

*“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, October 9, 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 – White Cane Awareness (Delores Reisinger)
  - ❖ Proclamation – History Center Day
  - ❖ Proclamation – Gentleman Day (Brittany Appleton)

## **PUBLIC HEARINGS**

1. A public hearing will be held 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 (Caleb Mason). CIP/DID #URTE-0026-2018
  - a. Resolution approving the Ellis Commons Urban Revitalization Area Plan.
  - b. First Reading: Ordinance establishing the Ellis Commons Urban Revitalization Area designation.
2. A public hearing will be held to consider the proposed plans, specifications, form of contract, estimated cost for the Czech Village Levee & Gatewells – 16th Avenue SW to Bowling Street SW project (estimated cost is \$5,000,000) (Rob Davis). CIP/DID #3313530-21
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Czech Village Levee & Gatewells – 16th Avenue SW to Bowling Street SW project.

3. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Sinclair Levee Plaza and Monuments project (estimated cost is \$180,000) (Rob Davis). CIP/DID #3316509-73
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Sinclair Levee Plaza and Monuments project.
4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the FY19 Sanitary Sewer Point Repairs project (estimated cost is \$190,000) (Dave Wallace). CIP/DID #655996-15
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY19 Sanitary Sewer Point Repairs project.
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2019 Tree and Vegetation Removal Project (estimated cost is \$119,000) (Doug Wilson). CIP/DID #301990-17
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2019 Tree and Vegetation Removal project.
6. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar Rapids East Gateway Sign project (estimated cost is \$175,000) (Brent Schlotfeldt). CIP/DID #PUR0818-050
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Cedar Rapids East Gateway Sign 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 the Civil Rights Commission FY19 Work Plan. CIP/DID #CVR-2018-10WP

9. Resolution amending Resolution No. 1077-08-18 by correcting the Final Assessment Schedule for the 18th Street SW Extension from Wilson Avenue to 16th Avenue PCC Pavement – Grade and Replace project. CIP/DID #301500-00
10. Resolution amending Resolution No. 0907-07-18 by revising the final amount assessed for the FY 2017 Sidewalk Repair Program – Contract No. 1 project. CIP/DID #3017017-00
11. Resolution accepting work and fixing amount to be assessed for the FY 2017 Sidewalk Repair Program – Contract No. 2 project. CIP/DID #3017017-00
12. Resolution accepting work and fixing amount to be assessed for the 2018 Sanitary Sewer Service Repair project. CIP/DID #6550057-00
13. Preliminary resolution for the construction of water service improvements for the 27th Avenue SW from 3rd Street to J Street; Outlook Drive SW and 29th Avenue Roadway Improvements; 2018 Pavement Milling project. **(Paving for Progress)** CIP/DID #3012235-00
14. 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 27th Avenue SW from 3rd Street to J Street; Outlook Drive SW and 29th Avenue Roadway Improvements; 2018 Pavement Milling project. **(Paving for Progress)** CIP/DID #3012235-00
15. Resolution of Necessity (Proposed) for the construction of the 27th Avenue SW from 3rd Street to J Street; Outlook Drive SW and 29th Avenue Roadway Improvements; 2018 Pavement Milling project. **(Paving for Progress)** CIP/DID #3012235-00
16. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the 27th Avenue SW from 3rd Street to J Street; Outlook Drive SW and 29th Avenue Roadway Improvements; 2018 Pavement Milling project. **(Paving for Progress)** CIP/DID #3012235-00
17. Resolution setting a public hearing for October 23, 2018 to consider the vacation of a 10-foot-wide Water Main Easement located at 1445 Rockford Road SW as requested by the Cedar Rapids and Iowa City Railway Company. CIP/DID #EASE-027578-2018
18. Resolution setting a public hearing for October 23, 2018 to consider an Electric Line Easement for electric facilities over City-owned land generally located easterly of vacated 10th Street SE, along the northerly right-of-way lines of Otis Road and 15th Avenue SE to Van Vechten Park, then northeasterly through Van Vechten Park to the southerly right-of-way line of 21st Street SE, as requested by ITC Midwest LLC. CIP/DID #ESCY-027470-2018
19. Motions setting public hearing dates for:
  - a. October 23, 2018 – to consider enacting a new Chapter 59 of the Municipal Code, Massage Therapy Business License, to create specific regulations applicable to massage therapy businesses. CIP/DID #PD0033
  - b. October 23, 2018 – to consider granting a change of zone for properties located at 1103 9th Street SE and 823 11th Avenue SE from RMF-1, Residential Multi-Family Zone District, to R-TN, Traditional Neighborhood Residence Transitional Zone District, as requested by Cedar Valley Habitat for Humanity. CIP/DID #RZNE-027647-2018

