



**North Liberty City Council
Regular Session
May 9, 2023**



City Administrator Memo



To **Mayor and City Council**
 From **Ryan Heiar, City Administrator**
 Date **May 5, 2023**
 Re **City Council Agenda May 9, 2023**

Consent Agenda

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

- City Council Minutes (04/25/23)
- Claims
- Pay Application #7 (Final) and Project Acceptance, Pool Heater Project, Tricon General Construction, \$22,343.19

Meetings & Events

Tuesday, May 9 at 6:30p.m.
City Council

Monday, May 15 at 7:00p.m.
Library Board

Tuesday, May 23 at 6:30p.m.
City Council

2023A Bond Issuance

Annually, the City borrows funds to pay for projects that have been or are nearing completion. Because the City's cash position is solid, it has the ability to borrow after the fact, which saves money on interest and eliminates uncertainty of identifying exact project costs prior to the completion of the project.

2023A Bond Issuance

<i>Centennial Park Loop Drive</i>	\$634,000
<i>Ranshaw Way, Phase 5 [B]</i>	\$2,740,000
<i>N. Jones Boulevard</i>	\$1,890,000
<i>Dubuque Street, Phase 1 [A]</i>	\$2,800,000
<i>City Hall [A]</i>	\$920,000
<i>Borrowing Fees</i>	\$451,000
TOTAL	\$9,435,000

The bond sale occurred on Tuesday, April 25, with the winning bid submitted by Stifel, Nicolaus & Co., Inc., Birmingham, Alabama. The true interest cost (TIC) of this issuance is 3.44%. The last procedural step in this process, before closing on the bonds in early June, is for Council to approve the resolution authorizing and approving the loan agreement with Stifel, Nicolaus & Co. Staff recommends approval of the resolution.

Assessment Resolution

Recently, City staff was forced to issue an emergency nuisance abatement order after a resident placed a large amount of firewood in the middle of an alley with the intent to inhibit traffic flow. After the abatement notice was issued, the resident was offered an opportunity to appeal but declined. In this case, the code required City staff to remove the firewood from the public right-of-way. Further, the code stipulates that the City collect the costs associated with the abatement work (\$300) through the assessment process. Staff recommends approval of the assessment resolution.

Parking Resolution

City staff has been working over the past several months to rectify inconsistencies with installed parking control devices and the adopted resolution. In most instances, there appears to have been a disconnect between signs installed as part of a public construction project and the formal approval. Staff has identified the solution for these projects moving forward. Two notable changes include Front Street between Cherry Street and Zeller Street and Zeller Street between Ranshaw Way and Dubuque Street. Front Street is already signed as “No Parking Any Time”, however the approved resolution allows parking between 6:00 a.m. and 6:00 p.m. on the east side on even numbered days and west side on odd numbered days, respectively. Zeller Street is currently signed to allow parking between 6:00 a.m. and 6:00 p.m. on the north side on even numbered days and south side on odd numbered days, respectively. This a safety concern due to Zeller Street being a high-volume collector street with inadequate width to accommodate on-street parking. Relatedly, this spring/summer city staff will begin locating publicly installed signs to incorporate them into the City’s GIS software. Staff recommends approval of the resolution.

Communications Advisory Commission

Included in the packet is a memo from Communications Director Nick Bergus outlining a number of anticipated and recommended changes within the structure of the Communications Department. Since the inception of the Department, which was originally labeled Telecommunications, responsibilities have evolved as legislation, policy and roles have changed. Today’s Communication Department does much more than communicate with our residents; rather, they are fully engaged within the community through event planning, outreach programming, economic development work and more. With the creation and implementation of programs such as Neighborhood Ambassadors, and the Youth Council, which provides a more robust opportunities for engagement and participation, the Communications Advisory Commission is no longer the most efficient and best use of the resident’s or staff’s time. As such, staff is recommending approval of an ordinance that will decommission Communications Advisory Commission.

City Initiated Zoning Map Amendments (4), First Reading

During its meeting on April 25, the City Council tabled four proposed rezoning actions because of errors in how they were published on the agenda. The incorrect information contained in the agenda from the 25th is not corrected simply by tabling the items, so while they cannot be acted upon, those four rezonings are still set for this meeting. To properly (and permanently) dispose of the faulty items, the Council should move to table

the items held over from the previous meeting indefinitely. From there, the City Council can consider the four ordinances that have been properly published on this agenda.

The four City-initiated rezonings are being proposed to achieve consistency with the new Comprehensive Plan - Connected to Tomorrow - which was adopted by City Council on February 28, 2023. The adoption of Connected to Tomorrow is a directive to align the Zoning Ordinance and Map with the comprehensive plan. To quote the Plan, "Policymakers, most notably the City Council and Planning and Zoning Commission, will help set the course to realize this plan. These are the bodies to create and administer the policies that shape development in North Liberty. The plan should be a reliable guide to help with decisions related to large-scale policies and individual projects." Staff has elected to initiate consistency rezonings based on geographic areas. Staff utilized Table 3.4: Land Use Compatibility on page 47 of Connected to Tomorrow and the existing use of the property, if any, in its determination of the appropriate zoning district. Notice (certified and regular mail) of the Planning Commission and City Council public hearings were sent to the property owner(s) listed in public records. The property owner representing Random Commercial Properties, LLC at 250 Ranshaw Way expressed concern over the rezoning from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District at the Planning Commission public hearing. The Planning Commission unanimously recommended approval of all four requests at its April 18 meeting. Staff also recommends approval of the rezonings.

Twopoint2, LLC & Vantage Point Properties, LLC Zoning Map Amendment, Second Reading

Twopoint2, LLC and Vantage Point Properties, LLC rezoning request to C-2-A PAD Highway Commercial District Planned Area Development - west side of Ranshaw Way approximately 280 feet south of West Cherry Street. Road - would facilitate rehabilitation of the property for multiple tenants with the upcoming relocation of A2Z Plumbing to its new location on 240th Street. The primary reason for the PAD is to allow flexibility related to design.

Staff recognizes that design requirements for greenfield developments are effective, but strict design compliance when redeveloping properties can be a challenge, particularly when they were built prior to current standards. The virtual good neighbor meeting on March 21 was attended by a couple of people outside of the applicant and City staff. No objections have been received. The Planning Commission unanimously recommended approval of the request at its April 18 meeting. Staff also recommends approval of the rezoning.

Zoning Ordinance Amendment, Second Reading

This staff-initiated Ordinance would modify the preliminary site plan review regulations to include approval standards, which are absent from the current Code. The approval standards would include a consistency review with the comprehensive plan and any adopted land use policies. Staff asserts the adoption of Connected Tomorrow is a directive to align proposed development with the comprehensive plan. This would be a critical component of the preliminary site plan review process considering the temporary Moratorium Ordinance on site plans inconsistent with the 2023 Future Land Use Map expires on May 1, 2023. Also included is the authority to require easements for access to public utilities and to allow emergency access on private developments during the construction site plan review process. The Planning Commission unanimously recommended approval at its April 18 meeting. Staff recommends approval of the Ordinance.



Agenda



CITY COUNCIL

May 9, 2023

6:30 p.m.

Regular Session

Council Chambers

1 Quail Creek Circle

1. Call to order
2. Roll call
3. Approval of the Agenda
4. Consent Agenda
 - A. City Council Minutes, Regular Session, April 25, 2023
 - B. Claims
 - C. Pay Application Number 7 – Pool Heater Project, Tricon General Construction, \$22,343.19
 - D. Acceptance of Pool Heater Project
5. Public Comment
6. Engineer Report
7. City Administrator Report
8. Mayor Report
 - A. Bike Month and Bike to Work Week Proclamation
 - B. Older Americans Month Proclamation
9. Council Reports
10. 2023A Bond Sale
 - A. Resolution Number 2023-50, A Resolution authorizing and approving a Loan Agreement, providing for the issuance of \$9,435,000 General Obligation Corporate Purpose Bonds, Series 2023A, and providing for the levy of taxes to pay the same
11. Assessment Resolution
 - A. Resolution Number 2023-51, A Resolution assessing delinquent amounts owed to the City of North Liberty, Iowa to individual property taxes

12. Parking Resolution
 - A. Resolution Number 2023-52, A Resolution approving parking control devices in the City of North Liberty, Iowa

13. Communications Advisory Commission Ordinance Repeal
 - A. Public Hearing regarding proposed ordinance amendment
 - B. First consideration of Ordinance Number 2023-12, An Ordinance repealing Chapter 25 of the North Liberty Code of Ordinances, Communications Advisory Commission

14. City Initiated Zoning Map Amendments (Tabled at April 25, 2023 meeting)
 - A. Possible action on tabling indefinitely
 - B. First consideration of Ordinance Number 2023-07, An Ordinance amending the Zoning Map Designation for Certain Property Located in North Liberty, Iowa from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District
 - C. First consideration of Ordinance Number 2023-08, An Ordinance amending the Zoning Map Designation for Certain Property Located in North Liberty, Iowa from I-1 Light Industrial District to C-1-B General Commercial District
 - D. First consideration of Ordinance Number 2023-09, An Ordinance amending the Zoning Map Designation for Certain Property Located in North Liberty, Iowa from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District
 - E. First consideration of Ordinance Number 2023-10, An Ordinance amending the Zoning Map Designation for Certain Property Located in North Liberty, Iowa from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District

15. City Initiated Zoning Map Amendment on property owned by 160-965, LLC
 - A. Staff and Commission recommendations
 - B. Public Hearing regarding proposed zoning amendment
 - C. First consideration of Ordinance Number 2023-14, An Ordinance amending the Zoning Map Designation for Certain Property Located in North Liberty, Iowa from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District

16. City Initiated Zoning Map Amendment on property owned by Mackin Estates, LLC
 - A. Staff and Commission recommendations
 - B. Public Hearing regarding proposed zoning amendment

- C. First consideration of Ordinance Number 2023-15, An Ordinance amending the Zoning Map Designation for Certain Property Located in North Liberty, Iowa from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District

- 17. City Initiated Zoning Map Amendment on property owned by Random Commercial Properties, LLC
 - A. Staff and Commission recommendations
 - B. Public Hearing regarding proposed zoning amendment
 - C. First consideration of Ordinance Number 2023-16, An Ordinance amending the Zoning Map Designation for Certain Property Located in North Liberty, Iowa from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District

- 18. City Initiated Zoning Map Amendment on property owned by Stephen M. & Debra B. Carneol
 - A. Staff and Commission recommendations
 - B. Public Hearing regarding proposed zoning amendment
 - C. First consideration of Ordinance Number 2023-17, An Ordinance amending the Zoning Map Designation for Certain Property Located in North Liberty, Iowa from I-1 Light Industrial District to C-1-B Higher-Intensity Commercial District

- 19. Twopoint2, LLC and Vantage Point Properties, LLC Zoning Map Amendment
 - A. Second consideration of Ordinance Number 2023-06, An Ordinance amending the Zoning Map District Designation for Certain Property Located in North Liberty, Iowa from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development

- 20. Zoning Code Ordinance Amendment
 - A. Second consideration of Ordinance Number 2023-11, An Ordinance amending Chapter 165 of the North Liberty Code of Ordinances regarding Preliminary Site Plan Approval Standards and Access Easement Requirements for Utility and Emergency Vehicles

- 21. Old Business

- 22. New Business

- 23. Adjournment



Consent Agenda

City Council
April 25, 2023
Regular Session

Call to order

Mayor Chris Hoffman called the April 25, 2023, Regular Session of the North Liberty City Council to order at 6:30 p.m. in the Council Chambers, 1 Quail Creek Circle. Councilors present: Ashley Bermel, RaQuishia Harrington, Erek Sittig, Brent Smith, and Brian Wayson; absent: none.

