

*“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, May 24, 2022 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 – National Mental Health Awareness Month

## **PUBLIC HEARINGS**

1. A public hearing will be held to consider the fiscal year 2022 budget amendment (Casey Drew). CIP/DID #FIN2021-09
  - a. Resolution adopting the fiscal year 2022 budget amendment and transfers.
2. A public hearing will be held to consider annexation of land generally located east of 80th Street SW, west of Rockhurst Drive SW and north of 16th Avenue SW as requested by Midwest Development Co. and the City (Jeff Wozencraft). CIP/DID #ANNX-032827-2022
  - a. Resolution authorizing the annexation of land generally located east of 80th Street SW, west of Rockhurst Drive SW and north of 16th Avenue SW as requested by Midwest Development Co. and the City.

3. A public hearing will be held to consider the continuation of acquisition of right-of-way, permanent utility easements and temporary construction easements from a portion of agricultural property for the Walford Road SW from 6th Street SW to 2,000-feet West project (Rita Rasmussen). CIP/DID #301919-00
  - 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 Walford Road SW from 6th Street SW to 2,000-feet West project.
4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Williams Boulevard and Edgewood Road SW Sidewalk Improvements project (estimated cost is \$120,000) (Tim Mroch). CIP/DID #301968-04
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Williams Boulevard and Edgewood Road SW Sidewalk Improvements 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.*

5. Motion to approve the minutes.
6. Resolution authorizing and providing for the issuance of \$49,650,000 General Obligation Bonds, Series 2022A, amending the levy of taxes to pay the bonds, and approving the Tax Exemption Certificate and Continuing Disclosure Certificate. CIP/DID #FIN2021-10
7. Resolution authorizing and providing for the issuance of \$3,695,000 Taxable General Obligation Bonds, Series 2022B, levying a tax to pay the bonds, and approving the Continuing Disclosure Certificate. CIP/DID #FIN2021-10
8. Resolution authorizing and providing for the issuance and securing the payment of \$4,605,000 Sewer Revenue Bonds, Series 2022C, and providing for a method of payment of the bonds, including approval of the Tax Exemption Certificate and Continuing Disclosure Certificate. CIP/DID #FIN2021-10

9. Resolution authorizing and providing for the issuance and securing the payment of \$7,860,000 Water Revenue Bonds, Series 2022D, and providing for a method of payment of the bonds, including approval of the Tax Exemption Certificate and Continuing Disclosure Certificate. CIP/DID #FIN2021-10
10. Resolution authorizing the use of Stormwater Best Management Practices Cost-Share Program funds to reimburse the Cedar Rapids Bank & Trust Company for an amount not to exceed \$60,000 for an underground detention and infiltration project. CIP/DID #304458-00
11. Resolution rescinding Resolution Nos. C-8201, 2064-11-74, and 562-3-91, which established various parking restrictions along 32nd Street Drive SE between 1st Avenue E and 2nd Avenue SE, and establishing “No Parking Anytime” on the south side of 32nd Street Drive SE from 1st Avenue E east for 200 feet, and re-establishing “No Parking Anytime” on the north side of 32nd Street Drive SE from 1st Avenue E east for 125 feet. CIP/DID #PARK-032753-2022
12. Resolution authorizing the establishment of two-way stop control at the intersection of Hinkley Avenue and Highland Drive NW, stopping all traffic on Hinkley Avenue for traffic on Highland Drive. CIP/DID #60-22-031
13. Resolution amending Resolution No. 0374-03-22, which authorized two police officers to attend training with their new canine partners in Sanford, NC from April 2 to May 1, 2022, to reflect the final trip cost of \$9,323.80. CIP/DID #PD0058
14. Resolution setting a public hearing for July 12, 2022 to consider establishment of an Urban Revitalization Area for property at 1425 60th Street NE as requested by PBI-SBIZ, LLC. CIP/DID #URTE-0051-2022
15. Resolution setting a public hearing for July 12, 2022 to consider establishment of an Urban Revitalization Area for property at 3511 18th Ave SW as requested by Eleven LLC. CIP/DID #URTE-0050-2022
16. Motion setting a public hearing date for:
  - a. June 28, 2022 – to consider annexation of land generally located north of 76th Avenue and south of the CRANDIC railroad as requested by Iowa Land and Building Company. CIP/DID #ANNX-032956-2022
17. 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. June 14, 2022 – FY 2022 Bridge Maintenance project (estimated cost is \$2,880,000). CIP/DID #305145-02
  - b. June 14, 2022 – Vets Stadium Field Sod Replacement project (estimated cost is \$450,000). CIP/DID #PUR0522-323
18. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
  - a. Benz Beverage Depot, 501 7th Avenue SE (5-day license for an event).
  - b. Break Room, 3108 1st Avenue NE.
  - c. Brucemore, 2160 Linden Drive SE (5-day license for an event).
  - d. Casa Las Glorias, 2245 Blairs Ferry Road NE.

