CITY OF CEDAR RAPIDS, IOWA
MINUTES OF THE CITY COUNCIL
REGULAR SESSION

May 14, 2024, 12:00 PM

City Council met in Regular Session in the Cedar Rapids City Hall Council Chambers, 101 First Street SE, Cedar Rapids, Iowa. Present, Mayor Tiffany D. O'Donnell and Council members Marty Hoeger, David Maier, Scott Olson, Tyler Olson, Scott Overland, Ann Poe, Dale Todd and Ashley Vanorny. Also present were City Manager Jeff Pomeranz and City Attorney Vanessa Chavez.

The invocation was given by Public Safety Chaplain Jim Coyle.

Pledge of Allegiance.

A presentation regarding the Fiscal Year 2023 Annual Audit was given by Marc Sewell and Aaron Calderon of RSM US, LLP.

A presentation regarding Update on Actions Regarding Hy-Vee 1st Avenue Closure was given by Jeff Pomeranz and Jennifer Pratt.

Resolutions and motions were adopted with all Council members and Mayor O'Donnell voting "Aye" unless noted.

1. A public hearing was held to consider the Cedar Rapids Transit fiscal year 2025 Consolidated Transit Funding Application to the Iowa Department of Transportation for federal and state transit funding assistance (Brad DeBrower). No comments or objections were heard or filed.

0548-05-24

a. Resolution authorizing submission of the Cedar Rapids Transit fiscal year 2025 Consolidated Transit Funding Application and execution of grant agreements with the Iowa Department of Transportation and/or Federal Transit Administration.

Council member Poe moved to approve; seconded by Council member Overland.
Result***: Approved.***

2. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the FCS Ellis Lane NW Levee and Ellis Park Fueling Station Improvements project (estimated cost is $8,040,000) (Rob Davis). (Council Priority) No comments or objections were heard or filed.

0549-05-24

a. Resolution adopting plans, specifications, form of contract and estimated cost for the FCS Ellis Lane NW Levee and Ellis Park Fueling Station Improvements project.

Council member Todd moved to approve; seconded by Council member Hoeger.
Result***: Approved.***

3. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the 9th Avenue SE Improvements from 3rd Street to Railroad project (estimated cost is $380,000) (Doug Wilson). No comments or objections were heard or filed.

0550-05-24 a. Resolution adopting plans, specifications, form of contract and estimated cost for the 9th Avenue SE Improvements from 3rd Street to Railroad project.

Council member Maier moved to approve; seconded by Council member T. Olson.
Result***: Approved.***

4. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the WPCF Process Improvements – Contract 2 project (estimated cost is $277,500,000) (Roy Hesemann). (Council Priority) No comments or objections were heard or filed.

0551-05-24 a. Resolution adopting plans, specifications, form of contract and estimated cost for the WPCF Process Improvements – Contract 2 project.

Council member T. Olson moved to approve; seconded by Council member S. Olson.
Result***: Approved.***

5. A public hearing was held to consider the proposed plans, specifications, form of contract and estimated cost for the Prairie Valley Feeder Main Relocation project (estimated cost is $3,980,000 (Cheyanne Wiegenstein). (Council Priority) No comments or objections were heard or filed.

0552-05-24 a. Resolution adopting plans, specifications, form of contract and estimated cost for the Prairie Valley Feeder Main Relocation project.

Council member Vanorny moved to approve; seconded by Council member Poe.
Result***: Approved.***

Public comments were heard.

Motion to approve the agenda.

Council member Overland moved to approve; seconded by Council member Poe.
Absent: Council member S. Olson.
Result***: Approved.***

Motion to approve the consent agenda.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

