

*“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, October 26, 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 – Women's Lung Cancer Awareness Month (Jon Sulit)

## **PUBLIC HEARINGS**

1. A public hearing will be held to consider renewing the Czech Village–New Bohemia Self-Supported Municipal Improvement District (Jeff Wozencraft). CIP/DID #CD-0013-2015
2. A public hearing will be held to consider amending the Future Land Use Map in the City's Comprehensive Plan from U-HI, Urban High Intensity Area, to U-MI, Urban Medium Intensity Area, and a change of zone from A-AG, Agricultural District, to S-RMF, Suburban Residential Medium Flex District, and S-MC, Suburban Mixed Use Community Center District, for property at 5001 Williams Boulevard SW as requested by New Disciples of Cedar Rapids (David Houg). CIP/DID #RZNE-032367-2021
  - a. Resolution amending the Future Land Use Map in the City's Comprehensive Plan from U-HI, Urban High Intensity Area, to U-MI, Urban Medium Intensity Area, for property at 5001 Williams Boulevard SW as requested by New Disciples of Cedar Rapids.
  - b. First Reading: Ordinance granting a change of zone from A-AG, Agricultural District, to S-RMF, Suburban Residential Medium Flex District, and S-MC, Suburban Mixed Use Community Center District, for property at 5001 Williams Boulevard SW as requested by New Disciples of Cedar Rapids.
3. A public hearing will be held to consider the vacation and disposition of a 0.53-acre parcel of City-owned right-of-way on 9th Street SE between 8th and 9th Avenues SE as requested by Mercy Medical Center (Rita Rasmussen). CIP/DID #ROWV-032202-2021
  - a. First Reading: Ordinance vacating a 0.53-acre parcel of City-owned right-of-way on 9th Street SE between 8th and 9th Avenues SE as requested by Mercy Medical Center.

4. A public hearing will be held to consider the vacation and disposition of a 20-foot-wide alley between 5th and 6th Streets SE and 4th and 5th Avenues SE as requested by TWG Banjo, LP (Rita Rasmussen). CIP/DID #ROWV-032315-2021
  - a. First Reading: Ordinance vacating a 20-foot-wide alley between 5th and 6th Streets SE and 4th and 5th Avenues SE as requested by TWG Banjo, LP.
5. A public hearing will be held to consider the continuation of right-of-way acquisition and temporary construction easements for an approved public improvement project for the Wiley Boulevard Trail from Williams Boulevard to 16th Avenue SW project (Rita Rasmussen). CIP/DID #325052-00
  - a. Resolution to continue a previously-approved public improvement project and to proceed with the acquisition or condemnation of agricultural property and property interests not yet acquired for the Wiley Boulevard Trail from Williams Boulevard to 16th Avenue SW project.
6. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 40th Street SE from Mount Vernon Road to Soutter Avenue Pavement Improvements project (estimated cost is \$130,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012346-01
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 40th Street SE from Mount Vernon Road to Soutter Avenue Pavement Improvements project.
7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the FY22 Sanitary Sewer Point Repairs project (estimated cost is \$160,000) (Ben Worrell). CIP/DID #655996-21
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY22 Sanitary Sewer Point Repairs 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.*

