

“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, November 13, 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 – World Pancreatic Cancer Day (Mary Ellen Oglesby)

PUBLIC HEARINGS

1. A public hearing will be held to consider amending the Municipal Code by repealing Chapter 32, Zoning Ordinance, and enacting a new Chapter 32 containing updated City zoning requirements (Seth Gunnerson). CIP/DID #CD-0048-2018
 - a. First Reading: Ordinance repealing Chapter 32, Zoning Ordinance, and enacting a new Chapter 32 containing updated City zoning requirements.
2. A public hearing will be held to consider a change of zone for property located south of Blairs Ferry Road NE and west of Edgewood Road NE from A, Agriculture Zone District, to C-3, Regional Commercial Zone District, as requested by New Buffalo Land Co., LLC (Vern Zakostelecky). CIP/DID #RZNE-027724-2018
 - a. First Reading: Ordinance granting a change of zone for property located south of Blairs Ferry Road NE and west of Edgewood Road NE from A, Agriculture Zone District, to C-3, Regional Commercial Zone District, as requested by New Buffalo Land Co., LLC.
 - b. Discussion and Resolution of support authorizing City participation in the proposed Edgewood Town Center development project, located along and west of Edgewood Road NE between Blairs Ferry Road NE and Highway 100, under the City's Large Site Master Plan – Economic Development Program as requested by New Buffalo Land Co., LLC.

3. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Boyson Road NE East of Creekside Drive Sanitary Sewer Extension project (estimated cost is \$90,000) (Dave Wallace). CIP/DID #6550068-01
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Boyson Road NE East of Creekside Drive Sanitary Sewer Extension project.
4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 33rd Avenue SW West of Banar Avenue Sanitary Sewer Extension project (estimated cost is \$190,000) (Dave Wallace). CIP/DID #6550071-02
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 33rd Avenue SW West of Banar Avenue Sanitary Sewer Extension project.
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 8th Avenue SW from 18th Street SW to 15th Street SW HMA Overlay and Water Main Improvement project (estimated cost is \$630,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012101-02
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 8th Avenue SW from 18th Street SW to 15th Street SW HMA Overlay and Water Main Improvement project.
6. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the C Street and Kirkwood Service Zones Boundary Improvements project (estimated cost is \$90,000) (Bruce Jacobs). CIP/DID #2018061-01
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the C Street and Kirkwood Service Zones Boundary Improvements 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 establishing the times and dates of regularly scheduled City Council meetings to be held in calendar year 2019. CIP/DID #CLK001-19
9. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the Wiley Boulevard from 31st Avenue SW to 650 Feet North of 29th Avenue Roadway Improvements project. CIP/DID #301627-00
10. Resolution rescinding Resolution No. 0248-02-18 and approving on-street parking restrictions that are already in place in the downtown area. CIP/DID #60-18-021
11. Resolution amending Resolution No. 0786-06-15 to add approval for relocation assistance in an amount not to exceed \$135,000 for the removal and reinstallation of advertising signs and light poles, electrical relocation, and reinstallation of the irrigation system required for the Collins Road (IA 100) Phase 1 Complete Streets Project from East of Northland Avenue NE to Twixt Town Road NE project. CIP/DID #301446-00
12. Resolution authorizing submittal of Tax Increment Financing Indebtedness Certifications to the Linn County Auditor indicating the total debt incurred and revenues collected through June 30, 2018 within each of the City's 26 Urban Renewal Areas. CIP/DID #OB163407
13. Resolution authorizing submittal of the Annual Urban Renewal Area Report to the Iowa Department of Management for the City's 26 Urban Renewal Areas. CIP/DID #OB163407
14. Resolution approving and authorizing an Amendment to Loan and Disbursement Agreement with the Iowa Finance Authority and authorizing and providing for the reissuance of the City's \$6,544,000 Sewer Revenue Capital Loan Note, Series 2018 (2008 – Rate Reset). CIP/DID #OB382411
15. Resolution authorizing the Organizational Development Manager to attend The UnConference in Dallas, TX from January 16-19, 2019 at a cost of \$3,887. CIP/DID #CM009-18
16. Motion authorizing publication of a public notice that on November 27, 2018 a Resolution will be considered to execute a one-year lease agreement with a one-year option for renewal with 124 Investment Corporation for property at 1233 1st Avenue SE, Suite F, for use as a Police Department Substation. CIP/DID #PD0015
17. Motion setting a public hearing date for:
 - a. November 27, 2018 – to consider granting a change of zone for property located east of Council Street NE and north of Petrus Drive NE from A, Agriculture Zone District, to R-2, Single Family Residence Zone District, as requested by Jerry's Homes, Inc. CIP/DID #RZNE-027827-2018
18. 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. November 27, 2018 – Prairie Creek West of 6th Street SW to J Street SW Sanitary Sewer Improvements project (estimated cost is \$9,690,000). CIP/DID #655028-13
 - b. November 27, 2018 – C4 Clarifier Rehabilitation & RAS Pipe Lining project (estimated cost is \$1,453,000). CIP/DID #6150032-02

