



**North Liberty City Council  
Regular Session  
August 11, 2020**



# **City Administrator Memo**



To **Mayor and City Council**  
From **Ryan Heiar, City Administrator**  
Date **August 7, 2020**  
Re **City Council Agenda – August 11, 2020**

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### Meeting Note

Tuesday's meeting will be held virtually via Zoom and live streamed at [Watch Meetings Live](#) as well as available on the City's Facebook Page. Councilors, staff and other meeting participants will log into the meeting in order to conduct business while the public will be able to watch the debate and decisions being made.

### Meetings & Events

Tuesday, Aug 11 at 6:30p.m.  
City Council

Monday, Aug 14 at 7:00p.m.  
Library Board

Tuesday, Aug 25 at 6:30p.m.  
City Council

### Consent Agenda

The following items are on the consent agenda and included in the packet:

- City Council Minutes (07/28/20)
- Claims
- Liquor License
  - Rocky O'Brien's Public House (renewal)
  - Sobremesa (new)
- Change Order #1, Well #5 Re-casing Project, The Northway Company, \$4,990.00
- Pay application #12, Police Station Project, Tricon General Construction, \$15,417.24
- Pay application #13, Police Station Project, Tricon General Construction, \$53,476.10
- Change Order #6, Police Station Project, Tricon General Construction, \$4,668.46
- Pay Application #1, SW Growth Area Water and Sewer Extension, Boomerang Cooperation, \$195,971.96

### MOXIE Solar Agreement

Included in the packet is an agreement with MOXIE Solar for a forgivable loan in the amount of \$50,000. In summary, the City agrees to provide a forgivable loan to MOXIE Solar in exchange for:

- The company relocating its solar operations to 323 West Cherry Street by September 1, 2020; and
- The submittal of a redevelopment site plan by January 1, 2022 for the property at 323 West Cherry Street; and

- The completion of the project at 323 Cherry Street as defined in the site plan by December 31, 2025.

Approval of this agreement will put into motion the start of the redevelopment of the Cherry Street Corridor as well as assist a long time North Liberty business. Staff recommends approval of the agreement. MOXIE Solar owner, Jason Hall, will be at Tuesday's meeting to field questions about the project.

## Social Justice & Racial Equity in North Liberty

Since the July 28 meeting, five listening posts have been held with a sixth scheduled for Sunday, August 9. Notes from the first five sessions are included in the packet and notes from Sunday's session will be added Monday. At Tuesday's meeting, staff will provide a summary of events since the July 28 meeting and ask City Council members to report out what they learned at the listening post. After hearing from the group, a discussion about what is currently being done and next steps will take place.

A comment that was made at a listening post is that change is slow and often times messy. Tuesday's discussion could very well be slow and messy. That's ok. The intent of the conversation is to start molding community input, staff recommendations and Council direction into actionable items. An entire plan does not need to be developed in one sitting.

This issue, racial justice and social equity, it not one that will be included on the August 11<sup>th</sup> meeting and never visited again. To the contrary, this topic will have reoccurring discussions, whether it is at Council meetings, internal staff meetings, library programming, or other potential city and community events.

## Nuisance Ordinance Update, Second Reading

Staff is recommending modification of the nuisance ordinance to create a more transparent process for the removal of obstructions from public easement areas. State law and City ordinance already prohibit the blocking of "public and private ways," but do not specifically mention easements. By including the blocking or obstruction of public easement areas as an enumerated nuisance in the City Code, the City provides an additional layer of due process for residents, reduces uncertainty in what is and is not permitted, and allows for speedier resolutions.

## Ranshaw House, Phase 2

The agenda includes a public hearing and resolution approving the plans and specifications for Phase 2 of the Ranshaw House project. This project includes various

interior and exterior upgrades, an exterior handicapped ramp, sump pump installation, a new parking lot and sidewalk and is estimated to cost \$392k. A full list of improvements can be found within the included cost estimate. Bids will be accepted on August 19 and staff intends to have a recommendation of award to the Council at the August 25 meeting. Staff recommends approval of the resolution.

## Assessment Resolution

Several properties within the community have failed to maintain their lawns and after attempting to resolve the issues through direct contact with the owners, staff ordered the work done. The resolution is assessing the property owners for the cost of the lawn service. Staff recommends approval of the ordinance.



# **Agenda**



**City Council**  
August 11, 2020  
Regular Session  
6:30 p.m.

Due to the COVID-19 pandemic, public health and safety concerns require City of North Liberty public meetings to be held electronically, so as to limit the spread of the virus. The public is invited to submit questions and comments in advance of the meeting for consideration submitting them to the City Clerk Tracey Mulcahey via email at [tmulcahey@northlibertyiowa.org](mailto:tmulcahey@northlibertyiowa.org).

This meeting may be accessed live by the public on the internet at [northlibertyiowa.org/live](http://northlibertyiowa.org/live), on Facebook at [facebook.com/northliberty](https://facebook.com/northliberty) or on YouTube at [www.youtube.com/channel/UCrCw6ipAPjJnd-olpRgPJcg](https://www.youtube.com/channel/UCrCw6ipAPjJnd-olpRgPJcg). You can also attend by phone; call 1 (312) 626 6799 with a touch-tone phone and enter the meeting ID 891 9878 9888 and nine-digit meeting password 374162701. Meetings are rebroadcast on cable and available on-demand on [northlibertyiowa.org](http://northlibertyiowa.org).

1. Call to order
2. Roll call
3. Approval of the Agenda
4. Consent Agenda
  - A. City Council Minutes, Regular Session, July 28, 2020
  - B. Claims
  - C. Liquor License Renewal, Rocky O'Brien's Public House
  - D. Liquor License Application, Sobremesa
  - E. Well 5 Re-casing Project, Change Order Number 5, The Northway Company, \$4,990.00
  - F. Police Department Construction Project, Pay Application Number 12, Tricon General Construction, \$15,417.24
  - G. Police Department Construction Project, Pay Application Number 13, Tricon General Construction, \$53,476.10

- H. Police Department Construction Project, Change Order Number 6, Tricon General Construction, \$4,668.46
  - I. Southwest Growth Area Utilities Project, Pay Application Number 1, Boomerang, \$195,971.96
5. City Engineer Report
  6. City Administrator Report
  7. Mayor Report
  8. Moxie Solar Agreement
    - A. Resolution Number 2020-63, A Resolution Authorizing Economic Development Forgivable Loan Agreement with Moxie Solar
  9. Social Justice & Racial Equity in North Liberty
    - A. Presentation and discussion
  10. Nuisances Enumerated
    - A. Second consideration of Ordinance Number 2020-11, An Ordinance amending Chapter 50.02 of the North Liberty Code of Ordinances to include obstruction of public easements at an enumerated nuisance
  11. Ranshaw House Project, Phase 2
    - A. Public hearing regarding proposed plans, specifications and estimate of cost for the Ranshaw House Project, Phase 2
    - B. Resolution Number 2020-64, A Resolution finally approving and confirming plans, specifications, and estimate of cost for the Ranshaw House Project, Phase Two
  12. Assessment Resolution
    - A. Resolution Number 2020-65, A Resolution assessing delinquent amounts owed to the City of North Liberty, Iowa to individual property taxes
  13. Old Business
  14. New Business



15. Adjournment



# **Consent Agenda**



**City Council**  
July 28, 2020  
Regular Session  
6:30 p.m.

NOTICE: Due to the COVID-19 pandemic, public health and safety concerns require City of North Liberty public meetings to be held electronically, so as to limit the spread of the virus.

**Roll call**

Mayor Terry Donahue called the July 28, 2020 Regular Session of the North Liberty City Council to order at 6:30 p.m. Councilors present: RaQuishia Harrington, Chris Hoffman, Brent Smith, and Brian Wayson. Absent: Annie Pollock.

Others present: Ryan Heiar, Tracey Mulcahey, Ryan Rusnak, Grant Lientz, Chief Diane Venenga, Nick Bergus, Derek Blackman, and other interested parties.

**Approval of the Agenda**

Hoffman moved, Wayson seconded to approve the agenda. The vote was all ayes. Agenda approved.

**Consent Agenda**

Wayson moved, Smith seconded to approve the Consent Agenda including the City Council Minutes, Regular Session, July 14, 2020; the attached list of Claims; June Revenues; June Treasurer's Report; St. Andrews Drive, Change Order Number 1, Metro Pavers, \$14,038.05; St. Andrew Drive, Pay Application Number 4, Metro Pavers, \$423,121.96; and the Liquor License Application, Liberty View Wine and Spirits. The vote was all ayes. Consent agenda approved.

**City Administrator Report**

City Administrator Ryan Heiar reported that there is nothing new to report on the COVID-19 front. He provided an update from the Access Center. The first reimbursement has been paid. The Moxie Solar Agreement has a target date of the August 11 agenda.

**Mayor Report**

Mayor Donahue proclaimed August 9 – 15 as American Wind Week in North Liberty.

Councilor Pollock joined the meeting at 6:35 p.m.

**Linn County REC Site Plan Application**

Ryan Rusnak presented the Commission and staff recommendations on the Linn County REC Site Plan Application. Both recommend approval. Council discussed the application with Rusnak.

Sarah Coleman & Douglas Brain were present on behalf of the applicant and offered additional information on the application. Council discussed the plan with the applicant.

Wayson moved, Pollock seconded to approve Resolution Number 2020-59, A Resolution approving the Development Site Plan for the South 280 feet of Lot 104 of Inter-City Industrial Park, Part Two (Linn County Electric Cooperative Association Storage Building), North Liberty, Iowa. The vote was: ayes – Hoffman, Harrington, Pollock, Wayson, Smith; nays – none. Motion carried.

### **Face Coverings**

Mayor Donahue read the face covering resolution. Smith moved, Harrington seconded to approve Resolution Number 2020-60, A Resolution adopting a Face Covering Public Health Initiative to help combat COVID-19. After discussion, the vote was: ayes – Harrington, Smith, Pollock, Wayson, Hoffman; nays – none. Motion carried.

### **Social Justice & Racial Equity in North Liberty**

Heiar, Chief Venenga, and Nick Bergus presented information on the report in the packet relating to Social Justice & Racial Equity. Listening posts are scheduled over the next week throughout the community, both virtual (Zoom) and in person. Council discussed the report with staff.

### **Employee Handbook**

Heiar presented information on the resolution. Hoffman moved, Harrington seconded to approve Resolution Number 2020-61, A Resolution approving amendment of the City of North Liberty Employee Handbook. The vote was: ayes – Pollock, Smith, Wayson, Harrington, Hoffman; nays – none. Motion carried.

### **Social Service Funding**

Pollock moved, Wayson seconded to approve Resolution Number 2020-62, A Resolution affirming an additional Social Service Grant Allocation for Fiscal Year 2020-21. The vote was: ayes – Wayson, Hoffman, Smith, Harrington, Pollock; nays – none. Motion carried.

### **Nuisances Enumerated**

Lientz provided information on the ordinance. Mayor Donahue opened the public hearing regarding the proposed ordinance amendment regarding nuisances at 7:49 p.m. No oral or written comments were received. The public hearing was closed.

Hoffman moved, Smith seconded to approve the first consideration of Ordinance Number 2020-11, An Ordinance amending Chapter 50.02 of the North Liberty Code of Ordinances to include obstruction of public easements as an enumerated nuisance. The vote was: ayes – Pollock, Hoffman, Harrington, Wayson, Smith; nays – none. Motion carried.

### **Vintage Estates**

Wayson moved, Pollock seconded to approve the third consideration and adoption of Ordinance Number 2020-02, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending the use regulations on property located at 175 South Jones Boulevard located in North Liberty, Iowa to those set forth in the Municipal Code for the RS-4 PAD Single-Unit Residence Planned Area Development. The vote was: ayes – Harrington, Smith, Hoffman, Pollock, Wayson; nays – none. Motion carried.

### **Chapter 180 Ordinance regarding Minimum Low Openings on Plat Requirement**

Wayson moved, Hoffman seconded to approve the third consideration and adoption of Ordinance Number 2020-05, An Ordinance amending the Minimum Low Opening Requirements of the North Liberty Code of Ordinances. The vote was: ayes – Pollock, Hoffman, Smith, Wayson, Harrington; nays – none. Motion carried.

### **Chapter 146.05 Ordinance regarding Rental Permit Guest**

Harrington moved, Pollock seconded to approve the third consideration and adoption of Ordinance Number 2020-06, An Ordinance amending the Rental Permit Requirements of the North Liberty code of Ordinances. The vote was: ayes – Pollock, Smith, Harrington, Wayson, Hoffman; nays – none. Motion carried.

### **Chapter 90.23 Ordinance regarding Backflow customer responsibility**

Hoffman moved, Harrington seconded to approve the third consideration and adoption of Ordinance Number 2020-07, An Ordinance clarifying customer and contractor responsibilities for backflow prevention device inspection and reporting. The vote was: ayes – Pollock, Harrington, Hoffman, Smith, Wayson; nays – none. Motion carried.

### **Chapter 50.07 Ordinance regarding Nuisance Ordinance Scriveners error**

Smith moved, Wayson seconded to approve the third consideration and adoption of Ordinance Number 2020-08, An Ordinance correcting a scrivener's error in Chapter 50 of the North Liberty Code of Ordinances. The vote was: ayes – Hoffman, Pollock, Harrington, Smith, Wayson; nays – none. Motion carried.

### **Chapter 41.07 Ordinance regarding Toy Guns**

Lientz provided additional information on the ordinance amendment. He is recommending council table the item indefinitely. Pollock moved, Wayson seconded to table Ordinance Number 2020-09. The vote was all ayes. Motion carried.

### **Chapter 40.03 Ordinance regarding Disorderly Conduct**

Wayson moved, Hoffman seconded to approve the third consideration and adoption of Ordinance Number 2020-10, An Ordinance amending Chapter 40.03 of the North Liberty Code of Ordinances. The vote was: ayes – Smith, Wayson, Pollock, Hoffman, Harrington; nays – none. Motion carried.

### **Old Business**

Councilor Wayson thanked all involved with making the virtual Blues and BBQ event a success.

**New Business**

Councilor Harrington reminded everyone to wear masks out in public and to participate in listening posts. The listening post schedule is available on the City’s website. Councilor Smith reminded that the United Way Pop Up Connection Center will be at Van Allen Elementary on Wednesday.

**Adjournment**

Mayor Donahue adjourned the meeting at 8:00 p.m.

**CITY OF NORTH LIBERTY**

By: \_\_\_\_\_  
Terry L. Donahue, Mayor

Attest: \_\_\_\_\_  
Tracey Mulcahey, City Clerk

**Applicant License Application ( LC0040291 )**

<b>Name of Applicant:</b> <u>Rocky O'Brien's Public House, LLC</u>		
<b>Name of Business (DBA):</b> <u>Rocky O'Brien's Public House</u>		
<b>Address of Premises:</b> <u>720 Pacha Parkway</u>		
<b>City</b> <u>North Liberty</u>	<b>County:</b> <u>Johnson</u>	<b>Zip:</b> <u>52317</u>
<b>Business</b>	<u>(319) 665-2010</u>	
<b>Mailing</b>	<u>720 Pacha Parkway</u>	
<b>City</b> <u>North Liberty</u>	<b>State</b> <u>IA</u>	<b>Zip:</b> <u>52317</u>

**Contact Person**

<b>Name</b> <u>Kelly Crawford</u>	
<b>Phone:</b> <u>(319) 430-0525</u>	<b>Email</b> <u>rockyobriens@southslope.net</u>

**Classification** Class C Liquor License (LC) (Commercial)

**Term:** 12 months

**Effective Date:** 08/01/2019

**Expiration Date:** 07/31/2020

**Privileges:**

Class C Liquor License (LC) (Commercial)

Outdoor Service

Sunday Sales

**Status of Business**

<b>BusinessType:</b> <u>Limited Liability Company</u>	
<b>Corporate ID Number:</b> <u>XXXXXXXXXX</u>	<b>Federal Employer ID</b> <u>XXXXXXXXXX</u>

**Ownership**

**Kelly Crawford**

**First Name:** Kelly

**Last Name:** Crawford

**City:** Coralville

**State:** Iowa

**Zip:** 52241

**Position:** Owner

**% of Ownership:** 100.00%

**U.S. Citizen:** Yes

**Insurance Company Information**

<b>Insurance Company:</b> <u>Founders Insurance Company</u>	
<b>Policy Effective Date:</b> <u>08/01/2019</u>	<b>Policy Expiration</b> <u>08/01/2020</u>
<b>Bond Effective</b>	<b>Dram Cancel Date:</b> <u>07/03/2020</u>
<b>Outdoor Service Effective</b>	<b>Outdoor Service Expiration</b>
<b>Temp Transfer Effective Date</b>	<b>Temp Transfer Expiration Date:</b>







## North Liberty Police Department

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5 E Cherry St•PO Box 77•North Liberty, Iowa•52317•(319) 626-5724/Fax: 5743

June 10, 2020

Liquor License Check

Business: Rocky O'Brien's Public House  
720 Pacha Pkwy  
North Liberty, IA 52317

Owners: Kelly Crawford (DOB: 1964)

The North Liberty Police Department does not have any documented contacts with the owners or premise in conflict with their liquor license.

I recommend the license be granted.

This record check was conducted by Sergeant Mitch Seymour.

Date: 7-1-20

Name of Business: Rocky O'Brien's Public House

Address: 720 Pacha Parkway



Fire Inspection Form

SITE	Code Section	Yes	No
1) Address #s are Posted & Visible	IFC 505.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Keys in Knox Box are Current	IFC 506.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Premise is Free of Waste Accumulation	IFC 304.1.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ASSEMBLY OCCUPANCIES	Code Section	Yes	No	N/A
4) Occupant Load Sign(s) are Posted	IFC 1004.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FIRE EXTINGUISHERS	Code Section	Yes	No
5) Fire Extinguishers have Current Annual Inspection Tag	IFC 901.6.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) Fire Extinguishers have been Visually Checked Monthly (Date & Initial Tag)	NFPA 7.2.1.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7) Fire Extinguishers are Unobstructed & Unobscured	IFC 906.6	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8) Fire Extinguishers are Mounted on a Bracket or in a Fire Extinguisher Cabinet	IFC 906.7	<input checked="" type="checkbox"/>	<input type="checkbox"/>

EMERGENCY & EXIT LIGHTS	Code Section	Yes	No
9) Emergency Lights Illuminate when Tested (Use Test Button)	IFC 1008.3.4	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> *
10) Exit Signs are Illuminated	IFC 1013.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11) Exit Signs Illuminate when Tested (Use Test Button)	IFC 1013.3	<input type="checkbox"/>	<input type="checkbox"/>

ELECTRICAL	Code Section	Yes	No	N/A
12) Electrical Panels have at least 3 Feet of Clearance in Front of Panel	IFC 605.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13) There is No Exposed Wiring	IFC 605.6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14) Extension Cords are Not being Used for Permanent Wiring	IFC 605.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
15) Surge Protectors are Mounted/Secured and Plugged Directly into an Outlet	IFC 605.4.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

EXIT ACCESS & DOORS	Code Section	Yes	No
16) Exits are Unobstructed Exit Signs are Illuminated	IFC 1031.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17) Corridors & Aisles are Unobstructed	IFC 1003.6	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18) Exit Doors Open Freely	IFC 1010.1.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>

STORAGE	Code Section	Yes	No	N/A
19) Storage is at least 18" below Sprinkler Heads in Sprinklered Buildings	IFC 315.3.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20) Storage is at least 24" below Ceiling in Non-Sprinklered Buildings	IFC 315.3.1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21) Kitchen Cleaning Rags are Disposed of in a Non-Combustible Container	IFC 304.3.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMPRESSED CYLINDERS	Code Section	Yes	No	N/A
22) Compressed Gas Cylinders are Secured or Chained	IFC 5303.5.3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Provide Explanation for any "No" Answers Below

\* ONLY ON BACK DOOR DO EMERGENCY LIGHTS ILLUMINATE WHEN TESTED.

Inspection Completed by: KELLY CRAWFORD

Signature: [Handwritten Signature]



State of Iowa ABD approval statement from the following county department

Legal Name of Applicant: \_\_\_\_\_

Name of Business (DBA): Rocky O'Brien's Public House

Address of Business: \_\_\_\_\_

Business Phone: \_\_\_\_\_

Email: \_\_\_\_\_

State of Iowa ABD License #: \_\_\_\_\_

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**Johnson County Health Department:**

The above referenced business possesses a valid Johnson County Public Health food license.

Name: James Lacina

Title: Env. Health Manager

Date: 7/21/20

Signature: 

**Applicant License Application ( )**

<b>Name of Applicant:</b>	<u>M &amp; V Enterprises LLC</u>		
<b>Name of Business (DBA):</b>	<u>Sobremesa Mexican Restaurant</u>		
<b>Address of Premises:</b>	<u>555 965 Highway South</u>		
<b>City</b>	<u>North Liberty</u>	<b>County:</b>	<u>Johnson</u> <b>Zip:</b> <u>52317</u>
<b>Business</b>	<u>(563) 506-5458</u>		
<b>Mailing</b>	<u>555 965 Highway South</u>		
<b>City</b>	<u>North Liberty</u>	<b>State</b>	<u>IA</u> <b>Zip:</b> <u>52317</u>

**Contact Person**

<b>Name</b>	<u>Oswaldo Mendoza</u>		
<b>Phone:</b>	<u>(563) 506-5458</u>	<b>Email</b>	<u>mendozao1984@msn.com</u>

**Classification** Class C Liquor License (LC) (Commercial)

**Term:**12 months

**Effective Date:** 07/01/2020

**Expiration Date:** 01/01/1900

**Privileges:**

Class C Liquor License (LC) (Commercial)

Sunday Sales

**Status of Business**

<b>BusinessType:</b>	<u>Limited Liability Company</u>		
<b>Corporate ID Number:</b>	<u>XXXXXXXXXX</u>	<b>Federal Employer ID</b>	<u>XXXXXXXXXX</u>

**Ownership**

**Oswaldo Mendoza**

**First Name:** Oswaldo

**Last Name:** Mendoza

**City:** Muscatine

**State:** Iowa

**Zip:** 52761

**Position:** President

**% of Ownership:** 100.00%

**U.S. Citizen:** Yes

**Insurance Company Information**

<b>Insurance Company:</b>	<u>Society Insurance</u>		
<b>Policy Effective Date:</b>		<b>Policy Expiration</b>	
<b>Bond Effective</b>		<b>Dram Cancel Date:</b>	
<b>Outdoor Service Effective</b>		<b>Outdoor Service Expiration</b>	
<b>Temp Transfer Effective</b>		<b>Temp Transfer Expiration Date:</b>	



## North Liberty Police Department

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5 E Cherry St•PO Box 77•North Liberty, Iowa•52317•(319) 626-5724/Fax: 5743

June 23, 2020

Liquor License Check

Business: Sobremesa Mexican Restaurant  
555 Hwy 965 Ste E  
North Liberty, IA 52317

Owners: Osvaldo Mendoza (DOB: 07/1961)

The North Liberty Police Department does not have any documented contacts with the owner(s) or premise in conflict with their liquor license.

I recommend the license be granted.

This record check was conducted by Sergeant Mitch Seymour.





State of Iowa ABD approval statement from the following county department

Legal Name of Applicant: Sobremesa Mexican Restaurant

Name of Business (DBA): \_\_\_\_\_

Address of Business: \_\_\_\_\_

Business Phone: \_\_\_\_\_

Email: \_\_\_\_\_

State of Iowa ABD License #: \_\_\_\_\_

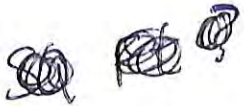
**Johnson County Health Department:**

✓ The above referenced business possesses a valid Johnson County Public Health food license.

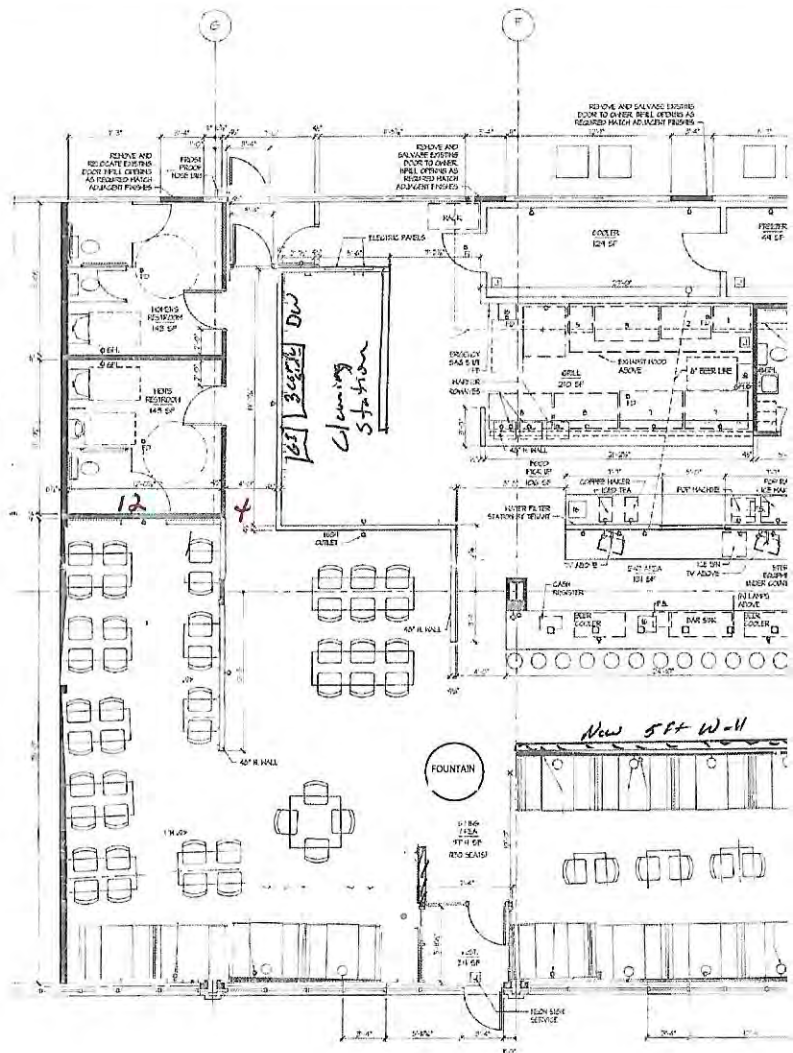
Name: James Lacina

Title: Env. Health Manager Date: 7/1/20

Signature: James Lacina



Seating layout  
134 occupants



### APPLICANT

I hereby declare that all information contained in the E-license Application is true and correct. I understand that misrepresentation of material fact in the Application is a serious misdemeanor crime and grounds for denial of the license or permit under Iowa law.

Adelhe Mendyn Osvaldo Mendoza      6/15/2020  
Applicant's Signature      Date

### NOTARY

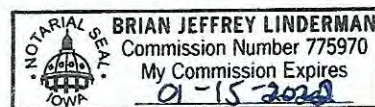
State of IOWA

County of MUSCATINE

Signed and sworn to before me on 6-15-2020  
Date

By OSVALDO MENDOZA  
Print Name of Applicant

Brian J. Linderman      6-15-2020  
Signature of Notary      Date





Date of Issuance: August 4, 2020  
 Owner: City of North Liberty  
 Contractor: The Northway Company  
 Engineer: FOX Engineering  
 Project: Well 5 Re-Casing Project

Effective Date: August 11, 2020  
 Owner's Contract No.:  
 Contractor's Project No.:  
 Engineer's Project No.: 3373-19A  
 Contract Name:

The Contract is modified as follows upon execution of this Change Order:

**Item 1** Revise the following quantities based on actual constructed values. Add \$4,990.00 for these changes.

Item No.	Description	Unit	Bid Quantity	Constructed Quantity	Change in Quantity	Bid Unit Price	Add/Deduct Amount
4	Clear Obstruction and Verify Well is Open to Bottom	HR	40	38	(2)	\$245.00	(\$490.00)
5	Mechanically Brush Clean Existing Casing	HR	75	88	13	\$235.00	\$3,055.00
9	Grout Casing	SACKS	280	315	35	\$35.00	\$1,255.00
17	Video Inspect Well/Video Record	EA	2	3	1	\$1,200	\$1,200.00
<b>Total Change in Contract Amount</b>							<b>\$4,990.00</b>

Attachments: None

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: <u>\$ 519,436.92</u>	Original Contract Times: Substantial Completion: <u>October 15, 2019</u> Ready for Final Payment: <u>November 30, 2019</u>
Increase from previously approved Change Orders No. 1 to No. 3: <u>\$ 74,416.90</u>	Increase from previously approved Change Orders No. 1 to No. 3: Substantial Completion: <u>244 days</u> Ready for Final Payment: <u>244 days</u>
Contract Price prior to this Change Order: <u>\$ 593,853.82</u>	Contract Times prior to this Change Order: Substantial Completion: <u>June 15, 2020</u> Ready for Final Payment: <u>July 31, 2020</u>
Increase of this Change Order: <u>\$ 4,990.00</u>	Increase of this Change Order: Substantial Completion: <u>60 days</u> Ready for Final Payment: <u>28 days</u>
Contract Price incorporating this Change Order: <u>\$ 598,843.82</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>August 14, 2020</u> Ready for Final Payment: <u>August 28, 2020</u>

RECOMMENDED:		ACCEPTED:	
By: <u>Taylor Stopper</u>	By: _____	By: <u>Tom Engelken</u>	By: _____
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)	
Title: <u>Project Engineer</u>	Title: _____	Title: <u>Sales</u>	Title: _____
Date: <u>8/4/2020</u>	Date: _____	Date: <u>8-4-2020</u>	Date: _____

**APPLICATION AND CERTIFICATE FOR PAYMENT**  
**AIA DOCUMENT G702**

**TO OWNER:**  
 City of North Liberty  
 3 Quail Creek Circle  
 North Liberty, IA 52317

**PROJECT:**  
 North Liberty Police Department  
 North Liberty, Iowa

**APPLICATION NO:** 12  
**APPLICATION DATE:** 06/25/20  
**PERIOD TO:** 06/25/20  
**PROJECT NO:** 1713  
**CONTRACT DATE:** 01/08/19

Distribution to:  
 OWNER  
 CONSTRUCTION  
 MANAGER  
 ARCHITECT  
 CONTRACTOR  
 OTHER  
 OTHER

**FROM CONTRACTOR:**  
 Tricon General Construction  
 2245 Kerper Blvd, Ste 2  
 Dubuque, IA 52001

**CONTRACT FOR:** General Construction

**VIA ARCHITECT:** Police Facility Design Grp, 500 Grand Blvd, Ste 201A, Kansas City, MO 6410

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM	\$5,567,000.00
2. Net change by Change Orders	(\$680,909.84)
3. CONTRACT SUM TO DATE (Line 1 +/- 2)	\$4,886,090.16
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$4,627,513.23
5. RETAINAGE:	
a. 5% of Completed Work (Column D + E on G703)	\$231,375.66
b. 5% of Stored Material (Column F on G703)	\$0.00
<b>TOTAL RETAINAGE</b> (Lines 5a + 5b or Total in Column I of G703)	\$231,375.66
6. TOTAL EARNED LESS RETAINAGE	\$4,396,137.57
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$4,380,720.33
8. CURRENT PAYMENT DUE	\$15,417.24
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$489,952.59

**CONTRACTOR:** Tricon Construction Group

By: *Cindy Hutto* Date: 6-25-2020

State of: Iowa County of: Dubuque  
 Subscribed and sworn to before me this 25th day of June 2020  
 Notary Public:

*Mary K. Stone*



**CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Construction Manager and Architect certify to the Owner that to the best of their knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

**AMOUNT CERTIFIED** \$ 15,417.24

(Attach explanation if amount certified differs from amount applied for. Initial all figures on this Application and on the Continuation Sheet that changed to conform to the amount certified.)

