

“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, January 26, 2016 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
 - ❖ Proclamation – Democracy Day (Emily Felton, Joe Aossey, Reenie Montgomery)

PUBLIC HEARINGS

1. A public hearing will be held to consider granting a change of zone from C-3, Regional Commercial Zone District, to I-1, Light Industrial Zone District for property at 4600 20th Avenue SW as requested by Midwest 3PL and Rick Stickle (Johnny Alcivar). CIP/DID #RZNE-022431-2015
 - a. First Reading: Ordinance granting a change of zone from C-3, Regional Commercial Zone District, to I-1, Light Industrial Zone District for property at 4600 20th Avenue SW as requested by Midwest 3PL and Rick Stickle.
2. A public hearing will be held to consider the vacation of a 403 square-foot utility easement located at 4201 42nd Street NE as requested by 42nd and Edgewood LLC (Rita Rasmussen). CIP/DID #EASE-022390-2015
 - a. Resolution vacating a 403 square-foot utility easement located at 4201 42nd Street NE as requested by 42nd and Edgewood LLC.
3. A public hearing will be held to consider the disposition of excess City-owned property at 1766 Mallory Street SW acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the fourth round of Single Family New Construction Program (Amanda Vande Voorde). **(Flood)** CIP/DID #OB540257

4. A public hearing will be held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to clarify the Czech Bohemia Overlay District with design standards and guidelines (Kirsty Sanchez). CIP/DID #OB715322
5. ~~A public hearing will be held to consider amending Ordinance No. 073-15 to correct the legal description of the Czech Village New Bohemia Self-Supported Municipal Improvement District (SSMID).~~ **(PUBLIC HEARING IS CANCELLED AND WILL BE RESCHEDULED)**
CIP/DID #CD-0005-2015
6. A public hearing will be held to consider public comments regarding identification of community development needs, program funding for development of proposed activities, and program performance for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, prior to developing an Annual Action Plan for the period of July 1, 2016 to June 30, 2017 (Paula Mitchell). CIP/DID #OB246513
7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the West Post Road NW from Plainview Drive NW to E Avenue NW Roadway Reconstruction project (estimated cost is \$1,388,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012120-04
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the West Post Road NW from Plainview Drive NW to E Avenue NW Roadway Reconstruction project.
8. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 1st Avenue East South of 24th Street Drive SE Storm Sewer Improvements project (estimated cost is \$89,000) (Dave Wallace). CIP/DID #304391-03
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 1st Avenue East South of 24th Street Drive SE Storm Sewer Improvements project.
9. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 27th Street SW Between 28th Avenue and 29th Avenue Culvert Replacement project (estimated cost is \$528,000) (Dave Wallace). CIP/DID #304396-02
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 27th Street SW Between 28th Avenue and 29th Avenue Culvert Replacement project.
10. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the WPCF Chlorine System Upgrade project (estimated cost is \$5,420,000) (Steve Hershner). CIP/DID #615148-03
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the WPCF Chlorine System Upgrade 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.

11. Motion to approve minutes.
12. Resolution in support of proposed National Register of Historic Places landmark designation for the Sinclair Building-Smulekoff's Furniture Store located at 97 3rd Avenue SE. CIP/DID #OB1369853
13. Resolution authorizing up to \$1,000,000 in Relocation Assistance benefits and protective rent payments to be drawn from an allocated program for various properties to be acquired for the Cedar River Flood Control System program. CIP/DID #3311200-00
14. Resolution accepting the established fair market value in the amount of \$6,200 for the partial acquisition of a Permanent Drainage Easement and a Temporary Grading Easement for Construction from Duane K. and Darlus J. Selken from land located at 5225 Beverly Road SW in connection with the Beverly Road SW Culvert Replacement project. CIP/DID #304421-00
15. Resolution adopting and levying the final schedule of assessments and providing for the payment thereof for the 2013 Northeast Side School Routes Sidewalk Improvements project. CIP/DID #325012-00
16. Resolution accepting work and fixing amount to be assessed for the FY 2015 Curb Repair Project – Contract 2 project. **(Paving for Progress)** CIP/DID #301998-00
17. Resolution authorizing the Fire Chief or the Chief's designee to execute Agreements for Use, Release, and Indemnification for properties used for Non-Burn Exercises and Live Fire Training through December 31, 2017. CIP/DID #FIR0116-0008
18. Resolution authorizing the establishment of the Safe, Equitable and Thriving (S.E.T.) Communities Task Force. CIP/DID #CM003-16

