

“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, February 27, 2024 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

PUBLIC HEARINGS

1. A public hearing will be held to consider the authorization of the issuance of not to exceed \$12,500,000 General Obligation Urban Renewal Bonds – FY24 GO Bonds for budgeted projects (Chad Mittan). CIP/DID #FIN2023-10
 - a. Resolution instituting proceedings to take additional action for the issuance of not to exceed \$12,500,000 General Obligation Urban Renewal Bonds.
2. A public hearing will be held to consider repealing Chapter 61 of the Municipal Code, Traffic Regulations, and enacting a new Chapter 61 in its place to include new and updated definitions; regulate the use of all-terrain vehicles, off-road vehicles, golf carts and snowmobiles; add or increase parking fees; and comply with current practice and relevant law (Heidi Stiffler and Sgt. Graham Campshure). **(Council Priority)** CIP/DID #FIN2024-10
 - a. First Reading: Ordinance repealing Chapter 61 of the Municipal Code, Traffic Regulations, and enacting a new Chapter 61 in its place to include new and updated definitions; regulate the use of all-terrain vehicles, off-road vehicles, golf carts and snowmobiles; add or increase parking fees; and comply with current practice and relevant law.

3. A public hearing will be held to consider repealing Chapter 71 of the Municipal Code, Erosion and Sediment Control for Construction Sites, and enacting a new Chapter 71 in its place to include updated standards and review and enforcement processes for erosion control permits (Ken DeKeyser). CIP/DID #43-17-012
 - a. First Reading: Ordinance repealing Chapter 71 of the Municipal Code, Erosion and Sediment Control for Construction Sites, and enacting a new Chapter 71 in its place to include updated standards and review and enforcement processes for erosion control permits.
4. A public hearing will be held to consider repealing Chapter 72 of the Municipal Code, Stormwater Management, and enacting a new Chapter 72 in its place to include updated operations and adding flexibility to the design standards and stormwater utility credits (Ken DeKeyser). **(Council Priority)** CIP/DID #43-10-007
 - a. First Reading: Ordinance repealing Chapter 72 of the Municipal Code, Stormwater Management, and enacting a new Chapter 72 in its place to include updated operations and adding flexibility to the design standards and stormwater utility credits.
5. A public hearing will be held to consider the vacation of a portion of right-of-way adjacent to 60 16th Avenue SW (Rob Davis). **(Council Priority)** CIP/DID #3018030-00
 - a. First Reading: Ordinance vacating public ways and grounds of a portion of right-of-way adjacent to 60 16th Avenue SW.
6. A public hearing will be held to consider the vacation of a utility easement north of and adjacent to 10000 6th Street SW as requested by Williams Synergy Group, LLC (Rob Davis). **(Council Priority)** CIP/DID #EASE-034344-2024
 - a. Resolution vacating a utility easement north of and adjacent to 10000 6th Street SW as requested by Williams Synergy Group, LLC.
7. A public hearing will be held to consider a Development Agreement with Heaviside LLC for a data center project along 76th Avenue SW and Edgewood Road SW in the Big Cedar Industrial Center (Scott Mather). **(Council Priority)** CIP/DID #HQJ-0006-2024
 - a. Resolution authorizing execution of a Development Agreement with Heaviside LLC for a data center project along 76th Avenue SW and Edgewood Road SW in the Big Cedar Industrial Center.
8. A public hearing will be held to consider a change of zone for property at 4400 6th Street SW from I-GI, General Industrial District, to I-LI/PUD, Light Industrial District with a Planned Unit Development Overlay, as requested by Sun Line, Inc. (William Micheel). **(Council Priority)** CIP/DID #RZNE-000126-2024
 - a. First Reading: Ordinance granting a change of zone for property at 4400 6th Street SW from I-GI, General Industrial District, to I-LI/PUD, Light Industrial District with a Planned Unit Development Overlay, as requested by Sun Line, Inc.

9. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Blairs Ferry Road NE Over I-380 Traffic Signal Replacement project (estimated cost is \$650,000) (Ken DeKeyser). CIP/DID #306289-02
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Blairs Ferry Road NE Over I-380 Traffic Signal Replacement project.
10. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Bowling Street Trail project (estimated cost is \$3,760,000) (Ken DeKeyser). **(Council Priority)** CIP/DID #325072-02
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Bowling Street Trail project.
11. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Crestwood Drive NW Roadway and Pedestrian Improvements project (estimated cost is \$1,710,000) (Ken DeKeyser). **(Council Priority)** CIP/DID #301946-03
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Crestwood Drive NW Roadway and Pedestrian Improvements project.
12. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 16th Avenue SE from 2nd Street to 4th Street and 3rd Street SE from 16th Avenue to Sinclair Basin Pavement and Water Main Improvements project (estimated cost is \$1,760,000) (Doug Wilson). CIP/DID #301964-02
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 16th Avenue SE from 2nd Street to 4th Street and 3rd Street SE from 16th Avenue to Sinclair Basin Pavement and Water Main Improvements project.
13. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Central Fire and Fire Station #3 ADA Renovations project (estimated cost is \$565,500) (Jeff Koffron). CIP/DID #PUR1223-156
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Central Fire and Fire Station #3 ADA Renovations 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.

14. Motion to approve the minutes.
15. Resolution authorizing the issuance of Series 2024A General Obligation Bonds and levying a tax for the payment thereof. CIP/DID #FIN2023-10
16. Resolution establishing the City's new financial institution depository limits and approving the Investment Policy. CIP/DID #FIN2024-05
17. Resolution authorizing the elimination of a Transit Supervisor position in the Transit Division. CIP/DID #HR0101
18. Resolution authorizing the Economic Development Coordinator to attend training through OU Institute in New Orleans, LA in April and May 2024 for an estimated amount of \$3,700. CIP/DID #CM003-24
19. Motions setting public hearing dates for:
 - a. March 12, 2024 – to consider amending Chapter 32 of the Municipal Code, Zoning, to update zone districts, use-specific standards, development standards, review and approval procedures, nonconformities and definitions. **(Council Priority)** CIP/DID #CD-0048-2018
 - b. March 12, 2024 – to consider repealing Chapter 32B of the Municipal Code, Floodplain Management, and enacting a new Chapter 32B in its place to continue participating in the National Flood Insurance Program, qualify for increased premium discounts for property owners, and adopt higher protection standards within the Special Flood Hazard Areas and for critical facilities in the shaded X Flood Zones. CIP/DID #DSD-001-24
 - c. March 12, 2024 – to consider the proposed issuance of a not to exceed \$3,100,000 State Revolving Fund Loan. CIP/DID #6150071-01
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. March 12, 2024 – ADA Compliance at McGrath Amphitheater project (estimated cost is \$492,000). **(Council Priority)** CIP/DID #PUR0224-218
 - b. March 12, 2024 – J Ave WTP Storm Sewer Improvements project (estimated cost is \$200,000). CIP/DID #PUR0224-215
 - c. March 26, 2024 – FCS Modifications Along 1st Street NE project (estimated cost is \$160,000). **(Council Priority)** CIP/DID #3315552-01
21. Motion assessing a civil penalty for violation of State Code regarding the sale of tobacco/vapor products to minors against:
 - a. Mt Vernon Discount Market LLC, 3102 Mount Vernon Road SE (first offense – \$300). CIP/DID #CIG005969-06-2023

22. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- a. Cellar 19 Wine & Deli, 425 2nd Street SE.
 - b. Club Basix, 3916 1st Avenue NE.
 - c. Cottage Grove Place, 2115 1st Avenue SE.
 - d. Fieldhouse 1st Ave, 5001 1st Avenue SE.
 - e. Hilton Garden Inn Cedar Rapids, 4640 North River Boulevard NE.
 - f. Just Jules Pub & Restaurant, 835 Center Point Road NE.
 - g. L.P.T. Retail Management Services, LLC #5511, 3301 J Street SW (new – formerly Brew #54).
 - h. L.P.T. Retail Management Services, LLC #5512, 1001 1st Avenue SW (new – formerly Brew #56).
 - i. L.P.T. Retail Management Services, LLC #5513, 2904 Center Point Road NE (new – formerly Brew #55).
 - j. L.P.T. Retail Management Services, LLC #5514, 4201 Center Point Road NE (new – formerly Brew #57).
 - k. Leonardo's Pizza and Restaurant, 2228 16th Avenue SW.
 - l. Mamacita's Taco Bar, 3025 Mount Vernon Road SE.
 - m. New Pioneer Food Co-op, 3338 Center Point Road NE.
 - n. Old Neighborhood Pub, 608 16th Street NE.
 - o. The Olympic South Side Theater, 1202 3rd Street SE.
 - p. Taco Gato, 209 3rd Street SE.
 - q. Ting's Red Lantern, 540 Boyson Road NE.
 - r. Tycoon, 427 2nd Avenue SE (5-day license for an event).
23. Resolutions approving:
- a. Payment of bills. CIP/DID #FIN2024-01
 - b. Payroll. CIP/DID #FIN2024-02
 - c. Transfer of funds. CIP/DID #FIN2024-03
24. Resolution appointing the following individual:
- a. Appointing Dannette Tobin (effective through June 30, 2024) to the Downtown Cedar Rapids Self-Supported Municipal Improvement District Commission. CIP/DID #OB572853
25. Resolution approving the special event application for:
- a. SaPaDaPaSo St. Patrick's Day Parade (includes road closures) on March 17, 2024. **(Council Priority)** CIP/DID #EVENT-67547-2024
26. Resolutions approving assessment actions:
- a. Intent to assess – Solid Waste and Recycling – cleanup costs – five properties. **(Council Priority)** CIP/DID #SWM-004-24
 - b. Levy assessment – Solid Waste and Recycling – cleanup costs – two properties. **(Council Priority)** CIP/DID #SWM-001-24
 - c. Intent to assess – Water Division – delinquent municipal utility bills – 44 properties. CIP/DID #WTR022724-01
 - d. Levy assessment – Water Division – delinquent municipal utility bills – 19 properties. CIP/DID #WTR012324-01

