

*“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, July 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 – American Public Works Association Accreditation (Robert Hammond)
  - ❖ Presentation – City Council Priorities (Jennifer Pratt)
  - ❖ Presentation – Neighborhood Finance Corporation Annual Update (Sara Buck)

## **PUBLIC HEARINGS**

1. A public hearing will be held to consider annexation of land at 3241 Blairs Ferry Road NE as requested by Radiant Church, legally known as First Assembly of God Church (Jeff Wozencraft). CIP/DID #ANNX-033818-2023
  - a. Resolution authorizing the annexation of land at 3241 Blairs Ferry Road NE as requested by Radiant Church, legally known as First Assembly of God Church.
2. A public hearing will be held to consider a change of zone for properties at 1003 and 1007 6th Street SE from T-R1, Traditional Residential Single Unit District, to T-RF, Traditional Residential Flex District, as requested by Butterfield Holdings, LLC (Mathew Langley). CIP/DID #RZNE-033815-2023
  - a. First Reading: Ordinance granting a change of zone for properties at 1003 and 1007 6th Street SE from T-R1, Traditional Residential Single Unit District, to T-RF, Traditional Residential Flex District, as requested by Butterfield Holdings, LLC.

3. A public hearing will be held to consider a change of zone for property at 521 8th Avenue SE from U-NG, Urban Neighborhood General District, to U-MF, Urban Medical Flex District, as requested by Williams Synergy Group, LLC (Mathew Langley). CIP/DID #RZNE-033846-2023
  - a. First Reading: Ordinance granting a change of zone for property at 521 8th Avenue SE from U-NG, Urban Neighborhood General District, to U-MF, Urban Medical Flex District, as requested by Williams Synergy Group, LLC.
4. A public hearing will be held to consider a change of zone for property west of Edgewood Road SW and north of 76th Avenue SW from I-LI, Light Industrial District, and A-AG, Agriculture District, to I-GI, General Industrial District, as requested by Iowa Growth and Development, LLC and Iowa Land and Building Company (Dave Houg). CIP/DID #RZNE-033803-2023
  - a. First Reading: Ordinance granting a change of zone for property west of Edgewood Road SW and north of 76th Avenue SW from I-LI, Light Industrial District, and A-AG, Agriculture District, to I-GI, General Industrial District, as requested by Iowa Growth and Development, LLC and Iowa Land and Building Company.
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 8th Avenue SE and Mt. Vernon Road from 8th Street SE to 14th Street Reconstruction project (estimated cost is \$9,900,000) (Tim Mroch). CIP/DID #301956-02
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 8th Avenue SE and Mt. Vernon Road from 8th Street SE to 14th Street Reconstruction project.
6. A public hearing will be held consider the proposed plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility – DAFT Improvements project (estimated cost is \$5,650,000 for the base bid) (Dave Wallace). CIP/DID #6150062-02
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Water Pollution Control Facility – DAFT Improvements project.
7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Linn County Edge of Field projects (estimated cost is \$450,000) (Mary Beth Stevenson). CIP/DID #PUR0623-348
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Linn County Edge of Field projects.

### **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 authorizing fiscal year 2024 hotel motel tax allocations in the amount of \$3,305,000 for outstanding City commitments. CIP/DID #FIN2023-14
10. Resolution authorizing payment in the amount of \$75,000 to the Cedar Rapids Metro Economic Alliance for the annual membership fee for fiscal year 2024. CIP/DID #CM004-23
11. Preliminary resolution for the construction of driveway widening improvements with the 2023 Pavement Milling and Curb Repair project. CIP/DID #301998-00
12. Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of driveway widening improvements with the 2023 Pavement Milling and Curb Repair project. CIP/DID #301998-00
13. Resolution to consider the Resolution of Necessity (Proposed) for the construction of driveway widening improvements with the 2023 Pavement Milling and Curb Repair project. CIP/DID #301998-00
14. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the 2023 Pavement Milling and Curb Repair project. CIP/DID #301998-00
15. Resolution authorizing a Police Officer to attend the Iowa Law Enforcement Academy in Johnston from August to December 2023 for an amount not to exceed \$10,000. CIP/DID #PD0067
16. Resolution authorizing a Police Officer to attend the Iowa Law Enforcement Academy in Johnston from August to December 2023 for an amount not to exceed \$10,000. CIP/DID #PD0068
17. Resolution authorizing a Police Officer to attend the Iowa Law Enforcement Academy in Johnston from August to December 2023 for an amount not to exceed \$10,000. CIP/DID #PD0069
18. Resolution establishing a 10-foot Utility Easement on City-owned property at 1207 2nd Street SE to support and accommodate the 12th Avenue SE and 2nd Street Mini Roundabout project. CIP/DID #301886-00

