

“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, September 28, 2021 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 – Monarch Milkweed Month (Clark McLeod)

PUBLIC HEARINGS

1. A public hearing will be held to consider the annexation of territory generally located west of Edgewood Road NE and north of Woodview Drive NE as requested by Bryce and Colleen Marolf (Jeff Wozencraft). CIP/DID #ANNX-030543-2020
 - a. Resolution authorizing the annexation of territory generally located west of Edgewood Road NE and north of Woodview Drive NE as requested by Bryce and Colleen Marolf.
2. A public hearing will be held to consider the vacation and disposition of public ways and grounds in and to a 465-foot parcel of City-owned right-of-way southwesterly of and adjacent to 1140 Old Marion Road NE as requested by Mark and Kimberly Martin (Tim Mroch). CIP/DID #ROWV-031933-2021
 - a. First Reading: Ordinance vacating public ways and grounds in and to a 465-foot parcel of City-owned right-of-way southwesterly of and adjacent to 1140 Old Marion Road NE as requested by Mark and Kimberly Martin.

3. A public hearing will be held to consider the vacation and disposition of public ways and grounds in and to two parcels of City-owned excess right-of-way along Bertram Road SE at Wilder Drive SE and Berry Road as requested by Linn County (Tim Mroch). CIP/DID #ROWV-031473-2021
 - a. First Reading: Ordinance vacating public ways and grounds in and to two parcels of City-owned excess right-of-way along Bertram Road SE at Wilder Drive SE and Berry Road as requested by Linn County.
4. A public hearing will be held consider the vacation of public ways and grounds in and to a portion of the alley adjacent to 126 29th Street Drive SE as requested by BM Investments, L.L.C. (Tim Mroch). CIP/DID #ROWV-031339-2021
 - a. First Reading: Ordinance vacating public ways and grounds in and to a portion of the alley adjacent to 126 29th Street Drive SE as requested by BM Investments, L.L.C.
5. A public hearing will be held to consider the vacation of a partial utility easement at 2150 Sadler Drive SW as requested by Sadler Brothers Properties, LLC, Grandma Sadler's Property, LLC and Grampa Roy's Property, LLC (Tim Mroch). CIP/DID #EASE-032217-2021
 - a. Resolution vacating a partial utility easement at 2150 Sadler Drive SW as requested by Sadler Brothers Properties, LLC, Grandma Sadler's Property, LLC and Grampa Roy's Property, LLC.
6. A public hearing will be held to consider a Lease Agreement with 1825 LLC for parking adjacent to 1825 Edgewood Road SW (Tim Mroch). CIP/DID #LSES-032229-2021
 - a. Resolution authorizing execution of a Lease Agreement with 1825 LLC for parking adjacent to 1825 Edgewood Road SW.
7. A public hearing will be held to consider a change of zone for property at 2821 12th Avenue SW from S-RLF, Suburban Residential Low Flex District, to S-MC, Suburban Mixed Use Community Center District, as requested by the Joseph M. & Jo Anne M. Morrissey Revocable Trust (David Houg). CIP/DID #RZNE-032218-2021
 - a. First Reading: Ordinance granting a change of zone for property at 2821 12th Avenue SW from S-RLF, Suburban Residential Low Flex District, to S-MC, Suburban Mixed Use Community Center District, as requested by the Joseph M. & Jo Anne M. Morrissey Revocable Trust.
8. ~~A public hearing will be held to consider amending the Future Land Use Map in the City's Comprehensive Plan from U-MI, Urban Medium Intensity Area, to U-HI, Urban High Intensity Area, and a change of zone from A-AG, Agricultural District, to S-MR, Suburban Mixed Use Regional Center District, for property at 5130 Ushers Ferry Road NE as requested by Barbara Waterhouse. CIP/DID #RZNE-032173-2021~~ **CANCELLED AT THE REQUEST OF THE DEVELOPMENT SERVICES DEPARTMENT.**

9. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the CR Transit Maintenance Garage project (estimated cost is \$4,090,000) (Brad DeBrower). CIP/DID #PUR0821-050
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the CR Transit Maintenance Garage project.
10. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the WPC 2020 Plant-Wide PLC Replacement project (estimated cost is \$3,510,000) (Jim Flamming). CIP/DID #6150039-02
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the WPC 2020 Plant-Wide PLC 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.