- c. November 27, 2018 – Noelridge Park Restroom Facility project (estimated cost is \$285,000). CIP/DID #PUR1018-086
 - d. November 27, 2018 – FY19 Sanitary Sewer Point Repairs project (estimated cost is \$190,000). CIP/DID #655996-15
19. Motion assessing civil penalties for violation of State Code regarding the sale of alcohol to minors against:
- a. Hy-Vee Drugtown #5, 2001 Blairs Ferry Road NE (first offense – \$500). CIP/DID #LIQR000142-02-2013
 - b. Kwik Shop #561, 2904 Center Point Road NE (first offense – \$500). CIP/DID #LIQR000076-01-2013
20. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- a. Aldi #61, 5425 Blairs Forest Boulevard NE.
 - b. Aldi #62, 1860 Edgewood Road SW.
 - c. Casey's General Store #3561, 1532 Ellis Boulevard NW.
 - d. Grin N Goose, 227 2nd Avenue SE.
 - e. Hy-Vee Food Store #2, 279 Collins Road NE.
 - f. Jim's Foods, 812 6th Street SW.
 - g. New Pioneer Food Co-op, 3338 Center Point Road NE.
 - h. Quinton's Bar & Deli, 450 1st Street SW.
 - i. Red Ginger, 2230 Edgewood Road SW.
 - j. Stadium Lounge Bar & Grill, 957 Rockford Road SW.
 - k. Vito's on 42nd, 4100 River Ridge Drive NE.
 - l. Williams Boulevard Service, Inc., 2601 Williams Boulevard SW.
21. Resolutions approving:
- a. Payment of bills. CIP/DID #FIN2018-01
 - b. Payroll. CIP/DID #FIN2018-02
22. Resolutions approving assessment actions:
- a. Intent to assess – Solid Waste & Recycling – clean-up costs – six properties. CIP/DID #SWM-016-18
 - b. Levy assessment – Solid Waste & Recycling – clean-up costs – six properties. CIP/DID #SWM-012-18
 - c. Intent to assess – Water Division – delinquent municipal utility bills – 47 properties. CIP/DID #WTR111318-01
 - d. Levy assessment – Water Division – delinquent municipal utility bills – 13 properties. CIP/DID #WTR092518-01
 - e. Levy assessment – Water Division – delinquent municipal utility bills – 23 properties. CIP/DID #WTR100918-01
23. Resolutions accepting subdivision improvements and approving Maintenance Bonds:
- a. Portland Cement Concrete in the Edgewood Road turn lane at Crestwood Drive NW and 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$40,500. CIP/DID #ASDP-025295-2017
 - b. Sanitary sewer improvements in Crescent View 5th Addition, Phase 2 and 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$33,574.82. CIP/DID #FLPT-023172-2016