19. Resolution setting a public hearing for August 8, 2023 to consider a permanent easement on City-owned property between the National Czech and Slovak Museum and the Cedar River as requested by MidAmerican Energy Company in connection with the West Side Flood Control System – Czech Village 12th Avenue Detention Basin project. CIP/DID #3313200-00
20. Resolution setting a public hearing for August 8, 2023 to consider the vacation and disposition of a 0.99-acre parcel of 33rd Avenue SW between Williams Boulevard and west of Sequoia Drive SW as requested by Atwood Rentals, LLC. CIP/DID #ROWV-033829-2023
21. Resolution setting a public hearing for August 8, 2023 to consider the vacation and disposition of a 1.24-acre parcel of 33rd Avenue SW between Williams Boulevard and west of Sequoia Drive SW as requested by Bellon-Africa Family Farms, L.C. CIP/DID #ROWV-033829-2023
22. Motions setting public hearing dates for:
  - a. August 8, 2023 – to consider amending Chapter 10 of the Municipal Code, Parks and Public Places, to add Greene Square to the list of facilities in Section 10.13, Smoking Prohibited. CIP/DID #PKS042-23
  - b. August 8, 2023 – to consider amending Chapter 55 of the Municipal Code, Boat and Other River Regulations, to add provisions related to structure requirements, liability insurance and the structure approval process to Section 55.17, Harbor and Shore Rules and Regulations. CIP/DID #PKS043-23
  - c. August 8, 2023 – to consider a change of zone for property at 80th Street NW and E Avenue NW from A-AG, Agricultural District, to S-MC, Suburban Mixed-Use Community Center District, as requested by A&M LLC. CIP/DID #RZNE-033666-2022
23. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
  - a. 30hop CR, 951 Blairs Ferry Road NE.
  - b. Applebee's Neighborhood Grill & Bar, 303 Collins Road NE.
  - c. Benz Beverage Depot, 501 7th Avenue SE (5-day license for an event).
  - d. BP On 1st, 2824 1st Avenue NE.
  - e. Carlos O'Kelly's Mexican Cafe, 2635 Edgewood Road SW.
  - f. Casey's General Store #2767, 3434 1st Avenue NE.
  - g. Crosby's, 1028 3rd Street SE.
  - h. Dollar General #10774, 266 Blairs Ferry Road NE (new – change in license class).
  - i. Dollar General #3781, 151 Jacolyn Drive NW (new – change in license class).
  - j. Dollar General #6190, 403 Edgewood Road NW (new – change in license class).
  - k. Dollar General #9141, 3451 Mount Vernon Road SE (new – change in license class).
  - l. El Bajio, 555 Gateway Place SW.
  - m. Radisson Hotel Cedar Rapids, 1200 Collins Road NE (new – formerly Marriott)
  - n. Smokin' Joe's Tobacco & Liquor Outlet #15, 455 Edgewood Road NW.
  - o. St. Jude's Sweet Corn Festival, 50 Edgewood Road NW (5-day license for an event).
  - p. Villas Patio 2 Mexican Restaurant, 5200 Fountains Drive NE, Suite 100.
  - q. Vineria Wine Shop, 264 Blairs Ferry Road NE.
  - r. Walmart #1528, 2645 Blairs Ferry Road NE.
  - s. Wild Hog Saloon & Eatery, Walford (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