Others present: Ryan Heiar, Tracey Mulcahey, Grant Lientz, Ryan Rusnak, Kevin Trom, Kirsten Frey, Tionna Pooler, Brandon Pratt, Cory Hodapp, Melissa Hodapp, John Lohman, Sloane Tyler, Chad Meachum, Abby Brown, Beau Brown, Jesse Bermel, Kathleen McKean, Allison Strickland, Angie Maddux, Jeff Schweitzer, and other interested parties.

Approval of the Agenda

Harrington moved; Wayson seconded to approve the agenda. The vote was all ayes. Agenda approved.

Consent Agenda

Smith moved, Harrington seconded to approve the Consent Agenda including the City Council Minutes, Regular Session, April 11, 2023, Liquor License Renewal for Blue Bird Café, Liquor License Renewal for Revitalize U Med Spa, and the attached list of claims. The vote was all ayes. Consent Agenda approved.

Public Comment

No public comments were offered.

City Engineer Report

City Engineer Trom reported that the Heritage Drainage Project is complete. The contractor is working on underground detention at the City Hall Project. The Library Project is moving along well. The Penn Meadows Park North Parking Lot 100% complete design submittal will be sent to staff on May 3 with staff review after. The first staff review on the West Penn Street reconstruction project is planned for May 5.

City Administrator Report

City Administrator Heiar reported Solomons Entertainment District site plan is on the agenda. City staff is in conversation with the developer for a potential incentive package. The Street Department's sign making machine has been put to good use with the Cherry Street limited parking signs and on-street designated bike route signs being the latest production.

Mayor Report

Mayor Hoffman reported on the author hosting at the library. On Saturday, he was in Des Moines with the Iowa Mayor's Association. He proclaimed NAMI Mental Health Awareness Day, Housing Trust Fund Week, and Arbor Day. Kirsten Frey was present on behalf of the Housing Trust Fund of Johnson County and offered additional information.

Council Reports

Councilor Harrington attended the CVB board meeting with no major report. Councilor Wayson reported that Johnson County was approved for Small Business Assistance loans. Applications will be received at the Coralville Library. Councilor Sittig attended the library author event and offered compliments. He reported that Blues and BBQ is being planned with the headliner announced May 1. He plans to attend the Housing event on Friday. Councilor Bermel reported on the United Way Community Celebration for 2022 and the kickoff for the 2023 campaign.

2023A Bond Issuance

Tionna Pooler presented information on the bids for the sale of bonds received. Council discussed the bond issuance. Bermel moved, Harrington seconded to approve Resolution Number 2023-41, A Resolution awarding General Obligation Corporate Purpose Bonds, Series 2023A. The vote was: ayes – Smith, Sittig, Bermel, Harrington, Wayson; nays – none. Motion carried.

GRD Burluson Annexation

Mayor Hoffman opened the public hearing regarding the annexation of property as requested by GRD Burluson at 6:54 p.m. No oral or written comments were received. The public hearing was closed at 6:54 p.m.

Sittig moved, Wayson seconded to approve Resolution Number 2023-42, A Resolution approving annexation of certain property to the City of North Liberty, Iowa. The vote was: ayes – Bermel, Wayson, Harrington, Sittig, Smith; nays – none. Motion carried.

Street Maintenance Facility Interior Remodel Project

Harrington moved, Sittig seconded to approve Resolution Number 2023-43, A Resolution approving the Services Agreement between the City of North Liberty and Shive-Hattery, Inc. for the Streets & Maintenance Facility (SMF) Interior Remodel Project. The vote was: ayes – Smith, Harrington, Wayson, Sittig, Bermel; nays – none. Motion carried.

Penn St. RR Crossing Project

Harrington moved, Wayson seconded to approve Resolution Number 2023-44, A Resolution approving the Services Agreement between the City of North Liberty and Shive-Hattery, Inc. for the Penn Street Railroad Crossing Improvements Project. After discussion, the vote was: ayes – Smith, Sittig, Wayson, Bermel, Harrington; nays – none. Motion carried.

Water Tower Place Developer's Agreement

Harrington moved, Bermel seconded to approve Resolution Number 2023-45, A Resolution approving the Developer's Agreement for Water Tower Place, North Liberty, Iowa. The vote was: ayes – Harrington, Sittig, Bermel, Smith, Wayson; nays – none. Motion carried.

Water Tower Place Preliminary Site Plan

Rusnak reported that staff and the Planning Commission recommend approval of the application. No applicant was present.

Harrington moved, Sittig seconded to approve Resolution Number 2023-46, A Resolution approving the Preliminary Site Plan for Water Tower Place, Lot 5, North Liberty, Iowa. The vote was: ayes – Smith, Sittig, Harrington, Wayson, Bermel; nays – none. Motion carried.

Solomons Entertainment District Preliminary Site Plan

Rusnak reported that staff and the Planning Commission recommend approval of the application. Brandon Pratt, the applicant, was present and offered to answer questions. The council discussed the application with the applicant and staff.

Harrington moved, Wayson seconded to approve Resolution Number 2023-47, A Resolution approving the Preliminary Site Plan for Solomons Entertainment District, Lots 1 and 2, North Liberty, Iowa. The vote was: ayes –Smith, Wayson, Harrington, Sittig, Bermel; nays – none. Motion carried.

Steindler Orthopedic Clinic Preliminary Plat

Rusnak reported that staff and the Planning Commission recommend approval of the application. No applicant presentation was offered.

Harrington moved, Wayson seconded to approve Resolution Number 2023-48, A Resolution approving the Preliminary Plat for Steindler Medical Park Minor Subdivision, North Liberty, Iowa. The vote was: ayes – Sittig, Wayson, Smith, Bermel, Harrington; nays – none. Motion carried.

Steindler Orthopedic Clinic Preliminary Site Plan

Rusnak reported that staff and the Planning Commission recommended approval of the application.

No applicant presentation was offered.

Bermel moved, Smith seconded to approve Resolution Number 2023-49, A Resolution approving the Preliminary Site Plan for Steindler Medical Park Subdivision, North Liberty, Iowa. After discussion, the vote was: ayes – Bermel, Harrington, Sittig, Smith, Wayson; nays – none. Motion carried.

Modern Horizons, LLC Zoning Map Amendment

Rusnak reported that staff and the Planning Commission recommend approval of the application. The council discussed the application with Rusnak.

Cory Hodapp and Melissa Hodapp, the applicants, were present and offered additional information on the application. The council discussed the application with the applicants.

At 7:43 p.m., Mayor Hoffman opened the public hearing regarding proposed zoning amendment. John Lohman, 562 Fox Run Drive, spoke regarding objections to the application. Sloane Tyler, 45 Vixen Lane, spoke regarding objections to the application. Chad Meachum, 1570 Otter Lane, offered objections regarding the application. Abby Brown, 1530 Otter Lane, spoke regarding objections to the application. Smith left at 7:56 p.m. Beau Brown, 1530 Otter Lane, asked staff about standards of engineering for the traffic study and spoke in opposition of the application. Smith returned at 8:00 p.m. Jesse Bermel, 930 Pheasant Lane, spoke in support of the

application. Kathleen McKean, 551 Fox Run Drive, spoke regarding her objections to the application. Kevin Bullard, 360 Fox Run, spoke regarding objections to the application. Allison Strickland, 340 Fox Run, offered traffic concerns, neighborhood impacts, cost, and other objections to the application. Angie Maddux, 482 Fox Run, spoke regarding her objections to the application. The public hearing was closed at 8:17 p.m.

Bermel moved, Sittig seconded to approve the first consideration of Ordinance Number 2023-05, An Ordinance amending the Zoning Map District Designation for Certain Property Located in North Liberty, Iowa from ID Interim Development District to RS-4 PAD Single Unit Residence District Planned Area Development.

At 8:19 p.m. Council recessed. Council reconvened at 8:25 p.m.

After discussion, the vote was: ayes – Sittig, Wayson; nays- Smith, Harrington, Bermel. Motion failed.

Twopoint2, LLC and Vantage Point Properties, LLC Zoning Map Amendment

Rusnak reported that staff and the Planning Commission recommend approval of the application. Jeff Schweitzer, applicant, offered additional information on the application. The council discussed the application with the applicant.

At 8:53 p.m., Mayor Hoffman opened the public hearing regarding proposed zoning amendment. No oral or written comments were received. The public hearing was closed at 8:53 p.m.

Harrington moved, Sittig seconded to approve the first consideration of Ordinance Number 2023-06, An Ordinance amending the Zoning Map District Designation for Certain Property Located in North Liberty, Iowa from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development. After discussion, the vote was: ayes – Wayson, Harrington, Bermel, Smith, Sittig; nays – none. Motion carried.

City Initiated Zoning Map Amendment on property owned by 160-965, LLC

Rusnak reported that the Planning Commission recommend approval of this application.

The public hearing regarding proposed zoning amendment was opened by the Mayor at 8:55 p.m. No oral or written comments were received. The public hearing was closed at 8:55 p.m.