- c. Storm system improvements in Crescent View 5th Addition, Phase 2 and 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$38,454.55. CIP/DID #FLPT-023172-2016
 - d. Storm sewer improvements in Westwind Creek 10th Addition and 2-year Maintenance Bond submitted by Rathje Construction Company in the amount of \$34,053. CIP/DID #FLPT-025432-2017
24. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
- a. Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road, Phase 1 – Grading project, final payment in the amount of \$14,799.98 and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$435,057.44; final contract amount is \$493,332.57). CIP/DID #325008-02
 - b. Otis Road SE Water Transmission Main project, final payment in the amount of \$38,890.38 and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$763,542.35; final contract amount is \$777,807.57). CIP/DID #6250048-02
 - c. Wilson Avenue SW at 6th Street Bioretention Cell Pilot project, final payment in the amount of \$3,715.55 and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$72,828; final contract amount is \$74,310.91). CIP/DID #304474-02
25. Resolutions approving final plats:
- a. Northtowne Market Fourth Addition for land located south of Blairs Ferry Road NE and west of Rockwell Drive NE. CIP/DID #FLPT-026141-2018
 - b. Stoney Point Twenty-Fifth Addition for land located north of 16th Avenue SW and west of Stoney Point Road SW. CIP/DID #FLPT-026964-2018
26. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Purchase of property insurance, including \$100 million in excess flood insurance, through TrueNorth Companies in the amount of \$1,468,820. CIP/DID #FIN2018-37
 - b. Amendment No. 2 to renew contract with Matheson Trigas Inc. for welding gases and supplies for all City departments for an annual amount not to exceed \$75,000 (original contract amount was \$40,000; renewal contract amount is \$75,000). CIP/DID #PUR0816-030
 - c. Amendment No. 6 to contract with Woodruff Construction, LLC for the Cedar Rapids Ice Arena ADA Compliance project for Facilities Maintenance Services to reflect additional corrections needed for an amount not to exceed \$229,121 (original contract amount was \$163,700; total contract amount with this amendment is \$433,912). CIP/DID #PUR0716-010
 - d. Amendment No. 4 to contract with Torus Technologies, Inc. for Palo Alto firewalls for the Information Technology Department to extend the term of the contract through November 30, 2021 for an amount not to exceed \$225,000 (original contract amount was \$168,030; total contract amount with this amendment is \$225,000). CIP/DID #1214-133
 - e. Payment of \$64,522.80 to Mount Mercy University Baseball for a partnership with the Cedar Rapids Parks & Recreation Department to provide Fall 2018 baseball leagues for youth in the community. CIP/DID #164048-05
 - f. Payment to United Rentals (North America) Inc. in the amount of \$77,383.79 for rental of pumps and hoses used by the Sewer Division in preparation for the September 2018 flooding. CIP/DID #FLT035

