

“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 9, 2016 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
 - ❖ Presentation - Entrepreneurial Development Center MOU Report (Curt Nelson)

PUBLIC HEARINGS

1. A public hearing will be held to consider amending Chapter 22A of the Municipal Code, Nuisance Property, by deleting Chapter 22A and enacting a new Chapter 22A in its place, by adding provisions relating to victims of crime or abuse and modifying the exemption for certain calls for emergency assistance (Amanda Grieder). CIP/DID #OB807542
 - a. First Reading: Ordinance amending Chapter 22A of the Municipal Code, Nuisance Property, by deleting Chapter 22A and enacting a new Chapter 22A in its place, by adding provisions relating to victims of crime or abuse and modifying the exemption for certain calls for emergency assistance.
2. A public hearing will be held to consider the continuation of the disposition of excess City-owned property described as a non-conforming vacant lot located at 1314 1st Street SW (Rita Rasmussen). CIP/DID #PRD-023180-2016
 - a. Resolution authorizing the disposition of excess City-owned property described as a non-conforming vacant lot located at 1314 1st Street SW.

3. A public hearing will be held to consider annexation of property located at 3500 Ellis Road NW as requested by Wilmar Development Co. (Johnny Alcivar). CIP/DID #ANNX-023193-2016
 - a. Resolution authorizing the annexation of property located at 3500 Ellis Road NW as requested by Wilmar Development Co.
4. A public hearing will be held to consider granting a change of zone for property at 1731 Center Point Road NE from C-2, Community Commercial Zone District, to C-3, Regional Commercial Zone District, as requested by Ronald L. and Karen S. White and Jason C. Jones (Johnny Alcivar). CIP/DID #RZNE-023324-2016
 - a. First Reading: Ordinance granting a change of zone for property at 1731 Center Point Road NE from C-2, Community Commercial Zone District, to C-3, Regional Commercial Zone District, as requested by Ronald L. and Karen S. White and Jason C. Jones.
5. A public hearing will be held to consider granting a change of zone for property at 1834 Blairs Ferry Road NE from I-1, Light Industrial Zone District, to C-3, Regional Commercial Zone District, as requested by Vua Property Management, L.C. (Johnny Alcivar). CIP/DID #RZNE-023328-2016
 - a. First Reading: Ordinance granting a change of zone for property at 1834 Blairs Ferry Road NE from I-1, Light Industrial Zone District, to C-3, Regional Commercial Zone District, as requested by Vua Property Management, L.C.
6. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2017 Sidewalk Repair Program – Contract No. 1 project (estimated cost is \$569,000) (Nate Kampman). CIP/DID #3017017-01
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2017 Sidewalk Repair Program – Contract No. 1 project.
7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Curb Ramp Repair Project – NW Bid Package No. 4 project (estimated cost is \$307,000) (Nate Kampman). CIP/DID #3016016-07
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Curb Ramp Repair Project – NW Bid Package No. 4 project.
8. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Indian Creek Tree Restoration project (estimated cost is \$425,000) (Dave Wallace). CIP/DID #655625-08
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Indian Creek Tree Restoration 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 sponsorship of FY2017 Redevelopment Tax Credits Program applications to be submitted to the Iowa Economic Development Authority. CIP/DID #OB865256
11. Resolution referring to the Linn County Compensation Commission the partial acquisition of a permanent retaining wall easement and a temporary grading easement for construction from Cedar View Apartments LP for land located at 1100 O Avenue NW and from Joan M. Wenzel for land located at 1156 O Avenue NW, in connection with the O Avenue NW Improvements Phase I from 16th Street NW to Ellis Boulevard NW project. **(Paving for Progress)** CIP/DID #3012121-00
12. Resolution rescinding Resolution No. 572-4-77, which established stop control at the intersection of N Avenue and 6th Street NW, stopping all north/south traffic on 6th Street for N Avenue NW; and establishing stop control at the intersection of N Avenue and 6th Street NW, stopping all eastbound traffic on N Avenue for 6th Street NW. CIP/DID #60-17-031
13. Resolution authorizing a Systems Analyst to attend the CommunityLIVE OnBase Conference in Kissimmee, FL from September 10 - 15, 2016 for an estimated total amount of \$4,902.25. CIP/DID #IT2016-011
14. Resolution authorizing a Systems Analyst to attend Lenel OnGuard training in Seattle, WA from September 18 - 23, 2016 for an estimated total amount of \$4,292.20. CIP/DID #IT2016-012
15. Resolution authorizing a Database Analyst to attend the SQL PASS Summit 2016 in Seattle, WA from October 25 - 29, 2016 for an estimated total amount of \$3,900. CIP/DID #IT2016-010