6. Motion to approve the minutes.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0553-05-24 7. Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0554-05-24 8. Resolution adopting the Solid Waste and Recycling Division's fiscal year 2025 fee schedule for nuisance abatement and service charges.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0555-05-24 9. Resolution adopting the Water Division's fiscal year 2025 fee schedule for miscellaneous service charges.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0556-05-24 10. Resolution adopting the Water Pollution Control Division's fiscal year 2025 flat sewer rates for unmetered water supplies being discharged into the City's sanitary sewer system.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0557-05-24 11. Resolution adopting the Water Pollution Control Division's fiscal year 2025 special sewer rates for wastewater that is hauled directly to the Water Pollution Control Facility for treatment.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0558-05-24 12. Resolution of support and authorizing local match funds for an application by Big Ben LLC to the Iowa Economic Development Authority for Workforce Housing Tax Credits for a housing project at the northwest intersection of Wright Brothers Boulevard and Kirkwood Boulevard SW. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0559-05-24 13. Resolution of support and authorizing local match funds for an application by The Hub LLC to the Iowa Economic Development Authority for Workforce Housing Tax Credits for a redevelopment project at 946 16th Street NE. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0560-05-24 14. Resolution of support and authorizing local match funds for an application by Matthew 25 to the Iowa Economic Development Authority for Workforce Housing Tax Credits for a housing project at 1021-1033 8th Street NW. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0561-05-24 15. Resolution of support and authorizing local match funds for an application by Prairie Rose Rental Co. to the Iowa Economic Development Authority for Workforce Housing Tax Credits for a housing redevelopment project at 1120 and 1128 15th Street SE. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0562-05-24 16. Resolution of support and authorizing local match funds for an application by Prairie Rose Rental Co. to the Iowa Economic Development Authority for Workforce Housing Tax Credits for a housing redevelopment project at 1215 20th Avenue SW. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0563-05-24 17. Resolution of support and authorizing local match funds for an application by Sinclair on Sixteenth LLC to the Iowa Economic Development Authority for Workforce Housing Tax Credits for a housing redevelopment project at 615 16th Avenue SE. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0564-05-24 18. Resolution authorizing reimbursement payments from the Special Event Public Safety Fund to various event sponsors for fiscal year 2024.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0565-05-24 19. Resolution accepting work and fixing amount to be assessed for the Glass Road NE Frontage Road project.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0566-05-24 20. Resolution authorizing City Council Member Scott Olson to attend the Innovating Commerce Serving Communities event in Las Vegas, NV in May 2024 for an estimated amount of $3,959.70. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0567-05-24 21. Resolution authorizing City Council Member Marty Hoeger to attend the Innovating Commerce Serving Communities event in Las Vegas, NV in May 2024 for an estimated amount of $3,783.14. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0568-05-24 22. Resolution authorizing the City Manager to attend the Innovating Commerce Serving Communities event in Las Vegas, NV in May 2024 for an estimated amount of $3,719.09. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0569-05-24 23. Resolution authorizing the Economic and Development Services Director to attend the Innovating Commerce Serving Communities event in Las Vegas, NV in May 2024 for an estimated amount of $3,783.14. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0570-05-24 24. Resolution setting a public hearing for June 25, 2024, consultation with affected taxing entities, and referral to the City Planning Commission for a report and recommendation on the Urban Renewal Plan for the proposed Pinnacle Urban Renewal Area generally located along Wright Brothers Boulevard SW. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0571-05-24 25. Resolution setting a public hearing for June 25, 2024, consultation with affected taxing entities, and referral to the City Planning Commission for a report and recommendation on the Urban Renewal Plan for the proposed Wilson Urban Renewal Area at 1265 Wilson Avenue SW. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

26. Motions setting public hearing dates for:

a. May 28, 2024 – to consider the fiscal year 2024 budget amendment.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

b. May 28, 2024 – to consider repealing Chapter 12 of the Municipal Code, Water Service, and enacting a new Chapter 12 in its place to reorganize the chapter, update references to standards and specifications, clarify access to private facilities, increase connection fees, update the water restrictions section to align with the Drought Contingency Plan, and add sections to address accessory dwelling units, private hydrants and private wells.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

c. May 28, 2024 – to consider amending Chapter 61 of the Municipal Code, Traffic Regulations, by repealing Section 61.138, Automated Traffic Enforcement, and enacting in its place a new Section 61.138 to incorporate updated state legislation.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

d. May 28, 2024 – to consider a change of zone for property at 5051 Williams Boulevard SW from A-AG, Agricultural District, to S-RMF, Suburban Residential Medium Flex District, as requested by JB Capital Holdings LP. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

27. 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. May 28, 2024 – City Hall North Elevator Replacement project (estimated cost is $264,544).

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

b. May 28, 2024 – FY 2024 Sidewalk Repair Program project (estimated cost is $370,000). (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

c. May 28, 2024 – Shakespeare Gardens Phase 1 project (estimated cost is $269,550).