**ARCHITECT**

By: *AAH* Date: 8/4/2020

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months	\$19,638.16	\$700,548.00
Total approved this Month		
<b>TOTALS:</b>	<b>\$19,638.16</b>	<b>\$700,548.00</b>
<b>NET CHANGES by Change Order:</b>	<b>(\$680,909.84)</b>	

**APPLICATION AND CERTIFICATE FOR PAYMENT**

**AIA DOCUMENT G702**

PAGE ONE OF FOUR PAGES

**TO OWNER:**

City of North Liberty  
3 Quail Creek Circle  
North Liberty, IA 52317

**PROJECT:**

North Liberty Police Department  
North Liberty, Iowa

**APPLICATION NO:** 13  
**APPLICATION DATE:** 07/24/20  
**PERIOD TO:** 07/24/20  
**PROJECT NO:** 1713

**Distribution to:**  
OWNER  
CONSTRUCTION  
MANAGER  
ARCHITECT  
CONTRACTOR  
OTHER  
OTHER

**FROM CONTRACTOR:**

Tricon General Construction  
2245 Kerper Blvd, Ste 2  
Dubuque, IA 52001

**CONTRACT DATE:** 01/08/19

**CONTRACT FOR:** General Construction

**VIA ARCHITECT:** Police Facility Design Grp, 500 Grand Blvd, Ste 201A, Kansas City, MO 6410

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM	\$5,567,000.00
2. Net change by Change Orders	(\$680,909.84)
3. CONTRACT SUM TO DATE (Line 1 +/- 2)	\$4,886,090.16
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$4,683,803.86
5. RETAINAGE:	
a. 5% of Completed Work (Column D + E on G703)	\$234,190.19
b. 5% of Stored Material (Column F on G703)	\$0.00
<b>TOTAL RETAINAGE</b> (Lines 5a + 5b or Total in Column I of G703)	\$234,190.19
6. TOTAL EARNED LESS RETAINAGE	\$4,449,613.67
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$4,396,137.57
8. CURRENT PAYMENT DUE	\$53,476.10
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$436,476.49

**CONTRACTOR:** Tricon Construction Group

By: Maurice A. Kuson Date: 7-24-2020

State of: Iowa County of: Dubuque  
Subscribed and sworn to before me this 24th day of July 2020

Notary Public: Mary K. Stone



**CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Construction Manager and Architect certify to the Owner that to the best of their knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

**AMOUNT CERTIFIED** \$ 53,476.10

(Attach explanation if amount certified differs from amount applied for. Initial all figures on this Application and on the Continuation Sheet that changed to conform to the amount certified.)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months	\$19,638.16	\$700,548.00
Total approved this Month		
<b>TOTALS:</b>	\$19,638.16	\$700,548.00
<b>NET CHANGES by Change Order:</b>	(\$680,909.84)	

**ARCHITECT**

By: ALP Date: 8/4/2020

This Certificate is not negotiable. the AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



# Document G701™ – 2017

## Change Order

**PROJECT:** *(Name and address)*  
North Liberty Police Facility  
North Liberty, Iowa

**CONTRACT INFORMATION:**  
Contract For: General Construction  
Date: January 8, 2019

**CHANGE ORDER INFORMATION:**  
Change Order Number: 006  
Date: June 23, 2020

**OWNER:** *(Name and address)*  
City of North Liberty Iowa  
3 Quail Creek Circle  
North Liberty, IA 52317

**ARCHITECT:** *(Name and address)*  
Police Facility Design Group  
500 Grand Boulevard Suite 201A  
Kansas City Missouri 64106

**CONTRACTOR:** *(Name and address)*  
Tricon General Construction, Inc.  
746 58th Avenue Ct. SW  
Cedar Rapids, IA 52404

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

Change to pick up underground tie-in for roof drains at the storm shelter and Sallyport roofs. Refer to attached Exhibits from Tricon Construction Group (Change Order Request 014 with subcontractor backup) and PFDG (PR-005).

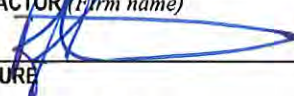
The original Contract Sum was	\$	5,567,000.00
The net change by previously authorized Change Orders	\$	-665,806.36
The Contract Sum prior to this Change Order was	\$	4,901,193.64
The Contract Sum will be increased by this Change Order in the amount of	\$	4,668.46
The new Contract Sum including this Change Order will be	\$	4,905,862.10

The Contract Time will be increased by Zero (0) days.  
The new date of Substantial Completion will be March 18, 2020

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

Police Facility Design Group  
**ARCHITECT** *(Firm name)*  
  
**SIGNATURE**  
 Amanda Prince, Project Manager  
**PRINTED NAME AND TITLE**  
 6/23/2020  
**DATE**

Tricon General Construction, Inc.  
**CONTRACTOR** *(Firm name)*  
  
**SIGNATURE**  
 Ron Richard, Principal  
**PRINTED NAME AND TITLE**  
 6/24/2020  
**DATE**

City of North Liberty Iowa  
**OWNER** *(Firm name)*  
  
**SIGNATURE**  
 Ryan Heiar, City Administrator  
**PRINTED NAME AND TITLE**  
  
**DATE**


**Contractor's Application for Payment No. 1**

Application Period: April 14, 2020 - July 31, 2020		Application Date: 8/5/2020	
To (Owner): City of North Liberty	From (Contractor): Boomerang Corporation	Via (Engineer): FOX Engineering	
Project: SW Growth Area Water and Sewer Extensions	Contract:		
Owner's Contract No.:	Contractor's Project No.:	Engineer's Project No.:	2489-18A

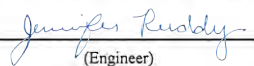
**Application For Payment  
Change Order Summary**

Approved Change Orders				
Number	Additions	Deductions		
			1. ORIGINAL CONTRACT PRICE.....	\$ \$3,163,963.00
			2. Net change by Change Orders.....	\$
			3. Current Contract Price (Line 1 ± 2).....	\$ \$3,163,963.00
			4. TOTAL COMPLETED AND STORED TO DATE	
			(Column F total on Progress Estimates).....	\$ \$196,070.00
			5. RETAINAGE:	
			a. 0.05% X \$196,070.00 Work Completed.....	\$ \$98.04
			b. X Stored Material.....	\$
			c. Total Retainage (Line 5.a + Line 5.b).....	\$ \$98.04
			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$ \$195,971.96
			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$
			8. AMOUNT DUE THIS APPLICATION.....	\$ \$195,971.96
			9. BALANCE TO FINISH, PLUS RETAINAGE	
			(Column G total on Progress Estimates + Line 5.c above).....	\$ \$2,967,991.04
TOTALS				
NET CHANGE BY CHANGE ORDERS				

**Contractor's Certification**  
The undersigned Contractor certifies, to the best of its knowledge, the following:  
(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;  
(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and  
(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

**Contractor Signature**  
By:  Date: 8/5/2020

Payment of: \$ \$195,971.96  
(Line 8 or other - attach explanation of the other amount)

is recommended by:  8/5/2020  
(Engineer) (Date)

Payment of: \$ \$195,971.96  
(Line 8 or other - attach explanation of the other amount)

is approved by: \_\_\_\_\_ (Owner) \_\_\_\_\_ (Date)

Approved by: \_\_\_\_\_ (Date)  
Funding or Financing Entity (if applicable)



# **Moxie Solar Agreement**

## ECONOMIC DEVELOPMENT FORGIVABLE LOAN AGREEMENT

This Agreement is entered into between the City of North Liberty, Iowa (the “City”) and Moxie Solar, [Inc.][L.L.C.] (the “Company”) as August 11, 2020 (the “Commencement Date”).

WHEREAS, the Company owns certain real property situated at 323 West Cherry Street (the “Redevelopment Property”) in the City, and the Company has proposed to relocate (the “Moxie Solar Relocation”) its solar energy installation business operations to an existing building situated on the Redevelopment Property; and

WHEREAS, the Company has proposed to undertake the redevelopment (the “Redevelopment Project”) of the Redevelopment Property into a mixed-use district including retail facilities, restaurants, entertainment venues, and technology education and light manufacturing facilities; and

WHEREAS, the City is willing to provide financial assistance in the form of a \$50,000 economic development forgivable loan (the “Forgivable Loan”) to the Company to assist the Company in paying the costs of the Moxie Solar Relocation; and

WHEREAS, Chapter 15A of the Code of Iowa authorizes cities to provide loans, grants, guarantees, tax incentives and other financial assistance to or for the benefit of private persons; and

WHEREAS, this Agreement has been prepared to facilitate the funding of the Forgivable Loan and to set forth the understanding between the City and the Company;

### **A. Company’s Covenants**

**1. Moxie Solar Relocation.** The Company agrees to complete the Moxie Solar Relocation by no later than September 1, 2020. The Moxie Solar Relocation shall minimally include the relocation of the Company’s storage, warehousing, distribution and office space facilities and all other incidental facilities used in the Company’s solar energy installation business operations from certain real property situated at 230 Sugar Creek Lane (the “Existing Moxie Property”) in the City to the Redevelopment Property.

**2. Moxie Solar Relocation Notice.** By no later than September 15, 2020, the Company agrees to submit a written notice (the “Moxie Solar Relocation Notice”) to the City notifying the City of the date on which the Company completed the Moxie Solar Relocation.

**3. Verv Electric Vehicles Auto Dealership.** The Company agrees to continue to operate the Verv Electric Vehicles Auto Dealership (the “Auto Dealership”) on the Existing Moxie Property until such time that the Company sells the Existing Moxie Property. The Company further agrees to continue to operate the Auto Dealership in compliance with the City’s zoning, land use, nuisance, building and safety codes and regulations.

**4. Redevelopment Project Site Plan.** The Company agrees to submit a detailed site plan (the “Site Plan”), as defined in the City’s Zoning Code, to the City for the

Redevelopment Project by no later than January 1, 2022, subject to any extension agreed upon by the Company and the City. Upon approval by the City Council, the Site Plan shall be attached to Exhibit A of this Agreement.

**5. Redevelopment Project.** The Company agrees to begin construction of the Redevelopment Project within twelve (12) months of approval by the City Council of the Site Plan. Further, the Company agrees to construct the Redevelopment Project in accordance with the Site Plan, and to complete such construction by no later than December 31, 2025, subject to any extension agreed upon by the Company and the City. During the construction of the Redevelopment Project, the Company agrees to maintain compliance with local zoning, land use, building and safety codes and regulations and the terms of any future development agreements entered into between the Company and the City.

**6. Forgivable Loan** The Company agrees that the City will advance the proceeds (the “Forgivable Loan Proceeds”) of the Forgivable Loan to the Company in accordance with Section B.1 of this Agreement. The Company further agrees that the City will not advance any Forgivable Loan Proceeds until this Agreement has been executed in-full and the Company has submitted the Promissory Note (as hereinafter defined) to the City.

The Company agrees to apply the Forgivable Loan Proceeds to the payment and/or reimbursement of the costs of the Moxie Solar Relocation.

The Company’s obligation to repay the Forgivable Loan shall be evidenced by a promissory note (the “Promissory Note”) to be executed by the Company and delivered to the City. The Promissory Note shall be in substantially the form as set forth on Exhibit B hereto.

The Forgivable Loan shall bear interest at the rate of 4% per annum. All principal advanced under the Forgivable Loan, and accrued interest thereon, shall be due and owing to the City at City Hall by Noon on February 16, 2026, unless sooner forgiven in accordance with the terms of this Agreement or made subject to acceleration in accordance with Section A.8 of this Agreement.

Nothing herein shall prohibit the Company from forfeiting the right to loan forgiveness, as set forth in Section B.2 of this Agreement by prepaying on the Forgivable Loan at any time. All prepayments shall be applied first to accrued interest and then to outstanding principal. Prepaid principal shall cease to bear interest at the time of such prepayment.

**7. Loan Forgiveness Request.** The Company agrees to submit a request (the “Loan Forgiveness Request”) to the City by no later than January 15, 2026 requesting that the Forgivable Loan be forgiven in accordance with Section B.2 of this Agreement. The Loan Forgiveness Request shall be accompanied by documentation demonstrating, to the satisfaction of the City, that the Company has complied with all of the terms set forth in Sections A.1 through A.6 of this Agreement.



## **8. Default Provisions.**

**A. Events of Default.** The following shall be “Events of Default” under this Agreement, and the term “Event of Default” shall mean, whenever it is used in this Agreement (unless otherwise provided), any one or more of the following events:

- a) Failure by the Company to complete the Moxie Solar Relocation pursuant to the terms and conditions of this Agreement.
- b) Failure by the Company to continue to operate the Auto Dealership pursuant to the terms and conditions of this Agreement.
- c) Failure by the Company to submit the Site Plan pursuant to the terms and conditions of this Agreement.
- d) Failure by the Company to complete the Redevelopment Project pursuant to the terms and conditions of this Agreement.
- e) Failure by the Company to observe or perform any other material covenant on its part, to be observed or performed hereunder.

**B. Notice and Remedies.** Whenever any event of default described in this Agreement occurs, the City shall provide written notice to the Company describing the cause of the default and the steps that must be taken by the Company in order to cure the default. The Company shall have thirty (30) days after receipt of the notice to cure the default or to provide assurances satisfactory to City that the default will be cured as soon as reasonably possible. If the Company fails to cure the default or provide assurances, the City shall then have the right to:

- a) Pursue any action available to it, at law or in equity, in order to enforce the terms of this Agreement.
- b) Accelerate the due date of the then unforgiven principal amount of the Forgivable Loan, which amount shall become due and owing within 30-days of the provision of a written notice of such acceleration from the City to the Company without presentment, demand, protest or other notice of any kind, all of which are hereby expressly waived, anything in this Agreement to the contrary notwithstanding. In the event of acceleration of the Forgivable Loan, the provisions with respect to loan forgiveness as set forth in section B.2 of this Agreement shall not apply.

## **B. City’s Obligations**

**1. Forgivable Loan Proceeds.** The City hereby agrees to advance the Forgivable Loan Proceeds to the Company in the amount of \$50,000 within ten (10) days of the Commencement Date of this Agreement.

**2. Forgivable Loan Forgiveness.** Principal of the Forgivable Loan shall be forgiven with fifteen (15) days upon receipt from the Company of a satisfactory Loan Forgiveness Request.

C. **Administrative Provisions**

1. **Amendment and Assignment.** Neither party may cause this Agreement to be amended, assigned, assumed, sold or otherwise transferred without the prior written consent of the other party.

2. **Successors.** This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.

3. **Choice of Law.** This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with laws of the State of Iowa.

4. **Term.** This Agreement shall remain in full force and effect during the time period (the "Term") commencing with the date first written above and terminating on the date on which the Forgivable Loan is forgiven or paid in full.

The City and the Company have caused this Agreement to be signed in their names and on their behalf by their duly authorized officers, all as of the day and date written above.

CITY OF NORTH LIBERTY, IOWA

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

MOXIE SOLAR, [INC.][L.L.C.]

By: \_\_\_\_\_

**EXHIBIT A  
SITE PLAN**

*Attach final Site Plan upon approval by the City Council*

**EXHIBIT B  
FORM OF PROMISSORY NOTE**

**MAXIMUM PRINCIPAL AMOUNT: \$50,000**

**Interest Rate: 4.00%**

**Maturity Date: February 16, 2026**

**Dated: \_\_\_\_\_, 2020**

MOXIE SOLAR, [INC.][LLC] (the “Borrower”) for value received, promises to pay, to the City of North Liberty, Iowa (the “City”), its successors or assigns, the principal sum of Fifty Thousand Dollars (\$50,000), or so much thereof as has been advanced by the City hereunder and noted on the Schedule of Advances hereon, in lawful money of the United States of America, on February 16, 2026 (the “Maturity Date”), with interest on the outstanding principal hereof, at the interest rate per annum specified above, from the date of each advance, or from the most recent date on which interest has been paid or forgiven, payable on the Maturity Date, or upon prepayment of this instrument as hereinafter provided. Interest shall be calculated on the basis of the actual 365-day calendar year.

The City has made a commitment to advance the proceeds of the Forgivable Loan to the Company in the aggregate principal amount of \$50,000 (the “Forgivable Loan”) under this Promissory Note (the “Note”) and under a certain Economic Development Forgivable Loan Agreement (the “Agreement”) between the City and the Borrower dated \_\_\_\_\_, 2020, and reference is hereby made to the Agreement for a more complete description of the rights and obligations of the parties hereof. Each advance of the proceeds of the Forgivable Loan shall be entered by the City on the Schedule of Advances hereon and shall bear interest from the date of such entry.

The principal of and interest on the Forgivable Loan shall be forgiven by the City in accordance with the terms and schedule set forth in the Agreement.

Payment of principal of and interest on the Forgivable Loan shall be made to the City of North Liberty at the Office of the City Clerk, City Hall, in the City by Noon on February 16, 2026, unless sooner forgiven in accordance with the Agreement.

The Borrower reserves the right to prepay principal of this Note, in whole or in part, without penalty, at any time prior to maturity. All prepayments shall be applied first to accrued interest and then to outstanding principal. Prepaid principal shall cease to bear interest at the time of such prepayment.

In the event of a default under the Agreement which has not been cured in accordance with the terms of the Agreement, including the failure to repay principal of and interest on the Forgivable Loan under the terms of the Agreement, the Borrower agrees to pay all costs and expenses of collection, including reasonable attorney’s fees. The Borrower waives demand, presentment, notice of non-payment, protest, notice of protest and notice of dishonor.

This Note is secured, and its maturity is subject to acceleration in each case upon the terms provided in the Agreement.

The validity, construction and enforceability of this Note shall be governed by the internal laws of the State of Iowa without giving effect to the conflict of laws principles thereof.

MOXIE SOLAR, [INC.][LLC]

By: \_\_\_\_\_  
Title: \_\_\_\_\_

SCHEDULE OF ADVANCES

<u>Date of Advance</u>	<u>Amount of Advance</u>	<u>Signature of City Clerk</u>
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

AUTHORIZE ECONOMIC  
DEVELOPMENT FORGIVABLE LOAN  
AGREEMENT

(Moxie Solar)

North Liberty, Iowa

421033-81

August 11, 2020

The City Council of the City of North Liberty, Iowa, met at \_\_\_\_\_ o'clock, \_\_\_\_m., August 11, 2020.

The City Council met electronically via Zoom, which was accessible at the following:

Due to the COVID-19 pandemic, public health and safety concerns require City of North Liberty public meetings to be held electronically, so as to limit the spread of the virus. The public is invited to submit questions and comments in advance of the meeting for consideration submitting them to the City Clerk Tracey Mulcahey via email at [tmulcahey@northlibertyiowa.org](mailto:tmulcahey@northlibertyiowa.org).

This meeting may be accessed live by the public on the internet at [northlibertyiowa.org/live](http://northlibertyiowa.org/live), on Facebook at [facebook.com/northliberty](https://facebook.com/northliberty) or on YouTube at [www.youtube.com/channel/UCrCw6ipAPjJnd-olpRgPJcg](https://www.youtube.com/channel/UCrCw6ipAPjJnd-olpRgPJcg). You can also attend by phone; call 1 (312) 626 6799 with a touch-tone phone and enter the meeting ID 891 9878 9888 and nine-digit meeting password 374162701. Meetings are rebroadcast on cable and available on-demand on [northlibertyiowa.org](http://northlibertyiowa.org).

The City Council conducted this meeting electronically due to federal and state government recommendations in response to COVID-19 pandemic conditions. Electronic access information was included in the posted agenda of this public meeting.

The meeting was called to order and there were present the Mayor in the chair, and the following named Council Members:

Present: \_\_\_\_\_

Absent: \_\_\_\_\_.

Council Member \_\_\_\_\_ introduced a proposed resolution entitled: "Resolution Authorizing Economic Development Forgivable Loan Agreement

with Moxie Solar," and moved that the said resolution be adopted, seconded by Council Member \_\_\_\_\_ and after due consideration thereof by the Council, the Mayor put the question on the motion for adoption of the said resolution and, the roll being called, the following named Council Members voted:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_.

Whereupon, the Mayor declared the said resolution duly adopted and signed approval thereto.



\* \* \* \*

On motion and vote the meeting adjourned.

**CITY OF NORTH LIBERTY:**

---

TERRY L. DONAHUE, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

---

TRACEY MULCAHEY, CITY CLERK

**Resolution No. 2020-63**

**RESOLUTION AUTHORIZING ECONOMIC DEVELOPMENT  
FORGIVABLE LOAN AGREEMENT WITH MOXIE SOLAR**

**WHEREAS**, Chapter 15A of the Code of Iowa (“Chapter 15A”) declares that economic development is a public purpose for which a city may provide grants, loans, guarantees and other financial assistance to or for the benefit of private persons; and

**WHEREAS**, Chapter 15A requires that before public funds are used for grants, loans or other financial assistance, a city council must determine that a public purpose will reasonably be accomplished by the spending or use of those funds; and

**WHEREAS**, Chapter 15A requires that, in determining whether funds should be spent, a city council must consider any or all of a series of factors; and

**WHEREAS**, Moxie Solar (the “Company”) owns certain real property situated at 323 West Cherry Street (the “Redevelopment Property”) in the City, and the Company has proposed to relocate (the “Moxie Solar Relocation”) its solar energy installation business operations to an existing building situated on the Redevelopment Property; and

**WHEREAS**, the City is willing to provide financial assistance in the form of a \$50,000 economic development forgivable loan (the “Forgivable Loan”) to the Company to assist the Company in paying the costs of the Moxie Solar Relocation;

**NOW, THEREFORE, IT IS RESOLVED** by the City Council of the City of North Liberty, Iowa, as follows:

Section 1. Pursuant to the factors listed in Chapter 15A, the City Council hereby finds that:

- (a) The Moxie Solar Relocation will add diversity and generate new opportunities for the North Liberty and Iowa economies;
- (b) The Moxie Solar Relocation will generate public gains and benefits, particularly in the creation of new jobs, which are warranted in comparison to the amount of the proposed Forgivable Loan.

Section 2. The City Council further finds that a public purpose will reasonably be accomplished by funding the Forgivable Loan to the Company.

Section 3. The Forgivable Loan in an amount not to exceed \$50,000 is hereby approved, subject to the terms and conditions set forth in an Economic Development Forgivable Loan Agreement (the "Development Agreement") to be entered into by the Company and the City. The City Clerk, with advice from bond counsel to the City, is hereby authorized and directed to prepare any additional documentation and to make such changes to the Development Agreement as are deemed necessary to carry out the purposes of this Resolution. The Mayor and the City Clerk are hereby authorized execute such documents as may be necessary to implement the Forgivable Loan approved herein, including the Development Agreement, in substantially the form as has been presented to this City Council.

Section 4. All resolutions or parts thereof in conflict herewith, are hereby repealed, to the extent of such conflict.

**APPROVED AND ADOPTED** this 11th day of August, 2020.

**CITY OF NORTH LIBERTY:**

---

TERRY L. DONAHUE, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

---

TRACEY MULCAHEY, CITY CLERK

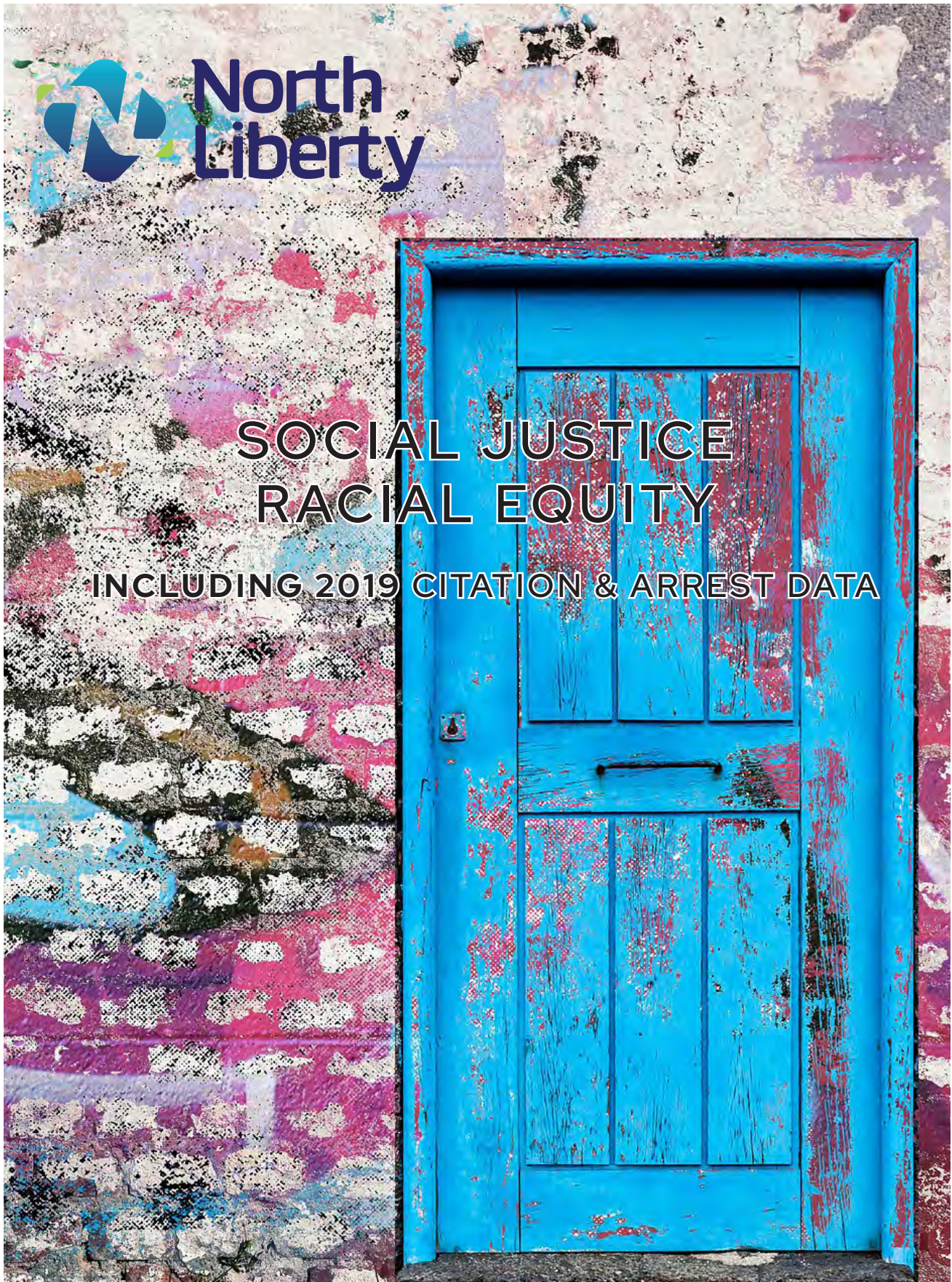


# **Social Justice and Racial Equity**



# SOCIAL JUSTICE RACIAL EQUITY

INCLUDING 2019 CITATION & ARREST DATA



Demographics	NL	Compared to		IA	US	
		IA	US			
land area (2020)	<b>9.1 sq mi</b>			<b>55,857 sq mi</b>	3,797,000 sq mi	
persons per square mile (approximate)	<b>2,010</b>			<b>54.5</b>	84.7	
population, 2015	<b>18,299</b>			<b>3,123,899</b>	321,418,821	
population, 2010	<b>13,374</b>			<b>3,046,355</b>		
population increase, 2010 to 2015	<b>36.8%</b>			<b>2.5%</b>	%	
persons under 5 years	<b>1,917</b>	<b>10.5%</b>	↑↑	↑↑	<b>6.2%</b>	6.2%
persons under 18 years	<b>5,357</b>	<b>29.3%</b>	↑	↑	<b>23.3%</b>	22.9%
persons over 64 years	<b>981</b>	<b>5.4%</b>	↓	↓	<b>16.0%</b>	14.9%
female-identifying persons		<b>51.1%</b>	↑	↑	<b>50.4%</b>	50.8%
male-identifying persons		<b>48.9%</b>	↓	↓	<b>49.6%</b>	49.2%
intersexed-identifying persons		<b>unknown</b>			<b>unknown</b>	unknown
only white	<b>16,134</b>	<b>88.2%</b>	↓	↑	<b>90.5%</b>	73.1%
only black	<b>867</b>	<b>4.7%</b>	↑	↓↓	<b>3.4%</b>	12.7%
two or more races	<b>591</b>	<b>3.2%</b>	↑↑	↑	<b>1.9%</b>	3.1%
only asian	<b>418</b>	<b>2.3%</b>	↑	↓	<b>2.2%</b>	5.4%
only other race not listed	<b>235</b>	<b>1.3%</b>	↓	↓↓	<b>1.5%</b>	4.8%
only indigenous	<b>45</b>	<b>0.2%</b>	↓	↓	<b>0.4%</b>	0.8%
only native hawaiian/pacific islander	<b>9</b>	<b>0.0%</b>	↓	↓	<b>0.1%</b>	0.2%
any race, also identifying as hispanic/latinx	<b>806</b>	<b>4.4%</b>	↓	↓↓	<b>5.6%</b>	17.6%
foreign-born persons	<b>847</b>	<b>4.6%</b>	↓	↓↓	<b>5.1%</b>	13.5%
not a US citizen	<b>441</b>	<b>2.4%</b>	↓	↓↓	<b>3.2%</b>	7.0%
language other than English spoken at home	<b>1,255</b>	<b>6.9%</b>	↓	↓↓	<b>8.0%</b>	21.5%
high school graduate, over 24 years		<b>97.5%</b>	↑	↑↑	<b>92.0%</b>	87.1%
college graduate, over 24 years		<b>54.6%</b>	↑↑	↑↑	<b>28.2%</b>	30.6%
veterans, over 18 years		<b>6.1%</b>	↓	↓	<b>7.9%</b>	7.6%
labor force, over 16	<b>13,284</b>			<b>2,475,140</b>	262,185,951	
median travel time to work	<b>20-24 min</b>		↑	↓	<b>15-19 min</b>	35-44 min
households	<b>7,225</b>			<b>1,242,641</b>	118,208,250	
households with persons under 18	<b>2,848</b>	<b>39.4%</b>	↑	↑	<b>30.2%</b>	31.4%
persons per household	<b>2.53</b>		↑	↓	<b>2.42</b>	2.65
vacant housing units	<b>323</b>	<b>4.4%</b>	↓	↓↓	<b>9.4%</b>	12.3%
owner-occupied units	<b>5,019</b>	<b>69.4%</b>	↓	↑	<b>71.1%</b>	63.0%
median value of owner-occupied units	<b>\$207,600</b>		↑↑	↑	<b>\$142,300</b>	\$194,500
median gross rent	<b>\$1,147</b>		↑↑	↑	<b>\$766</b>	\$959
median household income	<b>\$81,978</b>		↑↑	↑	<b>\$58,580</b>	\$61,937
persons experiencing poverty		<b>4.8%</b>	↓↓	↓↓	<b>11.7%</b>	13.1%
persons in poverty active in the work force		<b>66.6%</b>	↑	↑↑	<b>58.1%</b>	47.2%
persons without health insurance (under 65)		<b>3.5%</b>	↓	↓↓	<b>4.9%</b>	8.1%

## Budget

	FY19 actual	FY20 budget	FY21 budget	FY22 estimate
<b>police revenues</b>				
COPS grant	\$ 17,537	\$ 6,025	\$ 0	\$ 0
police records	\$ 6,025	\$ 5,000	\$ 5,000	\$ 5,000
court fines	\$ 42,803	\$ 40,000	\$ 40,000	\$ 40,000
municipal infractions	\$ 0	\$ 0	\$ 0	\$ 0
police forfeitures	\$ 0	\$ 0	\$ 0	\$ 0
cigarette citations	\$ 0	\$ 600	\$ 0	\$ 0
parking violations	\$ 5,345	\$ 5,000	\$ 5,000	\$ 5,000
<b>police expenditures</b>				
personnel	\$ 2,279,368	\$ 2,541,734	\$ 2,623,113	\$ 2,754,269
services	\$ 175,206	\$ 264,951	\$ 330,051	\$ 346,554
equipment/fleet	\$ 96,475	\$ 81,200	\$ 97,633	\$ 175,000
miscellaneous	\$ 2,194	\$ 10,900	\$ 0	\$ 0
total police	\$ 2,553,243	\$ 2,898,795	\$ 3,050,797	\$ 3,275,822
total general fund *	\$ 12,320,277	\$ 13,363,712	\$ 13,982,374	\$ 15,099,714
police/total	20.7%	21.7%	21.8%	21.7%

**staff\*\*** On 2020 July 15, North Liberty Police Department had 26 full time employees: one chief, one investigator, one lieutenant, four sergeants, one K-9 officer, one canine, one Drug Task Force officer, 14 patrol officers, and two civilian administrative staff.