20. 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:
- October 23, 2018 – A Street SW East of 22nd Avenue Sanitary Sewer Manhole Replacement project (estimated cost is \$95,000). CIP/DID #655998-04
  - October 23, 2018 – Rockhurst Drive SW Regional Detention Basin project (estimated cost is \$1,200,000). CIP/DID #304079-02
  - October 23, 2018 – J Avenue Water Treatment Plant Laboratory Improvements project (estimated cost is \$500,000). CIP/DID #6250060-02
21. Motion assessing civil penalties for violation of State Code regarding the sale of alcohol to minors against:
- Casey's General Store #3382, 560 33rd Avenue SW (first offense – \$500). CIP/DID #LIQR001555-09-2014
  - Jim's Foods, 812 6th Street SW (first offense – \$500). CIP/DID #LIQR002230-10-2015
22. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- Basket Bowtique, 116 3rd Avenue SE.
  - Buffalo Wild Wings, 1100 Blairs Ferry Road NE.
  - Casey's General Store #3382, 560 33rd Avenue SW.
  - Chili's Southwest Grill & Bar, 1250 Collins Road NE.
  - The Cooler, 4920 Johnson Avenue NW.
  - Country Underground, 305 2nd Avenue SE.
  - Granite City Food & Brewery, 4755 1st Avenue SE.
  - Holiday Inn Express & Suites, 3320 Southgate Court SW.
  - Kum & Go #514, 1420 Mount Vernon Road SE.
  - Kwik Star #581, 251 33rd Avenue SW.
  - Miguel's, 175 Jacolyn Drive NW.
  - Prairie Bistro, 2121 Arthur Collins Parkway SW.
  - Sushi House, 2665 Edgewood Parkway SW.
  - Taste of India, 1060 Old Marion Road NE.
  - Tienda Mexicana La Guanajuato, 3915 Center Point Road NE.
  - White Star Ale House, 305 2nd Avenue SE.
  - Wine on Wheels Iowa, 40 Marmot Court, North Liberty (5-day license for an event at the History Center, 800 2nd Avenue SE).
23. Resolutions approving:
- Payment of bills. CIP/DID #FIN2018-01
  - Payroll. CIP/DID #FIN2018-02
24. Resolutions approving the special event applications for:
- The History Center Grand Opening (includes road closures) on October 13, 2018. CIP/DID #SPEC-003774-2018
  - CR NewBo District–Czech Village Halloween Parade (includes road closures) on October 27, 2018. CIP/DID #SPEC-007135-2017
25. Resolutions approving assessment actions:
- Intent to assess – Water Division – delinquent municipal utility bills – 42 properties. CIP/DID #WTR100918-01

- b. Levy assessment – Water Division – delinquent municipal utility bills – 15 properties. CIP/DID #WTR082818-01
  - c. Intent to assess – Solid Waste & Recycling – cleanup costs – two properties. CIP/DID #SWM-015-18
26. Resolution accepting subdivision improvements and approving Maintenance Bond:
- a. Sanitary sewer in Meadowridge Addition and 2-year Maintenance Bond submitted by Schrader Excavating and Grading Co. in the amount of \$13,983. CIP/DID #FLPT-023763-2016
27. Resolution accepting project, approving Performance Bond and authorizing final payment:
- a. CSC Bio Swale Landscaping Design project, final payment in the amount of \$9,468.99 and 2-year Performance Bond submitted by Whitters Landscaping, Inc. (original contract amount was \$164,420; final contract amount is \$189,379.70). CIP/DID #PUR0218-127
28. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Amendment No. 2 to renew contract with Anderson-Bogert Engineers & Surveyors, Inc. for engineering design services for fiber projects for the Information Technology Department for an annual amount not to exceed \$150,000 (original contract amount was \$150,000; renewal contract amount is \$150,000). CIP/DID #PUR0616-225A
  - b. Fleet Services purchase of one 2019 Ford Escape and one 2019 Ford Explorer for use by the Engineering Division from Stivers Ford Lincoln for a total amount of \$57,564. CIP/DID #FLT034
  - c. Amending Resolution No. 1231-09-18, which authorized a contract to purchase a Velocity pumper fire truck for the Fire Department in the amount of \$618,669.24, to correct the vendor name to Reliant Fire Apparatus, Inc. CIP/DID #FIR0918-2001
  - d. Amendment No. 5 to the contract with Woodruff Construction, LLC for the Cedar Rapids Ice Arena ADA Compliance project for Facilities Maintenance Services to extend the term of the contract and to reflect the cost of additional work for an amount not to exceed \$10,287 (original contract amount was \$163,700; total contract amount with this amendment is \$204,791). CIP/DID #PUR0716-010
  - e. Contract with A1A Sandblasting for caulking and painting the Ellis and Jones pools and slides for the Parks and Recreation Department for an amount not to exceed \$92,455. CIP/DID #PUR0818-040
  - f. Rescinding Resolution No. 1030-08-18, which authorized execution of a contract for ammunition with Ultramax Ammunition for the Police Department. CIP/DID #PUR0718-005
  - g. Amendment No. 1 to the contract with Modern Sheet Metal, Inc. for the Kjeldahl Hood Replacement project for the Water Pollution Control Facility to increase the size of the unit for an amount not to exceed \$16,311 (original contract amount was \$132,650; total contract amount with this amendment is \$148,961). CIP/DID #PUR0418-174
  - h. Amendment No. 5 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$37,193 for design services in connection with the E Avenue NW from Iowa Highway 100 to Stoney Point Road NW Road Improvement project (original contract amount was \$280,590; total contract amount with this amendment is \$440,177). **(Paving for Progress)** CIP/DID #3012181-01

