NOTICE OF CITY COUNCIL MEETING

The Cedar Rapids City Council will meet in Regular Session on Tuesday, May 28, 2019 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 – National Gun Violence Awareness Day (Christine Lehman-Engledow)
  - Presentation – Reducing Gun Violence Report (Deputy Chief Tom Jonker)
  - Presentation – Annual Housing Needs Update (Jennifer Pratt)

PUBLIC HEARINGS

1. A public hearing will be held to consider the Fiscal Year 2019 Budget Amendment (Casey Drew). CIP/DID #FIN2019-17
   a. Resolution adopting the Fiscal Year 2019 Budget Amendment.

2. A public hearing will be held to consider identification of community development needs, program funding for development of proposed activities, and specific budget allocations for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, including an Annual Action Plan for the period of July 1, 2019 to June 30, 2020 (Sara Buck). CIP/DID #OB246513
   a. Resolution authorizing program funding for development of proposed activities and specific budget allocations for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, including an Annual Action Plan for the period of July 1, 2019 to June 30, 2020.
3. A public hearing will be held to consider the disposition of City-owned property at 2000 Mount Vernon Road SE (the former Ambroz recreation building) and inviting competitive redevelopment proposals (Lauren Freeman). **CIP/DID #DISP-0010-2017**

   a. Resolution authorizing the continuation of the disposition of City-owned property at 2000 Mount Vernon Road SE (the former Ambroz recreation building) and inviting competitive redevelopment proposals.

4. A public hearing will be held to consider the continuation of the disposition of excess City-owned property described as a nonconforming vacant lot located at 419 9th Avenue SW (Rita Rasmussen). **CIP/DID #PRD-027571-2018**

   a. Resolution accepting a bid from Gerald LeGrand and Rosalie LeGrand in the amount of $1,000 for excess City-owned property described as a nonconforming vacant lot located at 419 9th Avenue SW.

5. A public hearing will be held to consider the vacation and disposition of public ways and grounds in and to the property described as a 707-square-foot parcel of excess City-owned right-of-way located at 130 Collins Road NE as requested by Chipokas Army Building, LLC (Rita Rasmussen). **CIP/DID #ROWV-027573-2018**

   a. **First Reading:** Ordinance vacating public ways and grounds in and to the property described as a 707-square-foot parcel of excess City-owned right-of-way located at 130 Collins Road NE as requested by Chipokas Army Building, LLC.

6. A public hearing will be held to consider amending the Future Land Use Map in the City’s Comprehensive Plan for property located south of Wright Brothers Boulevard SW and east of Earhart Lane SW from U-LI, Urban-Low Intensity, and UR, Urban Reserve Overlay, to U-MI, Urban-Medium Intensity, as requested by Krivanek Farm, LLC and Deborah A. and David Krivanek (Vern Zakostelecky). **CIP/DID #FLUMA-028153-2019**

   a. Resolution amending the Future Land Use Map in the City’s Comprehensive Plan for property located south of Wright Brothers Boulevard SW and east of Earhart Lane SW from U-LI, Urban-Low Intensity, and UR, Urban Reserve Overlay, to U-MI, Urban-Medium Intensity, as requested by Krivanek Farm, LLC and Deborah A. and David Krivanek.

7. A public hearing will be held to consider a change of zone from A-AG, Agriculture District, to S-RLF, Suburban Residential Low Flex District, and S-MC, Suburban Mixed-Use Community Center District, for property located south of Wright Brothers Boulevard SW and east of Earhart Lane SW as requested by Krivanek Farm, LLC and Deborah A. and David Krivanek (Vern Zakostelecky). **CIP/DID #RZNE-028154-2019**

   a. **First Reading:** Ordinance granting a change of zone from A-AG, Agriculture District, to S-RLF, Suburban Residential Low Flex District, and S-MC, Suburban Mixed-Use Community Center District, for property located south of Wright Brothers Boulevard SW and east of Earhart Lane SW as requested by Krivanek Farm, LLC and Deborah A. and David Krivanek.
8. A public hearing will be held to consider a change of zone from S-MC, Suburban Mixed-Use Community Center District, to S-MR, Suburban Mixed-Use Regional Center District, for property located at 2727 16th Avenue SW as requested by the City (Vern Zakostelecky). CIP/DID #RZNE-028649-2018

   a. **First Reading:** Ordinance granting a change of zone from S-MC, Suburban Mixed-Use Community Center District, to S-MR, Suburban Mixed-Use Regional Center District, for property located at 2727 16th Avenue SW as requested by the City.

9. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 2019 City Pavement Maintenance: 3rd Avenue SE: 5th Street to 19th Street; 3rd Street SE: 5th Avenue to 8th Avenue; 12th Avenue SE: 2nd Street to 7th Street; 6th Street SW: 66th Avenue to 76th Avenue project (estimated cost is $2,000,000) (Doug Wilson). CIP/DID #301951-01

   a. Resolution adopting plans, specifications, form of contract and estimated cost for the 2019 City Pavement Maintenance: 3rd Avenue SE: 5th Street to 19th Street; 3rd Street SE: 5th Avenue to 8th Avenue; 12th Avenue SE: 2nd Street to 7th Street; 6th Street SW: 66th Avenue to 76th Avenue project.

10. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Valley Brook Drive SE Storm Sewer Improvements project (estimated cost is $100,000) (Dave Wallace). CIP/DID #304476-01

   a. Resolution adopting plans, specifications, form of contract and estimated cost for the Valley Brook Drive SE Storm Sewer Improvements project.

11. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the WPCF Effluent Return Pipeline Replacement project (estimated cost is $300,000) (Steve Hershner). CIP/DID #6150019-02

   a. Resolution adopting plans, specifications, form of contract and estimated cost for the WPCF Effluent Return Pipeline Replacements project.

12. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Water Distribution Building Roof Replacement project (estimated cost is $490,000) (Steve Hershner). CIP/DID #6250063-02

   a. Resolution adopting plans, specifications, form of contract and estimated cost for the Water Distribution Building Roof Replacement 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.

13. Motion to approve the minutes.

14. Resolution authorizing and providing for the issuance of $20,485,000 General Obligation Bonds, Series 2019A, and levying a tax to pay said bonds; approval of the tax exemption certificate and continuing disclosure certificate. CIP/DID #FIN2018-07

15. Resolution authorizing and providing for the issuance of $6,520,000 Taxable General Obligation Bonds, Series 2019B, and levying a tax to pay said bonds; approval of the continuing disclosure certificate. CIP/DID #FIN2018-07

16. Resolution authorizing and providing for the issuance and securing the payment of $12,110,000 Sewer Revenue Bonds, Series 2019C, and providing for a method of payment of the bonds which includes approval of the tax exemption certificate and continuing disclosure certificate. CIP/DID #FIN2018-07

17. Resolution authorizing and providing for the issuance and securing the payment of $8,635,000 Water Revenue Bonds, Series 2019D, and providing for a method of payment of the bonds which includes approval of the tax exemption certificate and continuing disclosure certificate. CIP/DID #FIN2018-07

18. Resolution authorizing the total acquisition of 409 30th Street Drive SE through FEMA’s Hazard Mitigation Grant Program, with Capital Improvement Program funds serving as the required City contribution. CIP/DID #304990-16

19. Resolution establishing a special rate incentive provided by the Water Pollution Control Division for the International Paper Company facility located at 4600 C Street SW to ensure discharge of Cedar Rapids Mill effluent wastewater to the City anaerobic pretreatment facility through FY2022. CIP/DID #611000-01

20. Resolution adopting the revised Other Power-Driven Mobility Device policy. CIP/DID #CM004-16

21. Preliminary Resolution for the construction of sanitary sewer service and driveway improvements for the O Avenue NW Improvements Phases II & III from 16th Street NW to Edgewood Road NW project. (Paving for Progress) CIP/DID #3012121-00

22. Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Peace Avenue NW Improvements from Midway Drive to Jacolyn Drive project. (Paving for Progress) CIP/DID #3012152-00
23. Resolution approving the amended Business Travel Report for a Police Officer who attended the K9 Trainer’s Course in Sharpsville, PA from February 3 to April 20, 2019, to reflect the actual trip costs of $11,431.77. CIP/DID #PD0036

24. Resolution setting a public hearing for June 11, 2019 to consider the disposition of City-owned properties at 400 2nd Street SW, 207 4th Avenue SW, and 217 4th Avenue SW, and inviting competitive redevelopment proposals. CIP/DID #DISP-0027-2019

25. Motions setting public hearing dates for:
   b. June 11, 2019 – to consider amending Chapter 31 of the Municipal Code, Subdivisions, to clarify and update requirements relating to costs for the observation of construction, costs for materials testing, maintenance surety requirements, and minor procedural items related to the Development Services Department. CIP/DID #49-19-010