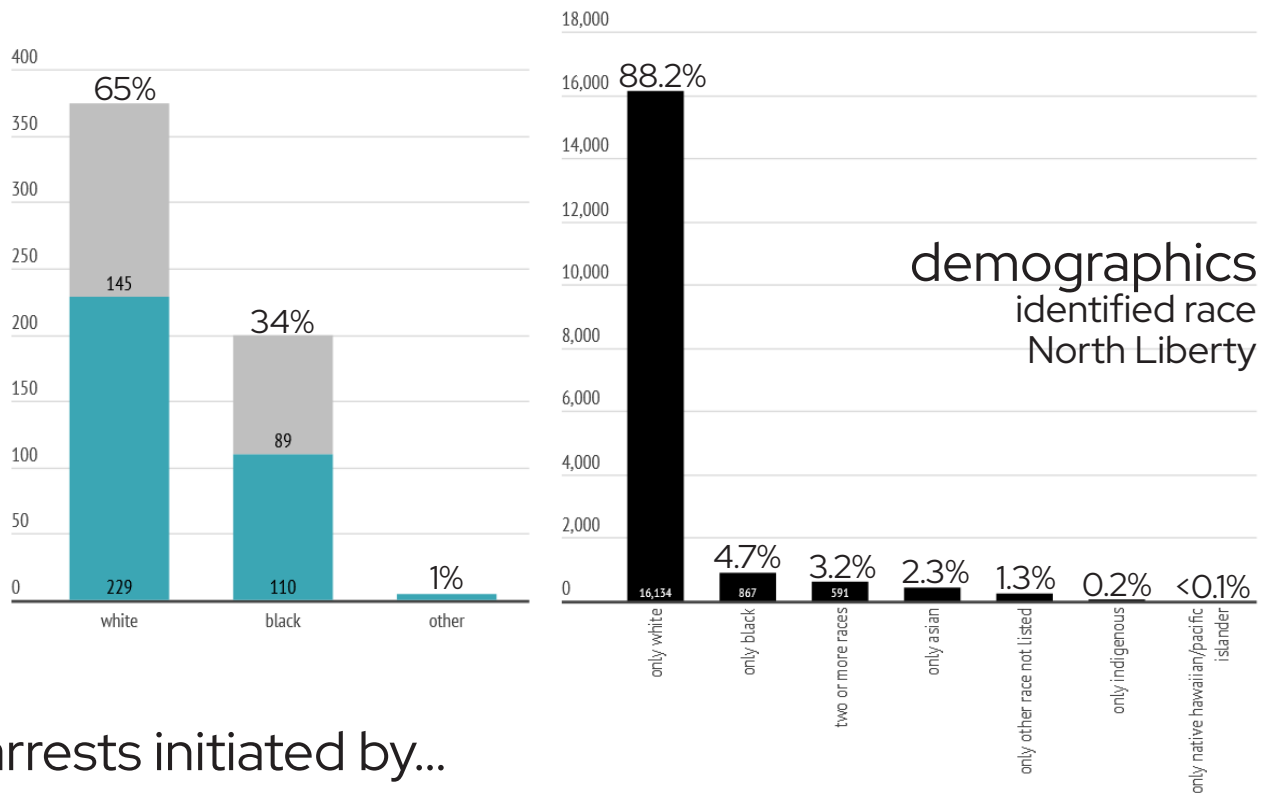
### budget line descriptions

personnel	Includes employee wages, overtime, FICA/medicare, IPERS, ICMA, health insurance & deductibles, workers' compensation, uniforms, firearms, mileage, training & conferences, tuition reimbursement program
services	Includes building custodial expenses, building maintenance, fuel & vehicle maintenance, utilities, recording fees, other insurance, legal fees, immunization and testing, office/phone equipment, radios, software & technology, public education supplies, postage & shipping, bike patrol equipment, ammunition, K-9 expenses
equipment/fleet	FY19 replaced three patrol cars (including related equipment) FY20 replaced two patrol cars (including related equipment) FY21 plan to replace two patrol cars (including related equipment) FY22 plan to purchase software for scenario-based judgement training on use of force, shade/weather canopy for ten patrol cars, new unmarked vehicle, replace drug task force vehicle, and replace one patrol car (including related equipment)

\*As a point of reference, the City's Parks and Recreation budget for FY21 is \$3,636,470 or 26% of the General Fund. *General Fund total does not include expenditures on Debt Service, Enterprise Funds, Road Use Tax, Hotel/Motel Tax, and other special funds.*

\*\*The City of North Liberty employs 96 regular full time people. At 26, the Police Department has the largest full-time staff of City departments. The next largest is the Recreation Department with 11 full time staff. Please note that the Police Department is also the only department staffed 24/7, also accounting for additional on-call needs and special requests (event coverage), while having available relief for employees on vacation or sick.

# citation & arrest data 2019



## arrests initiated by...

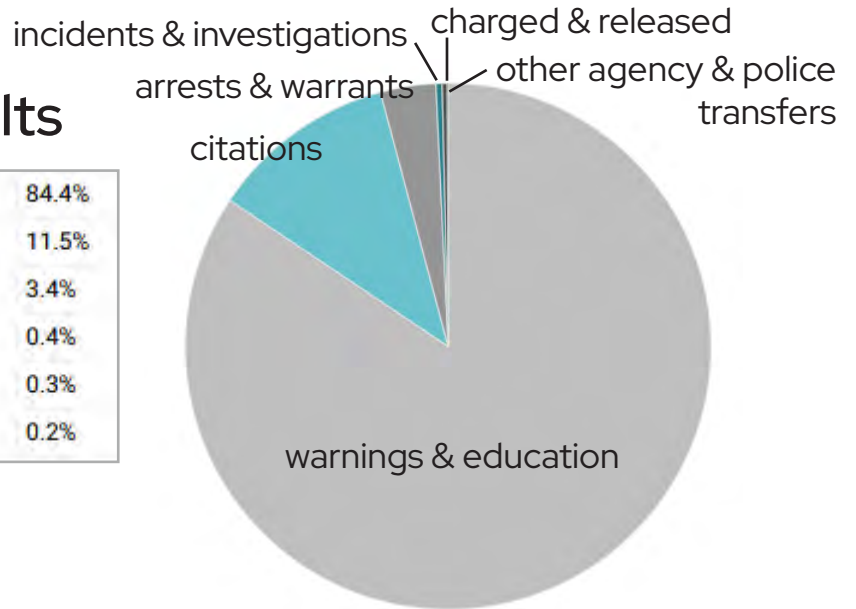
- **59%** **Officer** This includes investigation of suspicious activity and traffic stops resulting in an arrest.
- **41%** **Public** This includes 911 and non-emergent calls, in-person visits to the Police Headquarters, e-mail, and warrant service requests.



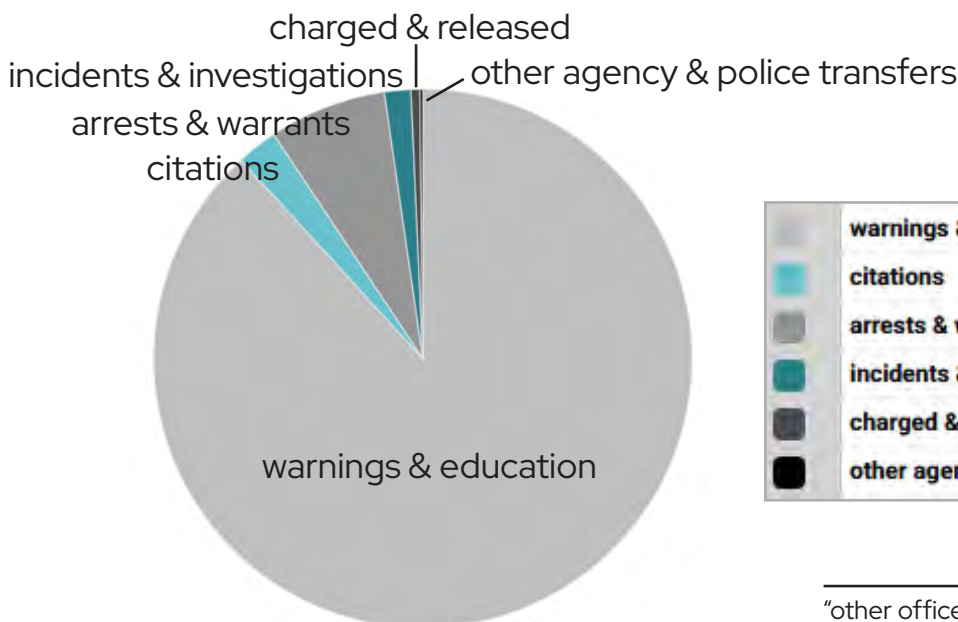


## traffic stops: end results

warnings & education	4861	84.4%
citations	661	11.5%
arrests & warrants	196	3.4%
incidents & investigations	22	0.4%
charged & released	18	0.3%
other agency & patient transfers	3	0.2%



## other officer-initiated activity: end results

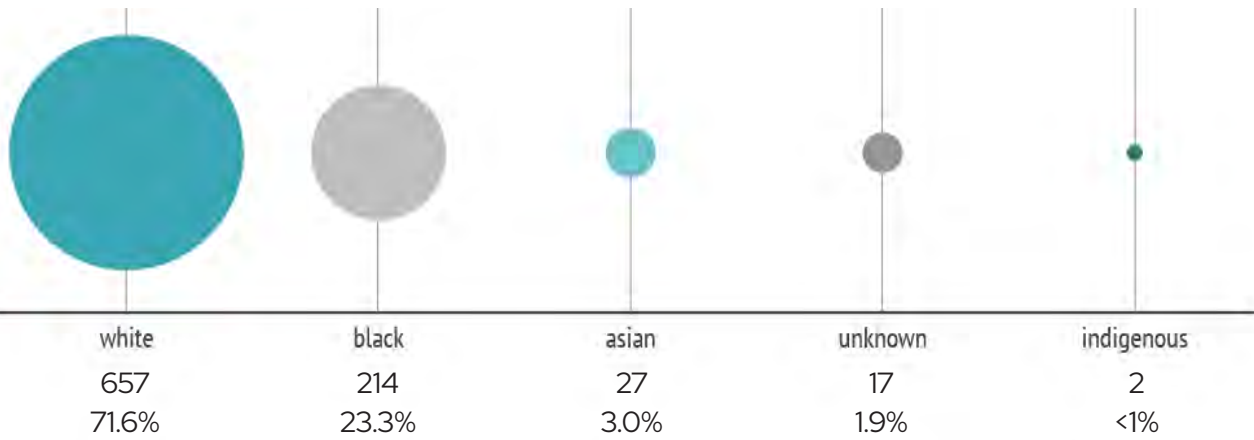


warnings & education	500	88.2%
citations	14	2.5%
arrests & warrants	40	7.1%
incidents & investigations	9	1.6%
charged & released	3	0.5%
other agency & patient transfers	1	0.2%

"other officer-initiated activity" includes following through on calls for help and service, warrant requests, inquiries into suspicious activity while on patrol and extra patrol requests



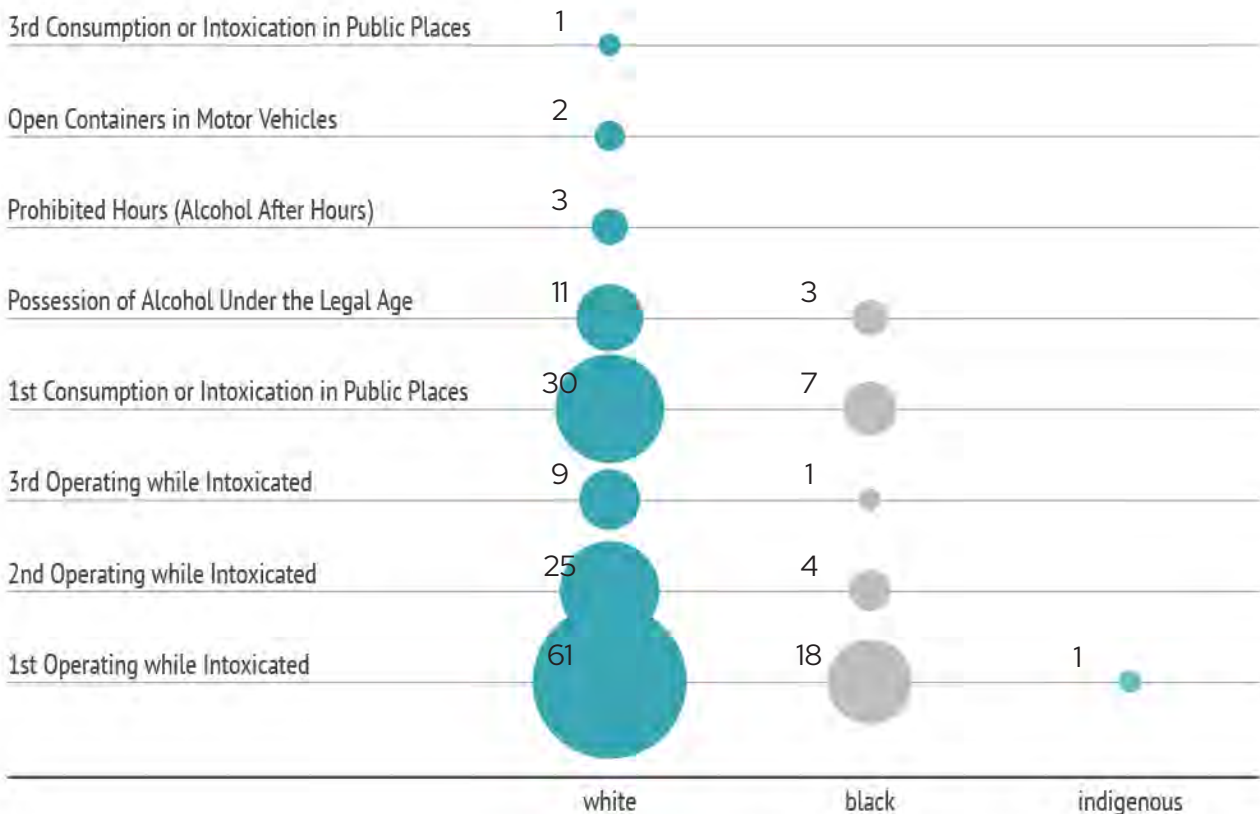
### traffic citations by race

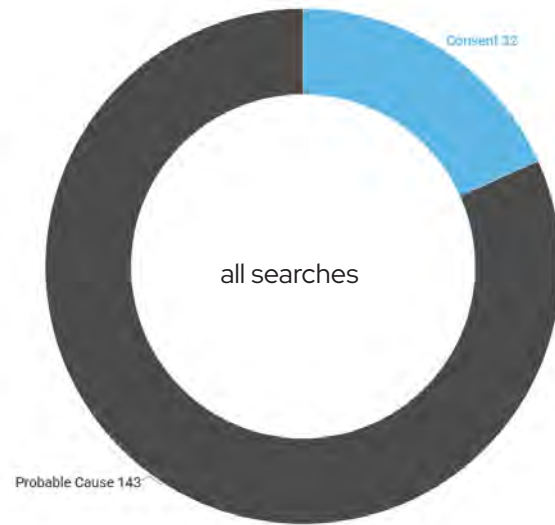
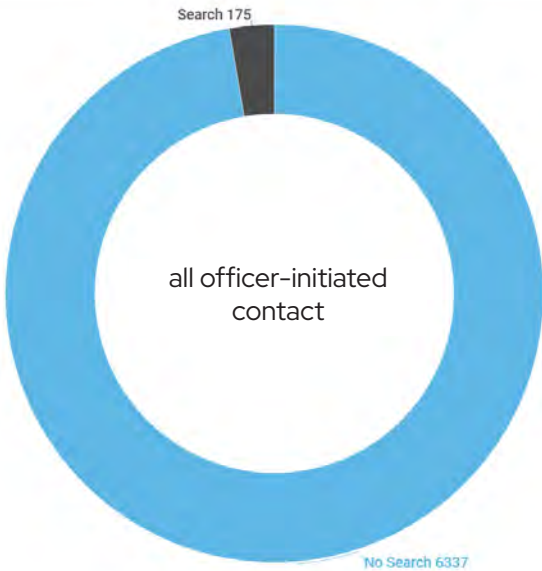


### drug charges by race



### alcohol charges by race





## searches

Reasonable suspicion allows a peace officer to stop and briefly detain a person to conduct a further investigation. As seen in the data on page 5, over 84% of the time this process does not result in any citation or arrest.

Search and seizure rules requires explicit permission or a warrant, excepting the presence of exigent circumstances, requiring swift entry or action.

Probable cause could encompass any of the following to initiate a search of vehicle, property, or person:  
admission of a crime, illegal substance or weapon in plain sight, odor of an illegal substance, or a canine identifies a suspicious scent.

Consent for a search requires asking permission and then the property owner or person gives permission to perform a physical search.

To classify searches as consensual or based on probable cause, staff reviewed video and written records.

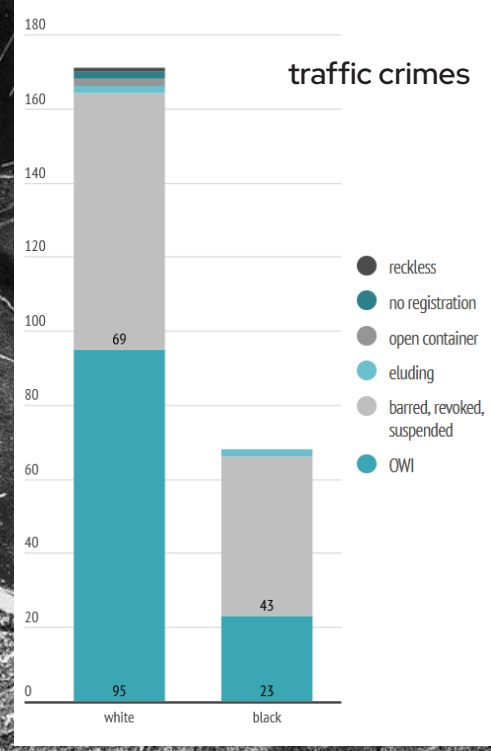
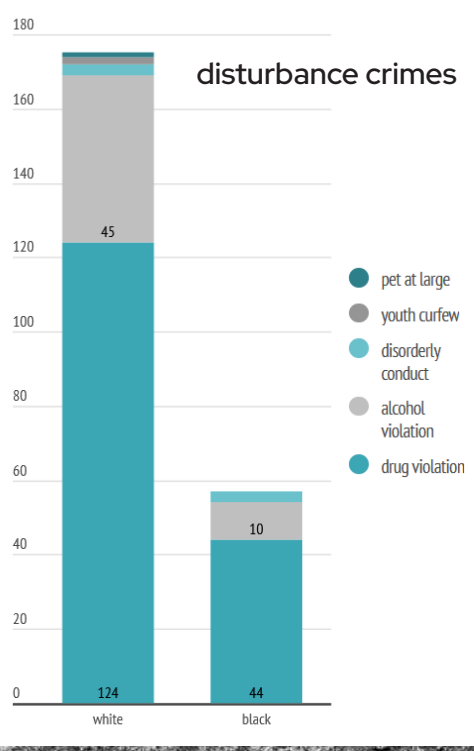
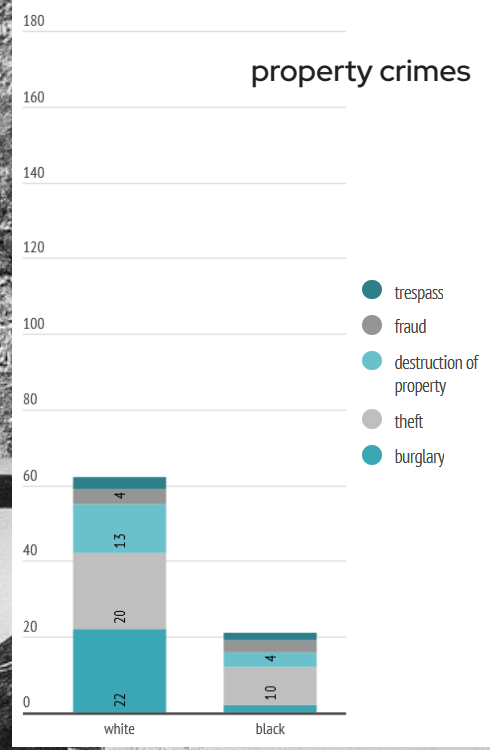
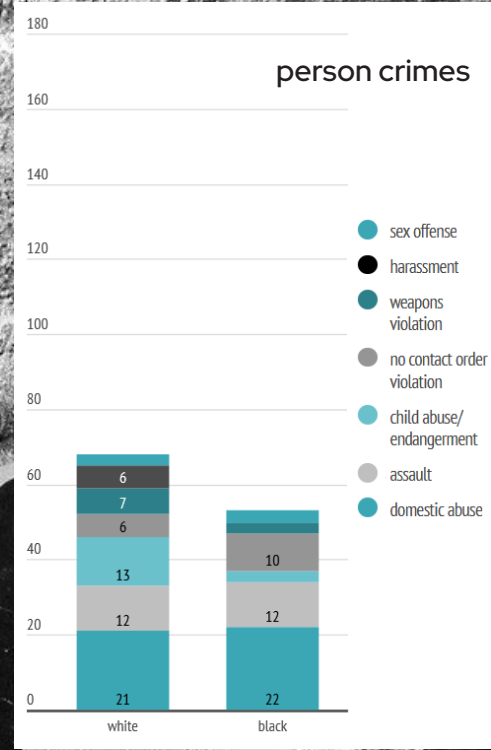


# all charges & arrests (by offense type & race)

\* for individuals arrested with multiple charges, each charge is represented in the data below

**crime categorization key**

domestic abuse	domestic abuse
assault	assault; willful injury
child abuse/endangerment	child endangerment; indecent contact with a child; using a juvenile to commit certain offenses; harboring a runaway; incest; sexual exploitation by a counselor, therapist, or school employee
no contact order violation	no contact order violation
weapons violation	carrying weapons; carrying weapons while intoxicated; possession of firearm by felon; disarming peace officer; intimidation with a dangerous weapon; reckless use of a firearm/discharging weapons; explosive or incendiary materials or devices/possession of explosives
harassment	harassment
sex offense	indecent exposure; sexual abuse
burglary	burglary; attempted burglary
theft	theft; operating vehicle without owner's consent
destruction of property	criminal mischief
fraud	forgery; credit cards; money laundering
trespass	trespass
drug violation	controlled substance/distribution; drug paraphernalia; failure to affix drug tax stamp
alcohol violation	consumption or intoxication in public places; PAULA; prohibited hours
disorderly conduct	disorderly conduct
curfew	curfew (NL Code)
pet at large	pet at large penalty
OVI	operating vehicle while intoxicated
barred, revoked, suspended	driving while suspended, barred, or revoked
eluding	eluding pursuing law enforcement vehicle
open container	open containers in motor vehicles
no registration	operation without registration
reckless	reckless driving/failure to maintain control
interference	interference with official acts; obstruction of emergency communications
false identification or information	providing false identification; malicious prosecution; providing false information



**warrant service arrests**

48 black (officer initiated = 26; public and warrant requests = 22)  
57 white (officer initiated = 31; public and warrant requests = 26)

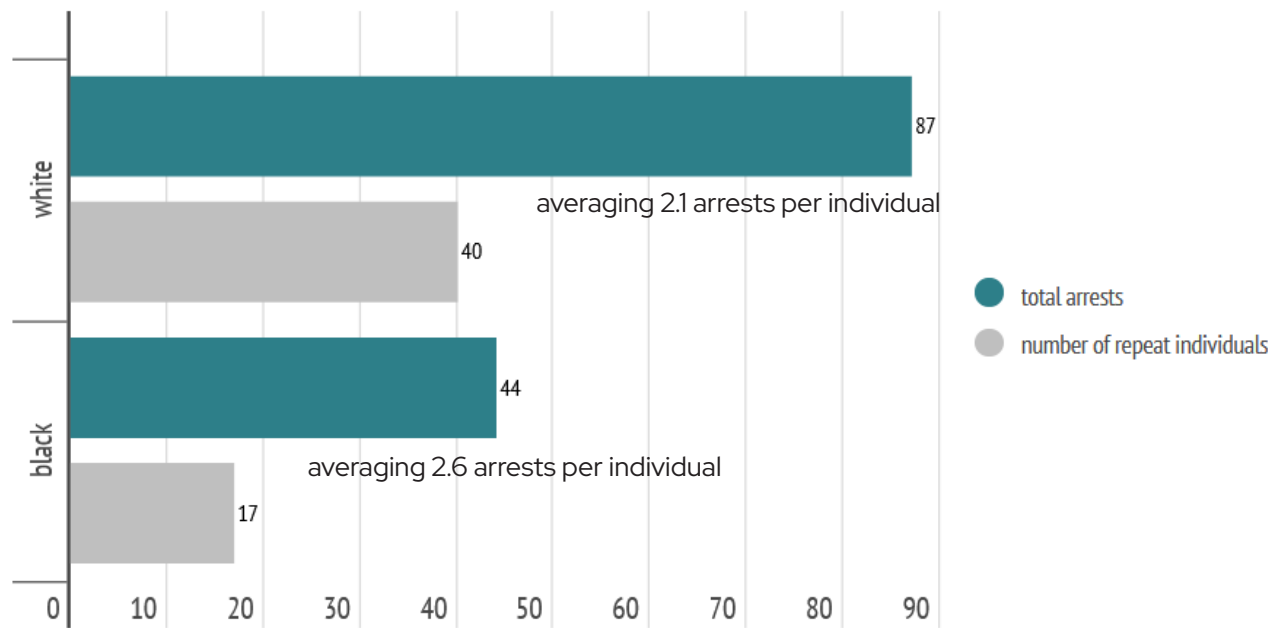
# repeat offenders

This data includes...

the 57 individuals arrested more than 1 time

for a total of 131 times

comprising 23% of all arrests.



# discretionary arrests

Police are routinely required to make judgement calls. The following charges may be at officer discretion, where leniency is allowed depending on the specific circumstances of the case. A physical arrest is a last resort. Of the 578 arrests made by officers in 2019, 128, or 22%, were discretionary. Of those, 33, or 26%, were of black subjects and 95, or 74%, were of white subjects:

- disorderly conduct      3 white      3 black
- drug paraphernalia      48 white      10 black
- interference      10 white      11 black
- intoxication      31 white      7 black
- trespass      3 white      2 black

# current police activity monitoring mechanisms

## Equipment

- body worn cameras (manually activated and automatically downloaded)
- in-vehicle audio and video cameras (automated with emergency lights or manually activated)
- Traffic camera recordings
- GPS tracking of squad vehicles
- all radio communication is recorded

## Report & Review

**use of force** reported & reviewed by three indirect supervisors; reported annually to City Administrator and City Attorney; voluntarily added monthly to national database. Formal disciplinary action may be taken for violations of policy, procedures, or training. Use of force may also result in an arrest and is referred to the County Attorney for review and charges.

