

*“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, August 22, 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
  - ❖ Proclamation – 17th Annual Five Seasons Stand Down Day
  - ❖ Proclamation – Water and Wastewater Workers of Iowa Week

## **PUBLIC HEARINGS**

1. A public hearing will be held to consider a change of zone for property at 10th Avenue SE east of 3rd Street SE from U-NG, Urban Neighborhood General District, to remove the Urban form district zoning classification along adjoining portions of 10th Avenue SE as requested by DOMOV LLC (Seth Gunnerson). CIP/DID #RZNE-033909-2023
  - a. First Reading: Ordinance granting a change of zone for property at 10th Avenue SE east of 3rd Street SE from U-NG, Urban Neighborhood General District, to remove the Urban form district zoning classification along adjoining portions of 10th Avenue SE as requested by DOMOV LLC.
2. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Walford Road Paving from 6th Street SW to Earhart Lane project (estimated cost is \$2,140,000) (Tim Mroch). CIP/DID #301994-18
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Walford Road Paving from 6th Street SW to Earhart Lane 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.*

3. Motion to approve the minutes.
4. Resolution authorizing payment in the amount of \$99,901.69 to the Corridor Metropolitan Planning Organization for the annual membership dues for fiscal year 2024. CIP/DID #OB274833
5. Resolution authorizing the establishment of two-way stop control at the intersection of 20th Street and 4th Avenue SE, stopping all traffic on 20th Street for traffic on 4th Avenue. CIP/DID #60-24-031
6. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the FY 2022 Sidewalk Repair Program project. CIP/DID #3017022-00
7. Resolution setting a public hearing for September 12, 2023 to consider the vacation of a 20-foot emergency vehicle access easement at 150 2nd Avenue SW as requested by 1st & 1st, LLC. CIP/DID #EASE-033923-2024
8. Motions setting public hearing dates for:
  - a. September 12, 2023 – to consider public comments about the Heights affordable housing project at 1500 2nd Avenue SE, regarding a general description of accomplishments to date; a summary of expenditures to date; a general description of remaining work; and a general description of changes made to the project budget, performance targets, activity schedules, project scope, location, objectives or beneficiaries. CIP/DID #CDBG-CV-FY19
  - b. September 26, 2023 – to consider annexation of land north of 76th Avenue SW and west of Tissel Hollow Road as requested by Iowa Land and Building Co. CIP/DID #ANNX-033843-2023

9. 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. September 12, 2023 – Package 5 – Drainageway Derecho Cleanup project (estimated cost is \$510,000). **(Derecho)** CIP/DID #333671000-06
  - b. September 12, 2023 – Water Administration Building HVAC Replacement – Bid Package 1 project (estimated cost is \$326,400). CIP/DID #6250105-03
10. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
  - a. 2nd Avenue Corner Pocket, 609 2nd Avenue SW.
  - b. 7 Star Liquor & Tobacco Outlet, 502 E Avenue NW.
  - c. Bo Mac's, 219 16th Avenue SE.
  - d. Chappy's Safari Lounge, 229 16th Avenue SW.
  - e. Civil Axe Throwing, 375 3rd Street SE (new – change in license class).
  - f. CVS/Pharmacy #8443, 3419 16th Avenue SW.
  - g. Daisy's Garage, 5240 Edgewood Road NE.
  - h. The District: Czech Village New Bohemia, 208 12th Avenue SE (5-day license for an event on the 16th Avenue SW/SE Bridge).
  - i. The Double Z, 629 Ellis Boulevard NW.
  - j. El Paraiso Bar & Grill, 2730 Edgewood Road SW (new permanent outdoor service area).
  - k. Family Dollar #24541, 901 1st Avenue SW (new – change in license class).
  - l. Fleet Farm, 4650 Cross Pointe Boulevard NE (new – change in license class).
  - m. Fleet Farm Fuel, 5245 Edgewood Road NE (new – change in license class).
  - n. Home2 Suites by Hilton, 4000 Westdale Parkway SW (new – new construction).
  - o. Iowa Smoke Shop, 70 Kirkwood Court SW.
  - p. Just Coz, 406 6th Street SW.
  - q. Kickstand, 203 16th Avenue SE.
  - r. Kum & Go #508, 30 Four Oaks Drive SW.
  - s. Mai Pho Vietnamese Restaurant, 2315 Edgewood Road SW (new – change in license class).
  - t. Tommy's Restaurant, 393 Edgewood Road NW.
  - u. Walgreens #12580, 324 Edgewood Road NW.
  - v. Wild Hog Saloon & Eatery, Walford (5-day license for an event at Metro Harley Davidson, 2415 Westdale Drive SW).
  - w. Zeppelin's Restaurant, 5300 Edgewood Road NE.
11. Resolutions approving:
  - a. Payment of bills. CIP/DID #FIN2023-01
  - b. Payroll. CIP/DID #FIN2023-02
  - c. Transfer of funds. CIP/DID #FIN2023-03
12. Resolutions approving the special event applications for:
  - a. NewBo Run Half Marathon and 10K (includes road closures) on September 3, 2023. CIP/DID #EVENT-56851-2023
  - b. Dinner on the Bridge (includes road closures) on September 7, 2023. CIP/DID #EVENT-51670-2023
  - c. Trashmore 5K (includes road closures) on September 9, 2023. CIP/DID #EVENT-59097-2023