27. Resolutions accepting subdivision improvements and approving Maintenance Bonds:
- a. PCC pavement in the 4th Street SW project and 4-year Maintenance Bond submitted by Eggleston Concrete Contractors, Inc. in the amount of \$114,390. CIP/DID #FLPT-032782-2022
 - b. PCC pavement in American Prairie 1st Addition and 4-year Maintenance Bond submitted by Concise Earth Construction, LLC in the amount of \$371,811. CIP/DID #FLPT-032534-2021
 - c. Sanitary sewer in American Prairie 1st Addition and 4-year Maintenance Bond submitted by Concise Earth Construction, LLC in the amount of \$138,302. CIP/DID #FLPT-032534-2021
 - d. Storm sewer in American Prairie 1st Addition and 4-year Maintenance Bond submitted by Concise Earth Construction, LLC in the amount of \$468,841. CIP/DID #FLPT-032534-2021
 - e. Sanitary sewer in the American Prairie Addition Offsite Sanitary and Storm Sewer Improvements and 4-year Maintenance Bond submitted by Concise Earth Construction, LLC in the amount of \$393,544. CIP/DID #FLPT-032534-2021
 - f. Storm sewer in the American Prairie Addition Offsite Sanitary and Storm Sewer Improvements and 4-year Maintenance Bond submitted by Concise Earth Construction, LLC in the amount of \$53,280. CIP/DID #FLPT-032534-2021
 - g. PCC pavement in Kestrel Heights 1st Addition and 4-year Maintenance Bond submitted by Boomerang Corp. in the amount of \$199,658.20. CIP/DID #FLPT-033471-2022
 - h. Sanitary sewer in Kestrel Heights 1st Addition and 4-year Maintenance Bond submitted by Boomerang Corp. in the amount of \$137,958. CIP/DID #FLPT-033471-2022
 - i. Storm sewer in Kestrel Heights 1st Addition and 4-year Maintenance Bond submitted by Boomerang Corp. in the amount of \$352,324. CIP/DID #FLPT-033471-2022
 - j. Water system improvements in Kestrel Heights 1st Addition and 4-year Maintenance Bond submitted by Boomerang Corp in the amount of \$189,963. CIP/DID #2023088-01
 - k. Water system improvements in Prairie Industrial 2nd Addition and 4-year Maintenance Bond submitted by Maxwell Construction, Inc. in the amount of \$87,226. CIP/DID #2023060-01
 - l. Water system improvements in the Wellington Heights Boys & Girls Club and 4-year Maintenance Bond submitted by Dave Schmitt Construction Co., Inc. in the amount of \$19,899. CIP/DID #2024025-01
28. Resolutions accepting projects, approving Performance Bonds and authorizing final payments:
- a. Resurface Splash Pads project, final payment in the amount of \$6,302.50 and 2-year Performance Bond submitted by Outdoor Recreation Products (original contract amount was \$126,050; final contract amount is \$126,050). CIP/DID #PUR0221-225
 - b. Amending Resolution No. 1372-09-23, which accepted the Edgewood Road NW Portland Cement Concrete Trail from the Cedar River to Ellis Road project, to authorize Change Order No. 7 with Peterson Contractors, Inc. deducting the amount of \$1,242.62 and to correct the final contract amount (original contract amount was \$563,207.50; final contract amount with this amendment is \$580,154.66). **(Council Priority)** CIP/DID #325036-03
 - c. J Avenue Water Treatment Plant Lime Silo Dust Collector and Roof Improvements project, final payment in the amount of \$35,205.16 and 2-year Performance Bond submitted by Tricon General Construction, Inc. (original contract amount was \$687,000; final contract amount is \$704,103.14). CIP/DID #6250108-02

