

“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 25, 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
 - ❖ Proclamation – Safety Awareness (Yvonne Aubrey)
 - ❖ Proclamation – National Disability Employment Awareness Month (Bernie Walther)

PUBLIC HEARINGS

1. A public hearing will be held to consider the proposed Amendment No. 1 to the Urban Renewal Area Plan for the Westdale Urban Renewal Area (Caleb Mason). CIP/DID #OB812292
 - a. Resolution approving Amendment No. 1 to the Urban Renewal Plan for the Westdale Urban Renewal Area.
2. A public hearing will be held 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 (Casey Drew). CIP/DID #OB812292
 - a. Resolution authorizing execution of Amendment No. 7 to the Development Agreement and related documents with Westdale CR Ventures, #1, LLC and others regarding the continued redevelopment of the Westdale Mall area.
 - b. Resolution authorizing the appropriation of funds for the replenishment of a reserve fund held by NBH Bank relating to a loan made to an affiliate of Westdale CR Ventures #1, LLC, to refinance certain improvements made within the Westdale Mall Urban Renewal Area pursuant to a Development Agreement between the City and such developer.

3. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Bever Avenue SE East of Bever Lane Storm Sewer Replacement project (estimated cost is \$160,000) (Dave Wallace). CIP/DID #304485-01
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Bever Avenue SE East of Bever Lane Storm Sewer Replacement project.
4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Rockhurst Drive SW Regional Detention Basin – Streambank Mitigation at Noelridge Park project (estimated cost is \$190,000) (Sandy Pumphrey). CIP/DID #304079-05
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Rockhurst Drive SW Regional Detention Basin – Streambank Mitigation at Noelridge Park project.
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the WPC Intermediate & Final Lift Stations HVAC Improvements project (estimated cost is \$912,000) (Steve Hershner). CIP/DID #6150029-02
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the WPC Intermediate & Final Lift Stations HVAC Improvements project.
6. A public hearing will be held to consider the proposed specifications, form of contract and estimated cost for the Bike Share System Equipment project (estimated cost is \$570,000) (Bill Micheel). CIP/DID #PUR0818-028
 - a. Resolution adopting specifications, form of contract and estimated cost for the Bike Share System Equipment 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 the minutes.
8. Resolution adopting amendments to the Administrative Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program. CIP/DID #OB246513
9. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the C Avenue NE from Collins Road to 40th Street Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012008-00
10. Resolution referring to the Linn County Compensation Commission the acquisition of Permanent Sanitary Sewer Easements 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 amending the portion of Resolution No. 1278-09-15 that established two-way stop control at the intersection of 3rd Avenue and 3rd Street SW, and establishing all-way stop control at this intersection instead. CIP/DID #60-19-031
12. Resolution authorizing the removal of the school crosswalk on the north approach of the intersection of Johnson Avenue and Wiley Boulevard NW and the addition of crosswalks on the south and west approaches to accommodate students at Hoover Elementary School. CIP/DID #60-19-011
13. Resolution eliminating a Parking Meter Technician position in accordance with the Parking Agreement with Downtown Parking Management Inc. CIP/DID #FIN2018-32
14. Resolution rescinding Resolution No. 1081-08-18, which authorized three Fire Department employees to attend Structural Collapse 1 and 2 training in Camp Douglas, WI. CIP/DID #FIR0818-12345
15. 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. October 9, 2018 – Cedar Rapids East Gateway Sign project (estimated cost is \$175,000). CIP/DID #PUR0818-050
 - b. October 9, 2018 – FY 2019 Tree and Vegetation Removal Project (estimated cost is \$119,000). CIP/DID #301990-17
 - c. October 9, 2018 – FY19 Sanitary Sewer Point Repairs project (estimated cost is \$190,000). CIP/DID #655996-15
 - d. October 9, 2018 – Czech Village Levee & Gatewells – 16th Avenue SW to Bowling Street SW project (estimated cost is \$5,000,000). CIP/DID #3313530-21