8. Motion to approve the minutes.
9. Resolution establishing the times and dates of regularly scheduled City Council meetings to be held in 2022. CIP/DID #CLK001-22
10. Resolution establishing additional right-of-way on City-owned property at 1111 Shaver Road NE in connection with the Cedar River Flood Risk Management Project–Reach 1 Shaver Road NE Improvements at McCloud Run project. CIP/DID #3314200-00
11. Resolution authorizing payment of a membership fee in the amount of \$75,000 to the Cedar Rapids Metro Economic Alliance for fiscal year 2022. CIP/DID #CM002-16
12. Resolution authorizing the transfer of property taxes to the Cedar Rapids Medical Self-Supported Municipal Improvement District for an amount not to exceed \$33,306.04 for June through September 2021. CIP/DID #FIN2021-30
13. Resolution authorizing the Finance Department to electronically file the City Street Finance Report for fiscal year 2021 with the Iowa Department of Transportation. CIP/DID #FIN2021-31
14. Resolution authorizing a Police Lieutenant to attend the Senior Management Institute for Police in Boston, MA from June 5 to 24, 2022 for an estimated amount of \$11,500. CIP/DID #PD0056
15. Resolution authorizing a Police Lieutenant to attend the Senior Management Institute for Police in Boston, MA from July 10 to 29, 2022 for an estimated amount of \$11,500. CIP/DID #PD0057
16. Motion authorizing publication of a public notice that on November 9, 2021 a resolution will be considered to authorize the lease of a large-volume printer for the Utilities Department from Koch Office Products. CIP/DID #PUR1021-117
17. Resolution setting a public hearing for November 9, 2021 to consider the vacation of a 0.17-acre public access easement at 605 Boyson Road NE as requested by Hidden Creek Apartments, LLC. CIP/DID #EASE-032365-2021
18. Resolution setting a public hearing for November 23, 2021 and consultation with affected taxing entities, and referral to the City Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the proposed Upper 1st Avenue East Urban Renewal Area. CIP/DID #TIF-0067-2021
19. Resolution setting a public hearing for November 23, 2021 to consider the Resolution of Necessity (Proposed) for replacement of Orangeburg sanitary sewer services for the Trail Ridge Road SE from Red Fox Road to Indiandale Road project. **(Paving for Progress)** CIP/DID #3012291-00
20. 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. November 9, 2021 – FY22 Sanitary Sewer Lining project (estimated cost is \$1,890,000). CIP/DID #655999-10

- b. November 9, 2021 – FY 2022 Tree and Vegetation Removal project (estimated cost is \$230,000). CIP/DID #301990-24
  - c. November 9, 2021 – Generator at Animal Control project (estimated cost is \$130,000). CIP/DID #PUR1021-113
  - d. November 9, 2021 – Lindale Trail Phase 1 From Council Street to East of C Avenue NE project (estimated cost is \$2,710,000). CIP/DID #325071-02
  - e. November 9, 2021 – NW WTP Generator Building Rehabilitation project (estimated cost is \$380,300). CIP/DID #6250087-02
  - f. November 9, 2021 – Replace Fuel Storage Tanks at Ellis Maintenance project (estimated cost is \$200,000). CIP/DID #PUR0921-081
  - g. November 9, 2021 – Vets Window Replacement project (estimated cost is \$200,000). CIP/DID #PUR1021-107
21. 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. Cafe Saint Pio, 99 16th Avenue SW.
  - d. Casey's General Store #3756, 4560 16th Avenue SW.
  - e. Country Underground, 305 2nd Avenue SE.
  - f. CSPS Hall, 1103 3rd Street SE (new – change to class C commercial license).
  - g. Epic Catering, 319 7th Street SE (new – adding alcohol).
  - h. Fareway Store #963, 4220 16th Avenue SW.
  - i. Home Port, 624 Center Point Road NE.
  - j. Hospoda, 62 16th Avenue SW (new – formerly Aces & Eights).
  - k. Hy-Vee Food Store #1, 1843 Johnson Avenue NW.
  - l. Hy-Vee Food Store #2, 279 Collins Road NE.
  - m. Izumi Sushi & Hibachi, 221 2nd Avenue SE (new – formerly Wasabi).
  - n. Kwik Star #581, 251 33rd Avenue SW.
  - o. NewBo City Market, 1100 3rd Street SE (5-day license for an event).
  - p. Oyama Sushi Japanese Steakhouse, 5350 Council Street NE.
  - q. Pizza World, 4201 42nd Street NE.
  - r. Quinton's Bar & Deli, 450 1st Street SW.
  - s. Staybridge Suites, 4444 Czech Lane NE.
  - t. Sushi House, 2665 Edgewood Parkway SW.
  - u. Tornado's Tournament Room, 1600 3rd Street SE.
  - v. Vernon Bar & Grill, 3025 Mount Vernon Road SE.
22. Resolutions approving:
- a. Payment of bills. CIP/DID #FIN2021-01
  - b. Payroll. CIP/DID #FIN2021-02
  - c. Transfer of funds. CIP/DID #FIN2021-03
23. Resolutions appointing and thanking the following individuals:
- a. Appointing Stephanie Messer (effective through June 30, 2024) to the Cedar Rapids Citizen Review Board. CIP/DID #CM005-20
  - b. Vote of thanks to Lovar Kidd for serving on the Cedar Rapids Citizen Review Board. CIP/DID #CM005-20
  - c. Vote of thanks to Corey Behrens for serving on the Cedar Rapids Historic Preservation Commission. CIP/DID #OB691376

