

*“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, September 11, 2018 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 – National Suicide Prevention Awareness Month
  - ❖ Proclamation – Latino Heritage Month (Monica Vallejo)
  - ❖ Proclamation – Constitution Week (Peg Wilkinson)

## **PUBLIC HEARINGS**

1. A public hearing will be held 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. (Dave Houg). CIP/DID #RZNE-027424-2018
  - a. First Reading: Ordinance 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.
2. A public hearing will be held 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. and Janice E. Henley (Dave Houg). CIP/DID #RZNE-027524-2018
  - a. First Reading: Ordinance 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. and Janice E. Henley.

3. A public hearing will be held 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 B.N.K.D, Inc. and the Lawrence A. Schulte Trust (Vern Zakostelecky). CIP/DID #RZNE-027364-2018
  - a. First Reading: Ordinance 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 B.N.K.D, Inc. and the Lawrence A. Schulte Trust.
4. A public hearing will be held 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 (Vern Zakostelecky). CIP/DID #RZNE-027485-2018
  - a. First Reading: Ordinance 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.
5. A public hearing will be held 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 and the Czech Village Association (Rita Rasmussen). CIP/DID #ROWV-026722-2018
  - a. First Reading: Ordinance vacating 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 and the Czech Village Association.
6. A public hearing will be held 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 and the Czech Village Association (Rita Rasmussen). CIP/DID #ROWV-026721-2018
  - a. First Reading: Ordinance vacating 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 and the Czech Village Association.
7. A public hearing will be held 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 and the Czech Village Association (Rita Rasmussen). CIP/DID #ROWV-026770-2018
  - a. First Reading: Ordinance vacating 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 and the Czech Village Association.

## **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 accepting work and fixing amount to be assessed for the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012008-00
10. Resolution accepting the established fair market value in the amount of \$32,000 for a Permanent Sanitary Sewer Easement from vacant land located north of East Robins Road NE and west of Alburnett Road, owned by Antoinette M. Kloubec, Trustee of the Vernon D. Kloubec Testamentary Trust, and Antoinette M. Kloubec and Lori A. Kloubec, Trustees of the Antoinette M. Kloubec Revocable Living Trust, in connection with the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project. CIP/DID #6550053-00
11. Resolution extending the deadline to receive redevelopment proposals for City-owned property along 2nd Street SW between 2nd and 3rd Avenue SW from September 21, 2018 to October 5, 2018. CIP/DID #DISP-0021-2018
12. Resolution authorizing the Finance Department to electronically file the City Street Financial Report for the fiscal year ending in 2018 with the Iowa Department of Transportation (IDOT). CIP/DID #FIN2018-29
13. Motion setting a public hearing date for:
  - a. September 25, 2018 – to consider the proposed Amendment No. 7 to the Development Agreement with Westdale CR Ventures, #1, LLC and others regarding the continued redevelopment of the Westdale Mall area. CIP/DID #ATT000016
14. 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. September 25, 2018 – Rockhurst Drive SW Regional Detention Basin – Streambank Mitigation at Noelridge Park project (estimated cost is \$190,000). CIP/DID #304079-05