26. Motion setting a public hearing date and directing publication thereof, filing plans and 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. June 11, 2019 – Replacement of Fire Hydrants, Valves, and Blow Off Completes FY20 project (estimated cost is $104,010). CIP/DID #2020037

27. Motion assessing a civil penalty for violation of State Code regarding the sale of tobacco/vapor products to a minor against:
   a. Fas Mart #5148, 550 Wilson Avenue SW (first offense – $300). CIP/DID #CIG003828-05-2018

28. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
   a. Benz Beverage Depot, 501 7th Avenue SE.
   b. Break Room, 3108 1st Avenue NE.
   c. Cafe Saint Pio, 99 16th Avenue SW (new – formerly retail space).
   d. Casa Las Glorias, 2245 Blairs Ferry Road NE.
   e. Casey’s General Store #2791, 9125 Atlantic Drive SW (new – adding liquor).
   f. Cedar River Landing, 301 F Avenue NW (permanent outdoor service area).
   g. Chrome Horse Slophouse & Saloon, 1201 3rd Street SE (5-day permit for an event at Black Stock Motorcycle Company, 611 2nd Avenue SE).
   h. Clock House Brewing, 600 1st Street SE (5-day license for an event at Lindale Mall, 4444 1st Avenue NE).
   i. Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day license for an event at Shive Hattery, 222 3rd Avenue SE).
   k. Mr. B’s Sam’s Pizza, 629 2nd Avenue SW.
   l. Pancheros Mexican Grill, 2315 Edgewood Road SW.
   m. Rock Bar American Grill, 219 2nd Avenue SE.
   n. Sierra Foods, 3326 Center Point Road NE.
   o. Walgreens #03875, 2821 1st Avenue SE.
   p. Walgreens #05042, 3325 16th Avenue SW.
29. Resolutions approving:
   a. Payment of bills. CIP/DID #FIN2019-01
   b. Payroll. CIP/DID #FIN2019-02
   c. Transfer of funds. CIP/DID #FIN2019-03

30. Resolution appointing the following individuals:
   a. Appointing Lisa Peloquin (effective through June 30, 2020), Susan Forinash and James Piersall (effective through June 30, 2021) and Aaron Curtis and A. Grant Nordby (effective through June 30, 2022) to the Zoning Advisory Group. CIP/DID #CD-0048-2018

31. Resolutions approving the special event applications for:
   a. St. Ludmila’s Kolach Festival (includes road closures) on June 7-9, 2019. CIP/DID #SPEC-011401-2019
   b. Rinderknecht Athletic Center Grand Opening (includes road closures) on June 7, 2019. CIP/DID #SPEC-011368-2019

32. Resolutions approving assessment actions:
   c. Intent to assess – Water Division – delinquent municipal utility bills – 42 properties. CIP/DID #WTR052819-01
   d. Levy assessment – Water Division – delinquent municipal utility bills – 22 properties. CIP/DID #WTR042319-01

33. Resolution accepting project, approving Performance Bond and authorizing final payment:
   a. Westside Riverfront Parks Trail & Sidewalk Repairs project, final payment in the amount of $7,022.88 and 2-year Performance Bond submitted by Rocarek Enterprises, Inc. (original contract amount was $140,457.50; final contract amount is $149,943.50). CIP/DID #PUR0718-006

34. Resolutions approving actions regarding purchases, contracts and agreements:
   a. Fleet Services Division purchase of four half-ton pickup trucks from Stew Hansen Dodge City in the amount of $109,708. CIP/DID #PUR0419-233
   b. Fleet Services Division purchase of GPS services for City vehicles from Verizon Networkfleet Inc. for an amount not to exceed $75,000. CIP/DID #FLT041
   c. Contract with Peak Construction Group Inc. for exterior ADA compliance at City Hall and Fire Station No. 7 for the Facilities Maintenance Division for an amount not to exceed $63,963. CIP/DID #PUR0219-186
   d. Amendment No. 2 to the contract with Crawford Quarry Company for quarry products for the Streets Division to reflect the cost of additional materials for an amount not to exceed $40,000 (original contract amount was $100,000; total contract amount with this amendment is $140,000). CIP/DID #PUR0218-139
   e. Amendment No. 3 to the contract with Hawkeye Ready-Mix, Inc. for concrete products for the Streets Division to reflect the cost of additional materials for an amount not to exceed $16,000 (original contract amount was $45,000; total contract amount with this amendment is $86,000). CIP/DID #PUR0318-141
f. Amendment No. 4 to the contract with L.L. Pelling Company for asphalt products for the Streets Division to reflect the cost of additional materials for an amount not to exceed $65,000 (original contract amount was $850,000; total contract amount with this amendment is $915,000). CIP/DID #PUR0217-173