Bermel moved, Smith seconded to approve the first consideration of Ordinance Number 2023-07, An Ordinance amending the Zoning Map Designation for Certain Property Located in North Liberty, Iowa from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District.

After discussion regarding errors on the agenda, Harrington moved, Wayson seconded to table the four city initiated rezoning applications; property owned by Mackin Estates, LLC, Random Commercial Properties, LLC, Stephen M. & Debra B. Carneol, and 160-965, LLC. The vote was: ayes – Harrington, Smith, Sittig, Bermel, Wayson; nays – none. Items tabled.

Zoning Code Ordinance Amendment

Rusnak reported that the Planning Commission recommends approval of this application. Lientz presented additional information on the agenda item.

At 9:10 p.m., Mayor Hoffman opened the public hearing regarding proposed zoning ordinance amendment. No oral or written comments were received. The public hearing was closed at 9:10 p.m.

Sittig moved, Harrington seconded to approve the first consideration of Ordinance Number 2023-11, An Ordinance amending Chapter 165 of the North Liberty Code of Ordinances regarding Preliminary Site Plan Approval Standards and Access Easement Requirements for Utility and Emergency Vehicles. The vote was: ayes – Wayson, Sittig, Smith, Bermel, Harrington; nays – none. Motion carried.

Old Business

No old business was offered.

New Business

Councilor Wayson reported that City Clean Up Day is Saturday.

Adjournment

Wayson moved; Smith seconded to adjourn at 9:10 p.m. The vote was all ayes. Meeting adjourned.

CITY OF NORTH LIBERTY

By: _____
Chris Hoffman, Mayor

Attest: _____
Tracey Mulcahey, City Clerk

APPLICATION AND CERTIFICATE FOR PAYMENT
AIA DOCUMENT G702

TO OWNER:

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

PROJECT:

North Liberty Aquatic Center Pool
 Water Heater Replacement
 520 West Cherry Street North
 North Liberty, IA 52317

APPLICATION NO: 7
APPLICATION DATE: 12/20/22
PERIOD TO: 12/20/22
PROJECT NO: 1212150

Distribution to:
 OWNER
 CONSTRUCTION
 MANAGER
 ARCHITECT
 CONTRACTOR
 OTHER
 OTHER

FROM CONTRACTOR:

Tricon General Construction
 1230 East 12th Street
 Dubuque, IA 52001

CONTRACT DATE: 06/09/21

CONTRACT FOR: General Construction

VIA ARCHITECT: Shive-Hatery, Inc 2839 Northgate Drive Iowa City, IA 52245

CONTRACTOR'S APPLICATION FOR PAYMENT

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

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

1. ORIGINAL CONTRACT SUM	\$406,000.00
2. Net change by Change Orders	\$40,863.80
3. CONTRACT SUM TO DATE (Line 1 +/- 2)	\$446,863.80
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$446,863.80
5. RETAINAGE:	
a. 5% of Completed Work (Column D + E on G703)	\$0.00
b. 5% of Stored Material (Column F on G703)	\$0.00
TOTAL RETAINAGE (Lines 5a + 5b or Total in Column I of G703)	\$0.00
6. TOTAL EARNED LESS RETAINAGE	\$446,863.80
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$424,520.61
8. CURRENT PAYMENT DUE	\$22,343.19
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$0.00

CONTRACTOR: Tricon Construction Group

By: Cindy Gotts Date: 12-20-2022

State of: Iowa County of: Dubuque
 Subscribed and sworn to before me this 20th day of December 2022
 Notary Public:

Mary K. Stone



CERTIFICATE FOR PAYMENT

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

AMOUNT CERTIFIED \$ 22,343.19

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

ARCHITECT

Ted Krausman

By: _____ Date: April 25, 2023

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

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months	\$40,863.80	
Total approved this Month		
TOTALS:	\$40,863.80	\$0.00
NET CHANGES by Change Order:	\$40,863.80	

MEMORANDUM

TO: Mr. Ryan Heiar, City Administrator
FROM: Ted Krausman, P.E., QCxP
DATE: April 25, 2023
RE: North Liberty Aquatic HVAC Replacement

Shive-Hattery recommends final payment of \$22,343.19 to Tricon General Construction as indicated, acceptance of the improvements and closeout of the project.

Please contact our office with any questions.

Sincerely

SHIVE-HATTERY, INC.



Ted Krausman, PE, QCxP

/atf

Enc. Pay Application No. 7 - Final

Copy: Tracey Mulcahey, Assistant City Administrator
Kevin Trom, S-H
Mike Scott, Tricon





Mayor Report



PROCLAMATION

Bike Month and Bike to Work Week

Whereas, the bicycle is an economical, environmentally sound, and effective means of transportation, recreation, and fitness; and

Whereas, the bicycle is considered a legitimate vehicle in all 50 states and is entitled to legal and responsible use of all public roads in Iowa, except interstate highways; and

Whereas, increased use of the bicycle will benefit all citizens by improving air quality, reducing traffic congestion and noise, decreasing use of and dependence upon finite energy resources and will foster healthy lifestyles; and

Whereas, the City of North Liberty has an ongoing commitment to encourage bicycling as a viable mode of transportation and recreation; and

Whereas, the League of American Bicyclists has established the month of May as National Bicycle Month.

Now, therefore, I, Chris Hoffman, Mayor of the City of North Liberty, Iowa, do hereby proclaim

May as Bike Month and May 15-21 as Bike to Work Week.

in North Liberty, IA, and encourage all residents to ride their bicycles to work, to the store, to the park, to school, and with friends and family to promote the many benefits achieved from bicycling.

Mayor Chris Hoffman



PROCLAMATION

Older Americans Month

Whereas, the City of North Liberty includes a growing number of older Americans who contribute their time, wisdom, and experience to our community; and

Whereas, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

Whereas, the City of North Liberty recognizes the need to create a community that offers the services and supports older adults may need to make choices about how they age; and

Whereas, the City of North Liberty can work to build an even better community for our older residents by:

- Not limiting our thinking about aging,
- Exploring and combating stereotypes,
- Emphasizing the many positive aspects of aging,
- Inspiring older adults to push past traditional boundaries, and
- Embracing our community's diversity.

Now, therefore I, Mayor, of the City of North Liberty do hereby proclaim May 2023 to be

Older Americans Month.

in the City of North Liberty.

I urge every resident to celebrate our older citizens, help to create an inclusive society, and accept the challenge of flexible thinking around aging.

Mayor Chris Hoffman

Signed in North Liberty, Iowa
this 28th day of March, 2023



2023A Bond Sale

MINUTES TO AUTHORIZE ISSUANCE OF BONDS

421033-92

North Liberty, Iowa

May 9, 2023

The City Council of the City of North Liberty, Iowa, met on May 9, 2023, at _____ o'clock ____m., at the _____, North Liberty, Iowa.

The meeting was called to order by the Mayor, and the roll was called showing the following Council Members present and absent:

Present: _____

Absent: _____.

After due consideration and discussion, Council Member _____ introduced the following resolution and moved its adoption, seconded by Council Member _____. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following 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.

CHRIS HOFFMAN, MAYOR

Attest:

TRACEY MULCAHEY, CITY CLERK

Resolution No. 2023-50

RESOLUTION AUTHORIZING AND APPROVING A LOAN AGREEMENT, PROVIDING FOR THE ISSUANCE OF \$9,435,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2023A, AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME

WHEREAS, the City of North Liberty (the "City"), in Johnson County, State of Iowa, heretofore proposed to enter into a loan agreement (the "General Purpose Loan Agreement"), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$10,000,000 for the purpose of paying the costs, to that extent, of (1) constructing street, storm water drainage, sanitary sewer system, sidewalk and water system improvements; and (2) acquiring and installing street lighting, signage and signalization improvements, and pursuant to law and a notice duly published, the City Council has held a public hearing on such proposal on April 11, 2023; and

WHEREAS, the City also proposed to enter into a loan agreement (the "2021 Loan Agreement"), pursuant to the provisions of Section 384.24A and 384.24.3(q) of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$9,300,000 for the purpose of paying the costs, to that extent, of undertaking the City Hall Project, an urban renewal project in the North Liberty Urban Renewal Area (such project having been authorized by action of the City Council on December 14, 2021 and consisting of constructing, furnishing and equipping a new City Hall facility), and in lieu of calling an election upon such proposal, has published notice of the proposed action, including notice of the right to petition for an election, and has held a hearing thereon, and as of January 11, 2022, no petition had been filed with the City asking that the question of entering into the 2021 Loan Agreement be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into an additional loan agreement (the "2022 Loan Agreement" and together with the General Purpose Loan Agreement and the 2021 Loan Agreement, the "Loan Agreements"), pursuant to the provisions of Section 384.24A and 384.24.3(q) of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$500,000 for the purpose of paying the costs, to that extent, of undertaking the City Hall Project; and in lieu of calling an election upon such proposal, has published notice of the proposed action, including notice of the right to petition for an election, and has held a hearing thereon, and as of October 25, 2022, no petition had been filed with the City asking that the question of entering into the 2022 Loan Agreement be submitted to the registered voters of the City; and

WHEREAS, pursuant to the provisions of Section 384.28 of the Code of Iowa, the City combined the Loan Agreements into a single loan agreement (the "Loan Agreement"); and

WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of General Obligation Corporate Purpose Bonds, Series 2023 (the "Bonds") in evidence of the obligation of the City under the Loan Agreement, and the City has made provision for the

approval of the P.O.S. and has authorized its use by Independent Public Advisors, LLC, as municipal financial advisor to the City; and

WHEREAS, pursuant to advertisement of sale, bids for the purchase of the Bonds were received and canvassed on behalf of the City and the substance of such bids noted in the minutes; and

WHEREAS, upon final consideration of all bids, the bid of Stifel, Nicolaus & Co., Inc., Birmingham, Alabama (the "Purchaser"), is the best, such bid proposing the lowest interest cost to the City for the Bonds; and

WHEREAS, it is now necessary to make final provision for the approval of the Loan Agreement and to authorize the issuance of the Bonds;

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

Section 1. The form of agreement of sale of the Bonds with the Purchaser is hereby approved, and the Mayor and City Clerk are hereby authorized to accept and execute the same for and on behalf of the City.

Section 2. The City shall enter into the Loan Agreement with the Purchaser in substantially the form as has been placed on file with the City Council, providing for a loan to the City in the principal amount of \$9,435,000 for the purposes set forth in the preamble hereof.

