

“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 9, 2024 at 12:00 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.*)

AGENDA

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations
 - ❖ Proclamation – Transgender Day of Visibility
 - ❖ Proclamation – Fair Housing Month

PUBLIC HEARINGS

1. A public hearing will be held to consider amending Chapter 9 of the Municipal Code, Streets, Alleys and Sidewalks, by enacting paragraphs relating to sidewalk, parking and driveway maintenance and repair (Ken DeKeyser). **(Council Priority)** CIP/DID #41-08-018
 - a. First Reading: Ordinance amending Chapter 9 of the Municipal Code, Streets, Alleys and Sidewalks, by enacting paragraphs relating to sidewalk, parking and driveway maintenance and repair.
2. A public hearing will be held to consider the vacation of an access easement between 275 1st Avenue and 175 3rd Street SW as requested by 1st & 1st, LLC (Rob Davis). **(Council Priority)** CIP/DID #EASE-000210-2024
 - a. Resolution vacating an access easement between 275 1st Avenue and 175 3rd Street SW as requested by 1st & 1st, LLC.
3. A public hearing will be held to consider the vacation of a sanitary sewer easement between 275 1st Avenue and 175 3rd Street SW as requested by 1st & 1st, LLC (Rob Davis). **(Council Priority)** CIP/DID #EASE-000210-2024
 - a. Resolution vacating a sanitary sewer easement between 275 1st Avenue and 175 3rd Street SW as requested by 1st & 1st, LLC.

4. A public hearing will be held 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 (Rob Davis). **(Council Priority)** CIP/DID #ROWV-033829-2023
 - a. First Reading: Ordinance vacating public ways and grounds 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.
5. A public hearing will be held 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. (Rob Davis). **(Council Priority)** CIP/DID #ROWV-033829-2023
 - a. First Reading: Ordinance vacating public ways and grounds 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.
6. A public hearing will be held to consider an Underground Electric Line Easement with Interstate Power and Light Company on City-owned property at 1239 4th Street SE in connection with the 16th Avenue SE from 2nd Street to 4th Street Pavement and Water Main Improvements project (Rob Davis). **(Council Priority)** CIP/DID #301964-00
 - a. Resolution authorizing execution of an Underground Electric Line Easement in the amount of \$1 with Interstate Power and Light Company on City-owned property at 1239 4th Street SE in connection with the 16th Avenue SE from 2nd Street to 4th Street Pavement and Water Main Improvements project.
7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Ellis Golf Course ADA Improvements project (estimated cost is \$630,000) (Jeff Koffron). **(Council Priority)** CIP/DID #PUR0324-234
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Ellis Golf Course ADA 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.