24. Resolutions approving assessment actions:
- a. Intent to assess – Solid Waste and Recycling – cleanup costs – 12 properties. CIP/DID #SWM-017-21
  - b. Levy assessment – Solid Waste and Recycling – cleanup costs – 12 properties. CIP/DID #SWM-016-21
  - c. Levy assessment – Solid Waste and Recycling – delinquent weed mowing charges – 24 properties. CIP/DID #FIN2021-07
  - d. Intent to assess – Water Division – delinquent municipal utility bills – 32 properties. CIP/DID #WTR102621-01
  - e. Levy assessment – Water Division – delinquent municipal utility bills – 22 properties. CIP/DID #WTR091421-01
25. Resolutions accepting subdivision improvements and approving Maintenance Bonds:
- a. Sanitary sewer in Sierra Court Second Addition and four-year Maintenance Bond submitted by Dave Schmitt Construction Co., Inc. in the amount of \$61,113.50. CIP/DID #FLPT-025943-2017
  - b. Storm sewer in Sierra Court Second Addition and four-year Maintenance Bond submitted by Dave Schmitt Construction Co., Inc. in the amount of \$118,582. CIP/DID #FLPT-025943-2017
26. Resolution accepting project, approving Performance Bond and authorizing final payment:
- a. NE Booster Station Motor Control Center Replacement project, final payment in the amount of \$93,116.38 and two-year Performance Bond submitted by Tri-City Electric Company (original contract amount was \$1,873,000; final contract amount is \$1,862,327.56). CIP/DID #6250070-02
27. Resolution approving final plat:
- a. Prairie Landing First Addition for land north of East Robins Road and east of C Avenue NE. CIP/DID #FLPT-031115-2020
28. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Contract with Johnson Consulting for an updated feasibility and economic impact study for the City Manager's Office for an amount not to exceed \$72,000. CIP/DID #PUR1021-099
  - b. Rescinding Resolution No. 1470-09-21, which authorized the purchase of two cargo vans from Lynch Ford Chevrolet for the Fleet Services Division, as the ordering window has closed. CIP/DID #PUR0821-052
  - c. Fleet Services Division purchase of two cargo vans from Lynch Ford Chevrolet in the total amount of \$85,950. CIP/DID #PUR1021-115
  - d. Amendment No. 14 to the contract with HBK Engineering, LLC for engineering design services for ADA compliance at Group 1 facilities to add services for an amount not to exceed \$86,317 (original contract amount was \$108,147; contract amount with this amendment is \$946,995.50). CIP/DID #PUR1216-136
  - e. Amendment No. 10 to the contract with HBK Engineering, LLC for engineering design services for ADA compliance at Group 2 facilities to add services for an amount not to exceed \$3,226.15 (original contract amount was \$79,500; total contract amount with this amendment is \$397,965.15). CIP/DID #PUR0317-205
  - f. Joint Communications Agency purchase of radio equipment and accessories for public safety vehicles from RACOM Corporation in the amount of \$1,075,970 for fiscal year 2022. CIP/DID #OB660090