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

28. Motion assessing civil penalties for violation of State Code regarding the sale of tobacco/vapor products to minors against:
    a. The Hazy Hideaway #2, 41 Kirkwood Court SW (first offense – $300).
    b. Premium Clouds Vape & Tobacco, 5436 Blairs Forest Way NE (second offense – $1,500).

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

29. Motion approving the beer/liquor/wine applications of:
    a. Avacentre – Cedar Rapids, 2121 Bowling Street SW.
    b. Brewhemia, 1202 3rd Street SE.
    c. Casa Las Glorias, 2245 Blairs Ferry Road NE.
    d. Cedar Rapids Concert Chorale, 1285 3rd Avenue SE (5-day license for an event at Ushers Ferry Lodge, 5925 Seminole Valley Trail NE).
    e. Cedar River Landing, 301 F Avenue NW.
    f. Chrome Horse Slophouse & Saloon, 1201 3rd Street SE (5-day license for an event at McGrath Powersports, 4645 Center Point Road NE).
    g. Coffee Republic, 220 3rd Avenue SE.
    h. Doubletree by Hilton Cedar Rapids Convention Complex, 350 1st Avenue NE.
    i. Hy-Vee #3 Club Room, 20 Wilson Avenue SW.
    j. Mount Mercy University, 1330 Elmhurst Drive NE.
    k. Pilot Travel Center #1092, 8950 Earhart Lane SW.
    l. Red Ginger, 2230 Edgewood Road SW.
    m. Red Lion Lounge, 3970 Center Point Road NE.
    n. Red Robin America's Gourmet Burgers & Spirits, 4625 1st Avenue SE.
    o. St. Ludmila's Catholic Church, 211 21st Avenue SW (5-day license for an event).
    p. Third Base Brewery, 500 Blairs Ferry Road NE.
    q. Time Out Lounge, 3230 16th Avenue SW.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

30. Resolutions approving:

0572-05-24 a. Payment of bills.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0573-05-24 b. Payroll.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

31. Resolutions approving assessment actions:

0574-05-24 a. Intent to assess – Solid Waste and Recycling – cleanup costs – 16 properties. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0575-05-24 b. Levy assessment – Solid Waste and Recycling – cleanup costs – eight properties. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0576-05-24 c. Intent to assess – Water Division – delinquent municipal utility bills – 35 properties.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0577-05-24 d. Levy assessment – Water Division – delinquent municipal utility bills – 20 properties.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0578-05-24 e. Levy assessment – Water Division – delinquent municipal utility bills – 18 properties.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

32. Resolution accepting subdivision improvements and approving Maintenance Bond:

0579-05-24 a. Sanitary sewer in the Cedar Rapids Apartments site at 140 40th Street Drive SE and 4-year Maintenance Bond submitted by Christianson Companies, Inc. in the amount of $18,408.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

33. Resolutions accepting projects, approving Performance Bonds and authorizing final payments:

0580-05-24 a. 15th Avenue SW from 4th Street to C Street Rehabilitation project, final payment in the amount of $102,251.12 and 4-year Performance Bond submitted by Midwest Concrete, Inc. (original contract amount was $1,779,551.08; final contract amount is $2,045,022.35). (Paving for Progress)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0581-05-24 b. 10th Street SE at Hull Avenue Storm Sewer Improvements project, final payment in the amount of $106,543.09 and 4-year Performance Bond submitted by Rathje Construction Co. (original contract amount was $2,167,348.80; final contract amount is $2,130,861.73). (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

34. Resolutions approving final plats:

0582-05-24 a. Cedar Rapids Real Estate First Addition for land north of Walford Road SW and east of 6th Street SW. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0583-05-24 b. Loftus First Addition for land north of 10th Avenue SE and east of 3rd Street SE. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

35. Resolutions approving actions regarding purchases, contracts and agreements:

0584-05-24 a. 28E Agreement with College Community School District to renew the School Resource Officer Program through June 30, 2026.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0585-05-24 b. Settlement and Release Agreements in the workers' compensation case of Gary Swartz v. City of Cedar Rapids, claim numbers 19004301.01 and 21009068.01.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0586-05-24 c. Amendment to the Development Agreement with JPAC Investments for property at 1223 1st Street SW.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0587-05-24 d. Purchase of National Flood Insurance Program coverage through Selective Insurance Company of America for one year for an amount not to exceed $170,000.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0588-05-24 e. Amendment No. 6 to the contract with Terracon Consultants, Inc. for Phase I environmental site assessments for the Housing Services Division to add work in the amount of $2,247 (original contract amount was $18,650; total contract amount with this amendment is $74,297).