**all crimes** reported to the Uniform Crime Reporting (UCR) Program using the National Incident-Based reporting System (NIBRS) national database (voluntary action)

**complaints** investigated by indirect supervisor, Lieutenant, and Chief; reviewed by the City Attorney and City Administrator; disciplinary action may be taken for complaints with merit

**Early Warning System** behavior data tracking for all employees, reviewed every six months for potential interventions or additional training

**discipline matrix** consistently utilized as a tool to hold officers accountable for their actions and identify areas where re-training is needed

with the support of the union, **training is prioritized** in the regular working schedule

officers encouraged to become **instructors in skills to train** their peers, expanding in-house expertise

**hire for character, train for competence and excellence and hold everyone accountable to our mission, vision and values.**

# police training schedule

## Initial

Iowa Law Enforcement Academy Basic Training School four months

Partnered with the Field Training Officer three months

Crisis Intervention Team (CIT) Training 40 hours

Policy review & acknowledgement during onboarding 80 hours

## Document Maintenance

Lexipol Policy Manual Review bi-annually

Update of high liability cases annually

Daily briefings on any policy or procedural updates

## Reviewed or Attended Monthly

Drug Task Force, Bomb Squad, Diver/Tactical Team skills review and meetings (assigned officers)

Traffic Incident Management meeting

Command Staff meeting

TargetSolutions trainings monthly, additional hands-on trainings (as available), and facilitated group discussions daily on equipment, safety, Emergency Management, terrorism, organized crime

Updates shared from Daigle Law Group, Americans for Effective Law Enforcement (AELE), State of Iowa Supreme Court, Use of Force Annual Summit, 8th Circuit Court of Appeals, Public Agency Training Council, International Association of Chiefs of Police (IACP), Highway Traffic & Safety, Attorney General consumer advisory bulletin, Caliber Press, PoliceOne, LawOfficer

Doland Consulting, Caliber Press, Lexipol, Police Executive Research Forum (PERF) and Force Science Institute

Members of the mobile team training unit MTTU-IV training

Attend seminars hosted by other area law enforcement agencies, Midwest Counter Drug Training Center, Federal Partners, and the Iowa Law Enforcement Academy.

## Reviewed or Attended Biannually

Blue Courage 4 hours

Defensive Tactics 4 hours

## Reviewed or Attended Annually

MATS (Multi-Agency Training Seminar) in Johnson County for victim services, law update, and community topics, plus required State minimums (i.e. CPR, Haz Mat, Child/Domestic/Sexual Assault)

Firearms range + all weapons systems 16 hours

Taser training 4 hours

Driver training 4 hours

Force-on-force judgement scenario-based training 8 hours

Operating while Intoxicated and law update 4 hours

Criminal Justice Information Services (CJIS) requirements

## Certified Instructors

ALICE

Drug Recognition Expert

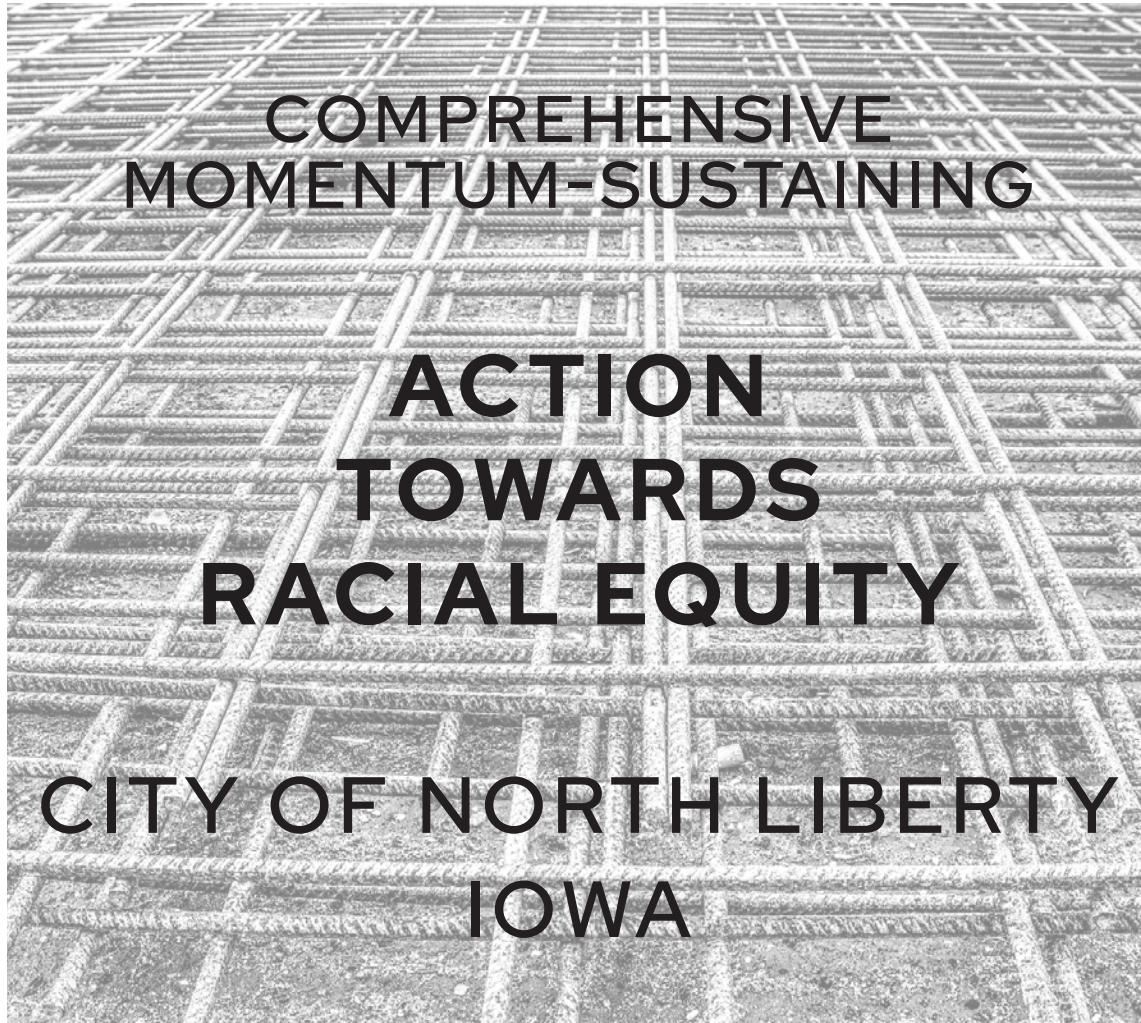
De-Escalation and Verbal Judo Instructors

Use of Force Instructors

Certified Evidence Collection officers

Other special skills (negotiator, tactical team member, child safety seat installer, bike officer, field training officer, canine officer)

Average of 160 training hours per officer in a calendar year.



The City of North Liberty, Iowa will step up to examine, acknowledge, and address policies and practices that may have a disproportionate impact on marginalized people to better serve our whole community.

We agree to identify, call out, and eliminate oppression.

We strive to achieve social justice and racial equity in our organization and our community.

While the national conversations are centering on police and policing, limiting our discussion to these narrow topics will not open our eyes to other learning and growth opportunities.



# Police Department already established & will continue to do

## Data Collected

demographics of traffic stop citations

demographics of arrests

database of all formal and informal complaints

## Transparency

online public access to complaints on Johnson County Sheriff's Office webpage

online public access to calls for service on Joint Emergency Communications Center (JECC) webpage

online map of incident/crime reports at CommunityCrimeMap.com

reports completed annually and monthly and published online

most requested policies published online

## Policies

utilize Lexipol for best practices policies

- daily training bulletins
- policy acknowledgements

have ACLU review policies & implement changes

- use of force (done two years ago)
- taser (done two years ago)

"Duty to Intercede" Memorandum of Understanding with area agencies

## Met or Exceed

8 Can't Wait Campaign policy and practice requests

30 Guiding Principles for the Police Executive Research Forum (PERF)

# WHAT ARE THE NEXT STEPS?

## Ideas to move the Community forward...

- Host a series of community conversations to solicit feedback and ideas as well as provide a space for residents to share their stories (**in progress**).
- Collect additional data with the objective to evaluate and address potential disparities.
  - Work with vendor to upgrade police data tracking software (**in progress**).
  - Contract for an external audit and study of traffic stops and searches.
  - Develop a regular data-sharing mechanism, building on existing public monthly reports, for additional transparency.
- Establish a Community Police Review Board to incorporate citizen input on policing practices and review incidents.
- Consider unarmed Community Service Officers.
- Recruit social services organizations to have a location in North Liberty (**have had conversations with organizations about Ranshaw House**).
- Build systems to make better decisions by developing a Diversity, Equity and Inclusion team. Analyze all decisions and practices with a racial equity lens in order to remove barriers and expand opportunities.
- Develop a Diversity, Equity and Inclusion toolkit for staff, and make it available for council and local businesses.
- Provide more frequent diversity & inclusion training.
  - Staff required training.
  - Community programming through the library.
  - Partner with local government organizations (**in progress**).
- Establish Inclusionary Zoning for housing.
- Effectively engage diverse communities in planning and participatory budgeting processes and integrate their arts and culture throughout government activities and events.
- Guarantee residents have access to services and are protected from discrimination in employment, housing, and public accommodations.
- Adopt a hate crimes ordinance.
- Establish a Mayor's Youth Leadership Council.
- Enhance partnerships with NAACP and other entities (**in progress**).
- Develop additional, inclusionary Community Center programming.
- Consider more City outreach meetings with the community.
- Explore ideas and best practices to increase diversity within the City workforce.

*Note: This is not an all-inclusive list and we anticipate additional items following City Council discussion, feedback from the community through listen posts and further strategy sessions with city staff. The City Council will eventually be asked to select and prioritize action items so that a work plan can be developed.*

# QUESTIONS?



City of North Liberty, Iowa  
City Hall  
3 Quail Creek Circle  
North Liberty, IA 52317



## Tracey Mulcahey

---

**From:** Nick Bergus  
**Sent:** Tuesday, August 4, 2020 7:34 PM  
**To:** Tracey Mulcahey  
**Subject:** Re: [EXTERNAL] Listening Post

Tracey,  
She intends for this to be included in public comment at the next council meeting.

Nick Bergus  
Communications Director  
City of North Liberty  
(319) 626-5756 office  
(319) 541-7258 mobile

Messages to and from this account are subject to public disclosure unless otherwise provided by law.

On Aug 4, 2020, at 9:13 PM, Angelica Brothers <angelica.ruelas@gmail.com> wrote:

**WARNING: This email originated from outside of this organization. Do not click links or open attachments unless you know the contents are safe. Never provide your user ID or password to anyone.**

---

My name is Angelica Brothers and I am a resident of North Liberty. I attended the listening post on Monday August 3, 2020 and shared my experiences being a Latina in Eastern Iowa. I truly hope that as city leaders, you take the time to address inequities we have locally for all marginalized people in the community. Based on the city's social media, the efforts are only addressing one marginalized group and this is very disappointing. Racism knows no monopoly.

Also, my family would like to know if North Liberty has a proclamation for Latino/Hispanic Heritage month. If not, who would we talk to to begin making this a reality. Putting us in touch with the right people would be a start.

If you would like more background on what it means to be a Latina in Eastern Iowa and the United States, please see my blog post at the following  
URL: <https://iowacity.momcollective.com/2020/08/02/millas-en-mis-zapatos/?fbclid=IwAR1oKQ09Xv71CnrtDEBmfjvCJ7qcoONTEt8vixAUqgMXyL5zf6k8nJf2wmY>

Here is the statement I shared at the Listening Post.

A year ago at 1:09 PM in El Paso Texas, 23 individuals were murdered in a hate crime targeted towards those of Latino ethnicity. 23 others were injured. It was the deadliest attack against Latinos in U.S. history. I'd like to take a moment of silence in remembrance.

Thank you.

I grew up in Eastern Iowa. I left after high school. My husband and I have moved around the U.S. since, choosing to come home to Iowa and raise our family.

I support the stand against police brutality, but I will caution we shouldn't exclude the Latino ethnicity in reporting as some recent reports have done. While they may not be the largest impacted group, there are well documented issues for Latinos with law enforcement. My father reported being held at gunpoint in Eastern Iowa for visiting the wrong apartment and subsequently being wrongly affiliated with a drug transaction. Personally, I always carry my passport for fear I'll be accused of not being a citizen and detained. I carry my daughter's as well. It's often thought she's not my child and I'm her childcare provider.

My mother always thought it best we try to outwardly assimilate to white culture in an effort to protect us. That didn't work as planned. I played sports and cheered during my time in school. It wasn't uncommon to be called spic or wetback. Little Mexico showed up on a wrestling shirt to identify my hometown. I see people from those areas living in North Liberty and I wonder if they still feel the same way. When we moved to North Liberty, there was a young boy fishing down the road from us. He was using slurs against Mexicans as jokes. My husband offered for him to come talk to me about it but he declined. I hope he didn't mean it but it's clear hate still exists for Latinos.

When I've shopped in North Liberty stores, I've been accosted by others as if buying items for myself is some kind of crime. I'm not sure if they think I don't speak English as they talk to store staff about me. It's as if I'm invisible to them.

Latinos saw a 21 percent increase in hate crimes against them in 2018. A man drove 11 hours, more than the time it take to cross Iowa, to murder and harm those he deemed as "Mexicans". Someone just as easily could have driven 11 hours here. A Latina judge's family was recently murdered. The assailant left documented railings against "incompetent Latina judges", among other documents indicating that the murder was a hate crime. A Latina soldier went missing and it went largely unnoticed. Once it got traction and they did search for her, her body and her murderer were found. He later committed suicide. The concept of justice for Vanessa was then mostly dropped from the media. In Clive, Iowa a Latina teenager was intentionally run over because she looked Mexican. The family calls for hate crime charges, which still haven't been brought.

So what can North Liberty do?

In a quick search of the city's social media I didn't find past references to El Paso or events supporting or educating about Latinos in North Liberty. I also didn't find anything of significance as to Latino Heritage month. I did locate a Cinco de Mayo post from this year but that's not really a holiday of much significance. I'm unsure if there is a proclamation to celebrate Latino heritage month in North Liberty but if not it's beyond time the city pursues it.

By 2050 over a quarter of the US will be Latino. By 2023 1 in 3 preschoolers nationwide will be Latino. They are part of our future. We should treat them as such and invest in their future. That means stop assuming they are undocumented, as most Latinos are citizens. It means hiring diverse workers to include Latinos. This means teachers, STEM workers, and others. that represent the composition of our country and our community. This requires understanding what diversity really means. All I'd ask for is an equal chance.

Start including our history in pushes for improved awareness in cities and schools. We were segregated, murdered, deported. All as US citizens. That history deserves to be told.

Policing wise, please encourage victims to come forward. If they are undocumented, we need policies to protect victims. I'm not sure if we have those in North Liberty. If we do we need to continue community work to ensure that is communicated.

Address us. I recognize it's a vast ethnicity. In recent discussions it's unclear if you are addressing or including us, so take the time to address us by our ethnicity if you want to be inclusive. It goes a long way. Calling us "other people of color" in my eyes is inadequate and a disservice.

As we move to address systemic racism, in order for North Liberty to see positive change we need to bring all marginalized ethnic and racial groups to the table in our city governments, in our schools and in our businesses. For our Latino population this means working with local community organizations and citizens who are empowered to speak towards Latino issues. One person or organization cannot hope to adequately represent the needs of all ethnic or minority groups. By creating a diverse group who we can consult to cover the issues we'll position this city to move forward.

Thank you for your time.



Listening Post  
July 31, 8:00 am  
Zoom Meeting

In attendance:

Nick Bergus, Annie Pollock, Tyson Landsgard, Creighton Regenwether, Ryan Heiar, Chris Hoffman, Jane Wells, Jennie Garner, Brian Platz, Ere Sittig, Heather Weber, Shelly Streb, Abby Haywood, Kelly Wells Sittig, Dani Kopecky, Anita Cory, Heather Weber, and Brian Motley.

Mr. Burges opened the meeting by requesting introductions by each participant. Following introductions, he opened the listening post by asking what barriers do people encounter or have seen others encounter that we need to address locally?

Wells: Wondered how do we reach citizens to come forward and share their stories? How are these listening posts advertised and get to those that need to see them?

Burges: The city currently attempts this by utilizing social media, posts in Facebook groups, etc. This isn't the only way to collect and amplify but the city continually evaluates opportunities to do so. Consideration is also looking towards a local videographer to aid in the process.

Haywood: Lived here less than one year. Previously lived in the Iowa City area and has been pulled over for being black in Iowa City. Has not been pulled over in North Liberty due to her skin color but North Liberty does have a reputation for being racist. Using the "n" word appears prevalent. Those who attend Liberty High and North Central Jr. High appear comfortable with using the "n" word.

Pollock: Why did you choose North Liberty?

Haywood: Didn't live here previous to now because of the reputation. Does like the look of the newer homes & nice landscaping. North Liberty has a good look.

Wells: Any obstacles with obtaining a home in North Liberty?

Haywood: The main trouble was with the banking. Was denied by Green State and felt that race rather than finances was the reason for disapproval of the loan. When inquired, she did not get a response from Green State as to the reason for disapproval.

Cory: A lot of us are seeing the world differently now. What are the discussions at city council or what types of trainings are occurring for city officials/workforce? We all have deficits. What are some ideas being kicked around?

Heiar: We need to appreciate that we all have deficits. Implicit bias training has taken place. But we can do more. NLPD moved this training up for their entire department. The city special projects coordinator, Angela McConville is now coordinating more implicit bias training and non-operational priorities. The city is looking at how we can reach out to the community to offer this training. Our

librarian, Jennie Garner, is looking into this. The library is investigating platforms that would allow us to efficiently deliver to the community.

Cory: I'm currently employed by the university. Most training of this type at the university is optional. I appreciate that the city is looking at ways to educate their staff.

Wells: I have been subbing at some of the schools in the Iowa City Community School District. In particular, Liberty High School. While mostly positive, I'd like to share a story that I witnessed. At the end of the day, the school bell rang and students started flowing out. As I was locking my classroom, I noticed a young black female student standing near the doorway crying. When I asked her if she was ok, she stated no. She recalled how after gaining permission to leave the classroom next door to obtain something from her locker, she reentered only to have the teacher tell her to stand in the hallway as a form of punishment. She continued that this teacher tends to do this to students of color. A form of public shaming that is ongoing and is traumatizing these students.

Sittig: What is the city doing to increase diversity amongst staff?

Heiar: The city is doing a combination of things to draw diversity into the hiring pool. HR Director Debra Hilton is working with other colleagues to consider options and techniques to make us more successful in building a diverse workforce. Currently, the city advertises on the international city managers website. When looking at upper level positions, the city went through a recruitment process for a new city planner. This process garnered little diversity amongst candidates. The city is not seeing a lot of young folks wanting to go into local government work. We are very aware of the issue and are looking for ways to improve this capability.

Garner: The library is fortunate to have diversity amongst its employees. The applicant pool was well rounded.

Motley: The rec center has a diverse part time staff.

Sittig: How would the NLPD feel about a community review board? What other oversight is currently going on?

Landsgard: The city is currently exploring the use of a community review process. Use of force complaints is a lengthy process and reviewed by multiple officers. All complaints are investigated. Everything is recorded now. Most complaints are third party and they receive approx. a dozen per year. The NLPD is big on community policing. Unfortunately, this translates into inquiries as to why the police are in "the neighborhood". Many times, its officers are out speaking with kids, shooting hoops, buying lemonade, etc. and not working with any criminal element.

Heiar: The use of force review process also includes the city administrator and the city attorney.

Wells: Are the reviews available to the public?

Heiar: The reviews are not on the website. The police chief is required to file the use of force reviews to the feds. The information will likely be included with the new data sets that will be distributed to council. We will continue to discuss these items to determine our ability to make them available to ensure transparency.



Landsgard: Certain components of the review need to remain confidential due to criminal investigations. That could be one stumbling block to making them public knowledge.

Wells: I believe it's worth discussing the idea of an outside community members playing a role in this process.

Heiar: Absolutely, this can be considered as we move forward with these conversations.

Cory: I like the idea of certain citizens playing a role on review boards. This would provide another opportunity for citizen input and it makes sense that it is considered before our system grows too large. Having citizens involved can grow the trust factor.

Wells: I'm struck by the lack of diversity on this listening post Zoom meeting. This is not a critique, but why is that that and how can we overcome it. What are strategic ways we can garner input? How do we make this more comfortable and safer for the black voices in the community? We must find ways to increase the trust level and seek out black voices to help promote these events.

Haywood: I was given this information from RaQuishia Harrington. Otherwise, I would not have known about today's meeting.

Wells: It's important to include black leaders in these events. They have an impact on black communities and it's important that we hear from them.

Garner: It's important that we get them involved, but we can't place all of the burden on them. Many of them are tired as they work tirelessly in these areas. How can we use our white privilege voices? Jennie spoke about a time in which her son was pulled over for having black kids in his car.

Weber: Totally agree. Putting a lot of this on the few black leaders that we have in the community is a load, and more than one can carry. We need to get their voices here, maybe we can ask them to help in small ways.

Pollock: Legally only two council members can attend these sessions and that is why RaQuishia is not here today. All the council members want to be included in this process, so they have to restrict their presence in a sense. Just a clarification.

Garner: Asked A. Haywood how we can reach out to those that need to be asked?

Haywood: Because I have only been here a year, not really sure. Suggest that someone of color reaches out to black families to get their voices involved.

Cory: It's important as white people to do our own work. As we create programming, as we prepare to have solid relationships with those of color within these events, we are placing more emotional burden on our black friends. We need to remember that this might not be easy for some.

Wells: We could still invite some leadership...

Sittig: There are experts that can assist with this. The city should consider using funds and resources to hire someone or a group to help do this the correct way.

Garner: I know someone that could assist with this...

Sittig: Maybe a group that could come in to consider existing policies. The city currently has policies and systems in place that are racist. The city should consider investing in a resource that could assist with changing this.

Garner: Has friends of color that have left this community because of how they were treated.

Meeting concluded at 0906 hrs.

brp

Listening Post Notes: August 9, 2020, 6:30pm

Mayor Terry Donahue and Nicke Bergus opened up the meeting, welcoming all and proceeding through introductions. Turnout for this zoom post was quite large in my opinion with around 20 plus participants.

Discussion started with inclusiveness and providing a safe place for children. The Community Center/Library is asked to look at providing various options for individuals to use the facility. Discussion continued around membership passes may not be affordable for most. Providing free designated times of use, offer financial aid, etc...

Shelly Simpson, Recreation Director did mention that financial aid is available in which families need to complete paperwork and majority offered to date for most applicants was either a membership for no cost or paying 15% of the actual cost. Membership prices are priced lower than our daily drop-in fee. Shelly also mentioned that we do offer "free" designated open gymnasium times. This offering may be impacted during the COVID19 pandemic as we may need to move some programming that was to be at school sites moved to the Community Center since school gyms are not an option. It was mentioned that paperwork/extra steps could be a road block for some. We will work on how to better distribute this information and ease of steps to accomplish application process.

One individual mentioned to the group that North Liberty needs to be innovators specific to North Liberty. Processes elsewhere may or may not work for citizens of North Liberty, so really think outside the box, listen to the community and be innovative in all aspects of life, housing, programming, facilities and communication.

Comment was made that affordable housing is often looked at as bringing trouble, this is not true it brings in diversity. People need to rethink, look at the positives that diversity brings to a community.

Discussion also evolved around SRO's at the Community Center. Comment was made that it should not be police officers, but individuals who can relate to others and communicate to many languages. Shelly Simpson mentioned that we utilize UAY partners which has been a great asset. Emily from the Library echoed this partnership as well. In thinking about this after the listening post – I like the idea of an "Engagement Personnel Role" and will share additional thoughts.

Listening post went the entire hour and conversation continues on how to get individuals of different backgrounds represented more on city staff, on boards, in high profile positions, in programming, etc...

We need to continue to listen, communicate and engage with the diverse populations of the community. Every minute of every day, these listening posts have been a great start.

Notes taken by Shelly Simpson.

**Listening Post Notes**  
**City of North Liberty**  
**Ranshaw House Lawn**  
**8/6/2020**  
**11:30 a.m.**

Councilors in attendance: Chris Hoffman and Brent Smith

Staff in attendance: Nick Bergus, Emily Tabor, Kayla Hodgson , Ryan Heiar, Deb Hilton, Shelly Simpson, PD, Creighton, Grant Leintz, Guy Goldsmith, Jillian Miller (notetaker)

Residents in attendance: Lori Chasse, Ellie Heiar, Josh Casey, Summer, Quincy and Zion Jagnow, and Andrew Brown.

Media: Chris Umscheid (North Liberty Leader)

Nick welcomed everyone in attendance and opened the floor for sharing.

Brent thanked the Jagnows for attending another listening post event and shared his takeaways from the Jagnows' stories and the listening post events thus far.

Shelly asked how we can view our differences as positives instead of negatives. She reflected on an experience Quincy had shared in at an earlier listening post and challenged herself on how she would have reacted and how the situation could have been handled differently.

Emily shared that she is married to a black man and immigrant. They share three children. She acknowledged that she still has racial bias and that it is important to recognize it so changes can happen.

Chris Hoffman pointed out that although a majority of the attendees at these listening posts – including this one – are white, people are now making the time to prioritize these discussions and that gives him optimism. He is personally prioritizing reading, researching, listening, and learning more about people of all backgrounds experiences in our community.

Brent brought along the book *So You Want to Talk About Race*. A copy was donated to each councilor by a resident and they will also be available at the library for checkout. Emily added that everyone is welcome to checkout resources from the library to educate themselves on these topics.

Grant said that he is frustrated that people say we have to wait for the next generation to make a change and that no one should have to wait that long. He also reflected that he has become more educated and passionate about feminist issues since becoming a father to a daughter - and wishes he hadn't needed that push.

Lori shared that we need to equip people with the language to push back on others who make racist remarks and so conversations can be productive instead of tense or awkward.

Josh Casey said that new neighborhood builds put the garage before the front door, giving the sense of isolation and less community. He thanked the library for having resources and creating a more inclusive space. He asked for more opportunities like the listening post and challenged our community to have these events at times and places that allow for the voices that can't be here to share - those are the voices and stories we need to hear.

Brent asked what better looks like in North Liberty

- Quincy watches his brothers and wants to feel comfortable sending them outside to play without him.
- Summer said one of her sons can't have these conversations calmly. He is higher energy and she wonders how she can have the community know her son so she can trust that he can be safe in an altercation.
- Jillian would like to see diversity of residents in all neighborhoods.
- Summer added that she would like to see more diversity of teachers in schools. Studies have shown that black children are more likely to graduate high school if they have had teacher that is a person of color.
- Emily agreed that all three of her children have yet to have a teacher or daycare teacher of color.
- Emily asks for a zero tolerance from the city when it comes to any act of discrimination and she challenges our schools to do the same. She referenced the racist banner that was hung on the Forevergreen bridge. She thought removing it quickly was great but would have appreciated an announcement from the city condemning it.
- Mr. Brown asked how parents to consider how they talk to their children about events they see on the news. He also asked for more diversity in government leaders. He shared frustration of the media sharing negative stories of people of color rather than the good people of color do in the community. He doesn't feel like much has changed since he was younger (now 77 years old) and that our community should not accept that the youth of color today are facing the same discrimination he did growing up.

- Josh said we need to teach people to talk to each other instead of calling the police. Asked if businesses can hold open houses to have these conversations.

Brent asked what makes these conversations different than the conversations up until now. Quincy said that he is noticing white people value the conversation now and doing research and having conversations with friends, family and on social media. He stressed the importance of letting the black voices in every network you're in know that their voice is valued.

Mr. Brown shared examples of experiences that he has had

- Would never shop with a backpack because he feels he would be accused of shoplifting.
- Doesn't feel he can fold his walking cain, because people assume he is carrying a weapon.
- Notices officers unlatching their gun holsters when speaking with him.
- He has to double think helping others – especially white women – in fear of being accused or misunderstood
- And more.

Brown said white people can be part of the solution or part of the problem. We will either swim together or sink together. He also called for a change in curriculum in schools to educate on the black experience and history and credit people of color fairly for their contributions to society.

Josh asks how to amplify the voices of Mr. Brown and Quincy. Nick shared that the communications department is working on a stories plan.

Nick thanked everyone for coming. The gathering ended at 12:45 p.m.

**Listening Post Notes**  
**City of North Liberty**  
**08.3.2020, 6:30pm**

Councilors in attendance: RaQuishia Harrington and Bryan Wayson

City staff in attendance: Ryan Heiar, Nick Bergus, Ryan Rusnak, Mitch Seymore and Brian Motley.

Nick Bergus welcomed attendees and asked for Councils Harrington and Wayson and City staff to introduce themselves.

Nick Bergus then went through the attendees and allowed them to introduce themselves.

Angelica stated that she is Latino and Latino people should not be excluded from the discussion and they are also victims of police brutality.

She shared that she always carries a passport for her and her daughter.

She shared that growing up, she tried to assimilate with white people, but was often subject to racist comments.

She questioned why there was not more information on the City's website or in social media celebrating Latino culture, such as Latino Heritage Month.

She stated that Latino people should be addressed as Latino and not as "other groups of people".

Angelica advocated for increased awareness and for people to come forward and speak.

Nick Bergus asked if there is anything to help North Liberty feel more inclusive.

Debbie Bennett stated she introduced herself as Principal of Garner Elementary. She stated that she lives in Iowa City and is newer from the area having grown up in Chicago. She wanted to know more about the culture and climate in North Liberty.

RaQuishia Harrington stated that North Liberty is predominately white. Black kids are sent out into this society and come home broken down. They have to build them back up.

Debbie Bennett stated that she was the only person of color at Garner Elementary, but they have more diversity in staff currently.

Carryn Anderson introduced herself as a North Liberty resident and asked about redlining and certain infrastructure that perpetuates this.