16. Motions setting public hearing dates for:
 - a. August 23, 2016 - to consider granting a change of zone for property at 221 4th Avenue SW from C-3, Regional Commercial Zone District, to R-3, Single Family Residence Zone District, as requested by Scallon Custom Homes, LLC. CIP/DID #RZNE-023551-2016
 - b. August 23, 2016 - to consider granting approval of a Preliminary Site Development Plan for an "Essential Service" as requested by the State of Iowa for property zoned PUB, Public Zone District, at 5400 16th Avenue SW. CIP/DID #PSDP-023259-2016
 - c. August 23, 2016 - to consider the disposition of three excess City-owned properties located at 0 Vacant Lot SE (GPN 142720202200000), 0 Vacant Lot SE (GPN 142720702500000) and 0 Vacant Lot SE (GPN 142720200400000) for participation in the fourth round of the Single Family New Construction Program. **(Flood)** CIP/DID #OB540257
 - d. September 27, 2016 - to consider an Urban Revitalization Area designation for ReConserve of Iowa, Inc. for the construction of a new industrial facility east of Edgewood Road SW and south of 60th Avenue SW. CIP/DID #URTE-0010-2016
17. 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. August 23, 2016 - 66th Avenue SW Roadway Improvements from Locust Road to 6th Street, Phase 1 – Utility Improvements project, with bid opening August 24, 2016 (estimated cost is \$880,000). **(Paving for Progress)** CIP/DID #3012129-02
 - b. August 23, 2016 – Raw Water Main Relocation project, with bid opening September 14, 2016 (estimated cost is \$670,000). CIP/DID #6250044-02
18. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
 - a. Applebee's Neighborhood Grill - Edgewood Road, 2645 Edgewood Road SW.
 - b. Benz Beverage Depot, 501 7th Avenue SE (5-day permit for an event on August 20, 2016).
 - c. Bread Garden Market, 225 Linn Street, Iowa City (5-day permit for an event on August 26, 2016, at Veterans Memorial Coliseum, 50 2nd Avenue Bridge).
 - d. Carlos O'Kelly's, 2635 Edgewood Road SW.
 - e. Casey's General Store #2765, 5050 Northland Avenue NE.
 - f. Casey's General Store #2771, 501 6th Street SW.
 - g. Cedar Rapids Metro Economic Alliance, 501 1st Street SE (5-day permit for the Cedar Rapids Market After Dark event on August 27, 2016 at 2nd, 3rd and 5th Streets SE from 1st Avenue to 4th Avenue, 2nd and 3rd Avenues SE from 1st Street to 6th Street SE).
 - h. Checkers Tavern & Eatery, 3120 6th Street SW (additional outdoor service for an event on August 20 - 21, 2016).
 - i. Coe College/Sodexo, 1220 1st Avenue NE (transfer for an event on August 13, 2016 at Veterans Memorial Coliseum, 50 2nd Avenue Bridge).
 - j. Dollar General #10774, 266 Blairs Ferry Road NE.
 - k. Dollar General #3781, 151 Jacolyn Drive NW.
 - l. Dollar General #6190, 403 Edgewood Road NW.
 - m. Dollar General #9141, 3451 Mount Vernon Road SE.
 - n. El Bajio, 555 Gateway Place SW (new – formerly Cancun #2).

