418-01
23. Resolutions accepting subdivision improvements and approving Maintenance Bonds:
- Water system improvements installed in Stags Leap Estates 3rd Addition and 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$32,897.75. CIP/DID #2018021-01
 - Storm sewer in Summerfield 6th Addition (Ashford Drive NE) and 2-year Maintenance Bond submitted by Butschi Real Estate Company in the amount of \$8,000. CIP/DID #47-99-044
24. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
- FY 18 Sanitary Sewer Point Repairs project, final payment in the amount of \$11,195.63 and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$153,290; final contract amount is \$223,912.55). CIP/DID #655996-12
 - 2nd Street SE East of 16th Avenue Emergency Access Drive project and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$21,124; final contract amount is \$17,314.03). CIP/DID #301974-00

25. Resolutions approving final plats:
- a. Bellwood Meadow Estates First Addition for land located north of Highway 30 and east of Highway 151. CIP/DID #FLPT-027035-2018
26. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Fleet Services Division purchase of five dual drive tandem axle chassis for Labrie sideloader garbage bodies from Truck Country in the amount of \$520,945. CIP/DID #PUR0718-015
 - b. Fiscal 2019 license renewal and technical support with Mythics for the Water Division's Oracle customer service and billing system in the amount of \$104,516.32. CIP/DID #OB887428
 - c. Contract with Wulfekuhle Injection & Pumping, Inc. for lime sludge removal at the Northwest Water Treatment Plant for the Water Division in an amount not to exceed \$687,500. CIP/DID #PUR0718-012
 - d. Professional Services Agreement with Black & Veatch Corporation in an amount not to exceed \$275,000 for the WPC Headworks & Primary Treatment Planning Study. CIP/DID #6150026-01
 - e. Amendment No. 1 to the Professional Services Agreement with HDR Engineering, Inc. in an amount not to exceed \$173,860 for the modified scope of work for engineering services for the Corrosion Control Study (original contract amount was \$44,000; total contract amount with this amendment is \$217,860). CIP/DID #6250067-01
 - f. Amendment No. 3 to the Professional Services Agreement with HDR Engineering, Inc. in an amount not to exceed \$4,700 for the modified scope of work for the J Avenue Water Treatment Plant Laboratory Improvements project (original contract amount was \$55,640; total contract amount with this amendment is \$111,330). CIP/DID #6250060-01
 - g. Professional Services Agreement with Dr. Joshua Pruitt to act as Medical Director for the Fire Department in the amount of \$30,000. CIP/DID #FIR0818-0040
 - h. Amendment No. 5 to the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$43,871 for design services in connection with the West Post Road NW from E Avenue to Gordon Avenue and Midway Drive NW from West Post Road to Wiley Boulevard Roadway Improvements project (original contract amount was \$538,484; total contract amount with this amendment is \$775,929). **(Paving for Progress)** CIP/DID #3012120-01
 - i. Change Order No. 3 in the amount of \$13,001.94 with Boomerang Corp. for the Johnson Avenue NW Improvements from 1st Avenue SW to Midway Drive NW project (original contract amount was \$5,276,786.90; total contract amount with this amendment is \$5,374,728.84). **(Paving for Progress)** CIP/DID #3012043-02
 - j. Change Order No. 7 in the amount of \$12,093.06 with Boomerang Corp. for the 16th Avenue SE from 4th Street SE to 5th Street SE Pavement Improvements project (original contract amount was \$1,259,525.92; total contract amount with this amendment is \$1,319,037.80). **(Paving for Progress)** CIP/DID #3012154-02
 - k. Change Order No. 8 Revised in the amount of \$35,285.10 with Langman Construction, Inc. for the Waconia Avenue SW from Waconia Lane to Willow Creek Drive Sanitary Sewer, Water Main, Street and Sidewalk Improvements project (original contract amount was \$3,156,051.62; total contract amount with this amendment is \$3,127,993.90). CIP/DID #301942-01