Ryan Heiar discussed how zoning can play into this because it separates uses and can require larger, homogenous lots.

RaQuishia Harrington stated that inclusionary practices should be part of the development process.

Erek Sittig stated that Iowa City requires developers to pay into an affordable housing fund. He questioned the requirement to focus on design elements, which can increase the cost of housing.

He stated that he participated in Iowa City's Community Policing Review Board and wondered if it could be implemented here.

Ryan Heiar discussed the NAACP now serving as an independent reviews of complaints to the North Liberty Police Department.

Erek Sittig also stated that the City needs to reach further to increase diversity among City staff.

Debbie Bennett stated that diversity brings diversity. She stated that having diversity among staff members is more powerful than training.

John introduced himself as a North Liberty resident and stated that gated communities send the wrong message that we want to exclude certain people from the development.

There was discussion regarding compiling a list of minority owned business so people can support them.

Andrew Shram introduced himself as a North Liberty resident. He stated that when he was growing up, there was a proposed rent assisted development being proposed near his house. He said some neighbors immediately put up for sale signs and moved out of the area. He said the development had no effect on property values and it was just a myth.

The meeting concluded at approximately 6:30 PM.



**Listening Post Notes**  
**City of North Liberty**  
**7.29.2020, 11:30am**

Councilors in attendance: Brent Smith and RaQuishia Harrington

City staff from Police, Library and Recreation Departments were also present as well as residents.

Councilor Smith welcomed attendees.

Eva Anderson introduced herself as North Liberty resident and as a listening citizen.

Multiple attendees thanked the Council for starting these conversations during the hour event.

Becky Keogh, NL resident, commented that she wanted to remind the City Councilors that Harrington does not speak for or represent all people of color and that she represents everyone in North Liberty. She also mentioned purchasing a copy of the book titled *So You Want to Talk About Race* (Ijeoma Oluo) for all Councilors. Administrator Heiar mentioned the gift law and that he would need to check with the city attorney about Councilors accepting the books. Keogh mentioned she could donate the books to the library for Councilors to check out. Library Director Garner said that would be an option. Garner further stated that the library's eBook vendor has provided access to several social and racial equity titles for multiuse checkout and those are available to library cardholders from the website.

Kelly Sittig, NL resident had three points to share:

1. She appreciates city leaders starting the conversation
2. Stated that the police department data for North Liberty shared at the City Council meeting on July 28 acknowledged that disparities are in line with the national statistics but that should not make it okay. She said police are arresting, pulling over, and searching people of color at a higher rate and we can do better.
3. She also stated that the issue of racism is broader than the police department (systemic) and the conversation should go beyond the police. It's an issue for everyone and we all benefit if we address racism in our city.

Councilor Harrington stated that racism infiltrates all of our systems and we should not be complacent with that as the norm but our city should be a place that won't tolerate discrimination.

Summer Jagnow, North Liberty resident, said she felt the city leaders had their hearts in the right place but they didn't seem sure of next steps. She mentioned that her son, Quincy, noted that there are certain areas in North Liberty where more people of color live that are policed more heavily and that it was explained to him that it was due to requests by property management

(specified Penn Oaks). She felt that this appears as harassment far before an arrest or police interaction.

Her questions:

- How do we get to where POC can have the same treatment or do normal activities without constantly being stopped?
- How do you get police to stop seeing “black people living” as suspicious?

Quincy Jagnow, NL resident, noted that the police need to show up when they are called but would like to know what can be done to stop over-policing of black people. He said it seems police are often present “just to be there”.

Summer Jagnow said that she had positive interactions with police at Summer Lunch program but other interactions were because her son was being stopped for things and at one point an officer stated that he didn’t know what had happened in a particular interaction but called her son, Quincy, a liar. She said she told the officer that if he didn’t know what happened, how could he call her son a liar. She said the officer apologized to Quincy.

She stated that if the police dept receives complaints that appear their actions were racially motivated they seem to discount those or aren’t receptive. She mentioned interaction with police when she was on a date and said these interactions make her feel less safe or welcome in the community. “I don’t get harassed when I’m not with black people.”

Smith stated that he doesn’t have the same perspective as a white person. He further mentioned that the police department has a community policing model and outreach programming but that it’s also important to hear these stories and experiences from residents.

Officer Juan Santiago stated that as an officer he spends time in those communities and likes to establish rapport. He stated that it’s important to him that the community see that the police are out trying to work with residents.

Harrington stated that there are other systemic issues involved such as the majority of people of color residing in specific areas in the community. Young people in the community have negative encounters with police so we need to change the narrative. She stated that encounters with police should be positive and there are ways to improve those relationships.

Smith asked Quincy Jagnow the question “what does better look like to you and your friends?”

Quincy Jagnow responded that not all of his encounters with police have been completely negative. He said that if he (and his friends) knew the officers better it would be a comfort.

Sittig asked for city staff to share with the culture is in different departments. Heiar spoke about some of the training components the city staff have been involved in such as the Implicit Bias training. Garner mentioned library staff training with United Action for Youth (UAY), discussed equity training and trauma informed training. She also mentioned the reentry program that the Community Center staff has in place with UAY to help ensure kids who are expelled from the building have an opportunity to come back to use the facility.

Anderson stated that she was impressed with the Peaceful Rally held at Penn Meadows Park earlier this year and as a staff person of Grace Community Church she asked how the faith community could get involved to make things better here. She mentioned that there have been conversations about racial reconciliation at the church and in the faith community.

Listening Post #3 in person--- Community Pantry West Lawn

8/1/2020 Council Members Harrington and Pollock- Notes from the discussion/conversations

New Media Jillian Brooks- Iowa news now (recording) Arron Hosteler- KCRG. Community thoughts and working on these issues together. (Recording)

Counselor RaQuishia Harrington- kick off and thanks for being here. Safe space, open dialogue, things you are seeing, weighing on your heart,

- I talked to some kids and want to share what they want...
  - One of the ladies said there are always police in their neighborhoods, they do not know if they are good or bad officers but they are in her neighborhoods. She is a sophomore this year, sees them when she is sitting at home or when she gets off work. There is a lot of kids but to always see the police are patrolling but not having any interaction but just there and watching to see if they are doing anything wrong. She is not mad the police are there, she wished the police would do more with them, in their neighborhood and by their home. As you are patrolling get to know my name as well since you are in my neighborhood.
- Sometimes the apartments are asking for police to patrol that area more frequently but it does not have a great reputation about that area and more crime in that area or a need for police to be there. We do not have police officers for security guards, they are for law enforcement, because they have no choice to live in certain areas, it costs a lot to live here, if that is where I am staying to get on my feet, I need to be there. RaQuishia will continue to have these conversations every Thursday at 6:30 with the kids.
- Police Officers are at the school and make them feel unsafe and makes them feel that their police officers are unsafe. We do not have SRO's here, and seeing police at the schools all of the time makes them feel uneasy, cannot concentrate and starts their day off wrong.
- Why can we not get more people of color to participate? People are asked to tell their experience and story and they share the trauma and what is the follow up, my situations is worse and it backfires on them if they share. Safeguarded individuals and they would rather say nothing, they can talk amongst their peers, but risk a lot of things they need to survive if they share their stories.
  - We should have gone to where they are.... sometimes they just don't want to talk about it, people are not trusting of the systems that are here. For years there have been bad things. We have tried it and it did not work, the second time it worked and for a time, being in time for safe space to talk to kids at 6:30pm and trusted the adults that are there. The more we have conversations the more they will come and be a part of this.
- I have family members that have chosen to be in law enforcement, to talk about your experiences. We want our law enforcement to feel safe, if they are safe then Mr. Brown will be safe. We want to lead our community in North Liberty.
- A kid had a picture at the school and they put the N work on his lip, at Liberty, the kids did not like how it was handled, it is not the stuff we need to talk about, we need to make sure we have the safe space, and wanted follow up and have all of the kids talk about how this impacts the student of color. Only the black kids got to comment and no conversation together with

the white kids. This should have been a chance to bring awareness to the parents knew this happened, I would bet several still do not know about it. So, administrators are coming together for a cultural competency and diversity inclusion and have teachers and students they trust and want to have that conversation. As a school district they are changing the curriculum and put that ownership back on the parents. Because of this, my child is no longer in the ICCSD and he moved to live with another family member to be in a different school district.

- Acknowledge these are happening and talk to kids about race, systemically, to people of color, The rainbow coalition of her kid's friends and a diverse group. Things are happening and police are happening like be careful who you hang with. We are all teaching them for the same values, hurts her because we have these conversations and we want them to grow up and be successful and live their lives or see the images and play out and shot and killed by law enforcement or mistreated in a store, just be a kid and exist because that is stripped away from them. We have these conversations all of the time.
- Conversations with 14 and 15 years old about the police and playing heavy on their mental health. Go into school and preform and have all of these things happening in my life. I wish they could come and want us to really listen to our people, young people of color and in the walls of our schools and never gets addressed.
- Need to recognize race is a way to have these conversations for white people to say they do not have to see race, but that is not true, reality shows you something different. If your family is uncomfortable then they are not teaching them history, the schools are not doing it right way or what America did to people of color.
- This is my reality; I look at these kids and that at any moment that could be them the Quincy or Zia.
- This is just a start, meeting this organically and working on this, governing bodies, we have to be transparent, we cannot longer be in our silos.
- We do not have to have bad law enforcement and we can do more.

Diane Venenga- note taker

- Come out and ride along see what types of calls the officers are responding too. One neighborhood we want you here talking to the kids, the next they do not. Handing out stickers, not to my kids. We have to be careful for getting complaints on both sides of the coin.

Annie Pollock Here to listen and share stories

- Getting the qualitative information and getting information, we have the quantitative numbers.
- Delicate balance that we want the police there, but we do not and then how they are perceiving when you approach them.
- August 11<sup>th</sup>, we will continue to have more of this conversation at our council meeting. We want to make this community a proud place to live and work.

Andrew Brown- NL for almost 10 years.

- Would like to see if possible is a community relationship board who interact with the police dept. and can get that information back out to the community. He had that where he lived before.

- You have an in road into the community and did not feel comfortable or get part of the service they could get you services. We were able to go with them interact with the school and the police department when something was damaged. With the police department, they had the kids pay restitution back, and teach them they could not go around the community doing these things and causing damage. We were appointed by the mayor, because he had someone there and a police chief, mayor, community members. They knew the family and would stop by and see you in the yard. If I can help can I do anything.
- I live on Molly Drive. 3 or 4 police dept cars showed up but no one stopped to say hello, they do not care to know you. I do not feel safe walking around the neighborhood, I get a look until I extend my cane out, that is a bad way in the community. If he wants me to help him, he is suspicious, he does not look like me. We have to work together. If I do not feel safe and see you hurt, do I help you, it happened some time and the officer thought I was robbing her, not a way to live and do not feel safe to help others. But I am sure every black person feels that way, in my neighborhood I have to drop my cane, cannot be sure I am walking away in one piece,
- You do not have the privilege of a white family, but you need to come back home safe. No white family has to have that talk with their kids, there is no way for black families to live coast to coast in this nation. What are you supposed to do if you are person of color and you do not feel safe in your own house? We also cannot paint all police officers with the same brush, I am 77 some years old. (later correction of 74)
- This should not be on the people who live there and but should be on the police to respond. It would be a way to establish a relationship, so if there is an emergency it would help solve crimes.
- Be careful what you say to your kids and the little boy repeated back to me. The neighbor called him the “n” word. She was embarrassed.
- You should not be treating him or her like that. You can tell by his phone number when he lives in town. A Guy is 6’4 240 and going on with Floyd and that does not affect you over a bogus 20 bill and for 20 years and that man had to lose his life over it. We do not have that luxury that a white person has. In the back of my head. I am fighting this because I know how I was treated. Do not let your guard down, and anywhere in my community I have to watch what is happening to me. Like walking in somebody else’s shoes. Will this young man still have to go through (referring to Quincy) what I have been going through at 77 years age and what he can add to this town? I have to be 20 or 30 times better than any white person in town. I have experienced the same and what do white people need to learn that we are not dangerous. Look at Labron or Kaepernick. All of the president had slaves, but you want to hold them high. You have to know how history and young men still have to raise in this society. I have lived with this for all my life. I am praying to god that I am excited to live and walk around like Kelly. Is he expressing himself or is his complaining, I wear this t-shirt because of what they have contributed to this society, they bettered our lives? To start a conversation (President Obama and MLK)
- An officer comes up to me with his hand on his gun, but does not do that to a white person, what is he or she thinking of me, can I be an asset or are they suspicious of me.
- Take the good image and make racist jokes, smiling in their face of a racial joke and you are laughing at me, We are all the same and all bleed red, and God’s children, and you do not take the time to know me, get tired of why it does not change.
- As a kid they want to play with another kid to play with, whites will have to change this in society.

- Floyd how does it bother you? you have to tell that to your son or daughter but you want me to respect me and you do not respect me. I look in my side mirror and you are unlatching your gun and tell me and will shoot me in the car. The bullet just missed her, and how am I supposed to feel comfortable. That uniform gives him that protection to tell me but he lives in this community, they know how they will feel to see about it and we go to the council meeting to lay out our grievances. I been round her a long time, up and down and how long do people of color have to wait to be treated and it is coming yes, all lives matter, you have not taken the time know Quincy. I have not seen that much change. They have more interest with white people and what are you doing to help Quincy? He is going to have a family and what image will be in his head? He is in a white neighborhood and cannot walk back home because he is in a white head. I saw a policeman sitting in the ball park, I had my cane just to see where I was going. Now I pick certain areas of where or what neighbor I go through. I am on Cherry Street there is a black man walking in my neighborhood and why am I suspicious because I want to extend my walking area. What is your name, and every day is a traffic stop that none of this has changed to you, wait your turn, white people need to put some skin in the game? Why are you treating her different than you are treating me? What if I am going to lose my friend? When he wants to leave, he has to go home to his family, for support for a person of color, feel they have their back 1000% do they ask him how he feels and people are passing buy and looking at him. He is not like that, and accuse him, of racial profiling, there is not one person that is going to back them up. Go back and close and has anything changed, I am wondering what will change in this community. Will they take this seriously? Same thing will be facing him 30 years and tomorrow and what type of treatment he will face tomorrow. Take 1 second longer to turn on a red light and will be stopped. He did not know how many Mississippi's to make a stop or take his backpack in the store. Should not have that burden on him for everything he does and say.
- Reach out to a person of color and reach out to them. And they want to hear what you want to say. Have to know your concern. You have a person of color on counsel, but RaQuishia is not the spokesperson for all black people.

Kelly Sittig- resident almost 20 years

Heather Weber for 10 years. Police Chaplain with ICPD, local pastor, substitute teacher

- ICPD is tracking the number of positive contacts with ICPD and lots of opportunity, driving by and visible impact. She sees it first-hand.
- I also feel anxiety when I see a police officer and I am not doing anything wrong, but that can diffuse tension and fear. She sees the stuff happening in the school and she teaches at liberty. One example, I have a 15 year old and another student of color, probably had ADHD and being corrected in harsh ways, it was the teacher, aids, and I saw that narrative play out for this one kids of color with other kids of similar behavior but our biases created these expectations and being a self perpetually cycle.
- My question is there is a real lack of diversity, how do we get more people of color, do you have any ideas of how we can feel more like a safe space. RaQuishia will answer.

Dani Kobeckie- 10 years, here because she is a neighbor of Kelly

Creighton Regenwether been with NLPD since 2007

- I do not know any law enforcement officer that thinks the killing of George Floyd was justified.
- We are doing better and this is a great place to work.
- He told a story that responding to a child not breathing and the family of color, the dad was so nervous and wanted the police officer to leave his apartment when his son was not breathing. Tried to persuade the dad we are not there for him. The officers left. Some want us there and some do not. How are we to know unless they say. This was not a law enforcement issue, so we left we let the ambulance handle it. Breaks my heart, I have kids.

Shelly Streb Alberts. Since 2203. Originally from IC. Kids in the school district

- I am here to do better. The people of color around me are different but from Cambodia, Vietnam and Laos. As a white person I am stuck, where else can we go and what else can we do? What can I do to educate myself, handle myself better, and was walking showing my purse that I was not afraid, do not see yourself as the great white savior? Having these conversations is a great start. A lot of people are open and they do not have power over the banks, schools, what are your resources at school that you can go where you are being heard?

Becky Keogh

- Does the library host book clubs and can they host a book club around racism? Jenny, we have it coming this fall. We also did body and embrace celebrating black hair, and to teach ally work for people and use our privilege in our situation
- A lot of those calls are from NL residents and, white people we have a problem, we need to comfort and call each other in and first time we have had these conversations, so much education out there to help what we have seen. One person of color is their tutor and so many free webinars, have those conversations and I know this is wrong but where do we start? How do we make it sustainable; I have spoken to people of color and I have some hope right now, can we keep it going? I appreciate these.

Quincy Jagnow

- Getting connected with the police dept. most of them have not been positive, but you have to do what you have to do. The rest treated or why the police are being called on me. When I see police officer, I put my wall up. I have to stop and I do not want to be, I think that would be cool to have that happen and the police to roll up and say how are you doing? No white family has to say be careful. I cannot mow my lawn and I go inside.
- They do not see enough change that their community will be any different. Starts with integrity and we have to stand up and say that this stuff is happening.
- Conscious of the image painted about me in the media, I am not painted well in the media. I am seeing how I am made out to be a bad guy, be conscious of this in your music, seeing on the tv. Be a person of support like a cool teacher, being conscious of what she says and how she acts. That is how it should start and we all rise up at the same time. Adrenalin, heightened awareness and stereotype for placing an officer in fear, education on race anxiety, implicit bias, stereotypes, when I am in a position to disprove the negative the perception, I get anxiety that



that stereotype exist and I perform worse on the test. I prove the perception from my anxiety. on how the media portrays me. That is where we can rise up.

- Resources at school. I am not seeing that. There are some people that care, like Ms. Weber.

Nick Bergus

- Contact information, reach out and his cell number is public. Not one phone call. Call Nick.

Jennie Gardner Library. 30-year resident and library. Motion forward and progression

- He has been in trouble; he is now in his 20s. He married a black woman. His experience, if he is with his black friends it is different feeling and not a problem with police when he is by himself. Followed by security at Walmart and does not happen when he is by himself. Communities across the board have some work to do.

Zai Harrington. Junior HS, wants to just be here.

Ended at 12:20pm.



# **Nuisances Enumerated**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 50 OF THE NORTH LIBERTY  
CODE OF ORDINANCES TO INCLUDE OBSTRUCTION OF PUBLIC  
EASEMENTS AS AN ENUMERATED NUISANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, DWA :

SECTION 1. AMENDMENT OF NUISANCE ORDINANCE. Chapter 50.02 of the North Liberty  
Code of Ordinances (2020 ) is amended as follows:

50.02 NUISANCES ENUMERATED .

The following subsections include, but do not limit, the conditions which are  
deemed to be nuisances in the City:

(Code of Dwa, Sec. 657.2)

1. Offensive Smells. Erecting, continuing or using any building or other place for the exercise of any trade, employment or manufacture, which, by occasioning noxious exhalations, unreasonably offensive smells, or other annoyances, becomes injurious and dangerous to the health, comfort or property of individuals or the public.
2. Filth or Noisome Substance. Causing or suffering any offal, filth, or noisome substance to be collected or to remain in any place to the prejudice of others.
3. Impeding Passage of Navigable River. Obstructing or impeding without legal authority the passage of any navigable river, harbor, or collection of water.
4. Water Pollution. Computing or rendering unwholesome or impure the water of any river, stream, or pond, or unlawfully diverting the same from its natural course or state, to the injury or prejudice of others.
5. Blocking Public and Private Ways. Obstructing or encumbering, by fences, buildings or otherwise, the public roads, private ways, streets, alleys, commons, landing places, or burying grounds.
6. Billboards. Billboards, signboards and advertising signs, whether erected and constructed on public or private property, which so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard or alley or of a railroad or street railway track as to render dangerous the use thereof. (See also Section [62.05](#))
7. Storing of Flammable Junk. Depositing or storing of flammable junk, such as old rags, rope, cordage, rubber, bones and paper, by dealers in such

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articles within the fire limits of the City, unless in a building of fireproof construction. (See also [Chapter 51](#))

8. Air Pollution. Emission of dense smoke, noxious fumes, or fly ash.
9. Weeds, Brush. Dense growth of all weeds, vines, brush, or other vegetation in the City so as to constitute a health, safety, or fire hazard.
10. Dutch Elm Disease. Trees infected with Dutch elm disease. (See also Chapter 151)
11. Airport Air Space. Any object or structure hereafter erected within one thousand (1,000) feet of the limits of any municipal or regularly established airport or landing place, which may endanger or obstruct aerial navigation including take-off and landing, unless such object or structure constitutes a proper use or enjoyment of the land on which the same is located.
12. Houses of Ill Fame. Houses of ill fame, kept for the purpose of prostitution and lewdness; gambling houses; places resorted to by persons participating in criminal gang activity prohibited by Chapter 723A of the Code of Iowa or places resorted to by persons using controlled substances, as defined in Section 124.101 of the Code of Iowa, in violation of law, or houses where drunkenness, quarreling, fighting or breaches of the peace are carried on or permitted to the disturbance of others.

~~13.~~ Blocking Public Easements. Obstructing or encumbrance by fences, buildings, plantings, or otherwise, any utility easement, sewer easement, drainage easement, access easement, or walkway easement, where such easement is dedicated for public use, and where such obstruction or encumbrance interferes with the City's rights in the easement.

**SECTION 2. REPEALER.** All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SCRIBENER'S ERROR.** The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee without further public hearing.

**SECTION 4. SEVERABILITY.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 5. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on \_\_\_\_\_, 2020 .  
Second reading on \_\_\_\_\_, 2020 .  
Third and final reading on \_\_\_\_\_, 2020 .

CITY OF NORTH LIBERTY :

\_\_\_\_\_  
TERRY L. DONAHUE, MAYOR

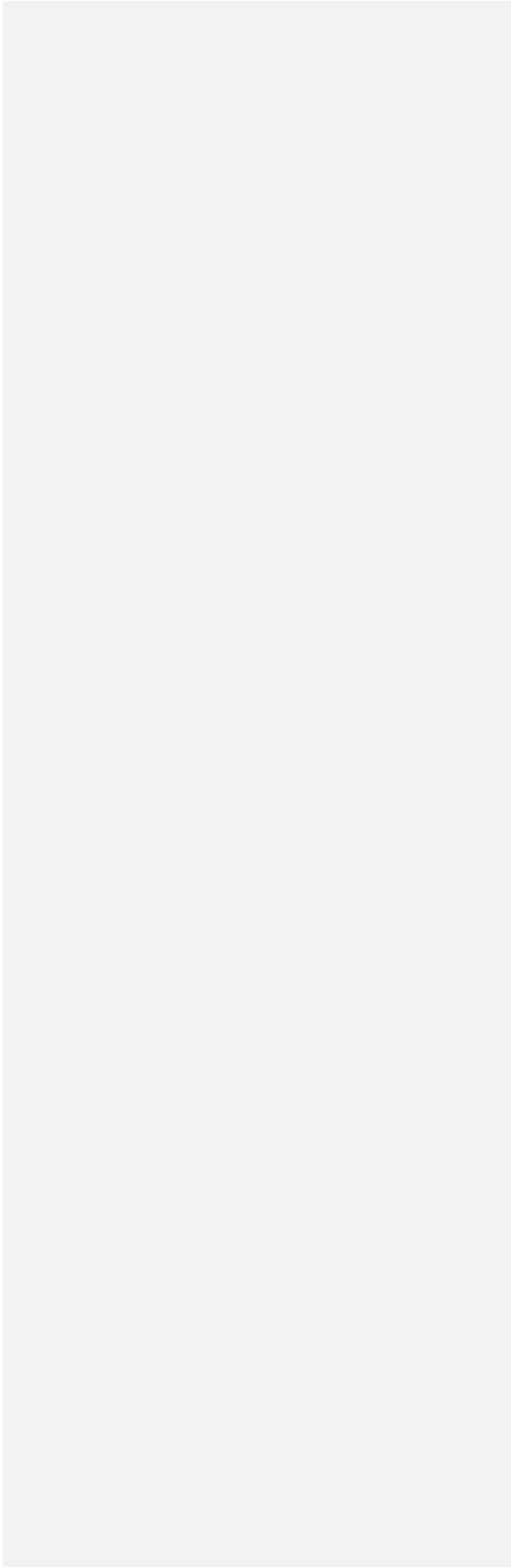
ATTEST :

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

\_\_\_\_\_  
TRACEY MULCAHEY, CITY CLERK

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ in the North Liberty Leader on the \_\_\_\_ day of \_\_\_\_\_, 2020 .

\_\_\_\_\_  
TRACEY MULCAHEY, CITY CLERK



**Ordinance No. 2020-11**

**AN ORDINANCE AMENDING CHAPTER 50 OF THE NORTH LIBERTY  
CODE OF ORDINANCES TO INCLUDE OBSTRUCTION OF PUBLIC  
EASEMENTS AS AN ENUMERATED NUISANCE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:**

**SECTION 1. AMENDMENT OF NUISANCE ORDINANCE.** Chapter 50.02 of the North Liberty Code of Ordinances (2020) is amended as follows:

**50.02 NUISANCES ENUMERATED.**

The following subsections include, but do not limit, the conditions which are deemed to be nuisances in the City:

(Code of Iowa, Sec. 657.2)

1. **Offensive Smells.** Erecting, continuing or using any building or other place for the exercise of any trade, employment or manufacture, which, by occasioning noxious exhalations, unreasonably offensive smells, or other annoyances, becomes injurious and dangerous to the health, comfort or property of individuals or the public.
2. **Filth or Noisome Substance.** Causing or suffering any offal, filth, or noisome substance to be collected or to remain in any place to the prejudice of others.
3. **Impeding Passage of Navigable River.** Obstructing or impeding without legal authority the passage of any navigable river, harbor, or collection of water.
4. **Water Pollution.** Corrupting or rendering unwholesome or impure the water of any river, stream, or pond, or unlawfully diverting the same from its natural course or state, to the injury or prejudice of others.
5. **Blocking Public and Private Ways.** Obstructing or encumbering, by fences, buildings or otherwise, the public roads, private ways, streets, alleys, commons, landing places, or burying grounds.
6. **Billboards.** Billboards, signboards and advertising signs, whether erected and constructed on public or private property, which so obstruct and impair the view of any portion or part of a public street, avenue, highway, boulevard or alley or of a railroad or street railway track as to render dangerous the use thereof. **(See also Section [62.05](#))**
7. **Storing of Flammable Junk.** Depositing or storing of flammable junk, such as old rags, rope, cordage, rubber, bones and paper, by dealers in such

articles within the fire limits of the City, unless in a building of fireproof construction. **(See also Chapter 51)**

8. Air Pollution. Emission of dense smoke, noxious fumes, or fly ash.
9. Weeds, Brush. Dense growth of all weeds, vines, brush, or other vegetation in the City so as to constitute a health, safety, or fire hazard.
10. Dutch Elm Disease. Trees infected with Dutch elm disease. **(See also Chapter 151)**
11. Airport Air Space. Any object or structure hereafter erected within one thousand (1,000) feet of the limits of any municipal or regularly established airport or landing place, which may endanger or obstruct aerial navigation including take-off and landing, unless such object or structure constitutes a proper use or enjoyment of the land on which the same is located.
12. Houses of Ill Fame. Houses of ill fame, kept for the purpose of prostitution and lewdness; gambling houses; places resorted to by persons participating in criminal gang activity prohibited by Chapter 723A of the *Code of Iowa* or places resorted to by persons using controlled substances, as defined in Section 124.101 of the *Code of Iowa*, in violation of law, or houses where drunkenness, quarreling, fighting or breaches of the peace are carried on or permitted to the disturbance of others.
13. Blocking Public Easements. Obstructing or encumbering by fences, buildings, plantings, or otherwise, any utility easement, sewer easement, drainage easement, access easement, or walkway easement, where such easement is dedicated for public use, and where such obstruction or encumbrance interferes with the City's rights in the easement.

**SECTION 2. REPEALER.** All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 3. SCRIVENER'S ERROR.** The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee without further public hearing.

**SECTION 4. SEVERABILITY.** If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 5. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on July 28, 2020.

Second reading on \_\_\_\_\_, 2020.

Third and final reading on \_\_\_\_\_, 2020.

