North Liberty City Council
Regular Session
May 25, 2021

North Liberty
IOWA

City Administrator Memo

North Liberty IOWA

MEMORANDUM

To **Mayor and City Council**
From **Ryan Heiar, City Administrator**
Date **May 21, 2021**
Re **City Council Agenda May 25, 2021**

Meeting Note

Tuesday's meeting will be held virtually via Zoom and live streamed at Watch Meetings Live as well as available on the website. The City Council and 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.

Consent Agenda

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

- City Council Minutes (05/11/21)
- Claims
- Pay Application #9, SW Growth Area Water & Sewer Extensions, Boomerang Corporation, $333,687.50

Meetings & Events

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

Tuesday, Jun 1 at 6:30p.m.
Planning Commission

Thursday, Jun 3 at 7:00p.m.
Parks & Recreation Commission

Monday, Jun 7 at 6:00 p.m.
Communications Commission

Tuesday, Jun 8 at 6:30p.m.
City Council

Livestock Ordinance Amendment, 3rd & Final Reading

The revised draft of the proposed ordinance includes the amendments approved by the City Council on April 27 and May 11, which is to allow the entire rear yard to be an unenclosed pen, clarification that a chicken coop may be up to 8' in height and wire may be used as a material and replacing the term City Clerk with Zoning Administrator or Designee. Other provisions that were initially revised remain, including the deletion of noise and odor provisions that are duplicative of other code sections, elimination of the banding requirement for each bird, and requiring only one wing to be clipped.

Greenbelt Trail Rezoning Request, 3rd & Final Reading and Preliminary Plat

Greenbelt Trail II, LLC is requesting a zoning map amendment to RD-10 to allow 7.36 acres – west side of North Liberty Road approximately 700 feet north of Salm Drive - to be developed with 40 two-family dwellings and related infrastructure. After the zoning map amendment request to RS-6 for the overall property, the developer indicated a desire for this section to be two-family dwellings. The developer has stated that this area was selected because there would be less potential traffic conflicts with it not being along the main entrance to the subdivision and that the higher density development would be

adjacent to the future school site. The request is consistent with the Comprehensive Plan Future Land Use designation, which is Residential. It is staff's opinion that the RD-10 zoning is compatible with surrounding RS-6 Greenbelt Trail zoning and fits in nicely into the overall development. Two area residents attended the March 17, 2021 neighborhood meeting where no objections were expressed. The Planning Commission unanimously recommended approval of the request at its April 6, 2021 meeting. Staff recommends approval of the zoning map amendment request.

The corresponding preliminary plat is also on the agenda, meets the ordinance requirements and is recommended for approval by the Planning Commission and staff.

Alcohol in Public Places Ordinance Amendment, 3rd & Final Reading

Following the cancellation of Blues & BBQ this year due to the pandemic, City staff began exploring other options for smaller, outdoor events that could be held safely on City property, and one such idea was a bring your own beverage (BYOB) event. Similar events have been held successfully in other communities, but consumption or possession of alcohol in a public place is currently prohibited by ordinance in North Liberty. This proposed amendment is intended to provide some limited flexibility concerning that restriction, both for BYOB events, and looking forward to other events that might include alcohol sales from approved vendors. The amendment allows for the sale, use or possession of alcohol with the execution of an agreement with the City that strictly details the location, time, and manner in which those activities could take place, and requires licensure, insurance coverage, and indemnification of the City, and more. Consumption and possession on city grounds would be permitted only in designated and agreed-upon times and places with the issuance of a special event permit, which will also carry such additional conditions as may be deemed necessary to protect the public health, safety and welfare. An agreement or a special event permit contemplated by this amendment does not allow for public intoxication. Staff recommends approval of the proposed ordinance amendment.

FY21 Budget Amendment

Each year, cities are required to amend their budgets to provide additional spending authority in cases where expenses are greater than budgeted. Amendments are not required for revenues; however, staff has included revenue projections within the amendment. Included in the packet is the budget amendment summary, with notes explaining the additional revenues and expenses projected for FY21. Not surprisingly, most of the amendments are related to COVID and Derecho. The proposed amendment

will not have significant impacts to operating fund balances. Staff recommends approval of the amendment.

Pool Heater Project

Bids for the pool heater project will be accepted June 1 and it is anticipated that a recommendation for a contract award will be on the June 8 Council meeting agenda. The estimated project budget is $475k. The project is expected to start in late August to minimize conflict with the operation of the outdoor pool. Staff recommends approval of the plans, specifications and cost of the project.

Dubuque Street, Phase 1 Project

The City has reached an agreement for the purchase of real property interests with several property owners who will be affected by the Dubuque Street Phase One public improvement project. All the acquisitions, summarized in the chart to the right, are for the values previously approved by City Council for the various parcel. Staff recommends approval.

Property Owner	Easement Type	Amount
Hope Presbyterian Church	Temporary Construction Easement	$1,200
Bertha S. Olin	Temporary Construction Easement	$650
Grateful Park LLC	Temporary Construction Easement	$400

2021A Borrowing

Staff has been working with the City's financial advisor and bond counsel to prepare for selling just over $7 million in bonds to cover the costs of projects that have been or will be completed in the near future. The chart to the left identifies the projects and amounts. The resolution on the agenda, which staff recommends approval, is setting a public hearing date for June 8.

2021A Bond Sale - Summary of Projects

Project	Amount	Type
Ranshaw Way, Phase 2	$900,000	GO/TIF
St. Andrews Drive	$1,400,000	GO/TIF
Subtotal	**$2,300,000**	
Pumper Truck	$465,000	GO
Aquatic Center Boiler Project	$200,000	GO
Storm Water Projects	$91,000	GO
St. Andrews Drive	$1,400,000	GO
Police Station	$2,600,000	GO
Subtotal	**$4,756,000**	
Total	**$7,056,000**	

Utility Easement

Linn County REC has requested a 10' utility easement from the City across Meade Barn campus, located at 451 E Penn Street. The City benefits from the transfer, because of the

preference for utilities to operate within dedicated utility easements rather than the right of way. The easement will not interfere with City operations, and the Parks and Streets departments have no objection. This easement, if approved, would be extended to all eligible public utility franchise holders in the same manner as would a utility easement on a final subdivision plat. Staff recommends approval.

Face Coverings (Masks)

The agenda includes a revised face covering resolution that is consistent with the most recent CDC recommendations. While the resolution provides no authority for the City to enforce any sort of face covering requirements for private businesses, employers and residents, it does encourage residents, business owners and visitors to consider recommendations provided by local and national health professionals.

Water Rate Ordinance Amendment, 1st Reading

The packet includes the latest revenue and expense projections for the City's sewer and water utilities. From a revenue perspective, sewer is spot on from what was projected during the February budget discussions and a 0% increase remains the recommendation. Water sales are trending slightly lower than anticipated. It was projected that in FY21 the City would sell approximately 402 million gallons of water; however, the latest projections indicate sales closer to 389 million gallons, resulting in a $90K reduction in projected revenues. A 2% water rate increase was included in the budget model and, despite the slower sales, that remains the recommendation for FY 22.

Physician's Building Rezoning Request, 1st Reading

Physicians Building Group, LLC is requesting a zoning map amendment to O/RP to allow 33.48 acres – west side of South Kansas Avenue approximately .23 miles north of the West Forevergreen Road – to be developed as medical offices with the potential for a hospital. The applicant has indicated that they are seeking approval of the rezoning before formally acquiring the property. No plans have been generated at this point; however, staff is confident that the City's development regulations will ensure a high-quality campus. Approximately 10 people attended the April 8, 2021 good neighbor meeting where no objections were expressed. Specific questions about the development were not able to be answered because plans have not been generated. Staff committed to sharing future plans with area property owners once received. The Planning Commission unanimously recommended approval of the request at its May 4, 2021 meeting. At the meeting it was stated by a Planning Commission member that this is an ideal location for the proposed use. It is staff's opinion that the request is consistent with

the Comprehensive Plan and the proposed zoning would be compatible with the area. Therefore, staff recommends approval of the rezoning.

Solomon Holdings LLC Rezoning Request, 1st Reading

Solomon Holdings, LLC is requesting a zoning map amendment to C-2A PAD allowing 2.46acres – west side of Community Drive approximately 240 feet south of West Penn Street – to be developed with a four-story, 60-unit residential building and a one-story office/retail building. The development proposes to remove an overflow parking area and expand into the southern part of the Tin Roost property. The PAD is being requested to allow the flexibility of having a multiple-unit dwellings, which is not allowed within the underlying C-2A District alone. Also, flexibility is being requested to allow a four story building (48' 8" from grade to the top of the parapet). A small number of people attended the March 10, 2021 good neighbor meeting where no objections were expressed. To date, staff has received one letter in favor of the request and one letter opposed. The Planning Commission unanimously recommended approval of the request at its May 4, 2021 meeting. At the meeting staff indicated its support for the request due to the property's proximately to two major roads (West Penn Street and Ranshaw Way) and the Liberty Centre Pond. Staff also discussed the need to modernize the City's antiquated off-street parking standards. It is staff's opinion that the request is consistent with the Comprehensive Plan and the proposed zoning would be compatible with the area. Staff recommends approval of the zoning map amendment request.

North Liberty
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Agenda

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AGENDA

City Council
May 25, 2021
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.

This meeting may be accessed live by the public on the internet at northlibertyiowa.org/live, on Facebook at facebook.com/northliberty or on YouTube at youtube.com/c/northliberty. You can also attend by phone; call 1 (312) 626 6799 with a touch-tone phone and enter the meeting ID 835 1269 5035 and meeting password 316702099. Meetings are rebroadcast on cable and available on-demand on northlibertyiowa.org.

1. Call to order

2. Roll call

3. Approval of the Agenda

4. Consent Agenda
   A. City Council Minutes, Regular Session, May 11, 2021
   B. Claims
   C. SW Growth Area Water & Sewer Extensions, Pay Application Number 9, Boomerang Corporation, $333,687.50

5. City Engineer Report

6. City Administrator Report

7. Mayor Report

8. Livestock Ordinance
   A. Third consideration and adoption of Ordinance Number 2021-06, An Ordinance amending the Code of Ordinances of the City of North Liberty,

Iowa, updating portions of the Animal Control Code concerning livestock within city limits

9. Greenbelt Trail Subdivision
   A. Third consideration and adoption of Ordinance Number 2021-07, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending the use regulations on property located on the west side of North Liberty Road approximately 700 feet north of Salm Drive located in North Liberty, Iowa to those set forth in the Municipal Code for the RD-10 Two-Unit Residence District
   B. Resolution Number 2021-43, A Resolution approving the Preliminary Plat of Greenbelt Trail Part Two-B, North Liberty, Iowa

10. Alcohol in Public Places
   A. Third consideration and adoption of Ordinance Number 2021-08, An Ordinance amending Chapter 45 of the North Liberty Code of Ordinances to allow the consumption and sale of alcohol in authorized public areas

11. FY 21 Budget Amendment
   A. Public Hearing
   B. Resolution Number 2021-44, A Resolution amending the Current Budget for the Fiscal Year ending June 30, 2021

12. Pool Water Heater Replacement Project
   A. Public Hearing regarding proposed plans, specifications, form of contract and cost of project
   B. Resolution Number 2021-45, A Resolution finally approving and confirming plans, specifications, and estimate of cost for the Pool Water Heater Replacement Project

13. Dubuque Street Project
   A. Resolution Number 2021-46, A Resolution approving the purchase of Temporary Construction Easements by the City of North Liberty for the Dubuque Street Phase One Project

14. 2021A Borrowing
   A. Resolution Number 2021-47, A Resolution setting the date for public hearing on proposal to enter into General Obligation Loan Agreement and to borrow money thereunder

15. Meade Farm Linn County REC Utility Easement

A. Resolution Number 2021-48, A Resolution approving the Public Easement Agreement for Electric Utility and Franchisees between Linn County Rural Electric Cooperative Association and the City of North Liberty

16. Face Covering Resolution
    A. Resolution Number 2021-49, A Resolution providing continued guidance regarding the North Liberty Face Covering Public Health Initiative to help combat COVID-19

17. Water Rate Amendment
    A. Public Hearing regarding proposed water rate amendment
    B. First consideration of Ordinance Number 2021-09, An Ordinance amending Chapter 92.02, entitled "Rates for Service," of the Municipal Code of North Liberty by adopting a new Section 92.02 to increase the charges for water used

18. Physician's Building Rezoning Request
    A. Public Hearing regarding proposed rezoning
    B. First consideration of Ordinance Number 2021-10, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending the use regulations on property located on the west side of south Kansas Avenue approximately .23 miles north of west Forevergreen Road located in North Liberty, Iowa to those set forth in the Municipal Code for the O/RP Office and Research Park District

19. Solomon Holdings LLC Rezoning Request
    A. Public Hearing regarding proposed rezoning
    B. First consideration of Ordinance Number 2021-11, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending the use regulations on property located on the west side of Community Drive approximately 240 feet south of West Penn Street located in North Liberty, Iowa to those set forth in the Municipal Code for the C-2A PAD Highway Commercial District Planned Area Development

20. Old Business

21. New Business

22. Adjournment

Consent Agenda

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City Council
May 11, 2021
Regular Session

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

Call to order

Mayor Terry Donahue called the May 11, 2021 Regular Session of the North Liberty City Council to order at 6:30 p.m. Councilors present: RaQuishia Harrington, Chris Hoffman, Annie Pollock, Brent Smith, Brian Wayson; absent none.

Others present: Ryan Heiar, Grant Lentz, Ryan Rusnak, Kevin Trom, Mary Byers, Nick Bergus, Jennie Garner, Bob Oppermeir, Keshia Fields and other interested parties.

Approval of the Agenda

Harrington moved, seconded by Pollock to approve the agenda. The vote was all ayes. Agenda approved.

Consent Agenda

Harrington moved, seconded by Smith to approve the consent agenda including: City Council Minutes, Regular Session, April 27, 2021, Claims, Aquatic Center HVAC Replacement, Change Order Number 2, Apex Construction Company, $47,307.63. After discussion, the vote was all ayes. Consent Agenda approved.

City Engineer Report

The SW Growth Utilities is behind schedule and Trom is meeting with the project manager this week to talk about their schedule and quality of work. This project has a May 31st completion date and Trom will follow the terms of the contract. Ranshaw Way, Phase 5 Project is on this agenda to review the bids and award the contract. The Ranshaw House renovation, Phase II completion date is at the end of this month and Trom is meeting with the contractor this week. The Pool Heater Replacement Project continues with bid documents going out tomorrow; Public Hearing scheduled for May 25th; and bid opening June 1st, awarding the contract on June 8th. The City Hall Project continues and hopes to get concept drawing to council on June 22nd. The Forevergreen Trail Project will be on the agenda July 13th to award the contract. The Centennial Park Loop Road is scheduled for a July 27th bid awarding.

City Administrator Report

Staff is working on the Budget Amendment and selling of bonds for completed projects and both these items will be on the next agenda. The American Rescue Plan rules were released yesterday and staff will review and bring plan to Council.

Mayor Report

Mayor Donahue read Proclamations for Bicycle Month and Bike to Work Week, World Neurofibromatosis Awareness Day, and Asian American and Pacific Islander Heritage Month.

Outreach and Equity Coordinator Position

Jennie Garner and Nick Bergus presented the job description for the new Outreach and Equity Coordinator Position.

FY22 Social Service Grants

Pollock moved, seconded by Harrington, to approve Resolution Number 2021-37, A Resolution affirming Social Service Grant Allocations for Fiscal Year 2021-22. The vote was: ayes—Smith, Hoffman, Pollock, Wayson, Harrington; nays—none. Motion carried.

Franchise Fees

Smith moved, seconded by Hoffman, to approve the Third consideration and adoption of Ordinance Number 2021-05, An Ordinance amending the MidAmerican Energy Company, Interstate Power and Light Company, and Linn County Rural Electric Cooperative Franchise Agreements to adjust Franchise Fees. The vote was: ayes—Harrington, Wayson, Hoffman, Smith, Pollock; nays—none. Motion carried.

Livestock Ordinance

Rusnak addressed the Council on amendments to the Ordinance to allow the entire rear yard to be an unenclosed pen; clarification on what a chicken coop is and what materials is used, that that the Zoning Code Official process the permits.

Smith moved, seconded by Wayson, to consider the amendments to Ordinance Number 2021-06 to include the clarification of what is a chicken coop and what materials to use; and that the Zoning Code Official will issue the permits. After discussion, the vote was: ayes-Harrington, Wayson, Hoffman, Smith, Pollock; nays—none. Motion carried.

Hoffman moved, seconded by Harrington to consider the Second consideration of Ordinance Number 2021-06, An Ordinance amending the Code of Ordinances of the City of North Liberty, Iowa, updating portions of the Animal Control Code concerning livestock within city limits. The vote was: ayes—Smith, Harrington, Pollock, Wayson, Hoffman; nays—none. Motion carried.

Greenbelt Trail Rezoning

Hoffman moved, seconded by Pollock, to approve consider the Second consideration of Ordinance Number 2021-07, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending the use regulations on property located on the west side of North Liberty Road approximately 700 feet north of Salm Drive located in North Liberty, Iowa to those set forth in the Municipal Code for the RD-10 Two-Unit Residence District The vote was: ayes—Hoffman, Wayson, Pollock, Harrington, Smith; nays—none. Motion carried.

Alcohol in Public Places

Wayson moved, seconded by Harrington, to approve Second consideration of Ordinance Number 2021-08, An Ordinance amending Chapter 45 of the North Liberty Code of Ordinances to allow the consumption and sale of alcohol in authorized public areas. The vote was: ayes—Pollock, Wayson, Harrington, Smith, Hoffman; nays—none. Motion carried.

Dubuque Street Phase 1 Project

Hoffman moved, seconded by Wayson, to approve Resolution Number 2021-38, A Resolution authorizing Relocation Assistance and Reimbursement Procedures for Nonresidential Tenants displaced by the Acquisition of certain properties for the Dubuque Street Phase 1 Improvement Project. The vote was: ayes—Wayson, Hoffman, Pollock, Smith, Harrington; nays—none. Motion carried.

Ranshaw Way Phase 5 Project

Harrington moved, seconded by Wayson, to approve Resolution Number 2021-39, A Resolution accepting the bid and authorizing execution of the Contract for the Ranshaw Way Phase 5 Improvements Project, North Liberty, Iowa. The vote was: ayes—Pollock, Smith, Hoffman, Wayson, Harrington; nays—none. Motion carried.

Pollock moved, seconded by Hoffman, to approve Resolution Number 2021-40, A Resolution approving a special speed limit specifically for a segment of Ranshaw Way in the City of North Liberty, Iowa. The vote was: ayes—Wayson, Smith, Hoffman, Pollock, Harrington; nays—none. Motion carried.

Storm Siren Grant

Pollock moved, seconded by Hoffman, to approve Resolution Number 2021-41, A Resolution approving the Subaward Agreement between the City of North Liberty and Iowa Department of Homeland Security and Emergency Management. The vote was: ayes—Smith, Harrington, Pollock, Wayson, Hoffman; nays—none. Motion carried.

Lease Agreement
Wayson moved, seconded by Hoffman, to approve Resolution Number 2021-42, A Resolution approving the Lease Agreement between the City of North Liberty and Epley Properties, LLC. The vote was: ayes—Harrington, Hoffman, Smith, Pollock, Wayson; nays—none. Motion carried.

Old Business
No old business was offered.

New Business
Smith thanked his colleagues on their attendance and their voting records. Smith would like the city of open up post COVID-19.

Adjournment
Mayor Donahue adjourned the meeting at 7:32 p.m.

By: _____
Terry L. Donahue, Mayor

Attest: _____
Mary Byers, Deputy Clerk

EJCDC
ENGINEERS JOINT CONTRACT DOCUMENTS COMMITTEE

Contractor's Application for Payment No. 9

Application Period: April 1 - April 30	Application Date: 5/6/2021	
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
TOTALS		
NET CHANGE BY CHANGE ORDERS		

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)	$	$2,475,283.58
5. RETAINAGE:		
a. 5.00% X $2,256,730.00 Work Completed	$	$112,836.50
b. 5% X $218,553.58 Stored Material	$	$10,927.68
c. Total Retainage (Line 5.a + Line 5.b)	$	$123,764.18
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c)	$	$2,351,519.40
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	$	$2,017,831.90
8. AMOUNT DUE THIS APPLICATION	$	$333,687.50
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G total on Progress Estimates + Line 5.c above)	$	$812,443.60

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: 5-6-2021

Payment of: $ $333,687.50
(Line 8 or other - attach explanation of the other amount)

is recommended by: _____ 5-17-21
(Engineer) (Date)

Payment of: $ $333,687.50
(Line 8 or other - attach explanation of the other amount)

is approved by: _____
(Owner) (Date)

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

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Livestock Ordinance

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NORTH LIBERTY, IOWA, UPDATING PORTIONS OF THE ANIMAL CONTROL CODE CONCERNING LIVESTOCK WITHIN CITY LIMITS~~:~~

BE IT ENACTED by the City Council of the City of North Liberty, Iowa:

SECTION 1. AMENDMENT. Section 55.23 of the Code of Ordinances of the City of North Liberty, Iowa, is amended to read as follows:

55.23 LIVESTOCK.

It is unlawful for a person to keep livestock within the City, except in compliance with the City's zoning regulations.

1. Notwithstanding the provisions of this section, the keeping of domestic chickens (members of the subspecies of Gallus gallus domesticus) shall be permitted ~~on~~ as an accessory use to single-family residences and zero-lot line duplexes (where each unit owner owns a separate and distinct portion of the lot), so long as such keeping is in strict compliance with this subsection and all other applicable City ordinances unless, despite compliance with the following, the presence of any particular chickens endangers the health, safety, peace, quiet, comfort, enjoyment of, or otherwise becomes a public nuisance to nearby residents or occupants or places of business.

A. No person shall keep chickens inside ~~a single family dwelling unit, multi-family dwelling units or rental units~~any residence.

B. A tenant must obtain the landlord's written permission to keep chickens, which shall be submitted as part of the application for a permit.

C. Chickens must be confined in a coop or fowl house ~~not less than 18 inches in height~~ or, in the alternative, within a single, unenclosed fenced pen area. The fenced pen area may be the entire rear yard, provided that the area satisfies all other requirements of this Chapter. Chickens must be kept within the coop, the fowl house, or the fenced pen area at all times unless removed for a temporary time for cleaning or for the safety of the chicken. Chickens must be housed in the coop from dusk until dawn.

D. The coop, the fowl house, or the fenced pen area shall be located in the rear yard (as defined in Section 167.01) only, must be of such a design to be reasonably expected to prevent entry by dogs, cats, or other animals, shall be completely

enclosed (except fenced pen area), shall be well maintained, and shall be well drained so there is no accumulation of moisture.

E. The materials used in making a coop or fowl house (stationary or mobile) shall be substantially uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal, or similar materials is prohibited. Fencing materials must meet all requirements set forth in the zoning regulations; however, except as set forth herein, coops and fowl houses are not subject to building code requirements. By way of example, coop or fowl house walls consisting primarily of sturdy wire fencing, and coop or fowl house roofing consisting of sturdy wire, aviary netting or solid roofing are permitted.

F. ~~The~~A coop~~, the~~ or fowl house~~, or the fenced pen area~~ shall have a minimum of four (4) and a maximum of twelve (12) square feet of floor area for each chicken. ~~but shall not be any larger than twelve (12) square feet of area for each chicken. The~~ Any coop or~~,~~ fowl house~~, or fenced pen area~~ shall be a minimum of ~~fifteen~~ ten (~~15~~10) feet from any property line. Any coop or fowl house~~,~~ shall not be less than 18 inches in height, and shall not ~~not~~ exceed eight (8) feet in height~~,~~. Any coop, fowl house, or fenced pen area~~and~~ shall fully comply with all applicable zoning regulations.

G. Any coop, fowl house, or fenced pen area shall be kept clean, sanitary and free from accumulation of chicken excrement and objectionable odors. ~~All droppings and body excretions shall be either placed in fly-proof containers and double-bagged in plastic bags or, in the alternative, used as fertilizer on the same property or, with the owner's permission, on other property within the City, so long as the droppings and body excretions are spread and incorporated into the soil within twenty four (24) hours~~Chicken manure shall be managed so as not to create a nuisance.

H. Odors from chickens, chicken manure or other chicken related substances shall not be perceptible beyond the boundaries of the permitted tract of land. Noise from chickens shall not ~~to disturb persons on adjoining properties or beyond based on an objective or reasonable person standard~~violate Section 55.04.

I. All chicken feed shall be stored in rodent-proof containers.

J. No more than six (6) chickens shall be kept or maintained per property.

K. All chickens shall have one wing~~s~~ clipped at any given time so as to eliminate the possibility of flight from the permittee's property.

L. All such chickens must be hens; no roosters are permitted.

~~M. All chickens covered by a permit shall be banded in accordance with procedures and requirements established by the City.~~

~~N~~M. The City shall not be liable for injury or death of chickens caused by dogs, cats, or other animals, domestic or wild, whether such animals are licensed by the City or not. Further, injury or death of a chicken caused by an animal is not, in and of itself, sufficient grounds for the City to determine that the animal is a vicious animal pursuant to Chapter 56 of this Code of Ordinances. Any dead chicken, not caused by slaughtering, shall be disposed of immediately upon discovering in a manner so as not to cause a nuisance pursuant to Chapter 50 of this Code of Ordinances.

~~O~~N. Any slaughter of chickens not regulated by state law or otherwise forbidden or regulated shall be done only in a humane and sanitary manner and shall not be done open to the view of any public area or adjacent property owned by another.

2. No person shall keep any chickens unless they possess a City of North Liberty permit issued by the ~~City Clerk~~Zoning Code Official or designee.

A. The ~~City Clerk~~Zoning Code Official or designee shall provide an application form upon request~~, which shall include consent forms for landlords and owners of adjacent properties~~.

B. The fees and associated costs shall be set by resolution.

C. Permits will be granted for one (1) year valid from January 1 through December 31. Permits may be purchased at any time during the year but will be valid only through December 31. ~~Bands will be issued with the permit. The permittee shall place and keep leg bands on all of his chickens showing the permit number.~~

D. The applicant shall successfully complete an approved class in raising chickens in an urban setting prior to being issued a permit. The Permitting Officer shall maintain a current list of such approved classes.

~~E. Each chicken shall be banded at all times.~~

~~F~~E. By the granting of the permit to raise chickens and the application thereof, the permittee authorizes that the City or its agents have the right to go onto permittee's property any time and without prior notice for the limited purpose of inspection of the premises to ensure that all applicable conditions have been met.

~~G~~F. Within thirty (30) days after the expiration of any permit, the permittee shall apply for and secure a renewal of the permit in the manner provided for in this chapter. Failure to renew a permit within the time herein provided shall result in a

delinquent fee, in addition to the regular permit fee, as set by the city council. All applicants shall be furnished with permit rules and regulations at the time the application is made. Permit rules and regulations shall be approved by resolution of the city council.

~~H~~G. The permit is a limited license for the activity, and no vested zoning rights arise from the permit being issued.

~~I~~H. The permit does not run with the land. Private restrictions on the use of property shall remain enforceable and shall supersede the permit. The private restrictions include, but are not limited to, deed restrictions, condominium restrictions, neighborhood association bylaws, covenants and restrictions, and rental agreements. ~~A permit issued to a person whose property is subject to private restrictions that prohibit keeping of chickens is void.~~

3. In the event that an applicant or permittee does not fully and strictly comply with the requirements of this section, the application may be denied or the permit may be revoked. If an application is denied or a permit is revoked, the applicant or permittee shall be so informed in writing and also informed of the right to appeal said decision.

A. In any instance where the ~~City Clerk~~Zoning Code Official or designee has denied, revoked, suspended, or not renewed a permit, the applicant or permit holder may appeal the ~~Clerk's~~ Zoning Code Official or desginee's decision to the City Administrator within ten (10) business days of receipt by the applicant or holder of the permit of the notice of the decision. The applicant or holder of the permit will be given an opportunity for a hearing. The decision of the City Administrator or any decision by the ~~Clerk~~ Zoning Code Official or designee that is not appealed in accordance to this chapter shall be deemed final action.

B. When an application for a permit is denied or when a permit is revoked:

(1) The applicant may not re-apply for a new permit for a period of 1 year from the date of the denial or revocation unless the denial or revocation is due to administrative reasons only, as determined by the ~~City Clerk~~Zoning Code Official or designee.

(2) Any chickens shall be removed immediately.

(3) Any coop, fowl house, fencing or other structures shall be removed within ten (10) days of the date of the permit being denied or revoked.

4. An owner or possessor of animals on property that is newly annexed has ninety (90) days from the date of annexation to bring the property into compliance required by this section.

5. Any property owner possessing chickens in violation of the City's Animal Code prior to the date this ordinance or its amendment becomes effective, which is an illegal nonconforming use, shall have thirty (30) days to meet all requirements of this section and all other applicable provisions of the City's code of Ordinances.

6. A violation of this subsection is a simple misdemeanor or a municipal infraction, as provided in Chapter 3 of this Code of Ordinances.

SECTION 2. REPEALER. All Ordinances or 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 it final passage, approval and publication as provide by law.

First reading on _____.
Second reading on _____.
Third and final reading on _____.

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 _____ in the *North Liberty Leader*

on _____.

Ordinance Number 2021-06

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NORTH LIBERTY, IOWA, UPDATING PORTIONS OF THE ANIMAL CONTROL CODE CONCERNING LIVESTOCK WITHIN CITY LIMITS

BE IT ENACTED by the City Council of the City of North Liberty, Iowa:

SECTION 1. AMENDMENT. Section 55.23 of the Code of Ordinances of the City of North Liberty, Iowa, is amended to read as follows:

55.23 LIVESTOCK.

It is unlawful for a person to keep livestock within the City, except in compliance with the City's zoning regulations.

1. Notwithstanding the provisions of this section, the keeping of domestic chickens (members of the subspecies of Gallus gallus domesticus) shall be permitted as an accessory use to single-family residences and zero-lot line duplexes (where each unit owner owns a separate and distinct portion of the lot), so long as such keeping is in strict compliance with this subsection and all other applicable City ordinances unless, despite compliance with the following, the presence of any particular chickens endangers the health, safety, peace, quiet, comfort, enjoyment of, or otherwise becomes a public nuisance to nearby residents or occupants or places of business.

A. No person shall keep chickens inside any residence.

B. A tenant must obtain the landlord's written permission to keep chickens, which shall be submitted as part of the application for a permit.

C. Chickens must be confined in a coop or fowl house or, in the alternative, within a single, unenclosed fenced pen area. The fenced pen area may be the entire rear yard, provided that the area satisfies all other requirements of this Chapter. Chickens must be kept within the coop, the fowl house, or the fenced pen area at all times unless removed for a temporary time for cleaning or for the safety of the chicken. Chickens must be housed in the coop from dusk until dawn.

D. The coop, the fowl house, or the fenced pen area shall be located in the rear yard (as defined in Section 167.01) only, must be of such a design to be reasonably expected to prevent entry by dogs, cats, or other animals, shall be completely enclosed (except fenced pen area), shall be well maintained, and shall be well drained so there is no accumulation of moisture.

E. The materials used in making a coop or fowl house (stationary or mobile) shall be substantially uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal, or similar materials is prohibited. Fencing materials must meet all requirements set forth in the zoning regulations; however, except as set forth herein, coops and fowl houses are not subject to building code requirements. By way of example, coop or fowl house walls consisting primarily of sturdy wire fencing, and coop or fowl house roofing consisting of sturdy wire, aviary netting or solid roofing are permitted.

F. A coop or fowl house shall have a minimum of four (4) and a maximum of twelve (12) square feet of floor area for each chicken. Any coop or fowl house shall be a minimum of ten (10) feet from any property line. Any coop or fowl house shall not be less than 18 inches in height, and shall not exceed eight (8) feet in height. Any coop, fowl house, or fenced pen area shall fully comply with all applicable zoning regulations.

G. Any coop, fowl house, or fenced pen area shall be kept clean, sanitary and free from accumulation of chicken excrement and objectionable odors. Chicken manure shall be managed so as not to create a nuisance.

H. Odors from chickens, chicken manure or other chicken related substances shall not be perceptible beyond the boundaries of the permitted tract of land. Noise from chickens shall not violate Section 55.04.

I. All chicken feed shall be stored in rodent-proof containers.

J. No more than six (6) chickens shall be kept or maintained per property.

K. All chickens shall have one wing clipped at any given time so as to eliminate the possibility of flight from the permittee's property.

L. All such chickens must be hens; no roosters are permitted.

M. The City shall not be liable for injury or death of chickens caused by dogs, cats, or other animals, domestic or wild, whether such animals are licensed by the City or not. Further, injury or death of a chicken caused by an animal is not, in and of itself, sufficient grounds for the City to determine that the animal is a vicious animal pursuant to Chapter 56 of this Code of Ordinances. Any dead chicken, not caused by slaughtering, shall be disposed of immediately upon discovering in a manner so as not to cause a nuisance pursuant to Chapter 50 of this Code of Ordinances.

N. Any slaughter of chickens not regulated by state law or otherwise forbidden or regulated shall be done only in a humane and sanitary manner and shall not be done open to the view of any public area or adjacent property owned by another.

2. No person shall keep any chickens unless they possess a City of North Liberty permit issued by the Zoning Code Official or designee.

A. The Zoning Code Official or designee shall provide an application form upon request.

B. The fees and associated costs shall be set by resolution.

C. Permits will be granted for one (1) year valid from January 1 through December 31. Permits may be purchased at any time during the year but will be valid only through December 31.

D. The applicant shall successfully complete an approved class in raising chickens in an urban setting prior to being issued a permit. The Permitting Officer shall maintain a current list of such approved classes.

E. By the granting of the permit to raise chickens and the application thereof, the permittee authorizes that the City or its agents have the right to go onto permittee's property any time and without prior notice for the limited purpose of inspection of the premises to ensure that all applicable conditions have been met.

F. Within thirty (30) days after the expiration of any permit, the permittee shall apply for and secure a renewal of the permit in the manner provided for in this chapter. Failure to renew a permit within the time herein provided shall result in a delinquent fee, in addition to the regular permit fee, as set by the city council. All applicants shall be furnished with permit rules and regulations at the time the application is made. Permit rules and regulations shall be approved by resolution of the city council.

G. The permit is a limited license for the activity, and no vested zoning rights arise from the permit being issued.

H. The permit does not run with the land. Private restrictions on the use of property shall remain enforceable and shall supersede the permit. The private restrictions include, but are not limited to, deed restrictions, condominium restrictions, neighborhood association bylaws, covenants and restrictions, and rental agreements.

3. In the event that an applicant or permittee does not fully and strictly comply with the requirements of this section, the application may be denied or the permit may be revoked. If an application is denied or a permit is revoked, the applicant or

permittee shall be so informed in writing and also informed of the right to appeal said decision.

A. In any instance where the Zoning Code Official or designee has denied, revoked, suspended, or not renewed a permit, the applicant or permit holder may appeal the Zoning Code Official or desginee's decision to the City Administrator within ten (10) business days of receipt by the applicant or holder of the permit of the notice of the decision. The applicant or holder of the permit will be given an opportunity for a hearing. The decision of the City Administrator or any decision by the Zoning Code Official or designee that is not appealed in accordance to this chapter shall be deemed final action.

B. When an application for a permit is denied or when a permit is revoked:

(1) The applicant may not re-apply for a new permit for a period of 1 year from the date of the denial or revocation unless the denial or revocation is due to administrative reasons only, as determined by the Zoning Code Official or designee.

(2) Any chickens shall be removed immediately.

(3) Any coop, fowl house, fencing or other structures shall be removed within ten (10) days of the date of the permit being denied or revoked.

4. An owner or possessor of animals on property that is newly annexed has ninety (90) days from the date of annexation to bring the property into compliance required by this section.

5. Any property owner possessing chickens in violation of the City's Animal Code prior to the date this ordinance or its amendment becomes effective, which is an illegal nonconforming use, shall have thirty (30) days to meet all requirements of this section and all other applicable provisions of the City's code of Ordinances.

6. A violation of this subsection is a simple misdemeanor or a municipal infraction, as provided in Chapter 3 of this Code of Ordinances.

SECTION 2. REPEALER. All Ordinances or 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 it final passage, approval and publication as provide by law.

First reading on April 27, 2021.
Second reading on May 11, 2021.
Third and final reading on _____.

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 2021-06 in the *North Liberty Leader* on ___ _____.

North Liberty
IOWA

Greenbelt Trail Subdivision

April 6, 2021

Terry L. Donahue, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of Greenbelt Trail II, LLC for a zoning map amendment on 7.36 acres, more or less, from RS-6 Single-Unit Residence District to RD-10 Two-Unit Residence District on property located on the west side of North Liberty Road approximately 700 feet north of Salm Drive.

Mayor Donahue:

The North Liberty Planning Commission considered the above-reference request at its April 6, 2021 meeting. The Planning Commission took the following action:

Findings:

1. The zoning map amendment would be consistent the North Liberty Comprehensive Plan Land Use Plan; and
2. The proposed zoning and use of the property would be compatible with the area.

Recommendation:
The Planning Commission accepted the two listed findings and forwards the request for a zoning map amendment to the City Council with a recommendation for approval.

The vote for approval was 7-0.

Becky Keogh, Chairperson
City of North Liberty Planning Commission

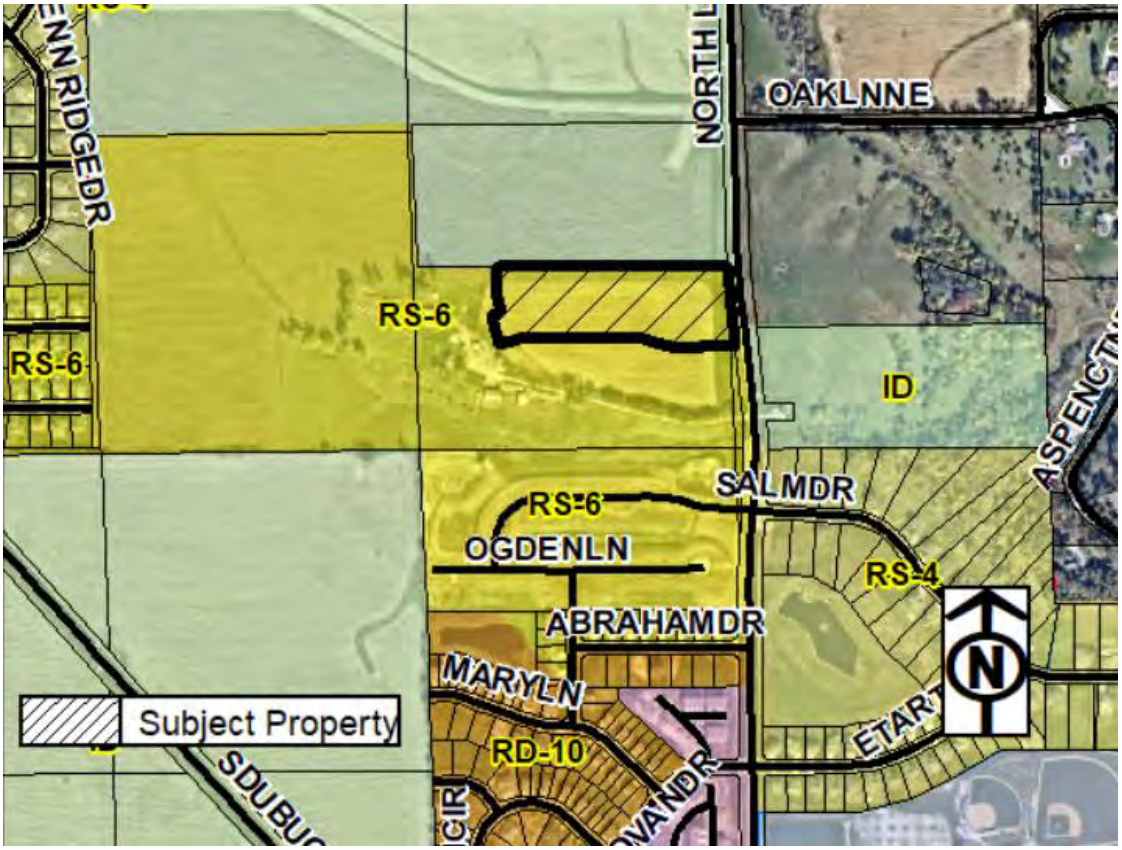
North Liberty
IOWA

MEMORANDUM

To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **April 1, 2021**
Re **Request of Greenbelt Trail II, LLC for a zoning map amendment on 7.36 acres, more or less, from RS-6 Single-Unit Residence District to RD-10 Two-Unit Residence on property located on the west side of North Liberty Road approximately 700 feet north of Salm Drive.**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:
Ryan Heiar, City Administrator
Tracey Mulcahey, Assistant City Administrator
Grant Lientz, City Attorney
Tom Palmer, City Building Official
Kevin Trom, City Engineer
Ryan Rusnak, Planning Director

Current Zoning:
The property is currently zoned RS-6 – Single-Unit Residence District.