- i. Amendment No. 3 to the Professional Services Agreement with HDR Engineering, Inc. specifying an increased amount not to exceed \$14,500 for design services in connection with the Rockhurst Drive SW Regional Detention Basin project (original contract amount was \$124,604; total contract amount with this amendment is \$259,604). CIP/DID #304079-01
- j. Amendment No. 1 to the Professional Services Agreement with Bucknell University for an amount not to exceed \$20,000 for the modified scope of work for the WPCF Nutrient Removal and Solids Facilities Plan Pilot Testing (original contract amount was \$60,000; total contract amount with this amendment is \$80,000). CIP/DID #6150011-04
- k. Change Order No. 3 in the amount of \$34,631.18, plus three additional working days, with Vieth Construction Corp. for the 2017 Curb Ramp Repair Bid Package #2 project (original contract amount was \$913,041; total contract amount with this amendment is \$927,776.68). CIP/DID #3016016-13
- l. Change Order No. 8 deducting the amount of \$22,518.88 with Rathje Construction Company for the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road, Phase 1 – Grading project (original contract amount was \$435,057.44; total contract amount with this amendment is \$493,332.57). CIP/DID #325008-02
- m. Change Order No. 1 deducting the amount of \$21,465.61 with Williams Brothers Construction, Inc., for the Chlorine System Upgrade project (original contract amount was \$5,190,000; total contract amount with this amendment is \$5,168,534.39). CIP/DID #615148-03
- n. Partial final payment in the amount of \$253,426.72 to Williams Brothers Construction, Inc. for the Water Pollution Control Chlorine Upgrade project. CIP/DID #615148-03
- o. Increasing the fee limit to \$125,000 for Lynch Dallas P.C. as outside legal counsel regarding the Gossman Estate, et al v. City of Cedar Rapids, Lucas Jones, et al. lawsuit. CIP/DID #ATT000012
- p. FY19 Cooperative Agreement with the Iowa Civil Rights Commission for intake and investigative services for civil rights complaints by the Cedar Rapids Civil Rights Commission. CIP/DID #CVR-2018-10ICRC
- q. Agreement with the Union Pacific Railroad for an amount not to exceed \$55,000 for preliminary engineering and other preliminary activities in connection with the Cedar River Flood Control System as part of the floodgate construction at the Union Pacific rail crossing south of the Cargill Corn Facility property. CIP/DID #3317400-01
- r. Agreement with the Union Pacific Railroad for an amount not to exceed \$90,000 for preliminary engineering and other preliminary activities in connection with the Cedar River Flood Control System project as part of the McLoud Run stormwater capacity improvements under the Union Pacific North Rail Yard. CIP/DID #3314400-01
- s. Agreement with the Union Pacific Railroad for an amount not to exceed \$55,000 for preliminary engineering and other preliminary activities in connection with the Cedar River Flood Control System project as part of the floodwall and rail crossing gate construction north of the Quaker Oats Plant property at the Union Pacific North Rail Yard. CIP/DID #3314400-02
- t. Amendment No. 2 to the Development Agreement with Hunter Companies LLC for the Northtowne Market redevelopment project. CIP/DID #OB1300915
- u. Accepting a Warranty Deed for the dedication of street right-of-way along the west side of Council Street and the north side of Collins Road NE from Warrior Enterprises, LLC as provided for in the Development Agreement. CIP/DID #ASDP-025983-2017
- v. Resolution awarding and approving contract in the amount of \$153,724.70, bond and insurance of Cunningham Recreation for the Daniels Park Playground project. CIP/DID #PUR0718-020

## **REGULAR AGENDA**

29. Report on bids 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
30. Report on bids for the Bike Share System Equipment project for the Community Development Department (Bill Micheel). CIP/DID #PUR0818-028
31. Report on bids 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 awarding and approving contract in the amount of \$97,610, bond and insurance of Rathje Construction Company for the Bever Avenue SE East of Bever Lane Storm Sewer Replacement project.
32. Presentation and Resolution authorizing Revision No. 5 of the Cedar River Flood Control System Master Plan, amending Chapters II, III, and IV (Rob Davis). CIP/DID #331001-00

## **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).*