

*“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 8, 2019 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 Disability Employment Awareness Month (Stefanie Munsterman-Scriven)
  - ❖ Proclamation – Wings2Water Launch (Marty Lenss and Pam Hinman)
  - ❖ Proclamation – Gentleman Day (Brittany Appleton, Autumn Craft, Jaye Kennedy, Nelly Hill and Carrie Slagle)

## PUBLIC HEARINGS

1. A public hearing will be held to consider the Resolution of Necessity (Proposed) for the O Avenue NW Improvements Phases II & III from 16th Street NW to Edgewood Road NW project for sanitary sewer service replacement and driveway paving (Doug Wilson). **(Paving for Progress)** CIP/DID #3012121-00
  - a. Resolution with respect to the adoption of the Resolution of Necessity (Proposed) for the O Avenue NW Improvements Phases II & III from 16th Street NW to Edgewood Road NW project.
2. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the FY19 Drantile Program project (estimated cost is \$220,000) (Dave Wallace). CIP/DID #304998-06
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY19 Drantile Program 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.*

3. Motion to approve the minutes.
4. Resolution referring the acquisitions of right-of-way and temporary construction easements from land owned by various parties to the Linn County Compensation Commission in connection with the IA922/1st Avenue E from approximately 300' south of 27th Street to 34th Street, 27th Street from A Avenue NE to approximately 250' east of IA 922, 29th Street from Franklin Avenue NE to approximately 200' east of IA 922 project. CIP/DID #301240-00
5. Resolution referring the acquisition of right-of-way, a permanent trail easement, permanent utility easements, and temporary construction easements from Rick and Marsha Stickle to the Linn County Compensation Commission in connection with the CeMar Trail Phase 3 from 29th Street, under 1st Avenue to Marion City Limits project. CIP/DID #325042-00
6. Resolution authorizing fiscal year 2020 hotel motel tax application allocations in the amount of \$17,000. CIP/DID #FIN2019-28
7. Resolution authorizing payments to various special events held in Cedar Rapids from the Special Event Public Safety Fund for FY19 and FY20. CIP/DID #OB568164
8. Resolution authorizing submission of a grant application to the U.S. Department of Housing and Urban Development for funding of two Housing and Family Self-Sufficiency Program Coordinators. CIP/DID #OB375326
9. Resolution authorizing two Cedar Rapids Iowa Task Force 1 members to attend Advanced Shoring Training in College Station, Texas, in October 2019 for a total amount of \$9,840. CIP/DID #FIR1019-0050
10. Resolution setting a public hearing for October 22, 2019 to consider the disposition of City-owned properties at 415 and 421 C Avenue NW, and inviting competitive redevelopment proposals. CIP/DID #DISP-0028-2019

11. Resolution setting a public hearing for October 22, 2019 to consider an Easement for Electric Line on City-owned property located at 5250 Edgewood Road SW as requested by ITC Midwest LLC. CIP/DID #ESCY-027472-2018
12. Resolution setting a public hearing for October 22, 2019 to consider the vacation of public ways and grounds in and to the property described as a 20-foot by 300-foot portion of First Street SE right-of-way located northwesterly of and adjacent to 16th Avenue SE, as requested by the City in connection with the Cedar River Flood Control System project. CIP/DID #ROWV-024096-2016
13. Motions setting public hearing dates for:
  - a. October 22, 2019 – to consider repealing Chapter 48, Amusements, and Chapter 49, Public Dance Halls, of the Municipal Code. CIP/DID #OB4036
  - b. October 22, 2019 – to consider a change of zone for property located at 2311 33rd Avenue SW from A-AG, Agriculture District, to S-RLL, Suburban Residential Large Lot District, as requested by Cynthia and David Guckenberger. CIP/DID #RZNE-029510-2019
  - c. October 22, 2019 – to consider a change of zone for property located at 1900 Stoney Point Road SW from S-RMF, Suburban Residential Medium Flex District, to S-MC, Suburban Mixed Use Community Center District, as requested by Stoney Point Meadows, LLC. CIP/DID #RZNE-029481-2019
  - d. October 22, 2019 – to consider a ground lease agreement with His Hands for property located at 414 12th Street SE. CIP/DID #PKS022-19
  - e. October 22, 2019 – to consider a ground lease agreement with Unity Point Health for property located at 1221 4th Avenue SE. CIP/DID #PKS021-19
14. Motion setting public hearing date 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 22, 2019 – Edgewood Road NW Portland Cement Concrete Trail from the Cedar River to Ellis Road project (estimated cost is \$560,000). CIP/DID #325036-03
15. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
  - a. Basket Bowtique, 116 3rd Avenue SE.
  - b. Buffalo Wild Wings, 1100 Blairs Ferry Road NE.
  - c. Casey's General Store #3382, 560 33rd Avenue SW.
  - d. Clock House Brewing, 600 1st Street SE (5-day license for an event at Lindale Mall, 4444 1st Avenue NE).
  - e. Coe College, 1220 1st Avenue NE.
  - f. The Cooler, 4920 Johnson Avenue NW.
  - g. Hy-Vee C-Store #5, 1440 32nd Street NE.
  - h. Hy-Vee Drugstore #4, 4825 Johnson Avenue NW.
  - i. Ideal Social Hall, 213 16th Avenue SE.
  - j. Kwik Star #947, 1001 Blairs Ferry Rd NE (new – new construction).
  - k. Metro Buffet, 448 33rd Avenue SW.
  - l. Miguel's, 175 Jacolyn Drive NW.
  - m. Nick's Bar & Grill, 4958 Johnson Avenue NW (5-day license for an event at Teamsters Hall, 5000 J Street SW).
  - n. Sushi House, 2665 Edgewood Parkway SW.

