

*“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 3, 2015 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

### **PUBLIC HEARINGS**

1. A public hearing will be held to consider granting a change of zone from R-3, Single Family Residence Zone District and RMF-2, Multiple Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District Zone District for property at 1033 10th Street NW, vacant land between 806 and 818 10th Street SW (GPN No. 142943201100000), 421 5th Avenue SW and 427 5th Avenue SW as requested by the City of Cedar Rapids (Vern Zakostelecky). CIP/DID #RZNE-022127-2015
  - a. First and possible Second and Third Readings: Ordinance granting a change of zone from R-3, Single Family Residence Zone District and RMF-2, Multiple Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District Zone District for property at 1033 10th Street NW, vacant land between 806 and 818 10th Street SW (GPN No. 142943201100000), 421 5th Avenue SW and 427 5th Avenue SW as requested by the City of Cedar Rapids.
2. A public hearing will be held to consider granting a change of zone from R-TN, Traditional Neighborhood Residence Zone District to RMF-2, Multiple Family Residence Zone District for City-owned properties at 217 7th Avenue SW and 709 3rd Street SW as requested by Cedar Ventures, LLC and City of Cedar Rapids. (Johnny Alcivar). CIP/DID #RZNE-022039-2015
  - a. First Reading: Ordinance granting a change of zone from R-TN, Traditional Neighborhood Residence Zone District to RMF-2, Multiple Family Residence Zone District for City-owned properties at 217 7th Avenue SW and 709 3rd Street SW as requested by Cedar Ventures, LLC and City of Cedar Rapids.

3. A public hearing will be held to consider the continuation of the disposition of excess City-owned property described as 10 various non-conforming vacant lots (Rita Rasmussen). CIP/DID #3302500004-00
  - a. Resolution authorizing the continuation of the disposition of excess City-owned property described as 10 various non-conforming vacant lots.
4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Tree and Vegetation Removal project for the Flood Control System (estimated cost is \$98,000) (Rob Davis). CIP/DID #PUR1015-064
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Tree and Vegetation Removal project for the Flood Control System.
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 5 project (estimated cost is \$959,000) (Sandy Pumphrey). **(Flood)** CIP/DID #SSD104-09
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 5 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.*

6. Motion to approve minutes.
7. Resolution approving the installation of stop signs on northbound and southbound C Avenue NE at the intersection of 38th Street, such that all-way stop control is implemented at the intersection. CIP/DID #60-16-031
8. Resolution accepting work and fixing amount to be assessed for the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 project. CIP/DID #3017015-00
9. Resolution of support providing City participation under the City's Core District Reinvestment for the redevelopment of the former fire station at 427 1st Street SE as requested by Station on First, LLC. **(Flood)** CIP/DID #OB687456

10. Resolution of support and conditional funding under the Community Benefit Economic Development Program for a veterans housing project near Fiserv Drive SW and Wilson Avenue SW as requested by Healing Our Heroes and Seldin Company. CIP/DID #CD-0012-2015
11. Resolution determining the necessity and setting dates of a public hearing for December 15, 2015 and consultation with affected taxing entities, and referral to Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the Miron Construction Urban Renewal Area. CIP/DID #TIF-0003-2015
12. Motions setting public hearing dates for:
  - a. ~~November 17, 2015 – to consider granting a change of zone for property at 1727 2nd Street SW from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Scallon Custom Homes, LLC and Joseph W. Zachar III. CIP/DID #RZNE-022098-2015.~~
  - b. November 17, 2015 – to consider granting a change of zone from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District for property at 1766 and 1770 Mallory Street SW as requested by Scallon Custom Homes, LLC, the City of Cedar Rapids and Z Fin 20. CIP/DID #RZNE-022169-2015
  - c. December 15, 2015 – to consider an Ordinance relating to collection of tax increment within the proposed Miron Construction Urban Renewal Area at 335 French Court SW. CIP/DID #TIF-0003-2015
13. Motions setting public hearing dates, filing plans and/or 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. November 17, 2015 – Veterans Memorial Stadium Ribbon Message Board project, with bid opening November 18, 2015 (estimated cost is \$290,000). CIP/DID #314354-03
  - b. November 17, 2015 – 2015 Sidewalk Ramp Improvements project, with bid opening November 25, 2015 (estimated cost is \$117,079). CIP/DID #3016016-02
  - c. November 17, 2015 – Sanitary Sewers Quadrant Flood Repairs Northeast and Southeast Lining Package #7 project, with bid opening December 9, 2015 (estimated cost is \$1,480,000). **(Flood)** CIP/DID #SSD102-08
14. 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. The Cooler, 4920 Johnson Avenue NW.
  - d. Fareway Store #963, 4220 16th Avenue SW.
  - e. Flamingo, 1211 Ellis Boulevard NW (transfer to Veterans Memorial Coliseum, 50 2nd Avenue Bridge, for an event on November 28, 2015).
  - f. Granite City Food & Brewery, 4755 1st Avenue SE.
  - g. Hy-Vee Food Store #2, 279 Collins Road NE.
  - h. Tornado's Grub & Pub, 315 14th Avenue SE.
  - i. Vito's on 42nd, 4100 River Ridge Drive NE.
  - j. Willy Woodburn's Cafe, 232 16th Avenue SW.
15. Resolutions approving:
  - a. Payment of bills. CIP/DID #FIN2015-01
  - b. Payroll. CIP/DID #FIN2015-02