8. Motion to approve the minutes.
9. Resolution of support for an application by the Iowa Department of Transportation to the Federal Transit Administration for the Low or No Emission Grant Program. CIP/DID #TRN2024-04
10. Resolution amending Resolution No. 1188-09-16, which established fees for moving permits, by adjusting the single trip permit fee to match the amount charged by the Iowa Department of Transportation. **(Council Priority)** CIP/DID #80-24-002
11. Resolution authorizing the Finance Director to commit the current and future fund balances and issue payments for eligible uses of a new committed Special Revenue Fund – State of the City Address. CIP/DID #FIN2024-12
12. Resolution accepting work and fixing amount to be assessed for the 2023 Fair Oaks Addition Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012285-00
13. Resolution accepting work and fixing amount to be assessed for the 2023 Pavement Milling and Curb Repair project. **(Paving for Progress)** CIP/DID #301998-00
14. Resolution setting a public hearing for April 23, 2024 to consider a Permanent Sanitary Sewer Service Line Easement northwest of the intersection of Ely Road SW and Old River Road SW, adjacent to the Cedar River, as requested by BUZ Properties, LLC. CIP/DID #ESCY-000204-2024
15. Motions setting public hearing dates for:
 - a. April 23, 2024 – to consider the fiscal year 2025 annual budget. CIP/DID #FIN2024-11
 - b. April 23, 2024 – to consider amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates for fiscal year 2025. CIP/DID #WTR25-01
 - c. April 23, 2024 – to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates for fiscal year 2025. CIP/DID #WPC25-01
 - d. April 23, 2024 – to consider amending Chapter 24 of the Municipal Code, Solid Waste and Recycling, by repealing existing rates and establishing new rates for fiscal year 2025. CIP/DID #SWM25-01
 - e. April 23, 2024 – to consider amending Chapter 72 of the Municipal Code, Stormwater Management, by repealing existing rates and establishing new rates for fiscal year 2025. CIP/DID #STRMWTR25-01
 - f. April 23, 2024 – to consider amending Chapter 32 of the Municipal Code, Zoning, to update use-specific standards, development standards, review and approval procedures, and definitions. **(Council Priority)** CIP/DID #CD-0048-2018
 - g. April 23, 2024 – to consider a change of zone for property at 860 17th Street SE from T-RF, Traditional Residential Flex District, to T-RH, Traditional Residential High District, as requested by Dahnovan Builders LLC. **(Council Priority)** CIP/DID #RZNE-034395-2023
 - h. May 14, 2024 – to consider a 28E annexation agreement with the City of Marion outlining growth areas for both cities for a period of 10 years. CIP/DID #CD-0095-2024

16. 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. April 23, 2024 – 2024 Pavement Milling and Curb Repair project (estimated cost is \$4,870,000). **(Paving for Progress)** CIP/DID #301998-15
 - b. May 14, 2024 – WPCF Process Improvements – Contract 2 project (estimated cost is \$277,500,000). **(Council Priority)** CIP/DID #6150059-01
17. Motion assessing civil penalties for violation of State Code regarding the sale of alcohol to minors against:
 - a. Casey's General Store #2763, 641 Edgewood Road NW (first offense – \$500). CIP/DID #LIQR000247-04-2013
18. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
 - a. Barrel House, 102 2nd Street SE.
 - b. Biaggi's Ristorante Italiano, 320 Collins Road NE.
 - c. The Blind Pig, 3325 Center Point Road NE.
 - d. El Dorado Bar & Grill, 112 2nd Street SE.
 - e. El Paraiso Bar & Grill, 2730 Edgewood Road SW.
 - f. Green Gable Inn, 1227 J Avenue NE.
 - g. Hacienda Las Glorias, 715 1st Avenue SW.
 - h. Hacienda Las Glorias II, 4317 Center Point Road NE.
 - i. Iowa Brewing Company, 708 3rd Street SE.
 - j. Lacayo Restaurant, 1202 3rd Street SE.
 - k. McGrath Amphitheatre Cedar Rapids, 475 1st Street SW (8-month temporary license).
 - l. Murdoch Funeral Homes & Cremation Service, 520 Wilson Avenue SW.
 - m. Need Pizzeria, 207 2nd Avenue SE.
 - n. NewBo City Market, 1100 3rd Street SE.
 - o. Nick's Bar & Grill, 4958 Johnson Avenue NW (5-day license for an event at 5000 J Street SW).
 - p. Papa Juan's, 5505 Center Point Road NE.
 - q. The Pines Pizza and Pub, 4100 River Ridge Drive NE.
 - r. R G Books, 3611 1st Avenue SE.
 - s. Uptown Liquor & Tobacco, 2000 Wiley Boulevard SW, Suite 106.
 - t. Walgreens #12393, 5750 C Avenue NE.
 - u. Wild Hog Saloon & Eatery, Walford, IA (5-day license for an event at Metro Harley Davidson, 2415 Westdale Drive SW).
 - v. Wine Styles, 4201 42nd Street NE.
19. Resolutions approving:
 - a. Payment of bills. CIP/DID #FIN2024-01
 - b. Payroll. CIP/DID #FIN2024-02
20. Resolutions approving assessment actions:
 - a. Intent to assess – Solid Waste and Recycling – cleanup costs – six properties. **(Council Priority)** CIP/DID #SWM-007-24
 - b. Levy assessment – Solid Waste and Recycling – cleanup costs – four properties. **(Council Priority)** CIP/DID #SWM-004-24
 - c. Intent to assess – Water Division – delinquent municipal utility bills – 35 properties. CIP/DID #WTR040924-01