11. Motion to approve the minutes.
12. Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects. CIP/DID #FIN2021-10
13. Resolution authorizing the Finance Director to restrict the current and future fund balances and issue payments for eligible uses of a new restricted Special Revenue Fund – ConnectCR Fundraising. CIP/DID #FIN2021-27
14. Resolution authorizing the retention of Lynch Dallas, P.C. as outside legal counsel in the lawsuit "Adams v. City of Cedar Rapids and Nathan Trimble". CIP/DID #ATT000025
15. Resolution authorizing the retention of Lynch Dallas, P.C. as outside legal counsel in the lawsuit "Brown v. City of Cedar Rapids, et al". CIP/DID #ATT000026
16. Resolution authorizing the retention of Mohammad Sheronick as outside legal counsel in the lawsuit "Brown v. City of Cedar Rapids, et al". CIP/DID #ATT000027

17. Resolution authorizing the establishment of two-way stop control at the intersection of Brighton Way and Aldridge Drive/Woodstone Lane SW, stopping traffic on Aldridge Drive and Woodstone Lane for traffic on Brighton Way. CIP/DID #SIGN-2021-069890
18. Resolution establishing a 5-foot utility easement on City-owned property on Lot A adjacent to Lot 55 and Seminole Valley Trail NE to support and accommodate future utility development. CIP/DID #ESCY-032382-2021
19. Resolution referring to the Linn County Compensation Commission the partial acquisition of right-of-way and a temporary construction easement from land at 1201 3rd Street SE, owned by KN Properties, LLC, in connection with the 12th Avenue SE and 2nd Street Mini Roundabout project. CIP/DID #301886-00
20. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the 2022 Sanitary Sewer Service Replacement project. CIP/DID #6550043-00
21. Resolution accepting work and fixing amount to be assessed for the Old Marion Road NE from South of Regent Street to C Avenue Pavement Rehabilitation project. **(Paving for Progress)** CIP/DID #3012148-00
22. Motions setting public hearing dates for:
 - a. October 12, 2021 – to consider amending the Future Land Use Map in the City's Comprehensive Plan from U-MI, Urban Medium Intensity Area, to U-HI, Urban High Intensity Area, and a change of zone from T-MC, Traditional Mixed Use Center District, to T-RH, Traditional Residential High District, for property at 1953 First Avenue SE as requested by North Point Park, LC. CIP/DID #RZNE-032274-2021
 - b. October 12, 2021 – to consider a Lease Agreement with Map Room LLC and Kevin Nanke Investments, Inc. for an outdoor patio adjacent to 416 3rd Street SE. CIP/DID #LSES-032180-2021
23. 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. October 12, 2021 – Center Point Road NE from Coe Road to Lincoln Avenue Reconstruction and One-Way to Two-Way Conversion project (estimated cost is \$2,790,000). **(Paving for Progress)** CIP/DID #3012094-07
24. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
 - a. Bricks Bar & Grill, 320 2nd Avenue SE.
 - b. The Harmac, 411 6th Avenue SE.
 - c. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (5-day license for an event).
 - d. Miguel's, 175 Jacolyn Drive NW.
 - e. NewBo City Market, 1100 3rd Street SE.
 - f. Paramount Theatre, 123 3rd Avenue SE.
 - g. Pedaler's Fork, 2010 Sylvia Avenue NE.
 - h. The Play Station, 200 Collins Road NE (new – adding alcohol).
 - i. Quick Stop, 1430 1st Avenue NE (new – formerly Fas Mart).
 - j. Sam's Club #8162, 2605 Blairs Ferry Road NE.
 - k. The Taco Depot 3, 35 Miller Avenue SW (new – formerly Hardees).
 - l. Tobacco Outlet & Liquor, 1545 1st Avenue SE.

- m. Walgreens #12580, 324 Edgewood Road NW.
 - n. Westside Lounge, 325 Edgewood Road NW.
25. Resolutions approving:
- a. Payment of bills. CIP/DID #FIN2021-01
 - b. Payroll. CIP/DID #FIN2021-02
 - c. Transfer of funds. CIP/DID #FIN2021-03
26. Resolutions appointing and thanking the following individuals:
- a. Appointing Jeremy Elges (effective through June 30, 2026) to the Library Board of Trustees. CIP/DID #OB572830
 - b. Vote of thanks to Randy Ramlo for serving on the Library Board of Trustees. CIP/DID #OB572830
27. Resolutions approving the special event applications for:
- a. The Crunch Berry Run (includes road closures) on October 2, 2021. CIP/DID #SPEC-015715-2021
 - b. Especially for You Race Against Breast Cancer (includes road closures) on October 3, 2021. CIP/DID #SPEC-015090-2021
28. Resolutions approving assessment actions:
- a. Levy assessment – Building Services Division – delinquent nuisance abatement charges – seven properties. CIP/DID #FIN2021-06
 - b. Intent to assess – Solid Waste and Recycling – cleanup costs – six properties. CIP/DID #SWM-017-21
 - c. Levy assessment – Solid Waste and Recycling – delinquent weed mowing charges – 36 properties. CIP/DID #FIN2021-07
 - d. Intent to assess – Water Division – delinquent municipal utility bills – 34 properties. CIP/DID #WTR092821-01
 - e. Levy assessment – Water Division – delinquent municipal utility bills – 14 properties. CIP/DID #WTR082421-01
29. Resolutions accepting subdivision improvements and approving Maintenance Bonds:
- a. PCC pavement in the Kwik Star 1107 site at 1900 16th Avenue SW and 4-year Maintenance Bond submitted by Schrader Excavating and Grading Co. in the amount of \$11,500. CIP/DID #ASDP-030150-2020
 - b. Storm sewer in the Kwik Star 1107 site at 1900 16th Avenue SW and 4-year Maintenance Bond submitted by Schrader Excavating and Grading Co. in the amount of \$1,500. CIP/DID #ASDP-030150-2020
30. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
- a. Veterans Memorial Stadium Rebuild Bid Package 3 – General Construction project, final payment in the amount of \$10,929.79 and 2-year Performance Bond submitted by McComas-Lacina Construction LC (original contract amount was \$230,500; final contract amount is \$241,395.75). **(Derecho)** CIP/DID #PUR1220-163
 - b. Makeup Air Units and Exhaust Fans project, final payment in the amount of \$26,600 and 2-year Performance Bond submitted by Prull Mechanical (original contract amount was \$532,000; final contract amount is \$532,000). **(Derecho)** CIP/DID #PUR1020-095