The Mayor and City Clerk are hereby authorized and directed to sign the Loan Agreement on behalf of the City, and the Loan Agreement is hereby approved.

Section 3. The bid of the Purchaser referred to in the preamble hereof is hereby accepted, and the Bonds, in the aggregate principal amount of \$9,435,000, are hereby authorized to be issued in evidence of the City's obligations under the Loan Agreement. The Bonds shall be dated June 1, 2023, shall be issued in the denomination of \$5,000 each or any integral multiple thereof and shall mature on June 1 in each of the years, in the respective principal amounts, and bearing interest at the respective rates as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2025	\$490,000	4.00%	2033	\$670,000	4.00%
2026	\$505,000	4.00%	2034	\$690,000	4.00%
2027	\$530,000	4.00%	2035	\$720,000	4.00%
2028	\$545,000	4.00%	2036	\$750,000	4.00%
2029	\$570,000	4.00%	2037	\$675,000	4.00%
2030	\$595,000	4.00%	2038	\$705,000	4.00%
2031	\$615,000	4.00%	2039	\$735,000	4.00%

2032 \$640,000 4.00%

Section 4. UMB Bank, n.a., West Des Moines, Iowa, is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the "Registrar" or the "Paying Agent." The City shall enter into an agreement (the "Registrar/Paying Agent Agreement") with the Registrar, in substantially the form as has been placed on file with the Council; the Mayor and City Clerk are hereby authorized and directed to sign the Registrar/Paying Agent Agreement on behalf of the City; and the Registrar/Paying Agent Agreement is hereby approved.

The City reserves the right to optionally prepay part or all of the principal of the Bonds maturing in the years 2032 to 2039, inclusive, prior to and in any order of maturity on June 1, 2031, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000.

If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. All of such Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

Accrued interest on the Bonds shall be payable semiannually on the first day of June and December in each year, commencing December 1, 2023. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. Payment of interest on the Bonds shall be made to the registered owners appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Bond or Bonds at the office of the Paying Agent.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the City Clerk, and shall be fully registered Bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Registrar.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owners or their legal representatives or assigns. Each Bond shall be transferable only upon the registration books of the City upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 5. Notwithstanding anything above to the contrary, the Bonds shall be issued initially as Depository Bonds, with one fully registered Bond for each maturity date, in principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement Bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement Bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Bonds.

Ownership interests in the Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The City will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for whom they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for whom the Participant acquires an interest in the Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the City to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 6. The Bonds shall be in substantially the following form:

an urban renewal project in the North Liberty Urban Renewal Area (such project having been authorized by action of the City Council on December 14, 2021 and consisting of constructing, furnishing and equipping a new City Hall facility).

The Bonds are issued pursuant to and in strict compliance with the provisions of Chapters 76 and 384 of the Code of Iowa, 2023, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution (the "Resolution") of the City Council, adopted on May 9, 2023, authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of the Bonds, and reference is hereby made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The City reserves the right to optionally prepay part or all of the principal of the Bonds maturing in the years 2032 to 2039, inclusive, prior to and in any order of maturity on June 1, 2031, or on any date thereafter upon terms of par and accrued interest. If less than all of the Bonds of any like maturity are to be redeemed, the particular part of those Bonds to be redeemed shall be selected by the Registrar by lot. The Bonds may be called in part in one or more units of \$5,000.

If less than the entire principal amount of any Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Bond, a new Bond or Bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Bond. Notice of such redemption as aforesaid identifying the Bond or Bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. All of such Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed

precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the City, including this Bond, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the City of North Liberty, Iowa, by its City Council, has caused this Bond to be executed with the duly authorized facsimile signature of its Mayor and attested with the duly authorized facsimile signature of its City Clerk, as of June 1, 2023.

CITY OF NORTH LIBERTY, IOWA

By (DO NOT SIGN)
Mayor

Attest:

(DO NOT SIGN)
City Clerk

Registration Date: (Registration Date)

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned Resolution.

UMB BANK, N.A.
West Des Moines, Iowa
Registrar

By (Authorized Signature)
Authorized Officer

ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	- as tenants in common	UTMA	<u>(Custodian)</u>
TEN ENT	- as tenants by the entireties		
JT TEN	- as joint tenants with right of survivorship and not as tenants in common	As Custodian for	<u>(Minor)</u>
		under Uniform Transfers to Minors Act	
			<u>(State)</u>

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 7. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible, and thereupon they shall be delivered to the Registrar for registration, authentication and delivery to or on behalf of the Purchaser, upon receipt of the loan proceeds (\$9,941,629.25), including original issue premium (\$506,629.25) (the "Loan Proceeds"), and all action heretofore taken in connection with the Loan Agreement is hereby ratified and confirmed in all respects.

A portion of the Loan Proceeds (\$98,205) shall be retained by the Purchaser as the underwriter's discount.

A portion of the Loan Proceeds (\$9,401,024.25) (the "Project Proceeds") received from the sale of the Bonds shall be deposited in a dedicated fund (the "Project Fund"), which is hereby created, to be used for the payment of costs of the Projects and to the extent that Project Proceeds remain after the full payment of the costs of the Projects, such Proceeds, shall be transferred to the Debt Service Fund for the payment of interest on the Bonds.

The Loan Proceeds received as capitalized interest proceeds (\$377,400) shall be deposited into the Debt Service Fund for payment of interest on the Bonds as the same becomes due.

The remainder of the Loan Proceeds (\$65,000) (the "Cost of Issuance Proceeds"), received from the sale of the Bonds shall be deposited in the Project Fund, and shall be used for the payment of costs of issuance of the Bonds, and to the extent that Cost of Issuance Proceeds remain after the full payment of the costs of issuance of the Bonds, such Cost of Issuance Proceeds shall be transferred to the Debt Service Fund for the payment of interest on the Bonds.

The City shall keep a detailed and segregated accounting of the expenditure of, and investment earnings on, the Loan Proceeds to ensure compliance with the requirements of the Internal Revenue Code, as hereinafter defined.

Section 8. For the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on the Bonds as the same become due, there is hereby ordered levied on all the taxable property in the City the following direct annual tax for collection in each of the following fiscal years:

For collection in the fiscal year beginning July 1, 2024,
sufficient to produce the net annual sum of \$867,400;

For collection in the fiscal year beginning July 1, 2025,
sufficient to produce the net annual sum of \$862,800;

For collection in the fiscal year beginning July 1, 2026,
sufficient to produce the net annual sum of \$867,600;

For collection in the fiscal year beginning July 1, 2027, sufficient to produce the net annual sum of \$861,400;

For collection in the fiscal year beginning July 1, 2028, sufficient to produce the net annual sum of \$864,600;

For collection in the fiscal year beginning July 1, 2029, sufficient to produce the net annual sum of \$866,800;

For collection in the fiscal year beginning July 1, 2030, sufficient to produce the net annual sum of \$863,000;

For collection in the fiscal year beginning July 1, 2031, sufficient to produce the net annual sum of \$863,400;

For collection in the fiscal year beginning July 1, 2032, sufficient to produce the net annual sum of \$867,800;

For collection in the fiscal year beginning July 1, 2033, sufficient to produce the net annual sum of \$861,000;

For collection in the fiscal year beginning July 1, 2034, sufficient to produce the net annual sum of \$863,400;

For collection in the fiscal year beginning July 1, 2035, sufficient to produce the net annual sum of \$864,600;

For collection in the fiscal year beginning July 1, 2036, sufficient to produce the net annual sum of \$759,600;

For collection in the fiscal year beginning July 1, 2037, sufficient to produce the net annual sum of \$762,600; and

For collection in the fiscal year beginning July 1, 2038, sufficient to produce the net annual sum of \$764,400.

Section 9. A certified copy of this resolution shall be filed with the County Auditor of Johnson County, and the County Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Bonds hereby authorized and for no other purpose whatsoever.

Pursuant to the provisions of Section 76.4 of the Code of Iowa, each year while the Bonds remain outstanding and unpaid, any funds of the City which may lawfully be applied for

such purpose, including incremental property tax revenues as provided for in Section 403.19 of the Code of Iowa, may be appropriated, budgeted and, if received, used for the payment of the principal of and interest on the Bonds as the same become due, and if so appropriated, the taxes for any given fiscal year as provided for in Section 8 of this Resolution, shall be reduced by the amount of such alternate funds as have been appropriated for said purpose and evidenced in the City's budget. Some of the Projects have been authorized as urban renewal projects to be undertaken in the North Liberty Urban Renewal Area. The City hereby reaffirms its intent to use tax increment revenues to pay some or all of the principal of and interest on the Bonds related to such urban renewal projects.

Section 10. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 11. It is the intention of the City that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof, the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with the applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

The City hereby designates the Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 12. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for the bonds, an underwriter has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the bondholders to provide certain disclosure information to prescribed information repositories on a continuing basis or unless and to the extent the offering is exempt from the requirements of the Rule.

On the date of issuance and delivery of the Bonds, the City will execute and deliver a Continuing Disclosure Certificate pursuant to which the City will undertake to comply with the Rule. The City covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 13. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 14. This resolution shall be in full force and effect immediately upon its approval and adoption, as provided by law.

APPROVED AND ADOPTED this 9th day of May, 2023.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, 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

ATTESTATION CERTIFICATE

STATE OF IOWA
JOHNSON COUNTY SS:
CITY OF NORTH LIBERTY

I, the undersigned, City Clerk of the City of North Liberty, do hereby certify that as such City Clerk I have in my possession or have access to the complete corporate records of the City and of its City Council and officers and that I have carefully compared the transcript hereto attached with those corporate records and that the transcript hereto attached is a true, correct and complete copy of all the corporate records in relation to the adoption of a resolution authorizing a Loan Agreement and providing for the sale and issuance of \$9,435,000 General Obligation Corporate Purpose Bonds, Series 2023A of the City evidencing the City's obligation under the Loan Agreement and that the transcript hereto attached contains a true, correct and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time with respect thereto.

I further certify that no appeal has been taken to the District Court from the decision of the City Council to enter into the Loan Agreement, to issue the Bonds or to levy taxes to pay the principal of and interest on the Bonds.

WITNESS MY HAND this ____ day of _____, 2023.