19. Resolution authorizing the addition of one full-time or part-time employee in the Public Works Department for the duration of the Paving for Progress program to assist with management and design of the program. **(Paving for Progress)** CIP/DID #49-16-006
20. Resolution authorizing the addition of .70 FTE in the City Manager's Office through September 30, 2016 to support the Blue Zones Project and Wellbeing Advisory Committee. CIP/DID #HR0004
21. Resolution authorizing a 3.85 percent pay increase for the City Attorney effective January 1, 2016. CIP/DID #HR0006
22. Resolution authorizing a 4 percent pay increase for the City Clerk effective January 1, 2016. CIP/DID #HR0005
23. Resolution setting a public hearing for February 23, 2016 to consider the Resolution of Necessity (Proposed) for the construction of the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road project. CIP/DID #325008-00
24. Motions setting public hearing dates for:
 - a. ~~February 9, 2016 – to consider granting a change of zone for property at 5820 Dry Creek Lane NE from I-1, Light Industrial Zone District, to C-3, Regional Commercial Zone District as requested by Joseph J. & Rita A. Bertsch Rev Trust. CIP/DID #RZNE-022419-2015.~~
 - b. February 9, 2016 – to consider granting a change of zone for property at 7708 6th Street SW from A, Agriculture Zone District, to I-2, General Industrial Zone District as requested by TH Development, LLC, and Louis L. and Margaret Ellen Barta. CIP/DID #RZNE-022246-2015
 - c. February 9, 2016 – to consider the vacation of public ways and grounds in and to the property described as a 5.3 acre parcel of vacant City-owned land known as Osborn Park, and a 40-foot wide strip of unused right-of-way located southeasterly of 15th Avenue SE and formerly known as First Street SE, as requested by the City of Cedar Rapids in connection with the Cedar Rapids Flood Control System project. CIP/DID #ROWV-022220-2015
 - d. February 9, 2016 – to consider the continuation of the disposition of excess City-owned property described as a one acre parcel of vacant land located easterly of and adjacent to 3425 and 3435 3rd Avenue SE. CIP/DID #PRD-022224-2015
 - e. February 23, 2016 – to consider annexation of territory south of Wright Brothers Boulevard SW and east of I-380 as requested by the A-J-B LP. CIP/DID #ANNX-022394-2015
 - f. March 8, 2016 – to consider an Urban Revitalization Area designation for the rehabilitation of the historic Ideal Theatre building at 213 16th Avenue SE and 1614 2nd Street SE as requested by Jelinek Companies LLC. CIP/DID #URTE-0006-2016
 - g. March 22, 2016 – to consider amendments to the Section 8 Housing Choice Voucher (HCV) Program Public Housing Agency (PHA) 5-Year Plan Amendments, Annual Plan, and Administrative Plan, which includes the Family Self-Sufficiency Action Plan and the Homeownership Option Plan for the City of Cedar Rapids, Iowa. CIP/DID #OB363680