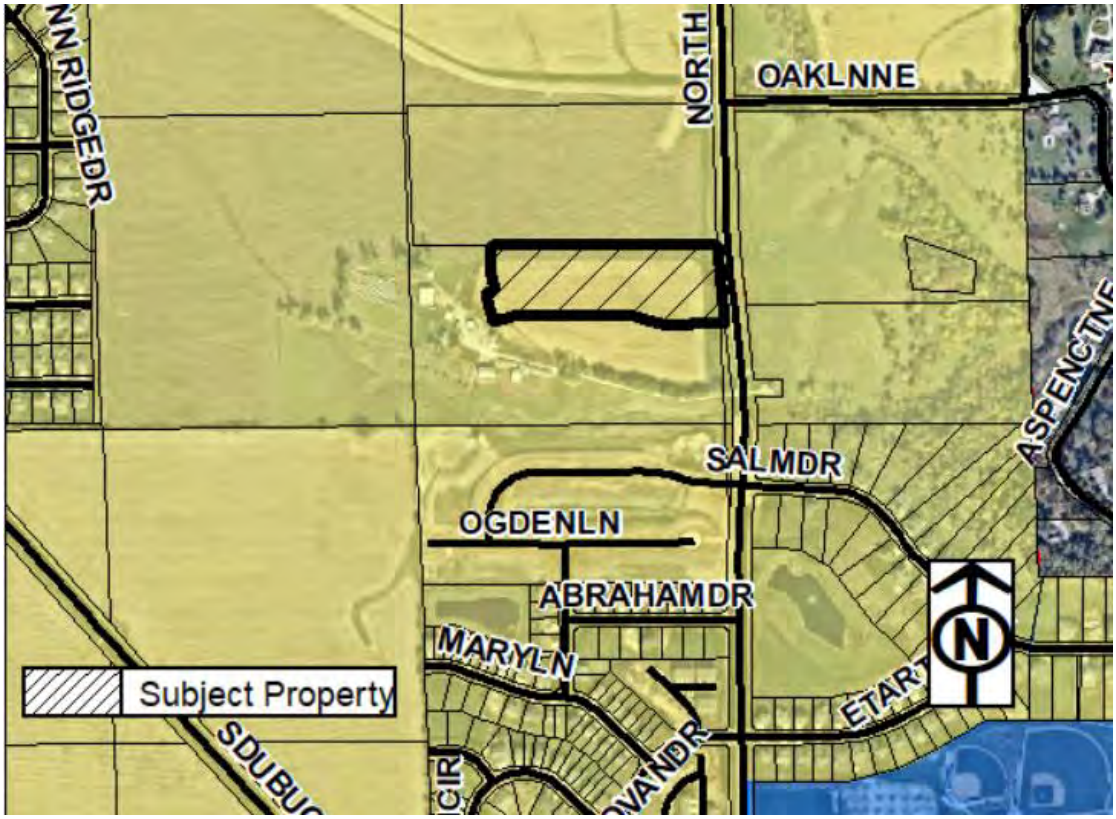
Proposed Zoning:

The applicant is requesting a zoning map amendment to the RD-10 - Two-Unit Residential District to allow the property to be developed as residential subdivision.

The RD-10 Two-Unit District is intended to allow for attached single-unit dwellings joined together on a common boundary line with a common wall between the units. Minimum lot size is 9,000 square feet with a minimum of 4,500 square feet per unit. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses. Commercial uses are limited to allowable home occupations.

The properties to the north (future school site) and east (within North Liberty) are zoned ID – Interim Development District. The property to the east (within unincorporated County is zoned R – Residential. The Greenbelt Trail property to the west and south is zoned RS-6 – Single-Unit Residence District. Less than ¼ mile to the south is property zoned RD-10 – Two-Unit Residence District.

Consistency with Comprehensive Plan:
Land Use Plan designation: Residential.



The North Liberty Comprehensive Plan articulates the following regarding residential uses:
The plan promotes the development of a diversified housing stock that is affordable to a wide range of incomes. Even though general planning goals include limiting residential uses along arterials and in some cases even collector streets, the miles of such frontages within the City make strict adherence to those goals impractical, and landscape buffers, limited access, and smart neighborhood street layouts are utilized to minimize traffic impacts. Higher density residential development is considered to be somewhat of a transitional buffer between office/commercial development and lower density residential neighborhoods, in part because it is practical to locate the greater numbers of residents found in the higher density developments closer to the commercial services they need.

Relevant Comprehensive Plan Policies Related to Land Use:

- Establish and maintain an advantageous property tax situation and pursue a strengthened and sound tax base through a diversification of land uses, including commercial and industrial development, as well as a variety of residential options.
- Support high density and medium density housing in close proximity to commercial and service centers to provide intensity-of-use buffers for low density residential uses.

Public Input:
Letters were sent to property owners within 200 feet of the subject property notifying them of the March 17, 2021 good neighbor meeting. The virtual meeting was attended by two area neighbors, which were curious about the development proposal. No objections to the request were expressed.

Staff Recommendation:
It is staff's opinion that the proposed RD-10 zoning would be consistent with the North Liberty Comprehensive Plan Land Use Plan and would be compatible with surrounding zoning and land uses.

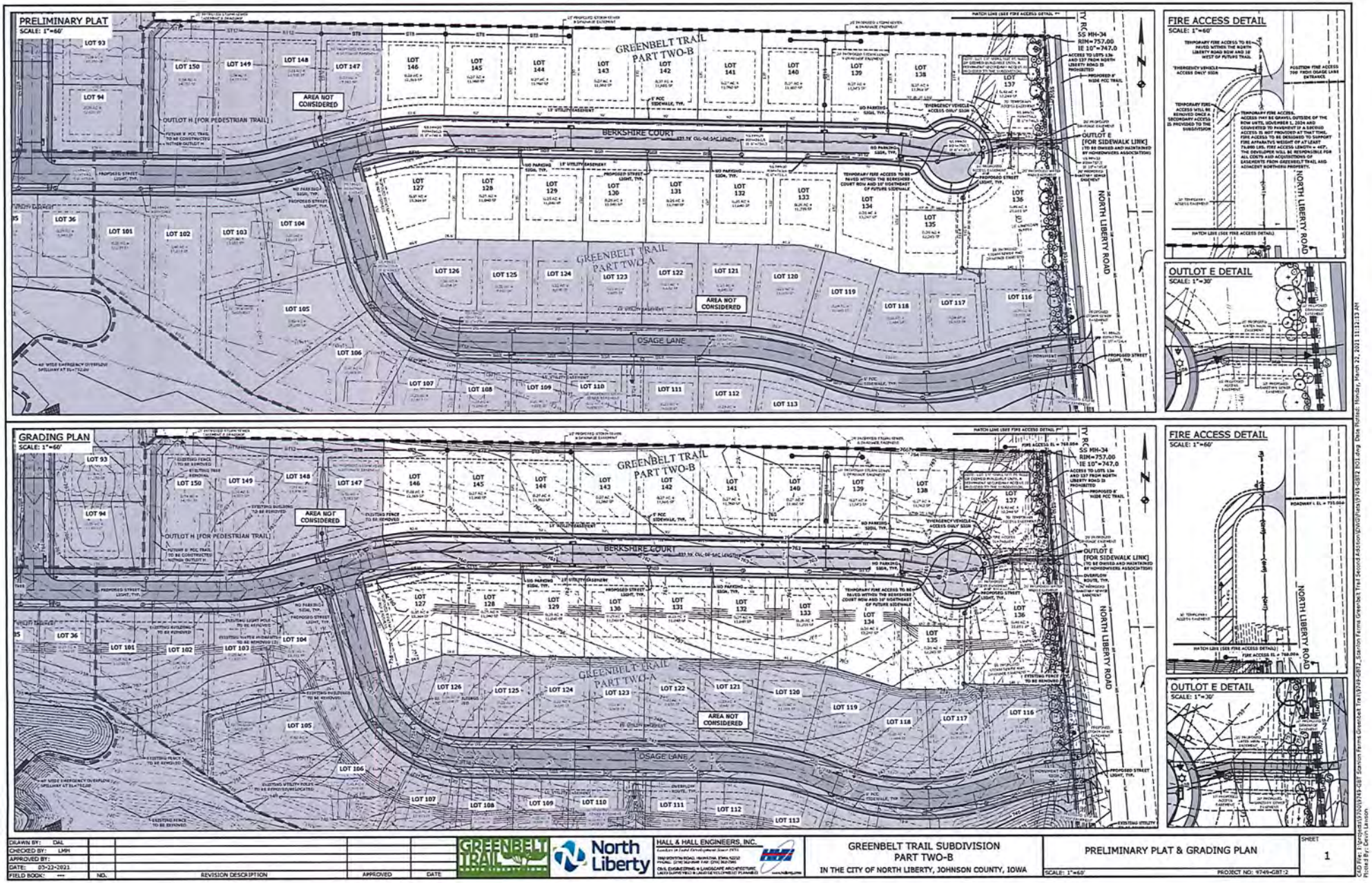
Findings:

1. The zoning map amendment would be consistent the North Liberty Comprehensive Plan Land Use Plan; and
2. The proposed zoning and use of the property would be compatible with the area.

Recommendation:
Staff recommends the Planning Commission accept the two listed findings and forward the request of Greenbelt Trail II, LLC for a zoning map amendment on 7.36 acres, more or less, from RS-6 Single-Unit Residence District to RD-10 Two-Unit Residence on property located on the west side of North Liberty Road approximately 700 feet north of Salm Drive to the City Council with a recommendation for approval.

Suggested motion:
I move that the Planning Commission accept the two listed findings and forward the zoning map amendment from RS-6 to RD-10 to the City Council with a recommendation for approval.

For informational purposes only. Preliminary Plat to be considered at a subsequent meeting.



Ordinance No. 2021-07

AN ORDINANCE AMENDING CHAPTER 167 OF THE NORTH LIBERTY CODE OF ORDINANCES BY AMENDING THE USE REGULATIONS ON PROPERTY LOCATED ON THE WEST SIDE OF NORTH LIBERTY ROAD APPROXIMATELY 700 FEET NORTH OF SALM DRIVE LOCATED IN NORTH LIBERTY, IOWA TO THOSE SET FORTH IN THE MUNICIPAL CODE FOR THE RD-10 TWO-UNIT RESIDENCE DISTRICT

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

SECTION 1. AMENDMENT. Chapter 167 of the North Liberty Code of Ordinances (2013) is hereby amended by amending the zoning for the property located in part of the Northwest Quarter of the Northwest Quarter of Section 17, Township 80 North, Range 6 west of the 5th Principal Meridian, North Liberty, Johnson County, Iowa and is more particularly described as follows:

Beginning at the southeast corner of Auditor's Parcel No. 2018039 as recorded in Book 62, Page 97 in the Office of the Johnson County, Iowa Recorder; thence southerly 234.58 feet along the westerly right of way of North Liberty Road N.E. and the arc of a 6320.00 foot radius curve, concave easterly (chord bears south 3°56'11" east 234.57 feet); thence south 4°59'17" east 106.89 feet along said westerly right of way; thence north 88°54'39" west 146.09 feet; thence south 1°05'21" west 8.73 feet; thence north 88°54'39" west 92.00 feet; thence north 72°08'43" west 96.08 feet; thence north 76°42'28" west 51.94 feet; thence north 88°54'39" west 520.00 feet; thence south 75°00'00" west 114.84 feet; thence north 15°00'00" west 161.99 feet; thence north 75°00'00" east 65.16 feet; thence north 1°05'21" east 168.12 feet to the south line of said Auditor's Parcel No. 2018039; thence south 88°54'39"east 961.62 feet along said south line to the point of beginning. Said parcel contains 7.36 acres, subject to easements and restrictions of record.

Such that said property shall be classified and zoned as RD-10 Two-Unit Residence District.

SECTION 2. CONDITIONS IMPOSED. The North Liberty Planning Commission voted to recommend approval with no conditions at the April 6, 2021 meeting with no conditions.

SECTION 3. ZONING MAP. It is hereby authorized and directed that the Zoning Map of the City of North Liberty, Iowa, be changed to conform to this amendment upon final passage, approval and publication of this ordinance as provided by law.

SECTION 4. RECORDATION. The City Clerk is hereby authorized and directed to record this ordinance at the Johnson County Recorder's office upon final passage and approval.

SECTION 5. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 6. 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 7. 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 8. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on April 27, 2021.
Second reading on May 11, 2021.
Third and final reading on _____.

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. 2021-07 in the *North Liberty Leader* on _____.

_____
TRACEY MULCAHEY, CITY CLERK

April 6, 2021

Terry L. Donahue, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of Greenbelt Trail II, LLC to approve a Preliminary Plat for a 20 lot subdivision on 7.36 acres, more or less, on property located on the west side of North Liberty Road approximately 700 feet north of Salm Drive.

Mayor Donahue:

The North Liberty Planning Commission considered the above-reference request at its April 6, 2021 meeting. The Planning Commission took the following action:

Findings:

1. The preliminary plat, which proposes residential development, achieves consistency with the Comprehensive Plan Future Land Map designation, which is Residential.
2. The preliminary plat depicts proposed residential lots consistent with RD-10 Two-Unit Residence District bulk requirements; and
3. The preliminary plat achieves consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances, which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively.

Recommendation:
The Planning Commission accepted the three listed findings and forwards the request for a preliminary plat approval to the City Council with a recommendation for approval.

The vote for approval was 7-0.

Becky Keogh, Chairperson
City of North Liberty Planning Commission

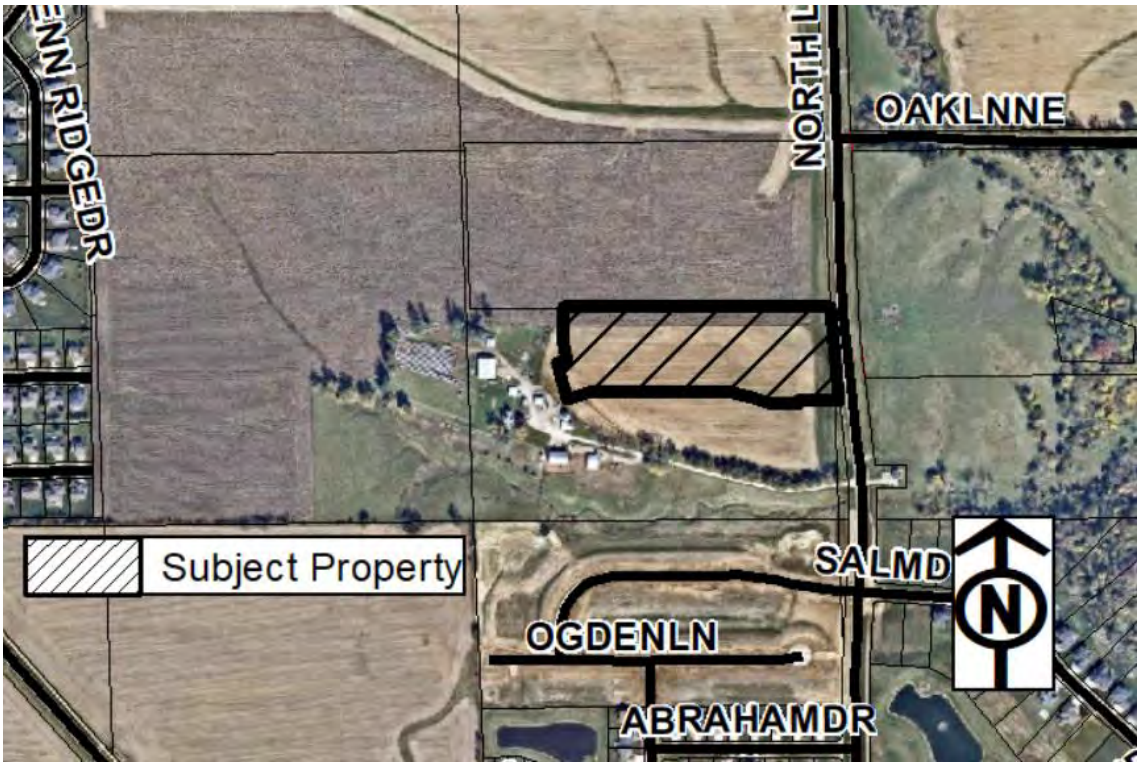
North Liberty
IOWA

MEMORANDUM

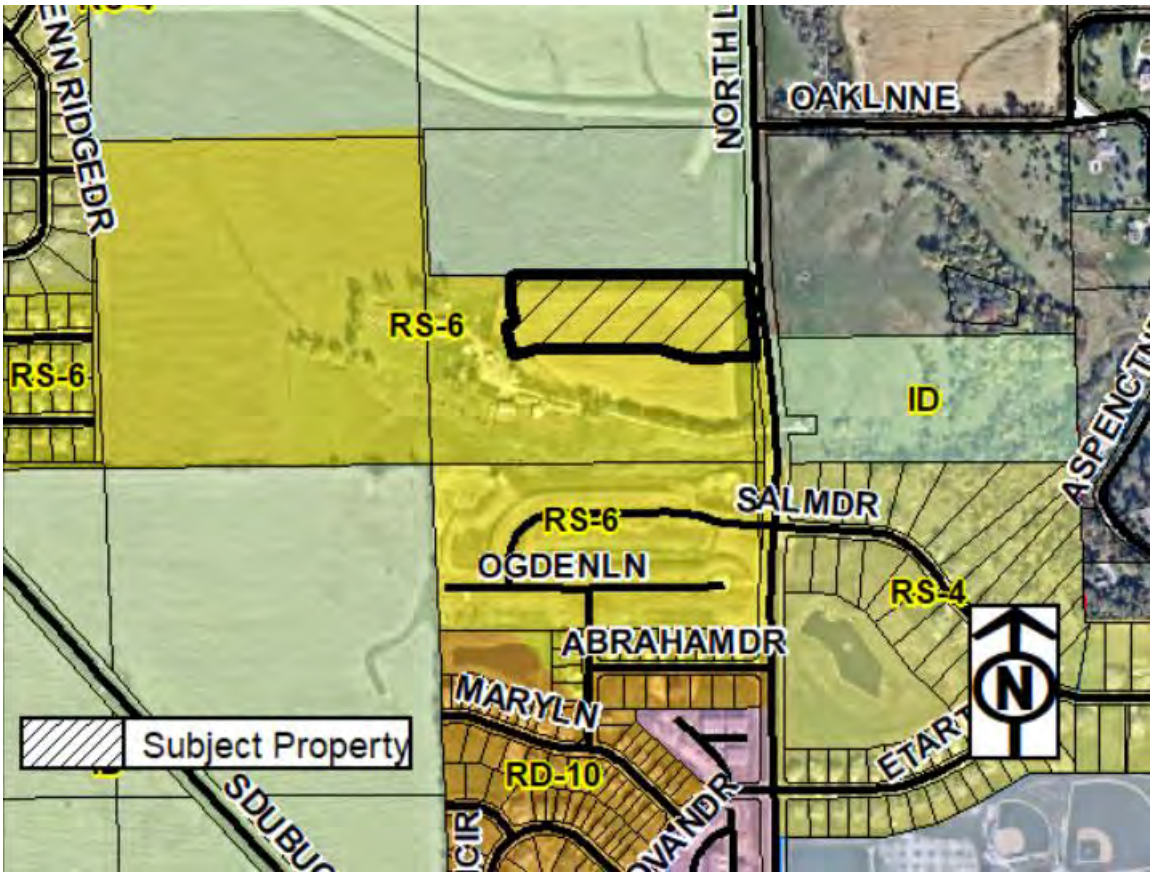
To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **April 1, 2021**
Re **Request of Greenbelt Trail II, LLC to approve a Preliminary Plat for a 20 lot subdivision on 7.36 acres, more or less, on property located on the west side of North Liberty Road approximately 700 feet north of Salm Drive.**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:
Ryan Heiar, City Administrator
Tracey Mulcahey, Assistant City Administrator
Grant Lientz, City Attorney
Tom Palmer, City Building Official
Kevin Trom, City Engineer
Ryan Rusnak, Planning Director

Request Summary:
The Preliminary Plat proposes 20 lots and related infrastructure on 7.36 acres.



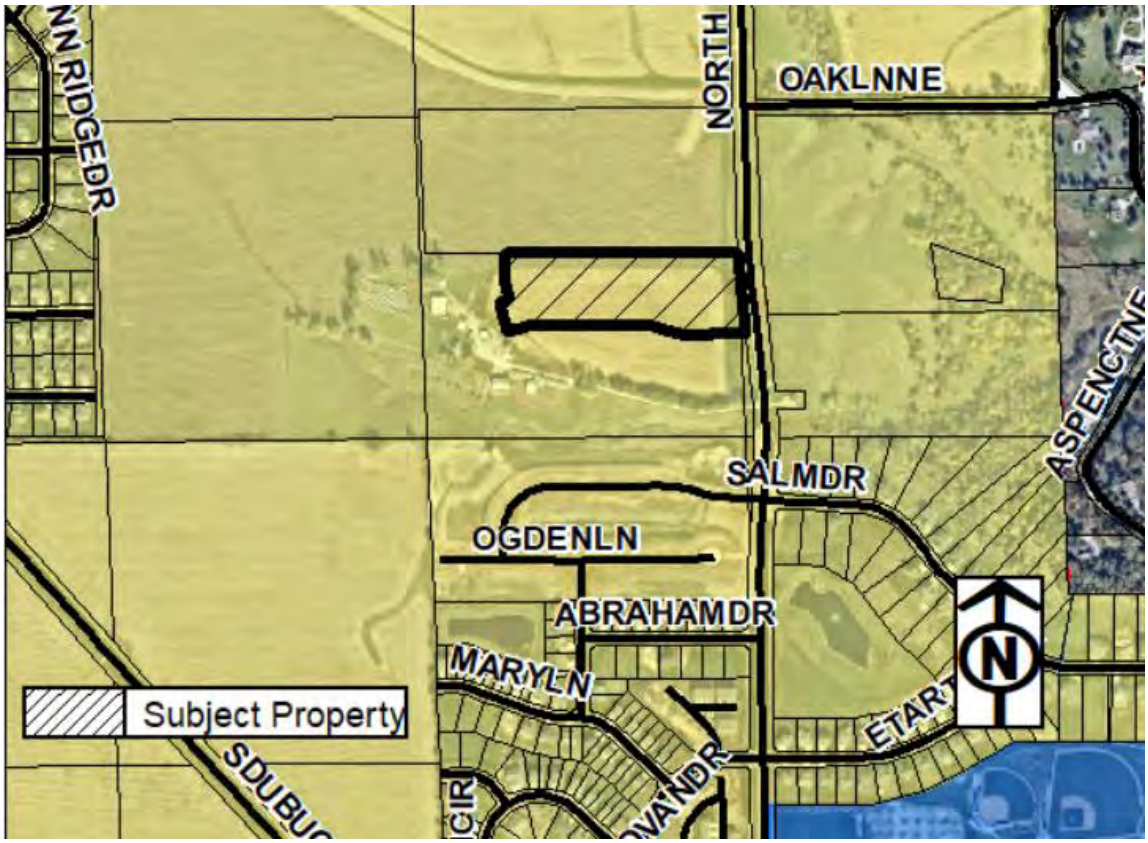
Current Zoning:
The property is currently zoned RS-6 – Single-Unit Residence District.



Proposed Zoning:
The applicant is requesting a zoning map amendment to the RD-10 - Two-Unit Residential District to allow the property to be developed as two-unit residential subdivision.

RD-10 Description:
The RD-10 Two-Unit District is intended to allow for attached single-unit dwellings joined together on a common boundary line with a common wall between the units. Minimum lot size is 9,000 square feet with a minimum of 4,500 square feet per unit. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses. Commercial uses are limited to allowable home occupations.

Consistency with Comprehensive Plan:
Land Use Plan designation: Residential.



The North Liberty Comprehensive Plan articulates the following regarding residential uses:
The plan promotes the development of a diversified housing stock that is affordable to a wide range of incomes. Even though general planning goals include limiting residential uses along arterials and in some cases even collector streets, the miles of such frontages within the City make strict adherence to those goals impractical, and landscape buffers, limited access, and smart neighborhood street layouts are utilized to minimize traffic impacts. Higher density residential development is considered to be somewhat of a transitional buffer between office/commercial development and lower density residential neighborhoods, in part because it is practical to locate the greater numbers of residents found in the higher density developments closer to the commercial services they need.
It is staff's opinion that zoning map amendment would be consistent the North Liberty Comprehensive Plan Land Use Plan.

Public Input:
Letters were sent to property owners within 200 feet of the subject property notifying them of the March 17, 2021 good neighbor meeting. The virtual meeting was attended by two area neighbors, which were curious about the development proposal. Not objections were expressed.

Approval Standards:
Section 180.11(3)(A) of the North Liberty Code of Ordinances sets forth the preliminary subdivision plat submittal requirements and review (Ordinance language in *italics* and staff analysis in **bold**).

3. *Preliminary Subdivision Plat Submittal Requirements and Review. The preliminary plat, in general, contains more information than the final plat, so that the subdivider and the City can ensure conformance with codes, master facility plans, and good planning and engineering practices. Though the preliminary plat is not recorded, it is approved by resolution of the City Council, and conditions for approval of the plat shall be addressed on any final plats of the same area.*

   A. *Preliminary Plat Contents. The application shall include a preliminary plat of the subdivision drawn to a scale of one inch to one hundred feet minimum, and shall show:*

      (1) A location map to provide spatial reference, showing the outline of the area to be subdivided, existing streets and corporate limits in the vicinity, a north arrow and scale or note stating "not to scale," and other information that might help clarify where the plat is located as well as its surroundings and size relative to other City features;

      This has been provided on the Preliminary Plat.

      (2) Name of proposed subdivision and date;

      This has been provided on the Preliminary Plat.

      (3) Legal description and acreage;

      This has been provided on the Preliminary Plat. However, the legal description and acreage needs to reflect the portion of the property removed from consideration, which is the grayed out area along Berkshire Court.

      (4) Name and address of owner;

      This has been provided on the Preliminary Plat.

      (5) Names of the persons preparing the plat, owner's attorney, representative or agent, if any;

      This has been provided on the Preliminary Plat.

(6) Existing and proposed zoning district classification of all land within the proposed subdivision and within about 200 feet of the subdivision;
Staff is not requiring this information on the Preliminary Plat.

(7) North point and graphic scale;
This has been provided on the Preliminary Plat.

(8) Contours at two-foot intervals or less, both existing and as generally proposed (subject to more refinement in subsequent construction plans);
This has been provided on the Preliminary Plat.

(9) Building setback lines as required by the current or proposed zoning district classifications;
This has been provided on the Preliminary Plat.

(10) The approximate boundaries of areas of known flood levels or floodplains, areas covered by water, wooded areas, floodways, and all open channel drainage ways;
This has been provided on the Preliminary Plat.

(11) Locations, names, and dimensions of existing lot lines, streets, public utilities, water mains, sewers, drainpipes, culverts, watercourses, bridges, railroads and buildings within in the proposed subdivision and within about 200 feet of the subdivision;
This has been provided on the Preliminary Plat.

(12) Layout of proposed blocks, if used, and lots, including the dimension of each lot, and the lot and block number in numerical order;
This has been provided on the Preliminary Plat.

(13) Layout and dimensions of proposed streets, sidewalks, trails, alleys, utility and other easements, parks and other open spaces or reserved areas;
This has been provided on the Preliminary Plat.

(14) Grades of proposed streets and alleys;
This has been provided on the Preliminary Plat.

(15) A cross-section of the proposed streets showing the roadway locations, the type of curb and gutter, the paving, and sidewalks to be installed;
This has been provided on the Preliminary Plat.

(16) The layout of proposed water mains and sanitary sewer systems;
This has been provided on the Preliminary Plat.

(17) The drainage of the land, including proposed storm sewers, ditches, culverts, bridges and other structures;
This has been provided on the Preliminary Plat.

(18) Stormwater management facilities when applicable;
This has been provided on the Preliminary Plat.

(19) A signed certificate of the Johnson County Auditor for the subdivision name;
This information has been provided.

(20) Other special details or features that may be proposed or required.
None required.

Additional Considerations:

Cul-De-Sac.

The Subdivision Ordinance limits the use of cul-de-sacs. Section 180.12 of the North Liberty Code of Ordinances reads in part,

> *Use of cul-de-sacs and other roadways with a single point of access should be avoided. Cul-de-sacs will be considered where it can be clearly demonstrated that environmental constraints, existing development, access limitations along arterial streets, or other unusual features prevent the extension of the street to the property line or to interconnect with other streets within or abutting the subdivision. In such cases, the maximum length of a cul-de-sac shall be no more than 900 feet measured from the centerline of the intersecting street to the center of the turn-around; the cul-de-sac turn-around shall be centered in the turn-around right-of-way; and the minimum outside radius of the pavement of cul-de-sac bulbs shall be 40 feet.*

North Liberty Road is designated as an arterial roadway so there are access restrictions. Additionally, the location of the Iowa City Community School District property prevents the design from being a more traditional street grid. Last, the grade elevation of Berkshire Lane is approximately 760 feet, while the grade elevation of Osage Lane is approximately 745 feet. Therefore, turning Berkshire Court and connecting Osage Lane creates a street incline that can be avoided.

The Preliminary Plat depicts the cul-de-sac as being just under 900' in length.

Temporary Fire Access.
The Preliminary Plat depicts a temporary fire access connecting the North Liberty Road. A secondary access is required once the development exceeds 30 units. The number of units depicted in Phases 2A and 2B is 50 lots (70 units). Therefore, the temporary fire access is required and depicted on the Preliminary Plat.

The Preliminary Plat has the following notes:

1. Temporary fire access may be gravel outside of the ROW until November 1, 2024 and converted to pavement if a second access is not provided at that time. Fire Access will be designed to support fire apparatus weight of at least 75,000 lbs. Fire access length = 467'. The developer will be responsible for all costs and acquisitions of easements from Greenbelt Trail and the adjacent northern property;
2. Temporary fire access to be paved within the North Liberty Road ROW and 10' west of the future trail;
3. Temporary fire access to be paved within the Berkshire Court ROW and 10' northeast of the future trail;
4. Temporary fire access will be removed once a secondary access is provided to the subdivision; and
5. Lot 137 shall not be sold or deemed buildable until a permanent secondary access l provided into the subdivision.

Staff Recommendation:

Findings:

1. The preliminary plat, which proposes residential development, achieves consistency with the Comprehensive Plan Future Land Map designation, which is Residential.
2. The preliminary plat depicts proposed residential lots consistent with RD-10 Two-Unit Residence District bulk requirements; and
3. The preliminary plat achieves consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances, which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively.

Recommendation:
Staff recommends the Planning Commission accept the three listed findings and forward the request to approve the Preliminary Plat for 20 lots to the City Council with a recommendation for approval.

Suggested motion:
I move that the Planning Commission accept the three listed conditions and forward the Preliminary Plat to the City Council with a recommendation for approval.

North Liberty
IOWA

AGENDA

North Liberty Planning Commission
Tuesday, April 6, 2021, 6:30 PM

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.

This meeting may be accessed live by the public on the internet at northlibertyiowa.org/live, on Facebook at facebook.com/northliberty or on YouTube at youtube.com/c/northliberty. You can also attend by phone; call 1 (312) 626 6799 with a touch-tone phone and enter the meeting ID 849 8181 7871 and meeting password 4710307. Meetings are rebroadcast on cable and available on-demand on northlibertyiowa.org.

Call to Order

1. **Roll Call**

2. **Approval of the Agenda**

3. **Public Hearing for Zoning Map Amendment:** Request of Greenbelt Trail II, LLC for a zoning map amendment on 7.36 acres, more or less, from RS-6 Single-Unit Residence District to RD-10 Two-Unit Residence District on property located on the west side of North Liberty Road approximately 700 feet north of Salm Drive.
    a. Staff Presentation
    b. Applicants Presentation
    c. Public Comments
    d. Questions and Comments
    e. Recommendation to the City Council

4. **Preliminary Plat:** Request of Greenbelt Trail II, LLC to approve a Preliminary Plat for a 20 lot subdivision on 7.36 acres, more or less, on property located on the west side of North Liberty Road approximately 700 feet north of Salm Drive.
    a. Staff Presentation
    b. Applicants Presentation
    c. Public Comments
    d. Questions and Comments
    e. Recommendation to the City Council

5. Approval of Previous Minutes

6. Old Business

7. New Business

8. Adjournment

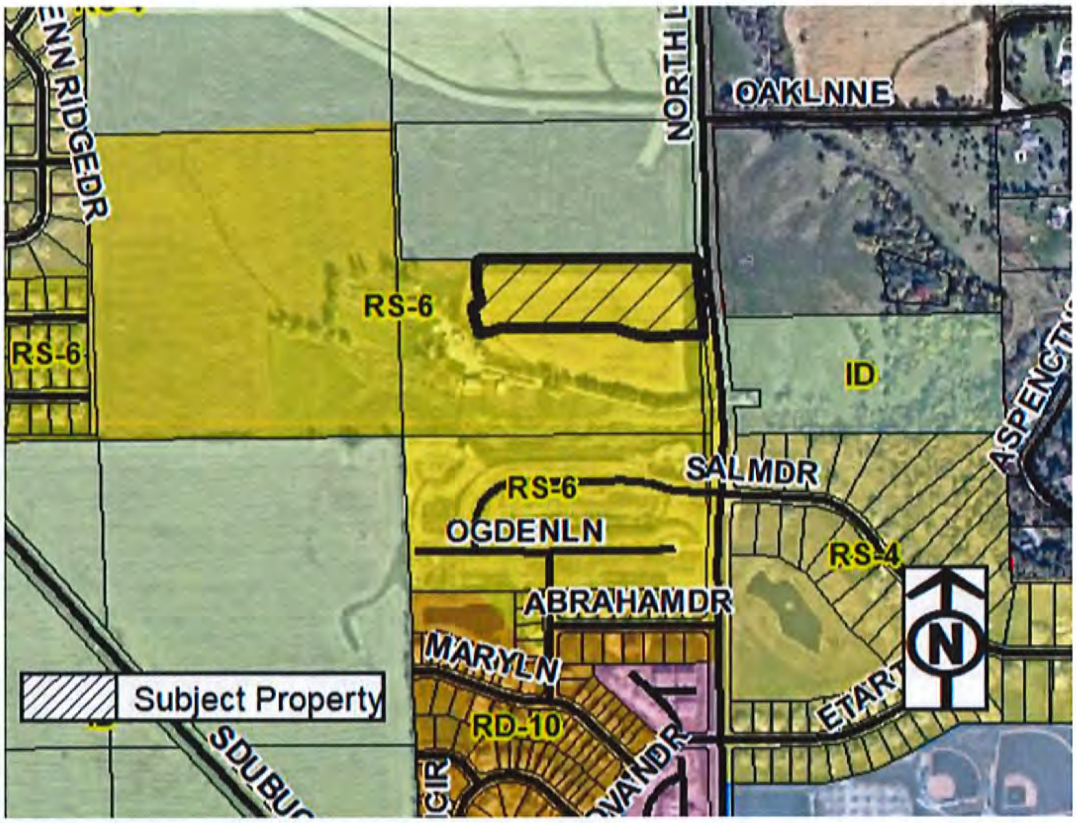
North Liberty
IOWA

MEMORANDUM

To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **April 1, 2021**
Re **Request of Greenbelt Trail II, LLC for a zoning map amendment on 7.36 acres, more or less, from RS-6 Single-Unit Residence District to RD-10 Two-Unit Residence on property located on the west side of North Liberty Road approximately 700 feet north of Salm Drive.**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:
Ryan Heiar, City Administrator
Tracey Mulcahey, Assistant City Administrator
Grant Lientz, City Attorney
Tom Palmer, City Building Official
Kevin Trom, City Engineer
Ryan Rusnak, Planning Director

Current Zoning:
The property is currently zoned RS-6 – Single-Unit Residence District.



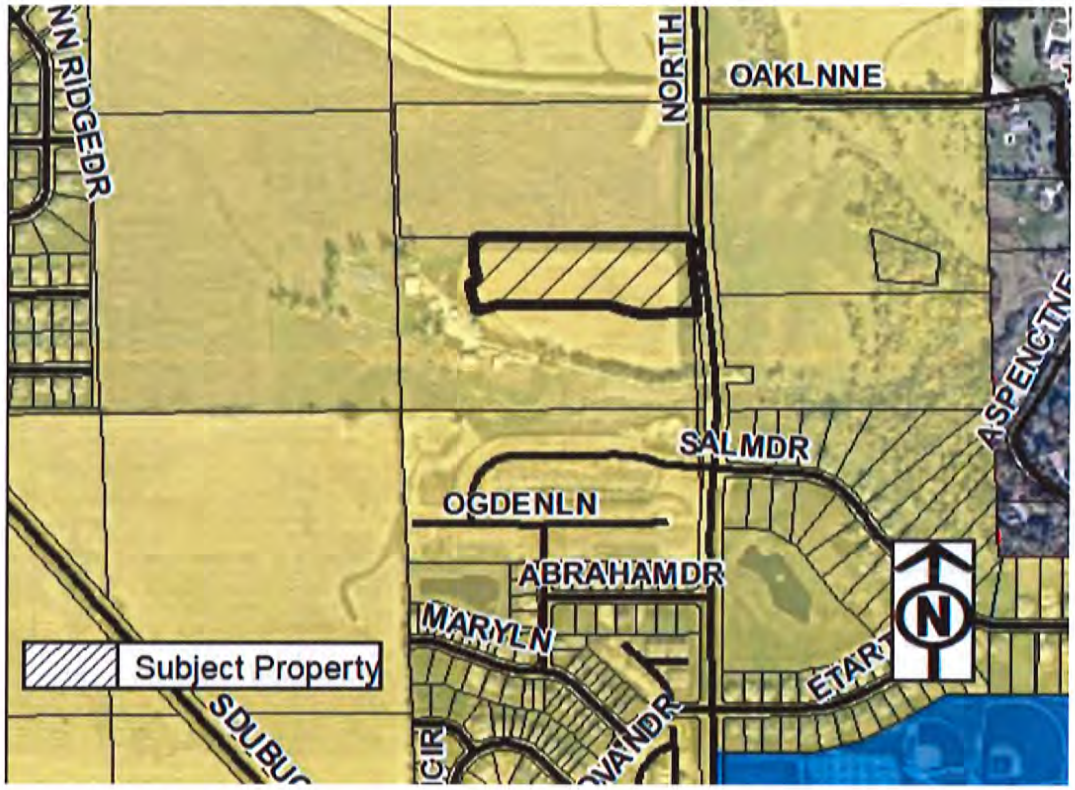
Proposed Zoning:

The applicant is requesting a zoning map amendment to the RD-10 - Two-Unit Residential District to allow the property to be developed as residential subdivision.