- b. September 25, 2018 – Bike Share System Equipment project (estimated cost is \$570,000). CIP/DID #PUR0818-028
  - c. September 25, 2018 – Bever Avenue SE East of Bever Lane Storm Sewer Replacement project (estimated cost is \$160,000). CIP/DID #304485-01
  - d. September 25, 2018 – Intermediate & Final Lift Stations HVAC Improvements project (estimated cost is \$910,000). CIP/DID #6150029-02
15. Motion assessing a civil penalty for violation of State Code regarding the sale of alcohol to minors against:
- a. Uptown Liquor & Tobacco, 2000 Wiley Boulevard SW, Suite 106 (first offense – \$500). CIP/DID #LIQR001702-03-2015
16. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- a. 1st Avenue Wine House, 3412 1st Avenue NE.
  - b. Bo Mac's, 219 16th Avenue SE (new).
  - c. Bourbon Creek Smokehouse, 411 1st Street SE (new – formerly Bistro on 1st).
  - d. Casey's General Store #2791, 9125 Atlantic Drive SW.
  - e. Comfort Inn & Suites, 2025 Werner Avenue NE.
  - f. County Line Catering, 6677 16th Avenue SW.
  - g. The History Center, 800 2nd Avenue SE (new).
  - h. Hy-Vee #5 Club Room, 3235 Oakland Road NE.
  - i. Hy-Vee Drugstore #6, 505 Boyson Road NE.
  - j. Kum & Go #508, 30 Four Oaks Drive SW.
  - k. Kwik Star #283, 8835 Runway Court SW.
  - l. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day license for an event).
  - m. Pancheros Mexican Grill, 5300 Edgewood Road NE, Suite 100.
  - n. Pancheros Mexican Grill, 5350 Kirkwood Boulevard SW.
  - o. Papa Juan's, 5505 Center Point Road NE.
  - p. Richard Prall, 4850 Armar Drive SE (5-day license for an event at the ARA Gallery).
  - q. Sam's Club #8162, 2605 Blairs Ferry Road NE.
  - r. Target T-1771, 3400 Edgewood Road SW.
  - s. Texas Roadhouse, 2605 Edgewood Road SW.
  - t. Tobacco Outlet & Liquor, 1545 1st Avenue SE.
  - u. Walgreens #12580, 324 Edgewood Road NW.
  - v. Wasabi, 221 2nd Avenue SE.
  - w. Zeppelin's Restaurant, 5300 Edgewood Road NE, Suite 500.
17. Resolutions approving:
- a. Payment of bills. CIP/DID #FIN2018-01
  - b. Payroll. CIP/DID #FIN2018-02
18. Resolutions appointing, reappointing and thanking the following individuals:
- a. Appointing Daniel Seufferlein (effective through June 30, 2019) to the City Planning Commission. CIP/DID #OB572803
  - b. Appointing David Sorg (effective through June 30, 2019) to the Downtown Cedar Rapids Self-Supported Municipal Improvement District Commission. CIP/DID #OB572853
  - c. Vote of thanks to Heather Sundermann for serving on the Cedar Rapids Historic Preservation Commission. CIP/DID #OB691376

19. Resolutions approving the special event applications for:
  - a. RISE for Climate Action (includes road closures) on September 15, 2018. CIP/DID #SPEC-002830-2018
  - b. Trashmore 5K – Dash to Bash Epilepsy (includes road closures) on September 15, 2018 (changed from original date of September 8). CIP/DID #SPEC-001398-2018
20. Resolutions approving assessment actions:
  - a. Intent to assess – Water Division – delinquent municipal utility bills – 27 properties. CIP/DID #WTR091118-01
  - b. Intent to assess – Solid Waste & Recycling – clean-up costs – 10 properties. CIP/DID #SWM-013-18
  - c. Levy assessment – Solid Waste & Recycling – cleanup costs – four properties. CIP/DID #SWM-010-18
21. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:
  - a. Sanitary sewer extension along 8201 Council Street NE in connection with the Unity Point Health Clinic and 2-year Maintenance Bond submitted by Boomerang Corp. in the amount of \$76,848.70. CIP/DID #ASDP-025226-2017
  - b. Sanitary sewer in Unity Point West Clinic and 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$9,417. CIP/DID #ASDP-022800-2016
  - c. Sanitary sewer in Stags Leap Third Addition and 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$29,652.50. CIP/DID #FLPT-025036-2017
  - d. Storm sewer in Stags Leap Third Addition and 2-year Maintenance Bond submitted by Connolly Construction, Inc. in the amount of \$50,490.50. CIP/DID #FLPT-025036-2017
22. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
  - a. 3rd Avenue SW from 6th Street SW to 1st Street SW Pavement Rehabilitation project, final payment in the amount of \$70,770.66 and 4-year Performance Bond submitted by L.L. Pelling Company, Inc. (original contract amount was \$1,279,154.90; final contract amount is \$1,415,413.12). CIP/DID #3012155-02
  - b. 6th Street SW from 500' north of America Drive to 1300' south of 76th Avenue project, final payment in the amount of \$21,294.81 and 4-year Performance Bond submitted by L.L. Pelling Company, Inc. (original contract amount was \$414,385.98; final contract amount is \$425,896.29). CIP/DID #301970-01
  - c. Install Wallboard City Hall Lower Level Rebuild project, final payment in the amount of \$4,465 and 2-year Performance Bond submitted by Pearson Wall Systems, Inc. (original contract amount was \$89,300; final contract amount is \$89,300). **(Flood)** CIP/DID #PUR1216-129
  - d. Kirkwood Boulevard SW and College Community School District (CCSD) South Access Drive Roundabout project, final payment in the amount of \$94,979.15 and 4-year Performance Bond submitted by Ricklefs Excavating, Ltd., now known as Boomerang Corp. (original contract amount was \$1,870,489.90; final contract amount is \$1,899,582.95). CIP/DID #301929-07

