

*“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, April 25, 2023 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
  - ❖ Presentation – Economic Development Strategic Plan Update (Caleb Mason and Ana Stomp)

## **PUBLIC HEARINGS**

1. A public hearing will be held to consider the fiscal year 2024 annual budget (Heidi Stiffler). CIP/DID #FIN2023-09
  - a. Resolution adopting the fiscal year 2024 annual budget and transfers.
2. A public hearing will be held to consider amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates for fiscal year 2024 (Heidi Stiffler and Roy Hesemann). CIP/DID #WTR24-01
  - a. First Reading: Ordinance amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates for fiscal year 2024.
3. A public hearing will be held to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates for fiscal year 2024 (Heidi Stiffler and Roy Hesemann). CIP/DID #WPC24-01
  - a. First Reading: Ordinance amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates for fiscal year 2024.

4. A public hearing will be held to consider amending Chapter 72 of the Municipal Code, Stormwater Management, by repealing existing rates and establishing new rates for fiscal year 2024 (Heidi Stiffler, Roy Hesemann and Bob Hammond). CIP/DID #STRMWTR24-01
  - a. First Reading: Ordinance amending Chapter 72 of the Municipal Code, Stormwater Management, by repealing existing rates and establishing new rates for fiscal year 2024.
5. A public hearing will be held to consider amending Chapter 32 of the Municipal Code, Zoning, to update use and development standards and correct errors in the Zoning Map (Haley Sevensing and Jeff Wozencraft). CIP/DID #CD-0048-2018
  - a. First Reading: Ordinance amending Chapter 32 of the Municipal Code, Zoning, to update use and development standards and correct errors in the Zoning Map.
6. A public hearing will be held to consider amending the Future Land Use Map as part of the annual review of EnvisionCR, the City's Comprehensive Plan (Jeff Wozencraft). CIP/DID #OB165740
  - a. Resolution amending the Future Land Use Map as part of the annual review of EnvisionCR, the City's Comprehensive Plan.
7. A public hearing will be held to consider adopting a 28E Annexation Moratorium Agreement with the City of Palo that establishes growth boundaries between the municipalities through 2033 (Jeff Wozencraft). CIP/DID #CD-0088-2023
  - a. Resolution adopting a 28E Annexation Moratorium Agreement with the City of Palo that establishes growth boundaries between the municipalities through 2033.
8. A public hearing will be held to consider a change of zone for property north of Highway 30 and west of Mayfair Street SW from S-RL1, Suburban Residential Low Single Unit District, to S-RL2, Suburban Residential Low Two Unit District, as requested by Gardenvue, Inc. (Seth Gunnerson). CIP/DID #RZNE-033613-2023
  - a. First Reading: Ordinance granting a change of zone for property north of Highway 30 and west of Mayfair Street SW from S-RL1, Suburban Residential Low Single Unit District, to S-RL2, Suburban Residential Low Two Unit District, as requested by Gardenvue, Inc.
9. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the SW Quadrant ADA Compliance project (estimated cost is \$1,400,000) (Jeff Koffron). CIP/DID #PUR0323-229
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the SW Quadrant ADA Compliance 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.*

10. Motion to approve the minutes.
11. Resolution of support for an application to the Community Development Block Grant – Disaster Recovery Generator for Critical Facilities program. CIP/DID #CDBG-DR-FY22
12. Resolution directing the advertisement for sale of \$57,865,000 (subject to adjustment per terms of offering) General Obligation Bonds, Series 2023A, and approving electronic bidding procedures and Official Statement. CIP/DID #FIN2022-11
13. Resolution directing the advertisement for sale of \$6,090,000 (subject to adjustment per terms of offering) Taxable General Obligation Bonds, Series 2023B, and approving electronic bidding procedures and Official Statement. CIP/DID #FIN2022-11
14. Resolution directing the advertisement for sale of \$11,020,000 (subject to adjustment per terms of offering) Water Revenue Bonds, Series 2023C, and approving electronic bidding procedures and Official Statement. CIP/DID #FIN2022-11
15. 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 #FIN2023-10
16. Resolution accepting work and fixing amount to be assessed for the Bowling Street SW from 50th Avenue to 29th Avenue Sidewalk Infill project. CIP/DID #301876-00
17. Resolution accepting work and fixing amount to be assessed for the Cottage Grove Avenue SE Improvements from Forest Drive to 34th Street project. **(Paving for Progress)** CIP/DID #3012286-00
18. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the Chandler Street SW and 20th Street SW Pavement and Water Main Improvements – Phase 2 project. **(Paving for Progress)** CIP/DID #3012089-00
19. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the Chandler Street SW from 18th Street to 10th Avenue Pavement and Water Main Improvements – Phase 1B and Chandler Street SW and 20th Street SW Pavement and Water Main Improvements – Phase 2 projects. **(Paving for Progress)** CIP/DID #3012089-00
20. Resolution setting a public hearing for May 23, 2023 and consultation with affected taxing entities on the proposed Amendment No. 17 to the Amended and Restated Urban Renewal Plan for the Consolidated Central Urban Renewal Area. CIP/DID #OB283396