16. Resolution thanking the following individual:
  - a. Vote of thanks to Stephanie Logan for serving on the Parks, Waterways & Recreation Commission. CIP/DID #OB1187380
  
17. Resolutions approving assessment actions:
  - a. Intent to assess – Water Division – delinquent municipal utility bills – 48 properties. CIP/DID #WTR1103-001
  - b. Levy assessment – Water Division – delinquent municipal utility bills – 22 properties. CIP/DID #WTR0922-001
  
18. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:
  - a. Water system improvements installed in Knollwood Park 4th Addition and 2-Year Maintenance Bond submitted by Rathje Construction Company in the amount of \$16,048.40. CIP/DID #2015076-01
  - b. Water system improvements installed in Airport Commerce Park 10th Addition-Atlantic Drive SW Extension and 2-Year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$61,162. CIP/DID #2013042-02
  - c. Sanitary sewer in Airport Commerce Park Tenth Addition and 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$93,740. CIP/DID #FLPT-008827-2014
  - d. Storm sewer in Airport Commerce Park Tenth Addition and 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$40,869. CIP/DID #FLPT-008827-2014
  - e. Portland Cement Concrete pavement in Airport Commerce Park Tenth Addition and 4-year Maintenance Bond submitted by City Wide Construction Corporation, Inc. in the amount of \$95,199.38. CIP/DID #FLPT-008827-2014
  
19. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
  - a. Flood Affected Areas Infrastructure Removals project, Change Order No. 5 (Final Revised) in the amount of \$207,663.22, plus three additional working days and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$954,533.41; total contract amount with this amendment is \$1,272,627.28). CIP/DID #301923-01
  - b. 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 3 project and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$1,422,570.60; final contract amount is \$1,232,776.84). **(Flood)** CIP/DID #SSD103-12
  - c. 11th Street NW South of N Avenue NW Box Culvert Improvements project and 4-year Performance Bond submitted by Boulder Contracting, LLC (original contract amount was \$25,284; final contract amount is \$22,484). CIP/DID #304429-01
  - d. CeMar Trail at 27th Street NE Drainage Improvements project and 4-year Performance Bond submitted by Boulder Contracting, LLC (original contract amount was \$53,399; final contract amount is \$51,099). CIP/DID #304431-01
  - e. Sidewalk and Ramp Repair Program – Contract No. 1 project and 4-year Performance Bond submitted by BWC Excavating, LC (original contract amount was \$129,493.50; final contract amount is \$115,941.63). CIP/DID #3017015-01
  - f. 3rd Street SE, East of 10th Avenue SE, Storm Sewer Improvements project and 4-year Performance Bond submitted by Dave Schmitt Construction Company, Inc. (original contract amount was \$38,812; final contract amount is \$37,693.38). CIP/DID #304435-01