- o. Taste of India, 1060 Old Marion Road NE (new – new corporation).
  - p. Village Tap, 1616 6th Street SW.
16. Resolutions approving:
- a. Payment of bills. CIP/DID #FIN2019-01
  - b. Payroll. CIP/DID #FIN2019-02
17. Resolutions approving assessment actions:
- a. Intent to assess – Solid Waste & Recycling – cleanup costs – three properties. CIP/DID #SWM-013-19
  - b. Levy assessment – Solid Waste & Recycling – cleanup costs – three properties. CIP/DID #SWM-011-19
  - c. Intent to assess – Water Division – delinquent municipal utility bills – 44 properties. CIP/DID #WTR100819-01
  - d. Levy assessment – Water Division – delinquent municipal utility bills – 20 properties. CIP/DID #WTR082719-01
18. Resolutions accepting subdivision improvements and approving Maintenance Bonds:
- a. Water system improvements in Crescent View 3rd Addition, Phase 2 and 2-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$53,978.20. CIP/DID #2014071-02
  - b. PCC paving in Wexford Heights Fourth Addition and 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$87,685.60. CIP/DID #FLPT-027351-2018
19. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
- a. Repair of Water Service Lines FY19 project, Change Order No. 2 in the amount of \$49,179.84, final retainage payment in the amount of \$28,405.01 and 2-year Maintenance Bond submitted by B.G. Brecke, Inc. (original contract amount was \$425,000; final contract amount is \$649,179.84). CIP/DID #521108-19
  - b. Daniels Park Playground project and 2-Year Performance Bond submitted by Cunningham Recreation (original contract amount was \$153,724.70; final contract amount is \$160,871.46). CIP/DID #PUR0718-020
  - c. Kjeldahl Hood Replacement project and 2-year Performance Bond submitted by Modern Sheet Metal, Inc. (original contract amount was \$132,650; final contract amount is \$148,961). CIP/DID #PUR0418-174
  - d. WPC Electric Grid Improvements project, final retainage payment in the amount of \$136,023.61 and 2-year Performance Bond submitted by Price Industrial Electric, Inc. (original contract amount was \$2,788,600; final contract amount is \$2,720,472.26). CIP/DID #615197-02
20. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Amendment No. 5 to renew the contract with Copyworks for printing and high-speed copying as needed Citywide for an annual amount not to exceed \$100,000 (original contract amount was \$120,000; renewal contract amount is \$100,000). CIP/DID #PUR0715-014