- g. Amendment No. 2 to the Professional Services Agreement with Stanley Consultants, Inc. specifying an increased amount not to exceed \$89,600 for design services in connection with the Edgewood Road (West of) Prairie Creek (South of) Sanitary Sewer Extension project (original contract amount was \$275,420; total contract amount with this amendment is \$365,020). CIP/DID #6550034-01
- h. Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$210,107 for design services in connection with the FY19 Sanitary Sewer Master Plan Update project. CIP/DID #6550016-04
- i. Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$295,554 for design services in connection with the FY19 Stormwater Master Plan Update project. CIP/DID #304355-06
- j. Amendment No. 4 to the Professional Services Agreement with Fehr Graham Engineering & Environmental specifying an increased amount not to exceed \$21,000 for design services in connection with the Mount Vernon Road SE from 38th Street to East Post Road Rehabilitation project (original contract amount was \$162,600; total contract amount with this amendment is \$221,600). **(Paving for Progress)** CIP/DID #3012199-01
- k. Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$172,696 for design services in connection with the Williams Boulevard SW at Dean Road Roundabout project. CIP/DID #301972-01
- l. Change Order No. 9 in the amount of \$6,173.29 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 \$1,315,716.58). CIP/DID #306253-03
- m. Change Order No. 2 in the amount of \$1,435 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 \$304,976.22). **(Paving for Progress)** CIP/DID #3012130-02
- n. Change Order No. 16 in the amount of \$3,800 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 \$2,756,379.34). **(Paving for Progress)** CIP/DID #3012127-02
- o. Change Order No. 1 in the amount of \$28,460 with Gee Asphalt Systems, Inc. for the 2018 Asphalt Surface Sealing Project (original contract amount was \$47,645.30; total contract amount with this amendment is \$76,105.30). **(Paving for Progress)** CIP/DID #3012241-01
- p. Change Order No. 1 in the amount of \$90,327.20 with Rathje Construction Company for the Center Point Road NE from 29th Street to 32nd Street Pavement Rehabilitation and Oakland Road NE from H Avenue to 32nd Street One-Way to Two-Way Conversion project (original contract amount was \$3,080,065.93; total contract amount with this amendment is \$3,170,393.13). **(Paving for Progress)** CIP/DID #3012148-06
- q. Change Order No. 1 in the amount of \$312,054.61, and extending the completion date to February 20, 2019 with Miron Construction Co., Inc. for the Downtown Walkway from the Convention Center Ramp to U.S. Bank project (original contract amount was \$1,598,937.75; total contract amount with this amendment is \$1,910,992.36). CIP/DID #635129-02

- r. Change Order No. 8 in the amount of \$74,776.73 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 \$7,761,169.41). CIP/DID #301446-06
- s. Change Order No. 3 in the amount of \$39,458.94 with Dave Schmitt Construction Co., Inc. for the Memorial Drive SE from McCarthy Road to Mount Vernon Road SE Roadway and Utility Improvements project (original contract amount was \$1,384,435.15; total contract amount with this amendment is \$1,460,277.93). **(Paving for Progress)** CIP/DID #3012153-02
- t. Change Order No. 10 in the amount of \$8,701.62 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 \$3,136,892.43). **(Paving for Progress)** CIP/DID #301379-02
- u. Change Order No. 6 in the amount of \$9,425.04 with Rathje Construction Company for the Northwood Drive NE from Glass Road NE to South of Brookland Drive NE Roadway Reconstruction project (original contract amount was \$952,423.72; total contract amount with this amendment is \$1,003,692.44). **(Paving for Progress)** CIP/DID #3012115-03
- v. Amending Resolution No. 1339-10-18 to correct the amount of the final payment to Jim Giese Commercial Roofing to \$11,155.95 for the WPCF Roof Replacements: Intermediate Lift, Bioscrubber Control, Maintenance Storage, Old Lime Slaker project. CIP/DID #615246-02
- w. Interagency Agreement with the Iowa Department of Inspections and Appeals for fraud investigations in the Section 8 Housing Choice Voucher Program. CIP/DID #PHA-0002-2015
- x. Amendment No. 25 to the Community Development Block Grant disaster recovery housing contract with the Iowa Economic Development Authority to return program income in the amount of \$35,912 for projects sold during the affordability period. CIP/DID #08-DRH-208
- y. Grant application to the Iowa Department of Transportation for Iowa Clean Air Attainment Program funds to provide funding for the Ellis Boulevard and 6th Street NW Connector project. **(Paving for Progress)** CIP/DID #301963-00
- z. Sponsorship Agreement between the City's Convention Center Complex Manager, DoubleTree Management, LLC; VenuWorks of Cedar Rapids, LLC; and North Central States Regional Carpenters for a term of three years with a total payment of \$7,920. CIP/DID #FIN2018-36
- aa. Sponsorship Agreement between the City's Convention Center Complex Manager, DoubleTree Management, LLC; VenuWorks of Cedar Rapids, LLC; and Cedar Rapids Iowa City Building Trades Council/Hawkeye Labor Council/The Building Pros of Eastern Iowa for a term of three years with a total payment of \$18,120. CIP/DID #FIN2018-35
- ab. Purchase Agreement in the amount of \$1 and accepting a Permanent Sanitary Sewer Easement and a Temporary Access Easement from Midwest Development Co. 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 \$5,400 and accepting a Warranty Deed and Temporary Grading Easement for Construction from John D. Powell from land located at 1074 Edgewood Road NW in connection with the Edgewood Road NW Water Main Improvements from H Avenue NW to Crestwood Drive NW project. **(Paving for Progress)** CIP/DID #301689-00
- ad. Purchase Agreement in the amount of \$800 and accepting a Warranty Deed from Seth Leonard and Dawn Leonard from land located at 1602 M Street SW in connection with the Curb Ramp Repair Project. CIP/DID #3016016-00
- ae. Purchase Agreement in the amount of \$1,135 and accepting a Warranty Deed from Cedar Rapids Medical Offices, LLC from land located at 3500 Mount Vernon Road SE in connection with the Curb Ramp Repair Project. CIP/DID #3016016-00
- af. Purchase Agreement in the amount of \$650 and accepting a Warranty Deed from Goodwill Industries of the Heartland from land located at 2000 Scotty Drive SW in connection with the Curb Ramp Repair Project. CIP/DID #3016016-00
- ag. Purchase Agreement in the amount of \$275 and accepting a Warranty Deed and Temporary Grading Easement for Construction from Jackson T. Selk and Elizabeth A. Selk from land located at 975 5th Avenue SW in connection with the Curb Ramp Repair Project. CIP/DID #3016016-00
- ah. Special Warranty Deed to Cedar Valley Habitat for Humanity, Inc. to correct the previous conveyance of property located at 1100 K Street SW. CIP/DID #41-19-016
- ai. Accepting a bid in the amount of \$500 from Wendy Beard and approving a Quit Claim Deed for the disposition of the non-conforming vacant lot located at 523 4th Street SW. CIP/DID #PRD-027924-2018
- aj. Accepting a bid in the amount of \$600 from Russell and Darla Johnson and approving a Quit Claim Deed for the disposition of the non-conforming vacant lot located at 803 F Avenue NW. CIP/DID #PRD-027161-2018
- ak. Rejecting all bids for the FY19 Sanitary Sewer Point Repairs project (estimated cost is \$190,000). CIP/DID #655996-15