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0589-05-24 f. Contract with Precision Corporation for derecho debris site seeding for the Public Works Department for an amount not to exceed $451,357.05. (Derecho)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0590-05-24 g. Amendment No. 4 to renew the contract with Rochester Armored Car Co., Inc. for banking courier services for the Finance Department for an amount not to exceed $50,000 (original contract amount was $50,000; renewal contract amount is $50,000).

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0591-05-24 h. Information Technology Department purchase of PeopleSoft Financials software upgrade consulting services from Mythics LLC in the amount of $55,252.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0592-05-24 i. Amendment No. 10 to the contract with USIC Locating Services, Inc. for fiber locating and marking services for the Information Technology Department to add work in the amount of $110,000 (original contract amount was $170,000; total contract amount with this amendment is $350,000).

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0593-05-24 j. Contract with Cunningham Recreation for the New Playground Lower Jones Park project for the Parks and Recreation Department for an amount not to exceed $174,998.48.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0594-05-24 k. Contract with TLC Construction & Tree Service LLC for stump grinding for the Parks and Recreation Department for an amount not to exceed $177,370.56.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0595-05-24 l. Fleet Services Division purchase of interior build-out services and equipment for a Police Department van from Emergency Automotive Technologies, Inc. in the amount of $55,954.57.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0596-05-24 m. Fleet Services Division purchase of two Ford F-150 pickup trucks for the Police Department from Stivers Ford in the amount of $91,466.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0597-05-24 n. Contract with Iowa Prison Industries for litter collection services for the Solid Waste and Recycling Division for an amount not to exceed $55,000.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0598-05-24 o. Fleet Services Division purchase of a John Deere utility tractor for the Streets Division from Diamond Mowers, LLC in the amount of $183,625.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0599-05-24 p. Contract with Logan Contractors Supply for flexible crack and joint sealant for the Streets Division for an annual amount not to exceed $120,000.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0600-05-24 q. Contract with Linn County LIFTS for an amount not to exceed $982,392 for ADA complementary paratransit service in fiscal year 2025 for eligible persons with disabilities who cannot use the fixed-route bus system in Cedar Rapids, Marion and Hiawatha.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0601-05-24 r. Amendment No. 7 to renew the contract with Ferguson Waterworks for water meter installation for the Water Division for an annual amount not to exceed $600,000 (original contract amount was $289,900; renewal contract amount is $600,000).

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0602-05-24 s. Contract with Schimberg Co. for water system pipe, fittings and appurtenances for the Water Division for an annual amount not to exceed $1,000,000.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0603-05-24 t. Water Division purchase of emergency repair services for the Lightnin Gearbox at the J Avenue Water Treatment Plant from Gear World in the amount of $67,900.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0604-05-24 u. Amendment No. 1 to the contract with Heartland Co-Op for Cedar River Water Partnership conservation technical assistance for the Water Pollution Control Facility for an amount not to exceed $75,000 (original contract amount was $62,500; total contract amount with this amendment is $137,500).