21. Motions setting public hearing dates for:
- a. May 9, 2023 – to consider public comments regarding identification of community development needs, program funding for development of proposed activities and specific budget allocations for the Community Development Block Grant and HOME Investment Partnership Programs prior to amending the Annual Action Plan for the period of July 1, 2022 to June 30, 2023. CIP/DID #CDBG-FY22
  - b. May 9, 2023 – to consider public comments regarding identification of community development needs, program funding for development of proposed activities and specific budget allocations for the Community Development Block Grant and HOME Investment Partnership Programs prior to adopting an Annual Action Plan for the period of July 1, 2023 to June 30, 2024. CIP/DID #CDBG-FY23
  - c. May 9, 2023 – to consider Amendment No. 1 to the 16th Ave and Burdette Drive SW Revitalization Area Plan for the redevelopment of property at 475 Burdette Drive SW. CIP/DID #URTE-0044-2021
  - d. May 9, 2023 – to consider amending Ordinance No. 035-21 relating to the exemption of taxes within the 16th Ave and Burdette Drive SW Urban Revitalization Area. CIP/DID #URTE-0044-2021
22. Motion setting public hearing date 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. May 9, 2023 – Cryogenic Molecular Sieve System project (estimated cost is \$3,500,000). CIP/DID #PUR0323-244
23. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- a. Alliant Energy PowerHouse, 370 1st Avenue NE.
  - b. Cedar Rapids Moose Lodge #304, 1820 West Post Road SW.
  - c. Cedar Rapids Public Library Foundation, 450 5th Avenue SE (5-day license for an event).
  - d. El Dorado Bar & Grill, 110-112 2nd Street SE (new – formerly Double Z's).
  - e. Ellis Park Softball Complex, 2000 Ellis Boulevard NW (8-month seasonal license).
  - f. Elmcrest Country Club, 1000 36th Street NE.
  - g. Hawkeye Convenience Store, 250 16th Avenue SW (new – formerly BP to Go #4).
  - h. Hy-Vee #3 Club Room, 20 Wilson Avenue SW.
  - i. JM O'Malley's, 1502 H Avenue NE.
  - j. Mount Mercy University, 1330 Elmhurst Drive NE.
  - k. Need Pizzeria, 207 2nd Avenue SE.
  - l. NewBo City Market, 1100 3rd St SE.
  - m. Papa Juan's, 5505 Center Point Road NE.
  - n. Playtime Tap, 933 14th Avenue SW.
  - o. Tait Cummins Sports Complex, 3000 C Street SW (8-month seasonal license).
  - p. Wild Hog Saloon & Eatery, Walford, IA (5-day license for an event at Metro Harley Davidson, 2415 Westdale Drive SW).
24. Resolutions approving:
- a. Payment of bills. CIP/DID #FIN2023-01
  - b. Payroll. CIP/DID #FIN2023-02
  - c. Transfer of funds. CIP/DID #FIN2023-03