- d. Levy assessment – Water Division – delinquent municipal utility bills – 15 properties. CIP/DID #WTR022724-01
21. Resolutions accepting projects, approving Performance Bonds and authorizing final payments:
- a. Boyson Road NE Turn Lane Reconstruction at Council Street and Sidewalk Infill from Council Street to C Avenue project, final payment in the amount of \$24,725.99 and 4-year Performance Bond submitted by Eastern Iowa Excavating & Concrete, LLC (original contract amount was \$498,679.40; final contract amount is \$494,519.71). CIP/DID #301262-02
 - b. East Post Road SE from North of Bever Avenue to South of Indian Creek Bridge project, final payment in the amount of \$33,232.98 and 4-year Performance Bond submitted by L.L. Pelling Co., Inc. (original contract amount was \$619,886.05; final contract amount is \$664,659.70). **(Paving for Progress)** CIP/DID #3012404-02
 - c. J Avenue Water Treatment Plant Ammonia Storage System Improvements project, final payment in the amount of \$57,837.13 and 2-year Performance Bond submitted by Tricon General Construction, Inc. (original contract amount was \$1,142,000; final contract amount is \$1,156,742.55). CIP/DID #6250101-03
22. Resolutions approving final plats:
- a. Edgewood Town Centre Sixth Addition for land south of Blairs Ferry Road NE and west of Edgewood Road NE. **(Council Priority)** CIP/DID #FLPT-000280-2024
 - b. Wexford West Second Addition for land north of Blairs Ferry Road NE and west of Milburn Road NE. CIP/DID #FLPT-034150-2023
23. Resolutions approving actions regarding purchases, contracts and agreements:
- a. 28E Agreement with Marion and Linn County to fund the 2024-2029 Linn County Multi-Jurisdictional Hazard Mitigation Plan. CIP/DID #CD-0028-2017
 - b. Development Agreement with Hawkeye Area Community Action Program for the disposition of a City-owned property at 1500 2nd Avenue SE known as The Heights. **(Council Priority)** CIP/DID #CDBG-CV-FY19
 - c. Amendment No. 2 to renew the contract with J&L Lawn Care for lawn care and landscape maintenance services for the Facilities Maintenance Services Division for an annual amount not to exceed \$60,000 (original contract amount was \$55,000; renewal contract amount is \$60,000). CIP/DID #PUR0123-165
 - d. Fleet Services Division purchase of a Ram 2500 pickup from Stew Hansens Dodge City for the Facilities Maintenance Services Division in the amount of \$50,250. CIP/DID #FLT151
 - e. Amending Resolution No. 1612-10-23, which authorized the Information Technology Department to purchase professional services for various projects from Computer Aid, Inc., to add services in the amount of \$400,000 (original contract amount was \$400,000; total contract amount with this amendment is \$800,000). CIP/DID #IT2023-018
 - f. Contract with Heartland Business Systems for VMWare software maintenance and support for the Information Technology Department for an annual amount not to exceed \$105,510.90. CIP/DID #PUR0324-249
 - g. Contract with IT Outlet for the replacement of cameras at the bus garage and Ground Transportation Center for the Transit Division in the amount of \$57,761. CIP/DID #PUR1123-147
 - h. Contract with Hardscape Solutions of Iowa for spring tree planting in the right-of-way and at golf courses for the Parks and Recreation Department for an amount not to exceed \$121,623.39. CIP/DID #PUR0224-211