TRACEY MULCAHEY, CITY CLERK

COUNTY FILING CERTIFICATE

STATE OF IOWA

SS:

JOHNSON COUNTY

I, the undersigned, County Auditor of Johnson County, in the State of Iowa, do hereby certify that on the _____ day of _____, 2023, the City Clerk of the City of North Liberty filed in my office a certified copy of a resolution of such City shown to have been adopted by the City Council and approved by the Mayor thereof on May 9, 2023, entitled: "Resolution authorizing and approving a Loan Agreement, providing for the issuance of \$9,435,000 General Obligation Corporate Purpose Bonds, Series 2023A, and providing for the levy of taxes to pay the same," and that I have duly placed a copy of the resolution on file in my records.

I further certify that the taxes provided for in that resolution will in due time, manner and season be entered on the State and County tax lists of this County for collection in the fiscal year beginning July 1, 2024, and subsequent years as provided in the resolution.

WITNESS MY HAND this _____ day of _____, 2023.

County Auditor



Assessment Resolution

Resolution No. 2023-51

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

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

<u>Name</u>	<u>Property</u>	<u>Parcel</u>	<u>Amount</u>	<u>Description</u>
Karen M. Gaule	230 N. George St.	0612478003	\$300.00	Debris Removal

WHEREAS, emergency nuisance abatement action was taken by the City to remove debris blocking a public way as described above and as set forth in Chapter 50 of the North Liberty City Code; and

WHEREAS, in accordance with the provisions of Chapter 50, a notice of emergency nuisance abatement was provided to the above-named property owner by certified mail setting forth their rights to contest the abatement action, and no hearing was requested within the time provided; and

WHEREAS, Chapter 50.06(4) of the City Code provides that the City shall assess the costs of such emergency nuisance abatement in the manner of property taxes after notice and the opportunity for a hearing.

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

APPROVED AND ADOPTED this 9th day of May, 2023.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, 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.



Parking Resolution

Resolution No. 2023-52

**A RESOLUTION APPROVING PARKING CONTROL DEVICES IN
THE CITY OF NORTH LIBERTY, IOWA**

WHEREAS, Section 69.08 of the North Liberty Code of Ordinances authorizes the City Council to establish by resolution and cause to be placed parking control devices that prohibit or limit parking at designated locations in accordance with Chapter 69 of the City's Code; and

WHEREAS, the City Council has previously prohibited or limited parking throughout the City and has now reviewed the same.

BE IT THEREFORE NOW RESOLVED BY THE CITY COUNCIL OF NORTH LIBERTY, IOWA, that the City of North Liberty, Iowa, hereby establishes the placement of parking control devices to prohibit or limit parking for the City's street system as follows in the attached chart.

APPROVED AND ADOPTED this 9th day May, 2023.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, 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

Street Name	Side of Street Parking is Prohibited	Parking Restriction
236th Street	North side to a point 140' west of the centerline of its intersection with Progress Street	no parking at any time
236th Street	South side between Progress Street and North Jones Boulevard	no parking at any time
238th Street	Both sides between Progress Street and North Jones Boulevard	no parking at any time
240th Street	Both sides	no parking at any time
Alderwood Road	West side	no parking at any time
Alexander Way	Both sides	no parking at any time
Ashley Court	South side from its east terminus to Highway 965/Ranshaw Way	no parking at any time
Berkshire Lane	North side from its east terminus to a point 330' west of the centerline of its intersection with Osage Lane	no parking at any time
Birch Street	North side to a point 475' west of the centerline of its intersection with Front Street	no parking at any time
Birch Street	South side from Front Street to the easternmost South Stewart Street	no parking at any time
Brook Ridge Avenue	West side	no parking at any time
Cherry Street	Both sides between Dubuque Street and Front Street except the three most western spots on the south side	parking limited to 30 minutes between 8:00 a.m. to 3:00 p.m.
Cherry Street	North side from a point 190' east of the centerline of its intersections with Main Street west 100'	parking limited to Fire Department personnel only
Cherry Street	South side from Front Street to CRANDIC railroad crossing	no parking at any time
Cherry Street	Both sides from the CRANDIC railroad crossing to Highway 965/Ranshaw Way	no parking at any time
Cherry Street	South side from Highway 965/Ranshaw Way to its westerly termination	no parking at any time
Clark Avenue	West side	no parking at any time
Commercial Drive	Both sides	no parking at any time
Community Drive	Both sides	no parking at any time
Cook Circle	West side	no parking at any time
Cypress Ridge	West side	no parking at any time
Deerfield Drive West	North side	no parking at any time
Denison Ave	North side	no parking at any time
Devmont Court	South side	no parking at any time
Dickinson Drive	North side from Dubuque Street east to its intersection with Whitman Avenue	no parking at any time
Dubuque Street	Both sides except west side to a point 230' south of its intersection with Main Street	no parking at any time
East Hickory Street	West, north and east side adjacent to Lots 6, 39-45, 38 less the north 80' thereof & 31-34 Beaver Kreek 1 st Addition (street curves)	no parking at any time
East Hickory Street	West and south side adjacent to Lot 29 Beaver Kreek 1 st Addition (street curves)	no parking at any time
East Jefferson Street	South side	no parking at any time
East Weston Street	North side	no parking at any time
Elm Grove Avenue	North side	no parking at any time
Elm Ridge Court	North, west and south sides adjacent to odd-numbered addresses (street curves)	no parking at any time
Elm Ridge Drive	East side	no parking at any time
Emily Street	East side	no parking at any time
Forevergreen Road	Both sides	no parking at any time
Front Street	Both sides	no parking at any time
Hackberry Street	North side	no parking at any time
Hackberry Street	South side to a point 320' west the centerline of its intersection with Juniper Court	no parking at any time

Street Name	Side of Street Parking is Prohibited	Parking Restriction
Harrison Street	West side	No parking at any time
Hawkeye Drive	Both sides	no parking at any time
Hawkeye Drive	Both sides between Spartan Drive and Highway 965/Ranshaw Way	no parking at any time
Hawthorne Place	West and south sides (street curves)	no parking at any time
Heartland Way	Both sides	no parking at any time
Hedgwood Circle	West side	no parking at any time
Heritage Drive	North and East side of 10 – 100 block (street curves) South and East side of 100 – 200 block (street curves)	parking limited to 6:00 a.m. to 6:00 p.m. on even-numbered days
Heritage Drive	South and West side of 10 – 100 block (street curves) North and West side of 100 – 200 block (street curves)	Parking limited to 6:00 a.m. to 6:00 p.m. on odd-numbered days
Heritage Place	North side	parking limited to 6:00 a.m. to 6:00 p.m. on even-numbered days
Heritage Place	South side	Parking limited to 6:00 a.m. to 6:00 p.m. on odd-numbered days
Herky Street	Both sides to a point 910' south the centerline of its intersection with West Penn Street	no parking at any time
Highway 965/Ranshaw Way	Both sides	no parking at any time
Jessie Street	West side and anywhere on the two extensions on the east side and west side of Jessie Street	no parking at any time
Jones Boulevard	Both sides between Forevergreen Road and 240 th Street	no parking at any time
Jones Boulevard	East side from Eight Point Trail to North to its north terminus	no parking at any time
Juniper Court	Both sides from Hackberry Street to Juniper Street	no parking at any time
Juniper Court	East, north and west side (street curves) from both intersections with Juniper Street	no parking at any time
Juniper Street	North side to a point 228' west the centerline of its intersection with Dubuque Street	no parking at any time
Juniper Street	South side	no parking at any time
Kansas Avenue	Both sides	no parking at any time
Liberty Way	Both sides	no parking at any time
Lincoln Drive	South side from Cameron Way to its terminus	no parking at any time
Linger Lane	Both sides	no parking at any time
Linden Lane	East side	no parking at any time
Lions Drive	Both sides	no parking at any time
Madison Avenue	North and west side (street curves)	no parking at any time
Main Street	West side	no parking at any time
Maple Street	North side	no parking at any time
Mayer Street	West side	no parking at any time
Molly Drive	East side	no parking at any time
Morrison Street	West side	no parking at any time
North Stewart Street	East side to a point 300' south of the centerline of its intersection with Penn Street	no parking at any time
Oak Terrace Avenue	East and north sides (street curves)	no parking at any time
Ogden Lane	North side	no parking at any time
Osage Lane	East and north sides (street curves)	no parking at any time
Parkview Court	Both sides to a point 100' south of the centerline of its intersection with Zeller Street	no parking at any time
Parkview Court	East side beginning at a point 1,185' south of the centerline of its intersection with Zeller Street to a point 55' south of the beginning	no parking at any time

Street Name	Side of Street Parking is Prohibited	Parking Restriction
Parker Court	North side	no parking at any time
Penn Court	Both sides on both the North and West parts of the street	no parking at any time
Penn Street	Both sides	no parking at any time
Pheasant Lane	South side from Scales Bend Road to Highway 965/Ranshaw Way	no parking at any time
Prairie Ridge Road	North and east side (street curves)	no parking at any time
Prairie Ridge Road	South side to a point 200' west the centerline of its intersection with Sugar	no parking at any time
Progress Street	Both sides	no parking at any time
Rachael Street	West side from its intersection with Blue Sky Drive to its southern terminus	no parking at any time
Redbud Circle	East side	no parking at any time
River Bend Lane	West side	no parking at any time
Salm Drive	North and west side from North Liberty Road to Ogden Lane (street curves)	no parking at any time
Sara Court	South and west side	no parking at any time
Scarlet Oak Circle	West side	no parking at any time
Silver Maple Trail	South side from its eastern terminus to Cypress Ridge	no parking at any time
Stoner Court	Both sides	no parking at any time
Sugar Creek Lane	Both sides from Zeller Street to Fairview Lane except the east side between Westwood Drive and Fairview Lane	no parking at any time
Suttner Drive	South side	no parking at any time
Tupelo Drive	West side	no parking at any time
Vandello Circle	North side between Lots 33 and 37 Creekside Subdivision – Part Four	no parking at any time
Vandello Drive	North side	no parking at any time
Vandello Drive	South side between Front Street and Cook Street and to a point 60' from its intersection with Sadler Drive	no parking at any time
Westwood Drive	Both sides	no parking at any time
Zeller Street	Both sides between Dubuque Street and Highway 965/Ranshaw Way	no parking at any time
Zeller Street	North side between Highway 965/Ranshaw Way to its west terminus	parking limited to 6:00 a.m. to 6:00 p.m. on even-numbered days
Zeller Street	South side between Highway 965/Ranshaw Way to its west terminus	parking limited to 6:00 a.m. to 6:00 p.m. on odd-numbered days



Communications Advisory Commission Ordinance



To **Communications Advisory Commission**
CC **City Administrator Ryan Heiar**
From **Communications Director Nick Bergus**
Date **March 28, 2023**
Re **Upcoming Department Changes**

Over the years, our department has been known by several names – NLTV, Telecommunications and currently Communications – with changes reflecting the way our responsibilities had grown with the City of North Liberty and changed with the demands of the community.