- e. Casey's General Store #2791, 9125 Atlantic Drive SW.
  - f. Murals & More, 221 3rd Avenue SE, Suite 215 (5-day license for an event at 411 1st Avenue SE).
  - g. Chrome Horse Slothouse & Saloon, 1201 3rd Street SE (5-day license for an event at McGrath Powersports, 4645 Center Point Road NE).
  - h. Hy-Vee Food Store #1, 1843 Johnson Avenue NW (5-day license for an event at St. Patrick Catholic Church, 120 5th Street NW).
  - i. Olive Garden Italian Restaurant #1475, 367 Collins Road NE.
  - j. Pancheros Mexican Grill, 2315 Edgewood Road SW.
  - k. Red Robin America's Gourmet Burgers & Spirits, 4625 1st Avenue SE.
  - l. Residence Inn South, 730 33rd Avenue SW.
  - m. Rock Bar American Grill, 219 2nd Avenue SE.
  - n. Sierra Foods, 3326 Center Point Road NE.
  - o. St. Andrews Golf Course, 1866 Blairs Ferry Road NE (new – changing to class C license).
  - p. Walmart #2716, 3601 29th Avenue SW.
19. Resolutions approving:
- a. Payment of bills. CIP/DID #FIN2022-01
  - b. Payroll. CIP/DID #FIN2022-02
  - c. Transfer of funds. CIP/DID #FIN2022-03
20. Resolutions approving the special event applications for:
- a. CR Pride Parade (includes road closures) on June 4, 2022. CIP/DID #SPEC-004084-2022
  - b. Benz Beerfest (includes road closures) on June 18, 2022. CIP/DID #SPEC-004085-2022
21. Resolutions approving assessment actions:
- a. Intent to assess – Solid Waste and Recycling – cleanup costs – five properties. CIP/DID #SWM-009-22
  - b. Levy assessment – Solid Waste and Recycling – cleanup costs – 14 properties. CIP/DID #SWM-006-22
  - c. Levy assessment – Solid Waste and Recycling – delinquent snow removal charges – 47 properties. CIP/DID #FIN2022-10
  - d. Intent to assess – Water Division – delinquent municipal utility bills – 34 properties. CIP/DID #WTR052422-01
  - e. Levy assessment – Water Division – delinquent municipal utility bills – 15 properties. CIP/DID #WTR041222-01
22. Resolutions accepting subdivision improvements and approving Maintenance Bonds:
- a. Sanitary sewer at 5511 and 5421 16th Avenue SW and 4-year Maintenance Bond submitted by Bushman Excavating, Inc. in the amount of \$18,000. CIP/DID #ASDP-030774-2020
  - b. Sanitary sewer in Foxtail Ridge Addition, Phase 1 and 4-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$86,833. CIP/DID #FLPT-030404-2020
  - c. Storm sewer in Foxtail Ridge Addition, Phase 1 and 4-year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$236,749. CIP/DID #FLPT-030404-2020