- c. 8th Street SW Between 21st Avenue and 22nd Avenue Drainage Improvements project and 4-year Performance Bond submitted by Tschiggfrie Excavating Co. (original contract amount was \$16,503; final contract amount is \$16,503). CIP/DID #304523-01
31. Resolutions approving final plats:
- a. Stoney Meadow Farms First Addition for land west of Edgewood Road SW and north of 76th Avenue SW in Linn County. CIP/DID #FLPT-032333-2021
 - b. Wright Brothers Commerce Park Second Addition for land south of Wright Brothers Boulevard and west of Earhart Lane SW. CIP/DID #FLPT-032271-2021
32. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Amendment No. 1 to the contract with Cultural Planning Group for the Visual Arts Master Plan for the Community Development Department to add services in the amount of \$8,000 (original contract amount was \$80,000; total contract amount with this amendment is \$88,000). CIP/DID #PUR1220-173
 - b. Amendment No. 2 to the contract with Pirc-Tobin Construction, Inc. for the 1st Street SW at Crandic RR Grade Crossing Improvements project for the Engineering Division to increase volume for an amount not to exceed \$16,656.70 (original contract amount was \$115,182.50; total contract amount with this amendment is \$137,807.20). CIP/DID #PUR0121-186
 - c. Amendment No. 1 to renew the contract with Roto Rooter for sewer televising, cleaning and locating services for the Engineering Division for two years for an annual amount not to exceed \$250,000 (original contract amount was \$250,000; renewal contract amount is \$250,000). CIP/DID #PUR0819-024
 - d. Contract with QFB Energy for natural gas consultant services for the Facilities Maintenance Services Division for three years for an amount not to exceed \$96,000. CIP/DID #PUR0821-045
 - e. Contract with Appetize Technologies, Inc. for point-of-sale software for the ImOn Ice Arena for five years in the amount of \$145,061.71. CIP/DID #PUR0921-069
 - f. Fleet Services Division purchase of two 2022 Chevrolet cargo vans from Lynch Ford Chevrolet in the amount of \$65,900. CIP/DID #PUR0821-052
 - g. Amendment No. 2 to the contract with Rilco, Inc. for motor oil and lubricant products for the Fleet Services Division for two years to increase unit pricing for an amount not to exceed \$70,000 (original contract amount was \$145,000; total contract amount with this amendment is \$215,000). CIP/DID #PUR0718-003
 - h. Amendment No. 1 to renew the contract with Express Employment Professionals for temporary staffing services for the Human Resources Department for two years for an annual amount not to exceed \$150,000 (original contract amount was \$150,000; renewal contract amount is \$150,000). CIP/DID #PUR0619-261
 - i. Information Technology Department purchase of technology items from CDW Government for one year for an amount not to exceed \$650,000. CIP/DID #IT2021-005
 - j. Information Technology Department purchase of hardware and software from Dell, Inc. for one year for an amount not to exceed \$550,000. CIP/DID #IT2021-004
 - k. Amendment No. 3 to renew the contract with Priority Dispatch Corp. for 911 dispatching software for the Joint Communications Division for five years for an annual amount not to exceed \$32,760 (original contract amount was \$23,750 for one year; renewal contract amount is \$163,800 for five years). CIP/DID #PUR0621-352
 - l. Contract with Petersen Crop & Cattle LLC for stump grinding in the right of way for the Parks and Recreation Department for two months for an amount not to exceed \$200,000. **(Derecho)** CIP/DID #PUR0821-041