- e. October 9, 2018 – Sinclair Levee Plaza and Monuments project (estimated cost is \$180,000). CIP/DID #3316509-73
16. Motion assessing civil penalties for violation of State Code regarding the sale of alcohol to minors against:
- a. Kwik Star #581, 251 33rd Avenue SW (first offense – \$500). CIP/DID #LIQR003497-08-2017
 - b. Pilot Travel Center #1092, 8950 Earhart Lane SW (first offense – \$500). CIP/DID #LIQR003682-04-2018
17. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- a. Benz Beverage Depot, 501 7th Avenue SE (5-day permit for an event).
 - b. BoTown Entertainment, 219 16th Avenue SE (5-day permit for an event).
 - c. Bricks Bar & Grill, 320 2nd Avenue SE.
 - d. Chrome Horse Slophouse & Saloon, 1201 3rd Street SE (5-day permit for an event at 319 Motors, 2702 6th Street SW).
 - e. Coe College, 1220 1st Avenue NE.
 - f. Cooter's, 729 1st Avenue SW.
 - g. Hazzard County Saloon, 329 2nd Avenue SE (permanent transfer to 402 2nd Avenue SE, former Goodyear location).
 - h. Lancer Lanes, 3203 6th Street SW.
 - i. Leonardo's Pizza, 2228 16th Avenue SW.
 - j. NewBo City Market, 1100 3rd Street SE.
 - k. Oyama Sushi Japanese Steakhouse, 5350 Council Street NE.
 - l. Paradise Bar & Grill, 5200 Fountains Drive NE (new – formerly Tanner's/Drizzy's Bar & Grill).
 - m. Paramount Theatre/Orchestra Iowa, 119 and 123 3rd Avenue SE.
 - n. Pub 217, 217 3rd Street SE.
 - o. Shores Event Center, 700 16th Street NE.
 - p. Veterans of Foreign Wars Post #788, 3240 Southgate Place SW.
 - q. Westside Lounge, 325 Edgewood Road NW.
18. Resolutions approving:
- a. Payment of bills. CIP/DID #FIN2018-01
 - b. Payroll. CIP/DID #FIN2018-02
 - c. Transfer of funds. CIP/DID #FIN2018-03
19. Resolutions appointing and thanking the following individuals:
- a. Appointing Jonathan Berger (effective through June 30, 2020) to the Visual Arts Commission. CIP/DID #OB572855
 - b. Appointing Greg Smith (effective through December 31, 2018) to the Cedar Rapids/Linn County Solid Waste Agency Board. CIP/DID #OB534305
 - c. Vote of thanks to Rebecca Stonawski for serving on the Parks, Waterways & Recreation Commission. CIP/DID #OB1187380
 - d. Vote of thanks to Mark English for serving on the Cedar Rapids/Linn County Solid Waste Agency Board. CIP/DID #OB534305
20. Resolutions approving the special event applications for:
- a. CR Porchfest (including road closures) on September 29, 2018. CIP/DID #SPEC-000667-2018

- b. The Five Seasons Invitational Marching Band Festival (includes road closures) on September 29, 2018. CIP/DID #SPEC-002966-2018
 - c. Cedar Rapids Food Truck Festival (includes road closures) on October 6, 2018. CIP/DID #SPEC-002967-2018
 - d. State Marching Band Festival (includes road closures) on October 6, 2018. CIP/DID #SPEC-002970-2018
 - e. Especially for You Race Against Breast Cancer (includes road closures) on October 7, 2018. CIP/DID #SPEC-002977-2018
21. Resolutions approving assessment actions:
- a. Intent to assess – Solid Waste & Recycling – clean-up costs – three properties. CIP/DID #SWM-014-18
 - b. Levy assessment – Solid Waste & Recycling – clean-up costs – five properties. CIP/DID #SWM-011-18
 - c. Intent to assess – Water Division – delinquent municipal utility bills – 42 properties. CIP/DID #WTR092518-01
 - d. Levy assessment – Water Division – delinquent municipal utility bills – 16 properties. CIP/DID #WTR081418-01
22. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:
- a. Sanitary sewer at Reconserved Iowa and 2-year Maintenance Bond submitted by BWC Excavating, L.C. in the amount of \$165,800. CIP/DID #ASDP-023756-2016
 - b. Water system improvements in 27th Street SE and 2-year Maintenance Bond submitted by Bushman Excavating Inc. in the amount of \$21,809.92. CIP/DID #2016069-01
23. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
- a. 33rd Avenue SW East of 18th Street Storm Sewer Improvements project and 4-year Performance Bond submitted by Connolly Construction, Inc. (original contract amount was \$43,011.10; final contract amount is \$45,429.08). CIP/DID #304471-02
 - b. 58th Avenue Court SW Sanitary Sewer Improvements project, final payment in the amount of \$7,574.24 and 4-year Performance Bond submitted by B.G. Brecke, Inc. (original contract amount was \$66,155; final contract amount is \$151,484.77). CIP/DID #6550028-01
 - c. 2018 Sanitary Sewer Service Repair project, final payment in the amount of \$3,240.78 and 4-year Performance Bond submitted by B.G. Brecke, Inc. (original contract amount was \$116,478; final contract amount is \$64,815.68). CIP/DID #6550057-01
 - d. Forest Drive SE North of Cottage Grove Avenue Sanitary Sewer Replacement project, final payment in the amount of \$2,553.71 and 4-year Performance Bond submitted by B.G. Brecke, Inc. (original contract amount was \$50,595; final contract amount is \$51,074.21). CIP/DID #655996-16
 - e. FY18 Downtown Sidewalk Repair Project Contract No. 1 and 4-year Performance Bond submitted by Christner Concrete, LLC (original contract amount was \$59,672; final contract amount is \$55,908). CIP/DID #321546-01
24. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Contract with Reischauer Land Services, Inc. for senior agent right of way acquisition support services for the Engineering Division for 18 months for an amount not to exceed \$350,000. CIP/DID #PUR0818-046