- g. Amendment No. 2 to renew the contract with Kiesler Police Supply, Inc. for ammunition for the Police Department for an annual amount not to exceed \$90,000 (original contract amount was \$90,000; renewal contract amount is \$90,000). CIP/DID #PUR1018-068
- h. Fleet Services Division purchase of a mini excavator and attachments from Altorfer Inc. in the amount of \$80,003 for the Parks Department. CIP/DID #FLT089
- i. Fleet Services Division purchase of a compact track loader with attachments and accessories from Bobcat Company in the amount of \$110,004.70 for use by the Streets Division. CIP/DID #FLT088
- j. Fleet Services Division purchase of a power-operated rotary broom from LeeBoy in the amount of \$78,405.32 for use by the Streets Division. CIP/DID #FLT087
- k. Amendment No. 3 to the contract with Polydyne Inc. for Polymer Clarifloc C-321 for the Water Pollution Control Facility to increase volume for an amount not to exceed \$150,000 (original contract amount was \$600,000; total contract amount with this amendment is \$750,000). CIP/DID #PUR1019-074
- l. Amendment No. 3 to renew the contract with Ranch Cryogenics, Inc. for cryogenic oxygen system maintenance and repair services for the Water Pollution Control Facility for an annual amount not to exceed \$60,000 (original contract amount was \$60,000; renewal contract amount is \$60,000). CIP/DID #PUR1018-079
- m. Contract with Midwest Concrete, Inc. for water main and driveway replacement for the Water Division for an amount not to exceed \$58,984.50. CIP/DID #PUR0921-074
- n. Contract with Rathje Construction Co. for emergency water main repair at Ellis Harbor for the Water Division for an amount not to exceed \$160,000. CIP/DID #PUR1021-096
- o. Professional Services Agreement with Shive-Hattery, Inc. for an amount not to exceed \$177,500 for engineering design services in connection with the Ingleside Drive SW Reconstruction project. **(Paving for Progress)** CIP/DID #3012344-02
- p. Change Order No. 3 in the amount of \$50,249 with Kleiman Construction, Inc. for the Hughes Park Phase II Improvements project (original contract amount was \$523,551; total contract amount with this amendment is \$615,954). CIP/DID #PUR0421-262
- q. Change Order No. 6 in the amount of \$33,898.21 with McComas-Lacina Construction LC for the ADA Compliance – NW Quadrant Parks Improvements project (original contract amount was \$863,000; total contract amount with this amendment is \$1,101,414.56). CIP/DID #PUR0121-178
- r. Change Order No. 6 in the amount of \$12,763.44 with McComas-Lacina Construction LC for the ImOn Ice Arena Repairs Project Phase II project (original contract amount was \$2,138,100; total contract amount with this amendment is \$2,394,072.57). **(Derecho)** CIP/DID #PUR0121-187
- s. Change Order No. 6 in the amount of \$1,397.83 with Peak Construction Group Inc. for the ADA Compliance of Main & Ladd Libraries project (original contract amount was \$321,500; total contract amount with this amendment is \$454,651.71). CIP/DID #PUR1019-090
- t. Commitment to Award and Accept Funds in the amount of \$333,052.48 with the Iowa Homeland Security and Emergency Management Division for the Iowa Task Force 1 2021 grant. CIP/DID #FIR1021-0070
- u. Amendment to the grant agreement with the Iowa Finance Authority for Emergency Solutions funding to assist households experiencing homelessness during the COVID-19 pandemic, extending the deadline to September 30, 2022. CIP/DID #CD-0071-2021
- v. Grant agreement with the Iowa Department of Transportation for reimbursement in the amount of \$50,000 for a planting project along Interstate 380 near Cedar Lake. CIP/DID #2021-TPP-001