The RD-10 Two-Unit District is intended to allow for attached single-unit dwellings joined together on a common boundary line with a common wall between the units. Minimum lot size is 9,000 square feet with a minimum of 4,500 square feet per unit. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses. Commercial uses are limited to allowable home occupations.

The properties to the north (future school site) and east (within North Liberty) are zoned ID – Interim Development District. The property to the east (within unincorporated County is zoned R – Residential. The Greenbelt Trail property to the west and south is zoned RS-6 – Single-Unit Residence District. Less than ¼ mile to the south is property zoned RD-10 – Two-Unit Residence District.

Consistency with Comprehensive Plan:
Land Use Plan designation: Residential.



The North Liberty Comprehensive Plan articulates the following regarding residential uses:
The plan promotes the development of a diversified housing stock that is affordable to a wide range of incomes. Even though general planning goals include limiting residential uses along arterials and in some cases even collector streets, the miles of such frontages within the City make strict adherence to those goals impractical, and landscape buffers, limited access, and smart neighborhood street layouts are utilized to minimize traffic impacts. Higher density residential development is considered to be somewhat of a transitional buffer between office/commercial development and lower density residential neighborhoods, in part because it is practical to locate the greater numbers of residents found in the higher density developments closer to the commercial services they need.

Relevant Comprehensive Plan Policies Related to Land Use:

- Establish and maintain an advantageous property tax situation and pursue a strengthened and sound tax base through a diversification of land uses, including commercial and industrial development, as well as a variety of residential options.
- Support high density and medium density housing in close proximity to commercial and service centers to provide intensity-of-use buffers for low density residential uses.

Public Input:

Letters were sent to property owners within 200 feet of the subject property notifying them of the March 17, 2021 good neighbor meeting. The virtual meeting was attended by two area neighbors, which were curious about the development proposal. No objections to the request were expressed.

Staff Recommendation:

It is staff's opinion that the proposed RD-10 zoning would be consistent with the North Liberty Comprehensive Plan Land Use Plan and would be compatible with surrounding zoning and land uses.

Findings:

1. The zoning map amendment would be consistent the North Liberty Comprehensive Plan Land Use Plan; and
2. The proposed zoning and use of the property would be compatible with the area.

Recommendation:
Staff recommends the Planning Commission accept the two listed findings and forward the request of Greenbelt Trail II, LLC for a zoning map amendment on 7.36 acres, more or less, from RS-6 Single-Unit Residence District to RD-10 Two-Unit Residence on property located on the west side of North Liberty Road approximately 700 feet north of Salm Drive to the City Council with a recommendation for approval.

Suggested motion:
I move that the Planning Commission accept the two listed findings and forward the zoning map amendment from RS-6 to RD-10 to the City Council with a recommendation for approval.

North Liberty
IOWA

MEMORANDUM

To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **April 1, 2021**
Re **Request of Greenbelt Trail II, LLC to approve a Preliminary Plat for a 20 lot subdivision on 7.36 acres, more or less, on property located on the west side of North Liberty Road approximately 700 feet north of Salm Drive.**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:
Ryan Heiar, City Administrator
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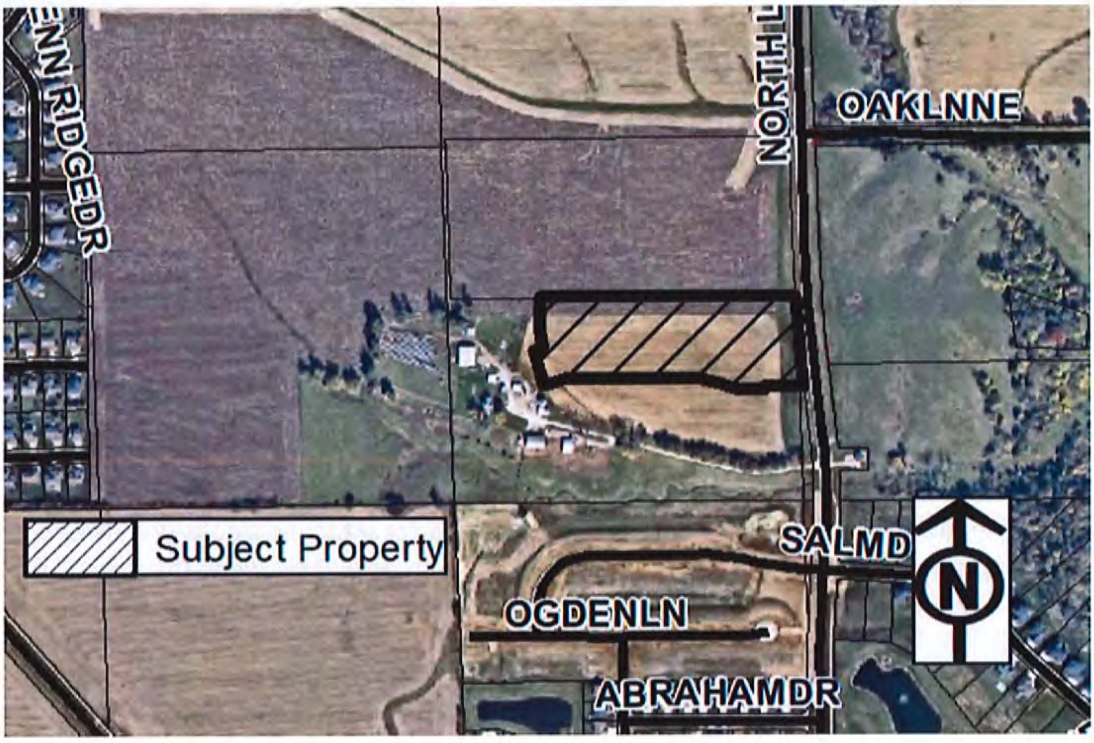
Ryan Rusnak, Planning Director

Request Summary:
The Preliminary Plat proposes 20 lots and related infrastructure on 7.36 acres.



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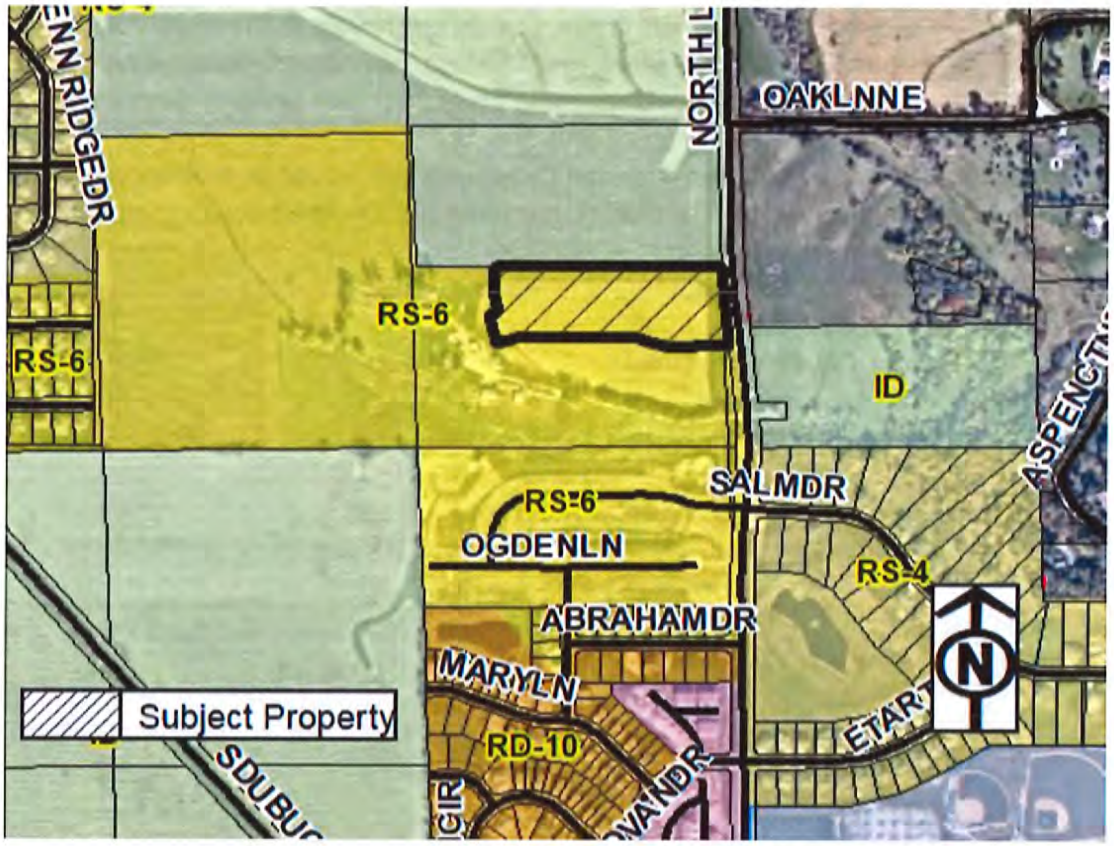
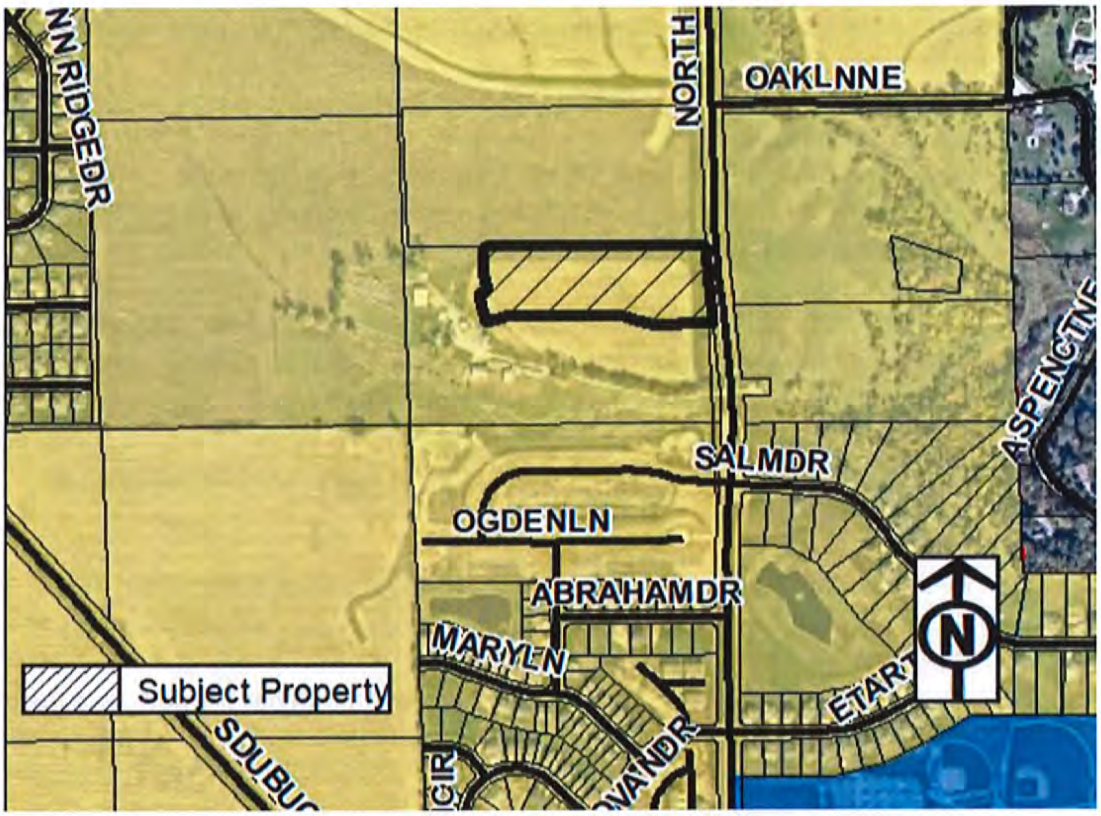


Proposed Zoning:
The applicant is requesting a zoning map amendment to the RD-10 - Two-Unit Residential District to allow the property to be developed as two-unit residential subdivision.

RD-10 Description:
The RD-10 Two-Unit District is intended to allow for attached single-unit dwellings joined together on a common boundary line with a common wall between the units. Minimum lot size is 9,000 square feet with a minimum of 4,500 square feet per unit. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses. Commercial uses are limited to allowable home occupations.

Consistency with Comprehensive Plan:
Land Use Plan designation: Residential.



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It is staff's opinion that zoning map amendment would be consistent the North Liberty Comprehensive Plan Land Use Plan.

Public Input:
Letters were sent to property owners within 200 feet of the subject property notifying them of the March 17, 2021 good neighbor meeting. The virtual meeting was attended by two area neighbors, which were curious about the development proposal. Not objections were expressed.

Approval Standards:
Section 180.11(3)(A) of the North Liberty Code of Ordinances sets forth the preliminary subdivision plat submittal requirements and review (Ordinance language in *italics* and staff analysis in **bold**).

3. *Preliminary Subdivision Plat Submittal Requirements and Review. The preliminary plat, in general, contains more information than the final plat, so that the subdivider and the City can ensure conformance with codes, master facility plans, and good planning and engineering practices. Though the preliminary plat is not recorded, it is approved by resolution of the City Council, and conditions for approval of the plat shall be addressed on any final plats of the same area.*

   A. *Preliminary Plat Contents. The application shall include a preliminary plat of the subdivision drawn to a scale of one inch to one hundred feet minimum, and shall show:*

      (1) A location map to provide spatial reference, showing the outline of the area to be subdivided, existing streets and corporate limits in the vicinity, a north arrow and scale or note stating "not to scale," and other information that might help clarify where the plat is located as well as its surroundings and size relative to other City features;

      This has been provided on the Preliminary Plat.

      (2) Name of proposed subdivision and date;

      This has been provided on the Preliminary Plat.

      (3) Legal description and acreage;

      This has been provided on the Preliminary Plat. However, the legal description and acreage needs to reflect the portion of the property removed from consideration, which is the grayed out area along Berkshire Court.

      (4) Name and address of owner;

      This has been provided on the Preliminary Plat.

      (5) Names of the persons preparing the plat, owner's attorney, representative or agent, if any;

      This has been provided on the Preliminary Plat.

(6) Existing and proposed zoning district classification of all land within the proposed subdivision and within about 200 feet of the subdivision;
Staff is not requiring this information on the Preliminary Plat.

(7) North point and graphic scale;
This has been provided on the Preliminary Plat.

(8) Contours at two-foot intervals or less, both existing and as generally proposed (subject to more refinement in subsequent construction plans);
This has been provided on the Preliminary Plat.

(9) Building setback lines as required by the current or proposed zoning district classifications;
This has been provided on the Preliminary Plat.

(10) The approximate boundaries of areas of known flood levels or floodplains, areas covered by water, wooded areas, floodways, and all open channel drainage ways;
This has been provided on the Preliminary Plat.

(11) Locations, names, and dimensions of existing lot lines, streets, public utilities, water mains, sewers, drainpipes, culverts, watercourses, bridges, railroads and buildings within in the proposed subdivision and within about 200 feet of the subdivision;
This has been provided on the Preliminary Plat.

(12) Layout of proposed blocks, if used, and lots, including the dimension of each lot, and the lot and block number in numerical order;
This has been provided on the Preliminary Plat.

(13) Layout and dimensions of proposed streets, sidewalks, trails, alleys, utility and other easements, parks and other open spaces or reserved areas;
This has been provided on the Preliminary Plat.

(14) Grades of proposed streets and alleys;
This has been provided on the Preliminary Plat.

(15) A cross-section of the proposed streets showing the roadway locations, the type of curb and gutter, the paving, and sidewalks to be installed;
This has been provided on the Preliminary Plat.

(16) The layout of proposed water mains and sanitary sewer systems;
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This has been provided on the Preliminary Plat.

(19) A signed certificate of the Johnson County Auditor for the subdivision name;
This information has been provided.

(20) Other special details or features that may be proposed or required.
None required.

Additional Considerations:

Cul-De-Sac.

The Subdivision Ordinance limits the use of cul-de-sacs. Section 180.12 of the North Liberty Code of Ordinances reads in part,

> *Use of cul-de-sacs and other roadways with a single point of access should be avoided. Cul-de-sacs will be considered where it can be clearly demonstrated that environmental constraints, existing development, access limitations along arterial streets, or other unusual features prevent the extension of the street to the property line or to interconnect with other streets within or abutting the subdivision. In such cases, the maximum length of a cul-de-sac shall be no more than 900 feet measured from the centerline of the intersecting street to the center of the turn-around; the cul-de-sac turn-around shall be centered in the turn-around right-of-way; and the minimum outside radius of the pavement of cul-de-sac bulbs shall be 40 feet.*

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5. Lot 137 shall not be sold or deemed buildable until a permanent secondary access l provided into the subdivision.

Staff Recommendation:

Findings:

1. The preliminary plat, which proposes residential development, achieves consistency with the Comprehensive Plan Future Land Map designation, which is Residential.
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Recommendation:
Staff recommends the Planning Commission accept the three listed findings and forward the request to approve the Preliminary Plat for 20 lots to the City Council with a recommendation for approval.

Suggested motion:
I move that the Planning Commission accept the three listed conditions and forward the Preliminary Plat to the City Council with a recommendation for approval.

PRELIMINARY PLAT

FOR

GREENBELT TRAIL SUBDIVISION

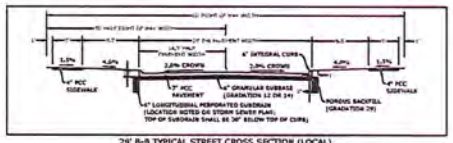
PART TWO-B

IN THE CITY OF NORTH LIBERTY, JOHNSON COUNTY, IOWA

UTILITY AND EMERGENCY TELEPHONE NUMBERS

CITY OF NORTH LIBERTY, IOWA

PLANNING DEPARTMENT	(319)-626-5747
POLICE DEPARTMENT	(319)-356-6800
EMERGENCY	911
FIRE DEPARTMENT	(319)-356-6800
EMERGENCY	911
WATER DEPARTMENT	(319)-626-5719
STREETS DEPARTMENT	(319)-626-5718
PARKS AND RECREATION	(319)-626-5720
IOWA ONE CALL (UTILITIES)	(800)-292-8989
MID-AMERICAN ENERGY	(800)-329-6261
ALLIANT ENERGY (ELECTRIC)	
INFORMATION	(800)-255-4268
MEDIACOM (CABLE TV)	(800)-883-0145
SOUTHSLOPE (TELEPHONE / CABLE TV)	(319)-626-2211
LINN COUNTY REC	(800) 332-5420
WINDSTREAM	(800) 289-1901
CEDAR RAPIDS AND IOWA CITY RAILWAY COMPANY	(800)-283-1540
IOWA DEPARTMENT OF TRANSPORTATION	
DISTRICT ENGINEER	(319)-364-8235
MAINTENANCE GARAGES	(319)-364-8189
JOHNSON COUNTY ENGINEER	(319)-356-6046

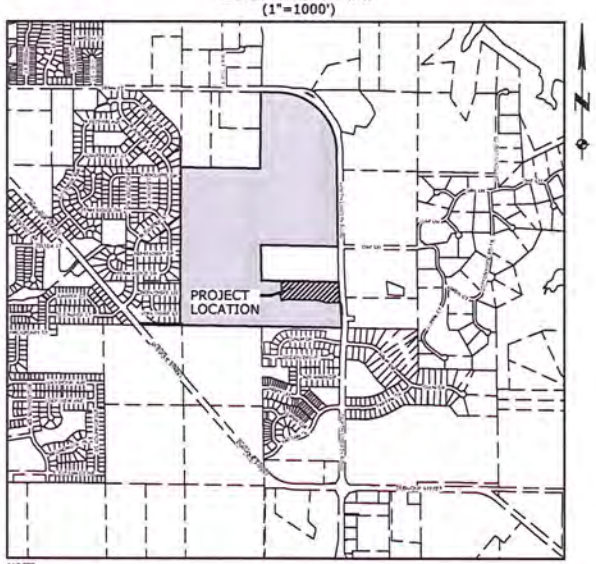


26' B-B TYPICAL STREET CROSS SECTION (LOCAL)

(SCALE: 1"=10')

LOCATION MAP

(1"=1000')



SHEET INDEX

NO.	DESCRIPTION
	COVER
1	PRELIMINARY PLAT & GRADING PLAN

LEGAL DESCRIPTION:

PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 80 NORTH, RANGE 6 WEST OF THE 5TH PRINCIPAL MERIDIAN, NORTH LIBERTY, JOHNSON COUNTY, IOWA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH EAST CORNER OF AUDITOR'S PARCEL NO. 2018039 AS RECORDED IN BOOK 62, PAGE 97 IN THE OFFICE OF THE JOHNSON COUNTY, IOWA RECORDER; THENCE SOUTHERLY 234.58 FEET ALONG THE WESTERLY RIGHT OF WAY OF NORTH LIBERTY ROAD N.E. AND THE ARC OF A 5320.00 FOOT RADIUS CURVE, CONCAVE EASTERLY (CHORD BEARS S3°56'11"E 234.57 FEET); THENCE S4°59'17"E 106.89 FEET ALONG SAID WESTERLY RIGHT OF WAY; THENCE N88°54'39"W 146.09 FEET; THENCE S1°05'21"W 8.73 FEET; THENCE N88°54'39"W 92.00 FEET; THENCE N72°08'43"W 96.08 FEET; THENCE N76°42'28"W 51.94 FEET; THENCE N88°54'39"W 520.00 FEET; THENCE S75°00'00"W 114.84 FEET; THENCE N15°00'00"W 161.99 FEET; THENCE N75°00'00"E 65.16 FEET; THENCE N1°05'21"E 168.12 FEET TO THE SOUTH LINE OF SAID AUDITOR'S PARCEL NO. 2018039; THENCE S88°54'39"E 961.62 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 7.36 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

PLAT PREPARED BY:
HALL & HALL ENGINEERS, INC.
1860 BOYSON ROAD
HIAWATHA, IA 52233
(319) 362-9548

OWNER/APPLICANT:
GREENBELT TRAIL, L.L.C.
PO BOX 323
OKOBOJI, IA 51355
(617) 734-0446
scanlonfarms@gmail.com

APPLICANT'S ATTORNEY:
ROBERT N. DOWNER
122 S LINN STREET
IOWA CITY, IA 52240

ZONING/LAND USE:
EXISTING ZONING: ID
PROPOSED ZONING: RD-10

PROPERTY AREA:
176.51 ACRES

DIMENSIONAL STANDARDS (RD-10):

MINIMUM LOT SIZE REQUIREMENTS
- FRONTAGE: 35 FT
- WIDTH: 80 FT
- AREA: 9,000 SQ FT / 4,500 SQ FT PER DWELLING UNIT

MIIMUM YARD REQUIREMENTS
- FRONT YARD DEPTH: 25 FT
- SIDE YARD DEPTH: 10 FT
- REAR YARD DEPTH: 30 FT

MAXIMUM BUILDING PARAMETERS
- MAX HEIGHT: 35 FT OR 2.5 STORIES

LANDSCAPING:
A DETAILED LANDSCAPING PLAN WILL BE PROVIDED WITH THE PLAN OF IMPROVEMENTS. LANDSCAPE BUFFER WILL BE PROVIDED ON EAST SIDE OF LOTS 136 AND 137 TO PROVIDE BUFFER FROM NORTH LIBERTY ROAD.

PLAT AREA:
7.36 ACRES

PRELIMINARY PLAT NOTES:

1. ACCESS TO LOTS 136 AND 137 OFF OF NORTH LIBERTY ROAD IS PROHIBITED.

2. ALL EXISTING FIELD TILES SHALL BE EXPOSED, AND RE-ROUTED INTO PROPOSED STORMWATER MANAGEMENT SYSTEM.

3. LOT 137 SHALL NOT BE SOLD OR DEEMED BUILDABLE UNTIL A PERMANENT SECONDARY ACCESS IS PROVIDED TO THE SUBDIVISION.

UTILITY LEGEND

EXISTING		PROPOSED
(SAN)	SANITARY SEWER W/SIZE	SAN
(STM)	STORM SEWER W/SIZE	STM
	SUBDRAIN	
(FM)	FORCE MAIN W/SIZE	FM
(W)	WATER MAIN W/SIZE	W
(G)	GAS	G
(OHE)	ELECTRIC-OVERHEAD	
(E)	ELECTRIC-UNDERGROUND	
(C)	CABLE TV-UNDERGROUND	
(OHC)	CABLE TV-OVERHEAD	
(OHT)	TELEPHONE-OVERHEAD	OHT
(T)	TELEPHONE-UNDERGROUND	T
(OHF)	FIBER OPTIC-OVERHEAD	OHF
(F)	FIBER OPTIC-UNDERGROUND	F
	FENCE LINE	
(CORP)	CITY CORPORATION LIMITS	(CORP)
	PROPERTY LINE	
	EASEMENT	
(CORP)	CITY CORPORATION LIMITS	(CORP)
800	CONTOUR LINE	800
	LIGHT POLE W/O MAST	
	LIGHT POLE W/MAST	
	TELEPHONE POLE	
	POWER POLE	
	GUY ANCHOR	
	GUY POLE	
	TELEPHONE PEDESTAL	
	TELEPHONE MANHOLE	
	CABLE TV PEDESTAL	
	UTILITY/CONTROL CABINET	
	SANITARY MANHOLE	
	STORM MANHOLE	
	GRATE INTAKE	OR
	FA-3 INTAKE	
	FA-5 INTAKE	
	FA-6 INTAKE	
	FA-8 INTAKE	

NOTES:
1. THIS IS A STANDARD LEGEND. SOME ITEMS MAY NOT APPEAR ON DRAWINGS.

UTILITY LEGEND (CONTINUED)

EXISTING		PROPOSED
	HORSESHOE CATCH BASIN W/O FLUME	
	HORSESHOE CATCH BASIN W/FLUME	
	GAS VALVE	
	FLARED END SECTION	
	CLEANOUT, STORM OR SANITARY	
BM	BENCHMARK	
	STREET SIGN	
	WELL	
	FIRE HYDRANT	
	WATER VALVE	
	WATER SHUTOFF	
	WATER BLOWOFF	
SCM	SURVEY CONTROL MONUMENT AS NOTED	

SURVEY LEGEND

	SET ___ REBAR W/CAP NO.___
	SET PK NAIL
	FOUND SURVEY MONUMENT AS NOTED
	FOUND RIGHT OF WAY RAIL
	SECTION CORNER SET AS NOTED
	SECTION CORNER FOUND AS NOTED
	CUT "X" IN CONCRETE
( )	RECORDED AS
	PLAT OF SURVEY BOUNDARY
	PLAT LOT LINE
	CENTERLINE
	SECTION LINE
	1/4 SECTION LINE
	1/4-1/4 SECTION LINE
	BUILDING SETBACK LINE

NOTE:

THE PROPOSED IMPROVEMENTS INCLUDED IN THESE DRAWINGS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE STATEWIDE URBAN DESIGN AND SPECIFICATIONS MANUAL (SUDAS) AS NOTED WITH CITY OF NORTH LIBERTY SUPPLEMENTAL SPECIFICATIONS UNLESS OTHERWISE NOTED.

BENCHMARKS:

CP#1 (SURVEY PT #20149): N=796761.60 E=20522104.19 EL=780.66
DESCRIPTION = SET CUT 'X' ON ST INTAKE AT HEMINGWAY DRIVE

CP#2 (SURVEY PT #50): N=7966366.34 E=20524853.92 EL=734.35
DESCRIPTION = SET CUT 'X' ON STORM INTAKE, SE CORNER OF SITE, NORTH LIBERTY ROAD

CP#3 (SURVEY PT #53): N=7966344.21 E=20523473.51 EL=756.58
DESCRIPTION = 5/8" REBAR ON SW CORNER OF SITE

STREET	CLASS	DESIGN SPEED	ROW WIDTH	PAVEMENT WIDTH	PAVEMENT THICKNESS
BERKSHIRE COURT	LOCAL	30 MPH	60'	29'	7"

PLAT APPROVED BY THE CITY OF NORTH LIBERTY	
CITY CLERK	DATE

UTILITY EASEMENTS, AS SHOWN HEREON, MAY OR MAY NOT INCLUDE SANITARY SEWER LINES, AND/OR STORM SEWER LINES, AND/OR WATER LINES. SEE CONSTRUCTION PLANS FOR DETAILS.

CITY FILE NUMBER:
HALL & HALL ENGINEERS PROJECT NUMBER: 5749-GBT-2

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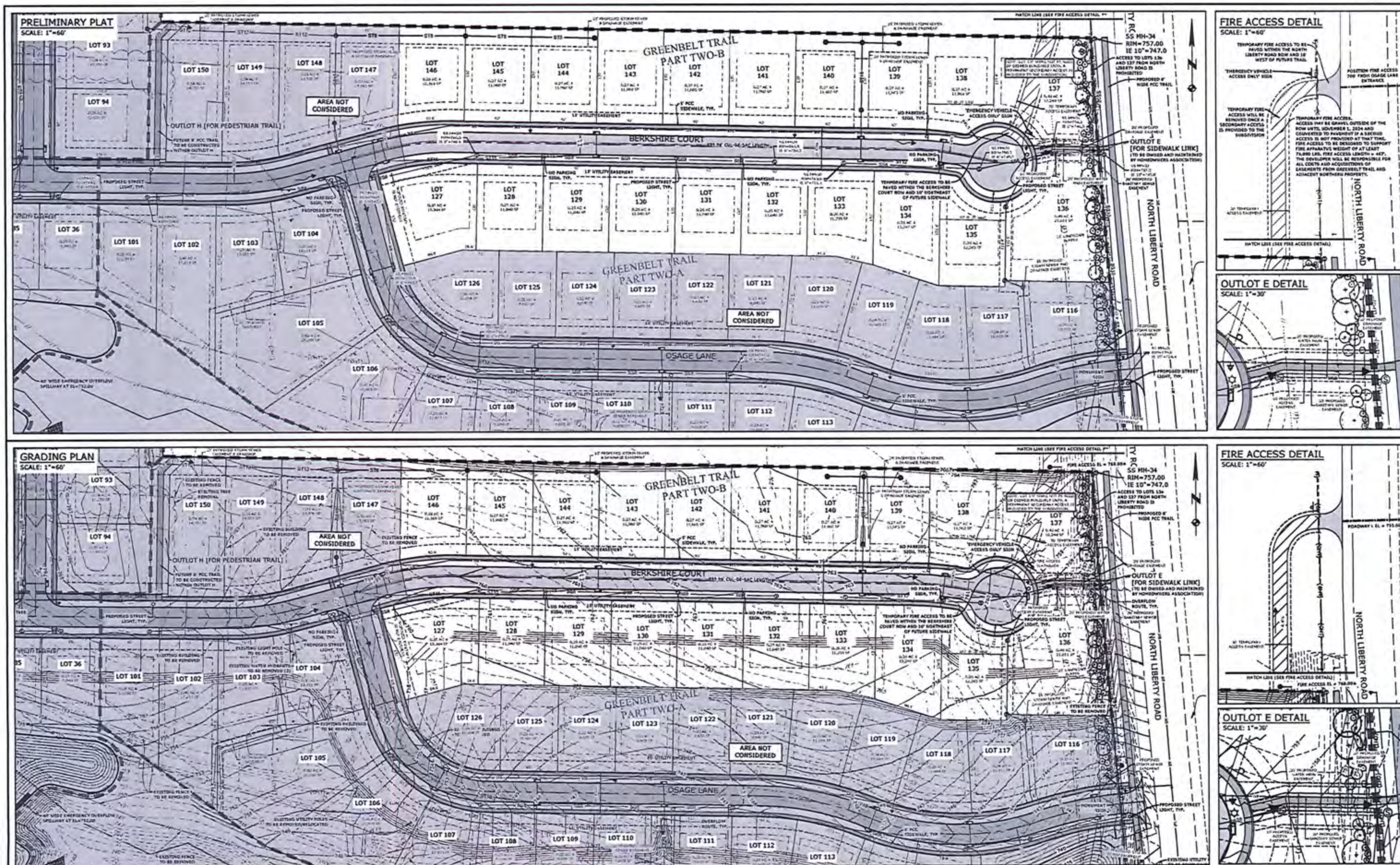
GREENBELT TRAIL
NORTH LIBERTY - IOWA

North Liberty

Contact Person	BRIAN VOGEL, P.E.
Telephone Number	(319) 362-9548
Fax Number	(319) 362-7595
Mailing Address	1860 BOYSON ROAD HIAWATHA, IA 52233
E-Mail Address	brian@halleng.com
Date Submitted	01/01/2021
Date Re-submitted	03/22/2021
Date Re-submitted	

PRELIMINARY PLAT FOR GREENBELT TRAIL SUBDIVISION - PART TWO-B

C:\Civil Projects\2020\5749-GBT Scanlon Farms Greenbelt Trail\5749-GBT-2 Scanlon Farms Greenbelt Trail Second Addition\Civil\Plans\5749-GBT-2 Plat.dwg Date Plotted: Monday, March 22, 2021 10:53:33 AM
Plotted By: Devin Lennon



DRAWN BY: DAL				
CHECKED BY: LMH				
APPROVED BY:				
DATE: 03-22-2021				
FIELD BOOK: ---	NO.	REVISION DESCRIPTION	APPROVED	DATE

GREENBELT TRAIL | North Liberty

HALL & HALL ENGINEERS, INC.

GREENBELT TRAIL SUBDIVISION
PART TWO-B
IN THE CITY OF NORTH LIBERTY, JOHNSON COUNTY, IOWA

PRELIMINARY PLAT & GRADING PLAN

SCALE: 1"=60' | PROJECT NO: 9749-GBT-2

SHEET 1

North Liberty
IOWA

April 6, 2021

Terry L. Donahue, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of Greenbelt Trail II, LLC to approve a Preliminary Plat for a 20 lot subdivision on 7.36 acres, more or less, on property located on the west side of North Liberty Road approximately 700 feet north of Salm Drive.

Mayor Donahue:

The North Liberty Planning Commission considered the above-reference request at its April 6, 2021 meeting. The Planning Commission took the following action:

Findings:

1. The preliminary plat, which proposes residential development, achieves consistency with the Comprehensive Plan Future Land Map designation, which is Residential.
2. The preliminary plat depicts proposed residential lots consistent with RD-10 Two-Unit Residence District bulk requirements; and
3. The preliminary plat achieves consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances, which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively.

Recommendation:
The Planning Commission accepted the three listed findings and forwards the request for a preliminary plat approval to the City Council with a recommendation for approval.

The vote for approval was 7-0.

Becky Keogh, Chairperson
City of North Liberty Planning Commission

Resolution No. 2021-43

RESOLUTION APPROVING THE PRELIMINARY PLAT OF GREENBELT TRAIL PART TWO-B, NORTH LIBERTY, IOWA

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

WHEREAS, a preliminary plat has been presented to the City Council of North Liberty, and

WHEREAS, said preliminary plat has been examined by the North Liberty Planning and Zoning Commission, which did recommend that the revised preliminary plat described as Greenbelt Trail Part Two-B be approved; and

WHEREAS, said revised preliminary plat is found to conform with Chapter 354 of the Code of Iowa and ordinances of the City of North Liberty; and

WHEREAS, an ordinance to rezone the real property contemplated by the revised preliminary plat has completed its third reading before this Council, but the publication of the revised zoning map amendment has not yet taken place.

NOW, THEREFORE, BE IT RESOLVED that the revised Preliminary Plat for Greenbelt Trail Part Two B is approved subject to the publication of the zoning map amendment for the same property.

APPROVED AND ADOPTED this 25th day of May, 2021.

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

North Liberty
IOWA

Alcohol in Public Places

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 45 OF THE NORTH LIBERTY CODE OF ORDINANCES TO ALLOW THE CONSUMPTION AND SALE OF ALCOHOL IN AUTHORIZED PUBLIC AREAS

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

SECTION 1. AMENDMENT OF PUBLIC CONSUMPTION ORDINANCE. Chapter 45.02 of the North Liberty Code of Ordinances (2021) is amended to read as follows:

45.02 PUBLIC CONSUMPTION OR INTOXICATION.

1. Definitions. As used in this section unless the context otherwise requires:

~~A.~~ A. "Alcoholic beverage" means any alcoholic liquor, wine or beer.

B. "Agreement" means the official agreement between the city and an authorized entity to sell, consume ~~or~~and possess alcoholic beverages on an authorized site~~site for consumption and possession only on an authorized site~~, which includes, at a minimum, the following provisions:

1. Authorized Site Description: Both a written description and a physical illustration of the authorized site.
2. Dramshop Insurance: The authorized entity shall provide proof that it is in compliance with the liability insurance requirements of Iowa Code section 123.92, as amended.
3. Indemnification: The authorized entity shall pay on behalf of the city all sums which the city shall be obligated to pay by reason of any liability imposed upon the city for damages of any kind resulting from the sale of alcoholic beverages on the authorized site, whether sustained by any person or persons, caused by accident or otherwise and shall defend at its own expense and on behalf of the city any claim against the city arising out of the use of the authorized site or consumption of alcoholic beverages on the authorized site.
4. Inspection: City staff, including the police department, may periodically inspect the authorized site without any prior notice to the authorized entity for the purpose of enforcing the terms of the agreement.
5. License: The authorized entity has a state license to sell beer and/or wine for the term of the agreement.
6. ~~1.~~ Premises Insurance: The authorized entity shall provide a certificate of insurance for reasonable general liability and casualty insurance coverage, naming the city of North Liberty as an additional insured.

The authorized entity shall provide thirty (30) days' notice to the city before cancellation of said insurance.

~~B.~~ C. "Arrest" means the same as defined in Section 804.5 of the *Code of Iowa* and includes taking into custody pursuant to Section 232.19 of the *Code of Iowa*.

D. "Authorized entity" means an entity granted permission to sell, possess and/or consume alcoholic beverages pursuant to an agreement with the City under this section, or the holder of a special event permit issued pursuant to Section 171.03(2) of the North Liberty Code of Ordinances, which permit specifically allows the use of alcohol ~~and~~on public property and/or public right of way.

E. "Authorized site" means a precisely described area in a park, on a public right of way, on city grounds or within a city building over which the authorized entity has control for specified hours on specified days pursuant to a special event permit or written agreement with the city.

~~C.~~F. "Chemical test" means a test of a person's blood, breath, or urine to determine the percentage of alcohol present by a qualified person using devices and methods approved by the Commissioner of Public Safety.

~~D~~G. "Peace officer" means the same as defined in Section 801.4 of the *Code of Iowa*.

~~E~~H. "School" means a public or private school or that portion of a public or private school which provides teaching for any grade from kindergarten through grade twelve.