Beginning July 1, 2023, we will shift again, renaming the department Community Relations, in acknowledgement of the full scope of our services and responsibilities.

Along with the name change, we will see additional changes:

Jillian Miller will be promoted to Assistant Director of Community Relations. Her new title reflects her increased responsibility, and comes with expanded oversight of community events, sponsorship and additional economic development work.

NLTV will cease cablecasting video programming. As part of its public, education and government channel mission, NLTV currently offers playback of public meetings and programs provided by the public. Video on demand services like YouTube have drastically reduced the use of the cable channel platform by both viewers and producers, and for the past several years, the public access portion of the channel has been primarily religious services. Other local access channels have ceased operations, and messages on the channel asking for viewers to let us know if they're watching resulted in no contacts. Cablecasting requires staff to spend time scheduling and managing media, and this time will be shifted from upkeep to other tasks. We will continue to livestream and record public meetings and to maintain the community bulletin board, which will continue to be cablecast as long as it remains reasonable. We intend to notify current producers of our intent by May 1 so they have ample time to notify any regular viewers.

The Communications Advisory Commission will be decommissioned, pending City Council action. Like the department, the commission's role has changed over the years, including rewriting of the ordinance in 2016. With the winding down of cablecast operations, and initiatives like our Youth Council and Neighborhood Ambassadors providing sounding boards, the role of the commission has become further diminished. We would welcome the involvement of the commissioners in a variety of ways, including serving as Neighborhood Ambassadors, on other city commissions and on event and initiative committees.

Other changes are expected in the months that follow, including:

Hiring a full-time Special Event Assistant. This new position, expected in late 2023, will report to Jillian Miller and be tasked with leading new and existing public programming and management of a new facility at Centennial Park, which is expected to be operational in 2025.

Staff moving to new city hall on Cherry Street. Nick, Jillian and Derek are slated to move to the new civic campus building in the spring of 2024. Micah will remain based at the Community Center to lead and support outreach and equity initiatives there.

While these changes will impact how we work, where we work and what we're called, it will leave untouched the most important things:

Our community-building work. The changes reflect, rather than define, the role the department plays in the community. Outreach, engagement, transparency and explanation remain the core of what we do.

Our culture of collaboration. We value working within the team, across departments, and with external stakeholders to strengthen neighborhoods and the community. Great ideas can come from anywhere, and working together builds buy in and is necessary for success.

The importance of the work we do. Helping member of the community feel connected to each other and the local government builds a more resilient community that feels safe and can solve its problems together.

ORDINANCE NO. _____

AN ACT REPEALING CHAPTER 25 OF THE NORTH LIBERTY CODE OF ORDINANCES, COMMUNICATIONS ADVISORY COMMISSION

WHEREAS, the City of North Liberty created a Communications Advisory Commission for the purpose of advising, assisting and overseeing the communications efforts of the City; and

WHEREAS, predating its current form, this body was commissioned as a Telecommunications Commission to negotiate and oversee local cable franchise agreements and a volunteer-run public, education and government access channel to empower local voices through locally produced media; and

WHEREAS, the City of North Liberty is grateful for the many contributions of its residents to the ~~Communications Advisory~~ both Commissions since ~~its~~ their inception; and

WHEREAS, the Commission, in its various forms, has successfully led or overseen various initiatives advancing community engagement, access to City information and other community-strengthening programs; and

WHEREAS, the scope of duties of the City's Telecommunications and then Communications Department has been expanded in subsequent years to meet the needs of the City in effectively communicating with City residents through a wide variety of programming and media; and

WHEREAS, the City has launched Youth Council and Neighborhood Ambassador Initiatives, among other programs, to help the City residents stay informed and ~~involved~~ engaged with local events; and

WHEREAS, the City has created an Outreach and Equity Coordinator position to help ensure that the City's programming and messages are readily available to all of its residents; and

WHEREAS, the robust and effective citizen engagement made possible by the evolution of the City's Communications Department and its professional

administration of the programs described above has diminished the need for the City's Communications Advisory Commission.

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

SECTION 1. REPEALER. Chapter 25 of the City of North liberty Code of Ordinances, entitled Communications Advisory Commission, is hereby repealed.

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law. _____

Commented [NB1]: Can we say July 1, 2023?

First reading on _____, 2023.

Second reading on _____, 2023.

Third and final reading on _____, 2023.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

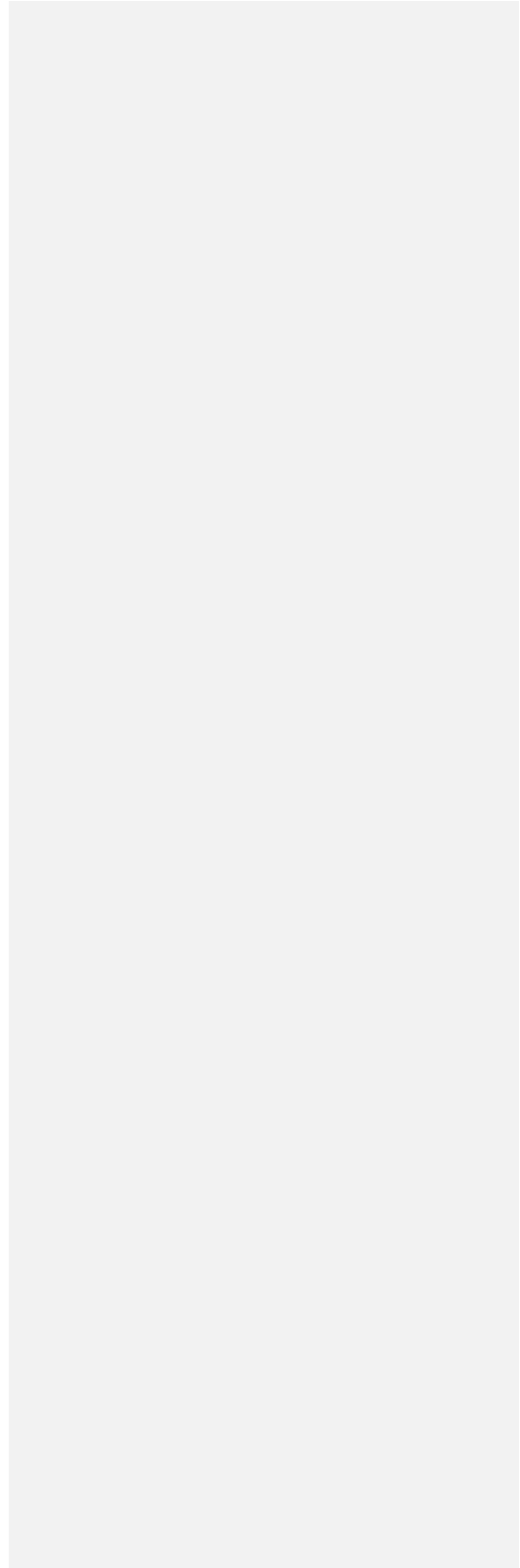
ATTEST:

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 Cedar Rapids Gazette on the ____ day of _____, 2023.

TRACEY MULCAHEY, CITY CLERK



Ordinance No. 2023-12

**AN ACT REPEALING CHAPTER 25 OF THE NORTH LIBERTY
CODE OF ORDINANCES, COMMUNICATIONS ADVISORY
COMMISSION**

WHEREAS, the City of North Liberty created a Communications Advisory Commission for the purpose of advising, assisting and overseeing the communications efforts of the City; and

WHEREAS, predating its current form, this body was commissioned as a Telecommunications Commission to negotiate and oversee local cable franchise agreements and a volunteer-run public, education and government access channel to empower local voices through locally produced media; and

WHEREAS, the City of North Liberty is grateful for the many contributions of its residents to the both commissions since their inception; and

WHEREAS, the Commission, in its various forms, has successfully led or overseen various initiatives advancing community engagement, access to City information and other community-strengthening programs; and

WHEREAS, the scope of duties of the City's Telecommunications and then Communications Department has been expanded in subsequent years to meet the needs of the City in effectively communicating with City residents through a wide variety of programming and media; and

WHEREAS, the City has launched Youth Council and Neighborhood Ambassador Initiatives, among other programs, to help the City residents stay informed and engaged with local events; and

WHEREAS, the City has created an Outreach and Equity Coordinator position to help ensure that the City's programming and messages are readily available to all of its residents; and

WHEREAS, the robust and effective citizen engagement made possible by the evolution of the City's Communications Department and its professional

administration of the programs described above has diminished the need for the City's Communications Advisory Commission.

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

SECTION 1. REPEALER. Chapter 25 of the City of North liberty Code of Ordinances, entitled Communications Advisory Commission, is hereby repealed.

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect beginning July 1, 2023.

First reading on _____, 2023.

Second reading on _____, 2023.

Third and final reading on _____, 2023.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, 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 Cedar Rapids Gazette on the ____ day of _____, 2023.

TRACEY MULCAHEY, CITY CLERK



City Initiated Zoning Map Amendments (Tabled)

Ordinance No. 2023-07

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM I-1 LIGHT INDUSTRIAL DISTRICT TO C-3 HIGHER-INTENSITY COMMERCIAL DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended by designating the zoning district for 3.69 acres, more or less, as C-3 Higher-Intensity Commercial District for property particularly described as follows:

The property subject to the rezoning is part of the Southwest Quarter of the Southeast Quarter of Section 12, Township 80 North, Range 7 West of the 5th Principal Meridian, Johnson County, Iowa and is more particularly described as follows: Commencing at the Southwest corner of said Southeast Quarter, thence N01°15'30"W, 534.38 feet along the West line of the Southeast Quarter of said Section; thence N88°44'30"E, 79.69 feet to the point of beginning; which is a point on the east right-of-way line of Old U.S. Highway 218; thence N01°19'48"W, 363.52 feet along said right-of-way; thence N88°59'51"E, 450.85 feet; thence S0°46'13"E, 372.47 feet; thence N89°51'23"W, 447.35 feet to the point of beginning. Excepting therefrom all public rights-of-way;

SECTION 2. CONDITIONS IMPOSED. At the April 18, 2023, meeting the Planning Commission accepted the listed finding and forwarded the request for a zoning map amendment to the City Council with a recommendation for approval 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:

CHRIS HOFFMAN, 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. 2023-07 in *The Gazette* on the ____ of _____, 2023.

