

*“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, August 25, 2015 at 4:00 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

### **PUBLIC HEARINGS**

1. A public hearing will be held to consider the annexation of property located north of Wright Brothers Boulevard SW and east of Kirkwood Boulevard SW as requested by College Community School District (Vern Zakostelecky). CIP/DID #ANNX-016948-2015
  - a. Resolution annexing property located north of Wright Brothers Boulevard SW and east of Kirkwood Boulevard SW as requested by College Community School District.
2. A public hearing will be held to consider the annexation of property located south of 76th Avenue Drive SW and east of Kirkwood Boulevard SW as requested by Kirkwood Community College (Vern Zakostelecky). CIP/DID #ANNX-020246-2015
  - a. Resolution annexing property located south of 76th Avenue Drive SW and east of Kirkwood Boulevard SW as requested by Kirkwood Community College.
3. A public hearing will be held to consider granting a change of zone for property at 3215 Johnson Avenue NW from C-2, Community Commercial Zone District and R-2, Single Family Residence Zone District to O-S, Office/Service Zone District as requested by TSS Holdings, LLC and Baker Greenhouses, LLC (David Houg). CIP/DID #RZNE-019776-2015
  - a. First Reading: Ordinance granting a change of zone for property at 3215 Johnson Avenue NW from C-2, Community Commercial Zone District and R-2, Single Family Residence Zone District to O-S, Office/Service Zone District as requested by TSS Holdings, LLC and Baker Greenhouses, LLC.

4. A public hearing will be held to consider the disposition of excess City-owned property described as a 28-foot by 140-foot vacant lot located at 1221 4th Street SE and a 30-foot by 140-foot vacant lot located at 1231 4th Street SE as requested by 2025 Development Group, LLC (Doug Wilson). CIP/DID #3302500004-00
  - a. Resolution authorizing the disposition of excess City-owned property described as a 28-foot by 140-foot vacant lot located at 1221 4th Street SE and a 30-foot by 140-foot vacant lot located at 1231 4th Street SE as requested by 2025 Development Group, LLC.
5. A public hearing will be held to consider the vacation of a 20-foot-wide sanitary sewer easement located on vacant land westerly of 810 44th Street SE as requested by Randall J. and Christine C. Maher (Doug Wilson). CIP/DID #EASE-012455-2014
  - a. Resolution vacating a 20-foot-wide sanitary sewer easement located on vacant land westerly of 810 44th Street SE as requested by Randall J. and Christine C. Maher.
6. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Leroy Street SW from Johnson Avenue to 1st Avenue and Spencer Drive SW Roadway Improvements project (estimated cost is \$800,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012125-02
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Leroy Street SW from Johnson Avenue to 1st Avenue and Spencer Drive SW Roadway Improvements project.
7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 16th Avenue SW (Between 18th and 20th Streets SW) Storm Sewer Improvements project (estimated cost is \$314,000) (Dave Wallace). CIP/DID #304286-01
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 16th Avenue SW (Between 18th and 20th Streets SW) Storm Sewer Improvements project.
8. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility Ash Slurry System Repairs project (estimated cost is \$643,000) (Steve Hershner). CIP/DID #615239-02
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility Ash Slurry System Repairs 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.*

9. Motion to approve minutes.
10. Resolution authorizing the reallocation of funding budgeted for outside vendor graphic design services to create one full-time employee in the Communications Division to support ongoing City-wide marketing and communications efforts. CIP/DID #CM005-15
11. Resolution authorizing the addition of two part-time employees for the Civil Rights Commission for a Civil Rights and Fair Housing Internship Program with the classification of two part-time Civil Rights Investigation and Outreach internship positions. CIP/DID #CVR-2015-08A
12. Resolution authorizing the IT Systems Administrator and Network Administrator to attend Aruba Training in St. Louis, MO for an amount not to exceed \$9,437. CIP/DID #IT2016-002
13. Motions setting public hearing dates for:
  - a. September 8, 2015 – to consider amending Ordinance No. 023-95 to delete Condition No. 12 for property at 605 Boyson Road NE as requested by Century Communications, LC and GR Eganhouse, LLC. CIP/DID #RZNE-021443-2015
  - b. September 8, 2015 – to consider a change of zone for property at 777 76th Avenue Drive SW from A, Agriculture Zone District to O-S, Office/Service Zone District as requested by Mercy Care Management, Inc. and Kirkwood Community College. CIP/DID #RZNE-020247-2015
  - c. September 8, 2015 – to consider amending the Future Land Use Map of the Comprehensive Plan for property at 777 76th Avenue Drive SW from Public/Semi Public to Urban Medium Intensity as requested by Mercy Care Management, Inc. and Kirkwood Community College. CIP/DID #FLUMA-020248-2015
  - d. October 6, 2015 – to consider an Urban Revitalization Area designation for the construction of a health clinic at 777 76th Avenue SW as requested by Mercy Care Management, Inc. CIP/DID #URTE-0004-2015
  - e. October 6, 2015 – to consider an Urban Revitalization Area designation for rehabilitation of the building at 307 12th Avenue SE as requested by 2025 Development, LLC. CIP/DID #URTE-0005-2015
14. Motion setting public hearing date, filing plans and specifications, form of contract and estimated cost, advertising for bids by publishing notice to bidders, and authorizing City officials or designees to receive and open bids and publicly announce the results for:
  - a. September 8, 2015 – Park Place NE from Council Street to North Park Place Lane Pavement Rehabilitation project, with bid opening September 9, 2015 (estimated cost is \$500,000). **(Paving for Progress)** CIP/DID #3012128-02

15. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
  - a. Applebee's Neighborhood Grill, 2645 Edgewood Road SW.
  - b. Bulicek's Deli & Brew, 1616 6th Street SW (outdoor service for an event on September 5, 2015).
  - c. Cedar River Landing, 301 F Avenue NW (outdoor service for an event on September 11-13, 2015).
  - d. Chappy's Safari Lounge, 229 16th Avenue SW.
  - e. Dostal Catering Service, 1211 Wiley Boulevard SW.
  - f. Field House Cedar Rapids, 5001 1st Avenue SE, Suite 101 (new – formerly Genghis Grill).
  - g. Flamingo, 1211 Ellis Boulevard NW (transfer to Ellis Park Softball Diamonds, 2000 Ellis Boulevard NW, for an event on September 5, 2015).
  - h. Godfather's Pizza, 2201 16th Avenue SW.
  - i. Godfather's Pizza, 3647½ 1st Avenue SE.
  - j. Hurricane Grill and Wings, 4444 1st Avenue NE, Suite #602 (adding a permanent outdoor service area).
  - k. Hy-Vee #6 Market Cafe, 4035 Mount Vernon Road SE.
  - l. Hy-Vee #6 Tasting Room, 4035 Mount Vernon Road SE.
  - m. Jerks Island Bar & Grill, 1810 6th Street SW.
  - n. The Keg, 719 5th Street SE (outdoor service for an event on September 12-13, 2015).
  - o. Kickstand, 203 16th Avenue SE (new – formerly Hurych Plumbing).
  - p. NewBo City Market, 1100 3rd Street SE (outdoor service for an event on September 19, 2015).
  - q. NewBo City Market, 1100 3rd Street SE (outdoor service for an event on September 26, 2015).
  - r. Orchestra Iowa, 119 3rd Avenue SE (5-day permit for an event at Bruce more on September 12, 2015).
  - s. Planet X, 4444 1st Avenue NE, Suite #3001.
  - t. Splash Events, 225 5th Avenue SW.
  - u. Time Out Lounge, 3230 16th Avenue SW (outdoor service for an event on September 19-20, 2015).
  - v. Tom's Homeport, 624 Center Point Road NE (new – new ownership).
  - w. Zio Johnno's, 2925 Williams Parkway SW.
  
16. Resolutions approving:
  - a. Payment of bills. CIP/DID #FIN2015-01
  - b. Payroll. CIP/DID #FIN2015-02
  - c. Transfer of funds. CIP/DID #FIN2015-03
  
17. Resolution thanking the following individual:
  - a. Vote of thanks to the late James Bruner for serving on the Veterans Memorial Commission. CIP/DID #OB572854
  
18. Resolutions approving assessment actions:
  - a. Levy assessment – Water Division – delinquent municipal utility bills – 29 properties. CIP/DID #WTR0714-001
  - b. Intent to assess – Water Division – delinquent municipal utility bills – 42 properties. CIP/DID #WTR0825-001
  - c. Intent to assess – Solid Waste & Recycling – clean-up costs – two properties. CIP/DID #SWM-003-15

19. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:
  - a. Repair of Water Service Lines FY15 project and approving Change Order No. 2 (Final) in the amount of \$67,806.68, final payment in the amount of \$17,544.83 and 2-year Maintenance Bond submitted by B. G. Brecke, Inc. (original contract amount was \$245,284.20; final contract amount is \$395,590.88). CIP/DID #521108-15
  - b. Water system improvements installed in Crescent View 3rd Addition – Phase 1 and 2-Year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$77,843.20. CIP/DID #2014071-01
  
20. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
  - a. WPC Administration Building HVAC Upgrades project, final retainage payment in the amount of \$90,467.29 and 2-year Performance Bond submitted by Day Mechanical Systems (original contract amount was \$1,744,000; final contract amount is \$1,809,345.75). CIP/DID #615030-05
  - b. FY 2015 Curb Repair Project – Contract 1, final payment in the amount of \$24,795.54 and 4-year Performance Bond submitted by Ti-Zack Concrete, Inc. (original contract amount was \$444,170; final contract amount is \$495,910.70). **(Paving for Progress)** CIP/DID #301998-06
  - c. FY 2014 Curb Repair Project – Contract 2, final payment in the amount of \$12,864.60 and 4-year Performance Bond submitted by Ti-Zack Concrete, Inc. (original contract amount was \$249,505; final contract amount is \$257,292.04). **(Paving for Progress)** CIP/DID #301998-05
  - d. FY 2015 Sidewalk and Ramp Repair – Contract No. 2 project, final payment in the amount of \$11,649.97 and 4-year Performance Bond submitted by Midwest Concrete Inc. (original contract amount was \$223,466.70; final contract amount is \$232,999.33). CIP/DID #3017015-02
  - e. 6805 Brentwood Dr NE Sanitary Sewer Replacement project and 4-year Performance Bond submitted by Ken-Way Excavating Services, Inc. (original contract amount was \$70,028.80; final contract amount is \$64,331.29). CIP/DID #6559995-01
  - f. Brookland Drive NE and Falbrook Drive NE Sanitary Sewer Point Repairs project and 4-year Performance Bond submitted by Dave Schmitt Construction Company, Inc. (original contract amount was \$63,277.25; final contract amount is \$67,729.95). CIP/DID #6559994-01
  - g. Hawkeye Downs Road SW Culvert Replacement project, final payment in the amount of \$6,089.66 and 4-year Performance Bond submitted by Connolly Construction, Inc. (original contract amount was \$127,421.80; final contract amount is \$121,793.29). CIP/DID #304393-02
  - h. 76th Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements project, final payment in the amount of \$66,735.84 and 4-year Performance Bond submitted by BWC Excavating, LC (original contract amount was \$1,408,890.70; final contract amount is \$1,334,716.83). CIP/DID #3012049-03
  
21. Resolution approving final plat:
  - a. Wexford Heights First Addition for land located at Rapids Ridge Road NE extension west of Milburn Road NE and north of Blairs Ferry Road NE. CIP/DID #FLPT-016051-2015

22. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Change Order No. 1 (Revised) in the amount of \$32,256.25 with Pirc-Tobin Construction, Inc. for the 8th Avenue SW Pavement Rehabilitation Improvements from 10th Street to 7th Street project (original contract amount was \$319,638.50; total contract amount with this amendment is \$352,894.75). **(Paving for Progress)** CIP/DID #3012083-02
  - b. Change Order No. 2 in the amount of \$26,626.41 with Tricon General Construction for the J Avenue Water Plant Process Improvements – Phase 1 project (original contract amount was \$7,276,000; total contract amount with this amendment is \$7,354,467.17). CIP/DID #6250026-02
  - c. Change Order No. 2 in the amount of \$31,043.31 with Garling Construction, Inc. for the Selected J Avenue Campus 2014 Renovations project (original contract amount was \$984,000; total contract amount with this amendment is \$1,037,549.13). CIP/DID #6250031-02
  - d. Change Order No. 3 in the amount of \$44,383.96, plus 2 working days, with Pirc-Tobin Construction, Inc. for the 4th Avenue SE Pavement Rehabilitation from 5th Street SE to 19th Street SE project (original contract amount was \$2,219,444.15; total contract amount with this amendment is \$2,514,584.46). **(Paving for Progress)** CIP/DID #3012080-02
  - e. Change Order No. 3 in the amount of \$4,628.65 with Dave Schmitt Construction Co., Inc. for the SW Quad, Phase 1 – Water Main Replacement project (original contract amount was \$530,845.05; total contract amount with this amendment is \$556,092.08). CIP/DID #2011020-02
  - f. Change Order No. 4 in the amount of \$6,416.65 with Iowa Erosion Control, Inc. for the Wiley Boulevard SW from Williams Boulevard SW to 16th Avenue SW and Edgewood Road SW from Williams Boulevard SW to 16th Avenue SW Pavement Rehabilitation Improvements project (original contract amount was \$1,778,021.51; total contract amount with this amendment is \$1,972,953.53). **(Paving for Progress)** CIP/DID #3012084-02
  - g. Change Order No. 4 in the amount of \$33,299.72 with Rathje Construction Company for the Flood Affected Areas Infrastructure Removals project (original contract amount was \$954,533.41; total contract amount with this amendment is \$1,064,964.06). CIP/DID #301923-01
  - h. Change Order No. 7 in the amount of \$19,468.80 with Rathje Construction Company for the 1st Avenue East From 34th Street to 40th Street Utilities Rehabilitation project (original contract amount was \$2,259,949.02; total contract amount with this amendment is \$2,306,140.52). **(Paving for Progress)** CIP/DID #301240-04
  - i. Change Order No. 10 in the amount of \$725 with Curtis Contracting Corp. for the FY 2014 Sidewalk and Ramp Repair Program – Contract No. 1 project (original contract amount was \$126,147; total contract amount with this amendment is \$150,182.62). CIP/DID #3017014-01
  - j. Awarding and approving contract in the amount of \$54,999.16 plus incentive up to \$1,000, bond and insurance of Connerley Construction, Inc. for the 3rd Street SE – 1200 Block Historic Tile Sidewalk Repair project (estimated cost is \$30,000). CIP/DID #321526-03
  - k. Amendment No. 1 to the Professional Services Agreement with Fehr Graham specifying an increased amount not to exceed \$3,500 for design services in connection with the 2015 Sidewalk Ramp Improvements project (original contract amount was \$24,995; total contract amount with this amendment is \$28,495.) CIP/DID #3016016-01