25. Resolution thanking the following individual:
- a. Vote of thanks to Dennis Rucker for serving on the Affordable Housing Commission. CIP/DID #CDF-0040-2018
26. Resolutions approving assessment actions:
- a. Intent to assess – Solid Waste and Recycling – cleanup costs – five properties. CIP/DID #SWM-006-23
  - b. Levy assessment – Solid Waste and Recycling – cleanup costs – 12 properties. CIP/DID #SWM-004-23
  - c. Intent to assess – Water Division – delinquent municipal utility bills – 35 properties. CIP/DID #WTR042523-01
  - d. Levy assessment – Water Division – delinquent municipal utility bills – 12 properties. CIP/DID #WTR031423-01
27. Resolutions accepting projects, approving Performance Bonds and authorizing final payments:
- a. Replacement of Fire Hydrants, Valves, and Blow Off Completes FY22 project, Change Order No. 2 deducting the amount of \$11,163.22, final retainage payment in the amount of \$7,168.51 and 2-year Maintenance Bond submitted by B.G. Brecke, Inc. (original contract amount was \$115,779.86; final contract amount is \$144,616.64). CIP/DID #2022037-01
  - b. WPC Final Lift Roof Replacement project, final retainage payment in the amount of \$5,643.45 and 2-year Performance Bond submitted by Cedar Service Company (original contract amount was \$122,869; final contract amount is \$112,869). CIP/DID #333005-01
  - c. 2022 On-Call Concrete Repairs project, Change Order No. 4 deducting the amount of \$3,432.39, final retainage payment in the amount of \$9,445.47 and 4-year Maintenance Bond submitted by Possibilities Unlimited, LLC (original contract amount was \$102,323.98; final contract amount is \$188,907.19). CIP/DID #2022009-01
28. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Grant agreement and related documents with the Iowa Economic Development Authority for Destination Iowa funds in the amount of \$3,000,000 for the Greenway Recreation and Relaxation project. CIP/DID #CM002-22
  - b. 28E Agreement with the City of Hiawatha in connection with the Edgewood Road Extension Study project. CIP/DID #3018031-01
  - c. Granting a Temporary Easement for Construction on City-owned property at 1600 8th Avenue SW (Cleveland Park) as requested by Interstate Power and Light Company. CIP/DID #ESCY-033660-2023
  - d. Memorandum of Agreement with the U.S. Army Corps of Engineers for an estimated amount of \$317,212 for the relocation of City-owned utilities in Lot 44 at the eastern river bank of the CRANDIC Railroad in connection with the Cedar River Flood Risk Management Project – Reach 3 – CRANDIC Railroad Closure project. CIP/DID #3316510-00
  - e. Amending Resolution No. 0439-03-23 to include the notice publication and public hearing dates for the disposition of a 0.01-acre non-conforming vacant parcel adjacent to 455 16th Avenue SE to NewBo Lofts, LLC in connection with the 4th Street SE Extension from 16th Avenue to 300' East of 17th Avenue project. CIP/DID #3018025-00
  - f. Purchase of National Flood Insurance Program coverage from Selective Insurance Company of America for one year for an amount not to exceed \$150,000. CIP/DID #FIN2023-11

- g. Contract with Reischauer Land Services, Inc. for acquisition technical services for the Flood Control System for the Public Works Department for 18 months for an amount not to exceed \$624,000. CIP/DID #PUR0123-152
- h. Amendment No. 1 to the contract with RMI Valuation, LLC for an amount not to exceed \$25,000 for appraisal services in connection with the Cedar River Flood Risk Management project (original contract amount was \$64,000; total contract amount with this amendment is \$89,000). CIP/DID #3314200-00
- i. Amendment No. 3 to renew the contract with Feld Fire for as-needed purchases of turnout gear for the Fire Department for three years for an amount not to exceed \$150,000 (original contract amount was \$51,740 for one year; renewal contract amount is \$150,000 for three years). CIP/DID #PUR0322-239
- j. Fleet Services Division purchase of a cargo van for the Police Department from McGrath Automotive Group in the amount of \$62,805. CIP/DID #FLT128
- k. Amending Resolution No. 1477-09-22, which authorized the purchase of 14 Ford Police Interceptor utility vehicles for the Police Department from Stivers Ford Lincoln, to reflect a manufacturer cost increase for a total amount of \$121,030 (original purchase amount was \$461,982; total purchase amount with this amendment is \$583,012). CIP/DID #FLT118
- l. Contract with Midwest Demolition Contractors, Inc. for the Concrete and Asphalt Crushing project for the Streets Division for an amount not to exceed \$377,198. CIP/DID #PUR0323-226
- m. Fleet Services Division purchase of a hooklift truck for the Solid Waste Division from Truck Country in the amount of \$274,974. CIP/DID #FLT129
- n. Amendment No. 3 to renew the contract with Stanley Consultants, Inc. for Title V reporting and air permitting for the Water Pollution Control Division for two years for a total amount not to exceed \$100,000 (original contract amount was \$100,000; renewal contract amount is \$100,000). CIP/DID #PUR0721-020
- o. Fleet Services Division purchase of a wheeled loader for the Water Division from Martin Equipment in the amount of \$229,900. CIP/DID #FLT127
- p. Amendment No. 3 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$12,656 for design services in connection with the Lindale Trail Phase II from I-380 to Council Street NE project (original contract amount was \$148,556; total contract amount with this amendment is \$233,606). CIP/DID #325071-03
- q. Professional Services Agreement with Foth Infrastructure & Environment, LLC for an amount not to exceed \$95,000 for construction inspection services in connection with the FY 2023 Sidewalk Repair Inspection project. CIP/DID #3017023-02
- r. Amendment No. 5 to the Professional Services Agreement with Hall & Hall Engineers, Inc. for an amount not to exceed \$13,910 for design services in connection with the Commerce Park Drive project (original contract amount was \$51,255; total contract amount with this amendment is \$296,752). CIP/DID #301875-01
- s. Change Order No. 5 in the amount of \$1,780.86 with Garling Construction for the Vets Stadium Annex Building project (original contract amount was \$1,579,000; total contract amount with this amendment is \$1,635,800.03). CIP/DID #PUR0422-284
- t. Change Order No. 5 in the amount of \$11,936.69 with Woodruff Construction, Inc. for the Vets Stadium Renovations project (original contract amount was \$1,013,225; total contract amount with this amendment is \$1,197,789.52). CIP/DID #PUR0622-351
- u. Agreements for Temporary Construction Easement with the owners of five properties for a total amount of \$2,210 in connection with the 5th Avenue SE From 5th Street to 19th Street Pavement Rehabilitation project. **(Paving for Progress)** CIP/DID #3012381-00