CITY OF NORTH LIBERTY:

\_\_\_\_\_  
TERRY L. DONAHUE, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

\_\_\_\_\_  
TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. \_\_\_\_\_ in *The North Liberty Leader* on the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
TRACEY MULCAHEY, CITY CLERK





# **Ranshaw House Project, Phase 2**

**Ranshaw House Renovation Phase Two**  
**Final Cost Opinion**  
July 28, 2020

DESCRIPTION	QUANTITY	UNITS	UNIT COST	EXTENDED COST
1 Plaster repair	400	SF	\$6.00	\$2,400
2 Replacement of wall between two rooms upstairs	60	SF	\$15.00	\$900
3 Carpet removal throughout	1,110	SF	\$0.27	\$300
4 Paint all walls and ceilings	5,720	SF	\$1.60	\$9,152
5 Dampproof basement	700	SF	\$20.00	\$14,000
6 Excavation & backfill	150	CY	\$70.00	\$10,500
7 Drain tile	125	LF	\$60.00	\$7,500
8 Sump pump	1	EA	\$6,000.00	\$6,000
9 Clean electric outlet and light switches	3	EA	\$33.33	\$100
10 Replace lights on main level and second level, excluding period fixtures	11	EA	\$200.00	\$2,200
11 Side door; Seal and Security	1	LS	\$1,200.00	\$1,200
12 Remove damaged siding	1,800	SF	\$1.50	\$2,700
13 Replace damaged siding	1,800	SF	\$11.10	\$19,980
14 Paint siding	2,975	SF	\$4.00	\$11,900
15 Paint exterior trim, windows and doors	1	LS	\$8,400.00	\$8,400
16 Add gutter system to roof	80	LF	\$50.00	\$4,000
17 Repair wood front door and refurbish screen door	1	EA	\$2,500.00	\$2,500
18 Strip and reseal damaged interior trim	250	LF	\$7.20	\$1,800
19 Replace missing base, casing, door and doorway trim;_City will supply, contractor install	150	LF	\$8.00	\$1,200
20 Strip and reseal all floors	1,800	SF	\$7.00	\$12,600
21 Add LVP flooring at 2nd level restroom	102	SF	\$12.00	\$1,224
22 Strip and reseal treads of stairs	1	LS	\$2,000.00	\$2,000
23 Replace 2 balusters and repair panel of stair	1	LS	\$2,500.00	\$2,500
24 Replace windows	4	EA	\$1,500.00	\$6,000
25 Replace basement window and framing	7	EA	\$200.00	\$1,400
26 Finish interior side of existing replacement sashes	26	EA	\$80.00	\$2,080
27 Refinish, re-putty and repaint original sashes	14	EA	\$200.00	\$2,800
28 Replace front porch stair rail	8	LF	\$217.00	\$1,736
29 Construct exterior handicap accessible ramp	1	LS	\$32,000.00	\$32,000
30 Parking lot	1	LS	\$46,000.00	\$46,000
31 Sidewalk	155	SY	\$64.50	\$10,000
32 Grading & sitework	1	LS	\$18,000.00	\$18,000
33 Construction Staking	1	LS	\$4,000.00	\$4,000
34 Materials Testing	1	LS	\$3,000.00	\$3,000
35 Mobilization, Overhead & Profit	1	LS		\$49,000
36 Contingency (15%)	1	LS		\$42,600
			Subtotal Construction	\$343,672
			A/E Professional Services	\$48,800
			<b>Anticipated Project Cost</b>	<b>\$392,000</b>

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DESCRIPTION	QUANTITY	UNITS	UNIT COST	EXTENDED COST
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**Resolution No. 2020-64**

**RESOLUTION FINALLY APPROVING AND CONFIRMING PLANS, SPECIFICATIONS, AND ESTIMATE OF COST FOR THE RANSHAW HOUSE PROJECT, PHASE TWO**

**WHEREAS**, the City Council of the City of North Liberty, Iowa, has heretofore given preliminary approval to the plans, specifications, and estimate of cost (the "Contract Documents") for the proposed Ranshaw House Project, Phase Two (the "Project"), as described in the notice of hearing on the Contract Documents for the Project and the taking of bids therefor; and

**WHEREAS**, a hearing has been held on the Contract Documents on August 11, 2020;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of North Liberty, Iowa, as follows:

Section 1. The City Council hereby delegates to the City Clerk and/or the Project Engineer the duty of receiving bids for the Project until 10:00 o'clock a.m. on August 19, 2020 at the City Administration Building in the City. At such time and place the City Clerk and/or the Project Engineer open such bids received and announce the results thereof. The City Council will consider bids received at the City Council meeting to be held on August 25, 2020 at 6:30 p.m. via Zoom.us.

Section 2. The City Clerk is hereby authorized and directed to give notice of the hearing and taking of bids by publication as required by law, which publication shall be made not less than 4 and not more than 45 days prior to the date for receipt of bids and not less than 4 and not more than 20 days prior to the date of the said hearing. The said notice shall be in the form substantially as attached to this resolution.

Section 3. "Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the City declares (a) that it intends to undertake the Project, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the "Bonds"), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. The Contract Documents referred to in the preamble hereof are hereby finally approved, and the prior action of the City Council giving preliminary approval is hereby finally confirmed, and the Project, as provided for in the Contract Documents, is necessary and desirable.

Section 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**APPROVED AND ADOPTED** this 11th day of August, 2020.

**CITY OF NORTH LIBERTY:**

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TERRY L. DONAHUE, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

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TRACEY MULCAHEY, CITY CLERK



# **Assessment Resolution**

**Resolution No. 2020-65**

**RESOLUTION ASSESSING DELINQUENT AMOUNTS OWED  
TO THE CITY OF NORTH LIBERTY, IOWA TO INDIVIDUAL  
PROPERTY TAXES**

**WHEREAS**, the following individuals have not paid the amounts listed below which are due and payable to the City of North Liberty, Iowa as follows:

<u>Name</u>	<u>Property</u>	<u>Parcel</u>	<u>Amount</u>	<u>Description</u>
University Baptist Church	1310 Jordan St	0624133001	\$500.00	Weeds & Grass
James & Judy Nielsen	1885 Alderwood Rd	0706277007	\$200.00	Weeds & Grass
Old Capitol Builders, LLC	1865 Cypress Ridge	0706154004	\$100.00	Weeds & Grass
Eugenie Bwalya	1595 Deerfield Dr. W.	0602474004	\$50.00	Weeds & Grass
Matnic, LLC	200 Elm Ridge Dr	0612381003	\$100.00	Weeds & Grass
NLCD Lot 12 LC	755 Community Dr	0612308002	\$50.00	Weeds & Grass
ATM Ashraful Arefin	1880 Carroll Ct	0623180017	\$100.00	Weeds & Grass
Dianna Von Rabenau	225 W. Walnut St	0612491001	\$100.00	Weeds & Grass

**WHEREAS**, diligent effort has been made to collect said amount; and

**WHEREAS**, under the terms of the Municipal Code of North Liberty, Iowa, this amount is delinquent and should be certified pursuant to said Municipal Code.

**NOW, THEREFORE, BE IT RESOLVED THAT** that the City Clerk is hereby authorized and directed to certify to the Johnson County Treasurer the above and foregoing delinquent amount to the appropriate real property in North Liberty, Johnson County, Iowa, as hereinbefore described.

**APPROVED AND ADOPTED** this 11<sup>th</sup> day of August, 2020.

CITY OF NORTH LIBERTY:

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TERRY L. DONAHUE, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

---

TRACEY MULCAHEY, CITY CLERK





# **Additional Information**

To **Mayor and City Council**  
CC **City Administrator**  
From **Tom Palmer, Building Official**  
Date **8/5/2020**  
Re **Monthly Report**

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**July Permit Report:**

101 permits were issued in July with estimated construction value of 8 million dollars. Thirty-one new housing permits were issued with construction value of 5.7 million dollars. Staff completed 240 inspections during the month of June.

**Rental/Code Compliance Cases:**

Nine new rental permit applications received in July. A total of eighty-four code compliance cases were processed in July.

**Diamond Dreams and Contractor Bays Projects:**

Foundations and plumbing below floor slabs have been completed. Crew is on site installing pavement for parking and driveways. Structural steel material is onsite and the crew started installation of the building shell on August 5th.



## July 2020 Monthly Permit Report

Code	Permit Purpose	Permits	Construction Value	Permit Fees	Bldgs.	Units	Notes
1	New Single Family Dwelling	1	\$452,000.00	\$3,837.92	1	1	
2	New Single Family Dwelling Attached	16	\$3,328,886.00	\$35,703.53	8	16	
3	New Townhouse	14	\$2,056,150.00	\$27,708.53	3	14	
4	New Multi-Family Housing	0	\$0.00	\$0.00	0	0	
5	New Commercial	2	\$1,460,000.00	\$7,782.50	2	0	
6	New Industrial	0	\$0.00	\$0.00	0	0	
7	School	0	\$0.00	\$0.00			
8	Residential Alteration	12	\$71,509.40	\$1,479.64			
9	Residential Addition	6	\$95,475.00	\$1,466.45			
10	Commercial Alteration	0	\$0.00	\$0.00			
11	Commercial Addition	0	\$0.00	\$0.00			
12	Industrial Alteration	0	\$0.00	\$0.00			
13	Industrial Addition	0	\$0.00	\$0.00			
14	Other	50	\$602,722.00	\$7,601.50	0		
15	Public	0	\$0.00	\$0.00			
16	Manufactured Home	0	\$0.00	\$0.00			
	<b>Totals</b>	<b>101</b>	<b>\$8,066,742.40</b>	<b>\$85,580.07</b>	<b>14</b>	<b>31</b>	

SFD Attached are zero lot line units

Townhouse are 3 or more units with shared side walls and have a rear yard area



## Permit Summary Report Inspection Type

Completed Date 1/1/2020 TO 07/31/2020

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Row	Total
Inspection request	7	10	13	19	15	13	12	0	0	0	0	0	89	
Re-inspection	34	40	30	30	22	39	37	0	0	0	0	0	232	
1st SWPPP	1	1	13	9	4	4	9	0	0	0	0	0	41	
Above Suspended Ceiling	0	0	1	1	0	1	0	0	0	0	0	0	3	
Automatic Sprinkler System	1	2	1	0	5	1	0	0	0	0	0	0	10	
Automatic Sprinkler System - Preconcealment	0	6	0	0	0	0	0	0	0	0	0	0	6	
Backflow Preventer	0	2	0	0	0	0	0	0	0	0	0	0	2	
Building Sewer	0	0	1	0	0	0	0	0	0	0	0	0	1	
Commercial Final	0	1	0	0	0	0	0	0	0	0	0	0	1	
Commercial Rough-In	1	1	0	0	0	1	1	0	0	0	0	0	4	
Deck, Porch, Sunroom Footings	2	4	4	10	16	16	11	0	0	0	0	0	63	
Final	7	0	1	3	1	5	3	0	0	0	0	0	20	
Final (Alterations and additions)	2	3	1	2	6	7	7	0	0	0	0	0	28	
Fire Alarm Installation	7	0	1	0	0	2	0	0	0	0	0	0	10	
Fire Dept. Acceptance	2	2	1	0	7	0	1	0	0	0	0	0	13	
Footings/Slabs	1	0	11	8	5	10	16	0	0	0	0	0	51	
Foundation Dampproofing	1	0	6	6	6	1	8	0	0	0	0	0	28	
Foundation Wall	2	0	9	7	6	4	13	0	0	0	0	0	41	
Framing	0	0	1	0	0	0	0	0	0	0	0	0	1	
Gas service release	12	17	8	4	8	0	5	0	0	0	0	0	54	
Grading	0	0	1	22	3	9	4	0	0	0	0	0	39	
Kitchen Hood Suppression System Installation	0	0	0	1	0	1	0	0	0	0	0	0	2	
Manufactured Home	0	0	0	0	2	0	0	0	0	0	0	0	2	
Meeting	1	1	0	1	0	1	0	0	0	0	0	0	4	
Notice of Termination CSR	2	0	2	6	11	9	7	0	0	0	0	0	37	
NPDES Quarterly Erosion Control Inspection	0	4	18	0	0	26	0	0	0	0	0	0	48	
Other	23	67	6	2	0	0	2	0	0	0	0	0	100	
Permanent Electric Service Release	26	11	7	7	4	6	9	0	0	0	0	0	70	
Plumbing below slab	8	0	8	9	7	4	12	0	0	0	0	0	48	
Pool (residential)	0	0	0	0	0	1	0	0	0	0	0	0	1	
Rental	0	0	0	0	1	1	1	0	0	0	0	0	3	
Residential final (New Construction)	5	3	2	7	19	12	14	0	0	0	0	0	62	
Residential Photovoltaic (PV) Solar System	4	4	1	1	6	6	3	0	0	0	0	0	25	
Residential Rough-in (New Construction)	12	18	8	5	3	6	3	0	0	0	0	0	55	
Retail Sales of Fireworks	0	0	0	0	0	2	0	0	0	0	0	0	2	
Rough In (Alterations and additions)	4	2	3	3	3	6	4	0	0	0	0	0	25	
Rough-in	0	1	1	0	0	2	0	0	0	0	0	0	4	
Sewer & Water Service	2	1	12	9	6	2	16	0	0	0	0	0	48	
Sidewalk Release	2	0	8	5	9	7	11	0	0	0	0	0	42	
Sign location & footings	0	1	0	0	0	0	0	0	0	0	0	0	1	
Stormwater Quality-Grant Funding Inspection	0	0	0	2	3	0	1	0	0	0	0	0	6	
Sump Pump Discharge Line	4	0	3	4	6	2	12	0	0	0	0	0	31	
Temporary Electric Service	3	0	7	7	6	4	13	0	0	0	0	0	40	
Water Heater	5	1	0	0	0	0	0	0	0	0	0	0	6	
Witness air pressure test and piping inspection	13	22	5	3	7	5	5	0	0	0	0	0	60	
Zoning Department Acceptance	0	0	3	0	0	2	0	0	0	0	0	0	5	
<b>Totals:</b>	<b>194</b>	<b>225</b>	<b>197</b>	<b>193</b>	<b>197</b>	<b>218</b>	<b>240</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1464</b>	



## Certificate of Occupancy Monthly Report

Applicant	Parcel Address	Project Description	Date C.O. Issued
Graham Construction	550 N. Madison Avenue	HVAC Replacement and Interior Finishes Update	7/1/2020
Watts Group	1420 Franklin Street	New Single Family	7/17/2020
Robson Homes	1500 Franklin Street	New residential home	7/9/2020
LJ Roth Restoration	23 Heritage Drive	Fire restoration of condo unit	7/31/2020
Skogman Homes	1040 Grouse Court	new 1612 sq. ft. single family home	7/22/2020
Larry Meissner	950 Pheasant Lane	Adding new bedroom with closet in basement.	7/24/2020
Doug Lee Construction	1475 Franklin Street	New SFD with an attached garage	7/6/2020
Dahnovan Builders	1245 Ronald Way	New Zero lot with attached garage	7/7/2020
Dahnovan Builders	1247 Ronald Way	New Zero Lot with garage	7/29/2020
Watts Group	701 Brook Ridge Avenue	New Zero lot with attached garages	7/20/2020
Jamie Buresh-Jim Buresh Construction Co.	1390 Salm Drive	New SFD ranch style home with an attached 3-car garage	7/20/2020
Watts Group	1380 E. Tartan Drive	New SFD with attached three stall garage	7/8/2020
Evolution Properties Inc.	1320 Chipman Lane	New SFD with attached three stall garage	7/6/2020

# Code Compliance Report

07/01/2020 - 07/31/2020

Case Date	Case #	Status	Complaint	Reporting Code
7/1/2020	4161	Open	1. Failure to trim trees, shrubs, and bushes in accordance with Chapter 150 North Liberty Code of Ordinance, entitled Trees. Section 150.05(2) of the North Liberty Code of Ordinances reads: All trees, shrubs, and bushes, whether in the parking or on private property that overhang onto any sidewalk or trail of the City shall be trimmed to a minimum height of eight (8) feet immediately above such sidewalk or trail. Any trees, shrubs, and bushes, whether in the parking or on private property, lower than eight (8) feet shall be trimmed so as to be at least two (2) feet clear of any sidewalk or trail. All trees on private property shall be trimmed to a minimum height of sixteen (16) feet immediately above and at least two (2) feet clear of any public street, alley or roadway. The trimming under this subsection shall be the responsibility of the property owners, agents, or occupants of property adjoining any sidewalk or trail.	Nuisance
7/1/2020	4166	Open	1. Failure to trim trees, shrubs, and bushes in accordance with Chapter 150 North Liberty Code of Ordinance, entitled Trees. Section 150.05(2) of the North Liberty Code of Ordinances reads: All trees, shrubs, and bushes, whether in the parking or on private property that overhang onto any sidewalk or trail of the City shall be trimmed to a minimum height of eight (8) feet immediately above such sidewalk or trail. Any trees, shrubs, and bushes, whether in the parking or on private property, lower than eight (8) feet shall be trimmed so as to be at least two (2) feet clear of any sidewalk or trail. All trees on private property shall be trimmed to a minimum height of sixteen (16) feet immediately above and at least two (2) feet clear of any public street, alley or roadway. The trimming under this subsection shall be the responsibility of the property owners, agents, or occupants of property adjoining any sidewalk or trail.	Nuisance
7/6/2020	4179	Closed	have allowed the unit to be occupied by someone other than the owner without obtaining the required rental permit	Housing Code
7/6/2020	4180	Open	have allowed the unit to be occupied by someone other than the owner without obtaining the required rental permit	Housing Code
7/6/2020	4181	Closed	have allowed the unit to be occupied by someone other than the owner without obtaining the required rental permit	Housing Code

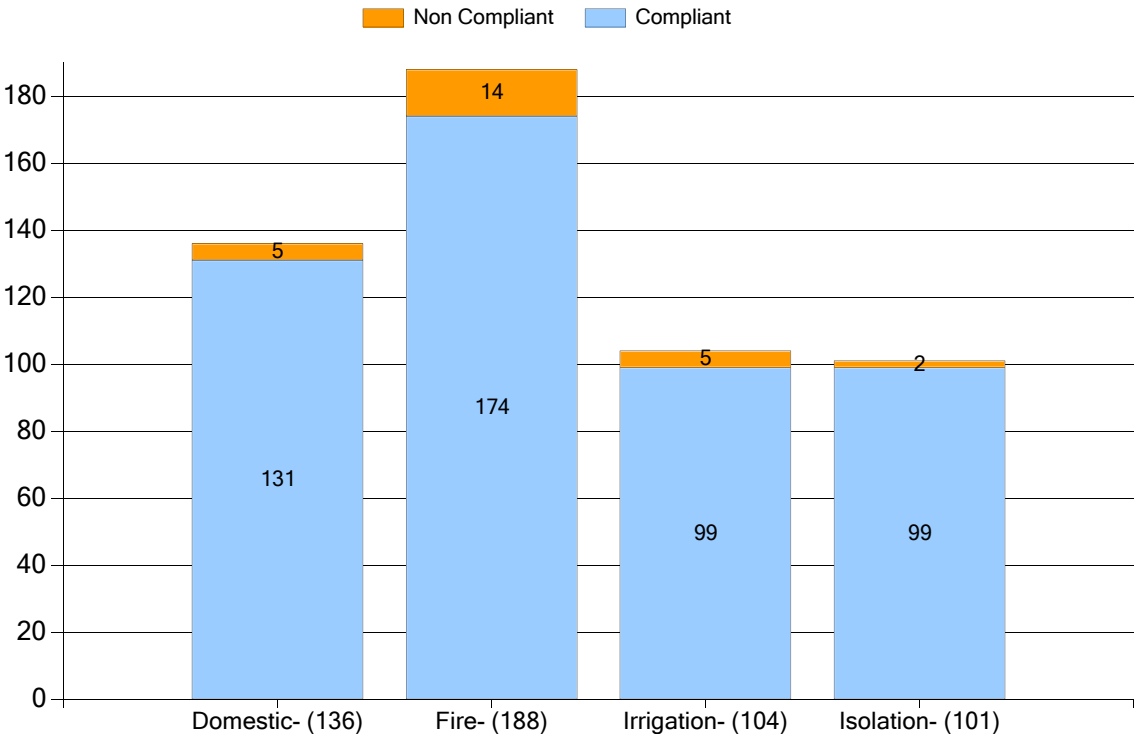
7/6/2020	4182	Closed	past due annual backflow preventer test report	City Code
7/6/2020	4183	Closed	past due annual backflow preventer test report	City Code
7/6/2020	4184	Open	past due annual backflow preventer test report	City Code
7/6/2020	4185	Closed	past due annual backflow preventer test report	City Code
7/6/2020	4186	Open	past due annual backflow preventer test report	City Code
7/6/2020	4187	Open	past due annual backflow preventer test report	City Code
7/6/2020	4188	Open	past due annual backflow preventer test report	City Code
7/6/2020	4189	Closed	past due annual backflow preventer test report	City Code
7/6/2020	4190	Open	past due annual backflow preventer test report	City Code
7/6/2020	4191	Closed	past due annual backflow preventer test report	City Code
7/6/2020	4192	Open	past due annual backflow preventer test report	City Code
7/6/2020	4193	Open	past due annual backflow preventer test report	City Code
7/6/2020	4194	Closed	past due annual backflow preventer test report	City Code
7/6/2020	4195	Closed	past due annual backflow preventer test report	City Code
7/6/2020	4196	Open	past due annual backflow preventer test report	City Code
7/6/2020	4197	Open	past due annual backflow preventer test report	City Code
7/6/2020	4198	Closed	past due annual backflow preventer test report	City Code
7/6/2020	4199	Closed	past due annual backflow preventer test report	City Code
7/6/2020	4200	Closed	past due annual backflow preventer test report	City Code
7/6/2020	4201	Open	past due annual backflow preventer test report	City Code
7/6/2020	4202	Open	past due annual backflow preventer test report	City Code
7/6/2020	4203	Open	past due annual backflow preventer test report	City Code
7/6/2020	4204	Open	past due annual backflow preventer test report	City Code
7/6/2020	4205	Open	past due annual backflow preventer test report	City Code
7/7/2020	4206	Closed	have allowed the unit to be occupied by someone other than the owner without obtaining the required rental permit	Housing Code
7/7/2020	4207	Closed	past due annual backflow preventer test report	City Code
7/7/2020	4209	Open	past due annual backflow preventer test report	City Code
7/7/2020	4210	Open	past due annual backflow preventer test report	City Code
7/7/2020	4211	Closed	past due annual backflow preventer test report	City Code
7/7/2020	4212	Closed	past due annual backflow preventer test report	City Code
7/7/2020	4213	Open	past due annual backflow preventer test report	City Code
7/7/2020	4214	Open	past due annual backflow preventer test report	City Code
7/7/2020	4215	Void	past due annual backflow preventer test report	City Code
7/7/2020	4216	Open	past due annual backflow preventer test report	City Code
7/7/2020	4217	Closed	past due annual backflow preventer test report	City Code

7/7/2020	4218	Open	past due annual backflow preventer test report	City Code
7/7/2020	4219	Closed	past due annual backflow preventer test report	City Code
7/7/2020	4220	Open	past due annual backflow preventer test report	City Code
7/7/2020	4221	Closed	past due annual backflow preventer test report	City Code
7/7/2020	4222	Closed	Mold issue in rental unit	Housing Code
7/7/2020	4223	Closed	standing water in rear yard	Nuisance
7/7/2020	4225	Open	grass exceeding 6" height limit	Nuisance
7/7/2020	4230	Closed	grass exceeding 6" height limit	Nuisance
7/7/2020	4241	Closed	weeds & grass exceeding 6" in height in area up to 20' from street and in excess of 12" on interior area of lots	Nuisance
7/7/2020	4242	Closed	Weeds and Grass exceeding 6" in height in area up to 20' from street and in excess of 12" on interior area of lots	Nuisance
7/7/2020	4283	Closed	grass exceeding 6" height limit	Nuisance
7/7/2020	4284	Closed	grass exceeding 6" height limit	Nuisance
7/8/2020	4224	Closed	grass exceeding 6" height limit	Nuisance
7/8/2020	4226	Closed	All right of way grass over 6", & grass exceeding 6" in height in area up to 20' from street and in excess of 12" on interior area of lots	Nuisance
7/8/2020	4227	Closed	grass exceeding 6" in height in area up to 20' from street and in excess of 12" on interior area of lots	Nuisance
7/8/2020	4228	Closed	grass exceeding 6" in height in area up to 20' from street and in excess of 12" on interior area of lots	Nuisance
7/8/2020	4229	Closed	grass exceeding 6" in height in area up to 20' from street and in excess of 12" on interior area of lots	Nuisance
7/8/2020	4231	Open	trees or bushes lower than required 8' clearance over city sidewalk	Nuisance
7/9/2020	4232	Closed	have allowed the unit to be occupied by someone other than the owner without obtaining the required rental permit	Housing Code
7/9/2020	4233	Open	displaying sign in violation of code 173.11(3) condition & maintenance & multiple signs violating Temp sign accommodations	Zoning Code
7/10/2020	4234	Void	weeds & grass exceeding 6" height limit - THIS PARCEL IS SEPARATE FROM THE "OTHER" 650 COMMUNITY DRIVE LOT	Nuisance
7/10/2020	4235	Open	trees, shrubs, or bushes overhanging onto sidewalk	Nuisance
7/13/2020	4236	Open	have allowed the unit to be occupied by someone other than the owner without obtaining the required rental permit	Housing Code
7/13/2020	4237	Closed	weeds & grass exceeding 6" height limit	City Code
7/13/2020	4271	Open	grass exceeding 6" height limit	Nuisance
7/14/2020	4238	Closed	weeds and plants growing over sidewalk & grass exceeding 6" height limit	Nuisance



7/14/2020	4239	Open	have allowed the unit to be occupied by someone other than the owner without obtaining the required rental permit	Housing Code
7/14/2020	4240	Closed	grass exceeding 6" height limit	Nuisance
7/14/2020	4272	Open	Weeds and Grass exceeding 6" in height in area up to 20' from street and in excess of 12" on interior area of lots	Nuisance
7/14/2020	4277	Open	grass exceeding 6" height limit	Nuisance
7/14/2020	4278	Closed	grass exceeding 6" height limit	Nuisance
7/14/2020	4279	Open	Trees not trimmed to 8' clearance	Nuisance
7/15/2020	4264	Closed	Weeds and Grass exceeding 6" in height in area up to 20' from street and in excess of 12" on interior area of lots	Nuisance
7/17/2020	4269	Open		Building Code
7/17/2020	4270	Closed	Allowing a pet animal to molest any person on public or private property when such person has a legitimate reason to be on the property. 55.04(3)	City Code
7/20/2020	4275	Open	fence built outside of lot boundaries	Zoning Code
7/20/2020	4276	Open	fence installed outside of property lines	Zoning Code
7/20/2020	4281	Closed	fence installed over property line	Zoning Code
7/20/2020	4282	Closed	fence installed over property line	Zoning Code
7/21/2020	4280	Open	grass exceeding 6" height limit	Nuisance
7/21/2020	4285	Closed	grass exceeding 6" height limit	Nuisance
7/23/2020	4286	Open	Stormwater detention maintenance	City Code
7/23/2020	4287	Open	Stormwater detention maintenance	City Code
7/28/2020	4288	Open	no rental permit	Housing Code

### Breakdown of Backflow Preventer Compliance



Fire = Fire Protection / Fire Detector Bypass  
Domestic = Domestic / Domestic Bypass  
Irrigation = Lawn Irrigation  
Isolation = All Others



To **Mayor, City Council, Communications Advisory Commission**  
CC **City Administrator Ryan Heiar**  
From **Communications Director Nick Bergus**  
Date **Aug 4, 2020**  
Re **Communications Staff Report for June**

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### COVID-19

This is the fifth consecutive monthly report with a COVID-19 subhead in our department report, and the truth is that the disease impact everything we do. The timeline for communicating programs has shortened because we're adjusting and making changes, we're rethinking our fall and winter work because we expect community events to remain limited, and our staff remains cautious in our attempts to produce video (though we've gotten pretty good at pandemic-style media production). Our biggest COVID-19-specific work in July was the implementation of North Liberty's mask initiative.

### Social Justice and Racial Equity

In July, we worked with police and administration on additional steps to increase transparency around current policing policies and disproportionate contacts including publishing the most often requested policies online, and helped pushed the inaugural data set on police citations and contact by race. To date, we've helped hold five of the six scheduled listening posts on social justice and racial equity in North Liberty. Each has been attended by 12 to 24 stakeholders, including elected officials, members of staff and community members. Notes from these meetings will be included in the Aug. 11 council packet.

### Blues & BBQ

We held the 14<sup>th</sup> year, socially distanced, on July 11. We offered 12 hours of music and interviews that were live-streamed throughout the day. Our virtual event looked even better after the North Liberty was hit by hail during the event.

### 52317 Podcast

After a break, we've returned to podcasting with an episode on a new restaurant, Table, and plan to resume our once-every-three-weeks schedule.

Remote

### Other Items

We produced City Council meetings and submitted them to the Iowa City government channel.

Staff began practicing with a quadcopter.

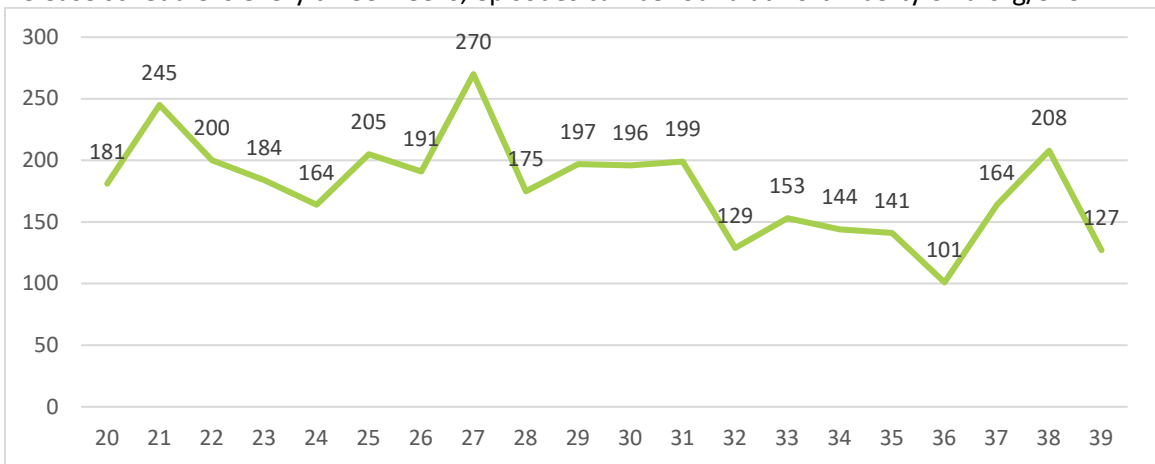
We sent news releases about city programming and service changes, COVID-19 issues, police policy and data, holiday hours, fireworks and more.