- d. Water system improvements in Midwest Commerce Park 1st Addition and 4-year Maintenance Bond submitted by Schrader Excavating and Grading Co. in the amount of \$369,250. CIP/DID #2020034-01
23. Resolution accepting project, approving Performance Bond and authorizing final payment:
- a. Hughes Park Phase II Improvements project, final payment in the amount of \$5,450 and 2-year Performance Bond submitted by Kleiman Construction, Inc. (original contract amount was \$523,551; final contract amount is \$615,954). CIP/DID #PUR0421-262
24. Resolutions approving final plats:
- a. Applewood Hills Fourteenth Addition for land north of Rogers Road NW and west of Edgewood Road NW. CIP/DID #FLPT-032727-2022
  - b. Midwest Commerce Park Second Addition for land south of Commerce Park Drive SW and west of 6th Street SW. CIP/DID #FLPT-032724-2022
  - c. Stone Creek Commercial Fifth Addition for land south of Highway 30 and west of Williams Boulevard SW. CIP/DID #CIP/DID #FLPT-032915-2022
  - d. Timber Creek Second Addition for land west of Milburn Road and south of Tower Terrace Road. CIP/DID #FLPT-032881-2022
25. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Fleet Services Division purchase of a dump truck for the Golf Division from Bob Clapper Automotive, Inc. in the amount of \$59,918. CIP/DID #FLT106
  - b. Contract with Soil Concepts, Inc. for the Valley Park Pollinator Habitat project for the Parks and Recreation Department for an amount not to exceed \$70,000. CIP/DID #PUR0222-223
  - c. Fleet Services Division purchase of a dump body and associated systems for the Sewer Division from Henderson Manufacturing, Inc. in the amount of \$164,544. CIP/DID #FLT108
  - d. Contract with Bituminous Materials and Supply for road oil for the Streets Division for an annual amount not to exceed \$225,000. CIP/DID #PUR0322-246
  - e. Contract with L.L. Pelling Company, Inc. for asphalt for the Streets Division for an annual amount not to exceed \$800,000. CIP/DID #PUR0322-245
  - f. Fleet Services Division purchase of a mini packer body and chassis for the Solid Waste Division from Kilburg Equipment LLC for a total amount of \$210,446.40. CIP/DID #FLT107
  - g. Fleet Services Division purchase of two recycling bodies and chassis for the Solid Waste Division from Kilburg Equipment LLC for a total amount of \$713,200.70. CIP/DID #FLT105
  - h. Professional Services Agreement with Donohue and Associates, Inc. for an amount not to exceed \$128,400 for the NWTP Chlorine Contact Basin Repairs project. CIP/DID #6250113-01
  - i. Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$203,600 for design services in connection with the Cedar Lake Watershed Implementation Plan and South Cell project. CIP/DID #304539-01
  - j. Professional Services Agreement with Shoemaker & Haaland for an amount not to exceed \$151,052 for design services in connection with the Center Point Road NE from Coe Road to J Avenue Final Design project. **(Paving for Progress)** CIP/DID #3012094-10

- k. Change Order No. 2 in the amount of \$120,000 with B.G. Brecke, Inc. for the Repair of Water Service Lines FY22 project (original contract amount was \$564,639.95; total contract amount with this amendment is \$964,639.95). CIP/DID #521108-22
- l. 28E Agreement with the College Community School District to renew the School Resource Officer Program through June 30, 2024. CIP/DID #OB641224
- m. Amendment No. 1 to the RISE Grant Agreement with FH Development LLC in connection with the Earhart Lane SW Roadway Extension from Walford Road to Wright Brothers Boulevard project. CIP/DID #301965-00
- n. Amendment to the Certified Local Government grant agreement with the State Historic Preservation Office for assistance nominating the Bever Woods area to the National Register, to extend the timeline to June 30, 2023. CIP/DID #HPC-0006-2020
- o. Memorandum of Agreement for Relocation of Utilities and Facilities for an estimated amount of \$436,175 with the Department of the Army for City right-of-way on 12th Avenue SE and 2nd Street SE in connection with the Flood Risk Management Project – Reach 3 12th Avenue project. CIP/DID #3316200-00
- p. Amendment to the Memorandum of Agreement with the Czech Village/New Bohemia Self-Supported Municipal Improvement District for enhanced pedestrian amenities adjacent to the Mucha Mural. CIP/DID #DISP-0032-2020
- q. Development Agreement with FH Development, LLC and Alro Steel Corporation for the construction of an office, warehouse and distribution facility at 9400 Earhart Lane SW. CIP/DID #TIF-0068-2021
- r. Total Acquisition Purchase Agreement in the amount of \$1,143,000 and accepting a Warranty Deed from Sadler Brothers Ltd. for land at 1232 1st Street NW and from the Roy T. Sadler Revocable Trust and Grandma Sadler’s Property, LLC for land located at 1231 and 1250 2nd Street NW in connection with the West Side Flood Control System project. CIP/DID #3314200-00
- s. Agreement in the amount of \$125,000 with Landmark Infrastructure Inc. to release a perpetual easement and mortgage on City-owned property at 201 1st Avenue SW to accommodate the redevelopment of the Kingston Landing property by 1st & 1st LLC. CIP/DID #PRD-032703-2022
- t. Granting a Temporary Staging Easement on City-owned property at 1st Avenue West and 1st Street NW as requested by Compass Commercial Services LLC and Pirc-Tobin Construction, Inc. in connection with the Kingston Landing Development and 1st Avenue W from 6th Street to 1st Street Pavement Rehabilitation and Traffic Signal Improvements projects. CIP/DID #PRD-032703-2022
- u. Purchase Agreement in the amount of \$18,260 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Capital One Prop, LLC for land at the west right-of-way line of 6th Street SW in connection with the 6th Street SW from Capital Drive to 800’ Commerce Park Drive project. CIP/DID #301875-00
- v. Purchase Agreement in the amount of \$1 and accepting a Temporary Construction Easement from Midwest Commerce Park II I380, LLC for land northeast of 6th Street SW and north of Walford Road SW in connection with the 6th Street SW from Capital Drive to 800’ Commerce Park Drive project. CIP/DID #301875-00
- w. Purchase Agreement in the amount of \$9,385 and accepting a Warranty Deed for right-of-way and a Temporary Construction Easement from The Fountains, LLC for land at 5100 Edgewood Road NE in connection with the 18th Avenue NE and Blairs Ferry Road NE Roadway Improvements project. CIP/DID #301881-00