2. ~~A person shall not~~Restrictions on public use or consumption of alcohol:

A. A person shall not u~~u~~se or consume any alcoholic beverage upon ~~the~~ any public street, ground,~~s or~~ park, building, highway, ~~s~~sidewalk, alley, or public right of way in the city.~~:~~ except if said person has obtained said alcoholic beverage from an "authorized entity", and is on an "authorized site", as those terms are defined in this section. A person shall not use or consume any alcoholic beverage in any public place, except premises covered by a ~~state~~ license or permit, and when applicable, a public right of way easement agreement.

B. The city may enter into a written agreement with an authorized entity that allows for the sale of alcoholic beverages in a city park, on public right of way, or on city grounds. The term of said agreement shall not exceed thirty (30) days.

~~A.~~C. A person shall not possess or consume any alcoholic beverage on public school property or while attending any public or private school-related function. ~~A person shall not be intoxicated in a public place.~~

3. ~~—~~A person shall not be intoxicated or simulate intoxication in a public place.

4. When a peace officer arrests a person on a charge of public intoxication under this section, the peace officer shall inform the person that the person may have a chemical test administered at the person's own expense. If a device approved by the Commissioner of Public Safety for testing a sample of a person's breath to determine the person's blood alcohol concentration is available, that is the only test that need be offered the person arrested. In a prosecution for public intoxication, evidence of the results of a chemical test performed under this subsection is admissible upon proof of a proper foundation. The percentage of alcohol present in a person's blood, breath, or urine established by the results of a chemical test performed within two hours after the person's arrest on a charge of public intoxication is presumed to be the percentage of alcohol present at the time of arrest.

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 _____, 2021.
Second reading on _____, 2021.
Third and final reading on _____, 2021.

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 _____, 2021.

_____
TRACEY MULCAHEY, CITY CLERK

ORDINANCE NO. 2021-08

AN ORDINANCE AMENDING CHAPTER 45 OF THE NORTH LIBERTY CODE OF ORDINANCES TO ALLOW THE CONSUMPTION AND SALE OF ALCOHOL IN AUTHORIZED PUBLIC AREAS

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

SECTION 1. AMENDMENT OF PUBLIC CONSUMPTION ORDINANCE. Chapter 45.02 of the North Liberty Code of Ordinances (2021) is amended to read as follows:

45.02 PUBLIC CONSUMPTION OR INTOXICATION.

1. Definitions. As used in this section unless the context otherwise requires:
   A. "Alcoholic beverage" means any alcoholic liquor, wine or beer.
   B. "Agreement" means the official agreement between the city and an authorized entity to sell, consume and possess alcoholic beverages on an authorized site, which includes, at a minimum, the following provisions:
      1. Authorized Site Description: Both a written description and a physical illustration of the authorized site.
      2. Dramshop Insurance: The authorized entity shall provide proof that it is in compliance with the liability insurance requirements of Iowa Code section 123.92, as amended.
      3. Indemnification: The authorized entity shall pay on behalf of the city all sums which the city shall be obligated to pay by reason of any liability imposed upon the city for damages of any kind resulting from the sale of alcoholic beverages on the authorized site, whether sustained by any person or persons, caused by accident or otherwise and shall defend at its own expense and on behalf of the city any claim against the city arising out of the use of the authorized site or consumption of alcoholic beverages on the authorized site.
      4. Inspection: City staff, including the police department, may periodically inspect the authorized site without any prior notice to the authorized entity for the purpose of enforcing the terms of the agreement.
      5. License: The authorized entity has a state license to sell beer and/or wine for the term of the agreement.
      6. Premises Insurance: The authorized entity shall provide a certificate of insurance for reasonable general liability and casualty insurance coverage, naming the city of North Liberty as an additional insured.

The authorized entity shall provide thirty (30) days' notice to the city before cancellation of said insurance.

C. "Arrest" means the same as defined in Section 804.5 of the *Code of Iowa* and includes taking into custody pursuant to Section 232.19 of the *Code of Iowa*.

D. "Authorized entity" means an entity granted permission to sell, possess and/or consume alcoholic beverages pursuant to an agreement with the City under this section, or the holder of a special event permit issued pursuant to Section 171.03(2) of the North Liberty Code of Ordinances, which permit specifically allows the use of alcohol on public property and/or public right of way.

E. "Authorized site" means a precisely described area in a park, on a public right of way, on city grounds or within a city building over which the authorized entity has control for specified hours on specified days pursuant to a special event permit or written agreement with the city.

F "Chemical test" means a test of a person's blood, breath, or urine to determine the percentage of alcohol present by a qualified person using devices and methods approved by the Commissioner of Public Safety.

G. "Peace officer" means the same as defined in Section 801.4 of the *Code of Iowa*.

H. "School" means a public or private school or that portion of a public or private school which provides teaching for any grade from kindergarten through grade twelve.

2. Restrictions on public use or consumption of alcohol:

A. A person shall not use or consume any alcoholic beverage upon any public street, ground, park, building, highway, sidewalk, alley, or public right of way in the city, except if said person has obtained said alcoholic beverage from an "authorized entity", and is on an "authorized site", as those terms are defined in this section. A person shall not use or consume any alcoholic beverage in any public place, except premises covered by a license or permit, and when applicable, a public right of way easement agreement.

B. The city may enter into a written agreement with an authorized entity that allows for the sale of alcoholic beverages in a city park, on public right of way, or on city grounds. The term of said agreement shall not exceed thirty (30) days.

C. A person shall not possess or consume any alcoholic beverage on public school property or while attending any public or private school-related function.

3. A person shall not be intoxicated or simulate intoxication in a public place.

4. When a peace officer arrests a person on a charge of public intoxication under this section, the peace officer shall inform the person that the person may have a chemical test administered at the person's own expense. If a device approved by the Commissioner of Public Safety for testing a sample of a person's breath to determine the person's blood alcohol concentration is available, that is the only test that need be offered the person arrested. In a prosecution for public intoxication, evidence of the results of a chemical test performed under this subsection is admissible upon proof of a proper foundation. The percentage of alcohol present in a person's blood, breath, or urine established by the results of a chemical test performed within two hours after the person's arrest on a charge of public intoxication is presumed to be the percentage of alcohol present at the time of arrest.

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 April 27, 2021.
Second reading on May 11, 2021.
Third and final reading on _____, 2021.

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. 2021-08 in the North Liberty *Leader* on the _____ day of _____, 2021.

_____
TRACEY MULCAHEY, CITY CLERK

FY 21 Budget Amendment

NOTICE OF PUBLIC HEARING - AMENDMENT OF CURRENT BUDGET
NORTH LIBERTY
Fiscal Year July 1, 2020 - June 30, 2021

The City of NORTH LIBERTY will conduct a public hearing for the purpose of amending the current budget for fiscal year ending June 30, 2021

Meeting Date/Time: 5/25/2021 06:30 PM	**Contact:** Tracey Mulcahey, City Clerk	**Phone:** (319) 626-5700

Meeting Location: This meeting will be available on the City's Facebook page and website. Due to the COVID pandemic Council is meeting virtually until further notice.

There will be no increase in taxes. Any residents or taxpayers will be heard for or against the proposed amendment at the time and place specified above. A detailed statement of: additional receipts, cash balances on hand at the close of the preceding fiscal year, and proposed disbursements, both past and anticipated, will be available at the hearing.

REVENUES & OTHER FINANCING SOURCES		**Total Budget as Certified or Last Amended**	**Current Amendment**	**Total Budget After Current Amendment**
Taxes Levied on Property	1	10,388,351	0	10,388,351
Less: Uncollected Delinquent Taxes - Levy Year	2	0	0	0
Net Current Property Tax	3	10,388,351	0	10,388,351
Delinquent Property Tax Revenue	4	0	0	0
TIF Revenues	5	5,632,284	0	5,632,284
Other City Taxes	6	345,107	0	345,107
Licenses & Permits	7	705,800	0	705,800
Use of Money & Property	8	213,500	0	213,500
Intergovernmental	9	5,426,050	44,783	5,470,833
Charges for Service	10	11,688,249	195,000	11,883,249
Special Assessments	11	0	0	0
Miscellaneous	12	321,600	1,136,300	1,457,900
Other Financing Sources	13	8,413,000	579,000	8,992,000
Transfers In	14	14,492,779	0	14,492,779
Total Revenues & Other Sources	15	57,626,720	1,955,083	59,581,803
EXPENDITURES & OTHER FINANCING USES				
Public Safety	16	4,486,087	858,454	5,344,541
Public Works	17	2,864,888	473,000	3,337,888
Health and Social Services	18	125,000	16,000	141,000
Culture and Recreation	19	5,718,305	265,195	5,983,500
Community and Economic Development	20	2,086,979	0	2,086,979
General Government	21	1,977,647	91,800	2,069,447
Debt Service	22	5,768,617	182,916	5,951,533
Capital Projects	23	11,799,000	596,000	12,395,000
Total Government Activities Expenditures	24	34,826,523	2,483,365	37,309,888
Business Type/Enterprise	25	8,347,099	201,267	8,548,366
Total Gov Activities & Business Expenditures	26	43,173,622	2,684,632	45,858,254
Tranfers Out	27	14,492,779	0	14,492,779
Total Expenditures/Transfers Out	28	57,666,401	2,684,632	60,351,033
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	-39,681	-729,549	-769,230
Beginning Fund Balance July 1, 2020	30	14,020,036	-1,596,977	12,423,059
Ending Fund Balance June 30, 2021	31	13,980,355	-2,326,526	11,653,829

Explanation of Changes: Derecho, COVID-19, Hailstorm, Federal and state funds coming in for disasters, spending of donations, increase in insurance costs, increase in electric costs, trash revenue and expense increase, projects crossing over fiscal years, receipt of SAFER grant and expenditures, replacement of vehicles with insurance proceeds, cost of heavy snow season, bond payment for borrowing after budget finalized, projects that were not budgeted but needed to be completed.

FY 21 Budget Amendment Explanations		
Category	Amendment Amount	Explanation
	REVENUES	
Intergovernmental	44,783	SAFER, State Library Grants, Other Federal Grants, Developer payments
Charges for Service	195,000	Trash/recycling revenues
Miscellaneous	1,136,300	CARES, Insurance proceeds, donations
Other Financing Sources	579,000	Additional
	EXPENDITURES	
Public Safety	858,454	Electric costs, Fire Work Comp, Building damages - Hail & Derecho, SAFER expenses, deductible costs, credit card fee increases, Fire gear/equipment purchases, replacement of totaled vehicle
Public Works	473,000	Trash/recycling fees, MPOJC increased costs, snow removal overtime, Hail/Derecho damage, increased insurance costs, utility costs
Health and Social Services	16,000	Summer Lunch and Fun
Culture and Recreation	265,195	Library donation spending, snow removal overtime, hail damage, Lighthouse in the Library Program, Tree Grant expenditures
General Government	91,800	Additional credit card fees, NWERP, COVID supplies, outside legal services
Debt Service	182,916	Bond payment - new bond not budgeted
Capital Projects	596,000	Pool HVAC Project, City Hall Project, Trail Project
Business Type/Enterprise	201,267	GIS Fees, West Trunk Sewer Repairs, Sales tax, Utility deposit return increase, well repair, SW Growth Utilities
Beginning Fund Balance	(1,596,977)	Per the FY 20 Audit

Resolution No. 2021-44

A RESOLUTION AMENDING THE CURRENT BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2021

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

WHEREAS, The City Council of North Liberty in Johnson County met on May 25, 2021 at the place and hour set in the notice, a copy of which accompanies this certificate and is certified as to publication;

WHEREAS, upon taking up the proposed amendment, it was considered and taxpayers were heard for and against the amendment;

WHEREAS, The Council after hearing all taxpayers wishing to be heard and considering the statements made by them gave final consideration to the proposed amendment to the budget and modifications proposed at the hearing, if any.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby authorize the amendment to the budget for the fiscal year ending June 30, 2021.

APPROVED AND ADOPTED this 25th day of May, 2021.

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

Pool Heater Project

Resolution No. 2021-45

RESOLUTION FINALLY APPROVING AND CONFIRMING PLANS, SPECIFICATIONS, AND ESTIMATE OF COST FOR THE POOL WATER HEATER REPLACEMENT PROJECT

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 Pool Water Heater Replacement Project (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 May 25, 2021;

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

Section 1. The City Council will receive bids for the Project until June 1, 2021 at 2:00 p.m. At such time and place the City Clerk will 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 June 8, 2021 at 6:30 p.m. via Zoom.

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.

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 25th day of May, 2021.

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

North Liberty
IOWA

Dubuque Street Project

Prepared by and Return to:
Grant D. Lientz, 3 Quail Creek Circle, P.O. Box 77, North Liberty, IA 52317 319-626-5767

TEMPORARY CONTRUCTION EASEMENT AGREEMENT

This agreement is made and entered into by and between BERTHA S. OLIN, owner of the real estate described herein, (hereinafter referred to as "Property Owner," which expression shall include their agents, successors or assigns), and the CITY OF NORTH LIBERTY, IOWA, a municipal corporation, (hereinafter referred to as "City," which expression shall include its agents, successors or assigns).

IT IS HEREBY AGREED AS FOLLOWS:

For the sum of one dollar ($1.00) plus other valuable consideration, the receipt of which is hereby acknowledged, the Property Owner hereby grants and conveys to the City a temporary easement for the public purpose of improving and realigning North Dubuque Street, North Front Street, and East Cherry Street, installing landscaping, lighting, sidewalks, and extending utility services (the "Project"), under, over, through and across the areas described in the exhibits, which are attached.

Additionally, as part of the consideration for this agreement,

A. The Property Owner will not be assessed for any costs for the design and construction of the Project, plans for which are on file at City Hall, nor shall the Property Owner be responsible for the initial costs of constructing or maintaining the Project; however, connection fees, frontage fees, or other typical and customary fees will be collected by the City at the time any part of the property is developed.

B. The City shall be responsible for the recording of this Agreement and payment of the costs for the same.

C. The City shall indemnify and hold harmless the Property Owner, its successors and assigns, from and against any loss, damage, expense, cost, third party claims, causes of action, or other liabilities arising out of, or purporting to arise out of, the City's exercise of the rights granted under this Agreement. This indemnification and hold harmless shall include, but is not limited to, reasonable legal fees and cost of defense incurred by Property Owner.

DIVISION I – TEMPORARY EASEMENT

The Property Owner and the City agree that:

1. The temporary easement area being granted and conveyed by this Agreement is depicted on and legally described in Exhibit A, which is attached and fully incorporated herein, and referred to herein as "temporary construction easement area."

2. Property Owner does hereby grant and convey to City a temporary construction easement for the purpose of facilitating the City's construction of the Project described above.

3. The Property Owner shall not erect any landscaping, fences, or structures over, under or within the temporary construction easement area during the construction of the Project, without obtaining the prior written approval of the City Engineer.

4. The Property Owner shall not change the grade, elevation or contour of any part of the temporary construction easement area without obtaining the prior written consent of the City Engineer during the same timeframe, which consent shall not be unreasonably withheld.

5. The City shall have the right of access to the temporary construction easement area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the easement area as herein described, including but not limited to the right to remove any unauthorized obstructions or structures placed or erected on the easement area.

6. Following the construction and installation of the Project and final acceptance by the City, the City shall restore the temporary construction easement area to substantially the same condition as existed prior to the commencement of construction operations.

7. City covenants and agrees that driveways, fences and other site features that are removed or disturbed shall be replaced by City consistent with the final construction plans, which the City Engineer shall make available to the Property Owner upon request. City covenants and agrees that existing underground drainage tiles that are removed or disturbed shall, to the extent reasonably possible, be replaced by City. City further agrees that all grassed areas disturbed by the construction shall be seeded within a reasonable time after construction is complete. Property Owner agrees that trees, shrubs and brush that are removed or disturbed will not be replaced by City.

8. City covenants and agrees to remove and stockpile existing topsoil from areas to be excavated, to be used in the event of any repair. Following installation of the improvements described herein, all areas within the temporary construction easement area which are disturbed will be graded to form a uniform slope, and topsoil shall be replaced and spread over disturbed areas, thereby restoring said areas substantially to their prior condition, with the exception of the replacement of trees, shrubs and brush.

9. The rights as described above in the temporary construction easement area shall commence upon execution hereof and shall cease and terminate following the completion of the construction of the Project, but no later than December 31, 2023.

DIVISION II – GENERAL

The Property Owner does hereby covenant with the City that the Property Owner holds said real estate described in this easement by title in fee simple; that the Property Owner has good and lawful authority to convey the same; and that the Property Owner covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever. The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated this 19th day of May, 2021.

PROPERTY OWNER:

Signed: _____
Bertha S. Olin
By: Dr. William Olin, Jr., as Agent

CITY:

Signed: _____
Terry L. Donahue, Mayor

Signed: _____
Tracey Mulcahey, City Clerk

STATE OF IOWA, JOHNSON COUNTY: ss

On this 19th day of May, 2021, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dr. William Olin, Jr., to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her voluntary act and deed.

Grant D Lientz
Commission Number 792321
My Commission Expires
9-26-21

_____
Notary Public in and for said State

STATE OF IOWA, JOHNSON COUNTY: ss

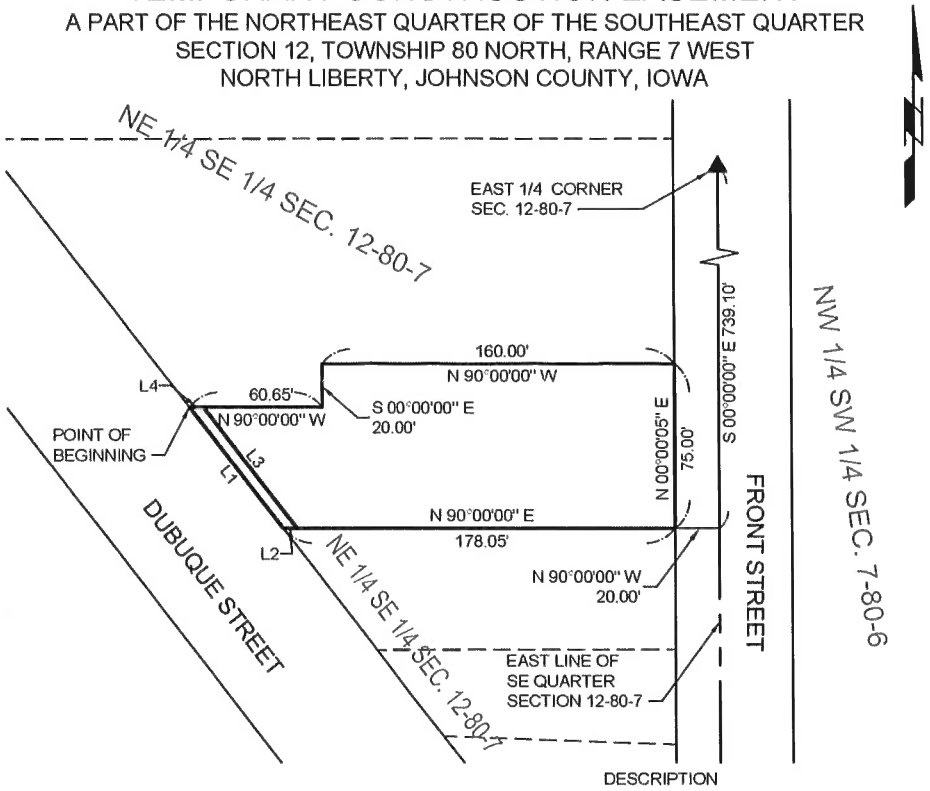
On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Terry L. Donahue and Tracey Mulcahey, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of North Liberty, Iowa, a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the municipal corporation, and that the instrument was signed and sealed on behalf of the municipal corporation by the authority of its City Council, as contained in Resolution No. _____ of the City Council on the _____

day of _____, 20____, and that Terry L. Donahue and Tracey Mulcahey acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

_____
Notary Public in and for the State of Iowa

EASEMENT EXHIBIT
TEMPORARY CONSTRUCTION EASEMENT

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER
SECTION 12, TOWNSHIP 80 NORTH, RANGE 7 WEST
NORTH LIBERTY, JOHNSON COUNTY, IOWA



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S 37°45'24" E	69.57'
L2	N 90°00'00" E	6.32'
L3	N 37°45'24" W	69.57'
L4	N 90°00'00" W	6.32'

A temporary construction easement on that part of the Northeast Quarter of the Southeast Quarter of Section 12, Township 80 North, Range 7 West of the 5th P.M., North Liberty, Johnson County, Iowa described as follows:

Commencing as a point of reference at the East Quarter corner of Section 12, Township 80 North, Range 7 West of the 5th P.M.;

thence South 00°00'00" East 739.10 feet along the East line of the Southeast Quarter of Section 12-80-7 (assumed bearing for this description only);

thence North 90°00'00" West 20.00 feet to a point of intersection with the westerly right-of-way line of Front Street;

thence North 00°00'00" East 75.00 feet along said westerly right-way-line of Front Street;

thence North 90°00'00" West 160.00 feet;

thence South 00°00'00" East 20.00 feet;

thence North 90°00'00" West 60.65 feet to a point of intersection with the northeasterly right-of-way line of Dubuque Street and the point of beginning;

thence South 37°45'24" East 69.57 feet along said northeasterly right-of-way line of Dubuque Street;

thence North 90°00'00" East 6.32 feet;

thence North 37°45'24" West 69.57 feet;

thence North 90°00'00" West 6.32 feet to the point of beginning.

Area: 348 square feet more or less.

EASEMENT REQUESTED BY:
THE CITY OF NORTH LIBERTY

PROPERTY OWNER:
OLIN, BERTHA S. AND WILLIAM H.

0 30 60 120
SCALE IN FEET

SHIVEHATTERY
ARCHITECTURE + ENGINEERING
2839 Northgate Drive | Iowa City, Iowa 52245
319.354.3040 | www.shive-hattery.com
Iowa | Illinois | Indiana Illinois Firm Number: 184-000214

EASEMENT EXHIBIT A PART OF NE 1/4 SE 1/4 SEC. 12-80-7 438 N. DUBUQUE STREET NORTH LIBERTY, JOHNSON COUNTY, IOWA				PROJECT NO. 120107-0
DATE	12/2/20	SCALE	AS SHOWN	SHEET NO.
DRAWN	JSB	FIELD BOOK	--	1 of 1
APPROVED	JSB	REVISION	2/23/21	

Prepared by and Return to:
Grant D. Lientz, 3 Quail Creek Circle, P.O. Box 77, North Liberty, IA 52317 319-626-5767

TEMPORARY CONTRUCTION EASEMENT AGREEMENT

This agreement is made and entered into by and between HOPE PRESBYTERIAN CHURCH, an Iowa corporation, owner of the real estate described herein, (hereinafter referred to as "Property Owner," which expression shall include their agents, successors or assigns), and the CITY OF NORTH LIBERTY, IOWA, a municipal corporation, (hereinafter referred to as "City," which expression shall include its agents, successors or assigns).

IT IS HEREBY AGREED AS FOLLOWS:

For the sum of one dollar ($1.00) plus other valuable consideration, the receipt of which is hereby acknowledged, the Property Owner hereby grants and conveys to the City a temporary easement for the public purpose of improving and realigning North Dubuque Street, North Front Street, and East Cherry Street, installing landscaping, lighting, sidewalks, and extending utility services (the "Project"), under, over, through and across the areas described in the exhibits, which are attached.

Additionally, as part of the consideration for this agreement,

A. The Property Owner will not be assessed for any costs for the design and construction of the Project, plans for which are on file at City Hall, nor shall the Property Owner be responsible for the initial costs of constructing or maintaining the Project; however, connection fees, frontage fees, or other typical and customary fees will be collected by the City at the time any part of the property is developed.

B. The City shall be responsible for the recording of this Agreement and payment of the costs for the same.

C. The City shall indemnify and hold harmless the Property Owner, its successors and assigns, from and against any loss, damage, expense, cost, third party claims, causes of action, or other liabilities arising out of, or purporting to arise out of, the City's exercise of the rights granted under this Agreement. This indemnification and hold harmless shall include, but is not limited to, reasonable legal fees and cost of defense incurred by Property Owner.

DIVISION I – TEMPORARY EASEMENT

The Property Owner and the City agree that:

1. The temporary easement area being granted and conveyed by this Agreement is depicted on and legally described in Exhibit A, which is attached and fully incorporated herein, and referred to herein as "temporary construction easement area."

2. Property Owner does hereby grant and convey to City a temporary construction easement for the purpose of facilitating the City's construction of the Project described above.

3. The Property Owner shall not erect any landscaping, fences, or structures over, under or within the temporary construction easement area during the construction of the Project, without obtaining the prior written approval of the City Engineer.

4. The Property Owner shall not change the grade, elevation or contour of any part of the temporary construction easement area without obtaining the prior written consent of the City Engineer during the same timeframe, which consent shall not be unreasonably withheld.

5. The City shall have the right of access to the temporary construction easement area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the easement area as herein described, including but not limited to the right to remove any unauthorized obstructions or structures placed or erected on the easement area.

6. Following the construction and installation of the Project and final acceptance by the City, the City shall restore the temporary construction easement area to substantially the same condition as existed prior to the commencement of construction operations.

7. City covenants and agrees that driveways, fences and other site features that are removed or disturbed shall be replaced by City consistent with the final construction plans, which the City Engineer shall make available to the Property Owner upon request. City covenants and agrees that existing underground drainage tiles that are removed or disturbed shall, to the extent reasonably possible, be replaced by City. City further agrees that all grassed areas disturbed by the construction shall be seeded within a reasonable time after construction is complete. Property Owner agrees that trees, shrubs and brush that are removed or disturbed will not be replaced by City.

8. City covenants and agrees to remove and stockpile existing topsoil from areas to be excavated, to be used in the event of any repair. Following installation of the improvements described herein, all areas within the temporary construction easement area which are disturbed will be graded to form a uniform slope, and topsoil shall be replaced and spread over disturbed areas, thereby restoring said areas substantially to their prior condition, with the exception of the replacement of trees, shrubs and brush.

9. The rights as described above in the temporary construction easement area shall commence upon execution hereof and shall cease and terminate following the completion of the construction of the Project, but no later than December 31, 2023.

DIVISION II – GENERAL

The Property Owner does hereby covenant with the City that the Property Owner holds said real estate described in this easement by title in fee simple; that the Property Owner has good and lawful authority to convey the same; and that the Property Owner covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever. The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated this 11 day of MAY, 2021.

PROPERTY OWNER:

Signed: Kenneth J Hummel
By:
on behalf of Hope Presbyterian Church

~~Signed:~~ _____
~~By:~~
~~on behalf of Hope Presbyterian Church~~

CITY:

Signed: _____
Terry L. Donahue, Mayor

Signed: _____
Tracey Mulcahey, City Clerk

STATE OF IOWA, JOHNSON COUNTY: ss

On this 11th day of May, 2021, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared KENNETH J. HUMMEL ~~and~~ _____, to me personally known, who, being by me duly sworn, did say that they are the CHAIRMAN ~~and~~ _____, ~~respectively~~, of Hope Presbyterian Church, an Iowa corporation, and that the instrument was signed on behalf of the corporation by the authority of its members, and that KENNETH J. HUMMEL ~~and~~ _____ acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

NOTARIAL SEAL IOWA
JACKIE L HARRIS
Commission Number 193417
My Commission Expires
Nov. 10, 2021.

Notary Public in and for the State of Iowa

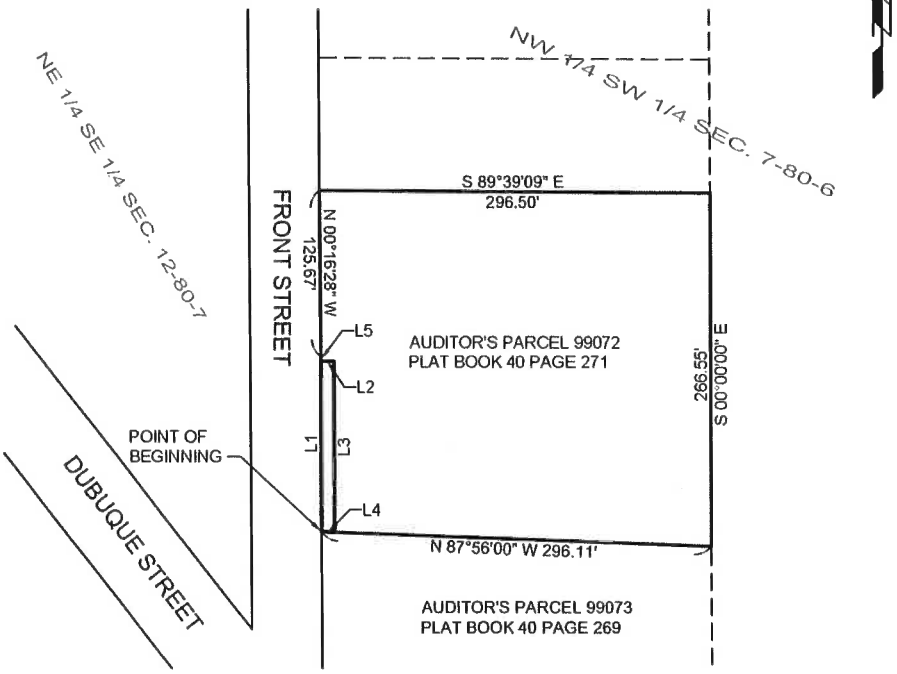
STATE OF IOWA, JOHNSON COUNTY: ss

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Terry L. Donahue and Tracey Mulcahey, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of North Liberty, Iowa, a municipal corporation; that the

seal affixed to the foregoing instrument is the corporate seal of the municipal corporation, and that the instrument was signed and sealed on behalf of the municipal corporation by the authority of its City Council, as contained in Resolution No. _____ of the City Council on the _____ day of _____, 20____, and that Terry L. Donahue and Tracey Mulcahey acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

_____
Notary Public in and for the State of Iowa

EASEMENT EXHIBIT
TEMPORARY CONSTRUCTION EASEMENT
A PART OF AUDITOR'S PARCEL 99072
NORTH LIBERTY, JOHNSON COUNTY, IOWA



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 00°00'42" E	128.33'
L2	S 89°59'18" E	10.00'
L3	S 00°00'42" W	128.69'
L4	N 87°56'00" W	10.01'
L5	N 00°00'42" E	3.67'

DESCRIPTION

A temporary construction easement on that part of Auditor's Parcel 99072 (Plat of Survey recorded in Plat Book 40 Page 271 at the Johnson County Recorder's Office), North Liberty, Johnson County, Iowa described as follows:

Beginning at the southwest corner of said Auditor's Parcel 99072;

thence North 0°00'42" East 128.33 feet along the easterly right-of-way line of Front Street (assumed bearing for this description only);

thence South 89°59'18" East 10.00 feet;

thence South 0°00'42" West 128.69 feet to a point of intersection with the south line of said Auditor's Parcel 99072;

thence North 87°56'00" West 10.01 feet to the point of beginning.

Area: 1285 square feet more or less.

0 50 100 200
SCALE IN FEET

EASEMENT REQUESTED BY:
THE CITY OF NORTH LIBERTY

EASEMENT REQUESTED BY:
HOPE PRESBYTERIAN CHURCH

SHIVEHATTERY
ARCHITECTURE + ENGINEERING
2839 Northgate Drive | Iowa City, Iowa 52245
319.354.3040 | www.shive-hattery.com
Iowa | Illinois | Indiana Illinois Firm Number: 184-000214

EASEMENT EXHIBIT A PART OF AUDITOR'S PARCEL 99072 HOPE PRESBYTERIAN CHURCH NORTH LIBERTY, JOHNSON COUNTY, IOWA				PROJECT NO. 120107-0
DATE	12/3/20	SCALE	AS SHOWN	SHEET NO.
DRAWN	JSB	FIELD BOOK	2/22/21	1 of 1
APPROVED	JSB	REVISION	--	

Prepared by and Return to:
Grant D. Lientz, 3 Quail Creek Circle, P.O. Box 77, North Liberty, IA 52317 319-626-5767

TEMPORARY CONTRUCTION EASEMENT AGREEMENT

This agreement is made and entered into by and between GRATEFUL PARK LLC, owner of the real estate described herein, (hereinafter referred to as "Property Owner," which expression shall include their agents, successors or assigns), and the CITY OF NORTH LIBERTY, IOWA, a municipal corporation, (hereinafter referred to as "City," which expression shall include its agents, successors or assigns).

IT IS HEREBY AGREED AS FOLLOWS:

For the sum of one dollar ($1.00) plus other valuable consideration, the receipt of which is hereby acknowledged, the Property Owner hereby grants and conveys to the City a temporary easement for the public purpose of improving and realigning North Dubuque Street, North Front Street, and East Cherry Street, installing landscaping, lighting, sidewalks, and extending utility services (the "Project"), under, over, through and across the areas described in the exhibits, which are attached.

Additionally, as part of the consideration for this agreement,

A. The Property Owner will not be assessed for any costs for the design and construction of the Project, plans for which are on file at City Hall, nor shall the Property Owner be responsible for the initial costs of constructing or maintaining the Project; however, connection fees, frontage fees, or other typical and customary fees will be collected by the City at the time any part of the property is developed.

B. The City shall be responsible for the recording of this Agreement and payment of the costs for the same.

C. The City shall indemnify and hold harmless the Property Owner, its successors and assigns, from and against any loss, damage, expense, cost, third party claims, causes of action, or other liabilities arising out of, or purporting to arise out of, the City's exercise of the rights granted under this Agreement. This indemnification and hold harmless shall include, but is not limited to, reasonable legal fees and cost of defense incurred by Property Owner.

DIVISION I – TEMPORARY EASEMENT

The Property Owner and the City agree that:

1. The temporary easement area being granted and conveyed by this Agreement is depicted on and legally described in Exhibit A, which is attached and fully incorporated herein, and referred to herein as "temporary construction easement area."

2. Property Owner does hereby grant and convey to City a temporary construction easement for the purpose of facilitating the City's construction of the Project described above.

3. The Property Owner shall not erect any landscaping, fences, or structures over, under or within the temporary construction easement area during the construction of the Project, without obtaining the prior written approval of the City Engineer.

4. The Property Owner shall not change the grade, elevation or contour of any part of the temporary construction easement area without obtaining the prior written consent of the City Engineer during the same timeframe, which consent shall not be unreasonably withheld.

5. The City shall have the right of access to the temporary construction easement area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the easement area as herein described, including but not limited to the right to remove any unauthorized obstructions or structures placed or erected on the easement area.

6. Following the construction and installation of the Project and final acceptance by the City, the City shall restore the temporary construction easement area to substantially the same condition as existed prior to the commencement of construction operations.

7. City covenants and agrees that driveways, fences and other site features that are removed or disturbed shall be replaced by City consistent with the final construction plans, which the City Engineer shall make available to the Property Owner upon request. City covenants and agrees that existing underground drainage tiles that are removed or disturbed shall, to the extent reasonably possible, be replaced by City. City further agrees that all grassed areas disturbed by the construction shall be seeded within a reasonable time after construction is complete. Property Owner agrees that trees, shrubs and brush that are removed or disturbed will not be replaced by City.

8. City covenants and agrees to remove and stockpile existing topsoil from areas to be excavated, to be used in the event of any repair. Following installation of the improvements described herein, all areas within the temporary construction easement area which are disturbed will be graded to form a uniform slope, and topsoil shall be replaced and spread over disturbed areas, thereby restoring said areas substantially to their prior condition, with the exception of the replacement of trees, shrubs and brush.

9. The rights as described above in the temporary construction easement area shall commence upon execution hereof and shall cease and terminate following the completion of the construction of the Project, but no later than December 31, 2023.

DIVISION II – GENERAL

The Property Owner does hereby covenant with the City that the Property Owner holds said real estate described in this easement by title in fee simple; that the Property Owner has good and lawful authority to convey the same; and that the Property Owner covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever. The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated this 13th day of May, 2021

PROPERTY OWNER:

Signed:_____
By:
on behalf of Grateful Park LLC

Signed:_____
By:
on behalf of Grateful Park LLC

CITY:

Signed:_____
Terry L. Donahue, Mayor

Signed:_____
Tracey Mulcahey, City Clerk

STATE OF IOWA, JOHNSON COUNTY: ss

On this 13th day of May, 2021, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paul Park and Peggy Cullivan, to me personally known, who, being by me duly sworn, did say that they are the Owner and Owner, respectively, of Grateful Park LLC, an Iowa corporation, and that the instrument was signed on behalf of the corporation by the authority of its members, and that Paul Park and Peggy Cullivan acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

NOTARIAL SEAL IOWA
TRACEY L. SNYDER
Commission Number 773868
My Commission Expires
9/13/21

_____
Notary Public in and for the State of Iowa

STATE OF IOWA, JOHNSON COUNTY: ss

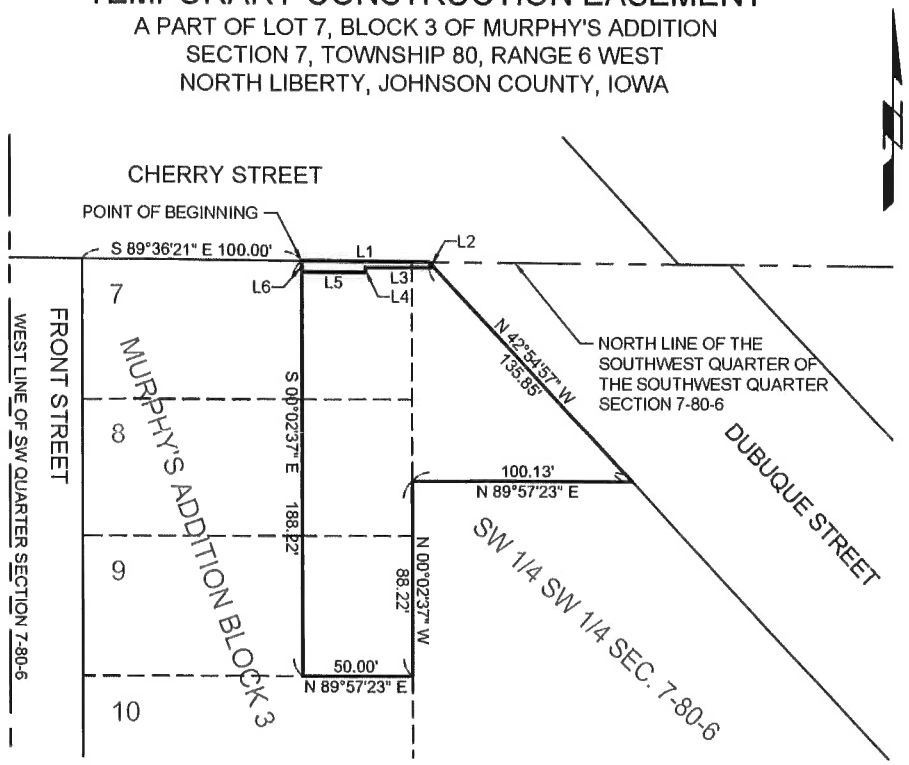
On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Terry L. Donahue and Tracey Mulcahey, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of North Liberty, Iowa, a municipal corporation; that the

seal affixed to the foregoing instrument is the corporate seal of the municipal corporation, and that the instrument was signed and sealed on behalf of the municipal corporation by the authority of its City Council, as contained in Resolution No. _____ of the City Council on the _____ day of _____, 20____, and that Terry L. Donahue and Tracey Mulcahey acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

_____
Notary Public in and for the State of Iowa

EASEMENT EXHIBIT
TEMPORARY CONSTRUCTION EASEMENT

A PART OF LOT 7, BLOCK 3 OF MURPHY'S ADDITION
SECTION 7, TOWNSHIP 80, RANGE 6 WEST
NORTH LIBERTY, JOHNSON COUNTY, IOWA



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S 89°36'21" E	57.71'
L2	S 42°54'57" E	3.30'
L3	S 89°42'24" W	31.09'
L4	S 00°37'08" E	2.22'
L5	N 89°36'21" W	28.89'
L6	N 00°02'37" W	5.00'

DESCRIPTION

A temporary construction easement on a part of Lot 7 of Block 3 of Murphy's Addition (plat recorded in Deed Record 16, pages 192 and 193 at the Johnson County Recorder's Office), and in the Southwest Quarter of the Southwest Quarter of Section 7, Township 80 North, Range 6 West of the 5th P.M, in North Liberty, Johnson County, Iowa described as follows:

Commencing as a point of reference at the northwesterly corner of said Lot 7;

thence South 89°36'21" East 100.00 feet along the north line of said Lot 7 (assumed bearing for this description only) to the point of beginning;

thence continuing South 89°36'21" East 57.71 feet to a point of intersection with the southwesterly right-of-way line of Dubuque Street;

thence South 42°54'57" East 3.30 feet along said southwesterly right-of-way line;

thence South 89°42'24" West 31.09 feet;

thence South 0°37'08" East 2.22 feet;

thence North 89°36'21" West 28.89 feet;

thence North 0°02'37" West 5.00 feet to the point of beginning.