- l. Change Order No. 8 in the amount of \$59,594.15 with L.L. Pelling Company, Inc. for the 2nd Avenue from Mays Island to 8th Street SE Pavement Rehabilitation and One-Way to Two-Way Conversion project (original contract amount was \$1,126,058.50; total contract amount with this amendment is \$1,309,543.29). CIP/DID #306253-03
- m. Change Order No. 10 Final deducting the amount of \$53,296.39 with L.L. Pelling Company, Inc. for the 3rd Avenue SW from 6th Street SW to 1st Street SW Pavement Rehabilitation project (original contract amount was \$1,279,154.90; total contract amount with this amendment is \$1,415,413.12). **(Paving for Progress)** CIP/DID #3012155-02
- n. Change Order No. 5 Final deducting the amount of \$32,012.50 with Midwest Concrete, Inc. for the 2017 Curb Ramp Repair: Bid Package #3 project (original contract amount was \$1,109,140; total contract amount with this amendment is \$1,140,220.50). CIP/DID #3016016-14
- o. Change Order No. 5 Final deducting the amount of \$20,381.02 with Rathje Construction Company for the Otis Road SE Water Transmission Main project (original contract amount was \$763,542.35; total contract amount with this amendment is \$777,807.57). CIP/DID #6250048-02
- p. Change Order No. 8 in the amount of \$19,645.02 with Rathje Construction Company for the Memorial Drive SE from Mount Vernon Road to Bever Avenue Roadway and Utility Improvements project (original contract amount was \$2,961,441.41; total contract amount with this amendment is \$3,063,894.33). **(Paving for Progress)** CIP/DID #301379-02
- q. Change Order No. 15 in the amount of \$6,731.72 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 \$2,752,579.34). **(Paving for Progress)** CIP/DID #3012127-02
- r. Amendment No. 27 to Contract 08-DRH-008 with the Iowa Economic Development Authority to increase the contract amount by \$7 and redistribute \$45,000 from other activities (original contract amount was \$7,085,247; contract amount with this amendment is \$49,760,425). CIP/DID #08-DRH-008
- s. Approving the change in owner and authorizing amendments to various agreements related to Round 2 of the City's Multi-family New Construction program for the property located at 609 1st Ave SW and the execution of an Intercreditor Agreement for subordination to the primary mortgage. CIP/DID #08-DRH-008
- t. Amendment No. 2 to the Joint Funding Agreement with the U.S. Geological Survey for the development and maintenance of the Cedar River alluvial aquifer model, to extend the completion date to September 30, 2019 and increase the City's contribution amount by \$30,000 (original contract amount was \$485,220; total contract amount with this amendment is \$652,820). CIP/DID #6250038
- u. First Amendment to the 28E Agreement with the Cedar Rapids Community School District, adding another officer to the School Resource Officer Program for September 1, 2018 through June 30, 2020. CIP/DID #OB641224
- v. 28E Agreement with Linn County to participate in the estimated cost of construction of \$7,992.63 for road improvements in connection with the 42nd Street NE and 43rd Street SE Seal Coating project. **(Paving for Progress)** CIP/DID #3012248-00
- w. Final payment to Linn County, per a 28E Agreement, in the amount of \$430,006.13 for the actual cost of construction of a hot mix asphalt overlay for the Milburn Road NE from Blairs Ferry Road to Tower Terrace Road project. **(Paving for Progress)** CIP/DID #3012238-00

- x. Agreement with the Cedar Rapids Community School District to renew the Police PAL Program for August 13, 2018 through July 31, 2019. CIP/DID #PD0011
- y. Accepting a Quit Claim Deed from Linn County for the acquisition of property located at 1032 5th Street SE. CIP/DID #41-19-7992187
- z. Purchase Agreement in the amount of \$1 and accepting a Sanitary Sewer Easement and a Temporary Grading Easement for Construction from ITC Midwest LLC from vacant land located east of 500 41st Avenue Drive SW and east of the public road in connection with the C Street SW North of Highway 30 Anaerobic Sewer Capacity Improvements project. CIP/DID #6550049-00
- aa. Development Agreement with C.W. Sundiver LLC for the redevelopment of a vacant commercial building at 41 16th Avenue SW. CIP/DID #TIF-0022-2018
- ab. Assignment and Assumption Agreement with Green Development 12th Avenue, LLC and Panda Lin, Inc. for property at 624 12th Avenue SE. CIP/DID #TIF-0005-2016

REGULAR AGENDA

- 27. Report on bids for the 2018 Downtown Sidewalk Repair project (estimated cost is \$89,000) (Brenna Fall). CIP/DID #321546-02
- 28. Report on bids for the Bender Pool HVAC project (estimated cost is \$243,500) (Brent Schlotfeldt). CIP/DID #PUR0618-198
 - a. Resolution awarding and approving contract in the amount of \$209,600, bond and insurance of Modern Piping, Inc. for the Bender Pool HVAC project.
- 29. Report on bids for the Westside Riverfront Parks Trail & Sidewalk Repairs project (estimated cost is \$150,000) (Steve Krug). CIP/DID #PUR0718-006
 - a. Resolution awarding and approving contract in the amount of \$140,457.50, bond and insurance of Rocarek Enterprises, Inc. for the Westside Riverfront Parks Trail & Sidewalk Repairs project.
- 30. Presentation regarding Revision No. 3 to the Cedar River Flood Control System Master Plan and Amendment No. 5 to the Memorandum of Understanding with the Department of the Army, Rock Island District, for work provided or performed prior to execution of a project partnership for the Cedar River, Cedar Rapids Flood Risk Management project (Rob Davis). CIP/DID #3311300-00
 - a. Resolution authorizing Revision No. 3 to the Cedar River Flood Control System Master Plan.
 - b. Resolution authorizing execution of Amendment No. 5 to the Memorandum of Understanding with the Department of the Army, Rock Island District, for work provided or performed prior to execution of a project partnership for the Cedar River, Cedar Rapids Flood Risk Management project.
- 31. Discussion and Resolution directing staff to negotiate a Project Term Sheet with Aspect Inc. for the redevelopment of City-owned property at 101 and 109 3rd Avenue SE and 312 1st Street SE (Caleb Mason). CIP/DID #DISP-0004-2016

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.

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.