TRACEY MULCAHEY, CITY CLERK

Ordinance No. 2023-08

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM RM-21 MULTI-UNIT RESIDENCE DISTRICT TO RM-12 MULTI-UNIT RESIDENCE DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended by designating the zoning district for 0.40 acres, more or less, as RM-12 Multi-Unit Residence District for property particularly described as follows:

All of Lots B and C, and that part of Lot A described as follows: Commencing at the southwest corner of Lot A, thence east 15 feet, thence north 20 feet to a point 15 feet east of the west boundary of Lot A, thence west 15 feet to the west boundary of said Lot A, thence south 20 feet to the point of beginning, all in the resubdivision of Lots 1, 2 and 3 of Block 1 of Original Town of North Liberty, Iowa, according to the plat thereof recorded in Plat Book 10, Page 30, Plat Records of Johnson County, Iowa;

SECTION 2. CONDITIONS IMPOSED. At the April 18, 2023 meeting the Planning Commission accepted the listed finding and forwarded the request for a zoning map amendment to the City Council with a recommendation for approval 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:

CHRIS HOFFMAN, 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. 2023-08 in *The Gazette* on the ____ of _____, 2023.

TRACEY MULCAHEY, CITY CLERK

Ordinance No. 2023-09

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM I-1 LIGHT INDUSTRIAL DISTRICT TO C-3 HIGHER-INTENSITY COMMERCIAL DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended by designating the zoning district for 4.0 acres, more or less, as C-3 Higher-Intensity Commercial District for property particularly described as follows:

Lot 1, Lindner First Addition, North Liberty, Johnson County, Iowa according to the plat thereof recorded in Book 32, Page 329, Plat Records of Johnson County, Iowa;

SECTION 2. CONDITIONS IMPOSED. At the April 18, 2023, meeting the Planning Commission accepted the listed finding and forwarded the request for a zoning map amendment to the City Council with a recommendation for approval 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:

CHRIS HOFFMAN, 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. 2023-09 in *The Gazette* on the ____ of _____, 2023.

TRACEY MULCAHEY, CITY CLERK

Ordinance No. 2023-10

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM I-1 LIGHT INDUSTRIAL DISTRICT TO C-1-B GENERAL COMMERCIAL DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended by designating the zoning district for 0.37 acres, more or less, as C-1-B General Commercial District for property particularly described as follows:

Lot 2, Lindner First Addition, North Liberty, Johnson County, Iowa according to the plat thereof recorded in Book 32, Page 329, Plat Records of Johnson County, Iowa;

SECTION 2. CONDITIONS IMPOSED. At the April 18, 2023, meeting the Planning Commission accepted the listed finding and forwarded the request for a zoning map amendment to the City Council with a recommendation for approval 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:

CHRIS HOFFMAN, 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. 2023-10 in *The Gazette* on the ____ of _____, 2023.

TRACEY MULCAHEY, CITY CLERK



**City Initiated Zoning Map
Amendment – 160-965,
LLC**



April 18, 2023

Chris Hoffman, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of the City of North Liberty for a zoning map amendment (rezoning) on approximately 3.69 acres, from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on property located at the northeast corner of North Highway 965/Ranshaw Way and Commercial Drive (Also Known As 160 North Highway 965/Ranshaw Way).

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its April 18, 2023 meeting. The Planning Commission took the following action:

Finding:

1. The rezoning request from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

The Planning Commission accepted the listed finding and forwards the request for zoning map amendment (rezoning) from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on approximately 3.69 acres to the City Council with a recommendation for approval.

The vote for approval was 4-0.

Josey Bathke, Chairperson
City of North Liberty Planning Commission



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **April 14, 2023**
Re **Request of the City of North Liberty for a zoning map amendment (rezoning) on approximately 3.69 acres, from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on property located at the northeast corner of North Highway 965/Ranshaw Way and Commercial Drive (Also Known As 160 North Highway 965/Ranshaw Way).**

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. Request Summary:

This is a City-initiated rezoning to achieve consistency with the new Comprehensive Plan Connected to Tomorrow, which was adopted by City Council on February 28, 2023.

Section 165.09(2) of the North Liberty Code of Ordinances reads, "Initiation. The City or a property owner in the City, or person expressly authorized in writing by the property owner, may propose a zoning text or map amendment."

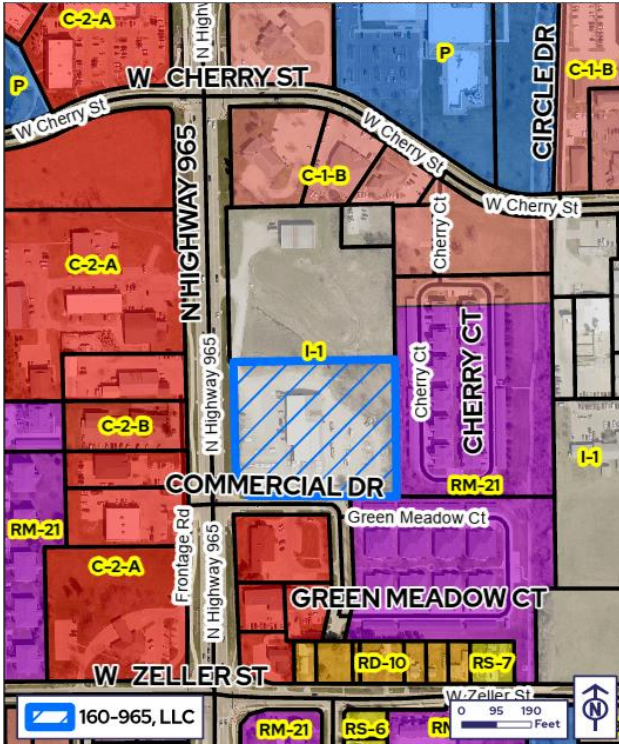
2. Current and Proposed Zoning:

Current Zoning

I-1 Light Industrial District. The I-1 District is intended to provide for the development of modern landscaped light-industrial and commercial establishments which have negligible impacts upon areas outside of the zoned district, and seek a hazard-and nuisance-free environment. The district is intended to provide for manufacture, assembly, fabrication, storage, and/or processing of goods listed for the location of compatible uses.

Proposed Zoning

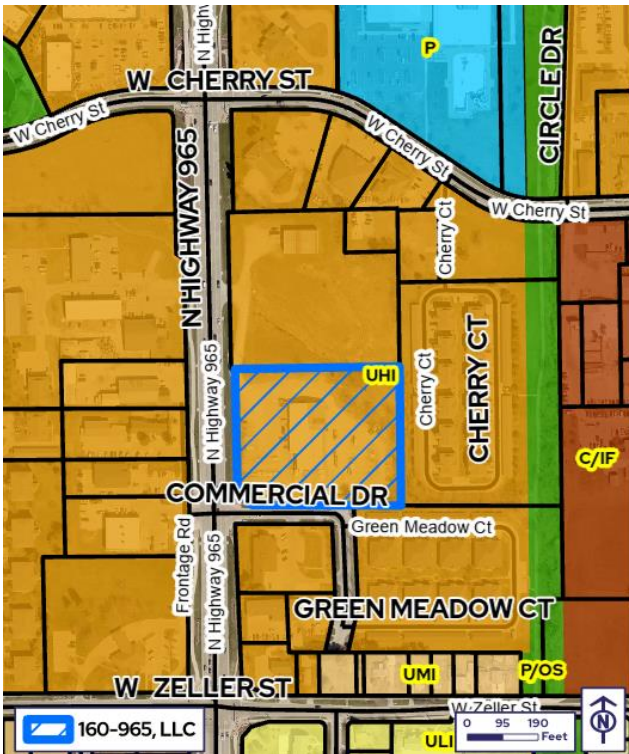
C-3 Higher-Intensity Commercial District. The C-3 District is intended to accommodate higher-intensity commercial development that serves both local and regional markets. The C-3 District addresses medium and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.



3. Comprehensive Plan

Future Land Use Map designation

UHI Urban High Intensity. The current I-1 zoning is not consistent with the UHI Land Use designation, however, the C-3 zoning would be consistent with UHI.



Urban High Intensity Description

These areas have increased economic activity and a higher frequency of diverse and complementary uses. High-intensity areas include more urban services with a horizontal and vertical mix of high-density residential uses and community to regional commercial uses of compatible densities and scales.

Residential

Developments have more focus on non-residential buildings but still offer residential uses ranging from townhomes and apartments. Mixing residential with commercial uses on the same site is encouraged when feasible from a design and market capitalization standpoint.

Form and Features

- » Aggregate development density at 14+ units per acre at sites with direct access to major arterial and collector streets. Development should avoid the creation of isolated multi-family development.
- » Edges of UHI residential developments transition to lower intensity uses or buffer from industrial/commercial uses through design, landscaping, and buffering.

Non-Residential

More prevalent and focus in the UHI district that can include larger offices, medical buildings, commercial, and larger institutional uses such as places of worship, community centers, and indoor recreation.

4. Public Input:

Good neighbor meetings are not required with City-initiated rezonings. Mailed notice (certified and regular) of the proposed rezoning was sent to the property owner listed in public records.

5. Analysis of the Request

Figure 3.4 within Connected to Tomorrow was utilized to determine which zoning district would be compatible with the Future Land Use Map.

Figure 3.4: Land Use Compatibility

TRADITIONAL LAND USES	AGRICULTURE (AG)	URBAN RESERVE (UR)	URBAN LOW INTENSITY (ULI)	URBAN MEDIUM INTENSITY (UMI)	URBAN HIGH INTENSITY (UHI)	COMMERCIAL/ INDUSTRIAL FLEX (FLX)	PUBLIC AND SEMI PUBLIC (PUB)	PARK AND OPEN SPACE (P, OS)
Agriculture	●	●						○
Rural residential		●						
Low-density residential			●	○				
Medium-density residential			●	●				
High-density residential				●	●	○		
Rural commercial		●						
Neighborhood commercial			○	●	●	●		
Community commercial				○	●	●		
Regional commercial					○	●		
Low/medium intensity office			○	●	●	●		
High-intensity office				○	●	●		
Limited industrial		○				●		
Heavy industrial						○		
Parks and civic uses	●	●			●	○	●	●
Major public/civic facilities					○	○	●	○
Residential density range (du/A*)	≤40	≤40	3-8	7-14	14+	14+	NA	NA

● Permitted ○ Permitted with special review
 *Dwelling Units per Acre

The C-3 zoning was selected because it is the highest intensity commercial district.