- l. Amendment No. 4 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$2,500 for design services in connection with the Collins Road NE Improvements: Backage Road from C Avenue NE to Northland Avenue NE Extension project (original contract amount was \$39,617; total contract amount with this amendment is \$56,447). CIP/DID #301446-04
- m. Development Agreement with 10th Street Brickstone, LLC for the 10th Street Brickstone project at 906 10th Street SE. CIP/DID #08-DRH-208
- n. Agreement to Convey Property and terminating Development Agreement with Skogman Construction Company of Iowa for City-owned property at 505 9th Street SW acquired through the Voluntary Property Acquisition Program. **(Flood)** CIP/DID #OB540257
- o. Rescinding Resolution No. 0976-07-15 which authorized the disposition of excess City-owned land located northerly of and adjacent to 300 50th Avenue Court SW but incorrectly stated the public use had been vacated by ordinance, and authorizing the disposition of excess City-owned land located northerly of and adjacent to 300 50th Avenue Court SW as requested by Croell Redi-Mix, Inc. CIP/DID #PRD-010822-2014
- p. Rescinding Resolution No. 0389-03-15, which authorized execution of a Development Agreement and Special Warranty Deed with JW Homebuilders, Inc. for property at 1410 N Street SW. **(Flood)** CIP/DID #OB540257
- q. Tenant Purchase Agreements in the amount of \$100 each from Quo Vadis, Inc., and Happy Joe's, and authorizing execution of a Purchase Agreement in the amount of \$20,000 and accepting an easement for utilities and a temporary grading easement for construction from Shamrock Properties, LC., from land located at 5070 Lindale Road NE in connection with 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
- r. Storm Sewer Improvements Agreement and accepting a Temporary Construction Easement from the Cedar Rapids Community School District from land located at 1243 20th Avenue SW in connection with the 16th Avenue SW between 18th Street and 20th Street SW Storm Sewer Improvements project. CIP/DID #304286-00
- s. Terminating the Traffic Safety Improvement Funding Agreement No. 2009-TS-004 for traffic safety improvement funding with the Iowa Department of Transportation (IDOT) in the amount of \$320,843 in connection with the Wiley Boulevard / 33rd Avenue SW Traffic Safety Improvement project previously authorized by Resolution No. 0303-04-09. CIP/DID #301627-00
- t. Amending Resolution No. 0981-07-15, which committed to providing local matching funds and 20 year maintenance for the CeMar Trail Phase 4 – Lindale Connector from the Marion city limits north to Highway 100 and Lindale Mall Shopping Center project, to correct the dollar amounts approved for this project, changing the Corridor Metropolitan Planning Organization (CMPO) STP funding from \$1,036,000 to \$1,457,000, and the local matching funds required from \$259,000 to \$318,000. CIP/DID #325050-00
- u. Amendment No. 5 to the Contract for GIS One-Call Utility Locate System with Pro-West & Associates, Inc. for various City departments to reflect additional cost to upgrade existing system to support laptop and tablet devices in the field for an amount not to exceed \$9,000 (original contract amount was \$43,000; total contract amount with this amendment is \$70,050). CIP/DID #1209-125
- v. Amendment No. 1 to renew contract with Raynor Door of Cedar Rapids for overhead door preventative maintenance and repair for various City departments for two years for an annual amount not to exceed \$20,000 (original contract amount was \$40,000; renewal contract amount is \$40,000). CIP/DID #0113-166