25. Resolutions appointing, reappointing and thanking the following individuals:
- a. Appointing Brandi Mueller (effective through June 30, 2026) to the Cedar Rapids Board of Ethics. CIP/DID #OB232112
  - b. Appointing Bart Woods (effective through June 30, 2024) to the Cedar Rapids Citizen Review Board. CIP/DID #CM005-20
  - c. Appointing Heather Armstrong and reappointing Ben Dillon (effective through June 30, 2026) to the Czech Village-New Bohemia Self-Supported Municipal Improvement District Commission. CIP/DID #CD-0013-2015
  - d. Appointing Rob Davis and Mike Duffy (effective through December 31, 2023) as alternate representatives to the Corridor Metropolitan Planning Organization. CIP/DID #OB542014
  - e. Vote of thanks to Aaron Plummer for serving on the Cedar Rapids Board of Ethics. CIP/DID #OB232112
  - f. Vote of thanks to the late Jared Hills for serving on the City Band Commission. CIP/DID #OB631365
  - g. Vote of thanks to Mary Kay McGrath and Robert Schaffer for serving on the Czech Village-New Bohemia Self-Supported Municipal Improvement District Commission. CIP/DID #CD-0013-2015
  - h. Vote of thanks to Cameaka Swift for serving on the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board. CIP/DID #OB400545
  - i. Vote of thanks to Rita Rasmussen and John Witt for serving as alternate representatives on the Corridor Metropolitan Planning Organization. CIP/DID #OB542014
26. Resolutions approving assessment actions:
- a. Levy assessment – Building Services – delinquent nuisance abatement charges – 35 properties. CIP/DID #FIN2023-06
  - b. Intent to assess – Solid Waste and Recycling – cleanup costs – seven properties. CIP/DID #SWM-0013-23
  - c. Levy Assessment – Solid Waste and Recycling – cleanup costs – four properties. CIP/DID #SWM-010-23
  - d. Levy assessment – Solid Waste and Recycling – delinquent snow removal charges – 17 properties. CIP/DID #FIN2023-08
  - e. Levy assessment – Solid Waste and Recycling – delinquent weed mowing charges – 93 properties. CIP/DID #FIN2023-07
  - f. Intent to assess – Water Division – delinquent municipal utility bills – 36 properties. CIP/DID #WTR072523-01
  - g. Levy assessment – Water Division – delinquent municipal utility bills – 15 properties. CIP/DID #WTR061323-01
27. Resolutions accepting subdivision improvements and approving Maintenance Bonds:
- a. PCC pavement in the Kirkwood Boulevard SW and Woodstone Lane SW Roundabout and 4-year Maintenance Bond submitted by Dave Schmitt Construction Co., Inc. in the amount of \$416,352.30. CIP/DID #ASDP-031635-2021
  - b. Water system improvements in the Kirkwood Boulevard SW and Woodstone Lane SW Roundabout and 4-year Maintenance Bond submitted by Dave Schmitt Construction Co., Inc. in the amount of \$60,023.30, and amending Resolution No. 1023-07-23 to correct the name of the developer. CIP/DID #202050-01

28. Resolution accepting project, approving Performance Bond and authorizing final payment:
- a. Lot 44 and Upstream Tie Off Contaminated Soil Removal project, Change Order No. 1 in the amount of \$9,858.94, final payment in the amount of \$12,615.72 and 2-year Performance Bond submitted by Peterson Contractors, Inc. (original contract amount was \$242,455.45; final contract amount with this amendment is \$252,314.39). CIP/DID #PUR0722-020
29. Resolution approving final plat:
- a. Newbo Lofts First Addition for land east of 16th Avenue SE and north of the 4th Street SE extension. CIP/DID #FLPT-032973-2022
30. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Agreement for a Surface Transportation Block Grant Program Federal-aid Swap Project with the Iowa Department of Transportation for the Tower Terrace Road from E of Meadowknolls Road to Alburnett Road project. CIP/DID #301666-00
  - b. Amendment to the Memorandum of Understanding with the Iowa Balance of State Continuum of Care to add the use of Stability Vouchers received through the U.S. Department of Housing and Urban Development. CIP/DID #PHA-0001-2021
  - c. Grant agreement with Linn County for interlocal Byrne Justice Assistance funds in the amount of \$28,925 for the purchase of 20 Taser 7 devices. CIP/DID #OB747368
  - d. 28E Agreement with the City of Marion for Cedar Rapids Transit to provide fixed-route and paratransit service for fiscal year 2024. CIP/DID #TRN2023-05
  - e. Contract with Linn County LIFTS for an amount not to exceed \$935,616 for ADA complementary paratransit service in fiscal year 2024 for eligible persons with disabilities who cannot use the fixed-route bus system in Cedar Rapids, Marion and Hiawatha. CIP/DID #TRN2023-06
  - f. Public Grade License Agreement with the Cedar Rapids and Iowa City Railway Company for an estimated amount of \$21,865.53, plus an annual fee in the amount of \$600, to add and extend crossing surfaces in connection with the 66th Avenue SW from Locust Street to 6th Street Pavement and Drainage Improvements project. **(Paving for Progress)** CIP/DID #3012129-00
  - g. Memorandum of Agreement with Trees Forever for the implementation of the ReLeaf Cedar Rapids Plan. CIP/DID #FOR14-23
  - h. Development Agreement with Cedar Rapids Bank and Trust Company for the construction of a commercial building at 116 6th Street NE. CIP/DID #TIF-0079-2023
  - i. Development Agreement with Conveyor Eng. & Mfg. Co. for an expansion project at 1345 76th Avenue SW. CIP/DID #TIF-0082-2023
  - j. Development Agreement with D Taggart Holdings, Inc. for the redevelopment of property at 922 9th Street SE. CIP/DID #TIF-0083-2023
  - k. Development Agreement with OFB LLC for a housing redevelopment project at 415 and 421 C Avenue NW. CIP/DID #DISP-0028-2019
  - l. Amendment No. 1 to the Development Agreement with Sinclair on Sixteenth, LLC for a redevelopment project at 615 16th Avenue SE. CIP/DID #TIF-0077-2022
  - m. Amendment No. 3 to the contract with Harms Oil Company for fuel products and services for the Fleet Services Division for additional purchases in the amount of \$50,000 (original contract amount was \$3,800,000; contract amount with this amendment is \$3,850,000). CIP/DID #PUR0517-238
  - n. Amendment No. 19 to the contract with HBK Engineering, LLC for engineering design services for ADA compliance at various City facilities to add services for an amount not to exceed \$45,775 (original contract amount was \$108,147; contract amount with this amendment is \$1,019,510.25). CIP/DID #PUR1216-136