g. Amendment No. 2 to the contract with Wendling Quarries, Inc. for quarry products for the Streets Division to reflect the cost of additional materials for an amount not to exceed $12,000 (original contract amount was $100,000; total contract amount with this amendment is $112,000). CIP/DID #PUR0218-139

h. Contract with Alfa Laval for centrifuge system maintenance and repair services for the Water Pollution Control Facility for two years for an annual amount not to exceed $100,000. CIP/DID #PUR0119

i. Lease Agreement with Blackline Safety Corp. for 80 gas monitors for the Water Pollution Control Facility for an annual amount not to exceed $56,220. CIP/DID #PUR1018-085

j. Amendment No. 2 to the Professional Services Agreement with Watersmith Engineering specifying an increased amount not to exceed $6,000 for design services in connection with the Beaver Hollow Lift Station Improvements project (original contract amount was $40,000; total contract amount with this amendment is $54,500). CIP/DID #6550008-02

k. Professional Services Agreement with Snyder & Associates, Inc. for an amount not to exceed $60,900 for design services in connection with the Stream and Wetland Mitigation Evaluation project. CIP/DID #304486-02

l. Change Order No. 3 in the amount of $499,200, plus an additional 26 calendar days, with Hawkeye Paving Corp. for the 3rd Avenue from 1st Street SW to West of 1st Street SE Pavement Rehabilitation project (original contract amount was $1,412,559.80; total contract amount with this amendment is $1,916,462.80). (Paving for Progress) CIP/DID #3012155-03

m. Change Order No. 4 in the amount of $75,811.79 with RJN Group, Inc. for the Automated Sanitary Sewer Flow and Rainfall Monitoring project (original contract amount was $544,600; total contract amount with this amendment is $671,166). CIP/DID #655032-03

n. Change Order No. 6 in the amount of $200 with Boomerang Corp. for the C Street SW North of Highway 30 Anaerobic Sewer Capacity Improvements project (original contract amount was $914,757.50; total contract amount with this amendment is $1,014,007.50). CIP/DID #6550049-02

o. Change Order No. 9 in the amount of $3,673.50, plus three working days, with Rathje Construction Company for the CEMAR Trail: Phase 1C and H Avenue NE and 16th Street NE from Oakland Road to D Avenue PCC Pavement with HMA Resurfacing and PCC Sidewalk/Trail project (original contract amount was $1,659,070.64; total contract amount with this amendment is $1,927,938.16). (Paving for Progress) CIP/DID #3012175-02

p. Change Order No. 5 in the amount of $44,222.55 with Rathje Construction Company for the Center Point Road NE from 29th Street to 32nd Street Pavement Rehabilitation and Oakland Road NE from H Avenue to 32nd Street One-Way to Two-Way Conversion project (original contract amount was $3,080,065.93; total contract amount with this amendment is $3,343,719.83). (Paving for Progress) CIP/DID #3012148-06

q. Change Order No. 5 Revised deducting the amount of $13,078.24 with Rathje Construction Company for the E Avenue NW from Iowa Highway 100 to Stoney Point Road project (original contract amount was $4,748,175.30; total contract amount with this amendment is $4,784,757.56). (Paving for Progress) CIP/DID #3012181-02
r. Change Order No. 2 in the amount of $79,868.76, plus 12 calendar days, with Pirc-Tobin Construction, Inc. for the Ellis Boulevard NW from I Avenue to O Avenue Pavement Rehabilitation project (original contract amount was $651,322.45; total contract amount with this amendment is $731,731.20). (Paving for Progress) CIP/DID #3012088-02

s. Change Order No. 3 in the amount of $50,001.60 with Greg’s Lawn Service, Inc. for the Indian Creek Tree Restoration project (original contract amount was $429,559; total contract amount with this amendment is $481,875.60). CIP/DID #655625-08

t. Change Order No. 7 in the amount of $75,156.02 with Boomerang Corp. for the Johnson Avenue NW Improvements from 1st Avenue SW to Midway Drive NW project (original contract amount was $5,276,786.90; total contract amount with this amendment is $5,616,943.08). (Paving for Progress) CIP/DID #3012043-02