- e. Demolition & Debris Removal at Sinclair Property project, Amendment No. 1 deducting the amount of \$12,123, and 2-year Performance Bond submitted by Ricklefs Excavating Ltd., now known as Boomerang Corp. (original contract amount was \$100,000; final contract amount with this amendment is \$87,877). CIP/DID #PUR0318-155
23. Resolutions approving final plats:
- a. Country Ridge Third Addition for land located north of Ellis Road NW and west of Covington Road NW. CIP/DID #FLPT-024938-2017
  - b. Stone Creek Commercial Fourth Addition for land located north of Highway 151 (Williams Boulevard SW) and east of Dean Road SW. CIP/DID #FLPT-027561-2018
24. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Information Technology Department purchase of technology items from CDW Government in an amount not to exceed \$700,000 for FY2019. CIP/DID #IT2018-004
  - b. Information Technology Department purchase of hardware and associated software from Dell, Inc. in an amount not to exceed \$550,000 for FY2019. CIP/DID #IT2018-003
  - c. Contract with Novotx, LLC for a Citywide asset management solution for the Information Technology Department in an amount not to exceed \$445,000 for five years. CIP/DID #PUR0218-129
  - d. Contract with Rilco, Inc. for motor oil and lubricant products for the Fleet Services Division for an annual amount not to exceed \$145,000. CIP/DID #PUR0718-003
  - e. Fleet Services Division purchase of a tandem axle chassis with tanker dump body from Truck Country in the amount of \$181,783. CIP/DID #PUR0718-023
  - f. Fleet Services Division purchase of a tandem axle dump truck from Truck Country in the amount of \$118,491. CIP/DID #PUR0818-037
  - g. Amendment No. 3 to the contract with Ament Design for Architectural Design Services for ADA Compliance – Group 2 Facilities to reflect the cost to add design work for Bender Pool for an amount not to exceed \$38,600 (original contract amount was \$356,700; total contract amount with this amendment is \$397,750). CIP/DID #PUR0317-204
  - h. Contract with Tricon General Construction, Inc. for the Ladd Library Opportunity Center project for the Facilities Maintenance Services Division in the amount of \$108,600. CIP/DID #PUR0718-007
  - i. Amendment No. 1 to the contract with Northway Well and Pump Co. for the Emergency Irrigation Well Repair project at Jones Golf Course for the Golf Division to extend the term of the contract and to reflect the additional cost of repairs for an amount not to exceed \$6,012.97 (original contract amount was \$55,000; total contract amount with this amendment is \$61,012.97). CIP/DID #PUR0618-197
  - j. Fleet Services Division purchase of five 2018 Labrie garbage bodies from Kilburg Equipment for use by the Solid Waste Division in the amount of \$921,270. CIP/DID #FLT033
  - k. Water Pollution Control Division purchase of a Lightnin gearbox from Trident Process, Inc., in the amount of \$72,698. CIP/DID #WPC091118-01
  - l. Contract with WRH, Inc. for clarifier launder anchoring for the Water Pollution Control Facility in the amount of \$63,900. CIP/DID #PUR0818-032
  - m. Amendment No. 4 to the Professional Services Agreement with Shive-Hattery, Inc. specifying an increased amount not to exceed \$1,700 for design services in connection with the Downtown Walkway from the Convention Center Ramp to U.S. Bank project (original contract amount was \$242,760; total contract amount with this amendment is \$300,070.83). CIP/DID #635125-03