- g. Lakeview Drive SW Bank Restoration project and 4-year Performance Bond submitted by Dave Schmitt Construction Company, Inc. (original contract amount was \$61,987.90; final contract amount is \$54,357.10). CIP/DID #304433-01
  - h. Vinton Ditch at Westwood Drive NW Channel Improvements project and 4-year Performance Bond submitted by Peterson Contractors, Inc. (original contract amount was \$111,556.15; final contract amount is \$107,927.39). CIP/DID #304060-02
20. Resolutions approving final plats:
- a. Brakers 1st Addition for land located at 3401 E Avenue NW. CIP/DID #FLPT-020763-2015
  - b. Northtowne Market 1st Addition for land located at 1201 Blairs Ferry Rd NE. CIP/DID #FLPT-018821-2015
21. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Amendment No. 5 to the contract with L.L. Pelling Company for Asphalt Products for citywide purchases to reflect the additional cost of asphalt product purchases for an amount not to exceed \$125,000 (original contract amount was \$650,000; total contract amount with this amendment is \$775,000). CIP/DID #0112-130
  - b. Contract with Copyworks for Printing & High-Speed Copying as needed citywide for an annual amount not to exceed \$120,000. CIP/DID #PUR0715-014
  - c. Purchase order in the amount of \$130,288 to Lightnin-SPX Flow Tech. C/O Trident Process, Inc., for a New Lightnin 40HP Model 780Q40CMX Gearbox and a New Lightnin 75 HP Model 780Q75 Triple Reduction Gearbox at the Water Pollution Control Facility. CIP/DID #WPC110315-01
  - d. Fleet Services Division purchase of one used portable air compressor from Mid Country Machinery in the amount of \$70,900. CIP/DID #PUR0915-060
  - e. Purchase Agreement in the amount of \$14,000 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Schillig Limited Partnership from vacant land located on the east side of Wiley Boulevard SW between 18th Avenue SW and 20th Avenue SW in connection with the 2015 Sidewalk Infill project. CIP/DID #3012074-00
  - f. Supplemental Agreement to the Total Acquisition Purchase Agreement with Robert V. Bertling, increasing the purchase amount by \$4,500 for land located at 74 18th Avenue SW in connection with the Parks Greenway Acquisition project (original total acquisition purchase amount was \$15,200; purchase amount with this supplemental agreement is \$19,700). CIP/DID #307028-00
  - g. Development Agreement with Scallon Custom Homes, L.L.C. for property at 0 Vacant Lot SW (GPN 143313800300000) participating in the fourth round of the Single Family New Construction Program. **(Flood)** CIP/DID #OB540257
  - h. Joint Funding Agreement with the U.S. Department of Interior, Geological Survey (USGS) for the continuing Assessment of Ground-Water Flow and Quality for the Cedar Rapids Alluvium for the period of October 1, 2015 through September 30, 2016 for a project cost of \$219,735 (project cost to be shared on a 38/62 basis with the City's share being \$135,735). CIP/DID #625044-16
  - i. Urban Waters Small Grants application to the Environmental Protection Agency (EPA), to assist with the funding of watershed education and planning initiatives. CIP/DID #304990-00
  - j. Amendment No. 3 to the Professional Services Agreement with McClure Engineering Company specifying an increased amount not to exceed \$19,080 for design services in connection with the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road NW project (original contract amount was \$78,590; total contract amount with this amendment is \$141,265). CIP/DID #325008-01

- k. Professional Services Agreement with YTT Design Solutions, LLC for an amount not to exceed \$22,124.00 for engineering design and evaluation services in connection with the 30th Street SE from Mount Vernon Road to Pioneer Avenue Roadway Evaluation project. **(Paving for Progress)** CIP/DID #3012156-01
- l. 28E Agreement with the Linn County Secondary Road Department for normal and routine maintenance along joint corporate limits. CIP/DID #80-16-019
- m. Change Order No. 11 in the amount of \$27,778.34 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (original contract amount was \$1,815,564.20; total contract amount with this amendment is \$1,857,516.21). **(Flood)** CIP/DID #SSD103-11
- n. Change Order No. 6 in the amount of \$15,584.54 with Dave Schmitt Construction Co., Inc. for the NE Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 1 project (original contract amount was \$874,227.25; total contract amount with this amendment is \$941,828.65). **(Flood)** CIP/DID #SSD102-05
- o. Change Order No. 5 in the amount of \$67,081.48 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 \$2,709,315.83). **(Paving for Progress)** CIP/DID #3012080-02
- p. Change Order No. 3 in the amount of \$1,627.84 with BWC Excavating, LC for the Northeast Side School Routes Sidewalk Improvement Project (original contract amount was \$170,054; total contract amount with this amendment is \$214,440.61). CIP/DID #301928-01
- q. Change Order No. 3 in the amount of \$9,327 with WRH, Inc. for the Cedar River East Floodwall PepsiCo/Quaker Oats Area, Phase 1 – Transmission Main Pressure Connections and Service Line Valve Installation project (original contract amount was \$993,000; total contract amount with this amendment is \$1,074,577.82). CIP/DID #330206-04
- r. Change Order No. 3 in the amount of \$101,016.16 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 \$7,455,483.33). CIP/DID #6250026-02
- s. Change Order No. 3 in the amount of \$35,917.97 with Horsfield Construction, Inc. for the 19th Street SE Roadway & Utility Improvements from Mount Vernon Road SE to Glenway Drive SE project (original contract amount was \$1,212,355.30; total contract amount with this amendment is \$1,275,705.30). **(Paving for Progress)** CIP/DID #3012081-03
- t. Change Order No. 1 in the amount of \$56,244.47 with Ti-Zack Concrete, Inc. for the FY 2015 Curb Repair Project – Contract 2 project (original contract amount was \$496,955; total contract amount with this amendment is \$553,199.47). **(Paving for Progress)** CIP/DID #301998-07