- o. Flamingo, 2310 1st Avenue NE (transfer to St. Matthew's Church, 2310 1st Avenue NE, for an event on August 27, 2016).
 - p. Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day permit for an event on August 20, 2016 at Veterans Memorial Ballroom, 51 1st Avenue Bridge).
 - q. Hy-Vee #7 Market Grille, 5050 Edgewood Road NE.
 - r. Just Coz, 406 6th Street SW.
 - s. New Shack Tavern, 2545 Old River Road SW (outdoor service for an event on September 10, 2016).
 - t. NewBo City Market, 1100 3rd Street SE (additional outdoor service for an event on September 9, 2016).
 - u. Porky's Bar & Grill, 4617 J Street SW.
 - v. Puerto Vallarta Bar & Grill, 588 Boyson Road NE.
 - w. Rumors, 400 F Avenue NW.
 - x. Wild Hog Saloon & Eatery, 350 Commercial Drive (5-day permit for an event August 27, 2016 at Metro Harley Davidson, 2415 Westdale Drive SW).
19. Resolutions approving:
- a. Payment of bills. CIP/DID #FIN2016-01
 - b. Payroll. CIP/DID #FIN2016-02
20. Resolution appointing the following individual:
- a. Douglas Hamilton (effective through June 30, 2019) to the Mechanical Board of Appeals. CIP/DID #OB572849
21. Resolutions approving the special event applications for:
- a. Benz Beer Nuts Beer Festival (includes road closure) on August 20, 2016. CIP/DID #SPEC-054642-2016
 - b. NewBo Art Fest (includes road closure) on September 4, 2016. CIP/DID #SPEC-055006-2016
 - c. New Bo Run, amending Reso No. 0991-07-16, to correct the date to September 4, 2016. CIP/DID #SPEC-050969-2016
22. Resolutions approving assessment actions:
- a. Intent to assess - Solid Waste & Recycling - clean-up costs - two properties. CIP/DID #SWM-008-16
 - b. Levy assessment - Solid Waste & Recycling - clean-up costs - two properties. CIP/DID #SWM-007-16
 - c. Levy assessment - Solid Waste & Recycling - delinquent weed mowing charges - 111 properties. CIP/DID #FIN2016-05
 - d. Intent to assess - Water Division - delinquent municipal utility bills - 56 properties. CIP/DID #WTR080916-001
 - e. Levy assessment - Water Division - delinquent municipal utility bills - 23 properties. CIP/DID #WTR062816-001
 - f. Levy assessment - Building Services - delinquent nuisance abatement charges - one property. CIP/DID #FIN2016-04