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0605-05-24 v. Professional Services Agreement with Dixon Engineering, Inc. for an amount not to exceed $112,950 for engineering services for the Glass Rd. Standpipe Reconditioning project.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0606-05-24 w. Amendment No. 1 to the Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed $316,185 for the LightLine Loop project (original contract amount was $1,127,540; total contract amount with this amendment is $1,443,725). (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0607-05-24 x. Professional Services Agreement with HR Green, Inc. for an amount not to exceed $60,000 for the Paving for Progress Capital Improvement Planning FY 2025-2026 project. (Paving for Progress)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0608-05-24 y. Professional Services Agreement with McClure Engineering Co. for an amount not to exceed $65,300 for the 8th Street NE from 1st Avenue E to A Avenue NE Pavement Rehabilitation project. (Paving for Progress)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0609-05-24 z. Amendment No. 1 to the Professional Services Agreement with Shoemaker & Haaland Professional Engineers for an amount not to exceed $49,750 for the Center Point Road NE from Coe Road to J Avenue Final Design project (original contract amount was $151,052; total contract amount with this amendment is $200,802). (Paving for Progress)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0610-05-24 aa. Amendment No. 2 to the Professional Services Agreement with Snyder & Associates, Inc. for an amount not to exceed $60,325 for 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 $744,483). (Paving for Progress)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0611-05-24 ab. Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed $125,000 for the Generator Circuit Breaker and CEMS project at the Water Pollution Control Facility. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0612-05-24 ac. Change Order No. 4 in the amount of $47,936.73 with McComas-Lacina Construction LC for the SW Quadrant ADA Compliance project (original contract amount was $1,115,725; total contract amount with this amendment is $1,243,770.85).

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0613-05-24 ad. Right of Entry and Temporary Construction Easement Agreement in the amount of $500 with Daniel and Susan Voss for land north of Ellis Road and 0.8 miles east of Linn Benton Road NW in connection with the Cedar River Clean Water Partnership Project.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0614-05-24 ae. Right of Entry and Temporary Construction Easement Agreement in the amount of $500 with Daniel and Susan Voss for land north of Ellis Road and 0.25 miles west of Sisley Grove Road NW in connection with the Cedar River Clean Water Partnership Project.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0615-05-24 af. Purchase agreements for Temporary Construction Easements with four property owners for a total amount of $8,219 in connection with the 42nd Street NE Improvements – Phase 1 from River Ridge Drive to Pine View Drive project. (Paving for Progress)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0616-05-24 ag. Purchase agreement in the amount of $305 and accepting a Temporary Construction Easement from Jessica Sanders for land at 3624 Crestwood Drive NW in connection with the Crestwood Drive NW Roadway and Pedestrian Improvements project.

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0617-05-24 ah. Purchase agreement in the amount of $1,260 and accepting a Temporary Grading Easement for Construction from Wright Capital Investments, LLC for land at 650 Capital Drive SW in connection with the Wright Brothers Blvd SW from 6th Street SW to Earhart Lane SW Intersection Rehabilitation project. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0618-05-24 ai. Purchase agreement in the amount of $2,988 and accepting a Temporary Construction Easement from Pierson's, Inc. for land at 1800 Ellis Boulevard NW in connection with the Cedar River Flood Control System project. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0619-05-24 aj. Purchase agreement in the amount of $223 and accepting a Temporary Construction Easement from Sharon Rawson for land at 909 Ellis Lane NW in connection with the Cedar River Flood Control System project. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0620-05-24 ak. 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 Cargill-owned land at 1710 16th Street SE in connection with the Cedar River Flood Risk Management project. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0621-05-24 al. 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 Cargill-owned land at 1710 16th Street SE in connection with the Cedar River Flood Risk Management project. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0622-05-24 am. 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 Cargill-owned land on the southeasterly portion of 1710 16th Street SE in connection with the Cedar River Flood Risk Management project. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0623-05-24 an. 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 Cargill-owned land on Out Lot B of 1710 16th Street SE in connection with the Cedar River Flood Risk Management project. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0624-05-24 ao. Purchase Agreement, Utility Subordination Agreement and Addendum to the Utility Subordination Agreement in the amount of $1,000 with ITC Midwest LLC for an easement on Interstate Power and Light Company-owned land at 1800 10th Street SE in connection with the Cedar River Flood Risk Management project. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0625-05-24 ap. 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 its land at 1800 10th Street SE in connection with the Cedar River Flood Risk Management project. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0626-05-24 aq. 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 City-owned land south of 10th Street SE and adjacent to and west of 1800 10th Street SE in connection with the Cedar River Flood Risk Management project. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0627-05-24 ar. 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 City-owned vacant land between 1800 10th Street SE and 1801 2nd Street SE in connection with the Cedar River Flood Risk Management project. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0628-05-24 as. 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 City-owned vacant land between 550 Stickle Drive and Cedar Lake in connection with the Cedar River Flood Risk Management project. (Council Priority)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

0629-05-24 at. Awarding and approving contract in the amount of $64,935.10, bond and insurance of Whitters Hardscapes for the O Avenue NW West of 16th Street Retaining Wall Improvements project (estimated cost was $74,000). (Paving for Progress)

Council member Todd moved to approve; seconded by Council member Vanorny.
Absent: Council member S. Olson.
Result***: Approved.***

36. Report on the receipt of bids for General Obligation Bonds, Series 2024A, and Water Revenue Bonds, Series 2024B (Jon Burmeister, PFM Financial Advisors LLC).