## Completed Videos

Title	Requested By	Completed	Duration
<b>SRP: Decorate You Bike</b>	Library	July 1	0:05
<b>SRP: Mythical Creatures</b>	Library	July 6	0:24
<b>Planning and Zoning</b>	Administration	July 7	0:21
<b>SRP: Trolls</b>	Library	July 7	0:17
<b>City Council</b>	Administration	July 14	0:59
<b>Board of Adjustment</b>	Administration	July 15	1:15
<b>How to Set Up Your Online Account</b>	Recreation	July 15	0:02
<b>City Council</b>	Administration	July 28	1:32
<b>Senior Connections Lunch</b>	Administration	July 17	1:26
<b>Eye on: Special Projects</b>	Communications	July 22	0:03
<b>SRP: Family Tree</b>	Library	July 22	0:09
<b>SRP: Wolf-proof House</b>	Library	July 23	0:10
<b>Total completed productions: 12</b>	<b>Duration of new video: 6.7 hours</b>		

## 52317 Podcast

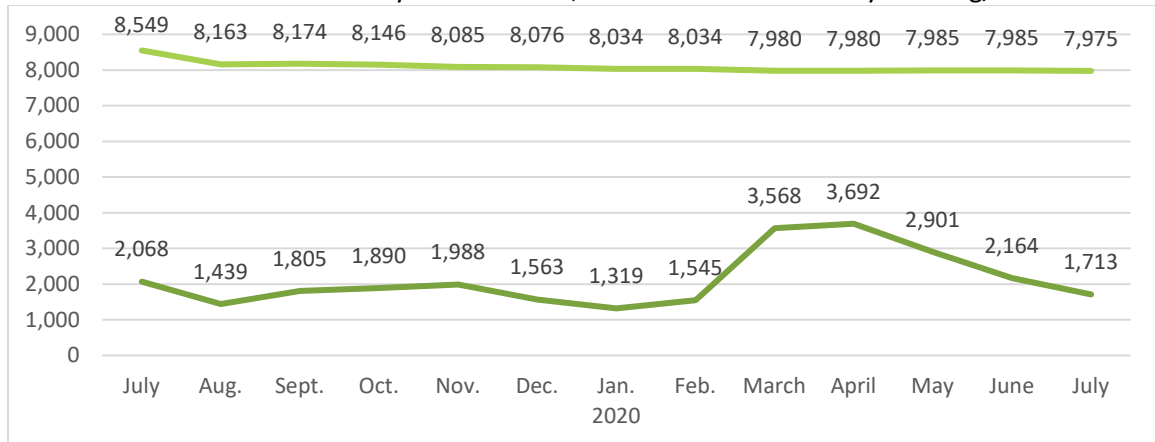
Release schedule is every three weeks; episodes can be found at [northlibertyiowa.org/52317](http://northlibertyiowa.org/52317).



**Downloads** is the number times the podcast file was downloaded to a player, including a podcast client, webpage-embedded player or other device since its publication. Numbers are as reported by service provider LibSyn as of the date of this report. **Episodes** 39: Table; 38: Vanilla Beans & Daydreams; 37: North Liberty Fire Department; 36: ; 35: Realtor Ashley Bermel; 34: We Run; 33: South Slope (archive); 32: Heat Yoga Studio & Spa; 31: New Pioneer Co-op; 30: Learning Begins; 29: Bluebird Café; 28: GEICO; 27: Smash Juice Bar; 26: All the Way Up Studio; 25: Stoakes & Fell; 24: The Leaderboard; 23: Frontier Co-op; 22: Café Muse; 21: Heyn's Ice Cream; 20: North Liberty Aquatics;

## North Liberty Bulletin Email Newsletters

Release schedule is first Thursday of the month; subscribe at [northlibertyiowa.org/subscribe](http://northlibertyiowa.org/subscribe).



**Recipients** is the number of email addresses to which an issue of the Bulletin was sent and is represented by the top line. **Opens** is the number of unique recipients who opened the Bulletin and is represented by the bottom line; the standard open rate for government is 25.4%. Numbers are as reported by service provider Mailchimp.

**Subject lines** July: Summer summer summertime; June: Stop and listen; May: How's everyone doing?; April: This is something else; March: Smell that smell; Feb: Mythbuster; Jan: New decade, new us.; Dec: Dreaming of a non-polar vortex winter; Nov: Pretty sure you didn't listen/Let's try this again; Oct: Between a rock and a soft place; Sept: Live your best lawn; Aug: 🍷🍷 Let's show 'em what we've got; July: Decade-long forecast

## Social Media

Month	Facebook		Twitter		Instagram	Nextdoor
	New likes	Reach	New follows	Impressions	Followers	Members
<b>July 2020</b>	35	13,370	18	39,500	2,118	4,568
<b>June 2020</b>	95	37,016	53	81,200	2,080	4,522
<b>May 2020</b>	98	14,541	8	51,800	2,044	4,487
<b>April 2020</b>	43	15,703	25	73,500	1,996	4,455
<b>March 2020</b>	84	25,857	26	47,500	1,961	4,404
<b>Feb. 2020</b>	31	16,868	17	23,800	1,911	4,340
<b>Jan. 2020</b>	72	25,797	34	42,100	1,901	4,321
<b>Dec 2019</b>	34	11,762	12	34,100	1,868	4,280
<b>Nov 2019</b>	73	42,067	24	46,400	1,840	4,240
<b>Oct 2019</b>	104	36,908	23	49,700	1,820	4,219
<b>Sept 2019</b>	81	42,951	7	36,800	1,780	4,143
<b>Aug 2019</b>	72	18,317	8	40,000	1,760	3,993
<b>July 2019</b>	59	32,810	21	47,100	1,732	3,946

**Facebook new likes** is the net number of new users liking the city's Facebook page; it does not include new *followers*.

**Facebook reach** is the number of unique users who saw any of the city's Facebook content, reported on a 28-day period. **Twitter new follows** is the net number of new users following the city on Twitter. **Twitter impressions** is the total number of times a tweet from the city was shown to a user. **Instagram new follows** is the net number of new users liking the city's Instagram account. **Nextdoor members** is the number of verified North Liberty residents who are users and able to receive our agency messages.

## Website Statistics

Month	Sessions	Users	Pageviews	Pgs/Session	Avg Session
July 2020	17,231	10,213	35,578	2.06	1:29
June 2020	22,535	15,909	44,379	1.97	1:22
May 2020	14,669	11,451	39,087	1.90	1:10
April 2020	18,727	13,796	34,990	1.36	1:10
March 2020	26,268	18,454	46,350	1.76	1:01
Feb 2020	14,211	10,558	29,875	2.10	1:18
Jan 2020	21,993	15,082	47,300	2.15	1:46
Dec 2019	17,879	12,571	38,918	2.18	1:23
Nov 2019	17,947	12,622	35,334	2.14	1:25
Oct 2019	20,233	14,122	43,473	2.15	1:24
Sept 2019	17,656	12,738	37,830	2.14	1:23
Aug 2019	20,191	13,891	44,800	2.22	1:30
July 2019	27,821	18,649	58,879	2.12	1:27

**Sessions** is the number of time-bound user interactions with the website. **Users** is the number of unique devices loading the site in that month. **Pageviews** is the total number of pages loaded or reloaded. **Pgs/Session** is the number of pages loaded per session. **Avg. Session** is the average length, in minutes and seconds, of user interactions. All stats are monthly.



**August 7, 2020**

Mayor and City Council  
City of North Liberty  
P.O. Box 77  
North Liberty, IA 52317

RE: 2020 Legislative Update

Dear Mayor and City Council members:

I am writing to provide a summary of legislative action from the 2019-2020 session that might be of particular importance or interest to you as the elected City officials in North Liberty. In case you have not already received a copy of *New Laws of Interest to Cities* (July 2020) from the Iowa League of Cities, I will provide it here as a separate attachment. I have reviewed these reports and other materials relating to the newest legislation.

Iowa's state legislature has shown a trend in recent years to be restrictive at the state level with respect to home rule and the preemption of local ordinances. That trend has, in my estimation, continued throughout the 2020 legislative session, and certain of the statutes that were enacted were designed to curtail local discretion.

## **NEW STATE LAWS**

**A. New Laws.** A variety of legislation was passed that is of particular interest to municipal entities. In most years, we are provided with a larger window between the adoption of new laws, and their going into effect, typically on July 1. This year, COVID caused interruptions in the normal processes, which resulted in a flurry of legislative action at the eleventh hour in June, with many new laws going into effect only days later. I have already provided you with some information concerning the weapons omnibus bill, which had immediate disruptive effects. That law, and the rest are summarized below, and I am happy to provide you with additional details on any or all of them, should you so desire.

1. HF 2641 - Short-term rental property preemption. This law concerns short-term rentals, such as Airbnb. The law limits the ability of local governments to regulate short-term

rentals, except for safety and health regulations that are generally applicable to residential uses. The law also prohibits the collection of license or permit fees for establishing or operating a short-term rental.

2. HF 2238 - Regulation of food stands operated by minors. A lemonade stand law. This statute prohibits licensure and fees by both state and local authorities over a food stand, which is operated by minors on a temporary basis so long as they are not selling food that requires time or temperature control for food safety purposes, or is an alcoholic beverage. It is unclear which municipality was requiring permits for this, if any, but doing so is now forbidden.
3. HF 2502 - Weapons omnibus. This bill provides that regulation of a shooting range by a city shall be done exclusively through zoning and not require conditions that are more stringent than state law – similar to the lifting of restrictions on the sale of consumer fireworks several years ago. The bill also adds firearm modifications, attachments, and “other weapons” to the list of things that a city is preempted from regulating. Further, the bill adds requirements to a city’s ability to restrict the carrying and possessing of a firearm in city buildings and on city property, which include screening and armed security. Cities are also preempted from regulating the storage of ammunition.
4. SF 2196 - Extension of the Iowa Cell Siting Act. The repeal of the Iowa Cell Siting Act, which was scheduled for July 1, 2022, has been extended until July 1, 2025. The Act sets limits on what requirements a City may establish in agreements with cell service providers, such as how long site leases must be, and how market value for a particular site must be determined.
5. HF 760 - Hotel/Motel tax loophole fix. This allows for the collection of hotel/motel tax for stays up to 90 consecutive days and exempts the collection of taxes after that point. It also exempts stays for the purpose of being close to friends and family who are in a hospital. The previous law required an excise tax for stays less than 30 days, but if they stayed for 31 days or more, they paid no such tax, even on the first 30 days.
6. HF 2412 - Exemptions to public bidding requirements. This bill changes the public bidding statute to exclude from public bidding requirements those projects where work is to be performed by municipal utility employees, and that work relates to existing utility infrastructure or establishing a connection to existing infrastructure.
7. HF 2540 - Alcohol permits, restrictions, allowances. This bill creates a new alcohol permit for serving charity events, and includes definitions, restrictions on who can apply, and fees for the application (\$100) among other restrictions, such as a limit on the number of such permits which can be issued to any entity in a year. The bill also grants permission and



regulation for the sale of alcoholic beverages for the purpose of “off-premises consumption,” and exempts sealed to-go cups from violating Iowa’s open container laws.

8. HF 2647 - Peace officer training certification and reporting. This bill grants the Attorney General of Iowa authority to prosecute a criminal offense committed by a peace officer in the state. It bans the use of chokeholds by peace officers unless certain conditions apply. Peace officers who have been certified in another state are required to undergo additional screening when applying in Iowa. Requires additional de-escalation and bias prevention training through the Iowa Law Enforcement Academy.
9. SF 457 - Criminal fees, payments and surcharges. This bill makes adjustments to criminal penalty surcharges, court funds, civil fees, misdemeanor and felony fines. Filing fees have increased, as well. A simple misdemeanor was previously punishable by a \$65 to \$625 fine, and that range has been modified to \$105 to \$855. Potential imprisonment of up to 30 days for simple misdemeanors is unchanged. Under previous law, cities retained 90% of the fines collected, with the remaining 10% being taken by the state for overhead. We will now retain 80%, and the state will take 20%.
10. SF 2191 - Payment of required medical aid to prisoners. This establishes a process and order of operations through which medical expenses for prisoners is reimbursed. Prisoners are primarily responsible for the costs of their medical expenses. Should the prisoner or their insurance not be able to cover the expenses, the governmental entity whose ordinance or code was violated in order to put the individual in jail shall cover the medical expenses.
11. SF 2259 - Liability from donating public safety equipment. This bill grants permission for fire, police and emergency services to donate used vehicles or equipment to a like agency. Civil liability immunity was also granted for the performance or use of the donated vehicle or equipment to the city or the city’s fire, police, or emergency service department who donates the equipment.
12. SF 2338 - COVID-19 liability protections. Governmental uses are now included in the definition of premises when preventing civil liability that could stem from exposure to COVID-19. The exceptions being if there is reckless disregard of a substantial risk, the exposure to COVID-19 would amount to actual malice, or if the exposure was intentional.
13. HF 2643 - Voting changes in a budget bill. As part of the budget bill, the legislature expanded the state’s voter ID law to cover in-person early voting. The bill also prohibits county auditors from using existing government databases to fill in incomplete or incorrect information on a voter’s absentee ballot request form, and instead requires them to call, email or send a letter to voters to verify their identities.

**B. Unfinished Business.** What is proposed but not passed and signed into law in a given legislative session year can be noteworthy. The following issues received some attention but did not pass.

1. Child care access. Before the session was paused, the House passed several bills to improve child care access. The Senate didn't pass the child care bills. Iowa's problems with child care access will likely get worse as the coronavirus pandemic continues.
2. Mental health funding. Going into the legislative session, Republicans and Democrats said sustainable mental health funding was one of their top priorities. Reynolds proposed it as part of her Invest in Iowa Act. Lawmakers didn't act on mental health funding in the end.
3. Invest in Iowa Act. Gov. Reynolds proposed raising the sales tax to pay for income tax cuts and water quality and outdoor recreation. She also wanted to use state funds for adult and children's mental health services. Republican leaders never voiced full support for the plan, and Reynolds ultimately put it on hold because of the coronavirus pandemic and reduced state revenues.

## **STATE AND FEDERAL CASE LAW**

The cases below are of particular relevance to municipalities like North Liberty. This selection is very limited in scope to those items which did or could have had a direct impact on the City in the status quo. There are any number of cases having to do with government restrictions on topics like free speech, free exercise of religion, and police powers, particularly at the federal level, which are applicable to any state or local government, but which have not been included for lack of direct relevance. Naturally, if you know of a particular case and would like additional clarification as to its impact or potential impact on North Liberty, I will be happy to provide it.

### **A. Iowa cases**

1. Local Civil Rights Ordinances Not Enforceable – The Iowa Supreme Court held, in *Petro v. Palmer College of Chiropractic*, that municipal ordinances created to protect residents' civil rights are not enforceable in state court. The Iowa Civil Rights Act authorizes the state Civil Rights Commission to issue "right to sue" letters to complainants, who are then able to file a civil suit in state district court. Iowa cities with local civil rights agencies do not have that authority, however.
2. City Liable for Cyclist Injured on Bike Trail – in *Breese v. City of Burlington*, a woman fell from the top of a sewer box which was connected to a bike trail, and which had no guard rails. Cities have an obligation to protect the public at large, and thus can be protected

from liability under the public-duty doctrine, which states that if a duty is owed to the public generally, there is no liability to an individual member of that group. In this case, the Iowa Supreme Court held that the City was not protected by the public-duty doctrine, because it was alleged that the City had negligently performed an affirmative act (in constructing the trail and sewer box), rather than that it simply failed to act. The reasoning is that resources may be scarce enough to prevent the City from being liable for fixing every problem, but when the City does choose to act, it needs to exercise due care.

## **B. Federal cases**

Title VII of the Equal Rights Act Extended to Gay and Transgender persons. The Supreme Court held in a 6-3 opinion in *Bostock v. Clayton County*, that an employer who fires an individual merely for being gay or transgender violates Title VII. Writing for the majority, Justice Gorsuch explains “[s]ex plays a necessary and undisguisable role” in an employer’s decision to “fire an individual for being homosexual or transgender”, which is “exactly what Title VII forbids.” Iowa’s Civil Rights Act already extended protection to these classes of individuals, but now they are officially protected at the federal level.

## **CONCLUSION**

I have tried to provide highlights that might be of particular interest, rather than a comprehensive review of this past legislative session and supreme court cases at the state and federal levels. Again, if you have a desire to review any specific legislation or statutes as amended, I am willing to provide to you upon request either a copy of the particular legislation or amended statute or, in the alternative, a citation for the same. If you would like more discussion at Tuesday’s meeting about a particular legislative bill or topic, let me know. The same is true of supreme court cases. I am also willing to provide a more detailed analysis of any legislative action that is of particular interest to any of you.

Respectfully,



Grant D. Lientz  
City Attorney, City of North Liberty



# Iowa League of Cities

## New Laws of Interest to Cities

July 2020

**Reminder:**

The text of each bill is accessible from the General

Assembly’s website:

[www.legis.iowa.gov](http://www.legis.iowa.gov)

The 2020 Iowa Legislative Session of the 88th General Assembly adjourned Sine Die on June 14. Throughout the 15 weeks of the legislative session, not counting the 11-week suspension due to COVID-19, the legislature passed over 100 bills, including legislation dealing with short-term rental property preemption, weapons, and civil liability related to COVID-19.

The 2020 session concluded with the League achieving one of its main legislative goals: protecting the standing appropriation for the commercial and industrial property tax replacement claims, also known as the backfill, for Fiscal Year 2021, as well as maintaining tax increment financing as a flexible and useful tool to cities of all sizes. This report covers legislative highlights and bills the legislature passed that affect cities.

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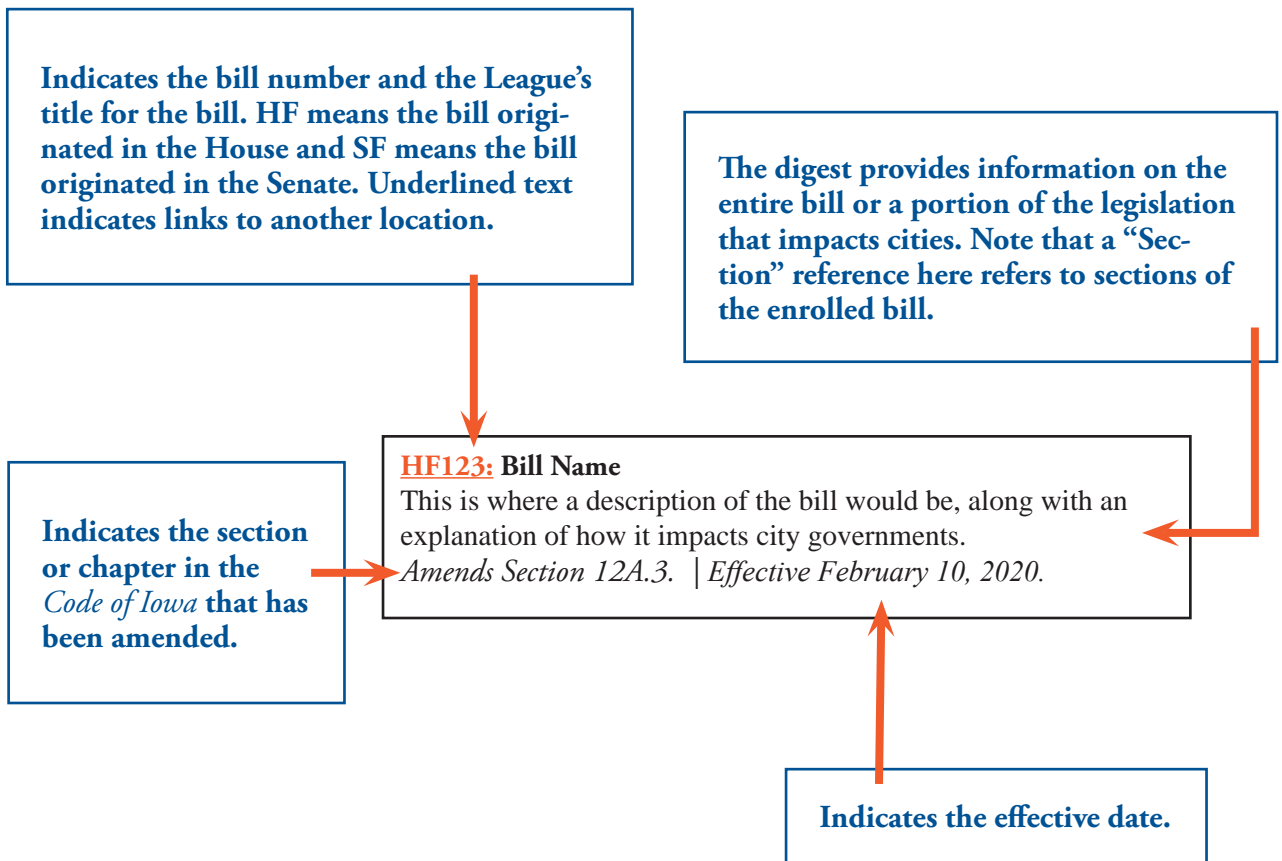
[www.iowaleague.org](http://www.iowaleague.org)



## Reader's Guide to New Laws Summaries

This Special Report outlines legislation passed during the 2020 session that affects cities and is categorized in subject areas for easier reading. The sample entry below explains what type of information this report contains.

*Note: The report is intended as a reference guide to new laws that may interest your community. This report should not act as a substitute for the actual final enrolled legislation, nor should it substitute for advice from an attorney.*



## ***Iowa League of Cities Legislative Values***

*During each interim, the League's Legislative Policy Committee proposes legislative values for the upcoming session. These legislative values were ratified by the Executive Board on August 15, 2019, then presented to and approved by League members at the League's Annual Conference on September 27, 2019*

### **Local Control**

Home Rule is the flexibility to make local decisions at the local level – where decisions are made closest to the people they impact and can be tailored to fit unique conditions, needs and concerns free from state interference.

### **Financial Stability**

The commitment to reimburse local governments for lost resources due to state action, such as commercial and industrial property tax backfill, must be maintained to prevent an increased burden on property taxpayers or a reduction in city services. Mandates imposed on local governments must include appropriate funding mechanisms. Local governments need diversified revenue options that are fair and related to cost drivers.

### **Economic Development**

Maintaining economic development tools, such as Tax Increment Finance, as flexible tools for economic growth in cities of all sizes, is vital to the success and advancement of the State of Iowa and its economy. Iowa needs more tools and funding to promote quality of life, community vitality, economic development and to address housing needs.

### **Infrastructure**

Iowa's infrastructure is in need of repair and upgrade. It is vital that cities have the resources to meet the infrastructure, technological, and human needs necessary to connect, transport and grow.

### **Public Safety**

Safety is essential to the health and vitality of communities. Cities must have the resources, tools, and technology to provide appropriate public safety services for their communities and citizens.

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Due to COVID-19, emergency proclamations from the Governor affect state code as it pertains to city administration and regulations. Those proclamations are not summarized nor listed below. For a full list of proclamations, visit [HomelandSecurity.iowa.gov](https://www.HomelandSecurity.iowa.gov) > Disasters > Disaster Proclamations.

## **Legislation Passed In 2020**

### **Local Control**

#### **HF 2641** | *Short-term rental property preemption*

Limits the ability of local governments to regulate short-term rentals. Prohibits the collection of license or permit fees for establishing or operating a short-term rental. Provides several exceptions to the preemption as laid out in the bill.

*Amends Chapters 331 and 414 | Effective July 1, 2020*

### **Local Control**

#### **HF 2238** | *Regulation of food stands operated by minors*

Prohibits licensure and fees by both state and local authorities over a food stand, which is operated by a minor on a temporary basis so long as they are not selling food that requires time or temperature control for food safety purposes, or is an alcoholic beverage.

*Amends Chapter 137F | Effective July 1, 2020*

### **Local Control**

#### **HF 2502** | *Weapons omnibus*

Regulation of a shooting range by a city shall be done exclusively through zoning and not require conditions that are more stringent than state law. Adds modifications and attachments to the definition of a firearm when referencing what a city is preempted from regulating. Adds requirements to a city's ability to restrict the carrying and possessing of a firearm in city buildings and on city property that includes screening and adequate security. Preempts cities from regulating the storage of ammunition.

*Amends Chapters 335, 414 and 724. | Effective July 1, 2020*

### **Local Control**

#### **HF 2643** | *Standing appropriations*

Prevents a political subdivision from passing an ordinance that would charge an alarm system contractor a fee for false alarms, emergency response to false alarms, or keeping an alarm system in place.

*Amends Chapter 100C | Effective June 30, 2020*

### **Local Control**

#### **SF 2196** | *Extends the Iowa Cell Siting Act*

Extends the repeal of the Iowa Cell Siting Act from its original date of July 1, 2022, to July 1, 2025.

*Amends Chapter 8C | Effective June 1, 2020*

### **Taxation**

#### **HF 760** | *Hotel/Motel tax loophole fix*

Allows for the collection of hotel/motel tax for stays up to 90 consecutive days and exempts the collection of taxes after that point. Also exempts stays for the purpose of being close to friends and family who are in a hospital.

*Amends Chapter 423A | Effective July 1, 2020*

### Utilities

#### **HF 2412** | *Exemptions to public bidding requirements*

Exempts work performed by municipal utility employees from being required to accept and award bids on projects when the work relates to existing utility infrastructure or establishing a connection to existing infrastructure.

*Amends Chapter 26 | Effective July 1, 2020*

### Utilities

#### **HF 2452** | *Disposal of at-risk city water utilities*

Creates a definition and criteria of “at-risk systems” for which a city can classify their drinking water, sanitary sewage, or storm water drainage systems. This designation grants the new owner of an at-risk-system an alternative timetable and financial documentation for the upgrade of such a system within the Iowa Department of Natural Resources process.

*Amends Chapters 455B and 476 | Effective July 1, 2020*

### Public construction

#### **HF 2475** | *Sewer and water supply extension*

Allows a public works department to “retain” rather than directly employ a qualified engineer for review of plan specifications. Updates the word “department” to the word “commission” in reference to the body which approves such plans.

*Amends Chapter 455B | Effective June 1, 2020*

### Elections

#### **HF 2486** | *Election procedures and requirements*

Removes the requirement on election nomination petition papers to list the name, signature, address and phone number of the individual who circulates the petition. Grants approval and oversight authority by the Legislative Council on emergency powers of the State’s election commissioner. Adjusts the procedure to determine “alternate electors” in the presidential nominating process. Requires the elector to execute a pledge to cast their vote for the nominee of the party they were chosen. Forces their vote to be cast according to their pledge, eliminating the concern over “faithless elector” within the Electoral College.

*Amends Chapters 43, 45, 47, 49 and 54. | Effective July 1, 2020*

### Alcohol

#### **HF 2540** | *Alcohol permits, restrictions, allowances*

Creates a new alcohol permit for serving charity events, including definitions, restrictions on who can apply, and fees for the application and other restrictions. Grants permission and regulation for the sale of alcoholic beverages for the purpose of “off-premise consumption.”

*Amends Chapter 123 | Effective June 29, 2020*



### Infrastructure

#### **HF 2642** | *Rebuild Iowa infrastructure appropriations*

Contains many appropriations including in the Rebuild Iowa Fund, Technology Reinvestment Fund, and miscellaneous provisions, which may impact projects cities plan to undertake, including watersheds, trails, vertical airport infrastructure, technology and others.

*Effective June 30, 2020*

### Infrastructure

#### **SF 2400** | *Empower Rural Iowa*

Alters the Empower Rural Iowa program by increasing the area in which grants can be allocated to. Increases the percentage of a broadband infrastructure project that can be paid for under the program. Implements a sliding scale in which the percentage of the project that can be paid for with the grant depends on a sliding scale of internet speed achieved.

*Amends Chapters 8B and 427 | Effective July 1, 2020*

### Infrastructure

#### **SF 2403** | *Alterations to the biofuels excise tax*

Alters the existing motor fuel tax schedule and will be effective through 2026. The tax rate for E15 or higher will be calculated based on the market share of ethanol-blended gasoline, and as the market share of ethanol rises, the tax rate will rise. Non-ethanol blended gasoline tax per gallon will remain at 30 cents regardless of ethanol consumption.

*Amends Chapter 452A | Effective July 1, 2020*

### Law Enforcement

#### **HF 2647** | *Peace officer training certification and reporting*

Grants the Attorney General of Iowa authority to prosecute a criminal offense committed by a peace officer in the state. Bans the use of chokeholds by peace officers unless certain conditions apply. Requires a peace officer who has been certified in another state to undergo additional screening when applying in Iowa. Grants additional authority to the Iowa Law Enforcement Academy Council to revoke a peace officer's certification. Requires additional de-escalation and bias prevention training through the Iowa Law Enforcement Academy.

*Amends Chapters 12, 80B, 80D and 804. | Effective July 1, 2020*

### Law Enforcement

#### **SF 526** | *Blue Alert program*

Creates a coordinated communication system between the Iowa Department of Public Safety and local law enforcement agencies in order to apprehend suspects involved in the death or serious injury against a police officer.

*Creates Chapter 80H | Effective July 1, 2020*

**Law Enforcement**

**SF 2275** | *Increased penalty for a repeat offense of attempting to elude*

Creates an escalating penalty for an individual who commits a second or subsequent attempting to elude a peace officer violation.

*Amends Chapters 321, 321J and 907 | Effective July 1, 2020*

**Law Enforcement**

**SF 2373** | *Public Safety Telecommunicators*

Changes the definition of telecommunicators, also known as dispatchers, to public safety telecommunicators and lists them as “first-responders” by receiving requests for, and dispatching, emergency response agencies.

*Amends Chapter 80B | Effective July 1, 2020*

**Finances**

**SF 457** | *Criminal fees, payments and surcharges*

Makes adjustments to criminal penalty surcharges, court funds, civil fees, misdemeanor and felony fines, and fines associated.

*Amends Chapters 602 and 911 | June 25, 2020*

**Finances**

**SF 2144** | *Flood recovery fund appropriation*

Appropriates \$21 million to the Iowa Department of Homeland Security and Emergency Management fund for flood recovery. Local governments are able to apply for these funds if they are in a county designated under the presidential disaster declaration as well as where the Federal Emergency Management Agency (FEMA) individual assistance program has been activated pursuant to *Code of Iowa* Section 418.16.

*Effective February 13, 2020*

**Finances**

**SF 2188** | *Hazard mitigation matching funds*

Allows the state to contribute to a local government’s matching funds as required in the federal Stafford Disaster Relief and Emergency Assistance Act or the federal National Flood Insurance Reform Act. The state may contribute 10% of the eligible expenses or 50% assistance for state-related hazard mitigation.

*Amends Chapter 29C | Effective July 1, 2020*

**Finances**

**SF 2191** | *Payment of required medical aid to prisoners*

Establishes a process and order of operations in which medical expenses for prisoners is reimbursed. Prisoners are primarily responsible for the costs of their medical expenses.

Should the prisoner or their insurance not be able to cover the expenses, the governmental entity whose ordinance or code was violated in order to put the individual in jail shall cover the medical expenses.

*Amends Chapter 356 | Effective July 1, 2020*

### Municipal Liability

#### **SF 2259** | *Liability from donating public safety equipment*

Grants civil liability immunity for the performance or use of donated public safety equipment to the city or the city's fire, police, or emergency service department who donates the equipment.

*Amends Chapters 100B, 670 and 669 | Effective July 1, 2020.*

### Municipal Liability

#### **SF 2338** | *COVID-19 liability protections*

Includes governmental uses into the definition of premises when preventing civil liability that could stem from exposure to COVID-19. The exceptions being if there is reckless disregard of a substantial risk, the exposure to COVID-19 would amount to actual malice, or if the exposure was intentional.