- b. Contract with Pierce Manufacturing for a Velocity pumper fire truck for the Fire Department in the amount of \$618,669.24. CIP/DID #FIR0918-2001
- c. Contract with BladeWorks for snow removal services for the Facilities Maintenance Services Division for two years for an annual amount not to exceed \$55,000. CIP/DID #PUR0818-044
- d. Contract with Midwest Lawn and Landscape for 2018-2019 tree planting for the Parks and Recreation Department for an amount not to exceed \$202,370.50. CIP/DID #PUR0718-009
- e. Contract with Mailing Services, Inc. for mailing services for the Water Division for an annual amount not to exceed \$205,000. CIP/DID #PUR0918-054
- f. Amendment No. 3 to renew the contract with Crawford Quarry for storage of lime sludge for the Water Division for an annual amount not to exceed \$280,000 (original contract amount was \$179,000; renewal contract amount is \$280,000). CIP/DID #PUR1216-121
- g. Amendment No. 2 to renew the contract with Gillespie & Powers, Inc. for as-needed incinerator maintenance services for the Water Pollution Control Facility for two years for an annual amount not to exceed \$75,000. CIP/DID #PUR0616-209
- h. Amendment No. 2 to the contract with Wulfekuhle Injection & Pumping, Inc. for land application of biosolids for the Water Pollution Control Facility for two years for an annual amount not to exceed \$200,000 (original contract amount was \$200,000; renewal contract amount is \$200,000). CIP/DID #0814-026
- i. Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$232,250 for design services in connection with the 3rd Avenue SE from 1st Street to 19th Street Roadway Improvements project. **(Paving for Progress)** CIP/DID #3012155-04
- j. Amendment No. 1 to the Federal Lobbying Services Agreement with Kutak Rock, LLP in the amount of \$33,000 to extend the term of the contract (original contract amount was \$27,500; total contract amount with this amendment is \$60,500); and rescinding Resolution No. 1174-09-18, which listed an incorrect amount for the additional cost. CIP/DID #OB1326044
- k. Change Order No. 1 in the amount of \$66,410.50, plus 15 additional calendar days, with Iowa Bridge & Culvert, LC for the 6th Street SW Box Culvert Extension project (original contract amount was \$237,130.72; total contract amount with this amendment is \$303,541.22). **(Paving for Progress)** CIP/DID #3012130-02
- l. Change Order No. 5 to the contract with Tricon General Construction, Inc. for the ADA Ramps and Skywalk Improvements Group 1 project for the Facilities Maintenance Services Division to extend the term of the contract and to reflect the additional cost for repairs for an amount not to exceed \$36,880.49 (original contract amount was \$243,000; total contract amount with this amendment is \$296,321.88). CIP/DID #PUR0717-021
- m. Change Order No. 2 in the amount of \$80,613.28 with Rathje Construction Company for the CEMAR Trail: Phase 1C and H Avenue NE and 16th Street NE from Oakland Road to D Avenue PCC Pavement with HMA Resurfacing and PCC Sidewalk/Trail project (original contract amount was \$1,659,070.64; total contract amount with this amendment is \$1,744,418.92). **(Paving for Progress)** CIP/DID #3012175-02
- n. Change Order No. 2 in the amount of \$41,726.60, plus 14 additional calendar days, with Hunt Construction Company, Inc. for the FY 2018 Sidewalk Repair Program – Contract No. 2 project (original contract amount was \$152,076.80; total contract amount with this amendment is \$206,339.40). CIP/DID #3017018-02