13. Resolutions approving assessment actions:
  - a. Intent to assess – Solid Waste and Recycling – cleanup costs – four properties. CIP/DID #SWM-015-23
  - b. Levy assessment – Solid Waste and Recycling – cleanup costs – seven properties. CIP/DID #SWM-012-23
  - c. Intent to assess – Water Division – delinquent municipal utility bills – 41 properties. CIP/DID #WTR082223-01
  - d. Levy assessment – Water Division – delinquent municipal utility bills – 14 properties. CIP/DID #WTR071123-01
14. Resolutions accepting subdivision improvements and approving Maintenance Bonds:
  - a. PCC pavement in the Cedar Rapids Distribution Facility – FedEx site and 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$142,448.49. CIP/DID #ASDP-031740-2021
  - b. Sanitary sewer in the Cedar Rapids Distribution Facility – FedEx site and 4-year Maintenance Bond submitted by Dave Schmitt Construction Co., Inc. in the amount of \$162,460.40. CIP/DID #ASDP-031740-2021
  - c. Storm sewer in the Cedar Rapids Distribution Facility – FedEx site and 4-year Maintenance Bond submitted by Dave Schmitt Construction Co., Inc. in the amount of \$18,881. CIP/DID #ASDP-031740-2021
  - d. Storm sewer in the Union at Wiley site and 4-year Maintenance Bond submitted by Dave Schmitt Construction Co., Inc. in the amount of \$30,566.05. CIP/DID #ASDP-031480-2021
15. Resolutions approving final plats:
  - a. American Prairie First Addition for land south of Wright Brothers Boulevard SW and east of Earhart Lane SW. CIP/DID #FLPT-032534-2021
  - b. Lindale Fifth Addition for land at 4600 First Avenue NE. CIP/DID #FLPT-033928-2023
16. Resolutions approving actions regarding purchases, contracts and agreements:
  - a. Accepting a State Land Patent from the Iowa Department of Transportation in connection with the Cedar River Flood Control System project. CIP/DID #3311200-00
  - b. Agreement for a Surface Transportation Block Grant Program Federal-aid Swap Project with the Iowa Department of Transportation for the Tower Terrace Road from C Avenue to E of Meadowknolls Road project. CIP/DID #301666-00
  - c. State-Aid Grade Crossing Surface Repair Fund Force Account Agreement with the Iowa Department of Transportation and the Cedar Rapids & Iowa City Railroad for the 9th Street SW Railroad Crossing Surface Repair project. CIP/DID #301994-18
  - d. Grant application to the Iowa Department of Transportation's Revitalize Iowa's Sound Economy Fund for the Commercial Passenger Terminal Circulation Roadway – Phase 2 project (Arthur Collins Parkway SW) at the Eastern Iowa Airport. CIP/DID #TIF-0058-2021
  - e. Acceptance of Award with the Iowa Department of Natural Resources for a forgivable loan from the Iowa Clean Water State Revolving Fund for an amount not to exceed \$3,050,000 for the Water Pollution Control Facility PFAS Source and Treatability Study project. CIP/DID #615071-01
  - f. Grant application to the Iowa Department of Natural Resources' Community Forestry Program in the amount of \$3,020 to plant 33 trees at Pierce Park. CIP/DID #FOR015-23