Area: 222 square feet more or less.

0 30 60 120
SCALE IN FEET

EASEMENT REQUESTED BY:
THE CITY OF NORTH LIBERTY

PROPERTY OWNER:
GRATEFUL PARK LLC

SHIVEHATTERY
ARCHITECTURE + ENGINEERING
2839 Northgate Drive | Iowa City, Iowa 52245
319.354.3040 | www.shive-hattery.com
Iowa | Illinois | Indiana Illinois Firm Number: 184-000214

EASEMENT EXHIBIT
LOT 7, BLOCK 3 OF MURPHY'S ADDITION
25 EAST CHERRY STREET
NORTH LIBERTY, JOHNSON COUNTY, IOWA

DATE	12/2/20	SCALE	AS SHOWN
DRAWN	JSB	FIELD BOOK	--
APPROVED	JSB	REVISION	2/22/21

PROJECT NO. 120107-0

SHEET NO. 1 of 1

Resolution No. 2021-46

A RESOLUTION APPROVING THE PURCHASE OF TEMPORARY CONSTRUCTION EASEMENTS BY THE CITY OF NORTH LIBERTY FOR THE DUBUQUE STREET PHASE ONE PROJECT

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

WHEREAS, the City of North Liberty is planning the Dubuque Street Phase One Project across and adjacent to properties (the "Subject Properties") owned by, among others, Grateful Park LLC, Bertha S. Olin, and Hope Presbyterian Church, (the "Owners") and;

WHEREAS, a temporary construction easement over and across the Subject Properties are necessary for this project, and;

WHEREAS, the City of North Liberty agrees to purchase the necessary temporary construction easement over, under, and across property owned by Hope Presbyterian Church for $1,200.00; and

WHEREAS, the City of North Liberty agrees to purchase the necessary temporary construction easement over, under, and across property owned by Bertha S. Olin for $650.00; and

WHEREAS, the City of North Liberty agrees to purchase the necessary temporary construction easement over, under, and across property owned by Grateful Park LLC for $400.00; and

WHEREAS, it is the parties' desire to agree and establish, in writing, their understanding concerning the agreement for the project.

NOW, THEREFORE, BE IT RESOLVED that the purchase of temporary construction easements pursuant to the attached agreements between the City of North Liberty and the Owners of the respective Subject Properties is approved for the Dubuque Street, Phase One Project, North Liberty, Iowa.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute said agreement.

APPROVED AND ADOPTED this 25th day of May, 2021.

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

2012A Bond Sale

MINUTES TO SET DATE FOR HEARING ON LOAN AGREEMENT

421033-83

North Liberty, Iowa

May 25, 2021

The City Council of the City of North Liberty, Iowa, met on May 25, 2021, at _____ o'clock __.m.

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

[Insert electronic access information]

The City Council is conducting 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 Mayor presided and the roll was called showing the following members of the City Council present and absent:

Present: _____

Absent: _____.

Council Member _____ introduced the resolution hereinafter next set out and moved its adoption, seconded by Council Member _____; and after due consideration thereof by the City Council, the Mayor put the question upon the adoption of the said resolution and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted as hereinafter set out.

• • • •

At the conclusion of the meeting and upon motion and vote, the City Council adjourned.

_____
Mayor

Attest:

_____
City Clerk

RESOLUTION NO. _____

Resolution setting the date for public hearing on proposal to enter into General Obligation Loan Agreement and to borrow money thereunder

WHEREAS, the City of North Liberty (the "City"), in John County, State of Iowa, previously proposed to enter into a loan agreement (the "Urban Renewal Loan Agreement") and to borrow money thereunder in a principal amount not to exceed $5,000,000 for the purpose of paying the cost, to that extent, of constructing, furnishing and equipping a municipal police station, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of June 27, 2017, no petition had been filed with the City asking that the question of entering into the Urban Renewal Loan Agreement be submitted to the registered voters of the City; and

WHEREAS, the City now proposes, pursuant to the provisions of Section 384.24A of the Code of Iowa, to enter into a loan agreement (the "Essential Purpose Loan Agreement") and to borrow money thereunder in a principal amount not to exceed $4,300,000 for the purpose of paying the costs, to that extent, of (1) constructing street, water system, sanitary sewer system, storm water drainage improvements; (2) acquiring and installing street lighting, signage and signalization improvements; and (3) acquiring a fire truck for the municipal fire department (collectively the "Projects"), and it is necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Essential Purpose Loan Agreement and to give notice thereof as required by such law; and

WHEREAS, the City also proposes to enter into a loan agreement (the "General Purpose Loan Agreement") and to borrow money thereunder in a principal amount not to exceed $200,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the costs, to that extent, of undertaking the Aquatic Center Boiler Project (the "General Purpose Project" and, together with the Essential Purpose Projects, the "Projects"), and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the General Purpose Loan Agreement and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal pursuant to the provisions of Section 384.26 of the Code of Iowa;

NOW, THEREFORE, Be It Resolved by the City Council of the City of North Liberty, Iowa, as follows:

Section 1. This City Council shall meet on June 8, 2021, at _____ o'clock __.m., at which time and place hearing will be held electronically via Zoom and proceedings will be instituted and action taken to enter into the Essential Purpose Loan Agreement.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Essential Purpose Loan Agreement setting forth the amount and purpose thereof, the time when and place where the meeting will be held by publication at least once, not less than four (4) and not more than twenty (20) days before the meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED $4,300,000

(GENERAL OBLIGATION)

The City Council of the City of North Liberty, Iowa (the "City"), will meet on June 8, 2021, at _____ o'clock __.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed $4,300,000 for the purpose paying the costs, to that extent, of (1) constructing street, water system, sanitary sewer system, storm water drainage and (2) acquiring a fire truck for the municipal fire department.

Due to federal and state government recommendations in response to COVID-19 pandemic conditions, the meeting will be held electronically via Zoom, which will be accessible at the following:

[Insert electronic access information]

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter..

By order of the City Council of the City of North Liberty, Iowa.

Tracey Mulcahey
City Clerk

Section 3. The City Clerk is hereby directed to give notice of the proposed action on the General Purpose Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than ten (10) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED $200,000

(GENERAL OBLIGATION)

The City Council of the City of North Liberty, Iowa (the "City"), will meet on June 8, 2021, at _____ o'clock ___.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed $200,000 for the purpose of paying the costs, to that extent, of undertaking the Aquatic Center Boiler Project.

Due to federal and state government recommendations in response to COVID-19 pandemic conditions, the meeting will be held electronically via Zoom, which will be accessible at the following:

[Insert electronic access information]

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 284.26 of the Code of Iowa. If no such petition is filed, at the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter

By order of the City Council of the City of North Liberty, Iowa.

Tracey Mulcahey
City Clerk

Section 4. 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 Projects which are reasonably estimated to cost approximately $7,000,000, (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 Projects 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 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved May 25, 2021.

_____
Mayor

Attest:

_____
City Clerk

Meade Farm Linn County REC Utility Easement

Prepared by & Return to Julie L. Pulkrabek, 4698 Fox Lane NE, Iowa City, IA 52240 319/354-2110

PUBLIC EASEMENT FOR ELECTRIC UTILITY AND FRANCHISEES

The City of North Liberty, of Johnson County, State of Iowa ("Grantor"), being the owner of the real estate described below does hereby grant to the Linn County Rural Electric Cooperative Association ("Grantee"), the right, privilege, and non-exclusive easement to enter in and upon its land to place, lines, install, lay, construct, operate, maintain, replace and remove, conduits, cable, pipes, and electric lines below the surface of the ground for the transmission and distribution of electric energy, including without limitation all appropriate cable, wire, transformers, ground connection, attachments, equipment, accessories, and appurtenances necessary and appropriate for the transmission and distribution of electric energy ("Facilities").

Grantor further grants and conveys to each public utility franchise holder now or in the future authorized by North Liberty City Ordinance or state law to operate within the right of way of the City of North Liberty, Iowa ("City Franchisees") the right to perform such activities within the easement area as though the easement area was depicted as a "utility easement" on a duly recorded final subdivision plat. City Franchisees are intended and shall be third-party beneficiaries of this agreement. The extension of these rights to City Franchisees are non-exclusive, and shall not serve to curtail the rights of Grantee.

The easement is situated in the County of Johnson, State of Iowa, and described to-wit:

A ten-foot-wide easement south of North Liberty Road NE in the NE ¼ SW ¼ of S7-T80N-R06W of the 5th P.M. in the City of North Liberty, Johnson County, Iowa as shown on the staking sheet attached hereto as Exhibit A.

The Facilities erected hereunder shall remain the property of Grantee. Grantee shall have the right to inspect, rebuild, remove, repair, improve, and make changes, alterations, substitutions, and additions in and to its Facilities as it may from time to time deem advisable, including the right to increase or decrease the number and size of wires, cables, manholes, connection boxes, switching enclosures, transformers and transformer enclosures.

WITH THE EXCEPTION OF EXISTING TREES AND DRIVEWAY, GRANTOR SHALL AT ALL TIMES KEEP THE EASEMENT CLEAR OF BUILDINGS, CONCRETE OR OTHER HARD SURFACE, STRUCTURES (ABOVE OR BELOW GROUND), TREES, AND SHRUBBERY OR OTHER LANDSCAPING OTHER THAN GRASS. In the event Grantor places anything other than grass in the easement, or places concrete or another hard surface

outside the existing driveway, contrary to the terms of this Agreement, Grantor shall pay all costs of returning the easement to its prior appearance after Grantee accesses its Facilities for repairs and/or replacements. In addition, Grantor shall reimhurse Grantee for any additional costs to Grantee due to Grantor's use of the easement area contrary to this Agreement, with the exception of additional costs related to existing trees or the paving of the existing driveway.

Grantor may use the land within the easement for any purpose not inconsistent with the rights hereby granted, provided such use does not interfere with or endanger the construction, operation, replacement and maintenance of Grantee's Facilities.

For the purposes of constructing, inspecting, maintaining, or operating its facilities, Grantee shall have the right of ingress and egress from the easement over lands of Grantor adjacent to the easement and lying between public or private roads and the easement, such right to be exercised in such manner as shall occasion the least practicable damage and inconvenience to Grantor.

Grantee shall hold Grantor harmless from, and reimburse Grantor for, all damage to real estate of the Grantor or its tenant, which may result from the construction, operation, and maintenance of said electric line of the aforesaid system at the above-described location, except damage caused by Grantor's placement of anything other than grass in the easement or the negligence of Grantor or its tenant.

Grantor shall be responsible for all other maintenance of the easement area, including mowing, maintaining the level of grade of the ground, and any repairs necessary due to nature. Grantee shall not, however, be responsible for reimbursement of such damages or costs involved in the event of the relocation of Grantee's Facilities at the request of Grantor at a future date due to development of the underlying property.

This Easement and the acceptance thereof by Linn County Rural Electric Cooperative Association shall be binding upon both the Grantor and Linn County Rural Electric Cooperative Association and their respective successors, assigns, and any third-party beneficiaries forever.

[signature pages follow]

Dated this _____ day of _____, 20___.

CITY OF NORTH LIBERTY, GRANTOR:

Signed:_____
By: Terry L. Donahue, Mayor

Signed:_____
Tracey Mulcahey, City Clerk

STATE OF IOWA, JOHNSON COUNTY: ss

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Terry L. Donahue and Tracey Mulcahey, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of North Liberty, Iowa, a municipal corporation; and that the instrument was signed on behalf of the municipal corporation by the authority of its City Council, as contained in Resolution No. _____ of the City Council on the _____ day of _____, 20____, and that Terry L. Donahue and Tracey Mulcahey acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

_____
Notary Public in and for the State of Iowa

LINN COUNTY RURAL ELECTRIC COOPERATIVE ASSOCIATION:

Signed: Terry L. Sullivan

By: Terry Sullivan, General Manager/CEO for
Linn County Rural Electric Cooperative Association, Grantee

STATE OF IOWA, JOHNSON COUNTY: ss

This instrument was acknowledged before me on May 5, 2021 by Terry Sullivan, General Manager/CEO of Linn County Rural Electric Cooperative Association.

Julie Pulkrabek

Notary Public in and for the State of Iowa

NOTARIAL SEAL
JULIE L. PULKRABEK
Commission Number 162004
My Commission Expires
August 30, 2021

Resolution No. 2021-48

A RESOLUTION APPROVING THE PUBLIC EASEMENT AGREEMENT FOR ELECTRIC UTILITY AND FRANCHISEES BETWEEN LINN COUNTY RURAL ELECTRIC COOPERATIVE ASSOCIATION AND THE CITY OF NORTH LIBERTY

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

WHEREAS, Linn County Rural Electric Cooperative Association is seeking an easement across property that the City of North Liberty owns for the use of electricity utility;

WHEREAS, a public Easement is required for the installation, maintenance, removal of equipment, lines and other needed items for electricity transmission;

WHEREAS, it is the parties' desire to agree and establish, in writing, their understanding concerning the agreement for the project.

NOW, THEREFORE, BE IT RESOLVED that the attached agreement between the City of North Liberty and Linn County Rural Electric Cooperative Association is approved for the property legally described as follows:

A ten-foot-wide easement south of North Liberty Road NE in the NE ¼ SW ¼ of S7-T80N-R06W of the 5th P.M. in the City of North Liberty, Johnson County Iowa.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute said agreement.

APPROVED AND ADOPTED this 25th day of May, 2021.

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

Face Covering Resolution

Resolution No. 2021- 49

A RESOLUTION PROVIDING CONTINUING GUIDANCE REGARDING THE NORTH LIBERTY FACE COVERING PUBLIC HEALTH INITIATIVE TO HELP COMBAT COVID-19

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

WHEREAS, the City of North Liberty has adopted the North Liberty Face Covering Public Health Initiative to help combat the spread of COVID-19; and

WHEREAS, the North Liberty Face Covering Public Health Initiative encourages, but does not mandate, that individuals and businesses in the City to comply with recommended safety practices to reduce the spread of the virus; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has updated its Interim Public Health Recommendations for Fully Vaccinated People, providing that fully vaccinated people can resume activities without wearing masks or physically distancing, except where required by federal, state, and local laws, rules, and regulations; and

WHEREAS, few, if any, community members under age sixteen have been fully vaccinated against COVID-19, no community members under the age of twelve are yet eligible to be vaccinated, and some otherwise eligible members may be unwilling or unable to become vaccinated; and

WHEREAS, it is critically important to protect the residents, visitors, students and employees in the City of North Liberty from the spread of COVID-19; and

WHEREAS, the City of North Liberty desires that individuals and businesses in the City comply with recommended practices to reduce the spread of the virus.

NOW, THEREFORE, BE IT RESOLVED that the North Liberty Face Covering Public Health Initiative is hereby modified to be in harmony with current public health recommendations. To wit:

All eligible persons within the corporate limits of the City of North Liberty are encouraged to be vaccinated against the COVID-19 virus to help protect themselves and others.

Fully-vaccinated people may safely resume most activities without need for wearing mask or social distancing. Fully-vaccinated people should still get tested if experiencing COVID-19 symptoms. Fully-vaccinated people should not visit private or public settings if they have tested positive for COVID-19 in the prior 10 days or are experiencing COVID-19 symptoms. Fully-vaccinated people should continue to follow any applicable federal, state, local, tribal, or territorial laws, rules, and regulations.

Fully-vaccinated people who feel they should continue wearing masks are urged to keep doing so. Residents should respect the policies of private businesses, facilities, and events that may require mask-wearing. The individual choices of residents to wear masks should also be respected.

All other North Liberty Face Covering Public Health Initiative recommendations concerning face coverings and social distancing for unvaccinated persons remain unchanged.

APPROVED AND ADOPTED this 25th day of May, 2021.

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

North Liberty
IOWA

Water Rate Amendment

Waste Water Utility Budget & Forecast

	FY20 Actual	FY21 Budget	FY22 Budget	FY23 Estimated	FY24 Estimated	FY25 Estimated	FY26 Estimated	FY27 Estimated	FY28 Estimated	FY29 Estimated	FY30 Estimated	FY31 Estimated	FY32 Estimated
Budget Inflation Rate		2.00%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%
Number of Accounts	8,849	9,026	9,161	9,299	9,438	9,580	9,724	9,869	10,017	10,168	10,320	10,475	10,632
Gallons Sold	378,708,000	387,000,000	392,805,000	398,697,075	404,677,531	410,747,694	416,908,910	423,162,543	429,509,981	435,952,631	442,491,920	449,129,299	455,866,239
Proposed Rate Increase	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	2%	2%
Base Rate	$ 31.24	$ 31.24	$ 31.24	$ 31.24	$ 31.24	$ 31.24	$ 31.24	$ 31.24	$ 31.24	$ 31.24	$ 31.24	$ 31.86	$ 32.50
Rate/1000 Gallons	$ 5.63	$ 5.63	$ 5.63	$ 5.63	$ 5.63	$ 5.63	$ 5.63	$ 5.63	$ 5.63	$ 5.63	$ 5.63	$ 5.74	$ 5.86
Revenues													
Waste Water Sales	$ 4,827,711	$ 4,901,919	$ 4,975,448	$ 5,050,080	$ 5,125,831	$ 5,202,718	$ 5,280,759	$ 5,359,971	$ 5,440,370	$ 5,521,976	$ 5,604,805	$ 5,802,655	$ 6,007,489
Sales Tax	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Connection Fees/Permits	$ 23,500	$ 35,000	$ 35,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000
Use of Money	$ 47,947	$ 20,000	$ 20,000	$ 300	$ 300	$ 300	$ 300	$ 300	$ 300	$ 300	$ 300	$ 300	$ 300
Miscellaneous	$ 16,129	$ 6,000	$ 6,000	$ 6,000	$ 6,000	$ 6,000	$ 6,000	$ 6,000	$ 6,000	$ 6,000	$ 6,000	$ 6,000	$ 6,000
Transfers	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Accounts Receivable/Payable	$ (36,754)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues	**$ 4,878,533**	**$ 4,962,919**	**$ 5,036,448**	**$ 5,081,380**	**$ 5,157,131**	**$ 5,234,018**	**$ 5,312,059**	**$ 5,391,271**	**$ 5,471,670**	**$ 5,553,276**	**$ 5,636,105**	**$ 5,833,955**	**$ 6,038,789**
Expenditures													
Budget Inflation Rate		9.30%	2.53%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%
Personnel Services	$ 633,728	$ 754,543	$ 777,103	$ 815,958	$ 856,756	$ 899,594	$ 944,574	$ 991,802	$ 1,041,392	$ 1,093,462	$ 1,148,135	$ 1,205,542	$ 1,265,819
Services & Commodities	$ 882,265	$ 1,055,975	$ 1,074,975	$ 1,128,724	$ 1,185,160	$ 1,244,418	$ 1,306,639	$ 1,371,971	$ 1,440,569	$ 1,512,598	$ 1,588,228	$ 1,667,639	$ 1,751,021
Capital	$ -	$ 9,600	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Transfers													
Equipment Revolving	$ 65,000	$ 125,000	$ 12,500	$ 90,000	$ 50,000	$ 65,000	$ 65,000	$ 65,000	$ 65,000	$ 65,000	$ 65,000	$ 65,000	$ 65,000
Capital Reserve	$ 530,388	$ 570,083	$ 475,000	$ 390,000	$ 290,000	$ 290,000	$ 290,000	$ 290,000	$ 290,000	$ 290,000	$ 290,000	$ 290,000	$ 290,000
Revenue Debt	$ 1,725,139	$ 1,778,283	$ 1,741,808	$ 1,752,322	$ 1,765,229	$ 1,778,560	$ 1,781,351	$ 1,459,729	$ 1,391,175	$ 1,183,624	$ 1,315,120	$ 1,643,470	$ 1,639,908
GO Debt	$ 472,350	$ 473,200	$ 565,290	$ 559,840	$ 554,265	$ 548,565	$ 547,765	$ 551,715	$ 550,315	$ 548,715	$ 411,665	$ 83,515	$ 81,915
Billing & Accounting	$ 303,049	$ 274,255	$ 240,166	$ 252,174	$ 264,783	$ 278,022	$ 291,923	$ 306,519	$ 321,845	$ 337,938	$ 354,835	$ 372,576	$ 391,205
Upcoming Projects													
SW Growth Utilities	$ -	$ -	$ 281,879	$ 280,851	$ 283,131	$ 281,670	$ 283,449	$ 281,415	$ 282,567	$ 283,308	$ 283,670	$ 285,000	$ 285,000
Mid/Long Term Projects	$ -	$ -	$ -	$ 206,638	$ 206,438	$ 206,438	$ 206,438	$ 206,438	$ 206,438	$ 206,438	$ 206,438	$ 206,550	$ 206,550
Total Expenditures	**$ 4,611,919**	**$ 5,040,939**	**$ 5,168,721**	**$ 5,476,507**	**$ 5,455,762**	**$ 5,592,267**	**$ 5,717,139**	**$ 5,524,589**	**$ 5,589,302**	**$ 5,521,082**	**$ 5,663,090**	**$ 5,819,292**	**$ 5,976,418**
Net Change in Fund Balance	**$ 266,614**	**$ (78,020)**	**$ (132,273)**	**$ (395,127)**	**$ (298,631)**	**$ (358,249)**	**$ (405,079)**	**$ (133,319)**	**$ (117,632)**	**$ 32,193**	**$ (26,985)**	**$ 14,663**	**$ 62,371**
Beginning Fund Balance	$ 4,407,331	$ 4,673,945	$ 4,595,925	$ 4,463,652	$ 4,068,525	$ 3,769,894	$ 3,411,645	$ 3,006,566	$ 2,873,247	$ 2,755,615	$ 2,787,809	$ 2,760,824	$ 2,775,487
Ending Fund Balance	**$ 4,673,945**	**$ 4,595,925**	**$ 4,463,652**	**$ 4,068,525**	**$ 3,769,894**	**$ 3,411,645**	**$ 3,006,566**	**$ 2,873,247**	**$ 2,755,615**	**$ 2,787,809**	**$ 2,760,824**	**$ 2,775,487**	**$ 2,837,857**
% Reserved	101.34%	91.17%	86.36%	74.29%	69.10%	61.01%	52.59%	52.01%	49.30%	50.49%	48.75%	47.69%	47.48%
Total Personnel Costs	$ 633,728	$ 754,543	$ 777,103	$ 815,958	$ 856,756	$ 899,594	$ 944,574	$ 991,802	$ 1,041,392	$ 1,093,462	$ 1,148,135	$ 1,205,542	$ 1,265,819
% of Waste Water Utility Expenditures	13.74%	14.97%	15.03%	14.90%	15.70%	16.09%	16.52%	17.95%	18.63%	19.81%	20.27%	20.72%	21.18%
Debt Service Coverage													
Net Revenue/All Revenue Debt	1.95	1.77	1.83	1.79	1.76	1.74	1.72	2.07	2.15	2.49	2.20	1.80	1.84
Required Coverage	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20
Desired Coverage	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
Difference (Actual vs. Required)	**0.75**	**0.57**	**0.63**	**0.59**	**0.56**	**0.54**	**0.52**	**0.87**	**0.95**	**1.29**	**1.00**	**0.60**	**0.64**

REPLACE locator truck ($12.5K) w/ water, storm water & streets

Anticipate new debt for SW Growth Utilities to come on line.

REFURBISH manholes ($70K); west trunk sewer ($185K)
REPLACE membranes ($220K)

Waste Water Utility Budget & Forecast

Waste Water Rate Increase Analysis

Monthly Waste Water Costs Based on Usage

Consumption in Gallons	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32
3,000	$ 42.50	$ 42.50	$ 42.50	$ 42.50	$ 42.50	$ 42.50	$ 42.50	$ 42.50	$ 42.50	$ 42.50	$ 42.50	$ 43.35	$ 44.22
5,000	$ 53.76	$ 53.76	$ 53.76	$ 53.76	$ 53.76	$ 53.76	$ 53.76	$ 53.76	$ 53.76	$ 53.76	$ 53.76	$ 54.84	$ 55.93
8,000	$ 70.65	$ 70.65	$ 70.65	$ 70.65	$ 70.65	$ 70.65	$ 70.65	$ 70.65	$ 70.65	$ 70.65	$ 70.65	$ 72.06	$ 73.50
11,000	$ 87.54	$ 87.54	$ 87.54	$ 87.54	$ 87.54	$ 87.54	$ 87.54	$ 87.54	$ 87.54	$ 87.54	$ 87.54	$ 89.29	$ 91.08
15,000	$ 110.06	$ 110.06	$ 110.06	$ 110.06	$ 110.06	$ 110.06	$ 110.06	$ 110.06	$ 110.06	$ 110.06	$ 110.06	$ 112.26	$ 114.51
Additional Waste Water Cost/Month													
3,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 0.85	$ 0.87
5,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 1.08	$ 1.10
8,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 1.41	$ 1.44
11,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 1.75	$ 1.79
15,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 2.20	$ 2.25
Additional Waste Water Cost/Year													
3,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 10.20	$ 10.40
5,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 12.90	$ 13.16
8,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 16.96	$ 17.30
11,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 21.01	$ 21.43
15,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 26.41	$ 26.94

Water Utility Budget & Forecast

	FY20 Actual	FY21 Budget	FY22 Budget	FY23 Estimated	FY24 Estimated	FY25 Estimated	FY26 Estimated	FY27 Estimated	FY28 Estimated	FY29 Estimated	FY30 Estimated	FY31 Estimated	FY32 Estimated
Budget Inflation Rate	2.00%	2.00%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%
Number of Accounts	9,090	9,090	9,226	9,365	9,505	9,648	9,793	9,939	10,088	10,240	10,393	10,549	10,708
Gallons Sold	376,000,000	389,160,000	394,997,400	400,922,361	406,936,196	413,040,239	419,235,843	425,524,381	431,907,246	438,385,855	444,961,643	451,636,067	458,410,608
Proposed Rate Increase	3.0%	3.0%	2.0%	2.0%	2.0%	0.0%	0.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
Base Rate	$ 16.60	$ 17.10	$ 17.44	$ 17.79	$ 18.14	$ 18.14	$ 18.14	$ 18.69	$ 19.25	$ 19.83	$ 20.42	$ 21.03	$ 21.67
Rate/1000 Gallons	$ 6.67	$ 6.87	$ 7.01	$ 7.15	$ 7.29	$ 7.29	$ 7.29	$ 7.51	$ 7.73	$ 7.97	$ 8.21	$ 8.45	$ 8.71
Revenues													
Water Sales	$ 3,708,103	$ 3,789,227	$ 3,922,987	$ 4,061,469	$ 4,204,838	$ 4,267,911	$ 4,331,930	$ 4,528,816	$ 4,734,651	$ 4,949,840	$ 5,174,811	$ 5,410,006	$ 5,655,891
Sales Tax	$ 237,342	$ 227,354	$ 235,379	$ 243,688	$ 252,290	$ 256,075	$ 259,916	$ 271,729	$ 284,079	$ 296,990	$ 310,489	$ 324,600	$ 339,353
Connection Fees/Permits	$ 92,330	$ 108,000	$ 103,000	$ 103,000	$ 103,000	$ 103,000	$ 103,000	$ 103,000	$ 103,000	$ 103,000	$ 103,000	$ 103,000	$ 103,000
Use of Money	$ 33,749	$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000
Miscellaneous	$ 10,831	$ 500	$ 500	$ 500	$ 500	$ 500	$ 500	$ 500	$ 500	$ 500	$ 500	$ 500	$ 500
Transfers	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Accounts Receivable/Payable	$ (34,443)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues	**$ 4,047,912**	**$ 4,145,081**	**$ 4,281,866**	**$ 4,428,657**	**$ 4,580,629**	**$ 4,647,486**	**$ 4,715,345**	**$ 4,924,045**	**$ 5,142,230**	**$ 5,370,331**	**$ 5,608,799**	**$ 5,858,106**	**$ 6,118,744**
Expenditures													
Budget Inflation Rate		18.29%	-0.54%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%
Personnel Services	$ 635,644	$ 688,958	$ 739,051	$ 776,004	$ 814,804	$ 855,544	$ 898,321	$ 943,237	$ 990,399	$ 1,039,919	$ 1,091,915	$ 1,146,511	$ 1,203,836
Services & Commodities	$ 1,099,176	$ 1,134,295	$ 1,179,695	$ 1,238,680	$ 1,300,614	$ 1,365,644	$ 1,433,927	$ 1,505,623	$ 1,580,904	$ 1,659,949	$ 1,742,947	$ 1,830,094	$ 1,921,599
Capital	$ 12,181	$ 75,000	$ 75,000	$ 75,000	$ 75,000	$ 75,000	$ 75,000	$ 75,000	$ 75,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000
Transfers													
Equipment Revolving	$ 124,000	$ 35,000	$ 62,500	$ -	$ 125,000	$ 75,000	$ 75,000	$ 75,000	$ 75,000	$ 75,000	$ 75,000	$ 75,000	$ 75,000
Capital Reserve	$ 165,000	$ 200,000	$ 145,000	$ 120,000	$ 70,000	$ 225,000	$ 220,000	$ 200,000	$ 200,000	$ 200,000	$ 200,000	$ 200,000	$ 200,000
Revenue Debt	$ 1,034,275	$ 1,727,505	$ 1,526,878	$ 1,503,791	$ 1,274,841	$ 1,271,871	$ 1,625,168	$ 1,503,240	$ 1,500,000	$ 1,497,340	$ 1,494,240	$ 1,490,700	$ 1,487,720
GO Debt	$ 393,350	$ 320,750	$ 319,950	$ 244,050	$ 249,550	$ 249,850	$ 250,050	$ -	$ -	$ -	$ -	$ -	$ -
Billing & Accounting	$ 303,049	$ 274,255	$ 240,166	$ 252,174	$ 264,783	$ 278,022	$ 291,923	$ 306,519	$ 321,845	$ 337,938	$ 354,835	$ 372,576	$ 391,205
Upcoming Projects													
SW Growth Utilities	$ -	$ -	$ 143,603	$ 143,103	$ 144,542	$ 143,792	$ 144,943	$ 143,863	$ 144,653	$ 143,165	$ 143,561	$ 144,000	$ 144,000
Maintenance Facility Addition	$ -	$ -	$ -	$ -	$ -	$ -	$ 136,683	$ 137,341	$ 137,864	$ 138,262	$ 138,485	$ 135,304	$ 135,304
Control Bldgs & Generators (4&5)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 159,671	$ 159,114	$ 160,715	$ 159,880	$ 159,880
Plant Expansion & Well(s)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 308,296	$ 307,221	$ 310,311	$ 310,311
Total Expenditures	**$ 3,766,675**	**$ 4,455,763**	**$ 4,431,843**	**$ 4,352,802**	**$ 4,319,133**	**$ 4,539,724**	**$ 5,151,015**	**$ 4,889,824**	**$ 5,185,337**	**$ 5,608,983**	**$ 5,758,918**	**$ 5,914,376**	**$ 6,078,855**
Net Change in Fund Balance	**$ 281,237**	**$ (310,682)**	**$ (149,977)**	**$ 75,855**	**$ 261,495**	**$ 107,762**	**$ (435,670)**	**$ 34,221**	**$ (43,107)**	**$ (238,652)**	**$ (150,119)**	**$ (56,270)**	**$ 39,889**
Beginning Fund Balance	$ 1,375,814	$ 1,657,051	$ 1,346,369	$ 1,196,393	$ 1,272,248	$ 1,533,743	$ 1,641,505	$ 1,205,836	$ 1,240,057	$ 1,196,950	$ 958,298	$ 808,179	$ 751,909
Ending Fund Balance	**$ 1,657,051**	**$ 1,346,369**	**$ 1,196,393**	**$ 1,272,248**	**$ 1,533,743**	**$ 1,641,505**	**$ 1,205,836**	**$ 1,240,057**	**$ 1,196,950**	**$ 958,298**	**$ 808,179**	**$ 751,909**	**$ 791,798**
% Reserved	43.99%	30.22%	27.00%	29.23%	35.51%	36.16%	23.41%	25.36%	23.08%	17.09%	14.03%	12.71%	13.03%
Total Personnel Costs	$ 635,644	$ 688,958	$ 739,051	$ 776,004	$ 814,804	$ 855,544	$ 898,321	$ 943,237	$ 990,399	$ 1,039,919	$ 1,091,915	$ 1,146,511	$ 1,203,836
% of Water Utility Expenditures	16.88%	15.46%	16.68%	17.83%	18.86%	18.85%	17.44%	19.29%	19.10%	18.54%	18.96%	19.39%	19.80%
Debt Service Coverage													
Net Revenue/All Revenue Debt	2.22	1.30	1.50	1.56	1.87	1.85	1.42	1.60	1.66	1.75	1.82	1.90	1.98
Required Coverage	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20
Desired Coverage	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
Difference (Actual vs. Required)	**1.02**	**0.10**	**0.30**	**0.36**	**0.67**	**0.65**	**0.22**	**0.40**	**0.46**	**0.55**	**0.62**	**0.70**	**0.78**

NEW used semi-truck ($50K)
REPLACE locator truck ($12.5K) w/ sewer, storm water & streets

Anticipate new debt for SW Growth Utilities to come on line.

ADD GIS Mapping Database: 2 of 2 ($45K)
REFURBISH ground storage tank ($20K)
REPLACE membranes ($80K)

Water Utility Budget & Forecast

Water Rate Increase Analysis

Monthly Water Costs Based on Usage

Consumption in Gallons		FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32
3,000		$ 29.94	$ 30.84	$ 31.45	$ 32.08	$ 32.73	$ 32.73	$ 32.73	$ 33.71	$ 34.72	$ 35.76	$ 36.83	$ 37.94	$ 39.08
5,000		$ 43.28	$ 44.58	$ 45.47	$ 46.38	$ 47.31	$ 47.31	$ 47.31	$ 48.73	$ 50.19	$ 51.69	$ 53.24	$ 54.84	$ 56.49
8,000		$ 63.29	$ 65.19	$ 66.49	$ 67.82	$ 69.18	$ 69.18	$ 69.18	$ 71.25	$ 73.39	$ 75.59	$ 77.86	$ 80.20	$ 82.60
11,000		$ 83.30	$ 85.80	$ 87.51	$ 89.27	$ 91.05	$ 91.05	$ 91.05	$ 93.78	$ 96.60	$ 99.49	$ 102.48	$ 105.55	$ 108.72
15,000		$ 109.98	$ 113.28	$ 115.54	$ 117.86	$ 120.21	$ 120.21	$ 120.21	$ 123.82	$ 127.53	$ 131.36	$ 135.30	$ 139.36	$ 143.54
3,000	Additional Water Cost/Month		$ 0.90	$ 0.62	$ 0.63	$ 0.64	$ -	$ -	$ 0.98	$ 1.01	$ 1.04	$ 1.07	$ 1.10	$ 1.14
5,000			$ 1.30	$ 0.89	$ 0.91	$ 0.93	$ -	$ -	$ 1.42	$ 1.46	$ 1.51	$ 1.55	$ 1.60	$ 1.65
8,000			$ 1.90	$ 1.30	$ 1.33	$ 1.36	$ -	$ -	$ 2.08	$ 2.14	$ 2.20	$ 2.27	$ 2.34	$ 2.41
11,000			$ 2.50	$ 1.72	$ 1.75	$ 1.79	$ -	$ -	$ 2.73	$ 2.81	$ 2.90	$ 2.98	$ 3.07	$ 3.17
15,000			$ 3.30	$ 2.27	$ 2.31	$ 2.36	$ -	$ -	$ 3.61	$ 3.71	$ 3.83	$ 3.94	$ 4.06	$ 4.18
3,000	Additional Water Cost/Year		$ 10.78	$ 7.40	$ 7.55	$ 7.70	$ -	$ -	$ 11.78	$ 12.13	$ 12.50	$ 12.87	$ 13.26	$ 13.66
5,000			$ 15.58	$ 10.70	$ 10.91	$ 11.13	$ -	$ -	$ 17.03	$ 17.54	$ 18.07	$ 18.61	$ 19.17	$ 19.74
8,000			$ 22.78	$ 15.65	$ 15.96	$ 16.28	$ -	$ -	$ 24.90	$ 25.65	$ 26.42	$ 27.21	$ 28.03	$ 28.87
11,000			$ 29.99	$ 20.59	$ 21.00	$ 21.42	$ -	$ -	$ 32.78	$ 33.76	$ 34.77	$ 35.82	$ 36.89	$ 38.00
15,000			$ 39.59	$ 27.19	$ 27.73	$ 28.29	$ -	$ -	$ 43.28	$ 44.57	$ 45.91	$ 47.29	$ 48.71	$ 50.17

Utility Rate Analysis

Waste Water Rate Increase Analysis

	FY21	FY22	Difference
Base Rate	$ 31.24	$ 31.24	$ -
Rate/1000 gallons	$ 5.63	$ 5.63	$ -

Consumption (in gallons)	Cost per Month FY21	Cost per Month FY22	FY22 Increase %	FY22 Increase $
3,000	$ 42.50	$ 42.50	0%	$ -
5,000	$ 53.76	$ 53.76	0%	$ -
8,000	$ 70.65	$ 70.65	0%	$ -
11,000	$ 87.54	$ 87.54	0%	$ -

Water Rate Increase Analysis

	FY21	FY22	Difference
Base Rate	$ 17.10	$ 17.44	$ 0.34
Rate/1000 gallons	$ 6.87	$ 7.01	$ 0.14

Consumption (in gallons)	Cost per Month FY21	Cost per Month FY22	FY22 Increase %	FY22 Increase $
3,000	$ 30.84	$ 31.45	2%	$ 0.62
5,000	$ 44.58	$ 45.47	2%	$ 0.89
8,000	$ 65.19	$ 66.49	2%	$ 1.30
11,000	$ 85.80	$ 87.51	2%	$ 1.72

Storm Water Rate Increase Analysis

	FY21	FY22	Difference
Base Rate	$ 2.00	$ 2.00	$ -
Rate/1000 gallons	$ -	$ -	$ -

Consumption (in gallons)	Cost per Month FY21	Cost per Month FY22	FY22 Increase %	FY22 Increase $
3,000	$ 2.00	$ 2.00	0%	$ -
5,000	$ 2.00	$ 2.00	0%	$ -
8,000	$ 2.00	$ 2.00	0%	$ -
11,000	$ 2.00	$ 2.00	0%	$ -

Utility Rates Increase Analysis

Consumption (in gallons)	Cost per Month FY21	Cost per Month FY22	FY22 Increase %	FY22 Increase $
3,000	$ 75.34	$ 75.95	1%	$ 0.62
5,000	$ 100.34	$ 101.23	1%	$ 0.89
8,000	$ 137.84	$ 139.14	1%	$ 1.30
11,000	$ 175.34	$ 177.05	1%	$ 1.72

Ordinance No. 2021-09

AN ORDINANCE AMENDING CHAPTER 92.02, ENTITLED "RATES FOR SERVICE," OF THE MUNICIPAL CODE OF NORTH LIBERTY BY ADOPTING A NEW SECTION 92.02 TO INCREASE THE CHARGES FOR WATER USED

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

SECTION 1. AMENDMENT Chapter 92.02 "Rates for Service," of the Municipal Code of North Liberty be, and the same is hereby amended, by repealing Section 92.02 therein, and enacting in lieu thereof new sections to be codified the same to read as follows:

92.02 RATES FOR SERVICE.

Gallons Used Per Month	Rate
First 1,000 gallons	$ 17.44
All over 1,000 gallons	$ 7.01

Service to industrial establishments may be by contract, if the City finds such an arrangement to be in the best interest of the City.