- v. Purchase Agreement in the amount of \$29,040 and accepting a Temporary Grading Easement for Construction from Rodney and Judy Johnson and VanProp, LLC for land at 1030 Mount Vernon Road SE in connection with the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. CIP/DID #301956-00
- w. Purchase Agreement in the amount of \$30,250 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Mercy Medical Center for land at 701 10th Street SE in connection with the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. CIP/DID #301956-00
- x. Purchase Agreement in the amount of \$43,420 and accepting a Permanent Ingress/Egress Easement and a Temporary Grading Easement for Construction from Mercy Medical Center for the alley adjacent to 901 8th Avenue SE in connection with the 8th Avenue SE and Mount Vernon Road SE from 8th Street to 14th Street Reconstruction project. CIP/DID #301956-00
- y. Reimbursement Agreement for Preliminary Engineering Services with the Union Pacific Railroad Company for an estimated amount of \$15,000 in connection with the 11th Avenue SE and 5th Street Sanitary Sewer and Storm Sewer Improvements project. CIP/DID #6550051-00
- z. Purchase Agreement in the amount of \$1,020 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Eighteen Eighteen, LLC for vacant land at the entrance to 1818 Blairs Ferry Road NE in connection with the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project. CIP/DID #301878-00
- aa. Purchase Agreement in the amount of \$1,065 and accepting a Temporary Construction Easement from Tony Vaughn for land at 2420 Bowling Street SW in connection with the Bowling Street Trail project. CIP/DID #325072-00
- ab. Purchase Agreement in the amount of \$5,930 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Yummo Treats, LLC for land at 11 Wilson Avenue SW in connection with the Bowling Street Trail project. CIP/DID #325072-00
- ac. Purchase Agreement in the amount of \$390 and accepting a Temporary Grading Easement for Construction from David and Linda Adams for land at 3812 Crestwood Drive NW in connection with the Crestwood Drive NW Roadway and Pedestrian Improvements project. CIP/DID #301946-00
- ad. Purchase Agreement in the amount of \$885 and accepting an Easement for Permanent Utility and a Temporary Grading Easement for Construction from Tyler and Lexie Donahue and Kathleen Dulle for land at 1114 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- ae. Purchase Agreement in the amount of \$210 and accepting a Temporary Grading Easement for Construction from Rhonda and Gary Flowers for land at 740 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- af. Purchase Agreement in the amount of \$783 and accepting an Easement for Permanent Utility and a Temporary Grading Easement for Construction from Annie Kersten for land at 1286 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00

- ag. Purchase Agreement in the amount of \$1,168 and accepting a Warranty Deed for right of way and a Temporary Grading Easement for Construction from Jonathan and Kristin Lawrence for land at 1275 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- ah. Purchase Agreement in the amount of \$715 and accepting an Easement for Permanent Utility and a Temporary Grading Easement for Construction from Sharon McKnight for land at 1250 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00
- ai. Purchase Agreement in the amount of \$717 and accepting a Warranty Deed, an Easement for Permanent Utility and a Temporary Grading Easement for Construction from Jordyn and Tysen VanDraska for land at 1238 35th Street NE in connection with the 35th Street NE from Oakland Road to F Avenue Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012336-00

## **REGULAR AGENDA**

- 29. Presentation and resolution adopting the Community Gardens in Parks Plan (Haley Sevensing and Mitch Ahrendsen). CIP/DID #PUR0522-342

## **ORDINANCES**

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

- 30. Ordinance granting a change of zone for property at 2906 Oakland Road NE from S-RM1, Suburban Residential Medium Single Unit District, to S-RLF, Suburban Residential Low Flex District, as requested by Advantage Development, Inc. CIP/DID #RZNE-033493-2022

## **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).*