- i. Contract with Fosters Kraus for the design and installation of HVAC systems at the Veterans Memorial Building in the amount of \$95,369. CIP/DID #PUR0224-193
- j. Amendment No. 1 to the contract with Cahoy Pump Service, Inc. for well maintenance services and treatments for the Water Division to add work for an amount not to exceed \$100,000 (original contract amount was \$150,000; total contract amount with this amendment is \$250,000). CIP/DID #PUR0523-297
- k. Contract with Life Time Fence Company Inc. for the repair of perimeter fencing at the Water Pollution Control Facility in the amount of \$108,975. CIP/DID #PUR0224-213
- l. Contract with Wulfekuhle Injection and Pumping, Inc. for emergency hauling of untreated wastewater for the Water Pollution Control Facility for an amount not to exceed \$535,000. CIP/DID #PUR0324-239
- m. Amendment No. 1 to the Professional Services Agreement with Snyder & Associates, Inc. for an amount not to exceed \$116,866 for design services in connection with the Mount Vernon Road SE from 20th Street to 26th Street Pavement Improvements project (original contract amount was \$567,292; total contract amount with this amendment is \$684,158). **(Paving for Progress)** CIP/DID #3012149-07
- n. Professional Services Agreement with YTT Design Solutions for an amount not to exceed \$89,223 for design services in connection with the O Avenue NW Green Alleyway project. CIP/DID #304551-01
- o. Change Order No. 16 deducting the amount of \$23,690 with Boomerang Corp. for the 1st Street NW/SW Flood Control System from E Avenue NW to 2nd Avenue SW project (original contract amount was \$8,852,304; total contract amount with this amendment is \$9,649,255.58). **(Council Priority)** CIP/DID #3312510-30
- p. Change Order No. 19 in the amount of \$40,113.02 with Boomerang Corp. for the Ellis Boulevard and 6th Street NW Connector project (original contract amount was \$6,357,840.10; total contract amount with this amendment is \$7,141,593.80). **(Paving for Progress)** CIP/DID #301963-03
- q. Change Order No. 6 in the amount of \$6,000 with Boomerang Corp. for the Middle McCloud Run Advanced Grading project (original contract amount was \$2,646,566.50; total contract amount with this amendment is \$3,260,607.66). **(Council Priority)** CIP/DID #3314551-01
- r. Change Order No. 17 in the amount of \$669,214.98 with Peterson Contractors, Inc. for the Cedar Lake North Shore & Levee Construction project (original contract amount was \$18,359,172.85; total contract amount with this amendment is \$21,003,987.53). **(Council Priority)** CIP/DID #3314510-20
- s. Change Order No. 8 in the amount of \$164 with Peterson Contractors, Inc. for the Innovation Drive from 18th Street SW to 6th Street SW Roadway Reconstruction Bid Package 2B project (original contract amount was \$8,563,458.95; total contract amount with this amendment is \$8,618,161.23). CIP/DID #3018004-04
- t. Change Order No. 20 in the amount of \$1,000 with Rathje Construction Co. for the 1st Avenue E and 1st Street NE Temporary Traffic Signal and Pavement Improvements project (original contract amount was \$500,925.14; total contract amount with this amendment is \$700,874.16). **(Council Priority)** CIP/DID #3315510-67
- u. Change Order No. 9 in the amount of \$3,925.48 with Rathje Construction Co. for the 10th Street SE at Hull Avenue Storm Sewer Improvements project (original contract amount was \$2,167,348.80; total contract amount with this amendment is \$2,249,246.37). **(Council Priority)** CIP/DID #3317510-61
- v. Change Order No. 9 in the amount of \$4,059 with Rathje Construction Co. for the Ingleside Drive SW Reconstruction project (original contract amount was \$2,247,894.79; total contract amount with this amendment is \$2,423,537.05). **(Paving for Progress)** CIP/DID #3012344-03