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

SECTION 3. 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 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on _____.
Second reading on _____.
Third and final reading _____.

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. 2021-09 in *The Leader* on the ___ day of ___, 2021.

_____
TRACEY MULCAHEY, CITY CLERK

North Liberty
IOWA

Physician's Building Rezoning Request

North Liberty
IOWA

May 4, 2021

Terry L. Donahue, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of Physician's Building Group, LLC, contract purchaser, for a zoning map amendment (rezoning) on 33.48 acres, more or less, from ID Interim Development District to O/RP Office and Research Park District on property located on the west side of South Kansas Avenue approximately .23 miles north of West Forevergreen Road.

Mayor Donahue:

The North Liberty Planning Commission considered the above-reference request at its May 4, 2021 meeting. The Planning Commission took the following action:

Findings:

1. The zoning map amendment would be consistent the North Liberty Comprehensive Plan Land Use Plan; and
2. The proposed use of the property would be compatible with the area.

Recommendation:
Staff recommends the Planning Commission accept the two listed findings and forward the request for zoning map amendment from ID Interim Development District to O/RP Office and Research Park District to the City Council with a recommendation for approval.

The vote for approval was 7-0.

Becky Keogh, Chairperson
City of North Liberty Planning Commission

May 4, 2021

Terry L. Donahue, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of Physician's Building Group, LLC, contract purchaser, for a zoning map amendment (rezoning) on 33.48 acres, more or less, from ID Interim Development District to O/RP Office and Research Park District on property located on the west side of South Kansas Avenue approximately .23 miles north of West Forevergreen Road.

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Findings:

1. The zoning map amendment would be consistent the North Liberty Comprehensive Plan Land Use Plan; and
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Recommendation:
Staff recommends the Planning Commission accept the two listed findings and forward the request for zoning map amendment from ID Interim Development District to O/RP Office and Research Park District to the City Council with a recommendation for approval.

The vote for approval was 7-0.

Becky Keogh, Chairperson
City of North Liberty Planning Commission

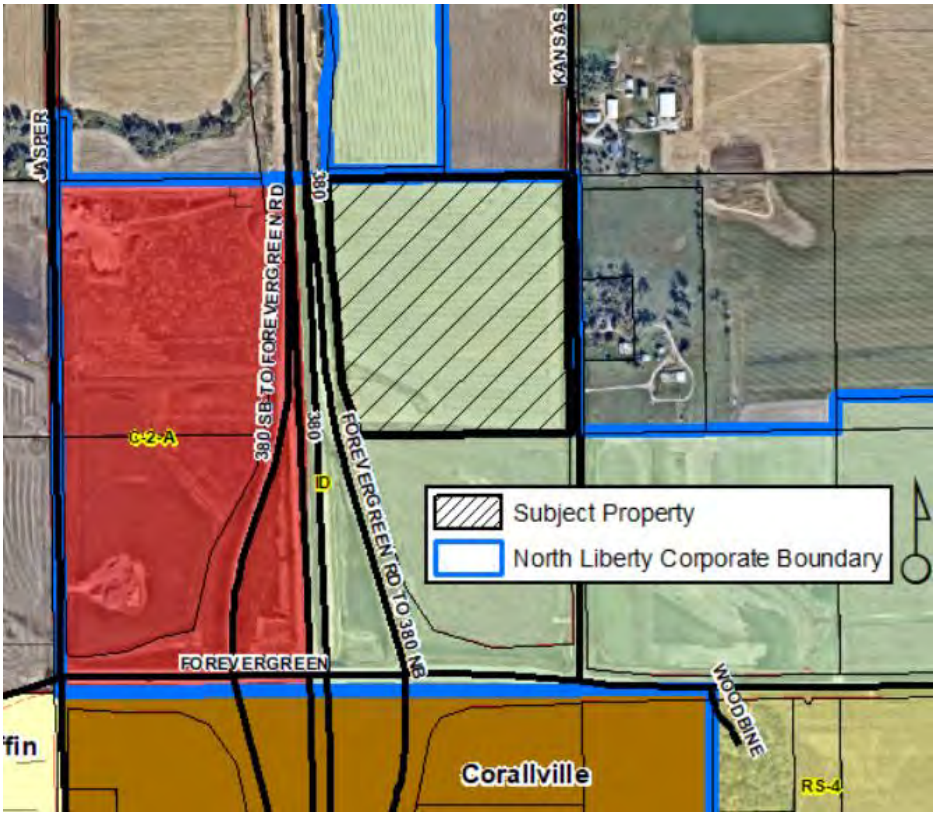
North Liberty
IOWA

MEMORANDUM

To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **April 29, 2021**
Re **Request of Physician's Building Group, LLC, contract purchaser, for a zoning map amendment (rezoning) on 33.48 acres, more or less, from ID Interim Development District to O/RP Office and Research Park District on property located on the west side of South Kansas Avenue approximately .23 miles north of West Forevergreen Road.**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:
Ryan Heiar, City Administrator
Tracey Mulcahey, Assistant City Administrator
Grant Lientz, City Attorney
Tom Palmer, City Building Official
Kevin Trom, City Engineer
Ryan Rusnak, Planning Director

Current Zoning:
The property is currently zoned ID – Interim Development District.



Proposed Zoning:
The applicant is requesting a zoning map amendment to the O/RP, Office and Research Park District to allow the property to be developed as medical offices with the potential for a hospital.

The O/RP Office and Research Park District is intended to accommodate office buildings, similar structures, and complementary uses in a mutually compatible environment. It is designed to provide landscaping and space requirements suitable for an office and research setting. Uses are limited to those compatible with an office setting and those which do not produce noise, air, or other environmental nuisances which might interfere with activities within the district and surrounding residential areas.

O/RP Uses

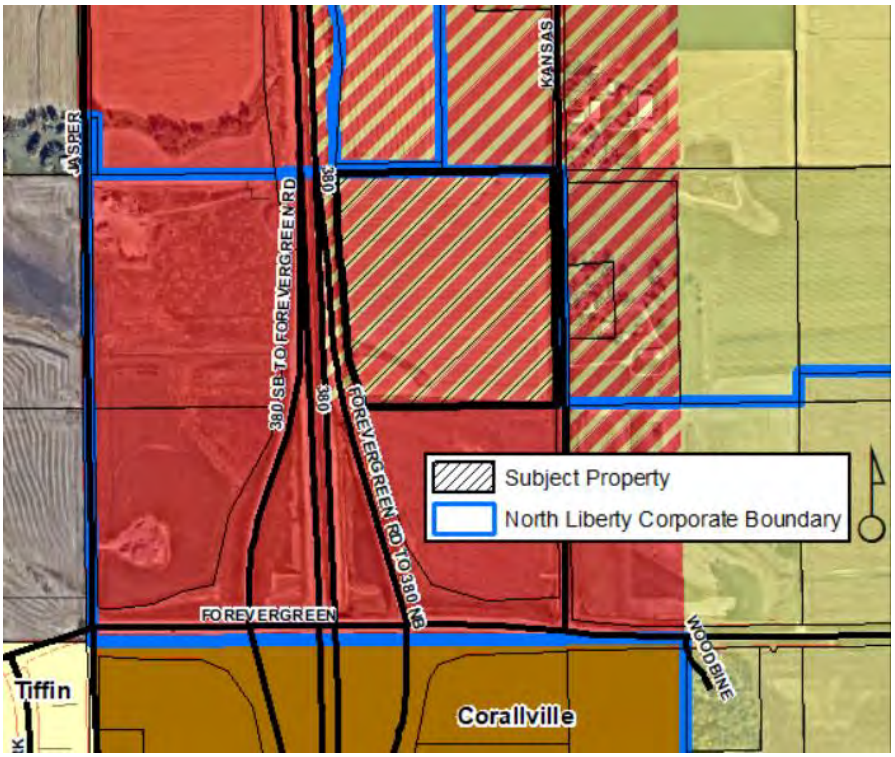
Land Use	
Banks, Credit Unions and Other Financial Institutions	P
Cable Communication Stations	C
Clinics, Health	P
Country Club	C
Educational Research Development and Service Facilities	P
Electrical Research Development and Service Facilities	P
Golf Courses	C
Hospitals and Institutions	P
Hotels	P
Libraries	P
Nurseries / Day Care	A
Office Uses Related to Medical, Educational, Financial, Research, Utility, Government, Nonprofit and Similar Operations	P
Office - Related Accessory Uses	A
Parks	P
Playgrounds	A
Print Shops	C
Radio Stations	C
Research Laboratories	P
Television Stations	C

Temporary Construction Buildings	A
Trade Schools	P
Utility and Service Uses	P

Bulk Requirements

Principal Permitted Uses	**Minimum Lot Size Requirement**		
	Frontage	**Width**	**Area**
All Uses	100 feet	150 feet	1.5 acres
Minimum Yard Requirement			
Front Yard Depth	**Each Side Yard Width**	**Rear Yard Depth**	**Maximum Height**
50 feet	20 feet	50 feet	75 feet

Consistency with Comprehensive Plan:
Land Use Plan designation: Commercial with Residential.



The North Liberty Comprehensive Plan articulates the following regarding commercial uses:
The highest densities of more locally-oriented commercial uses are generally planned along Penn Street and along Highway 965. Interstate-related large scale office and mixed-use developments are planned for the Kansas Avenue corridor, especially between Kansas and I-380 and near the planned Forevergreen Road interchange. High visibility from the I-380 corridor presents an excellent opportunity to introduce high-quality office and commercial uses in this "front door" area, that may serve both the external demand associated with the I-380 proximity and access and the internal demand generated by substantial recent and planned residential development in the area.

Relevant Comprehensive Plan Policies Related to Land Use:

- Establish and maintain an advantageous property tax situation and pursue a strengthened and sound tax base through a diversification of land uses, including commercial and industrial development, as well as a variety of residential options.
- The preferred commercial use for I-380 frontage.

Public Input:
Letters were sent to property owners within 200 feet of the subject property notifying them of the April 8, 2021 good neighbor meeting. Approximately 10 people attended the meeting. People just had general questions about the type of development proposed.

The applicant shared that no plans have been generated at this point. They are seeking approval of the rezoning before formally acquiring the property.

Staff assured the adjacent property owners that development plans would be shared when they are received by the City.

Additional Considerations:
This property would be served by the southwest growth sewer project, which is programmed to be completed in late spring/early summer.

Staff Recommendation:
It is staff's opinion that the proposed use of the property is ideal with respect to Comprehensive Plan Land Use Policies and the proposed zoning is compatible with the area.

Staff is confident that Zoning Ordinance design regulations will ensure that the forthcoming development will add to North Liberty's high-quality built environment.

Findings:

1. The zoning map amendment would be consistent the North Liberty Comprehensive Plan Land Use Plan; and
2. The proposed use of the property would be compatible with the area.

Recommendation:
Staff recommends the Planning Commission accept the two listed findings and forward the request for zoning map amendment from ID Interim Development District to O/RP Office and Research Park District to the City Council with a recommendation for approval.

Suggested motion:
I move that the Planning Commission accept the two listed findings and forward the zoning map amendment to the City Council with a recommendation for approval.

Ordinance No. 2021-10

AN ORDINANCE AMENDING CHAPTER 167 OF THE NORTH LIBERTY CODE OF ORDINANCES BY AMENDING THE USE REGULATIONS ON PROPERTY LOCATED ON THE WEST SIDE OF SOUTH KANSAS AVENUE APPROXIMATELY .23 MILES NORTH OF WEST FOREVERGREEN ROAD LOCATED IN NORTH LIBERTY, IOWA TO THOSE SET FORTH IN THE MUNICIPAL CODE FOR THE O/RP OFFICE AND RESEARCH PARK DISTRICT

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

SECTION 1. AMENDMENT. Chapter 167 of the North Liberty Code of Ordinances (2013) is hereby amended by amending the zoning for the property located on the west side of South Kansas Avenue approximately .23 miles north of West Forevergreen Road. The property is more particularly described as follows:

That portion of the northeast quarter of the northeast quarter of Section 22, Township 80 North, Range 7 West of the 5th P.M. lying north and east of the parcel conveyed for highway right of way by deed recorded in Book 339, Page 344, Deed Records of Johnson County, Iowa, subject to easements and restrictions of record, as recorded in Book 3830, Page 323, Office of the Recorder of Johnson County, Iowa. The property is also known as Johnson County, Iowa Parcel Number: 0622101003. Said property contains 33.48 acres, more or less.

Such that said property shall be classified and zoned as O/RP Office and Research Park District.

SECTION 2. CONDITIONS IMPOSED. The North Liberty Planning Commission voted to recommend approval with no conditions at the May 4, 2021 meeting with no conditions.

SECTION 3. ZONING MAP. It is hereby authorized and directed that the Zoning Map of the City of North Liberty, Iowa, be changed to conform to this amendment upon final passage, approval and publication of this ordinance as provided by law.

SECTION 4. RECORDATION. The City Clerk is hereby authorized and directed to record this ordinance at the Johnson County Recorder's office upon final passage and approval.

SECTION 5. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 6. 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 7. 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 8. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on _____.
Second reading on ____.
Third and final reading on _____.

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. 2021-10 in the *North Liberty Leader* on _____.

_____

TRACEY MULCAHEY, CITY CLERK

Solomon Holdings LLC
Rezoning Request

North Liberty
IOWA

May 4, 2021

Terry L. Donahue, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of Solomon Holdings, LLC on behalf of NLDC Lot 12, LC for a zoning map amendment (rezoning) on 2.46 acres, more or less, from C-2A Highway Commercial District to C-2A PAD Highway Commercial District Planned Area Development on property located on the west side of Community Drive approximately 240 feet south of West Penn Street.

Mayor Donahue:

The North Liberty Planning Commission considered the above-reference request at its May 4 2021 meeting. The Planning Commission took the following action:

Findings:

1. Since the underlying zoning is C-2A, the request would be consistent the North Liberty Comprehensive Plan Land Use Plan;
2. The proposed use and density of the development would be compatible with the area;
3. The zoning map amendment achieves consistency with Section 168.12 of the North Liberty Code of Ordinances, entitled "PAD Zone – Planned Area Development Overlay District and the site plan achieves consistency with Section 165.04(2) of the North Liberty Code of Ordinances entitled, "Site Plan Requirements" with the conditions recommended by City staff.

Recommendation:

The Planning Commission accepted the three listed findings and forwards the request for a for a zoning map amendment (rezoning) to the City Council with a recommendation for approval subject to the following conditions:

1. That the bulk regulations on Sheet C101 be revised to "rear yard setback: 20'"
2. That the parking calculations on Sheet C101 be revised for the Tin Roost to "restaurant – 1 for every 100 SF – 81 spaces". 81 parking spaces was shown on the 2016 approved site plan.
3. That a Plat of Survey be prepared and recorded, which shows the reconfigured lots and all easements. All easements shall be subject to approval as to form and content by the City Attorney.
4. That the ownership of the newly created lot be transferred from NLCD Lot 12 LC to a new ownership entity.

5. That a temporary construction easement be obtained for the construction occurring on Lot 1 Liberty Center Part 1B. The easement shall be subject to approval as to form and content by the City Attorney.
6. That the Driveway Crossing Detail on Sheet C201 be amended such that the public sidewalk be designed and constructed through the proposed drive approach at sidewalk elevation and detectable warnings be removed in accordance with SUDAS and North Liberty amendments to SUDAS.
7. That the plans be updated to provide sufficient detail on grading and all spot elevations, slopes, etc, especially near the proposed overflow weir location.
8. That the plans be updated to demonstrate how the overland overflow route for the Community Drive will flow through this site without causing damage to buildings and property. That the plans graphically illustrate the 100-year ponding elevation on site as the overland flow flows over the proposed weir to the pond.
9. That the plans be updated to clearly list the inverts and length/slope of 24" storm sewer pipe on the plans and that the drainage analysis be revised accordingly. This is due to the existing 24" storm sewer pipe running through this site being listed at 2.6% in the 5-year drainage analysis and the same pipe being listed as 1.7% slope in the 100-year drainage analysis. Surveyed inverts/slopes are not clearly provided on the plans, but appear to be 1.7% slope.
10. That the drainage calculations be revised to address the following:
    - Provide supporting calculations and the computer generated HGL line for the 100-year storm event.
    - Shive-Hattery did not provide a 100-year pond elevation of 767.00. This was simply a guess. Remove this statement from the report. The Snyder calculations appear to have the 100-year pool elevation on the last page. The engineer is responsible for determining the tailwater elevation for the drainage analysis.
    - The calculations need to include the analysis of the emergency overland flow between the proposed two buildings. Show all supporting calculations. The paragraph submitted is not acceptable with "rough" elevations and no calculations. This paragraph is also based on a weir elevation of 773.00. The elevation on the grading plans show one spot elevation at this location (more information is needed on the grading plans) of 773.50.
11. That the revised plans and stormwater report be signed and sealed.

The vote for approval was 7-0.

Becky Keogh, Chairperson
City of North Liberty Planning Commission

May 4, 2021

Terry L. Donahue, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of Solomon Holdings, LLC on behalf of NLDC Lot 12, LC for a zoning map amendment (rezoning) on 2.46 acres, more or less, from C-2A Highway Commercial District to C-2A PAD Highway Commercial District Planned Area Development on property located on the west side of Community Drive approximately 240 feet south of West Penn Street.

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Recommendation:

The Planning Commission accepted the three listed findings and forwards the request for a for a zoning map amendment (rezoning) to the City Council with a recommendation for approval subject to the following conditions:

1. That the bulk regulations on Sheet C101 be revised to "rear yard setback: 20'"
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11. That the revised plans and stormwater report be signed and sealed.

The vote for approval was 7-0.

Becky Keogh, Chairperson
City of North Liberty Planning Commission

North Liberty
IOWA

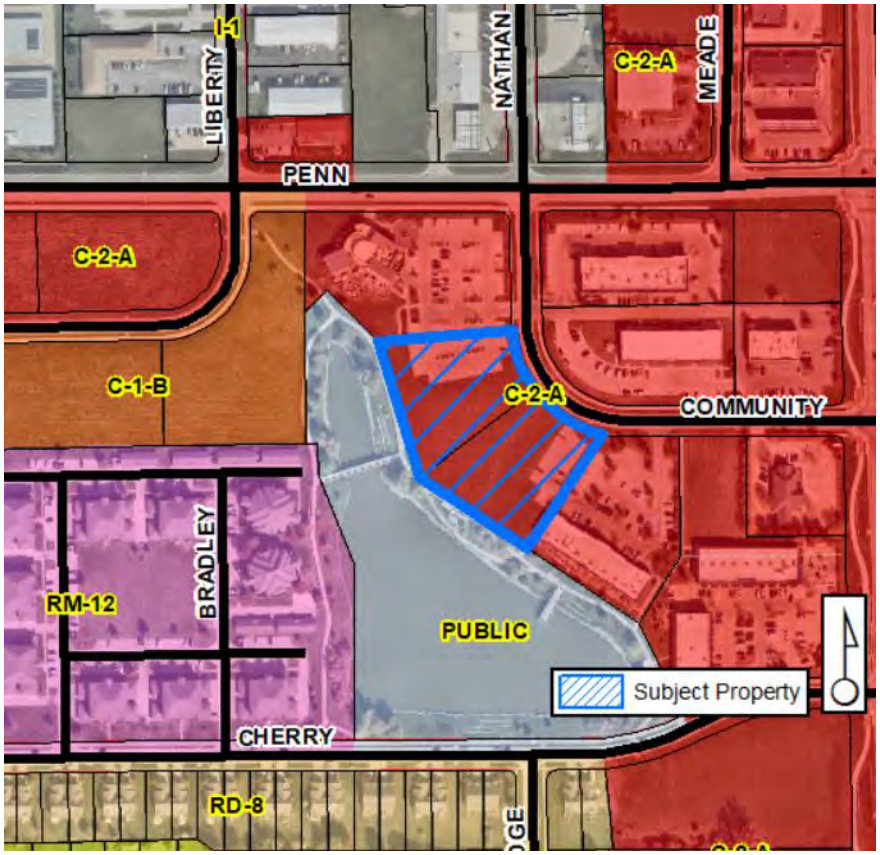
MEMORANDUM

To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **April 29, 2021**
Re **Request of Solomon Holdings, LLC on behalf of NLDC Lot 12, LC for a zoning map amendment (rezoning) on 2.46 acres, more or less, from C-2A Highway Commercial District to C-2A PAD Highway Commercial District Planned Area Development on property located on the west side of Community Drive approximately 240 feet south of West Penn Street.**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:
Ryan Heiar, City Administrator
Tracey Mulcahey, Assistant City Administrator
Grant Lientz, City Attorney
Tom Palmer, City Building Official
Kevin Trom, City Engineer
Ryan Rusnak, Planning Director

1. Current Zoning:

The property is currently zoned C-2A Highway Commercial District.

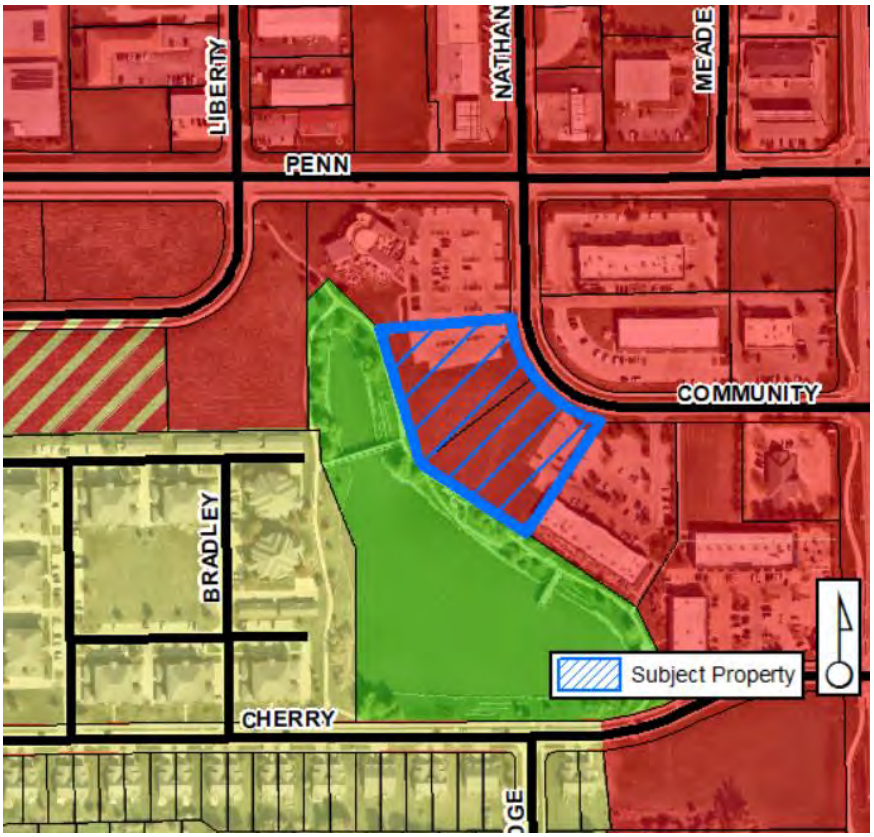


2. Proposed Zoning:
The applicant is requesting the Planned Area Development Overlay District to allow for a four-story, 60-unit residential building and a one-story office/retail building.

The application proposes expanding a commercial lot with overflow parking into the southern part of the Tin Roost property. The development contemplates the relocation of a stormwater drainage infrastructure, which is currently located between the existing two lots.

A Planned Area Development Zone District is intended to encourage innovation and flexibility in planning the development of land so development is compatible with the site's physical and environmental characteristics. This district allows for flexibility in zone district requirements. The Planned Area Development District provides an opportunity for the development of a mixture of uses and housing types in a coordinated manner. The intent of the underlying zone district shall guide the development. It is incumbent upon the person proposing the PAD to justify the project, and any variations from the underlying zone district. A PAD is considered an amendment to the underlying zone district regulations

3. Comprehensive Plan Future Land Use Map Designation: Commercial



The North Liberty Comprehensive Plan articulates the following regarding commercial uses:
The highest densities of more locally-oriented commercial uses are generally planned along Penn Street and along Highway 965. Interstate-related large scale office and mixed-use developments are planned for the Kansas Avenue corridor, especially between Kansas and I-380 and near the planned Forevergreen Road interchange. High visibility from the I-380 corridor presents an excellent opportunity to introduce high-quality office and commercial uses in this "front door" area that may serve both the external demand associated with the I-380 proximity and access and the internal demand generated by substantial recent and planned residential development in the area.

Relevant Comprehensive Plan Policies Related to Land Use:

- Establish and maintain an advantageous property tax situation and pursue a strengthened and sound tax base through a diversification of land uses, including commercial and industrial development, as well as a variety of residential options.
- Support high density and medium density housing in close proximity to commercial and service centers to provide intensity-of-use buffers for low density residential uses.
- Concentrate higher density, apartment-type housing in proximity to areas that offer a wide range of existing supportive services, commercial and recreational facilities.

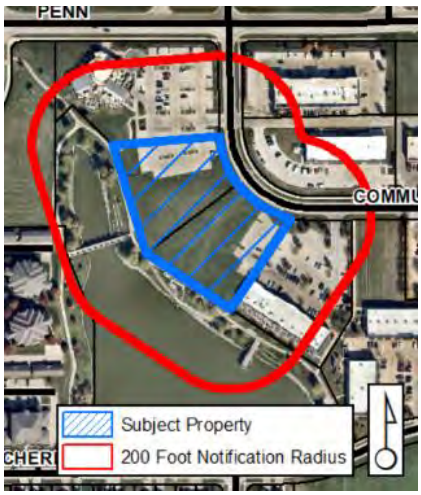
It is staff's opinion that because the underlying zoning is C-2A that the request would be consistent with the North Liberty Comprehensive Plan Land Use Plan. The Liberty Commerce Center west of the subject property, contains residential development, is zoned C-2A and is designated Commercial on the Future Land Use Map.

4. Public Input:

Letters were sent to property owners within 200 feet of the subject property notifying them of the March 10, 2021 good neighbor meeting. The map below shows the notice boundary. The residential property to the west is a condominium. Therefore, all of the 120 unit owners were notified.

A small number of people attended the good neighbor meeting and had general questions about the development.

To date, staff has received two letters of objection. The objection pertains to the use of the property being residential.



5. Analysis of the Request:

Permissibility of the Request:

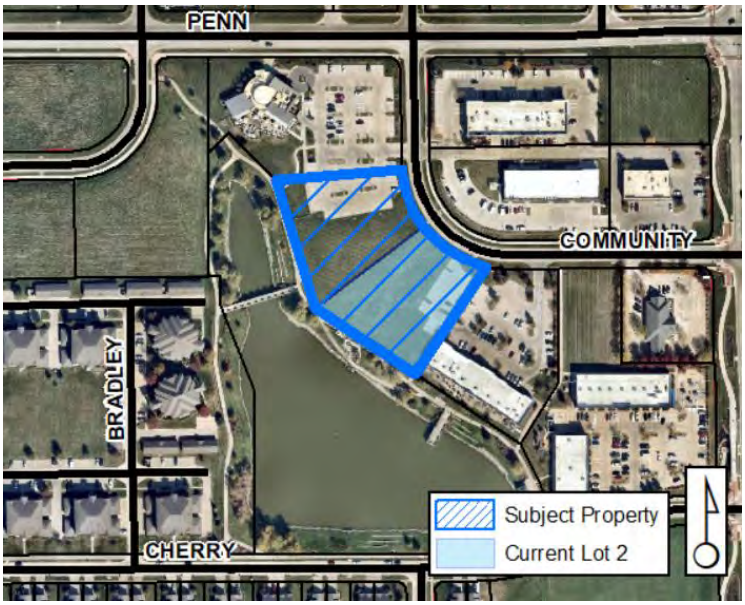
As mentioned, the applicant is requesting the Planned Area Development Overlay District (PAD) to allow for a four-story, 60-unit residential building and a one-story office/retail building.

The Planned Area Development is being requested to allow the flexibility of having a multiple-unit dwellings, which is not allowed with in the underlying C-2A District alone. However, the PAD reads in part, "A planned area development that will contain uses not permitted in the zoning district in which it is to be located will require a change of zoning and shall be accompanied by an application for a zoning amendment, except that any residential use shall be considered a permitted use and shall be governed by density, design and other requirements of the planned area development permit."

Therefore, from an approval standpoint, the number of proposed residential units is permissible if approved as a PAD.

Reconfiguration of Lots and Existing Infrastructure:

The application proposes reconfiguring Liberty Centre Part 1B, Lot 2 and a portion of Liberty Centre Part One, Lot 12.



Lot 2 is currently developed with overflow parking for the adjacent commercial building to the east and a stormwater infrastructure, which drains stormwater from Community Drive to Liberty Centre Pond. Lot 12 is currently developed with the Tin Roost restaurant, but also contains a portion of the lot, which is underutilized. The stormwater infrastructure would be partially relocated to accommodate the proposed development. A plat of survey will be required for the reconfigured lots.

Reduction in Required Off-Street Parking:
It is staff's opinion that the required minimum number of off-street parking spaces for several uses are both excessive and antiquated. Staff is currently drafting a repeal and replacement of the City's Off-Street Parking Ordinance to address many of the forthcoming concerns.

Current Ordinance:
Required Number of Parking Spaces. The off-street parking spaces required for each use permitted by this code shall not be less than as set out in Table 169-A, provided that any fractional parking space be computed as a whole space. Notwithstanding the amount of off-street parking required by this code, the Code Official may approve less off-street parking when the proponent of a use demonstrates that, because of special circumstances involved with a particular use, it is obvious that the off-street parking required by this code exceeds any reasonable likely need.

Table 169-A – Off-Street Parking Schedule (abbreviated)

USE	NUMBER OF PARKING SPACES REQUIRED
Professional/Medical Office	1 for every 200 gross square feet
Retail	1 for every 200 gross square feet
Restaurant	1 for every 100 gross square feet
Restaurant, Delivery, No seating	1 for every 500 gross square feet, plus 1 per employee
Multi-Family Units	2.2 per dwelling unit

It appears that the City required the overflow parking on Lot 2 because a large restaurant was being proposed in the adjacent commercial building.

Jimmy Jacks – 3096 sf, Sushiya Restaurant – 1560 sf – 47 parking spaces
Overall, the building is 13,856. So 9,200 is non-restaurant – 46 parking spaces.
Total Required – 93 parking spaces. Total provided – 92 parking spaces.
Notably, the off-street parking regulations do not provide a parking ratio for a multi-unit commercial building. This is troubling because a potential commercial tenant could be denied because it is a different use, such as from retail to restaurant.

The Tin Roost was required to provide a minimum of 81 parking spaces, but chose to provide 127 parking spaces.

The parking calculations provided for the proposed development are as follows:
Multi-Unit Residence

- Required by Ordinance – 132 spaces (2.2 per DU)
- Proposed – 100 spaces (1.67 per DU)

4,300 sf Office/Retail

- Required by Ordinance – 22 spaces.
- Proposed – 22 spaces.

The site plan notes that an additional 20 spaces on the Tin Roost property would be available for shared parking for the residential use.
The table below represents contemplated changes based on research of recently adopted Off-Street Parking Ordinance. Please note that the purpose of the off-street parking is to require a minimum amount of off-street parking.

Table 169.01-3: Off-Street Vehicle Parking Requirements				
USE	**CONTEMPLATED CHANGE**	**CURRENT CODE**	**CEDAR RAPIDS Adopted in 2020**	**DAVENPORT ADOPTED in 2019**
Dwelling, Multiple Unit				
Studio, 1 bedroom	1.5 per du	2.2 per du	Studio – 1 per du 1 bedroom – 1.5 per du	1.5 per du
2 bedroom	1.5 per du	2.2 per du	2 per du	1.5 per du
Over 2 bedroom	2 per du + .5 for each bedroom over 2	2.2 per du	2 per du + .5 for each bedroom over 2	1.5 per du
Restaurant	1 per 200 sf GFA	1 per 100 GFA 1 per 500 GFA (no delivery)	1 per 200 SF GFA	1 per 300sf GFA
Retail Goods Establishment	1 per 350sf GFA	1 per 200sf GFA	1 per 333 SF GFA	1 per 500sf GFA
Office	1 per 350sf GFA	1 per 200sf GFA	1 per 333sf GFA	1 per 500sf GFA

* Parking for multi-tenant commercial centers is calculated as one space required per 300 square feet of gross floor area, rather than by the individual uses.

Applying contemplated changes to the Off-Street Parking Ordinance reveals the following:

<u>Subject Property:</u>
Multi-Unit Residence

- Contemplated changes – 90 spaces (1.5 per DU)
- Proposed – 100 spaces (1.67 per DU)

4,300 sf Office/Retail

- Contemplated changes – 13 spaces.
- Proposed – 22 spaces.

The site plan notes that an additional 20 spaces on the Tin Roost property would be available for shared parking for the residential use.

Tin Roost Property:
8,057 sf Restaurant

- Contemplated changes – 41 spaces.
- Proposed – 75 spaces.

Adjacent Property to the East:
13,856 sf Multi-Tenant Building

- Contemplated changes – 47 spaces.
- Provided – 92 spaces.

It is staff's opinion that "…it is obvious that the off-street parking required by this code exceeds any reasonable likely need" for all three properties. Therefore, City staff would approve less off-street parking pursuant to the proposed plan and stated remaining parking spaces.

Compatibility of the Use with the Area:

Building Scale:
As mentioned, the application proposes a four-story, 60-unit residential building with a building area of just under 60,000 square feet. The proposed building height from grade to the top of the parapet is 48' 8" (52' 4" to the top of the turret).

To draw some comparison, Keystone Place at Forevergreen is a three-story, 75 unit building with a building area of 148,549 square feet. The building height from grade to the top of the roof is 48.5' from grade to the top of roof. Notably, Keystone has much larger footprint (43,434 SF vs. 14,687 SF) and width along the public street (343' vs 257') than the proposed building.

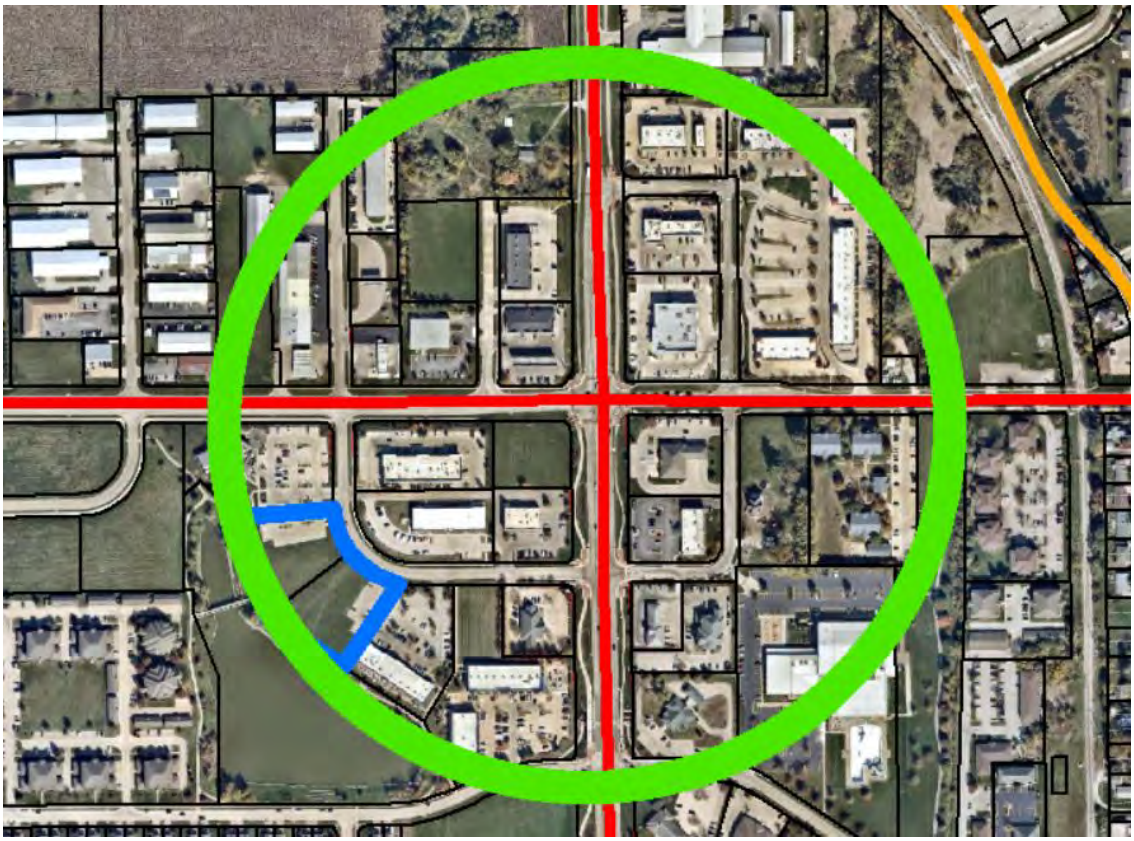
Compatibility with the Surrounding Area:
The property to the west is zoned RM-12 and contains 120 units on 9.67 acres (12.41 units/acre). The PAD was utilized to allow for a three story building as opposed to a two and half story building. Eight of the buildings are 41' from grade to the top of the roof. Two buildings adjacent to the subject property are 43' from grade to the top of the roof.

One notable Comprehensive Plan Policy related to Land Use is worth repeating:

- Concentrate higher density, apartment-type housing in proximity to areas that offer a wide range of existing supportive services, commercial and recreational facilities.

Below is a graphical representation of an urban node, which is an approximately 1,000 foot radius from the intersection of two major arterial roadways, Ranshaw Way and West Penn Street. A node is the concentration of development near the intersection of major arterials where higher density, mixed-use development should occur. Within this node there is retail, office, restaurant and recreational amenities within walking distance. Additionally, Ranshaw Way and Penn Street are likely transit corridors, so mixed use intensity and density should be encouraged in this location.