25. 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:
- February 9, 2016 – B Avenue NW from Highland Drive NW to 8th Street NW Roadway Improvements project, with bid opening February 10, 2016 (estimated cost is \$2,600,000). **(Paving for Progress)** CIP/DID #3012091-02
 - February 9, 2016 – 400 1st Avenue NE – Five Seasons Parkade Structural Repairs Project, with bid opening February 17, 2016 (estimated cost is \$900,150). CIP/DID #635132-02
 - February 9, 2016 – Overhead Sign Structures on 7th Street NE from I-380 to 1st Avenue E project, with bid opening February 17, 2016 (estimated cost is \$100,000). CIP/DID #306228-01
 - February 9, 2016 – Southbound Right-Turn Lane, Iowa Highway 13 & Bertram Road project, with bid opening February 24, 2016 (estimated cost is \$214,800). CIP/DID #6150015-02
26. Motion assessing \$300 civil penalties for violation of State Code regarding the sale of tobacco/vapor products to minors against:
- Hy-Vee Food Store #1, 1843 Johnson Avenue NW. CIP/DID #CIG001851-05-2015
 - Road Ranger #5147, 1430 1st Avenue NE. CIP/DID #CIG001984-06-2015
 - Road Ranger #5151, 380 Blairs Ferry Road NE. CIP/DID #CIG001988-06-2015
 - Westside Lounge, 325 Edgewood Road NW. CIP/DID #CIG001798-04-2015
27. Motion assessing \$500 civil penalties for violation of State Code regarding the sale of alcohol to minors against:
- Point Liquor & Tobacco, 4107 Center Point Rd NE. CIP/DID #LIQR001409-07-2014
 - Sam Liquor & Tobacco, 1500 1st Avenue NE. CIP/DID #LIQR000760-12-2013
28. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- Clarion Hotel & Convention Center, 525 33rd Avenue SW.
 - Club Basix, 3916 1st Avenue NE.
 - Fareway Store #151, 3717 1st Avenue SE.
 - Hy-Vee Food Store #7, 5050 Edgewood Road NE.
 - Kwik Shop #560, 3301 J Street SW.
 - Kwik Shop #561, 2904 Center Point Road NE.
 - Kwik Shop #563, 1001 1st Avenue SW.
 - Kwik Shop #565, 4201 Center Point Road NE.
 - Osaka Japanese Steakhouse & Sushi Bar, 5001 1st Avenue SE.
 - Silver Star Saloon, 2665 Edgewood Parkway SW.
 - St Matthew Church, 735 Prairie Drive NE (5-day permit for an event on February 6, 2016 at Regis Middle School, 735 Prairie Drive NE).
 - Stop on Bye, 1616 6th Street SW (new – previously Bulicek's Deli & Brew).
 - Tomaso's Pizza, 3234 Center Point Road NE.
 - Viking Lounge, 1971 16th Avenue SW.
29. Resolutions approving:
- Payment of bills. CIP/DID #FIN2016-01
 - Payroll. CIP/DID #FIN2016-02
 - Transfer of funds. CIP/DID #FIN2016-03

30. Resolution appointing, reappointing and thanking the following individuals:
- Appointing Tariq Baloch and reappointing Jasmine Almoayed, Angie Charipar, Ron Corbett, Brad DeBrower, Kris Gulick, Sven Leff, Joe Mailander, Ann Poe, Pat Shey, Justin Shields and Amy Stevenson as Alternate Representatives on the Corridor Metropolitan Planning Organization for a term of one year. CIP/DID #OB542014
31. Resolutions approving assessment actions:
- Levy assessment – Water Division – delinquent municipal utility bills – 12 properties. CIP/DID #WTR1215-001
 - Intent to assess – Water Division – delinquent municipal utility bills – 52 properties. CIP/DID #WTR01-26-16-001
 - Intent to assess – Solid Waste & Recycling – clean-up costs – three properties. CIP/DID #SWM-002-16
32. Resolution accepting subdivision improvements and approving Maintenance Bond:
- Water system improvements installed in Crescent View 4th Addition and 2-Year Maintenance Bond submitted by Abode Construction Inc. in the amount of \$65,112.90. CIP/DID #2015081-01
33. Resolution approving final plat:
- The Depot at Newbo First Addition for land located at 400 12th Avenue SE. CIP/DID #FLPT-021479-2015
34. Resolutions approving actions regarding purchases, contracts and agreements:
- Contract with LSL Planning for Consulting Services for New Zoning Code for the Community Development Department for an amount not to exceed \$265,089. CIP/DID #PUR0615-252
 - Contract with Universal Field Services, Inc. for Right of Way Acquisition Support Services for the Engineering Division for an amount not to exceed \$120,000. CIP/DID #PUR0515-222
 - Contract with St. Luke's Work Well Solutions for Health Services for the Human Resources Department for an annual amount not to exceed \$200,000. CIP/DID #PUR1015-070A
 - Contract with BladeWorks for 2016 Tree Planting for the Parks and Recreation Department for an amount not to exceed \$245,860. CIP/DID #PUR1115-089
 - Contract with Rehrig Pacific Company for Solid Waste Containers for Collection of Garbage, Recycling & Yard Waste for the Solid Waste & Recycling Division for an annual amount not to exceed \$230,000. CIP/DID #PUR0715-013
 - Amendment No. 2 to renew contract with ESCO Electric for Low and Medium Voltage Electrical Services for the Water Pollution Control Facility for two years for an annual amount not to exceed \$140,000 (original contract amount was \$140,000; renewal contract amount is \$140,000). CIP/DID #0112-126
 - Professional Services Agreement with Black & Veatch Corporation for an amount not to exceed \$507,606 for the Kirkwood Standpipe Replacement Project. CIP/DID #6250040-01