*Amends Chapters 622, 668 and 686D | Effective January 1, 2020*

### Employment

#### **HF 717** | *Veterans' benefits appeal rights*

Alters the notification requirements for unsuccessful applicants under the veterans' preference law to include the rights of the veteran to maintain an action of mandamus or the timetable to file an appeal. Similarly, it updates the notification requirement during the removal of a person who belongs to a preferred class of individuals under *Code of Iowa* Chapter 35C to include written notice of the rights to review their dismissal by a writ of certiorari or judicial review.

*Amends Chapter 35C | Effective July 1, 2020*



TO: City Administrator and City Council  
 FROM: Jennie Garner, Library Director  
 DATE: Aug 5, 2020  
 SUBJECT: Monthly Library Report

**At a glance**

Computer/Wireless Usage	290
Database Use	4091
Circulation	2821
Library Hop (Curbside)	293

**In-house transactions**

	Kiosk	Computer (Adult)	Notary	Shelf Browse
Jun 24-30	27	3	1	n/a
Jul	122	50	4	162
<b>Grand Total</b>	<b>149</b>	<b>53</b>	<b>5</b>	<b>162</b>

**Library News**

We continue to welcome a limited number of people into the library for grab and go collection browsing, kiosk use, computer use, and notary services. Patrons are very appreciative to be able to come to the library again and everyone is happy to mask up and do their part for the safety of all.

Library staff members have been going out weekly to four summer lunch distribution sites in North Liberty to hand out summer reading program kits. The programming team has put together over 5000 kits (25 different crafts) since the beginning of June and has distributed over 4500 kits to preschool and elementary age kids, tweens and teens, and adults. As with many areas of our work these days, programming looks quite different from our usual delivery of service. We're very pleased with the positive response to the kits.

While we aren't able to offer our regular services, the community garden is flourishing and we've been happy to share the bounty of fresh vegetables with a few of our patrons visiting the building and with the North Liberty Pantry (scroll for photos). We also had a staff person bring in some monarch caterpillars and have been sharing their transformation online. You can watch a time lapse of a caterpillar to a chrysalis here:

<https://www.facebook.com/NLibertyLibrary/videos/343276073343412>. We've also posted

videos of some of monarch releases on our Facebook page. If you don't follow us, you can find us on Facebook (@NLibertyLibrary).

We are pleased to expand curbside services with the upcoming addition of outdoor lockers near the library entrance to allow for afterhours curbside pickup. These lockers will have mechanical locks installed that can be changed daily to provide patrons a code to pick up materials when we aren't open.

### July Highlights



The library's featured local artist this month is Emily Magnuson. The art wall in the library's main hallway is generally viewed by a few hundred people daily on visits at the library. We'll showcase this artist's work on social media this month instead. The pottery and painted silk pieces are stunning.

Scroll down for more program highlights.



The library has offered some fun science through views of the transformation of caterpillar to butterfly in our butterfly terrarium. To watch the release of some of the monarchs click [here](#).



Bounty from the community garden outside the library.





To **Mayor and City Council**  
**Parks and Recreation Commission**  
**City Administrator**

From **Guy Goldsmith, Director of Parks, Building and Grounds**

Date **August 3, 2020**

Re **Monthly Report**

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The Parks Department continues to make sure that our trails and outdoor spaces are safe for residents using our trails and parks. Our trails continue to be heavily used as well as playgrounds and ball fields. The splash pad will remain closed to the public.

We continue to pick up park/trail trash receptacles and pet waste stations this month.

We maintained equipment as needed this month.

We performed various building maintenance tasks as needed this month. We have been working with Shive Hattery regarding the upcoming Ranshaw House project and Aquatic Center HAVC project.

We continue to maintain ball fields and facilities. The modified ball season has been going well.

Mowing and trimming continues to be a majority of our responsibilities. We continue to mow approximately 275 acres weekly and some areas require a second weekly mowing. Poison ivy has been a challenge this year. Weed trimming has not been a good option for control because of employee exposure/hazard so we have been spraying herbicide to help with control.

We performed ground and landscape maintenance. Weed pressure in our landscape areas require additional time and effort. With the continued additions of streetscapes; extra staff time has been required to maintain these areas.

Parks staff removed the spiral slide and a climbing structure at Beaver Kreek Park. Parts are no longer available for the climbing structure and the protective surfacing underneath the spiral slide and climber is the old undesirable sand. It has been very difficult keeping the weeds and grass out of the protective sand and safe for users. We are evaluating the spiral slide to see if it would be worth repainting and repurposing to another Park that could benefit from additional play equipment. The replacement for this old equipment was added back in 2016 with the much-enhanced playground structure that included the zipline feature.

The fountain at Liberty Centre is back online. We discovered wiring issues that needed repair.

We continue to repair additional areas of concrete trail/sidewalk areas that had lifted and buckled. We will continue to monitor our entire trails network for possibly hazards since it has been an ongoing issue I believe due to heat expansion.

We have been preparing for the upcoming Centennial Park tot-lot playground install.



# North Liberty Police Monthly Report July 2020

## Training:

- One officer completed online De-Escalation instructor training presented by Dolan Consulting (36 hours)
- Online webinar training for Recognizing a diabetic emergency and Deaf Sensitivity Training Video for Police Officers. (23 hours)
- Chief attended training on Culturally Responsive Communications and Recognizing Bias (3 hours)
- One officer attended a less lethal/chemical munitions instructor course at ILEA (32 hours)
- Dive team, K-9, Bomb Squad, honor guard, and tac team training completed (48 hours)
- A new hire completed taser training and firearms familiarization. (8 hours)

## Public Relations:

- Several community members and businesses dropped of goodies including, the Newton family on behalf of Carolina Espinoza State Farm Agency to show support for the department. Thank you!
- Chief met with the organizer of We Rise Together. A group that wants to bring community members together with the police, especially kids of color.
- Met with the local Iowa City NAACP chapter president to discuss our future partnerships and ways they can help NLPD. One idea is being an outside viewer of complaints.
- We are working on posting the speed data online that is collected from the speed trailer. This request is from community members who feel speeding is a problem in their residential areas. We use this data as a tool to determine any habits or times of the day for additional enforcement.
- We received flowers at the PD for our opening by the NL Optimist, CSS consulting and a resident to say thanks, Nicole Duke. These looked nice in the front lobby.
- One car seat safety check was completed this month.

## Equipment:

- Continue to work on getting equipment installed and moved to the new building. We have installed a cell phone antenna, radio antenna, and additional switches and servers so we have computer access at the new station.
- Purchase items for cleaning, storage, and maneuverability for the new PD. We will have one section in our garage that we can do minor maintenance and cleaning of the vehicle.

Traffic Contacts	218
Parking Contacts	14
Vehicle Inspections	9
Vehicle Unlocks	15
Crash Investigations	15
Public Assists	317
Assist other Agency	132
Crimes Against Persons Report	6
Crimes Against Property Report	20
Other Reports	29
Arrests	27
Warrants	0
Alcohol/Narcotics Charges	14
Crimes Against Persons Charges	6
Crimes Against Property Charges	4
Other Charges	17
Animal Calls	53
Total Calls for Service	1905
*Total Calls for Service for the year	<b>12003</b>



**Enforcement/Crime:**

- Four vehicles were report stolen over a weekend (Fox Run, Sara Ct areas). All of the vehicles were unlocked and the keys were inside. The vehicles were located by law enforcement with two found in North Liberty and two in Cedar Rapids.
- We also had 4 reports of burglaries to unlocked motor vehicles on Patton, Colton, and East Jefferson. We encourage residents to lock and secure their vehicles.
- Officers came into contact with a couple that was breaking into storage units in the early morning hours. The parties involved were arrested, and the stolen property was identified and returned to the owner.
- Several calls for fireworks this month, several were warned and educated on the NL city ordinance that they can purchase and possess, but cannot shoot them off. One house sustained damage and that is still under investigation.
- Animal calls increased again this month. This is for aggressive animals, dog bites, stray dogs and cats.
- Officers worked GTSB for traffic enforcement over the holiday weekends.

**Department Admin:**

- Chief attended the user advisory committee meeting with JECC on how we can incorporate a data collection piece into the normal operations of the mobile dispatching.
- Records, the Lt, and Chief have been compiling and updating the stats for race-related traffic stop and arrest for the past year. With help from City Hall and Communications staff, the information was made public and presented at a council meeting.
- Several officers attended each of the public listening post for social justice issues in North Liberty.
- One officer is currently at the Police Academy. One is on military leave until next year and the third new hire is helping with scanning in records so we can dispose of older records longer than 10 years.
- We received the temporary occupancy permit for the new police station and have moved our daily operations to the new building. We are still waiting on a few more items to be completed (wood paneling in the lobby, cameras installed, the gate is not operation as of yet, decorative awnings and seed and sod), but the new space allows for the staff to socially distance easier than our previous building and has nice amenities.

*Respectfully Submitted by Chief Diane Venenga and Alisha Ruffcorn 8/5/2020*



To **Park & Recreation Commission Board Members**  
CC **Mayor, City Council, City Administrator**  
From **Shelly Simpson**  
Date **August 4, 2020**  
Re **Monthly Report – July 2020**

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Operations continue to be added in a dial, phased approach to re-opening.

**COVID19 Update - July:**

All FT Staff went back to operating our regular Monday-Friday 6am to 9pm facility hours on July 6, 2020. No part-time staff are scheduled. It has been busy trying to communicate the changes in operations, program specific information and having scheduled appointments and membership purchases completed on-line.

**Programs:**

Most summer programs were canceled. Some fitness classes continue to be offered virtually. Registration has been postponed, indefinitely. Staff continues to research new ways to provide recreation programs. We will utilize the City website as well as our Recdesk software to promote programs as they are offered.

Staff continues to plan for programs to begin in September but many variables and unknowns makes this difficult. School District decisions will definitely impact our BASP program and programs held offsite. We are taking a month by month approach in registering for programs. A decision on our larger youth sport leagues will need to be made in August.

**Summer Camp:**

Matt Fielder and his part-time staff continue to do a great job. Summer fun has been altered in no field trips, no swimming, and requirement in wearing masks. Summer Camp will conclude on August 7. Our numbers have decreased to 25-30 participants. We have refunded close to \$5,145 in summer camp fees this month. Our BASP program will be impacted as school districts try to find alternate ways of teaching. Staffing will be impacted as well.

**Swim Lessons:**

The hard decision was made to not offer any swim lessons over the summer. Luckily, we postponed registration so we did not have to process refunds. Our next planned session is to begin September 28 with restrictions. Such as younger levels must have parent in water with child. Registration will begin Sept 8.

**Outdoor Pool:**

It was a hard decision in not opening the Outdoor Pool for the summer. We did go ahead with sandblasting and re-painting the outdoor pool this month.

**Indoor Pool:**

Ashley Bjork and her part-time staff members continued to work hard in providing lap swim times for members only, by appointment only, 6 swimmers per time slot. Members have been very grateful in having this opportunity to swim, but the indoor pool will be closed for the month of August for HVAC replacement. Specific time slots will continue in September.

**Weight & Exercise Area:**

On Monday, July 6, 2020 we began offering time slots for use of the weight & exercise area. Setting limit at (20) exercisers per time slot. Similar to Lap Swim Times the word is getting out and use increases.

**Track:**

We are phasing in this area of use next. Again for members only, by appointment only beginning in August. We will begin slow with 10 users per time slot.

**Gymnasiums:**

This area for pickleball and basketball for Facility memberships only is being planned to begin in September. Staff continues to review what is working well and what may need alterations.

**Memberships:**

We have seen both; requests for refunds and now with re-opening a small spurt in revenue as new memberships are purchased. This month we have seen a loss (-) \$485.70 in weight & exercise fees and spurt (+) \$1,227 in pool pass revenue. Opening to members only, gives us contact information/communication avenues if things change and if we need to alter operations.

**Rentals:**

Facility remains closed for rentals.

**Daily Fees:**

Drop-in use for any part of the facility or for classes will be the last phase of re-opening and due to the rise in numbers we do not have a forecast on when this may occur. No daily fees to report due to closure.

**Additional Reports:**

Recdesk Monthly Revenue  
Recdesk Dashboard Summary  
Recdesk Membership Summary

# Revenue By Period - GL Account Summary

Start Date: 7/1/2020 12:00 AM End Date: 7/31/2020 11:59 PM

Payment Methods: CA, CK, CC, IC, EC, CR

User(s)/Cashier(s): - All -

## Regular Revenue

		DEBITS										CREDITS	
<u>**Gross</u>	<u>**Net</u>	<u>Cash</u>	<u>Check</u>	<u>CC (Gross)</u>	<u>CC (Net)</u>	<u>ACH (Gross)</u>	<u>ACH (Net)</u>	<u>Internal CC</u>	<u>Acct Credit</u>	<u>Other</u>	<u>Refunds</u>	<u>Other</u>	
<b>000 - Household Credit Account</b>													
1,427.20	1,427.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,572.50	0.00	-145.30	
<b>010-4-1-4563 - Weight Fees</b>													
-485.70	-526.53	0.00	0.00	1,361.00	1,320.17	0.00	0.00	0.00	0.00	0.00	-1,846.70	0.00	
<b>010-4-1-4564 - Class/Programs</b>													
3,940.25	3,832.82	12.00	340.00	3,580.95	3,473.52	0.00	0.00	0.00	107.30	0.00	-100.00	0.00	
<b>010-4-1-4566 - Before/After School</b>													
-2,235.00	-2,322.30	0.00	0.00	2,910.00	2,822.70	0.00	0.00	0.00	0.00	0.00	-5,145.00	0.00	
<b>010-4-1-4572 - Season Pool Pass</b>													
1,227.00	1,187.70	38.00	0.00	1,310.00	1,270.70	0.00	0.00	0.00	38.00	0.00	-159.00	0.00	
<b>010-4-1-4589 - Room Rentals</b>													
-372.50	-372.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	-372.50	0.00	
<b>010-4-1-4591 - Park/Special Event Fees</b>													
-20.00	-20.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	-20.00	0.00	
<b>010-4-1-4592 - Field Rentals/Tennis Courts</b>													
-1,110.00	-1,117.21	0.00	0.00	240.00	232.79	0.00	0.00	0.00	0.00	0.00	-1,350.00	0.00	
<b>NONE - Unassigned</b>													
-12.00	-12.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	-12.00	0.00	
<b>Split - Membership - Black &amp; Gold</b>													
-337.50	-348.84	0.00	0.00	378.00	366.66	0.00	0.00	0.00	0.00	0.00	-715.50	0.00	

# Revenue By Period - GL Account Summary

Start Date: **7/1/2020 12:00 AM** End Date: **7/31/2020 11:59 PM**

Payment Methods: **CA, CK, CC, IC, EC, CR**

User(s)/Cashier(s): **- All -**

<u>2,021.75</u>	<u>1,728.34</u>	<u>50.00</u>	<u>340.00</u>	<u>9,779.95</u>	<u>9,486.54</u>	<u>0.00</u>	<u>0.00</u>	<u>\$0.00</u>	<u>145.30</u>	<u>1,572.50</u>	<u>-9,720.70</u>	<u>-145.30</u>
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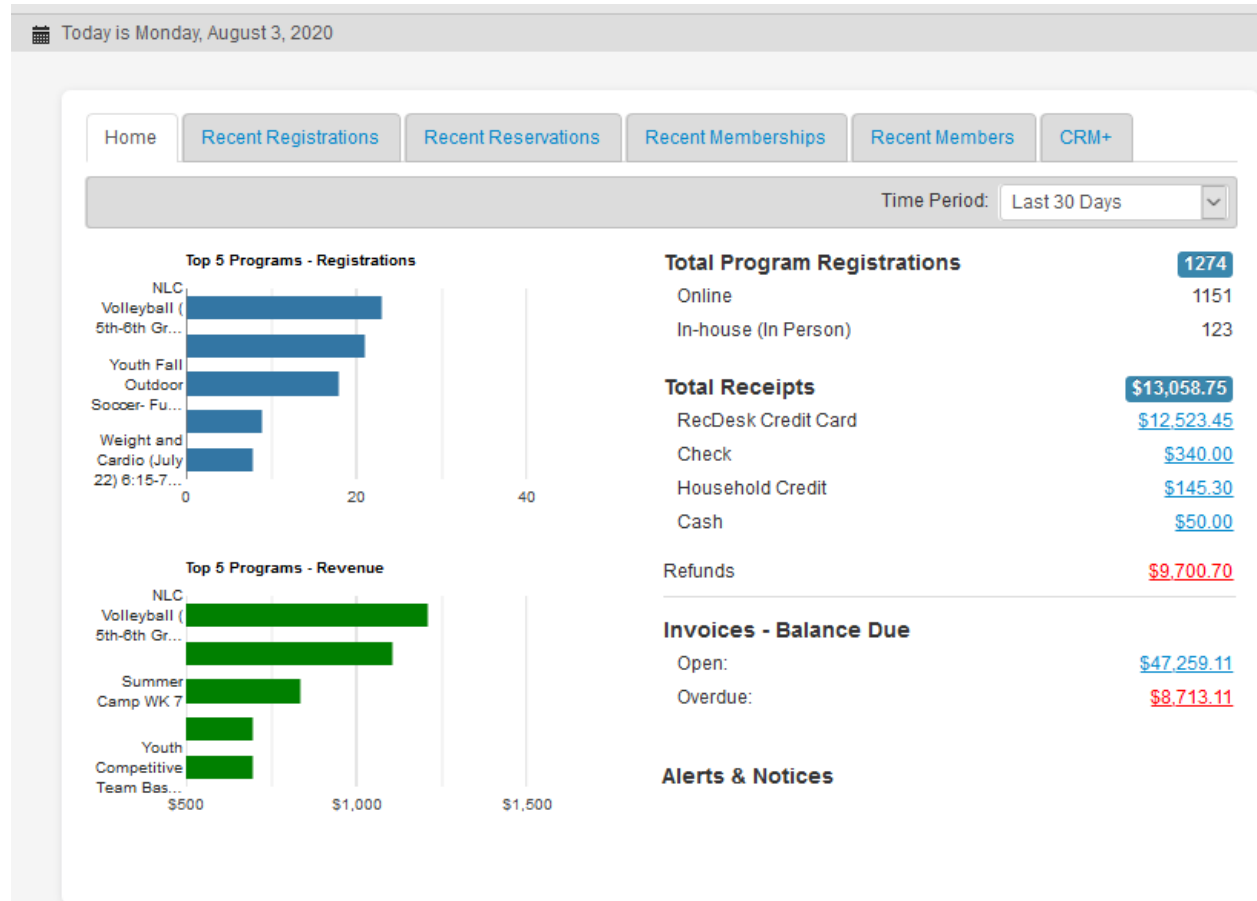
*\*\* Difference between GROSS and NET calculation is that NET uses CC (Net) value instead of CC (Gross) value*

## Sales Tax

		DEBITS									CREDITS	
<u>**Gross</u>	<u>**Net</u>	<u>Cash</u>	<u>Check</u>	<u>CC (Gross)</u>	<u>CC (Net)</u>	<u>ACH (Gross)</u>	<u>ACH (Net)</u>	<u>Internal CC</u>	<u>Acct Credit</u>	<u>Other</u>	<u>Refunds</u>	<u>Other</u>
		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>\$0.00</u>	<u>0.00</u>	<u>0.00</u>		<u>0.00</u>

*\*\* Difference between GROSS and NET calculation is that NET uses CC (Net) value instead of CC (Gross) value*

RecDesk Dashboard Summary; last 30 days:



# Membership Summary by Month

## Membership Counts (By Period)

Time Range: Custom Date Range (dropdown) From Date: 07/01/2020 To Date: 07/31/2020 [Apply Filters](#) [Clear All](#)

[List Actions](#)

### Summary By Month

	Jul, 2020
New Primaries	57
All New	63
Primary Renewals	12
All Renewals	18
Active Primaries	2480
All Active	2901



To **Mayor and City Council**  
CC **City Administrator Ryan Heiar**  
From **Street Superintendent Michael Pentecost**  
Date **August 3, 2020**  
Re **Street Department Staff Monthly Report for July**

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The following items took place in the month of **July** that involved the Streets Department.

- Locating of City Utilities (362 job tickets) ongoing
  - a. This is a decrease of 11.5% from July 2019
- Continued animal control services (27 responses to animal issues)
- Cemetery plot locates (2 in total)
- Projects/Meetings
  - a. St. Andrews Drive Reconstruction project
    - i. Progress meetings held every other week
    - ii. Parking lot access was closed for 7 days in order to make up time
    - iii. Contractor is about 2 weeks behind schedule now
    - iv. The city has remained in contact with the affected home owner and CCA School District
  - b. Ranshaw Way Phase 5
    - i. Soil bore samples were collected in various locations along the project
    - ii. 50% design review expected in August
  - c. Southwest Growth Project
    - i. Contractor has started installing sewer main and manholes on the east edge of the project
    - ii. Progress meetings held every other week
  - d. The Preserves Phase 4 subdivision plan reviewed by staff
  - e. TIM (Traffic Incident Management) meeting with local agencies
  - f. Traffic Controls Committee meeting to review residential requests, evaluate those requests, respond back with an action plan, and implement anything from the action plan if needed
- Traffic signal trouble shoot at Ranshaw Way and 240<sup>th</sup> St
- Teamed up with Police Department to construct mobile radar feedback sign/trailer to collect data and better address residential questions and concerns
- Tree removals and trimming
  - a. Damaged trees from the July 11<sup>th</sup> storm where removed along with other diseased and unstable trees in the ROW along George and Chestnut St
- Mowing of ROW areas
- Staff conducted monthly safety inspections for all street equipment and buildings
- Storm Sewer



- a. Storm sewer structure repairs at Windsor Farms, Fox Valley Dr, S Jones Blvd, and Kensington St.
  - b. Windsor Farms drainage basin lines jetted and vac clean of debris
  - c. North Liberty Rd erosion damaged area filled, graded, seeded, and matted
  - d. Contractor installed drainage tile for police station as directed by storm water team
- Sanitary Sewer
  - a. Maintenance/Repairs
    - i. Removed tuberculate encrusted material blocking 80% of pipe in some cases on Ranshaw Way crossings at Cherry St, Zeller St, and Fairview Dr
    - ii. The sewer main material is steel and prone to this issue
    - iii. Future CIP project will include lining of these pipes that will eliminate this problem
  - b. New Police Station Site
    - i. Worked with contractor to resolve sewer backup issue
- Concrete repairs
  - a. Streets and Water Dept teamed up to make repairs on Willow Ln and Juniper St sidewalk
  - b. Street crew has been working on construction of a sign supplies/equipment pad at the Public Works Facility as time allows
- Street Painting
  - a. Staff began annual painting of entire town for crosswalks, stop bars, symbols, parking stalls, and shorter street lines
  - b. Long line painting contracted out for more durable product and “cleaner” appearance
- Training
  - a. Staff and supervisor training on Bloodborne Pathogens, Defensive Driving, and PPE on Target Solutions
  - b. Supervisor training on Implicit Bias and Water Treatment and Distribution CEU to maintain licenses
- Covid-19 preparations
  - a. Continued cleaning and disinfection of all street dept. buildings and equipment
  - b. Regular meetings with management team and staff on updates and procedures
  - c. Daily health reports and visitor information data collected
  - d. Staff is still operating as 2 teams based out of the old shop and new shop
  - e. Staff transported a semi-load of PPE supplies from Linn Co to Johnson Co per Johnson Co Emergency Management request



**Large tree removals showing hollowed out base in right of way.**



**Windsor Farms storm drainage basin cleaned and improved guard system installed**



**North Liberty Road erosion area restored**



To **City Council, Mayor and City Administrator**  
From **Drew Lammers**  
Date **Aug 1, 2020**  
Re **July 2020 Water Pollution Control Plant (WPCP) Report**

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1. All scheduled preventative maintenance at the plant and lift stations was completed. Staff stayed very busy with numerous operational jobs throughout the month.
2. This month's staff safety meeting was on Hazardous Communication. Employees completed the target solutions tasks and also reviewed safety training topics as a group. WPCP dept. is currently updating our confined space entry program.
3. Staff continued working with the split staffing action plan due to COVID. All employees are onsite as regularly scheduled but remain working individually or in separated groups as much as possible. Daily health reporting, cleaning, and disinfecting is continuing as we proceed.
4. 165.2 wet tons of Bio-solids were hauled to a local farm field and applied to the ground along with the stockpiled bio-solids hauled a few weeks ago.
5. Having all of the dry cake solids hauled out and our total lbs. under aeration low gave us the space needed to shutdown each of the 2 digesters for inspection and maintenance. Both digesters were separately drained, cleaned and inspected. This usually only happens once per year given the required digester space needed to continuously operate at desired parameters.
6. Staff cleaned all of the grass and dry solids that accumulated in the EQ basin. There are a few wet areas that need to dry out in order to allow us to finish up. All of the material is removed by shoveling onto a tarp and pulled up and out by ropes attached to the boom on the service truck.
7. Southwest Growth project has officially started construction. Contractors began sanitary sewer main installation west of Jones Blvd. Progress will continue west before starting the lift station site construction west of I-380. City staff continues to have meetings with engineers, contractors, and inspectors to discuss updates and details of the project.

Drew Lammers

WPCP Superintendent



To **North Liberty Mayor and City Council Members**  
CC **City Administrator Ryan Heiar**  
From **Water Superintendent Greg Metternich**  
Date **August 3, 2020**  
Re **Monthly Report – July 2020**

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In the month of July, we treated a total of 42,825,000 gallons of water, our average daily flow was 1,381,000 gallons, and our maximum daily flow was 1,631,000 gallons. The total amount of water used in the distribution system was 4.13% lower than last July.

We had a busy month with 8,690 accounts read, 23 re-reads, 659 finals, 3 shut-offs (vacant properties), 4 re-connects for water service, 0 notices delivered, as we have suspended water disconnects during the COVID-19 crisis, 5 new meter set inspections, 6 meter change outs, 93 MIU change outs, assisted 1 customers with data logging information, and 66 calls for service. Our monthly total service work averaged 38 calls per day.

Northway Well and Pump finished the installation of the new submersible pump for well number 5 on Friday the 31<sup>st</sup>, during the initial startup of the well we discovered a bad underground wire coming from the VFD drive to the underground handhold. The well has two electrical conduits coming from the VFD drive, Shay Electric was able to run the well using only one of the conduits, this will allow us to use the well temporarily until we can get the underground wire replaced. The well has been disinfected, pumped to remove chlorine used to disinfect the well, and the first round of bacteria samples have been taken, if we pass the next round of samples the well will be back in-service on Friday the 7<sup>th</sup>.

We finished installing three additional distribution sample stations, that gives us a current total of 18 stations, we'll need 20 total to meet our bacteria sample plan.

We spent several days last month flushing hydrants in low flow areas. This is required to keep good quality water throughout the entire distribution system.

We had a fire hydrant located on Hauer Drive and a water sample station located on Stoner Court hit by vehicles last month, the sample station was a quick repair, and has been put back in service, the fire hydrant did not break at the breakaway flange so the hydrant will have dug up and replaced, the locate has been called in and we plan on replacing the hydrant next week.

Water Superintendent  
Greg Metternich

**Planning Commission**

August 4, 2020

Regular Session

NOTICE: Due to the COVID-19 pandemic, public health and safety concerns require City of North Liberty public meetings to be held electronically, so as to limit the spread of the virus.

**Roll Call**

Chair Rebecca Keogh called the August 4, 2020 Regular Session of the North Liberty Planning Commission to order at 6:30 p.m. Commission members present: Barry A'Hearn, Josey Bathke, Rebecca Keogh, Jessica Marks, Kylie Pentecost and Patrick Staber; absent: Jason Heisler.

Others present: Ryan Rusnak, Tracey Mulcahey, Grant Lientz, Derek Blackman, Matt Peoples, Tyler Doran and other interested parties.

**Approval of the Agenda**

Staber moved, Pentecost seconded to approve the agenda. The vote was all ayes. Agenda approved.

**1475 South Jones Boulevard Rezoning**

*Staff Presentation*

Rusnak opened the public hearing at 6:32 p.m. presenting the request of Tyler and Jennifer Doran for a zoning map amendment on 1.00 acre, more or less, from ID – Interim Development District to RS-4 Single-Unit Residence District on property located at 1475 South Jones Boulevard. Staff recommends approval of this application with two findings in the staff report. The public hearing was closed.

*Applicants Presentation*

Tyler Doran was present on behalf of the applicant, presented additional information and offered to answer questions.

*Public Comments*

No comments were received on the application.

*Questions and Comments*

The Commission had no discussion on the application.

*Recommendation to the City Council*

Bathke moved, A'Hearn seconded to recommend approval of the application to the City Council with the two findings. The vote was: ayes – Marks, Staber, Keogh, Pentecost, A'Hearn, Bathke; nays – none. Motion carried.

## **205 W. Penn Street Rezoning**

### *Staff Presentation*

Rusnak opened the public hearing at 6:34 p.m. regarding the request of Matt Peoples on behalf of LJP Management, LLC for a zoning map amendment on .5 acres, more or less, from RD-10 – Two Unit Residence District and RS-4 – Single Unit Residence District to RS-O – Single Unit Residential Special Use District on property located at 205 West Penn Street. Staff recommends approval with two findings. The public hearing was closed.

### *Applicants Presentation*

Matt Peoples was present on behalf of the applicant and offered to answer questions.

### *Public Comments*

No public comments were received.

### *Questions and Comments*

The Commission discussed the application including staffing maximum allowed by zoning, parking requirements with an expansion, addition of an additional access point on Dubuque Street, traffic volume impacts, compatibility with neighboring uses and the amount of the house that will be used. The applicant met with the neighbors to explain the plan for the use of the house.

### *Recommendation to the City Council*

Pentecost moved, Marks seconded to recommend approval of the application to the City Council including the two findings. The vote was: ayes – Bathke, Marks, Pentecost, Staber, A'Hearn, Keogh; nays -none. Motion carried.

## **Approval of Previous Minutes**

Staber moved, A'Hearn seconded to approve the minutes from the July 7, 2020 Planning Commission meeting. The vote was all ayes. Minutes approved.

## **Old Business**

No old business was presented.

## **New Business**

No new business was presented.

## **Adjournment**

At 6:46 p.m., Marks moved, Staber seconded to adjourn. The vote was all ayes. Meeting adjourned.

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Tracey Mulcahey, City Clerk