Staff recognizes that the proposed development is on the higher end of residential density. Certainly, this density wouldn't be appropriate in all locations within the City. However, staff advocates that the proposed development is appropriate at this urban node.



Approval standards:
Section 168.12 of the North Liberty Code of Ordinances, entitled "PAD Zone – Planned Area Development Overlay District" sets forth the approval standards (Ordinance language in *italics* and staff analysis in **bold**).

3. Conditions.

A. Area. No planned area development shall have area less than that approved by the Council as adequate for the proposed development.
Compliant. See Sheet C101.

B. Uses. A planned area development that will contain uses not permitted in the zoning district in which it is to be located will require a change of zoning and shall be accompanied by an application for a zoning amendment, except that any residential use shall be considered a permitted use and shall be governed by density, design and other requirements of the planned area development permit.
Compliant. There would be 60 residential units on 2.32 acres and a 4,300 sf office/retail building.

C. Ownership. The development shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property.
Staff is recommending that the ownership of the newly created lot be transferred from NLCD Lot 12 LC to a new ownership entity. The applicant is in agreement with this condition.

D. Design. The Commission and Council shall require such arrangements of structures and open spaces within the site development plan as necessary to ensure that adjacent properties will not be adversely affected.

(1) Density. Density of land use shall in no case be more than 25 percent higher than allowed in the zoning district, except not more than 10 percent higher in residential districts.
Compliant. There is no density limitation in commercial zoning.

(2) Arrangement. Where feasible, the least height and density of buildings and uses shall be arranged around the boundaries of the development.
Compliant. Architectural Sheet 03 shows a building height of 48'8" to the top of the parapet (52'4" to the top of turret).

(3) Specific Regulations. Lot area, width, yard, height, density, and coverage regulations shall be determined by approval of the site plan.
See analysis of site plan.

E. *Open Spaces. Preservation, maintenance, and ownership of required open spaces within the development shall be accomplished by either:*

(1) *Dedication of land as a public park or parkway system, or*

(2) *Granting to the jurisdiction a permanent, open space easement on and over the said private open space to guarantee that the open space remain perpetually in recreational use, with ownership and maintenance being the responsibility of an owners' association established with articles of association and bylaws which are satisfactory to the Council.*

Compliant. Open space is not required to be provided in the C-2A District. However, the proposed development would contain walkways and a common area feature. Notably, the property is adjacent to the Liberty Centre Pond, which is a wonderful community open space.

F. *Landscaping. Landscaping, fencing, and screening related to the uses within the site and as means of integrating the proposed development into its surroundings shall be planned and presented to the Commission and Council for approval, together with other required plans for the development. A planting plan showing proposed tree and shrubbery plantings shall be prepared for the entire site to be developed. A grading and drainage plan shall also be submitted to the Commission and Council with the application.*

Compliant. See Sheet C500.

G. *Signs. The size, location, design, and nature of signs, if any, and the intensity and direction of floodlighting shall be detailed in the application.*

Compliant. Building mounted signage shown on architectural renderings.

H. *Exterior Lighting. The size, material type, location, and intensity of all exterior lighting shall be detailed in the application.*

Compliant. See Sheet PH1.

I. *Desirability. The proposed use of the particular location shall be shown, as necessary or desirable, to provide a service or facility which will contribute to the general well-being of the surrounding area. It shall also be shown that under the circumstances of the particular case, the proposed use will not be detrimental to the health, safety, or general welfare of persons residing in the vicinity of the planned area development.*

Complaint. The applicant has provided a write-up providing the vision and desirability of the proposed development.

4. *Commission and Council Determination. In carrying out the intent of this section, the Commission and Council shall consider the following principles:*

A. *It is the intent of this section that site and building plans for a planned area development shall be prepared by a designer or team of designers having professional competence in urban planning as proposed in the application. The Commission and Council may require the applicant to engage such expertise as a qualified designer or designer team.*

Compliant. Plans have been provided by a professional design team.

B. *The Council may approve or disapprove an application for a planned area development. In approval, the Council may attach such conditions as it may deem necessary to secure compliance with the purpose set forth in this chapter.*
Determined at the time of City staff's recommendation and/or City Council's consideration.

Site Plan Requirements:
The Planned Area Development Overlay District requires submittal of a site plan. Section 165.04(2) of the North Liberty Code of Ordinances entitled, "Site Plan Requirements" sets forth the approval standards.

2. *Site Plan Requirements. Site plans, which are required for review and approval for any use in any district or elsewhere by this code, shall comply with and illustrate the following:*
   D. *All site plans shall clearly illustrate the general methods of development, design, special distribution, location, topography (both existing and proposed), soil erosion control measures, relationship to flood overlay zones, and such other information as necessary to show compliance with the requirements of this code. A preliminary site plan may be submitted for preliminary land use approval; however, the final site plan required by this code shall be submitted, reviewed, and approved prior to the issuance of building or construction permits.*
   See analysis of site plan.
   E. *The site plan shall include the following legal information:*
      (1) *Legal property owner's name and description of property.*
      Staff is recommending that a Plat of Survey be prepared and recorded, which shows the reconfigured lots and all easements. The applicant is in agreement with this condition.
      (2) *Applicant's name, requested land use, and zoning.*
      Compliant. See Sheet C101.
      (3) *If the applicant is other than the legal owner, the applicant's interest shall be indicated and the legal owner's authority to appeal shall be certified.*
      Solomon Holdings LLC is part of the ownership structure of NLCD Lot 12 LC.
   F. *The site plan shall clearly illustrate in color perspective and enumerate the following information:*
      (1) *Property boundary lines, dimensions, and total area.*
      Compliant. This information is shown on multiple sheets.
      (2) *Contour lines at intervals of not more than five feet, City datum. If substantial topographic change is proposed, the existing topography shall be illustrated on a separate map and the proposed finished topography shown on the final site plan.*
      Compliant. See Sheet C300.

(3) *The availability and location of existing utilities.*
Compliant. See Sheet C400.

(4) *The proposed location, size, shape, color, and material type of all buildings or structures.*
Compliant. See Architectural renderings.

(5) *The total square feet of building floor area, both individually and collectively.*
Compliant. See Sheet C101 and Architectural renderings. *(6) The number of dwelling units, bedrooms, offices, etc., as required to determine special compliance.*
Compliant. Sheet C101 and Architectural Sheets 01 and 02.

(7) *The proposed location of identification signs. An identification sign is defined as a sign displaying the name, address, insignia or trademark, and occupant of a building or the name of any building on the premises. Installation shall be in accordance with the Chapter 173 of this code.*
Compliant. Building mounted signage shown on architectural renderings.

(8) *A vicinity sketch showing detailed adjacent land uses within 500 feet of the property and general existing land uses within 1,000 feet of the property.*
Compliant. See Sheet C100.

(9) *Existing buildings, right-of-way, street improvements, utilities (overhead or underground), easements, drainage courses, vegetation and large trees, etc.*
Compliant. See Sheet C102.

(10) *Parking areas, number of parking spaces proposed, number of parking spaces required by this code, type of surfacing to be used, etc.*
Compliant. Sheet C103. An ingress, egress and parking easement will need to be recorded for the area of shared parking and to allow for the side parking lots setback to be 0'. The easement document will subject to approval as to form and content by the City Attorney.

(11) *Walkways, driveways, outside lighting, walls, fences, signs, monuments, statues and other manmade features to be used in the landscape.*
Compliant. Sheets C200 and 201 for walkways, drives and common area feature. No walls, fences, freestanding signs or monuments are proposed.

(12) *Location and type of all plants, grass, trees, or ground cover to be used in the landscape. Landscaping shall be illustrated in elevation and color perspective with the size and exact names of plants, shrubs, or trees to be planted clearly indicated.*
Compliant. Sheet C500 and Architectural sheet 06.

(13) *Walls, fences or other artificial screens to be used as buffers shall be shown in elevation and color perspective with proposed height and structural material to be used indicated. See Section 169.02 for the guidelines concerning landscaping.*
Not applicable.

(14) *Traffic considerations, architectural themes, pedestrian movement, etc., and all other considerations pertinent to the proposed use may be requested for illustration or statistical purposes.*
Compliant. The additional traffic created by the proposed development is not anticipated to cause a negative impact to the transportation network. The architectural theme would blend nicely with the adjacent Tin Roost development

(15) *The methods of compliance with all applicable flood plain development standards and flood (overlay) districts as contained in this code.*
Not applicable.

Additional Considerations:
This is a challenging site to design from an engineering standpoint. It is staff's opinion that the overall design is acceptable. It should be recognized that the Planned Area Development Overlay District requires a concurrent site plan, which in turn requires such level of detail as construction plans. Therefore, there are a few minor details that need to be provided or addressed. It is staff's opinion that the plans would achieve consistency with Section 168.12 of the North Liberty Code of Ordinances, entitled "PAD Zone – Planned Area Development Overlay District and the site plan achieves consistency with Section 165.04(2) of the North Liberty Code of Ordinances entitled, "Site Plan Requirements" with conditions recommended by City staff.

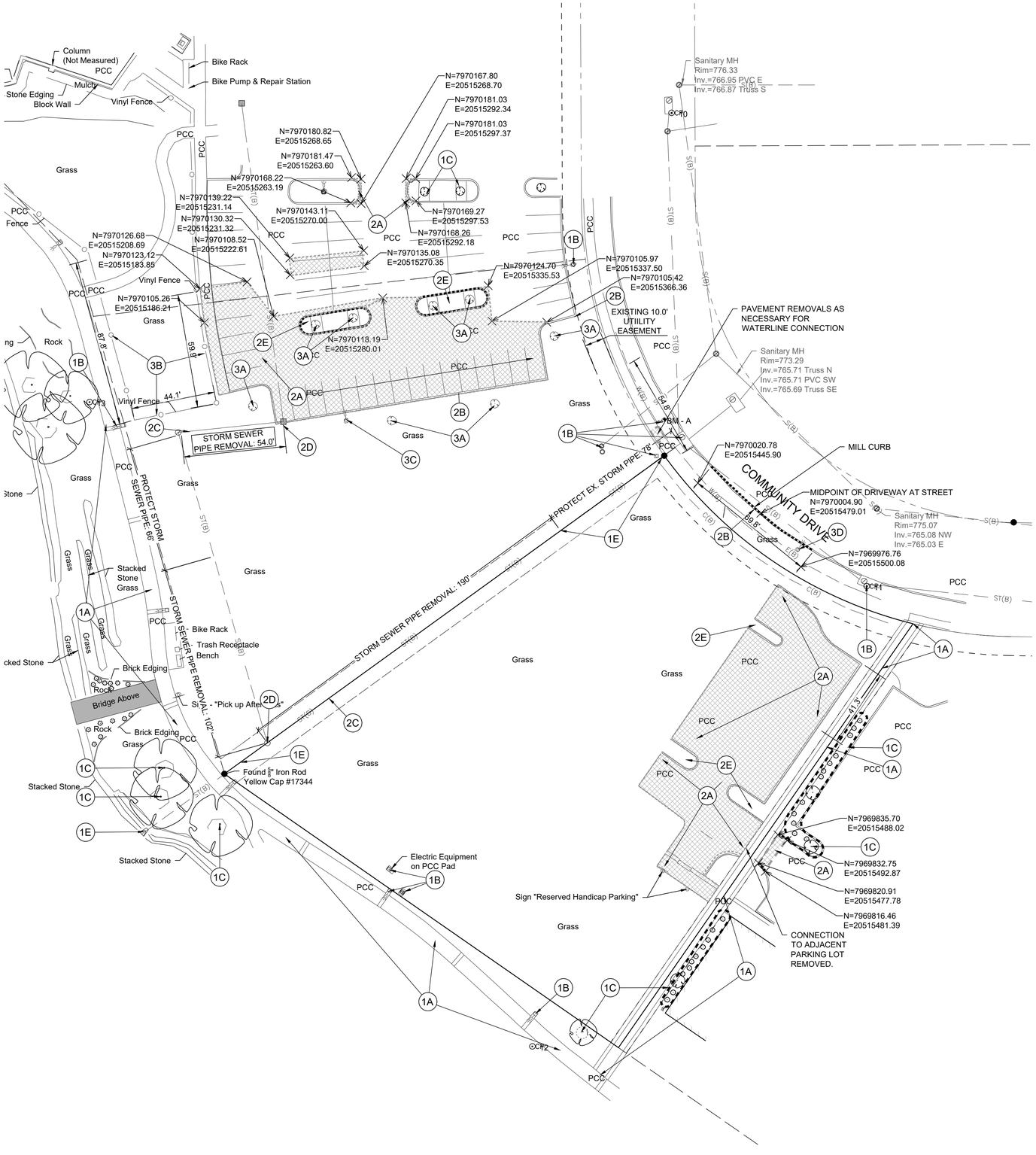
Findings:
1. Since the underlying zoning is C-2A, the request would be consistent the North Liberty Comprehensive Plan Land Use Plan;
2. The proposed use and density of the development would be compatible with the area;
3. The zoning map amendment achieves consistency with Section 168.12 of the North Liberty Code of Ordinances, entitled "PAD Zone – Planned Area Development Overlay District and the site plan achieves consistency with Section 165.04(2) of the North Liberty Code of Ordinances entitled, "Site Plan Requirements" with the conditions recommended by City staff.

Recommendation:
Staff recommends the Planning Commission accept the three listed findings and forward the request of Solomon Holdings, LLC on behalf of NLDC Lot 12, LC for a zoning map amendment (rezoning) on 2.46 acres, more or less, from C-2A Highway Commercial District to C-2A PAD Highway Commercial District Planned Area Development on property located on the west side of Community Drive approximately 240 feet south of West Penn Street to the City Council with a recommendation for approval subject to the following conditions:

1. That the bulk regulations on Sheet C101 be revised to "rear yard setback: 20'"
2. That the parking calculations on Sheet C101 be revised for the Tin Roost to "restaurant – 1 for every 100 SF – 81 spaces". 81 parking spaces was shown on the 2016 approved site plan.
3. That a Plat of Survey be prepared and recorded, which shows the reconfigured lots and all easements. All easements shall be subject to approval as to form and content by the City Attorney.
4. That the ownership of the newly created lot be transferred from NLCD Lot 12 LC to a new ownership entity.
5. That a temporary construction easement be obtained for the construction occurring on Lot 1 Liberty Center Part 1B. The easement shall be subject to approval as to form and content by the City Attorney.
6. That the Driveway Crossing Detail on Sheet C201 be amended such that the public sidewalk be designed and constructed through the proposed drive approach at sidewalk elevation and detectable warnings be removed in accordance with SUDAS and North Liberty amendments to SUDAS.
7. That the plans be updated to provide sufficient detail on grading and all spot elevations, slopes, etc, especially near the proposed overflow weir location.
8. That the plans be updated to demonstrate how the overland overflow route for the Community Drive will flow through this site without causing damage to buildings and property. That the plans graphically illustrate the 100-year ponding elevation on site as the overland flow flows over the proposed weir to the pond.
9. That the plans be updated to clearly list the inverts and length/slope of 24" storm sewer pipe on the plans and that the drainage analysis be revised accordingly. This is due to the existing 24" storm sewer pipe running through this site being listed at 2.6% in the 5-year drainage analysis and the same pipe being listed as 1.7% slope in the 100-year drainage analysis. Surveyed inverts/slopes are not clearly provided on the plans, but appear to be 1.7% slope.

10. That the drainage calculations be revised to address the following:
    - Provide supporting calculations and the computer generated HGL line for the 100-year storm event.
    - Shive-Hattery did not provide a 100-year pond elevation of 767.00. This was simply a guess. Remove this statement from the report. The Snyder calculations appear to have the 100-year pool elevation on the last page. The engineer is responsible for determining the tailwater elevation for the drainage analysis.
    - The calculations need to include the analysis of the emergency overland flow between the proposed two buildings. Show all supporting calculations. The paragraph submitted is not acceptable with "rough" elevations and no calculations. This paragraph is also based on a weir elevation of 773.00. The elevation on the grading plans show one spot elevation at this location (more information is needed on the grading plans) of 773.50.
11. That the revised plans and stormwater report be signed and sealed.

Suggested motion:
I move that the Planning Commission accept the three listed conditions and forward the zoning map amendment with the 11 listed conditions recommended by City staff to the City Council with a recommendation for approval.



REMOVALS PLAN CONSTRUCTION NOTES

1. EXISTING FEATURES, PROTECT THE FOLLOWING:
   - A. PAVEMENTS TO REMAIN.
   - B. EXISTING UTILITIES. COORDINATE ANY RELOCATIONS OR ADJUSTMENTS WITH UTILITY SERVICE PROVIDER AS NECESSARY.
   - C. EXISTING VEGETATION.
   - D. STORM SEWER MANHOLE
   - E. STORM SEWER PIPE

2. DEMOLISH AND PROPERLY DISPOSE OF THE FOLLOWING:
   - A. REMOVE EXISTING PCC PAVEMENT, ASSOCIATED CURB, SIGNAGE, AND RELATED ITEMS.
   - B. EXISTING CURB AND GUTTER.
   - C. EXISTING STORM SEWER PIPES.
   - D. EXISTING STORM SEWER STRUCTURES.
   - E. EXISTING EARTH, MULCH, ROCKS, ETC. WITHIN MEDIANS.

3. REMOVE, STOCKPILE, AND RELOCATE PER OWNER:
   - A. EXISTING VEGETATION.
   - B. EXISTING VINYL FENCE. SEE LAYOUT SHEET FOR PROPOSED RELOCATION.
   - C. EXISTING PARKING LOT LIGHT FIXTURE AND POST. REUSE WITH OWNER APPROVAL
   - D. EXISTING STREET LIGHT TO BE RELOCATED PER PROPOSED DRAWINGS. SEE LAYOUT SHEET.

LEGEND

PAVEMENT REMOVAL

MARK	REVISION	DATE	BY
---	---	---	---
---	CITY COMMENTS	5/20/2021	

Engineer: TAC | Checked By: NHS | Scale: 1" =
Technician: NHS | Date: 05/05/2021 | T-R-S: TTN-RRW-SS
Project No: 120.1068.07 | Sheet C102

NORTH LIBERTY, IOWA

PENN STREET PLACE

REMOVALS PLAN

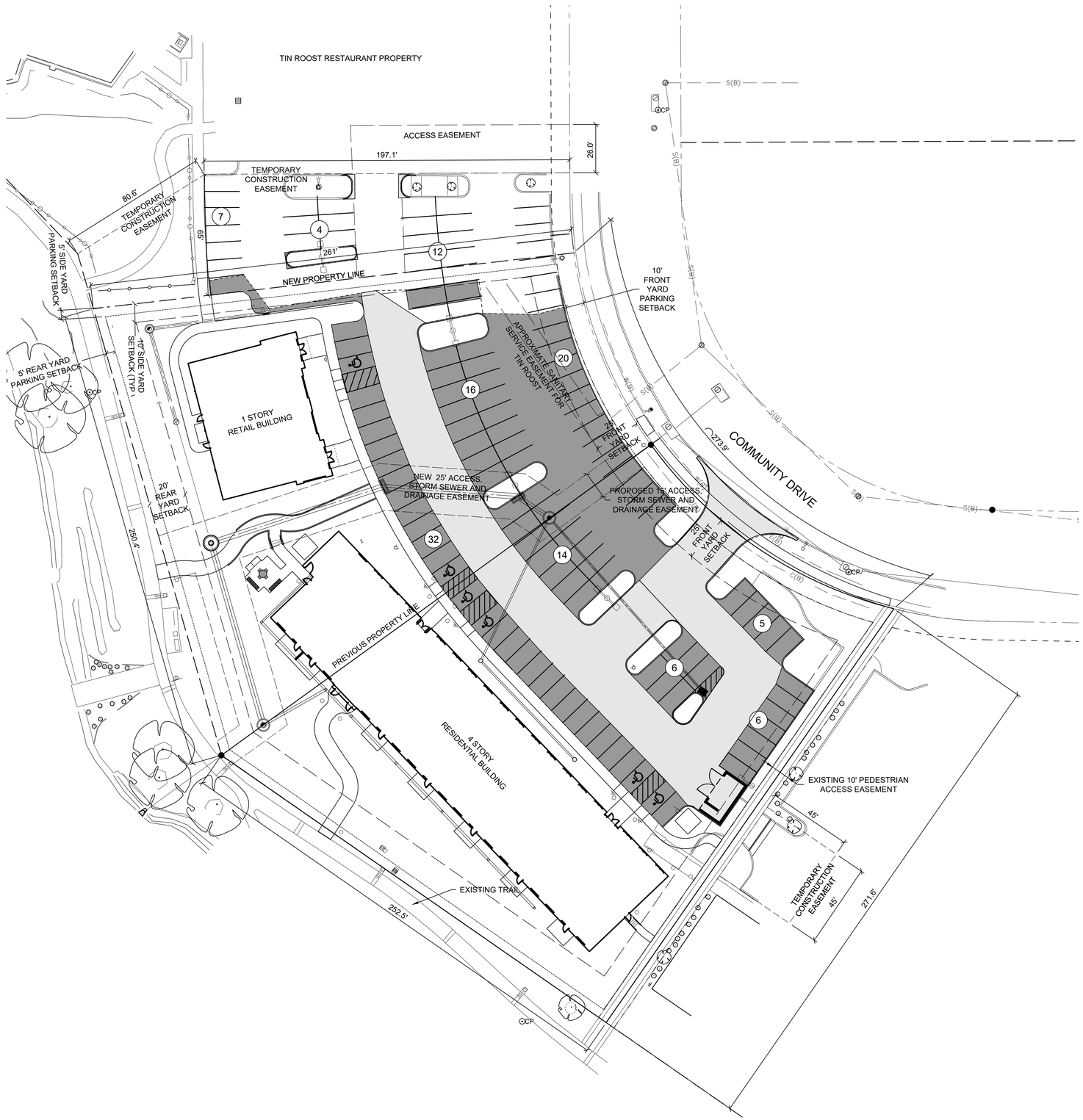
SNYDER & ASSOCIATES, INC.
320 E. PRENTISS STREET
IOWA CITY, IOWA 52240
319-359-7676 | www.snyder-associates.com

SNYDER & ASSOCIATES

Project No: 120.1068.07
Sheet C102

N

0 30
FEET



PARKING CALCULATIONS
REQUIREMENTS:

TIN ROOST
ADJACENT PROPERTY - TIN ROOST
RESTAURANT - 1 FOR EVERY 100 SF = 81 SPACES

PENN STREET PLACE
CURRENT PARKING CODE CALCULATION REQUIREMENTS
A. MULTI-FAMILY UNITS (PHASE 1) - 2.2 PER DWELLING UNIT = 132 SPACES
B. PROFESSIONAL OFFICE (PHASE 2) - 1 FOR EVERY 200 SF = 22 SPACES

PROPOSED PARKING CALCULATION ARRANGEMENT:
A. ADJACENT PROPERTY - TIN ROOST = 81 SPACES
B. PENN STREET PLACE - MULTI-FAMILY = 1.57 PER DWELLING UNIT = 94 SPACES
C. PENN STREET PLACE - PROFESSIONAL OFFICE = 22 SPACES

* TIN ROOST AND PENN STREET PLACE OWNERS HAVE A PARKING AGREEMENT THAT PERMITS SHARED PARKING.
* 14 PARKING SPACES LOCATED ON TIN ROOST PROPERTY ARE DEDICATED FOR PENN STREET PLACE USE.

LEGEND

PENN ST PLACE DESIGNATED PARKING: 6" DEPTH PCC

PENN ST PLACE DESIGNATED PARKING: 5" DEPTH PCC

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FEET

MARK	REVISION	DATE	BY
----	CITY COMMENTS	5/20/2021	

Engineer: TAC | Checked By: NHS | Scale: 1" =
Technician: NHS | Date: 05/05/2021 | T-R-S: TTN-RRW-SS
Project No: 120.1068.07

Sheet C103

NORTH LIBERTY, IOWA

PENN STREET PLACE

BOUNDARY & PARKING EXHIBIT

SNYDER & ASSOCIATES, INC.
320 E. PRENTISS STREET
IOWA CITY, IOWA 52240
319-359-7676 | www.snyder-associates.com

SNYDER & ASSOCIATES

Project No: 120.1068.07
Sheet C103

EXISTING SITE SURVEY

UTILITY QUALITY SERVICE LEVELS

QUALITY LEVELS OF UTILITIES ARE SHOWN IN THE PARENTHESES WITH THE UTILITY TYPE AND WHEN APPLICABLE, SIZE. THE QUALITY LEVELS ARE BASED ON THE CI / ASCE 38-02 STANDARD.
QUALITY LEVEL (D) INFORMATION IS DERIVED FROM EXISTING UTILITY RECORDS OR ORAL RECOLLECTIONS.
QUALITY LEVEL (C) INFORMATION IS OBTAINED BY SURVEYING AND PLOTTING VISIBLE ABOVE-GROUND UTILITY FEATURES AND USING PROFESSIONAL JUDGMENT IN CORRELATING THIS INFORMATION WITH QUALITY D INFORMATION.
QUALITY LEVEL (B) INFORMATION IS OBTAINED THROUGH THE APPLICATION OF APPROPRIATE SURFACE GEOPHYSICAL METHODS TO DETERMINE THE EXISTENCE AND APPROXIMATE HORIZONTAL POSITION OF SUBSURFACE UTILITIES.
QUALITY LEVEL (A) IS HORIZONTAL AND VERTICAL POSITION OF UNDERGROUND UTILITIES OBTAINED BY ACTUAL EXPOSURE OR VERIFICATION OF PREVIOUSLY EXPOSED SUBSURFACE UTILITIES, AS WELL AS THE TYPE, SIZE, CONDITION, MATERIAL, AND OTHER CHARACTERISTICS.

UTILITY WARNING

THE UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND/OR RECORDS OBTAINED. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES OR SUBSURFACE FEATURES SHOWN COMPRISE ALL SUCH ITEMS IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES OR SUBSURFACE FEATURES SHOWN ARE IN THE EXACT LOCATION INDICATED EXCEPT WHERE NOTED AS QUALITY LEVEL A.

NOTES

1) BUILDING LINES AND CORNERS ARE FOR USE IN PREPARING CIVIL SITE PLAN DOCUMENTS. BUILDING CORNERS AND BUILDING LINES SHOULD BE SPECIFICALLY VERIFIED, AS NECESSARY, PRIOR TO DESIGN FOR CONSTRUCTION OF ANY PROPOSED EXPANSION OR CONNECTION OF BUILDING COMPONENTS.
2) FOR CLARITY PURPOSES, SURVEY SPOT ELEVATIONS ARE NOT SHOWN ON THIS SURVEY, BUT ARE CONTAINED WITHIN THE DIGITAL CADD FILES.
3) FOR THE PURPOSE OF THIS SURVEY, STORM SEWER, SANITARY SEWER AND WATER MAIN LINES ARE ASSUMED TO FOLLOW A STRAIGHT LINE FROM STRUCTURE TO STRUCTURE.
4) UTILITY SERVICE LINES TO BUILDINGS ARE APPROXIMATE ONLY. AN INTERNAL BUILDING INVESTIGATION, EXCAVATION AND/OR SUBSURFACE LOCATING/DESIGNATING WOULD NEED TO BE PERFORMED TO DETERMINE THE LOCATION OF SERVICES ENTERING THE BUILDING.
5) UNDERGROUND PIPE MATERIALS AND SIZES ARE BASED UPON VISIBLE EVIDENCE VIEWED FROM ACCESS MANHOLES/STRUCTURES. DUE TO THE CONFIGURATION AND/OR CONSTRUCTION OF THE STRUCTURE, IT MAY BE DIFFICULT TO ACCURATELY DETERMINE THE PIPE MATERIAL AND/OR SIZE. THE SURVEYOR WILL USE THEIR JUDGMENT AND EXPERIENCE TO ATTEMPT TO DETERMINE, BUT COMPLETE ACCURACY CANNOT BE GUARANTEED.
6) BOUNDARY LINES SHOWN ON THE EXISTING SITE SURVEY ARE TO FACILITATE DESIGN OR CONCEPT NEEDS AND ENABLE CREATION OF SAID CONSTRUCTION DOCUMENTS. THESE LINES DO NOT CONSTITUTE A CERTIFIED BOUNDARY SURVEY AND MISSING MONUMENTS WILL NOT BE SET.

UTILITY CONTACT INFORMATION

UTILITY CONTACT FOR MAPPING INFORMATION SHOWN AS RECEIVED FROM THE IOWA ONE CALL DESIGN REQUEST SYSTEM, TICKET NUMBER 552007362.

ALLIANT ENERGY
Contact Name : Alliant Energy Field Engineer
Contact Phone: 8002554268
Contact Email: locate_IPL@alliantenergy.com

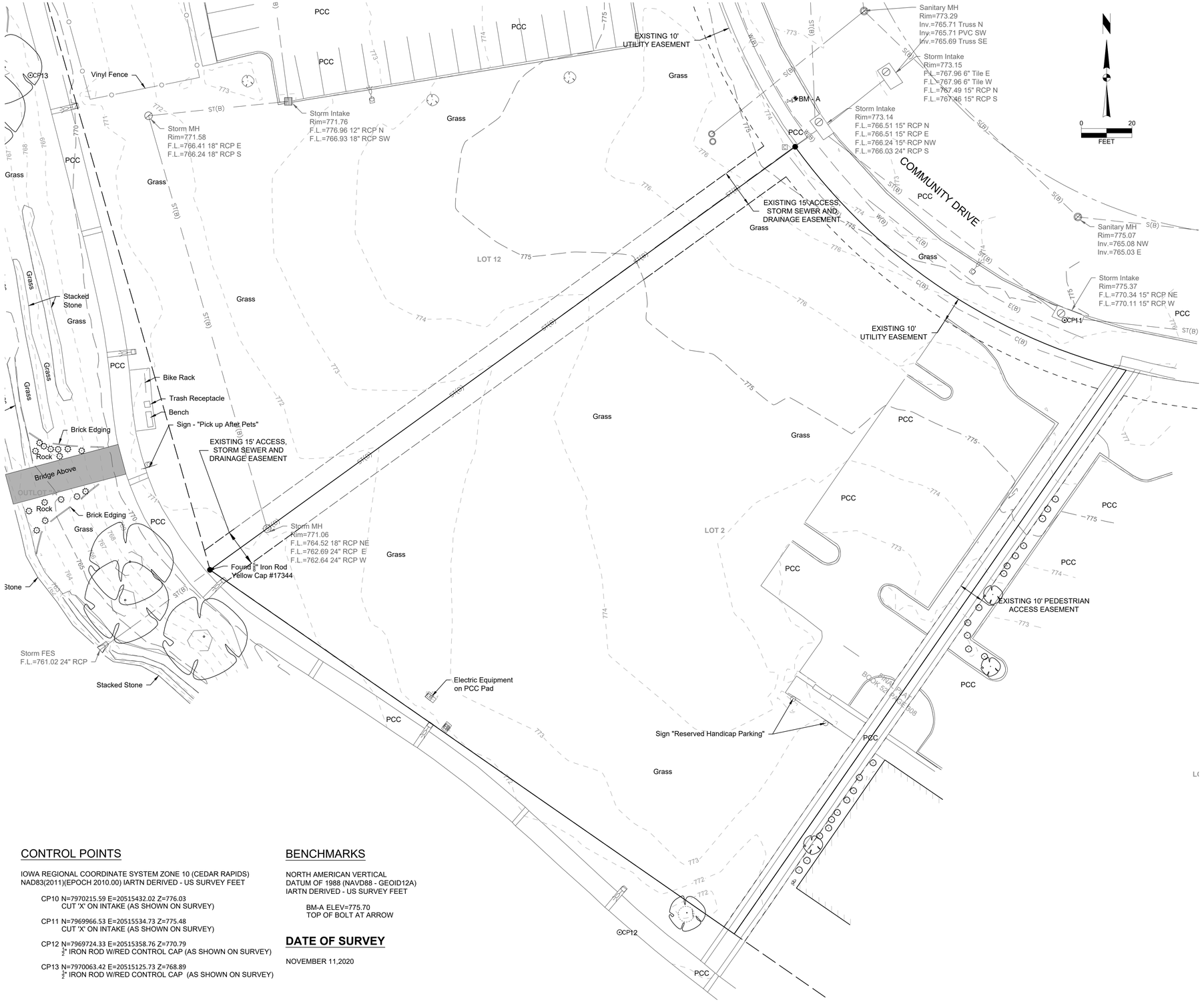
MIDAMER-GAS
Contact Name : Carson Hemphill
Contact Phone: 3193414461
Contact Email: crhemphill@midamerican.com

NORTH LIBERTY, CITY OF
Contact Name : Tom Palmer
Contact Phone: 3196265736
Contact Email: tpalmer@northlibertyiowa.org

SOUTH SLOPE TELEPHONE
Contact Name : Brian Frese
Contact Phone: 3192277111
Contact Email: brian@southslope.com

MEDIACOM IOWA CITY
Contact Name : Carl Norton
Contact Phone: 3195946201
Contact Email: cnorton@mediacomcc.com

IOWA ONE CALL
1-800-292-8989
www.iowaonecall.com



CONTROL POINTS

IOWA REGIONAL COORDINATE SYSTEM ZONE 10 (CEDAR RAPIDS)
NAD83(2011)(EPOCH 2010.00) IARTN DERIVED - US SURVEY FEET

CP10 N=7970215.59 E=20515432.02 Z=776.03
CUT 'X' ON INTAKE (AS SHOWN ON SURVEY)

CP11 N=7969966.53 E=20515534.73 Z=775.48
CUT 'X' ON INTAKE (AS SHOWN ON SURVEY)

CP12 N=7969724.33 E=20515358.76 Z=770.79
½" IRON ROD W/RED CONTROL CAP (AS SHOWN ON SURVEY)

CP13 N=7970063.42 E=20515125.73 Z=768.89
½" IRON ROD W/RED CONTROL CAP (AS SHOWN ON SURVEY)

BENCHMARKS

NORTH AMERICAN VERTICAL
DATUM OF 1988 (NAVD88 - GEOID12A)
IARTN DERIVED - US SURVEY FEET

BM-A ELEV=775.70
TOP OF BOLT AT ARROW

DATE OF SURVEY

NOVEMBER 11,2020

MARK	REVISION	DATE	BY
----	CITY COMMENTS	5/20/2021	

Engineer: TAC | Checked By: NHS | Scale: 1" =
Technician: NHS | Date: 05/05/2021 | T-R-S: TTN-RRW-SS
Project No: 120.1068.07 | Sheet C104

NORTH LIBERTY, IOWA

PENN STREET PLACE

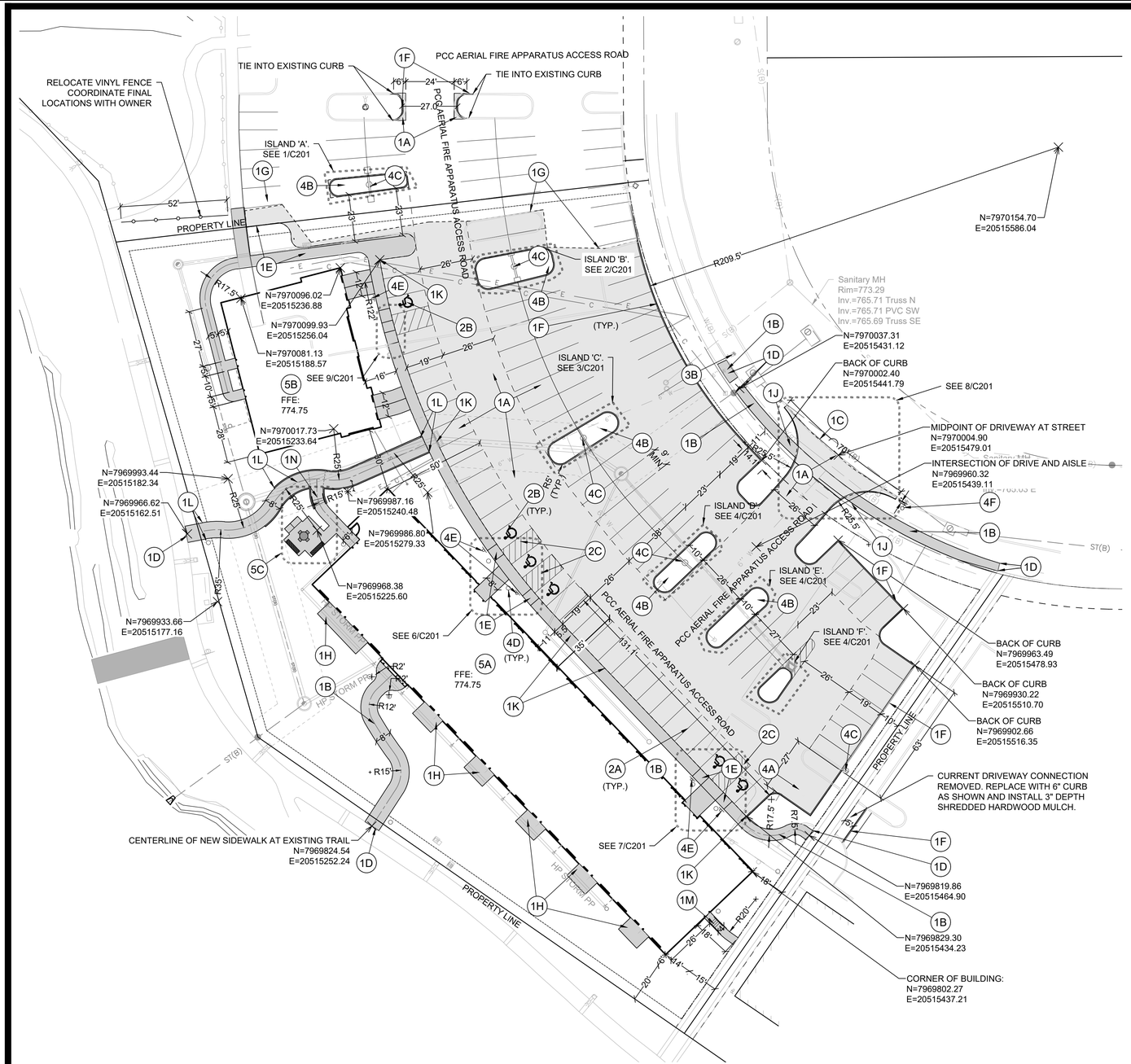
EXISTING SITE SURVEY

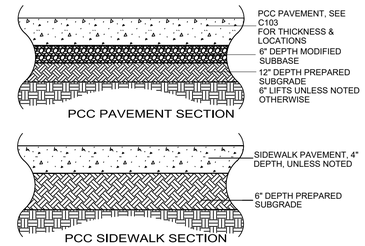
SNYDER & ASSOCIATES, INC.
2727 S.W. SNYDER BLVD
ANKENY, IOWA 50023
515-964-2020 | www.snyder-associates.com

SNYDER & ASSOCIATES

Project No: 120.1068.07
Sheet C104

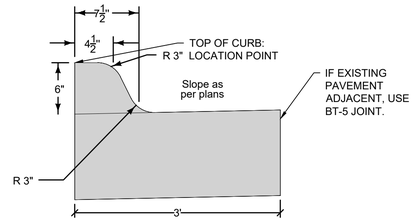
V:\Projects\2012\01.120.1068.07\CADD\Sheet\2021-05-06-BID-SET\120106807-EXHT.dwg NICHOLAS H. STREHS, EXISTING SITE SURVEY, 2021/05/19, 4:21 PM, ANSI FULL BLEED D (34.00 X 22.00 INCHES)





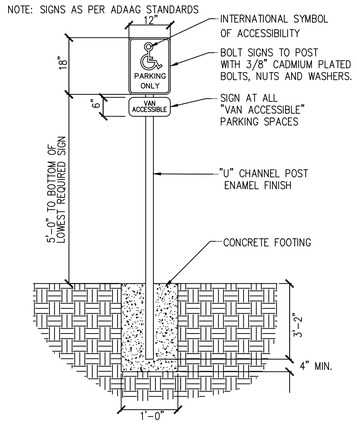
TYPICAL PAVEMENT CROSS SECTIONS

1 / C200 — NOT TO SCALE



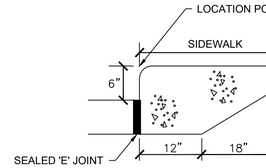
6" STANDARD CURB

2 / C200 — NOT TO SCALE



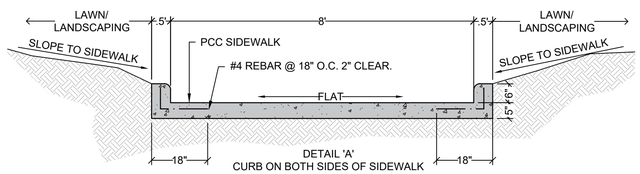
ACCESSIBLE PARKING SIGN

3 / C200 — NOT TO SCALE



PCC SIDEWALK W/ INTEGRAL CURB PER SUDAS 7030.202 ITEM #1K

4 / C200 — NOT TO SCALE



5" DEPTH REINFORCED SIDEWALK BETWEEN BUILDINGS CROSS SECTION ITEM #1L

5 / C200 — NOT TO SCALE

SITE LAYOUT PLAN CONSTRUCTION NOTES

1. PAVEMENTS, PROVIDE THE FOLLOWING:
   A. PCC DRIVES AND PARKING. REFER TO C103. 6" PAVEMENT IN AREAS INTENDED FOR AERIAL FIRE APPARATUS ACCESS ROAD.
   B. PCC SIDEWALKS, 4" DEPTH PAVEMENT.
   C. CONNECT TO EXISTING PAVEMENT WITH SUDAS TYPE "A" DRIVEWAY WITH RADII. CONNECTION (7030.101). MATCH EXISTING ELEVATIONS.
   D. MATCH EXISTING SIDEWALK ELEVATIONS.
   E. ADA PEDESTRIAN RAMP WITH A MAXIMUM SLOPE OF 8.33%. PROVIDE DETECTABLE WARNINGS WHEN SHOWN PER SUDAS 7030.206.
   F. 6" STANDARD CURB. SEE DETAIL ON THIS SHEET.
   G. CONNECT TO EXISTING PAVEMENT, BT-5 JOINT.
   H. PCC PATIOS. SEE ARCHITECTS PLANS FOR MORE INFORMATION.
   J. ADA DETECTIBLE WARNING PANELS. PER SUDAS.
   K. PCC SIDEWALK WITH INTEGRAL CURB PER SUDAS 7030.202. SEE 4/C200.
   L. 5" DEPTH SIDEWALK WITH INTEGRAL CURB. SEE 5/C200.
   M. SUDAS TYPE A PCC STAIRS WITH SUDAS HANDRAILS. SEE SUDAS DETAIL 9080.101. 12" TREADS/ 6" RISERS.
   N. SUDAS TYPE B PCC STAIRS WITH SUDAS HANDRAILS. SEE SUDAS DETAIL 9080.102. 12" TREADS/ 6" RISERS.