23. Resolutions accepting projects, approving Performance Bonds and authorizing final payments:
- a. Water Pollution Control UASB Reactor #3 Improvements project, final retainage payment in the amount of \$12,494.49 and 2-year Performance Bond submitted by WRH, Inc. (original contract amount was \$262,000; final contract amount is \$249,889.79). CIP/DID #615162-04
 - b. 18th Street NW South of B Avenue Sanitary Sewer Point Repair project, final payment in the amount of \$2,743.59 and 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. (original contract amount was \$42,926.50; final contract amount is \$54,871.77). CIP/DID #6550019-01
24. Resolutions approving final plats:
- a. Novey First Addition to Linn County, Iowa for land located at 9209 Feather Ridge Road. CIP/DID #FLPT-023125-2016
 - b. Gardenview Third Addition to Cedar Rapids, Linn County, Iowa for land located at the extension of Bryant Boulevard SW, east of Stoney Point Road SW. CIP/DID #FLPT-022402-2015
25. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Amendment No. 4 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
 - b. Amendment No. 3 to renew contract with Fauser Energy Resources for motor oil and lubricants for the Fleet Services Division for an annual amount not to exceed \$145,000 (original contract amount was \$145,000; renewal contract amount is \$145,000). CIP/DID #0713-006
 - c. Amendment No. 3 to renew contract with Ultramax Ammunition for ammunition for the Police Department for an annual amount not to exceed \$90,000 (original contract amount was \$70,000; renewal contract amount is \$90,000). CIP/DID #0713-013
 - d. Contract with VIQ Solutions Inc./Dataworxs for an electronic dictation transcription system for the Police Department for an amount not to exceed \$95,243. CIP/DID #PUR0116-140
 - e. User Agreement with the Iowa Department of Public Safety for the Iowa On-Line Warrants and Articles System. CIP/DID #OB759137
 - f. Amendment No. 5 to the contract with Culver's Lawn & Landscape for Median Landscape Maintenance for the Streets Division to reflect additional cost for services for an amount not to exceed \$40,000 (original contract amount was \$2,500; total contract amount with this amendment is \$104,989.77). CIP/DID #0810-045
 - g. Professional Services Agreement with Shive-Hattery, Inc. for an amount not to exceed \$89,984.92 for design services in connection with the C Street SW from Bowling Street to Wilson Avenue Drive Roadway Rehabilitation project. **(Paving for Progress)** CIP/DID #3012095-01
 - h. Amendment No. 1 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC, specifying an increased amount not to exceed \$134,286 for engineering design services in connection with the O Avenue NW Roadway Improvements from Edgewood Road to Ellis Boulevard project (original contract amount was \$916,420; total contract amount with this amendment is \$1,050,706). **(Paving for Progress)** CIP/DID #3012121-01

- i. Amendment No. 2 to the Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed \$40,200 for design services in connection with the Memorial Drive SE Roadway and Utility Improvements from Mount Vernon Road to Bever Avenue project (original contract amount was \$271,017; total contract amount with this amendment is \$328,220). **(Paving for Progress)** CIP/DID #301379-01
- j. Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$100,000 for design services in connection with the FY17 Miscellaneous Storm Sewer Improvements project. CIP/DID #304990-14
- k. Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$148,641 for design services in connection with the Cottage Grove Parkway Stormwater Management Study project. CIP/DID #304224-07
- l. Professional Services Agreement Amendment No. 1 with Snyder and Associates, Inc. specifying an increased amount not to exceed \$45,010 for design services in connection with the 18th Street SW North of Wilson Avenue Detention Basin project (original contract amount was \$89,620; total contract amount with this amendment is \$134,630). CIP/DID #304257-01
- m. 28E Agreement with the Cedar Rapids Community School District to renew the School Resource Officer Program for the term July 1, 2016 through June 30, 2018. CIP/DID #OB641224
- n. 28E Agreement with Linn County to accept payment for construction in the amount of \$20,000 for a Hot Mix Asphalt (HMA) overlay on Seminole Valley Road NE from Fords Crossing Road to 42nd Street NE. **(Paving for Progress)** CIP/DID #3012116-00
- o. Grant application to the Iowa Department of Natural Resources for a REAP Grant to fund the conversion of 82 acres of Sac and Fox Greenway to native pollinator habitat and installation of interpretive signage. CIP/DID #787005-00
- p. Commitment to maintain the Sac & Fox Portland Cement Concrete Trail Extension from Indian Creek to Trailridge Road SE in good condition for 20 years from the time of its construction. CIP/DID #325031-01
- q. Rescinding Resolution No. 0945-07-16, which accepted an easement for a retaining wall and temporary grading easement, and authorizing execution of a Purchase Agreement in the amount of \$12,700, and accepting a warranty deed for right-of-way and an easement for retaining wall and Temporary Grading Easement from Monte D. Rife and Kelly A. Rife from land located at 1300 O Avenue NW in connection with the O Avenue NW Street Reconstruction Project from 16th Street NW to Ellis Boulevard project. **(Paving for Progress)** CIP/DID #3012121-00
- r. Development Agreements with Thomas Dostal Developers Inc. for properties located at 5404 Dostal Drive SW and 5406 Dostal Drive SW participating in the third round of the Single Family New Construction Program. **(Flood)** CIP/DID #OB540257
- s. Rescinding Resolution No. 1625-11-15, which established a Development Agreement with Cedar Valley Habitat for Humanity, Inc. for property at 1026 12th Street NE participating in the third round of the Single Family New Construction Program. **(Flood)** CIP/DID #OB540257
- t. Development Agreement and Special Warranty Deed with Stonebrook Homes, LLC for City-owned property at 953 N Street SW participating in the fourth round of the Single Family New Construction program. **(Flood)** CIP/DID #OB540257
- u. Change Order No. 3 Final deducting the amount of \$1,064 with Visu-Sewer, Inc. for the Indian Creek Trunk Sanitary Sewer Segment 1 Rehabilitation project (original contract amount was \$287,630; total contract amount with this amendment is \$477,966). CIP/DID #655625-07