- b. Amendment No. 5 to the contract with Altorfer, Inc. for generator maintenance and repair services for various City departments to add services for new generators at seven Fire Stations for an amount not to exceed \$24,500 (original contract amount was \$475,000; total contract amount with this amendment is \$544,318). CIP/DID #PUR1217-102
- c. Amendment No. 9 to the contract with Ament Design for architectural design services for ADA compliance at Group 2 facilities to reflect the cost for additional design services for an amount not to exceed \$4,620 (original contract amount was \$356,700; total contract amount with this amendment is \$531,495). CIP/DID #PUR0317-204
- d. Amendment No. 2 to the Purchase and Service Agreement with FARO Technologies, Inc. in the amount of \$11,050 for 3D scanner servicing and software updates. CIP/DID #782200-01
- e. Contract with Wright Outdoor Solutions for ash tree removal for the Parks and Recreation Department for an amount not to exceed \$194,393.65. CIP/DID #PUR0819-041
- f. Amendment No. 1 to the Professional Services Agreement with Bolton & Menk, Inc. specifying an increased amount not to exceed \$24,578 for engineering design services in connection with the 8th Avenue SW from 15th Street to Rockford Road Roadway Improvement project (original contract amount was \$197,510; total contract amount with this amendment is \$222,088). **(Paving for Progress)** CIP/DID #3012101-03
- g. Amendment No. 12 to the contract with Ament Design for architectural design services for ADA compliance at various City facilities to reflect the cost of additional design services for an amount not to exceed \$3,945 (original contract amount was \$156,580; total contract amount with this amendment is \$297,062.50). CIP/DID #PUR1216-135
- h. Change Order No. 3 in the amount of \$17,827.43 with Peterson Contractors, Inc. for the Czech Village Levee & Gatewells – 16th Avenue SW to Bowling Street SW project (original contract amount was \$4,719,031.25; total contract amount with this amendment is \$4,847,024.39). **(Flood)** CIP/DID #3313530-21
- i. Change Order No. 2 in the amount of \$284,424 with Williams Brothers Construction, Inc., for the Odor Control Upgrades project (original contract amount was \$6,590,000; total contract amount with this amendment is \$7,184,368). CIP/DID #615233-02
- j. Affidavit for Service Line Reimbursement from Jill Morris for monthly installment reimbursements for the replacement of the water service line at 1537 D Avenue NE. CIP/DID #WTR100819-02
- k. Grant agreement with the U.S. Department of Justice in the amount of \$222,345 from the FY19 Justice and Mental Health Collaboration Program for a collaboration with Foundation 2 to increase access to mental health and other treatment services. CIP/DID #PD0024
- l. Purchase Agreement in the amount of \$23,900 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Stone Creek First Owners Association, Inc. from land located at Lot 1, Stone Creek First Addition, in connection with the Williams Boulevard SW at Dean Road SW Roundabout project. CIP/DID #301972-00
- m. Purchase Agreement in the amount of \$11,390 and accepting a Warranty Deed for right-of-way, a Permanent Easement for Retaining Wall, and a Temporary Grading Easement for Construction from Linda Hauber; Mary and Frank Kelly; Michael Hauber and Ann Denney-Hauber; and James and Tascha Hauber, from land located at 1838 O Avenue NW in connection with the O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW project. **(Paving for Progress)** CIP/DID #3012121-00

- n. Purchase Agreement in the amount of \$1,905 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Norma Jean Hoffpauir from land located at 2009 O Avenue NW in connection with the O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW project. **(Paving for Progress) CIP/DID #3012121-00**
- o. Purchase Agreement in the amount of \$3,780 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Melanie and Ambrea Manley from land located at 1817 O Avenue NW in connection with the O Avenue NW Improvements Phase II & III from 16th Street NW to Edgewood Road NW project. **(Paving for Progress) CIP/DID #3012121-00**

### **REGULAR AGENDA**

- 21. Report on bids for the 11th Street NW North of M Avenue Detention Basin Improvements project (estimated cost is \$1,060,000) (Dave Wallace). CIP/DID #304427-03
  - a. Resolution awarding and approving contract in the amount of \$767,627.20, plus incentive up to \$30,000, bond and insurance of Boomerang Corporation for the 11th Street NW North of M Avenue Detention Basin Improvements project.
- 22. Report on bids for the Old Orchard Rd NE North of Plum Grove Court Storm Sewer Improvements project (estimated cost is \$97,000) (Dave Wallace). CIP/DID #304412-01
  - a. Resolution awarding and approving contract in the amount of \$73,915, bond and insurance of Dave Schmitt Construction Co., Inc. for the Old Orchard Road NE North of Plum Grove Court Storm Sewer Improvements project.
- 23. Report on bids for the Cedar River Trail Rehabilitation Phase I project (estimated cost is \$150,000) (Steve Krug). CIP/DID #PUR0819-049
  - a. Resolution awarding and approving contract in the amount of \$153,630, bond and insurance of L.L. Pelling Company, Inc. for the Cedar River Trail Rehabilitation Phase I project.
- 24. Resolution authorizing sponsorship of a Business Financial Assistance Application to the Iowa Economic Development Authority by CellSite Solutions, Inc. for a new headquarters facility at 4400 6th Street SW, and providing local match funds through the City's Local Match – Economic Development Program (Caleb Mason). CIP/DID #TIF-0038-2019
- 25. Discussion and Resolution of support authorizing City participation in a proposed commercial building at 1445 1st Avenue SE under the City's Core District Reinvestment – Economic Development Program (Caleb Mason). CIP/DID #TIF-0037-2019

## **ORDINANCES**

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

26. Ordinance establishing the Anderson Greene Urban Revitalization Area for property at 55 Miller Avenue SW. CIP/DID #URTE-0033-2019

## **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**

**\*\*\*The City Council will meet immediately following the City Council Regular Session to discuss pending litigation with legal counsel. This meeting may be closed pursuant to Iowa Code Section 21.5(1)(c) (2019).\*\*\***

*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).*