- m. Fleet Services Division purchase of 14 2021 Ford Police Interceptor utility vehicles from Stivers Ford Lincoln in the amount of \$460,922 for use by the Police Department. CIP/DID #FLT079
- n. Amendment No. 5 to extend the contract for litter collection services with Stark Enterprises, Inc. for the Solid Waste Division and to add services for an amount not to exceed \$45,000 (original contract amount was \$35,000 for one year; total contract amount with this amendment is \$80,000 for 16 months). CIP/DID #PUR1216-119
- o. Fleet Services Division purchase of a truck-mounted striping machine from EZ Liner in the amount of \$392,113 for use by the Traffic Control Division. CIP/DID #FLT080
- p. Transit Division purchase of two heavy-duty buses from Gillig LLC in the amount of \$950,000. CIP/DID #TRN002-21
- q. Amendment No. 3 to renew the contract with Mailing Services Inc. for processing and mailing of municipal billing statements for the Water Division for one year for an amount not to exceed \$250,000. CIP/DID #PUR0918-054
- r. Amendment No. 7 to the contract with Alexander Chemical Corp. for liquid chlorine for the Water Operations Division and the Water Pollution Control Facility to reflect a unit price increase for an amount not to exceed \$100,000 (original contract amount was \$330,000; total contract amount with this amendment is \$430,000). CIP/DID #PUR1017-069
- s. Professional Services Agreement with Fehr Graham Engineering & Environmental for an amount not to exceed \$70,000 for engineering design services in connection with the L Street SW from 28th Avenue to Wilson Avenue Reconstruction project. **(Paving for Progress)** CIP/DID #3012345-03
- t. Cooperative agreement with the Iowa Department of Transportation for City Bridge Federal Aid SWAP Funding in an amount not to exceed \$1,000,000 for the 8th Avenue Bridge Replacement over the Cedar River project. CIP/DID #3318500-00
- u. Grant application in the amount of \$29,132.15 to the Iowa Department of Natural Resources' Derecho Community Forestry program for additional trees to be planted at Parks and Recreation Department sites. CIP/DID #FOR004-21
- v. 28E Agreement with the Linn Mar Community School District for an amount not to exceed \$1,942.03 for the adult crossing guard program for fiscal year 2022. CIP/DID #60-22-011
- w. Administrative Agreement with the Housing Fund for Linn County for its PATCH Program to administer \$1,000,000 from the City's American Rescue Plan Act funding for repairs or forgivable loans to low-to-moderate income residents with remaining derecho damage. CIP/DID #CD-0074-2021
- x. Development Agreement and Special Warranty Deed with Cedar Valley Habitat for Humanity for properties located between 1129 and 1121 15th Street SE, and between 1133 and 1125 16th Street SE. CIP/DID #DISP-0037-2021
- y. Purchase Agreement in the amount of \$500 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Karen Diane Kilts for land at 1436 J Street SW in connection with the 15th Avenue SW from 4th Street to C Street Rehabilitation project. **(Paving for Progress)** CIP/DID #3012100-00
- z. Accepting an Easement for Storm Sewer and a Temporary Grading Easement for Construction from Gregory and Caitlin Slessor for land at 250 27th Street Drive SE in connection with the 27th Street Drive SE Storm Sewer Improvements project. CIP/DID #304518-00
- aa. Purchase Agreement in the amount of \$250 and accepting a Release of Easement from Interstate Power and Light Company for land at 418 2nd Street NE in connection with the Cedar River Flood Risk Management Project – Reach 1 Lower McCloud (Alliant) Levee project. CIP/DID #3314200-00

- ab. Purchase Agreement in the amount of \$250 and accepting a Release of Easement from Interstate Power and Light Company for vacant City-owned land west of 915 Shaver Road NE in connection with the Cedar River Flood Risk Management Project – Reach 1 Lower McCloud (Alliant) Levee project. CIP/DID #3314200-00
- ac. Encroachment Agreement to permit the construction of a fence to encroach onto a Public Utility Easement at 4608 Sherman Street NE as requested by Amanda Homsey. CIP/DID #ENCR-015684-2021

REGULAR AGENDA

- 33. Report on bids for the Cherokee Trail (Phase 2B) from Cherry Hill Park to Sharon Lane, Along Gordon Avenue through Cherokee Park to Midway Drive NW project (estimated cost is \$3,800,000) (Tim Mroch). CIP/DID #325069-07
- 34. Report on bids for the Tower Terrace Road: Phase A Grading from East of Meadowknolls Road to Alburnett Road project (estimated cost is \$4,450,000) (Tim Mroch). CIP/DID #301666-03
- 35. Presentation and resolution approving the Community Climate Action Plan (Eric Holthaus). CIP/DID #CM001-20

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

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.