## **REGULAR AGENDA**

- 22. Report on bids for the East Side Sanitary Sewer Interceptor Repairs project (estimated cost is \$6,500,000) (Sandy Pumphrey). **(Flood)** CIP/DID #SSD013-04
  - a. Resolution awarding and approving contract in the amount of \$7,735,968.40 plus incentive up to \$120,000, bond and insurance of Municipal Pipe Tool Company, Inc. for the East Side Sanitary Sewer Interceptor Repairs project.

23. Report on bids for the 18th Street NW South of B Avenue Sanitary Sewer Point Repair project (estimated cost is \$85,000) (Dave Wallace). CIP/DID #6550019-01
  - a. Resolution awarding and approving contract in the amount of \$38,126.40 plus incentive up to \$4,800, bond and insurance of Pirc-Tobin Construction, Inc. for the 18th Street NW South of B Avenue Sanitary Sewer Point Repair project.
24. Report on bids for the Jupiter Avenue NW West of Wiley Boulevard Drainage Improvements project (estimated cost is \$92,000) (Dave Wallace). CIP/DID #304440-02
  - a. Resolution awarding and approving contract in the amount of \$56,590 plus incentive up to \$2,000, bond and insurance of Ricklefs Excavating, Ltd. for the Jupiter Avenue NW West of Wiley Boulevard Drainage Improvements project.
25. Report on bids for the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 3 project (estimated cost is \$2,690,000) (Dave Wallace). **(Flood)** CIP/DID #SSD101-09
  - a. Resolution awarding and approving contract in the amount of \$2,220,183.50 plus incentive up to \$17,000, bond and insurance of Rathje Construction Company for the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 3 project (estimated cost is \$2,690,000).
26. Discussion and Resolution of support providing City participation under the City's High Quality Job and Green Building Program for the construction of a new office and warehouse facility at 335 French Court SW as requested by Miron Construction Co., Inc. and Commercial Horizons (Caleb Mason). CIP/DID #TIF-0003-2015

## ORDINANCES

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

27. Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the T.U.S.K., LLC Urban Revitalization Area designation at 1010 3rd Street SE. CIP/DID #URTE-0006-2015
28. Ordinance granting a change of zone from C-3, Regional Commercial Zone District to C-4, Central Business Zone District with a Preliminary Site Development Plan for property at 107 and 109 4th Avenue SW, 404, 406, 416, 418, 422, 424 and 426 1st Street SW and 108 5th Avenue SW as requested by Hobart Historic Restoration and the City of Cedar Rapids. CIP/DID #RZNE-021491-2015
29. Ordinance granting a change of zone from I-1, Light Industrial Zone District, and RMF-1, Multiple Family Residence Zone District, to C-2, Community Commercial Zone District with a Preliminary Site Development Plan for property at 1005 3rd Avenue SW and 328 Rockford Road SW as requested by JABAM LLC. CIP/DID #RZNE-020591-2015

30. Ordinance changing the name of Loggerhead Road NE to Edgewood Road NE from Tower Terrace Road NE to the North City Limit as requested by the City of Hiawatha. CIP/DID #STREET-020924-2015

## **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

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