0630-05-24 a. Resolution directing sale of $65,310,000 (subject to adjustment per terms of offering) General Obligation Bonds, Series 2024A.

Council member Overland moved to approve; seconded by Council member Maier.
Result***: Approved.***

0631-05-24 b. Resolution directing sale of $10,605,000 (subject to adjustment per terms of offering) Water Revenue Bonds, Series 2024B.

Council member T. Olson moved to approve; seconded by Council member Hoeger.
Result***: Approved.***

37. Report on bids for the 2024 Pavement Milling and Curb Repair project (estimated cost is $4,870,000) (Doug Wilson). (Paving for Progress)

0632-05-24 a. Resolution awarding and approving contract in the amount of $4,037,589.13, plus incentive up to $15,000, bond and insurance of Midwest Concrete, Inc. for the 2024 Pavement Milling and Curb Repair project.

Council member Todd moved to approve; seconded by Council member Poe.
Result***: Approved.***

0633-05-24 38. Presentation and resolution approving a term sheet with Aspect Investments, LC for a mixed-use redevelopment project at 329 2nd Avenue SE under the Above Standard Economic Development Program (Scott Mather). (Council Priority)

Council member Overland moved to approve; seconded by Council member T. Olson.
Result***: Approved.***

0634-05-24 39. Presentation and resolution of support authorizing City financial incentives under the Brownfield/Grayfield Economic Development Program for a commercial redevelopment project at 9900-10000 6th Street SW as proposed by Williams Synergy Group LLC (Scott Mather). (Council Priority)

Council member Vanorny moved to approve; seconded by Council member Poe.
Result***: Approved.***

019-24 40. Ordinance amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates for fiscal year 2025.

Council member Todd moved the approval of the Ordinance on its second reading; seconded by Council member Hoeger.
Result***: Approved.***
Council member Poe moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member S. Olson.
Result***: Adopted.***

020-24 41. Ordinance amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates for fiscal year 2025.

Council member Maier moved the approval of the Ordinance on its second reading; seconded by Council member Hoeger.
Result***: Approved.***
Council member Poe moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member T. Olson.
Result***: Adopted.***

021-24 42. Ordinance amending Chapter 24 of the Municipal Code, Solid Waste and Recycling, by repealing existing rates and establishing new rates for fiscal year 2025.

Council member Todd moved the approval of the Ordinance on its second reading; seconded by Council member Vanorny.
Result***: Approved.***
Council member Poe moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Overland.
Result***: Adopted.***

022-24 43. Ordinance amending Chapter 72 of the Municipal Code, Stormwater Management, by repealing existing rates and establishing new rates for fiscal year 2025.

Council member S. Olson moved the approval of the Ordinance on its second reading; seconded by Council member Todd.
Result***: Approved.***
Council member Poe moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Maier.
Result***: Adopted.***

023-24 44. Ordinance amending Chapter 32 of the Municipal Code, Zoning, to update use-specific standards, development standards, review and approval procedures, and definitions. (Council Priority)

Council member Todd moved the approval of the Ordinance on its second reading; seconded by Council member Overland.
Result***: Approved.***
Council member Poe moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Vanorny.
Result***: Adopted.***

024-24 45. Ordinance granting 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)

Council member Overland moved the approval of the Ordinance on its second reading; seconded by Council member T. Olson.
Result***: Approved.***
Council member Poe moved that the rule requiring three readings on three different days be suspended and the Ordinance be adopted on its third and final reading; seconded by Council member Hoeger.
Result***: Adopted.***

Public comments were heard.

Motion to adjourn.

Council member Overland moved to approve; seconded by Council member T. Olson.
Result***: Approved.***

City Council adjourned at 2:00 PM to meet Tuesday, May 28, 2024 at 4:00 PM.

Alissa Van Sloten, City Clerk