- x. Agreement for Temporary Construction Easement in the amount of \$275 with Allen Property Management & Investments, LLC for land at 1655 32nd Street NE in connection with the 32nd Street NE from Carlisle to Oakland Road Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012096-00
- y. Agreement for Temporary Construction Easement in the amount of \$405 with Charles and Rachel Blackford for land at 1649 32nd Street NE in connection with the 32nd Street NE from Carlisle Street through Oakland Road Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012096-00
- z. Agreement for Temporary Construction Easement in the amount of \$50 with Jared Hanson for land at 800 Cheyenne Road NW in connection with the 2023 Fair Oaks Addition Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012285-00
- aa. Agreement for Temporary Construction Easement in the amount of \$140 with Timothy Cook for land at 870 Center Point Road NE in connection with the Center Point Road NE from Lincoln Avenue to J Avenue Reconstruction and One-Way to Two-Way Conversion project. **(Paving for Progress)** CIP/DID #3012094-00
- ab. Agreement for Temporary Construction Easement in the amount of \$220 with MRA Real Estate, LLC for land at 872 Center Point Road NE in connection with the Center Point Road NE from Lincoln Avenue to J Avenue Reconstruction and One-Way to Two-Way Conversion project. **(Paving for Progress)** CIP/DID #3012094-00
- ac. Agreement for Temporary Construction Easement in the amount of \$50 with Kirk Perry and Brenda Drahos for land at 957 Center Point Road NE in connection with the Center Point Rd NE from Lincoln Avenue to J Avenue Reconstruction and One-Way to Two-Way Conversion project. **(Paving for Progress)** CIP/DID #3012094-00
- ad. Purchase Agreement in the amount of \$1 and accepting a Warranty Deed for right-of-way, an Easement for Utilities and a Temporary Grading Easement for Construction from Midwest Commerce North, LLC for land northeast of 6th Street SW and southeast of Innovation Drive SW in connection with the Innovation Drive from 18th Street to 6th Street SW project. CIP/DID #3018004-00
- ae. Agreements for Temporary Construction Easement with multiple property owners in connection with the Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements project. **(Paving for Progress)** CIP/DID #3012149-00
- af. Purchase Agreement in the amount of \$300 and accepting a Temporary Construction Easement from Steven and Theresa Stoecker for land at 4713 Tower Terrace Road NE in connection with the Tower Terrace Road Reconstruction from Miller Road to I-380 project. CIP/DID #301975-00
- ag. Purchase Agreement in the amount of \$1,360 and accepting a Temporary Construction Easement from AKN LeClaire, LLC for land at 2000 Wiley Boulevard SW in connection with the Wiley Boulevard Trail Improvements from Williams Boulevard to 16th Avenue SW project. CIP/DID #325052-00
- ah. Amending Resolution No. 0443-03-22, which awarded a contract in the amount of \$895,578.37 plus incentive up to \$15,000 to Midwest Concrete, Inc. for the Bowling Street SW from 50th Avenue to 29th Avenue Sidewalk Infill project, to correct the contract amount to \$895,578.38 and the total amount to \$910,578.38. CIP/DID #301876-04
- ai. Rejecting bids for the Pickleball Courts at Jones Park project (estimated cost is \$400,000). CIP/DID #PUR0322-273