29. Resolutions approving actions regarding purchases, contracts and agreements:
- a. 28E Agreement with multiple agencies establishing the Middle Iowa Watershed Management Authority. CIP/DID #WPC022724-01
 - b. Amendment No. 2 to renew the contract with Technical Specialty Systems for Citywide masonry and structural concrete repair services for two years for an amount not to exceed \$100,000 (original contract amount was \$100,000; renewal contract amount is \$100,000). CIP/DID #PUR1219-125
 - c. Amendment No. 1 to renew the contract with Carquest Auto Parts for an auto parts program for the Fleet Services Division for two years for an amount not to exceed \$400,000 (original contract amount was \$400,000; renewal contract amount is \$400,000). CIP/DID #PUR0122-182
 - d. Amendment No. 39 to the contract with Willett Hofmann & Associates Inc. for architectural design services for ADA compliance at various City facilities to add design services for an amount not to exceed \$369.20 (original contract amount was \$156,580; total contract amount with this amendment is \$418,766.70). CIP/DID #PUR1216-135
 - e. Contract with D & K Products for turf care products for the Parks and Recreation Department for an annual amount not to exceed \$150,000. CIP/DID #PUR1123-145A
 - f. Payment in the amount of \$57,982.34 to the Water Research Foundation for 2024 member subscription fees for the Water and Water Pollution Control Divisions. CIP/DID #WTR022724-00
 - g. Contract with ESCO Electric for low and medium voltage electrical services for the Water Pollution Control Facility for two years for an amount not to exceed \$400,000. CIP/DID #PUR0124-185
 - h. Contract with Langman Construction, Inc. for an amount not to exceed \$5,000,000 for emergency removal and replacement of a critical 84-inch diameter pipeline at the Water Pollution Control Facility. CIP/DID #6150076-01
 - i. Professional Services Agreement with CDM Smith, Inc. for an amount not to exceed \$2,098,081 for the NWTP Expansion Contract 1 project. CIP/DID #6250130-01
 - j. Professional Services Agreement with HR Green for an amount not to exceed \$338,400 for the Vehicle Storage Building project at the Water Pollution Control Facility. CIP/DID #6150063-01
 - k. Amendment No. 1 to the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$34,800 for design services in connection with the 34th Street SE from Bever Avenue to near Spoon Creek Court project (original contract amount was \$265,700; total contract amount with this amendment is \$300,500). **(Paving for Progress)** CIP/DID #3012429-01
 - l. Change Order No. 1 in the amount of \$60,856.76 with Minturn, Inc. for the Repair of City Hall East Stairs project (original contract amount was \$324,000; total contract amount with this amendment is \$384,856.76). CIP/DID #PUR0823-050
 - m. Granting a Temporary Staging Easement on City-owned property at 1917 Mount Vernon Road SE as requested by Pirc-Tobin Construction, Inc. **(Paving for Progress)** CIP/DID #3012149-00
 - n. Purchase Agreement in the amount of \$10,285 and accepting a Temporary Grading Easement for Construction from David Owens Jr. for land at 227 16th Avenue SE in connection with the 16th Avenue SE from 2nd Street to 4th Street Pavement and Water Main Improvements project. CIP/DID #301964-00
 - o. Agreement for Temporary Grading Easement for Construction in the amount of \$3,140 with Wells Fargo Bank for land at 4051 42nd Street NE in connection with the 42nd Street NE Improvements – Phase 1 from River Ridge Drive to Pine View Drive project. **(Paving for Progress)** CIP/DID #3012188-00

- p. Purchase Agreement in the amount of \$11,275 and accepting a Warranty Deed for right-of-way and Temporary Construction Easement from Jeffrey Wilkin for land at 3601 42nd Street NE in connection with the 42nd Street NE Improvements – Phase 1 from River Ridge Drive to Pine View Drive project. **(Paving for Progress)** CIP/DID #3012188-00
- q. Purchase Agreement in the amount of \$3,700 and accepting a Temporary Construction Easement from Iowa Seventh Day Adventist Association for land at 4401 42nd Street NE in connection with the Edgewood Road Trail, from Glass Road NE to approximately 305' south of Blairs Ferry Road NE project. **(Council Priority)** CIP/DID #325073-00
- r. Purchase Agreement in the amount of \$2,657 and accepting an Easement for Recreation Trail and Access and a Temporary Grading Easement for Construction from Cedar Lake Group, LLC for land at 827 Shaver Road NE in connection with the Cedar Lake Amenities project. **(Council Priority)** CIP/DID #327003-00
- s. Purchase Agreement in the amount of \$22,000 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Meera Enterprise, LLC for land at 645 America Drive SW in connection with the Wright Brothers Blvd SW from 6th Street SW to Earhart Lane SW Intersection Rehabilitation project. CIP/DID #3018027-00
- t. Accepting a Revised Final Plat Development Agreement from 1395 Stamy Road, LLC for land east of Wiley Boulevard SW and south of Williams Boulevard SW in the Wiley Crossing First Addition. CIP/DID #FLPT-033172-2022

REGULAR AGENDA

- 30. Report on bids for the Bowling Street Trail project (estimated cost is \$3,760,000) (Ken DeKeyser). **(Council Priority)** CIP/DID #325072-02

ORDINANCES

Second and possible Third Readings

- 31. Ordinance repealing and replacing Ordinance No. 054-22 relating to the collection of tax increment within the amended Consolidated I-380 Corridor Urban Renewal Area. CIP/DID #TIF-0070-2022

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 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.