- h. Amendment No. 4 to the Professional Services Agreement with McClure Engineering Co. specifying an increased amount not to exceed \$2,400 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 \$143,665). CIP/DID #325008-01
- i. Amendment No. 27 to the Contract Agreement with the Iowa Economic Development Authority (IEDA) reducing the grant award by an amount of \$147,175 for the voluntary property acquisition and demolition project funded under the Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program (original contract amount was \$95,474,137; total contract amount with this amendment is \$124,865,638). **(Flood)** CIP/DID #3302500001-2
- j. Amendment No. 20 to Contract 08-DRH-208 with the Iowa Economic Development Authority (IEDA) to clarify reporting requirements and extend the contract end date to December 31, 2016. CIP/DID #08-DRH-208
- k. Warranty Deed from Corridor Property Management, LLC, for dedication of street right-of-way for Blairs Ferry Road NE adjoining property at 4200 Blairs Ferry Road NE. CIP/DID #PLSV-022222-2015
- l. Assignment and Assumption of Development Agreement from S & J Homes, LLC to Robinson Construction, Inc. for property at 1003 3rd Street SW participating in the fourth round of the SFNC program. **(Flood)** CIP/DID #OB540257
- m. Amendment No. 1 to the Development Agreement with Cedar Valley Habitat for Humanity for disposition and redevelopment of City-owned property at 806 D Avenue NW through the Residential Property Disposition program. CIP/DID #OB565513
- n. Amendment No. 2 to the Agreement for Private Redevelopment with TrueNorth Real Estate, LC at 500 1st Street SE. **(Flood)** CIP/DID #OB1298825
- o. Development Agreement with Center Point Apartments, LLC for the development of 1427 Center Point Road NE as part of the sixth round of the Multi-Family New Construction (MFNC) Program. **(Flood)** CIP/DID #08-DRH-208
- p. Development Agreement with Creekside Apartments, LLC for the development of 1415 Center Point Road NE as part of the sixth round of the Multi-Family New Construction (MFNC) Program. **(Flood)** CIP/DID #08-DRH-208
- q. Payments to various non-profit special events held in Cedar Rapids for the fiscal year 2016 from the Special Event Public Safety Fund. CIP/DID #OB568164
- r. City Attorney execution of the Settlement Agreement with LWD PRP Group regarding the LWD Incinerator Site and authorizing payment of \$3,000. CIP/DID #ATT000003

REGULAR AGENDA

- 35. Report on bids for the Demolition Services of Buildings and Associated Materials – Sinclair Site project for the Building Services Department (John Riggs). **(Flood)** CIP/DID #PUR1115-098
 - a. Resolution awarding and approving contract for an amount not to exceed \$214,800, bond and insurance of DW Zinser Company for Demolition Services of Buildings and Associated Materials – Sinclair Site (estimated cost is \$350,000).

36. Report on bids for the 74th Street NE from White Ivy Place to C Avenue NE-Roadway Improvements project (estimated cost is \$2,044,000) (Doug Wilson). **(Paving for Progress)**
CIP/DID #3012050-02
37. Report on bids for the 18th Street SW Extension from Wilson Avenue to 16th Avenue PCC Pavement–Grade and Replace project (estimated cost is \$2,329,537) (Doug Wilson).
CIP/DID #301500-06
38. Report on bids for the C Avenue NE Improvements from Collins Road to Blairs Ferry Road PCC Pavement–Grade and Replace project (estimated cost is \$2,313,000) (Doug Wilson).
CIP/DID #301612-04
39. Resolution with respect to the adoption of the Resolution of Necessity proposed for the 26th Street SW Improvements from 76th Avenue SW to 60th Avenue SW project (Doug Wilson).
CIP/DID #3012004-00
40. Discussion and Resolution of support providing City participation under the City’s Historic Preservation Program for the rehabilitation of the historic Ideal Theatre building at 213 16th Avenue SE and 1614 2nd Street SE as requested by Jelinek Companies LLC (Caleb Mason). CIP/DID #URTE-0006-2016

ORDINANCES

Third Reading

41. Ordinance relating to the collection of tax increment within the proposed Miron Construction Urban Renewal Area located at 335 French Court SW. CIP/DID #TIF-0003-2015

Second and Possible Third Readings

42. Ordinance amending Chapter 22A of the Municipal Code, Nuisance Property, by deleting Chapter 22A and enacting a new Chapter 22A in its place, establishing regulations relating to statement of public policy, nuisance activity, service of notice, prohibitions, and administrative appeals. CIP/DID #OB807542

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 Overland
5. Council member Poe
6. Council member Russell
7. Council member Shey
8. Council member Shields
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

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