- v. Change Order No. 7 in the amount of \$92,008.65 with Rathje Construction Company for the 42nd Street NE from I-380 Northbound Off Ramp to East of the Cedar River Trail - Traffic Signals project (original contract amount was \$824,160.67; total contract amount with this amendment is \$1,170,463.94). CIP/DID #301614-02
- w. Change Order No. 6 in the amount of \$8,593.20, plus 3 additional working days, with L.L. Pelling Company, Inc. for the 19th Street SE, Bever Avenue SE, and Garden Drive SE Pavement Rehabilitation Improvements project (original contract amount was \$1,922,103; total contract amount with this amendment is \$2,072,085.36). **(Paving for Progress)** CIP/DID #3012081-02
- x. Assignment and Assumption Agreement with Gatto, LLC in connection with the redevelopment of 100 and 102 3rd Avenue SW. CIP/DID #OB803706
- y. Awarding and approving contract in the amount of \$6,590,000, bond and insurance of Williams Brothers Construction, Inc. for the Water Pollution Control Facility Odor Control Upgrades project. CIP/DID #615233-02
- z. Awarding and approving contract in the amount of \$1,829,801.29, plus incentive up to \$20,000, bond and insurance of Vieth Construction Corp. for the 1st Avenue E from 27th Street NE to 34th Street NE HMA Resurfacing Phase 3 project (estimated cost is \$1,895,000). CIP/DID #301240-08
- aa. Awarding and approving contract in the amount of \$435,057.44, bond and insurance of Rathje Construction Company for the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road, Phase 1 - Grading project (estimated cost is \$480,000). CIP/DID #325008-02

REGULAR AGENDA

- 26. Report on bids for the Sinclair Levee - Grading/Gatewell Package (estimated cost is \$5,200,000) (Rob Davis). CIP/DID #3316509-03
- 27. Presentation and Resolutions authorizing Revision No. 2 to the Cedar River Flood Control System Master Plan and execution of a Professional Services Agreement with Shoemaker & Haaland for an amount not to exceed \$170,012 for preliminary design services in connection with the 8th Avenue Bridge Replacement Over the Cedar River Design Concept Services project (Rob Davis). CIP/DID #3311300-00
 - a. Resolution authorizing Revision No. 2 to the Cedar River Flood Control System Master Plan.
 - b. Resolution authorizing execution of a Professional Services Agreement with Shoemaker & Haaland for an amount not to exceed \$170,012 for preliminary design services in connection with the 8th Avenue Bridge Replacement Over the Cedar River Design Concept Services project.
- 28. Discussion and Resolution amending the Cedar Rapids Business Assistance Revolving Loan Fund (RLF) to allocate an additional \$50,000 of the total RLF to the MICRO Loan program, bringing the total for the MICRO Loan to \$100,000 (Jasmine Almoayed). CIP/DID #OB1002098

29. Presentation and Resolution adopting the Civil Rights Commission FY17 Work Plan (LaSheila Yates and Chair Salma Igram). CIP/DID #CVR-2016-08

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

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, should contact the City Clerk's Office at (319) 286-5060 or email 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