- w. Partial final payment in the amount of \$171,022.26 to WRH, Inc. for the WPCF Process Improvements Contract 1 project. CIP/DID #6150055-01
- x. Purchase Agreement in the amount of \$11,587 and accepting an Easement for Storm Sewer and a Temporary Construction Easement from Lexington East Unit One, Condominium Association for land at 4225 Westchester Drive 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
- y. Purchase Agreement in the amount of \$76,000 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from 645 Wright, LLC for land at 645 Wright Brothers Boulevard SW in connection with the Wright Brothers Blvd SW from 6th Street SW to Earhart Lane SW Intersection Rehabilitation project. **(Council Priority)** CIP/DID #3018027-00
- z. Purchase Agreement in the amount of \$2,424 and accepting a Temporary Grading Easement for Construction from St. Martin Airport Plaza Owners Association for vacant land northeast of the intersection of St. Martin Boulevard SW and 6th Street SW in connection with the Wright Brothers Blvd SW from 6th Street SW to Earhart Lane SW Intersection Rehabilitation project. **(Council Priority)** CIP/DID #3018027-00
- aa. Purchase Agreement, Utility Subordination Agreement and Addendum to the Utility Subordination Agreement in the amount of \$1,000 with Interstate Power and Light Company for an easement on Out Lot B of 1710 16th Street SE in connection with the Cedar River Flood Risk Management project. **(Council Priority)** CIP/DID #3317200-00
- ab. First Amendment to Access Easement Acquisition Agreement with Quaker Manufacturing, LLC for land at 418 2nd Street NE in connection with the Cedar River Flood Control System project. **(Council Priority)** CIP/DID #3314200-00
- ac. Total Acquisition Purchase Agreement in the amount of \$80,000 plus relocation benefits not to exceed \$2,000 and accepting a Court Officer Deed from the estate of Steven Richardson for property at 608 Penn Avenue NW in connection with the West Side Flood Control System project. **(Council Priority)** CIP/DID #3311200-00
- ad. **Grant application to the Iowa Office of Drug Control Policy's Project Safe Neighborhoods Program on behalf of the Kids First Law Center. CIP/DID #CM004-24**

REGULAR AGENDA

- 24. Report on bids for the Replace North Elevator in City Hall project (estimated cost is \$265,000) (Jason Stancliffe). CIP/DID #PUR0224-198
 - a. Resolution rejecting the bid for the Replace North Elevator in City Hall project.
- 25. Report on bids for the 4th Street SE from 1st Avenue E to 5th Avenue SE East Central Quiet Zone Improvements project (estimated cost is \$510,000) (Ken DeKeyser). **(Council Priority)** CIP/DID #306299-04
 - a. Resolution awarding and approving contract in the amount of \$380,637.05, bond and insurance of Eastern Iowa Excavating & Concrete, LLC for the 4th Street SE from 1st Avenue E to 5th Avenue SE East Central Quiet Zone Improvements project.

26. Report on bids for the FCS Modifications Along 1st St NE project (estimated cost is \$160,000) (Rob Davis). **(Council Priority)** CIP/DID #3315552-01
 - a. Resolution awarding and approving contract in the amount of \$137,305.95, plus incentive up to \$3,750, bond and insurance of Eastern Iowa Excavating & Concrete, LLC for the FCS Modifications Along 1st St NE project.
27. Report on bids for the 2024 On Call Concrete Repairs project (estimated cost is \$71,000) (Brandon Jennings). CIP/DID #PUR1123-141
 - a. Resolution awarding and approving contract in the amount of \$45,503, bond and insurance of JDM Concrete LLC for the 2024 On Call Concrete Repairs project.
28. Presentation and resolution adopting the MedQuarter Regional Medical District Master Plan Update and incorporating it into EnvisionCR (Jennifer Pratt). **(Council Priority)** CIP/DID #OB665560

ORDINANCES

Second and possible Third Readings

29. Ordinance granting a change of zone for property at 1630 1st Avenue NE from T-MC, Traditional Mixed Use Center District, to U-NG, Urban Neighborhood General District, as requested by BCMT, LLC. **(Council Priority)** CIP/DID #RZNE-000184-2024

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.