- o. Amendment No. 1 to the contract with Communications Engineering Company for physical security systems management platform hardware, software and services for the Information Technology Department to add services for an amount not to exceed \$182,573.50 (original contract amount was \$67,426.50; total contract amount with this amendment is \$250,000). CIP/DID #PUR0723-004
- p. Contract with Hoffman and McNamara for ReLeaf fall tree planting in the right of way for the Parks and Recreation Department for an amount not to exceed \$371,784. CIP/DID #PUR0423-282
- q. Information Technology Department purchase of license renewal and technical support for the Oracle database and customer service/billing system for the Water Division from Mythics for a total amount of \$140,241.03 for fiscal year 2024. CIP/DID #IT2023-010
- r. Amendment No. 2 to renew the contract with Van Meter Inc. for Rockwell Automation TechConnect support for three years for a total amount of \$118,535.79 (original contract amount was \$28,129.93 annually; renewal contract amount is \$39,511.93 annually). CIP/DID #PUR0721-023
- s. Contract with ESCO Group for integration services for SCADA and PLC for the Utilities Department for one year for an amount not to exceed \$200,000. CIP/DID #PUR0723-001
- t. Contract with AgOutcomes for nutrient reduction credits for the Water Pollution Control Facility for an amount not to exceed \$160,598.17. CIP/DID #PUR0423-267
- u. Lease Agreement with Blackline Safety Corp. for 80 gas monitors for the Water Pollution Control Facility for three years in the amount of \$177,480. CIP/DID #PUR0123-168
- v. Amendment No. 4 to the Professional Services Agreement with Foth Infrastructure & Environment, LLC for an amount not to exceed \$39,181 for design services in connection with the 4th Street SE from 1st Avenue to 5th Avenue East Central Quiet Zone Improvements project (original contract amount was \$43,732; total contract amount with this amendment is \$93,303). CIP/DID #306299-03
- w. Amendment No. 2 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC for an amount not to exceed \$5,832 for design services in connection with the 9th Avenue SE Improvements from 3rd Street to Railroad project (original contract amount was \$47,955; total contract amount with this amendment is \$53,787). CIP/DID #301989-01
- x. Amendment No. 7 to the Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$70,000 for engineering services in connection with the Stormwater Master Plan – Stormwater Modeling Support Services project (original contract amount was \$65,000; total contract amount with this amendment is \$355,055). CIP/DID #304355-02
- y. Amendment No. 2 to the Professional Services Agreement with Terracon Consultants, Inc. for an amount not to exceed \$35,000 to add services for the NWTP Basin Addition Special Inspections project (original contract amount was \$70,500; total contract amount with this amendment is \$120,500). CIP/DID #6250072-04
- z. Change Order No. 18 in the amount of \$26,669.30 with Boomerang Corp. for the Oakland Road NE and Old Marion Road NE from Center Street to Regent Street Pavement Reconstruction project (original contract amount was \$4,848,174.70; total contract amount with this amendment is \$5,558,047.26). **(Paving for Progress)** CIP/DID #3012148-08
- aa. Change Order No. 3 in the amount of \$139,762.55 with Garling Construction for the Colonial Building Renovation project (original contract amount was \$5,124,000; total contract amount with this amendment is \$5,288,333). CIP/DID #PUR1222-125