2. PAVEMENT MARKINGS, PROVIDE THE FOLLOWING:
   A. 4" WIDE WHITE PAINTED PARKING STALL LINES.
   B. PAINTED STATE OF IOWA APPROVED ACCESSIBLE PARKING SYMBOL.
   C. ACCESSIBLE AISLE. 45° STRIPING AT 3' ON CENTER SPACING WHERE SHOWN.

3. UTILITIES: SEE UTILITY PLAN.

4. SITE AMENITIES AND SIGNAGE, PROVIDE THE FOLLOWING:
   A. TRASH ENCLOSURE, SEE ARCHITECTURAL PLANS FOR DETAIL.
   B. LANDSCAPED PARKING LOT ISLANDS.
   C. PARKING LOT LIGHTING.
   D. LIGHT BOLLARDS. SEE ELECTRICAL PLAN SHEETS.
   E. PROVIDE VAN ACCESSIBLE PARKING SIGNAGE AS PER ADAAG REQUIREMENTS. SEE DETAIL.
   F. RELOCATED STREET LIGHT.

5. BUILDINGS AND RELATED IMPROVEMENTS:
   A. 4-STORY RESIDENTIAL BUILDING. SEE ARCHITECTURAL PLANS.
   B. FUTURE COMMERCIAL BUILDING: FFE 774.75.
   C. COMMON AMENITY AREA. SEE 5/C201.

N

0 30 FEET

MARK	DATE	BY
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---	5/20/2021	
CITY COMMENTS		
REVISION		

Engineer: TAC | Checked By: NHS | Scale: 1" =
Technician: NHS | Date: 05/05/2021 | T-R-S: TTN-RRW-SS
Project No: 120.1068.07 | Sheet C200

NORTH LIBERTY, IOWA

PENN STREET PLACE

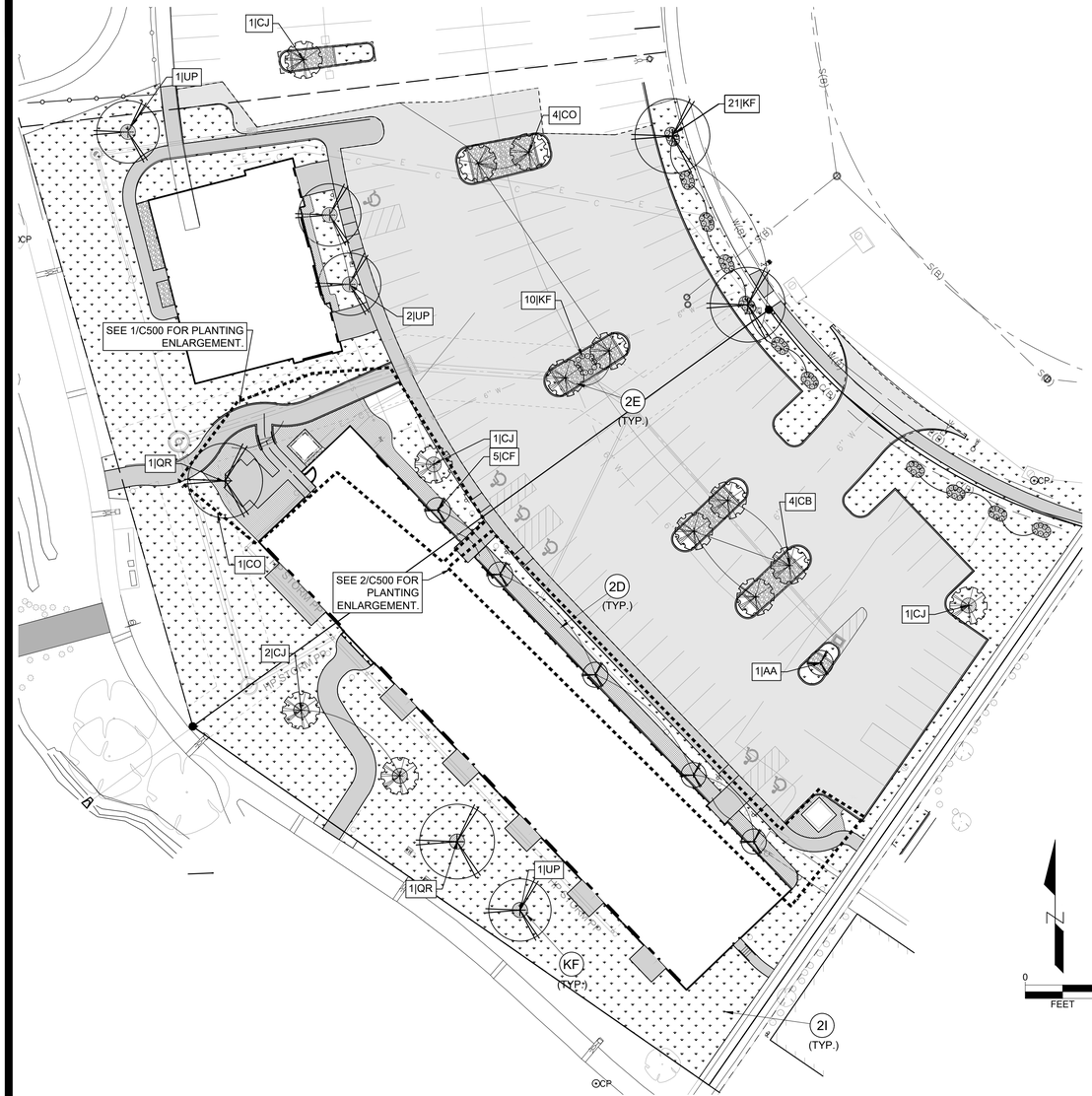
DIMENSION PLAN

SNYDER & ASSOCIATES, INC.
320 E. PRENTISS STREET
IOWA CITY, IOWA 52240
319-359-7676 | www.snyder-associates.com

SNYDER & ASSOCIATES

Project No: 120.1068.07

Sheet C200



PLANTING PLAN GENERAL NOTES

1. PLANTING UTILITY NOTES

A. UTILITY WARNING:
THE UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND/OR RECORDS OBTAINED. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEY FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED.

B. NOTIFY UTILITY OWNERS PRIOR TO BEGINNING ANY CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR DETERMINING EXISTENCE, EXACT LOCATION AND DEPTH OF ALL UTILITIES. AVOID DAMAGE TO UTILITIES AND SERVICES DURING CONSTRUCTION. ANY DAMAGE DUE TO THE CONTRACTOR'S CARELESSNESS SHALL BE CORRECTED AT THE CONTRACTOR'S EXPENSE. COORDINATE AND COOPERATE WITH UTILITY COMPANIES DURING CONSTRUCTION.

2. PLANTING INSTALL NOTES

A. ALL PLANT MATERIAL SHALL AT LEAST MEET MINIMUM REQUIREMENTS SHOWN IN THE "AMERICAN STANDARDS FOR NURSERY STOCK" (ANSI Z60.1-LATEST EDITION).

B. CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR FROM DATE OF INSTALLATION.

C. PROVIDE A MIN. 3-FOOT PERIMETER RING OF SHREDDED HARDWOOD MULCH, 3" DEPTH. AROUND ALL TREES, UNLESS NOTED OTHERWISE. PROVIDE VERTICAL CUT NATURAL EDGE TO A DEPTH OF 4-INCHES.

D. PROVIDE 3" DEPTH SHREDDED HARDWOOD MULCH IN ALL MULCH BEDS, UNLESS NOTED OTHERWISE. PROVIDE VERTICAL CUT NATURAL EDGE TO A DEPTH OF 4-INCHES.

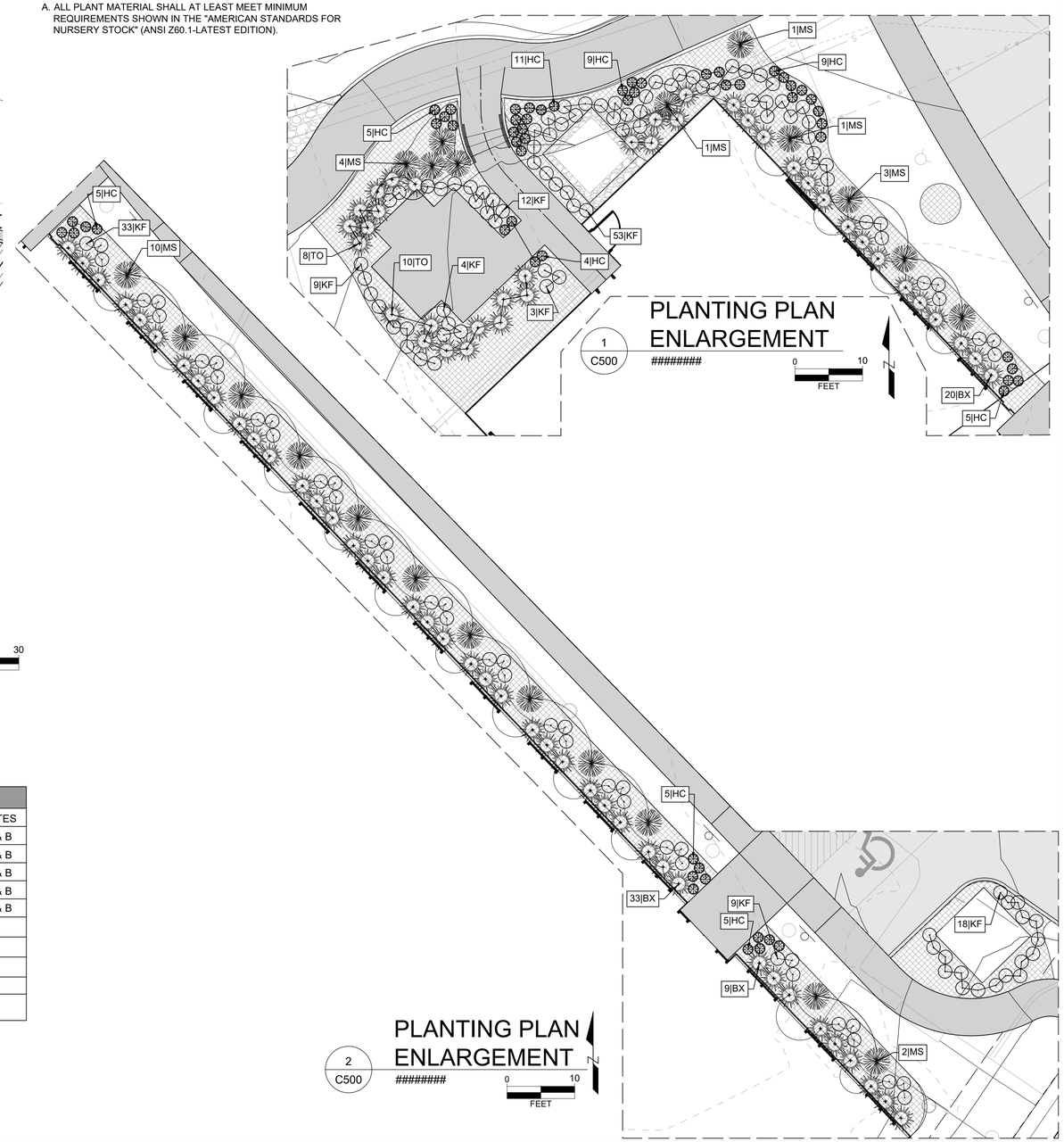
E. PROVIDE 3" DEPTH WASHED RIVER ROCK MULCH AT LOCATIONS SHOWN. COLOR PER OWNER. RIVER ROCK BED EDGED WITH 6" LIMESTONE EDGER PER OWNER AT MEDIANS ONLY.

F. SEED ALL AREAS DISTURBED BY CONSTRUCTION WITH TYPE 1 SUDAS PERMANENT LAWN SEED MIX, UNLESS NOTED OTHERWISE.

G. PROVIDE TYPE 2 (PERMANENT COOL SEASON MIXTURE FOR SLOPES AND DITCHES) SUDAS SEED MIXTURE ON ALL 3:1 OR GREATER SLOPES.

H. PROVIDE TYPE 5 (RURAL TEMPORARY EROSION CONTROL) SUDAS SEED MIXTURE FOR ALL DISTURBED AREAS ON NEIGHBORING PROPERTY OWNER TO THE NORTH AND SOUTH.

I. PROVIDE SUDAS TYPE 1 SEEDING AS SHOWN AND PER SUDAS AND CITY STANDARDS.



PLANTING PLAN ENLARGEMENT
1 C500
########
0 10
FEET

PLANTING PLAN ENLARGEMENT
2 C500
########
0 10
FEET

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0 30
FEET

PLANT SCHEDULE					
TYPE	KEY	SCIENTIFIC NAME	COMMON NAME	INSTALL SIZE	NOTES
TREES	CB	CARPINUS BETULUS FASTIGIATA	Fastigiata European Hornbeam	1-1/2" CAL.	B & B
	CJ	CERCIDIPHYLLUM JAPONICUM 'RED FOX'	Red Fox Katsura Tree	1-1/2" CAL.	B & B
	CO	CORYLUS COLURNA	Turkish Filbert	1-1/2" CAL.	B & B
	TO	THUJA OCCIDENTALIS	DWARF ARBORVITAE	3 'HT.	B & B
	UP	ULMUS PARVIFOLIA 'BOSQUE'	Bosque Lacebark Elm	1-1/2" CAL.	B & B
SHRUBS/ GRASSES/ PERNNIALS	BX	BUXUS 'GREEN VELVET'	Green Velet Boxwood	5 GAL.	
	HC	HEMEROCALLIS 'STELLA D'ORO'	Stella D'oro Daylily	1 GAL.	
	KF	CALAMAGROSTIS × ACUTIFLORA 'KARL FOERSTER'	Karl Foerster Feather Reed Grass	2 GAL.	
	MS	MISCANTHUS SINENSIS 'MORNING LIGHT'	Morning Light Silver Grass	3 GAL.	

MARK	REVISION	DATE	BY
----	----	----	
	CITY COMMENTS	5/20/2021	

Engineer: TAC | Checked By: NHS | Scale: 1" =
Technician: NHS | Date: 05/05/2021 | T-R-S: TTN-RRW-SS

Project No: 120.1068.07

Sheet C500

NORTH LIBERTY, IOWA

PENN STREET PLACE

LANDSCAPE PLAN

SNYDER & ASSOCIATES, INC.
320 E. PRENTISS STREET
IOWA CITY, IOWA 52240
319-359-7676 | www.snyder-associates.com

SNYDER & ASSOCIATES

Project No: 120.1068.07

Sheet C500

In Favor

Ryan Rusnak

From: kevin@builtbyhbd.com
Sent: Monday, May 03, 2021 9:41 PM
To: Ryan Rusnak
Subject: [EXTERNAL] Liberty Centre

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.

Ryan

My original response nearly 2 months ago, was a knee jerk reaction to how the old policies of development have been administered since World War II. I am not sure when North Liberty last updated their comprehensive plan, but with North Liberty being a very young municipality, the young citizens who will be raising their children and grand children here, should have direct input in how they want the commercial developments to be planned and built.
Now that I have had some time to think and analyze the Liberty Centre development, the residential density within 300 to 400 yards of the commercial lots should have been 20 to 40 units per acre, instead of the 8 to 12 units per acre. The intent of the development, was to create an area similar to parts of West Des Moines, with shops and restaurants, but the thing that is lacking is the residential density.
Cities encourage developers to make their developments walkable and bikeable, and the more people who are living within walking distance to a commercial area with shops and restaurants, the better the chance of survival for the commercial businesses.
It is good to see a young developer coming forward with some new ideas, attempting to bring more people to this area. Would have liked to see some of the commercial buildings in Liberty Centre to have residential units above, but this can also lead to other issues for business and residents alike, so maybe a stand alone residential building is the best way to increase the density in Liberty Centre.
I will leave it to you and the P & Z Commission whether to approve of the proposed residential building or not, but I very much support increasing the residential units in the Liberty Centre area.
With our world coming out of the pandemic, we would like to see new innovative buildings and developments, catering to new technology, new ways to generate electricity and lower the carbon footprint for these buildings. Maybe grant developers an added density bonus, for building buildings which can lower the carbon footprint?

Can you print this email off, and get a copy to everyone please.

All the best in 2021.

Thank you,

Kevin Hochstedler

Hochstedler Building & Development
P.O. Box 1208
Iowa City, IA 52244
www.builtbyhbd.com
Cell number: 319-631-8072

Realtor/ Lepic Kroeger Realtors

-------- Original Message --------
Subject: RE: [EXTERNAL] Liberty Centre
From: <kevin@builtbyhbd.com>
Date: Sat, March 13, 2021 5:40 pm
To: "Ryan Rusnak" <rrusnak@northlibertyiowa.org>

Ryan

I could see the lots on the south side of Liberty Drive becoming multi family, but the lots on the south side of Community Drive should remain as commercial lots.

Kevin Hochstedler

Hochstedler Building & Development
P.O. Box 1208
Iowa City, IA 52244
www.builtbyhbd.com
Cell number: 319-631-8072
Realtor/ Lepic Kroeger Realtors

-------- Original Message --------
Subject: RE: [EXTERNAL] Liberty Centre
From: Ryan Rusnak <rrusnak@northlibertyiowa.org>
Date: Fri, March 12, 2021 12:53 pm
To: "kevin@builtbyhbd.com" <kevin@builtbyhbd.com>

Kevin,

We had a neighborhood meeting the other day.

Here is the information page:

https://northlibertyiowa.org/2021/02/26/good-neighbor-meeting-for-property-west-of-community-drive-and-south-of-penn-street/

If you scroll to the bottom, you watch a replay of the meeting, which summarizes the proposal.

RYAN RUSNAK, AICP
PLANNING DIRECTOR
(319) 626-5747 office

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

From: kevin@builtbyhbd.com [mailto:kevin@builtbyhbd.com]
Sent: Friday, March 12, 2021 11:00 AM
To: Ryan Rusnak <rrusnak@northlibertyiowa.org>
Subject: [EXTERNAL] Liberty Centre

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.

Ryan

I was involved when Liberty Centre was being developed, Cherry Street being paved, the pond excavated etc.

A number of contacts living in Liberty Centre have contacted me, asking about something new coming to the commercial area of Liberty Centre.

I check on North Liberty's Planning and Zoning agenda, and do not see anything.

Is there any information you can share? Anything being proposed?

Just looking to share information with people living in Liberty Centre.

Thank you,

Kevin Hochstedler

Hochstedler Building & Development
P.O. Box 1208
Iowa City, IA 52244

www.builtbyhbd.com

Cell number: 319-631-8072
Realtor/ Lepic Kroeger Realtors

Ryan Rusnak

From: David Novak <dcnsafety@gmail.com>
Sent: Wednesday, April 28, 2021 2:33 PM
To: Ryan Rusnak
Subject: Re: [EXTERNAL] Good Neighbor meeting

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.

Hi Ryan,

I don't think this area should be rezoned from commercial to residential.

Thanks,

David

On Tue, Apr 20, 2021 at 11:56 AM Ryan Rusnak <rrusnak@northlibertyiowa.org> wrote:

> David,
>
> The developer wants to build a market rate 60 unit apartment building and a 4,200 square foot commercial building.
>
> I have attached pages from the site plan and architectural renderings.
>
> It is anticipated that this will be on the May 4, 2021 Planning Commission meeting.
>
> RYAN RUSNAK, AICP
> PLANNING DIRECTOR
> (319) 626-5747 office
>
> Messages to and from this account are subject to public disclosure unless otherwise provided by law.
>
> -----Original Message-----
> From: David Novak [mailto:dcnsafety@gmail.com]
> Sent: Tuesday, April 20, 2021 9:37 AM
> To: Ryan Rusnak <rrusnak@northlibertyiowa.org>
> Subject: [EXTERNAL] Good Neighbor meeting
>
> 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.

Hi Ryan,

I missed the good neighbor meeting for the rezoning of an area by the North Liberty pond near Tin Roost.

Anyway to give me a brief overview?

Thanks,

David

Sent from my iPhone

Ordinance No. 2021-11

AN ORDINANCE AMENDING CHAPTER 167 OF THE NORTH LIBERTY CODE OF ORDINANCES BY AMENDING THE USE REGULATIONS ON PROPERTY LOCATED ON THE WEST SIDE OF COMMUNITY DRIVE APPROXIMATELY 240 FEET SOUTH OF WEST PENN STREET LOCATED IN NORTH LIBERTY, IOWA TO THOSE SET FORTH IN THE MUNICIPAL CODE FOR THE C-2A PAD HIGHWAY COMMERCIAL DISTRICT PLANNED AREA DEVELOPMENT

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

SECTION 1. AMENDMENT. Chapter 167 of the North Liberty Code of Ordinances (2013) is hereby amended by amending the zoning for the property located on the west side of Community Drive approximately 240 feet south of West Penn Street. The property is more particularly described as follows:

All of Lot 2, Liberty Centre Part 1B, a Subdivision of Lot 13, Liberty Centre Part One, according to the plat thereof recorded in book 52, page 308, Plat Records of Johnson County, Iowa, and part of Lot 12, Liberty Centre – Part One, North Liberty, Iowa, according to the plat thereof recorded in Book 47, Page 107, Plat Records of Johnson County, Iowa, being more particularly described as follows: Beginning at the northeasterly corner of said Lot 2; thence south 33° 51' 37" west 271.61 feet along the southerly line of said Lot 2 to the southeasterly corner of said Lot 2; thence north 56° 08' 20" west 252.48 feet along the westerly line of said Lot 2 to the southwesterly corner of said Lot 2; thence north 16° 55' 54" west 250.42 feet along a westerly line of said Lot 12; thence north 82° 25' 46" east 260.67 feet to the easterly line of said Lot 12; thence southeasterly 273.85 feet along the arc of a 230.00 foot radius curve concave northeasterly (chord bearing south 42° 52' 41" east 257.96 feet) along said easterly line of Lot 12 and along the easterly line of said Lot 2 to the point of beginning and containing 2.32 acres more or less.

Such that said property shall be classified and zoned as C-2A PAD Highway Commercial District Planned Area Development.

SECTION 2. CONDITIONS IMPOSED. The North Liberty Planning Commission voted to recommend approval with no conditions at the May 4, 2021 meeting with the following conditions: **1.** That the bulk regulations on Sheet C101 be revised to "rear yard setback: 20'"; **2.** That the parking calculations on Sheet C101 be revised for the Tin Roost to "restaurant – 1 for every 100 SF – 81 spaces". 81 parking spaces was shown on the 2016 approved site plan; **3.** That a Plat of Survey be prepared and recorded, which shows the reconfigured lots and all easements. All easements shall be subject to approval as to form and content by the City Attorney; **4.** That the ownership of the newly created lot be transferred from NLCD Lot 12 LC to a new ownership entity; **5.** That a temporary construction easement be obtained for the construction occurring on Lot 1 Liberty Center Part 1B. The easement shall be subject to approval as to form and content

by the City Attorney; **6.** That the Driveway Crossing Detail on Sheet C201 be amended such that the public sidewalk be designed and constructed through the proposed drive approach at sidewalk elevation and detectable warnings be removed in accordance with SUDAS and North Liberty amendments to SUDAS; **7.** That the plans be updated to provide sufficient detail on grading and all spot elevations, slopes, etc, especially near the proposed overflow weir location; **8.** That the plans be updated to demonstrate how the overland overflow route for the Community Drive will flow through this site without causing damage to buildings and property. That the plans graphically illustrate the 100-year ponding elevation on site as the overland flow flows over the proposed weir to the pond; **9.** That the plans be updated to clearly list the inverts and length/slope of 24" storm sewer pipe on the plans and that the drainage analysis be revised accordingly. This is due to the existing 24" storm sewer pipe running through this site being listed at 2.6% in the 5-year drainage analysis and the same pipe being listed as 1.7% slope in the 100-year drainage analysis. Surveyed inverts/slopes are not clearly provided on the plans, but appear to be 1.7% slope; **10.** That the drainage calculations be revised to address the following: Provide supporting calculations and the computer generated HGL line for the 100-year storm event; Shive-Hattery did not provide a 100-year pond elevation of 767.00. This was simply a guess. Remove this statement from the report. The Snyder calculations appear to have the 100-year pool elevation on the last page. The engineer is responsible for determining the tailwater elevation for the drainage analysis; The calculations need to include the analysis of the emergency overland flow between the proposed two buildings. Show all supporting calculations. The paragraph submitted is not acceptable with "rough" elevations and no calculations. This paragraph is also based on a weir elevation of 773.00. The elevation on the grading plans show one spot elevation at this location (more information is needed on the grading plans) of 773.50; **11.** That the revised plans and stormwater report be signed and sealed.

SECTION 3. ZONING MAP. It is hereby authorized and directed that the Zoning Map of the City of North Liberty, Iowa, be changed to conform to this amendment upon final passage, approval and publication of this ordinance as provided by law.

SECTION 4. RECORDATION. The City Clerk is hereby authorized and directed to record this ordinance at the Johnson County Recorder's office upon final passage and approval.

SECTION 5. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 6. 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 7. 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 8. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on _____.
Second reading on ____.
Third and final reading on _____.

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. 2021-10 in the *North Liberty Leader* on _____.

_____
TRACEY MULCAHEY, CITY CLERK

North Liberty
IOWA

Additional Information

North Liberty Fire Department
2021 Monthly/YTD Response Report

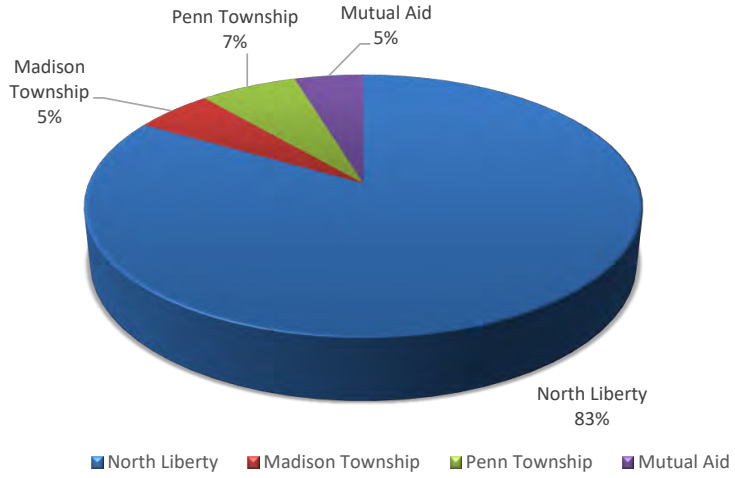
North Liberty Fire Department Responses By Fire District

	January	February	March	April	May	June	July	August	September	October	November	December	Year To Date	Percent To Date
North Liberty	99	88	101	101									389	83.30%
Madison Township	4	11	3	7									25	5.35%
Penn Township	8	9	5	9									31	6.64%
Mutual Aid	4	7	5	6									22	4.71%
Total Responses	**115**	**115**	**114**	**123**									**467**	

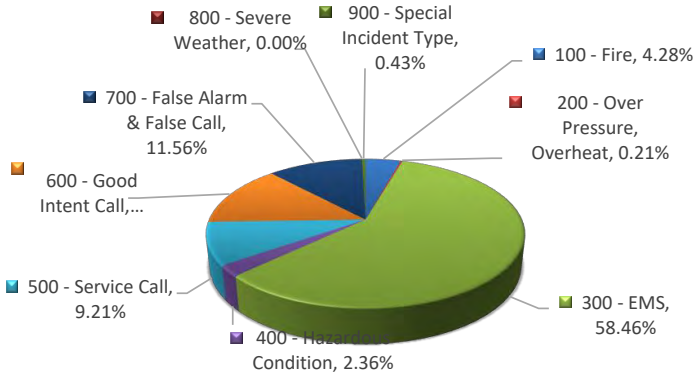
North Liberty Fire Department Responses By Type of Incident

	January	February	March	April	May	June	July	August	September	October	November	December	Year To Date	Percent To Date
100 - Fire	1	6	6	7									20	4.28%
200 - Over Pressure, Overheat				1									1	0.21%
300 - EMS	70	56	72	75									273	58.46%
400 - Hazardous Condition	2	2	3	4									11	2.36%
500 - Service Call	16	10	8	9									43	9.21%
600 - Good Intent Call	10	22	14	17									63	13.49%
700 - False Alarm & False Call	15	19	10	10									54	11.56%
800 - Severe Weather														
900 - Special Incident Type	1		1										2	0.43%
Total Responses	**115**	**115**	**114**	**123**									**467**	

2021 District Responses YTD (Rounded Percentage)



2021 Type of Incidents YTD (Percentage)



North Liberty Fire Department
2021 Monthly/YTD Response Report

North Liberty Fire Department Response Statistics (All Incidents)

	January	February	March	April	May	June	July	August	September	October	November	December	Year To Date	
Total Responses for Month	115	115	114	123	0	0	0	0	0	0	0	0	467	
Average Responders per Incident	5.1	5.3	5.8	6.6									5.7	
# Incidents with 2 or less Responders	13	15	10	6									44	
% Incidents with 2 or less Responders	11.3%	13.0%	8.8%	4.9%									9.4%	
# Incidents with No NLFD Response	0	0	0	0									Year To Date	Percent To Date
# Incidents Cancelled Enroute or Prior to Arrival	7	17	10	14									48	10.28%
# Incidents Cancelled by JCAS	2	2	3	1									8	16.67%
# Incidents Cancelled by JECC	0	3	4	2									9	18.75%
# Incidents Cancelled by Law Enforcement	3	8	0	8									19	39.58%
# Incidents Cancelled by Fire Department	2	4	3	3									12	25.00%

North Liberty Fire Department Emergent Response Turnout Statistics (Lights & Sirens)

	January	February	March	April	May	June	July	August	September	October	November	December	
Total Emergent (Lights & Sirens) Responses for Month	67	68	67	71									
# of Incidents with Turnout Time 2 Minutes or Less - PPC/Admin	12	12	21	13									
# of Incidents with Turnout Time 2 Minutes or Less - PT	7	9	10	9									
# of Incidents with Turnout Time 2 Minutes or Less - Total	19	21	31	22									Year To Date
% Incidents with Turnout Time 2 Minutes or Less	28.4%	30.9%	46.3%	31.0%									
90th Percentile Turnout Time - (Minutes) Part-Time	3:46	3:07	2:30	2:07									2:50
90th Percentile Turnout Time - (Minutes) Paid Per Call	9:09	6:37	3:30	4:30									6:10

**(Turnout Time is defined as Dispatch Time to Unit Enroute Time)(PPC-Paid Per Call)(PT-Part Time)

North Liberty Fire Department Auto Aid & Mutual Aid Given

	January	February	March	April	May	June	July	August	September	October	November	December	Year To Date	Percent To Date
Auto Aid - Coralville (52001)	1	3	3	2									9	1.93%
Auto Aid - Iowa City (52003)				1									1	0.21%
Auto Aid - Solon (52008)	2	1	3										6	1.28%
Auto Aid - Swisher (52009)	1	3	1	3									8	1.71%
Mutual Aid - Other Fire Departments													0	0.00%
Total Responses	4	7	7	6	0	0	0	0	0	0	0	0	24	5.14%

North Liberty Fire Department Auto Aid & Mutual Aid Received

	January	February	March	April	May	June	July	August	September	October	November	December	Year To Date	Percent To Date
Auto Aid - Coralville (52001)	1	1	1	3									6	1.28%
Auto Aid - Iowa City (52003)				1									1	0.21%
Auto Aid - Solon (52008)	1	1	1	3									6	1.28%
Auto Aid - Swisher (52009)	2	6	2	4									14	3.00%
Mutual Aid - Other Fire Departments			1										1	0.21%
Total Responses	4	8	5	11	0	0	0	0	0	0	0	0	28	6.00%

North Liberty
IOWA

MEMORANDUM

To North Liberty Mayor and City Council Members
CC Ryan Heiar, City Administrator
From Brian Platz, Fire Chief
Date May 17th, 2021
Re Fire Department Report to Council – May 2021

As you read this report, we are nearing the end of the first month with our new class of probationary firefighters. They continue to gain skills and soon we will allow them to respond to calls. They infuse a great deal of energy into the department and are itching to do more! Capt. Humston has a finely tuned program and we are expecting great things as they continue their path to become North Liberty Firefighters.

The department hosted a badge pinning ceremony on April 24th. We pinned two classes of new firefighters that morning. We were a bit delayed in getting this accomplished due to the pandemic. The ceremony took place in the apparatus bay where we were able to ensure distancing. Each new firefighter was able to invite three of their family/friends to take part in the program. It was great to have non-department members back in the station, and we look forward to more of these opportunities. On that same note, because of the pandemic, we limited our attendance for this event. We truly missed the ability to have elected officials and city administration present. Your presence allows us to take this ceremony to the next level. We hope to be back to normal and extend you invitations when we pin our newest class of firefighters next spring. Stay tuned!

New lettering went up on the Cherry Street side of the station. This is the last component of the year-long update to the exterior of the building. The lettering is the same style and font that's on the new police station. The Home Repair Team donated the funds to purchase the letters. The owner of the Home Repair Team, Rob Hajek, also took a few hours of his time to provide us with direction on how to install the letters. We really like the result and we believe that the building looks more complimentary to the new police station across the street.

As we look to the new fiscal year, department administration is ramping up to expand our part-time program. Part-time hours will be extended into the weekend in order to better handle gaps in service. We won't be able to staff the entire weekend, but it's a start. We are in the process of determining the correct hours of coverage, how many additional part-time staff it will take to cover the hours, and the best process to bring in non-incumbent firefighters to participate in the program. We have some work to do prior to July but we are committed to reaching our goal. As I have stated in the past, the department appreciates your support by allowing us the ability to expand this program which gets us to the next step in our staffing plan.

North Liberty Board of Trustees Meeting
Virtual Meeting

DATE: April 19, 2021 6:30 P.M.

PRESENT: Heidi Wood, Chris Mangrich, Laura Hefley, Mike Healy, Scott Clemons, Jessica Beck, Library Director Jennie Garner, Collection Development Librarian Andrew Frisbie

ABSENT:

Call to Order (L. Hefley)

1) Additions/Changes to the Agenda
    a) None
2) Public Comment
    a) None
3) Approval of the Minutes
    a) S. Clemons to remove 'Participated in' from (1)(a)
    b) March meeting minutes as amended above motion to approve by M. Healy; second S. Clemons; approved by voice vote
4) Reports
    a) Staff Introduction
        i) Collection Development Librarian Andrew Frisbie
            (1) Checkouts over last 12 months
                (a) Increase in primary content – perhaps due to curated selections
            (2) Circulation numbers follow COVID restrictions and lag last year by about 40%
            (3) cloudLibrary phone app card/account management with digital content launch 3/1
                (a) Similar to Digital Johnson County/Overdrive, but content shared with new set of subscriber libraries
            (4) Increase in Kanopy viewership invoices covered by decrease in DVD purchases
            (5) Demand Modeling
                (a) Using patron usage statistics to inform collection development.
                (b) Target – Reader Availability between .70 and .90 within each rhizome (category) where availability is determined by idleness on shelf, circulations, current status, and other statistics.
                (c) State reporting shows consistent management of collection over last year
    b) Budget
        i) At 67.59% against 75% average
        ii) Going forward financial information presented to Trustees with new software reporting

c) Director
    i) Three new library assistants started – fully staffed
    ii) A collaborative position, “Outreach & Equity Coordinator” under Communications Department hoped to be hired later this year
    iii) Reopening plan should complement area libraries and Recreation Center with hours posted online
    iv) Lighthouse in Library event was very well received
    v) Endowment over $54,000
    vi) Rotary Club Coralville-North Corridor president considering a grant project focusing on our Family Place Libraries initiative programming

5) Policy Review
    a) Motion to approve Proctoring Policy by L. Hefley; second J. Beck; approved by voice vote
    b) Motion to approve Volunteer Policy by M. Healy; second L. Hefley; approved by voice vote
6) Old Business
    a) None
7) New Business
    a) None

Adjourn

Motion to adjourn by L. Hefley

NEXT MEETING DATE: May 17, 2021 at 6:30 P.M.

Meeting minutes recorded by S. Clemons