- g. Cooperative Agreement with the Iowa Civil Rights Commission for the processing of intakes and resolution of civil rights complaints by the Cedar Rapids Civil Rights Commission in fiscal year 2024. CIP/DID #CVR-2023-08
- h. Utility Subordination Agreement, Addendum to the Utility Subordination Agreement and Purchase Agreement in the amount of \$1,000 with ITC Midwest LLC for an easement on vacant City-owned land north of 418 2nd Street NE in connection with the Cedar River Flood Risk Management Project – Reach 1 – South Railyard Floodwall Contract project. CIP/DID #3314200-00
- i. Payment to the Housing Fund for Linn County in the amount of \$200,000 for staffing costs related to the winter overflow shelter and homeless services. CIP/DID #CD-0075-2021
- j. Memorandum of Understanding with Waypoint Services for the use of Stability Vouchers received through the U.S. Department of Housing and Urban Development. CIP/DID #PHA-0001-2021
- k. Amendment No. 1 to the Memorandum of Understanding with the City of Marion, the City of Hiawatha and the Cedar Rapids Metro Economic Alliance for an additional City contribution in the amount of \$5,000 for a workforce and population growth initiative. CIP/DID #CM004-2023
- l. Contract with Development Counsellors International for a collaborative growth initiative for the Economic Development Division for an amount not to exceed \$114,170. CIP/DID #PUR0523-293
- m. Amending Resolution No. 0200-02-23, which authorized the purchase of wholesale beer and related products from 7G Distribution LLC and Iowa Beverage for 2023 concession sales for the Golf and Recreation Divisions, to authorize additional purchases in the amount of \$29,500 (original purchase amount was \$147,000; total purchase amount with this amendment is \$176,500). CIP/DID #GLF012-23
- n. Contract with Abode Construction Inc. for the Sidewalk Repairs for Ellis Harbor (Phase 3) project for the Parks and Recreation Department for an amount not to exceed \$86,300. CIP/DID #PUR0723-003
- o. Amendment No. 1 to the contract with Solum Lang Architects LLC for design services for the Veterans Memorial Stadium renovations for the Cedar Rapids Kernels to add services in the amount of \$21,440 (original contract amount was \$127,270; total contract amount with this amendment is \$148,710). CIP/DID #PUR1121-158
- p. Contract with Allied Reliability, Inc. for an operational reliability improvement program for the Water Pollution Control Facility for an amount not to exceed \$914,500. CIP/DID #PUR0723-013
- q. Amendment No. 2 to the Professional Services Agreement with Bolton & Menk, Inc. for an amount not to exceed \$43,985 for engineering design services in connection with the Johnson Avenue NW from 32nd Street to 18th Street Utility and Roadway Improvements project (original contract amount was \$451,273; total contract amount with this amendment is \$495,258). **(Paving for Progress)** CIP/DID #3012374-01
- r. Amendment No. 19 to the Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$622,650 for the Cedar Rapids Flood Mitigation System – West Side Phase 1 Consulting Services project (original contract amount was \$3,409,543; total contract amount with this amendment is \$32,675,932). CIP/DID #331001-01
- s. Amendment No. 5 to the Professional Services Agreement with Snyder & Associates, Inc. for an amount not to exceed \$26,700 for design services in connection with the Bowling Street SW from 50th Avenue to Wilson Avenue Sidewalk Infill project (original contract amount was \$172,200; total contract amount with this amendment is \$477,000). CIP/DID #301876-03

- t. Change Order No. 4 in the amount of \$304,037.93 with Garling Construction for the Colonial Building Renovation project (original contract amount was \$5,124,000; total contract amount with this amendment is \$5,592,370.93). CIP/DID #PUR1222-125
- u. Change Order No. 7 in the amount of \$15,133.30 with Garling Construction for the CR Transit Maintenance Garage project (original contract amount was \$2,774,000; total contract amount with this amendment is \$3,004,989.48). CIP/DID #PUR0821-050
- v. Agreements for Temporary Construction Easement with the owners of 15 properties for a total amount of \$8,610 in connection with the 5th Avenue SE from 5th Street to 19th Street Pavement Rehabilitation project. CIP/DID #3012381-00
- w. Purchase Agreement in the amount of \$24,455 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Iowa Lube, Inc. for land at 1888 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
- x. Purchase Agreement in the amount of \$22,770 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Iowa Lube, Inc. for land at 1888 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
- y. Purchase Agreement in the amount of \$725 and accepting a Temporary Grading Easement for Construction from St. Martin Airport Plaza, LLC for land at 8806 St. Martin Boulevard SW in connection with the Wright Brothers Boulevard SW from 6th Street to Earhart Lane Intersection Rehabilitation project. CIP/DID #3018027-00
- z. Development Agreement with D Taggart Holdings, Inc. for the redevelopment of property at 922 9th Street SE. CIP/DID #TIF-0083-2023

## **REGULAR AGENDA**

- 17. Report on bids for the Water Pollution Control Facility – DAFT Improvements project (estimated cost including alternate 2 is \$6,460,000) (Terry Tiedemann). CIP/DID #6150062-02
  - a. Resolution awarding and approving contract including alternate 2 in the amount of \$6,270,000, bond and insurance of Tricon General Construction, Inc. for the Water Pollution Control Facility – DAFT Improvements project.
- 18. Presentation and resolution authorizing financial incentives under the High-Quality Jobs Economic Development Program for the construction of a new industrial facility along 76th Avenue SW west of 6th Street as proposed by TH Development LLC and Brown Truck Leasing Corporation (Scott Mather). CIP/DID #TIF-0088-2023

## **ORDINANCES**

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

- 19. Ordinance 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

20. Ordinance granting a change of zone for property at 80th Street 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-033666-2023
21. 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. CIP/DID #RZNE-033803-2023

## **Second Reading**

22. Ordinance amending Ordinance No. 022-22 to modify the conditions and site plan for property at 550 27th Street Drive SE, zoned P-IN, Public Institutional District, to permit outdoor tennis courts and a seasonal temporary structure as requested by the Cedar Rapids Country Club. CIP/DID #RZNE-032718-2022

## **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).*