- ab. Change Order No. 2 in the amount of \$51,012.27 with Tricon General Construction, Inc. for the J Avenue Water Treatment Plant Lime Silo Dust Collector and Roof Improvements project (original contract amount was \$687,000; total contract amount with this amendment is \$738,012.27). CIP/DID #6250108-02
- ac. Granting a Temporary Easement for Construction on City-owned property at 8th Street SW adjacent to 805 66th Avenue SW as requested by Custom Hose & Supplies, Inc. CIP/DID #033890-2024
- ad. Agreements for Temporary Construction Easement with the owners of two properties for a total amount of \$315 in connection with the 5th Avenue SE from 5th Street to 19th Street Pavement Rehabilitation project. CIP/DID #3012381-00
- ae. Purchase Agreement in the amount of \$1,125 and accepting a Temporary Construction Easement from BB Properties, LLC for land at 107 Bowling Street SW in connection with the Bowling Street Trail project. CIP/DID #325072-00
- af. Purchase Agreement in the amount of \$290 and accepting a Temporary Construction Easement from Brian Huggins for vacant land adjacent to 3805 Crestwood Drive NW in connection with the Crestwood Drive NW Roadway and Pedestrian Improvements project. CIP/DID #301946-00
- ag. Purchase Agreement in the amount of \$335 and accepting a Temporary Grading Easement for Construction from James and Karen Stone for land at 3608 Crestwood Drive NW in connection with the Crestwood Drive NW Roadway and Pedestrian Improvements project. CIP/DID #301946-00
- ah. Supplemental Agreement in the amount of \$27,150 with Stephen and Laurene Lanich for land at 3618 Meadowknolls Road in Marion in connection with the Tower Terrace Road: Phase B PCC Pavement from C Ave NE to East of Meadowknolls Road project. CIP/DID #301666-00
- ai. Total Acquisition Purchase Agreement in the amount of \$123,000 and accepting a Warranty Deed from Larry and Ruth Van Deusen for property at 1326 4th Street NW, and allocating relocation benefits for an estimated amount of \$25,000 to the owner and an estimated amount of \$5,000 to tenant Mitchell Smith, in connection with the West Side Flood Control System project. CIP/DID #3311200-00
- aj. Right of Entry and Temporary Construction Easement Agreement in the amount of \$6,000 with Robert and Anna Broulik for land 1.5 miles north of Mount Vernon in connection with the Cedar River Clean Water Partnership project. CIP/DID #6150069-00
- ak. Right of Entry and Temporary Construction Easement Agreement in the amount of \$1,000 with Debra Freese for land 3.5 miles northeast of Springville in connection with the Cedar River Clean Water Partnership project. CIP/DID #6150069-00
- al. Right of Entry and Temporary Construction Easement Agreement in the amount of \$1,000 with Debra Freese for land approximately 4 miles northeast of Springville in connection with the Cedar River Clean Water Partnership project. CIP/DID #6150069-00
- am. Right of Entry and Temporary Construction Easement Agreement in the amount of \$2,000 with Margaret O'Connell for land 2.5 miles east of Atkins in connection with the Cedar River Clean Water Partnership project. CIP/DID #6150069-00
- an. Right of Entry and Temporary Construction Easement Agreement in the amount of \$1,000 with Margaret O'Connell for land 3 miles east of Atkins in connection with the Cedar River Clean Water Partnership project. CIP/DID #6150069-00
- ao. Awarding and approving contract in the amount of \$299,572.09, plus incentive up to \$3,000, bond and insurance of Midwest Concrete, Inc. for the 1st Avenue E and 1st Street NE Traffic Signal Improvements project (estimated cost was \$140,000). CIP/DID #3315554-01



## **REGULAR AGENDA**

31. Report on bids for the for the Demolition of the Former CRANDIC Railroad Bridge over the Cedar River project (estimated cost is \$650,000) (Brenna Fall). CIP/DID #327002-01
  - a. Resolution awarding and approving contract in the amount of \$631,700.30, bond and insurance of Boomerang Corp. for the Demolition of the Former CRANDIC Railroad Bridge over the Cedar River project.

## **ORDINANCES**

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

32. Ordinance granting a change of zone for property at 1627 Hamilton Street SW from U-VG, Urban Village General District, to U-VR, Urban Village Residential District, as requested by KN Properties 18, LLC. CIP/DID #RZNE-033782-2023

## **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).*