## REGULAR AGENDA

26. Motion to remove from the table the first reading of an ordinance granting a change of zone for property at 550 27th Street Drive SE from S-RLL, Suburban Residential Large Lot District, and S-RL1, Suburban Residential Low Single Unit District, to P-IN, Public – Institutional District, as requested by the Cedar Rapids Country Club (Seth Gunnerson). CIP/DID #RZNE-032718-2022
  - a. First Reading: Ordinance granting a change of zone for property at 550 27th Street Drive SE from S-RLL, Suburban Residential Large Lot District, and S-RL1, Suburban Residential Low Single Unit District, to P-IN, Public – Institutional District, as requested by the Cedar Rapids Country Club (currently on the table).
  
27. Motion to remove from the table the first reading of an ordinance vacating public ways and grounds of a 0.62-acre parcel of City-owned right-of-way on Fairway Terrace SE between 27th Street Drive and Country Club Parkway as requested by the Cedar Rapids Country Club (Rita Rasmussen). CIP/DID #ROWV-032449-2021
  - a. First Reading: Ordinance vacating public ways and grounds of a 0.62-acre parcel of City-owned right-of-way on Fairway Terrace SE between 27th Street Drive and Country Club Parkway as requested by the Cedar Rapids Country Club (currently on the table).
  
28. Report on bids for the J Avenue Water Treatment Plant Lime Silo Dust Collector and Roof Improvements project (estimated cost is \$385,000) (Jim Flamming). CIP/DID #6250108-02
  
29. Report on bids for the Pioneer Avenue SE at Oakridge Drive Drainage Improvements project (estimated cost is \$110,000) (Ben Worrell). CIP/DID #304527-01
  - a. Resolution awarding and approving contract in the amount of \$91,886.74, bond and insurance of Dave Schmitt Construction Co., Inc. for the Pioneer Avenue SE at Oakridge Drive Drainage Improvements project.
  
30. Report on bids for the Vets Stadium Annex Building project (estimated cost is \$2,300,000) (Doug Nelson). CIP/DID #PUR0422-284
  - a. Resolution awarding and approving contract in the amount of \$1,579,000, bond and insurance of Garling Construction for the Vets Stadium Annex Building project.
  
31. Presentation and resolution authorizing City financial incentives under the High Quality Jobs – Economic Development Program for the construction of a new warehouse and distribution facility on property at 655 Capital Drive SW as proposed by 850 Capital, LLC and Hy-Vee, Inc. (Caleb Mason). CIP/DID #TIF-0069-2022
  
32. Presentation and resolution authorizing City financial incentives under the High Quality Jobs – Economic Development Program for the construction of a new warehouse and distribution facility on property at 10025 Atlantic Drive SW as proposed by Midwest Commerce V LLC and Worley Warehousing, Inc. (Caleb Mason). CIP/DID #TIF-0070-2022



## **ORDINANCES**

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

33. Ordinance renaming a portion of 8th Avenue SW to Stadium Court SW, beginning at 11th Street SW and continuing easterly a distance of approximately 250 feet to Rockford Road SW, as requested by the Public Works Department. CIP/DID #STREET-032501-2021

### **First Reading**

34. Ordinance amending Chapter 63 of the Municipal Code, Offenses Against Public Safety, by repealing Section 63.10B, Fireworks, and enacting a new Section 63.10B in its place to conform with Iowa code and to establish the penalty for violations of the City's ordinances pertaining to the use and sale of fireworks and conforming with state zoning requirements. CIP/DID #FIR0517-0022

## **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).*