u. Change Order No. 15 in the amount of $23,357.09 with Rathje Construction Company for the Memorial Drive SE from Mount Vernon Road to Bever Avenue Roadway and Utility Improvements project (original contract amount was $2,961,441.41; total contract amount with this amendment is $3,254,107.42). (Paving for Progress) CIP/DID #301379-02

v. Change Order No. 3 in the amount of $413,478.37 with Rathje Construction Company for the Midway Drive NW from West Post Road NW to Wiley Boulevard NW Rehabilitation project (original contract amount was $1,214,899.97; total contract amount with this amendment is $1,636,413.01). (Paving for Progress) CIP/DID #3012120-06

w. Change Order No. 8 in the amount of $217,771.02, plus 15 calendar days, with Boomerang Corp. for the O Avenue NW Roadway Improvements Phase 1 project (original contract amount was $3,303,191; total contract amount with this amendment is $3,613,914.26). (Paving for Progress) CIP/DID #3012121-02

x. Change Order No. 6 in the amount of $6,886.96 with WRH, Inc. for the Quaker Oats Flood Control System project (original contract amount was $14,450,000; total contract amount with this amendment is $14,873,954.14). CIP/DID #3314520-30

y. Change Order No. 13 Final deducting the amount of $215,258.55 with Rathje Construction Company for the Seminole Valley Road NE Improvements from Fords Crossing Road to 42nd Street project (original contract amount was $3,473,561.65; total contract amount with this amendment is $3,610,250.90). (Paving for Progress) CIP/DID #3012116-03

z. 28E Agreement with Linn County to accept payment for construction in the amount of $95,508 for pavement and wetland mitigation improvements associated with the E Avenue NW from Iowa Highway 100 to Stoney Point Road project. (Paving for Progress) CIP/DID #3012181-00

aa. Purchase Agreement in the amount of $1 and accepting an Easement for Storm Sewer and Drainage and a Temporary Grading Easement for Construction from CoCoSaJe, L.C. from vacant land located south of 3500 Edgewood Road NE and north of the Cedar River in connection with the Edgewood Road NE North of Cedar River Embankment Improvements project. CIP/DID #655259-00
REGULAR AGENDA

35. Report on bids for the Prairie Grass Lane NE from Milburn Road to West of Windy Meadow Circle Roadway Construction project (estimated cost is $120,000) (Brenna Fall). CIP/DID #301967-02
   a. Resolution awarding and approving contract in the amount of $130,187.75, bond and insurance of Pirc-Tobin Construction, Inc. for the Prairie Grass Lane NE from Milburn Road to West of Windy Meadow Circle Roadway Construction project.

36. Report on bids for the Edgewood Road NE from Highway 100 to Blairs Ferry Road Roadway Improvements project (estimated cost is $710,000) (Brenna Fall). CIP/DID #301980-01
   a. Resolution awarding and approving contract in the amount of $848,486.19, bond and insurance of Midwest Concrete, Inc. for the Edgewood Road NE from Highway 100 to Blairs Ferry Road Roadway Improvements project.

37. Presentation and Resolution authorizing a Memorandum of Agreement with Willis Dady Emergency Shelter, Inc., the Cedar Rapids Metro Economic Alliance, and the Cedar Rapids Public Library to establish a Downtown Ambassador Pilot Program (Scott Hock). CIP/DID #PKSO19-19

ORDINANCES

Second and possible Third Readings

38. Ordinance amending Chapter 61 of the Municipal Code, Traffic Regulations, by deleting Section 61.138 therefrom and enacting in its place a new Section 61.138 regarding Automated Traffic Enforcement and the means for challenging an automated traffic citation. CIP/DID #OB449776

39. Ordinance establishing the Three Pines Urban Revitalization Area designation along Center Point Road NE, south of 32nd Street SE. CIP/DID #URTE-0029-2019

40. Ordinance relating to the collection of tax increments within the proposed Commerce Park Urban Renewal Area along and west of 6th Street SW and south of Wright Brothers Boulevard SW. CIP/DID #TIF-0021-2018

41. Ordinance granting a change of zone for property located at 1610 Blairs Ferry Road NE from S-RM1, Suburban Residential Medium Single Unit District, and S-MC, Suburban Mixed Use Community Center District, to I-LI, Light Industrial Zone District, with a Planned Unit Development Overlay as requested by Blairs Buildings LLC. CIP/DID #RZNE-028529-2019

42. Ordinance renaming Bellamy Court NW to Bellamy Street NW, northerly from Sandhurst Drive NW, as requested by the Traffic Engineering Division. CIP/DID #STREET-028099-2018
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.

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 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.