- w. Agreement for a Surface Transportation Block Grant Program Federal-aid Swap Project with the Iowa Department of Transportation for the Ellis Boulevard and 6th Street NW Connector project. **(Paving for Progress)** CIP/DID #301963-00
- x. 28E Agreement with the City of Hiawatha in connection with the Blairs Ferry Road NE and 18th Avenue project. CIP/DID #301881-00
- y. 28E Agreement with Linn County Conservation in the amount of amount of \$120,000 for the Highway 100 Bridge Pier Study. CIP/DID #CD-0076-2021
- z. 28E Agreement with the City of Marion in the amount of \$60,000 for the Indian Creek Recreation Access Concept Plan. CIP/DID #CD-0077-2021
- aa. Accepting a Warranty Deed from Aaron Scale Systems Inc. for the dedication of street right-of-way along the east side of 18th Street SW south of Wilson Avenue SW. CIP/DID #PLSV-032369-2021
- ab. Accepting a Special Warranty Deed from Kwik Trip, Inc. for the dedication of street right-of-way along the west side of Wiley Boulevard SW south of 16th Avenue SW. CIP/DID #ASDP-031220-2020
- ac. Accepting a Warranty Deed from Nordean, LLC for the dedication of street right-of-way along the south side of 32nd Street NE east of Center Point Road NE. CIP/DID #ASDP-025385-2017
- ad. Encroachment Agreement to permit the construction of a fence to encroach onto a public utility easement at 706 Palmyra Drive NE as requested by Craig and Mary Chmelicek. CIP/DID #ENCR-016893-2021
- ae. Encroachment Agreement to permit the construction of two fences to encroach onto landscape and public utility easements at 6419 Fox Run Drive SW as requested by Dennis and Micki Feldmann. CIP/DID #ENCR-016920-2021
- af. Encroachment Agreement to permit the construction of a fence to encroach onto a public utility easement at 4100 Jackson Circle NW as requested by Roberta and Christopher Peters. CIP/DID #ENCR-016923-2021
- ag. Encroachment Agreement to permit the construction of a fence to encroach onto a public utility easement at 839 Ashford Drive NE as requested by Jeffrey and Jenelle Sisneros. CIP/DID #ENCR-016908-2021
- ah. Encroachment Agreement to permit the construction of a fence to encroach onto a public utility easement at 3210 Silverthorne Road NE as requested by Thomas and Deborah Zimmerman. CIP/DID #ENCR-017458-2021
- ai. Agreement to Construct Concrete Alley and Driveway with OFB, LLC for property at 1125 Ellis Boulevard NW. CIP/DID #ASDP-032220-2021
- aj. Rescinding Resolution No. 0530-04-18, which authorized Amendment No. 2 to the Development Agreement with Knutson LLC for property at 525, 529 and 533 Valor Way SW. CIP/DID #OB1292698

## **REGULAR AGENDA**

- 29. Report on bids for the 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) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012094-07
  - a. Resolution awarding and approving contract in the amount of \$2,948,311.55, plus incentive up to \$20,000, bond and insurance of BWC Excavating, L.C. for the Center Point Road NE from Coe Road to Lincoln Avenue Reconstruction and One-Way to Two-Way Conversion project.

30. Report on bids for the CR Transit Maintenance Garage project (estimated cost is \$4,090,000) (Brad DeBrower). CIP/DID #PUR0821-050
  - a. Resolution awarding and approving contract in the amount of \$2,774,000, bond and insurance of Garling Construction for the CR Transit Maintenance Garage project.
31. Presentation and resolution authorizing the use of \$3,000,000 in American Rescue Plan Act funding for affordable housing and social service projects in cooperation with Linn County to serve residents disproportionately impacted by the COVID-19 pandemic (Jennifer Pratt). CIP/DID #CD-0074-2021
32. Presentation and resolution accepting a proposal from Project Eleven, LLC for the disposition of City-owned property at 816 Ellis Boulevard NW and authorizing negotiation of a Development Agreement (Jeff Wozencraft). CIP/DID #DISP-0038-2021

## **ORDINANCES**

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

33. Ordinance granting a change of zone for property at 1953 First Avenue SE from T-MC, Traditional Mixed Use Center District, to T-RH, Traditional Residential High District, as requested by North Point Park, LC. CIP/DID #RZNE-032274-2021

## **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](mailto: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](http://www.cedar-rapids.org).*