- w. Amendment No. 3 to renew contract with Walsworth Publishing Company, Inc. for Printing of Magazine-Style Newsletter for the Communications Division for an annual amount not to exceed \$210,000 (original contract amount was \$240,000; renewal contract amount is \$210,000). CIP/DID #0812-045
- x. Fleet Services Division purchase of two 2015 Vermeer BC 1500 brush chippers from Vermeer Sales and Service for use by the Forestry Division in the amount of \$91,277, and authorizing Fleet Services to use an existing 2000 Vermeer 1800 brush chipper from Forestry as trade-in value of \$5,000 toward the purchase price. CIP/DID #FLT4425
- y. Fleet Services Division purchase of one tandem axle chassis with lightning loader from Truck Country in the amount of \$218,280. CIP/DID #PUR0515-228
- z. Joint Communications Agency purchase of equipment and accessories from RACOM Corporation for an amount not to exceed \$50,000 for public safety use in connection with the Linn County 800 MHz Radio System for FY16. CIP/DID #OB660990
- aa. Police Department purchase of 43 X26P tasers & supporting equipment from Taser International, Inc. in the amount of \$53,666.95. CIP/DID #PD0004
- ab. Contract with Tallgrass Business Resources for task chairs for the Police Department and Water Division for an amount not to exceed \$36,523.70. CIP/DID #1214-131
- ac. Sewer Maintenance Division purchase of equipment and repair services from MID-IOWA Solid Waste Equipment Co., Inc. for existing closed-circuit televising (CCTV) equipment manufactured by ARIES for an amount not to exceed \$60,000. CIP/DID #43-16-024

## **REGULAR AGENDA**

- 23. Report on bids for the Edgewood Road Water Main Replacement project (estimated cost is \$1,400,000) (Steve Hershner). CIP/DID #2014052-02
  - a. Resolution awarding and approving contract in the amount of \$696,794.80, bond and insurance of Ricklefs Excavating, Ltd. for the Edgewood Road Water Main Replacement project.
- 24. Report on bids for the Horizontal Collector Well No. 5 Caisson & Laterals project (estimated cost is \$1,950,000) (Steve Hershner). CIP/DID #625863-05
  - a. Resolution awarding and approving contract in the amount of \$2,172,810, bond and insurance of Layne Heavy Civil, Inc. for the Horizontal Collector Well No. 5 Caisson & Laterals project.
- 25. Presentation and Resolution adopting the Civil Rights Commission FY16 Work Plan (LaSheila Yates and Chair Keith Rippy). CIP/DID #CVR-2015-08B
- 26. Discussion and Resolution authorizing negotiation of a Development Agreement with Happel Enterprises, LLC for the disposition and redevelopment of City-owned property at 1871, 1895, 1915 and 1919 Ellis Boulevard NW (Jennifer Pratt). CIP/DID #OB1241851

## **ORDINANCES**

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

27. Ordinance granting a change of zone for property located at 2005 and 2013 West Post Road SW from A, Agriculture Zone District to C-3, Regional Commercial Zone District as requested by Roger A. and Colleen A. Cassill. CIP/DID #RZNE-018870-2015
28. Ordinance granting a change of zone for property located at 167 Dows Lane SE from R-1, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Richard B. Altorfer. CIP/DID #RZNE-019306-2015

## **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 and may discuss the items specifically listed.*

1. Mayor Corbett
2. Council member Gulick
3. Council member Olson
4. Council member Poe
5. Council member Russell
6. Council member Shey
7. Council member Shields
8. Council member Vernon
9. Council member Weinacht

*It is the policy of the City of Cedar Rapids that all public meetings are accessible to people with disabilities. If you need assistance in participating in City Council public meetings due to a disability as defined under the Americans with Disabilities Act, please call the City Clerk's Office at (319) 286-5060 at least two (2) business days prior to the scheduled meeting to request an accommodation.*

*Agendas and minutes for Cedar Rapids City Council meetings can be viewed at [www.cedar-rapids.org](http://www.cedar-rapids.org).*