- o. Change Order No. 4 in the amount of \$15,928.22 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 \$5,390,657.06). **(Paving for Progress)** CIP/DID #3012043-02
- p. Change Order No. 9 in the amount of \$64,296.48 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 \$3,128,190.81). **(Paving for Progress)** CIP/DID #301379-02
- q. Change Order No. 4 in the amount of \$6,571.38 with Tricon General Construction for the NW Gateway/Memorial Plaza project (original contract amount was \$366,100; total contract amount with this amendment is \$407,316.08). CIP/DID #307233-01
- r. Change Order No. 6 to the contract with Garling Construction, Inc. for the Police Station & Shooting Range ADA Compliance project for the Facilities Maintenance Services Division to extend the completion date of the project and reflect changes to the scope of work for an amount not to exceed \$11,944.89 (original contract amount was \$327,900; total contract amount with this amendment is \$444,201.96). CIP/DID #PUR0717-002
- s. Change Order No. 1 in the amount of \$341,057.09 with WRH, Inc. for the Quaker Oats Flood Control System project (original contract amount was \$14,450,000; total contract amount with this amendment is \$14,791,057.09). CIP/DID #3314520-30
- t. Change Order No. 9 (Final) deducting the amount of \$63,736.06 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 \$3,044,257.84). CIP/DID #301942-01
- u. Memorandum of Understanding with the Iowa Soybean Association, Land O'Lakes SUSTAIN and Quantified Ventures for a feasibility study of an alternative funding mechanism for the installation of best management practices on agricultural land in the Middle Cedar River Watershed. CIP/DID #OB1292684-01
- v. Amendments to contracts and agreements with Schissel, LLC for the Kingstons MFNC Round 6 project, in conjunction with amendments to Grant No. 08-DRH-008 with the Iowa Economic Development Authority, awarding an additional \$45,007 for storm water management. CIP/DID #08-DRH-008
- w. Commitment to Award and Accept Funds from the Iowa Homeland Security and Emergency Management Division in the amount of \$190,000 for the Cedar Rapids Division of Iowa Task Force 1. CIP/DID #FIR0918-0041
- x. Grant application to the Iowa Department of Transportation for a Federal Recreational Trails program grant to fund the overlay of a section of the Hoover Nature Trail. CIP/DID #307070
- y. Special Warranty Deed conveying City-owned property at 1606, 1614, 1618, 1626, 1628, 1632, 1634, 1642, and 1646 Ellis Boulevard NW to The Depot Development, LLC. CIP/DID #DISP-0011-2017
- z. Amending Resolution No. 0475-04-17 to correct the legal description and accepting a Corrective Warranty Deed from Emma Squires, Scott Squires, Ollie M. Williams, Shirley A. Browning, Rose H. Merritt, and Julious L. Williams for the real property located at 1227 5th Street SE in connection with the 16th Avenue SE from 2nd Street to 5th Street Pavement Improvement project. **(Paving for Progress)** CIP/DID #3012154-00

- aa. Accepting a Warranty Deed for right-of-way, an Easement for Public Utility, an Easement for Storm Sewer and Drainage, and a Temporary Grading Easement for Construction from FH Development LLC from vacant land located west of, parallel to, and adjacent to the proposed Earhart Lane extension, in conjunction with the Earhart Lane SW from Walford Road to Wright Brothers Boulevard Roadway Extension – Phase 1 project. CIP/DID #301965-00
- ab. Purchase Agreement in the amount of \$25,500 and accepting Permanent Sanitary Sewer Easements from Stella Mae Easker, Douglas C. Easker and Cynthia A. Easker, as co-trustees of the Douglas C. Easker Revocable Trust dated November 20, 2015, and Cynthia A. Easker and Douglas C. Easker, as co-trustees of the Cynthia A. Easker Revocable Trust dated November 20, 2015, from vacant land located north of East Robins Road NE and west of Alburnett Road in connection with the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project. CIP/DID #6550053-00
- ac. Purchase Agreement in the amount of \$805 and accepting a Permanent Utility Easement and a Temporary Grading Easement for Construction from Justin J. Huffman from land located at 1665 29th Street NE in connection with the Center Point Road NE from 29th Street to J Avenue Intersection Reconstruction and One-Way to Two-Way Conversion project. **(Paving for Progress)** CIP/DID #3012094-00
- ad. Purchase Agreement in the amount of \$6,750 and accepting a Permanent Sanitary Sewer Easement from Ivan L. McBride, Lyn M. McBride, Jeanette E. McBride-Dearborn and David H. Dearborn from vacant land located north of East Robins Road NE and west of Alburnett Road in connection with the C Avenue NE (East of) and East Robins Road (North of) Sanitary Sewer Extension project. CIP/DID #6550053-00

REGULAR AGENDA

- 25. Discussion and Resolution authorizing additional City participation in the Northtowne Market redevelopment project and directing staff to negotiate Amendment No. 2 to the Development Agreement with Hunter Companies LLC for the former Nash Finch property along Blairs Ferry Road NE (Caleb Mason). CIP/DID #OB1300915

ORDINANCES

Second and possible Third Readings

- 26. 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. Henley and Janice E. Henley. CIP/DID #RZNE-027524-2018
- 27. 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. CIP/DID #RZNE-027364-2018

28. 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. CIP/DID #RZNE-027485-2018
29. 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. CIP/DID #ROWV-026722-2018
30. 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. CIP/DID #ROWV-026721-2018
31. 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. CIP/DID #ROWV-026770-2018

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.