- n. Federal Lobbying Services agreement with Kutak Rock, LLP for an amount not to exceed \$25,000. CIP/DID #OB1326044
- o. Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$117,057 for bridge inspections in connection with the FY 2019-2020 Biennial Bridge Inspections project. CIP/DID #4919016-01
- p. Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$83,433 for design services in connection with the Paving for Progress Capital Improvement Planning FY 2019-2020 project. **(Paving for Progress)** CIP/DID #3012094-04
- q. Amendment No. 5 to the Professional Services Agreement with HDR, Inc. for an amount not to exceed \$147,031 for the modified scope of work for the WPCF Nutrient Removal and Solids Facilities Plan engineering services (original contract amount was \$660,083; total contract amount with this amendment is \$1,106,097). CIP/DID #6150011-01
- r. Amendment No. 2 to the Professional Services Agreement with Iowa State University for an amount not to exceed \$8,364 for the modified scope of work for the WPCF Nutrient Removal and Solids Facilities Plan Pilot Testing (original contract amount was \$59,908; total contract amount with this amendment is \$68,272). CIP/DID #6150011-05
- s. Change Order No. 9 in the amount of \$1,375 with Iowa Bridge & Culvert L.C. for the Bridge Replacement – McCloud Place NE Over McCloud Run project (original contract amount was \$1,187,312.90; total contract amount with this amendment is \$1,271,847.28). CIP/DID #305031-03
- t. Change Order No. 6 in the amount of \$10,292.55 with Pirc-Tobin Construction, Inc. 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 (original contract amount was \$7,444,280.31; total contract amount with this amendment is \$7,665,625.31). CIP/DID #301446-06
- u. Sponsorship Agreement between the City's Convention Complex Manager, DoubleTree Management, LLC; VenuWorks of Cedar Rapids, LLC; and Collins Community Credit Union for two years with a total payment of \$41,200. CIP/DID #FIN2018-30
- v. Sponsorship Agreement between the City's Convention Complex Manager, DoubleTree Management, LLC; VenuWorks of Cedar Rapids, LLC; and Collins Community Credit Union for three years with a total payment of \$169,080. CIP/DID #FIN2018-31
- w. Public Highway At-Grade Crossing Agreement with Union Pacific Railroad Company in the amount of \$579,730, plus annual maintenance and repair fees in the amount of \$14,280, for the installation and maintenance of railroad lights and gates in support of the transition of 3rd Avenue SE from one-way to two-way at 4th Street SE. CIP/DID #306299-00
- x. Accepting the Affidavit for Service Line Reimbursement from Sarah R. Morey for monthly installment reimbursements for the replacement of the water service line at 425 Memorial Drive SE. CIP/DID #WTR091118-02
- y. Partial final payment in the amount of \$52,011.02 to Midwest Concrete, Inc. for the 2017 Curb Ramp Repair: Bid Package #3 project. CIP/DID #3016016-14
- z. Development Agreement with Hidden Creek Apartments, LLC for a mixed-use development at 605 Boyson Road NE. CIP/DID #TIF-0025-2018
- aa. Awarding and approving contract in the amount of \$61,027.88 plus incentive up to \$1,000, bond and insurance of Trey Electric Corp. for the Blairs Ferry Rd NE and C Ave Roadway Improvements project. CIP/DID #306280-01

- ab. Awarding and approving contract in the amount of \$48,095, plus incentive up to \$2,500, bond and insurance of B.G. Brecke, Inc. for the Forest Drive SE North of Cottage Grove Avenue Sanitary Sewer Replacement project. CIP/DID #655996-16
- ac. Rejecting all bids for the A Street SW East of 22nd Avenue Sanitary Sewer Manhole Replacement project (estimated cost is \$60,000). CIP/DID #655998-04

## **REGULAR AGENDA**

- 25. Report on bids for the Daniels Park Playground project for the Parks and Recreation Department (estimated cost is \$150,000) (Steve Krug). CIP/DID #PUR0718-020
- 26. Report on bids for the Veterans Memorial Stadium Erosion Control and Decking Replacement project (estimated cost is \$165,000) (Doug Nelson and Brent Schlotfeldt). CIP/DID #PUR0718-016
- 27. Report on bids for the Electrical Distribution in Ellis Harbor project (estimated cost is \$328,000) (Brent Schlotfeldt). CIP/DID #PUR0718-018
  - a. Resolution awarding and approving contract in the amount of \$216,295, bond and insurance of Acme Electric Co. for the Electrical Distribution in Ellis Harbor project.
- 28. Report on bids for the FY 2019 Sidewalk Repair Program – Contract No. 1 project (estimated cost is \$440,000) (Brenna Fall). CIP/DID #3017019-01
  - a. Resolution awarding and approving contract in the amount of \$419,509, plus incentive up to \$5,000, bond and insurance of Possibilities Unlimited, LLC for the FY 2019 Sidewalk Repair Program – Contract No. 1 project.
- 29. Presentation and Resolution authorizing Revision No. 4 of the Cedar River Flood Control System Master Plan, amending Chapter 5 – Financial Plan (Rob Davis). CIP/DID #3311300-00

## **ORDINANCES**

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

- 30. 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. CIP/DID #RZNE-027369-2018
- 31. 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. CIP/DID #6550011-00



## **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](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).*