REGULAR AGENDA

- 27. Report on bids 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
- 28. Report on bids for the Sinclair Levee Plaza and Monuments project (estimated cost is \$180,000) (Rob Davis). CIP/DID #3316509-73
 - a. Resolution awarding and approving contract in the amount of \$184,582, bond and insurance of Boulder Contracting, LLC for the Sinclair Levee Plaza and Monuments project.

29. Report on bids for the A Street SW East of 22nd Avenue Sanitary Sewer Manhole Replacement project (estimated cost is \$95,000) (Dave Wallace). CIP/DID #655998-04
 - a. Resolution awarding and approving contract in the amount of \$117,650, plus incentive up to \$5,000, bond and insurance of Boomerang Corp. for the A Street SW East of 22nd Avenue Sanitary Sewer Manhole Replacement project.
30. Report on bids for the Rockhurst Drive SW Regional Detention Basin project (estimated cost is \$1,200,000) (Sandy Pumphrey). CIP/DID #304079-02
 - a. Resolution awarding and approving contract in the amount of \$727,366.50, plus incentive up to \$20,000, bond and insurance of Boomerang Corp. for the Rockhurst Drive SW Regional Detention Basin project.
31. Discussion and Resolution approving a term sheet outlining preliminary project terms and directing the City Manager to negotiate a Development Agreement with HOA Hotels LLC for the adaptive reuse of the former Guaranty Bank building and World Theatre entrance and construction of a new nine-story hotel at 222 3rd Street SE and 316 3rd Avenue SE (Caleb Mason). CIP/DID #TIF-0027-2018

ORDINANCES

Second and possible Third Readings

32. Ordinance 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
 - a. Resolution establishing fees associated with Chapter 59 of the Municipal Code, Massage Therapy Business License.
33. Ordinance 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

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.