Section 165.09 of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

D. Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards (staff commentary in italics).

(1) Map Amendments.

(a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies.

(b) The compatibility with the zoning of nearby property.

It is staff's opinion that the proposed zoning would be compatible with the area.

(c) The compatibility with established neighborhood character.

It is staff's opinion that the proposed zoning would be compatible with established neighborhood character.

(d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

It is staff's opinion that the proposed zoning would promote the public health, safety, and welfare of the City.

(e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

There are several permitted uses listed in the I-1 district. However, a consistency review of any use with the Comprehensive Plan must be performed. For example, a retail goods establishment is listed as a permitted use within the I-1 District. That use would be appropriate if developed in accordance with commercial design standards.

(f) The extent to which the proposed amendment creates nonconformities.

It is staff's opinion that the proposed zoning would not create any nonconformities.

6. Additional Considerations:

The development and adoption of Connected to Tomorrow was a yearlong effort, which was the result of substantial input. The Plan identifies a shared vision and set of goals for the community based on a series of public discussions and community needs. Much like the 2013 plan, the 2022 comprehensive plan serves three primary roles:

- A Shared Vision for the Future. Comprehensive planning provides an opportunity for residents to create a shared vision for their community. Residents and City Staff identified issues and opportunities for North Liberty's land use, infrastructure, public facilities, natural resources, and more. These findings create a vision and set public priorities.
- Guidance for Decision-Makers. The plan serves as a guide for City Staff, the Planning Commission, City Council, and other City boards and commissions as they set policy, make public investments, and deliberate land use decisions.
- Legal Basis for Land Use Regulations. The Code of Iowa allows cities to adopt land use regulations, such as zoning and subdivision ordinances, to promote the "health, safety, morals or general welfare of the community." These regulations govern how to develop land within the city and its extraterritorial jurisdiction. Land use regulations recognize that people live cooperatively and have certain responsibilities to coordinate and harmonize private property uses. Connected to Tomorrow provides a legal basis for these regulations.

The adoption of Connected to Tomorrow is a directive to align the Zoning Ordinance and Map with the comprehensive plan. To quote the Plan, "Policymakers, most notably the City Council and Planning and Zoning Commission, will help set the course to realize this plan. These are the bodies to create and administer the policies that shape development in North Liberty. The plan should be a reliable guide to help with decisions related to large-scale policies and individual projects."

7. Staff Recommendation:

Finding:

1. The rezoning request from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment (rezoning) from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on approximately 3.69 acres to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval.

Ordinance No. 2023-14

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM I-1 LIGHT INDUSTRIAL DISTRICT TO C-3 HIGHER-INTENSITY COMMERCIAL DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended by designating the zoning district for 3.69 acres, more or less, as C-3 Higher-Intensity Commercial District for property particularly described as follows:

The property subject to the rezoning is part of the Southwest Quarter of the Southeast Quarter of Section 12, Township 80 North, Range 7 West of the 5th Principal Meridian, Johnson County, Iowa and is more particularly described as follows: Commencing at the Southwest corner of said Southeast Quarter, thence N01°15'30"W, 534.38 feet along the West line of the Southeast Quarter of said Section; thence N88°44'30"E, 79.69 feet to the point of beginning; which is a point on the east right-of-way line of Old U.S. Highway 218; thence N01°19'48"W, 363.52 feet along said right-of-way; thence N88°59'51"E, 450.85 feet; thence S0°46'13"E, 372.47 feet; thence N89°51'23"W, 447.35 feet to the point of beginning. Excepting therefrom all public rights-of-way;

SECTION 2. CONDITIONS IMPOSED. At the April 18, 2023, meeting the Planning Commission accepted the listed finding and forwarded the request for a zoning map amendment to the City Council with a recommendation for approval 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:

CHRIS HOFFMAN, 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. 2023-14 in *The Gazette* on the ____ of _____, 2023.

TRACEY MULCAHEY, CITY CLERK



City Initiated Zoning Map Amendment – Mackin Estates



April 18, 2023

Chris Hoffman, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of the City of North Liberty for a zoning map amendment (rezoning) on approximately .40 acres, from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District on property located at the northwest corner of North Front Street and West Zeller Street (Also Known As 20 West Zeller Street).

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its April 18, 2023 meeting. The Planning Commission took the following action:

Finding:

1. The rezoning request from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

The Planning Commission accepted the listed finding and forwards the request for zoning map amendment (rezoning) from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District on .40 acres to the City Council with a recommendation for approval.

The vote for approval was 4-0.

Josey Bathke, Chairperson
City of North Liberty Planning Commission



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **April 14, 2023**
Re **Request of the City of North Liberty for a zoning map amendment (rezoning) on approximately .40 acres, from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District on property located at the northwest corner of North Front Street and West Zeller Street (Also Known As 20 West Zeller 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. Request Summary:

This is a City-initiated rezoning to achieve consistency with the new Comprehensive Plan Connected to Tomorrow, which was adopted by City Council on February 28, 2023.

Section 165.09(2) of the North Liberty Code of Ordinances reads, "Initiation. The City or a property owner in the City, or person expressly authorized in writing by the property owner, may propose a zoning text or map amendment."

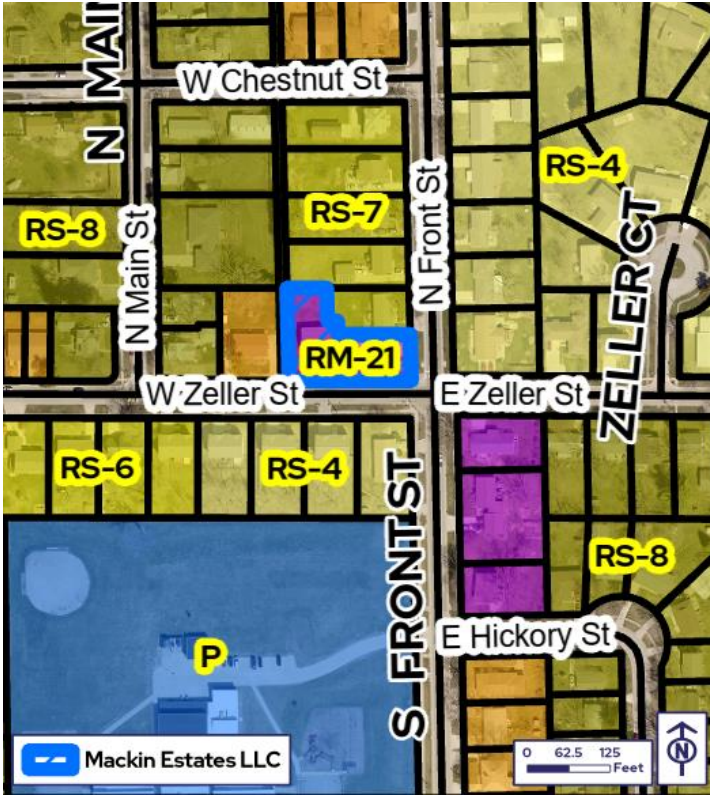
2. Current and Proposed Zoning:

Current Zoning

RM-21 Multi-Unit Residence District. The RM-21 District is intended to provide and maintain high-density, multiple-unit housing residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RM-21 District.

Proposed Zoning

RM-12 Multi-Unit Residence District. The RM-12 District is intended to provide and maintain medium-density, multiple-unit housing residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RM-12 District.



3. Comprehensive Plan

Future Land Use Map designation

ULI Urban Low Intensity. The current RM-21 zoning is not consistent with the ULI Land Use designation, however, the RM-12 zoning would be consistent with ULI.



Urban Low Intensity Description

An efficient, walkable pattern of lower-density development. Compared to denser areas, ULI has more space and separation of uses, with farther distances between destinations and fewer shared amenities. Low-intensity areas can include a horizontal mix of primarily residential and limited non-residential uses at compatible lower densities and scales.

Residential

Emphasis on single-family detached and attached residential developments. Attached housing projects may primarily be at transition areas between arterial or collector streets, small scale commercial uses, and higher intensity districts.

Form and Features

- » General aggregate development density of 3 to 8 units per acre. Lot sizes can vary within developments to provide different housing types.
- » A framework of streets and open space should create neighborhoods and multiple access points for all types of transportation.
- » Open spaces, streets, and trail connections integrate with the larger community.

4. Public Input:

Good neighbor meetings are not required with City-initiated rezonings. Mailed notice (certified and regular) of the proposed rezoning was sent to the property owner listed in public records.

5. Analysis of the Request

Figure 3.4 within Connected to Tomorrow was utilized to determine which zoning district would be compatible with the Future Land Use Map.

Figure 3.4: Land Use Compatibility

TRADITIONAL LAND USES	AGRICULTURE (AG)	URBAN RESERVE (UR)	URBAN LOW INTENSITY (ULI)	URBAN MEDIUM INTENSITY (UMI)	URBAN HIGH INTENSITY (UHI)	COMMERCIAL/ INDUSTRIAL FLEX (FLX)	PUBLIC AND SEMI PUBLIC (PUB)	PARK AND OPEN SPACE (P, OS)
Agriculture	●	●						○
Rural residential		●						
Low-density residential			●	○				
Medium-density residential			●	○	○			
High-density residential			●	●	●	○		
Rural commercial		●						
Neighborhood commercial			○	●	●	●		
Community commercial				○	●	●		
Regional commercial					○	●		
Low/medium intensity office			○	●	●	●		
High-intensity office				○	●	●		
Limited industrial		○				●		
Heavy industrial						○		
Parks and civic uses	●	●	●	●	●	○	●	●
Major public/civic facilities					○	○	●	○
Residential density range (du/A*)	≤40	≤40	3-8	7-14	14+	14+	NA	NA

● Permitted ○ Permitted with special review
*Dwelling Units per Acre

The RM-12 zoning was selected due to current number of (four) residential units on the property (12 units x .40 acres = 4.8 units).

Section 165.09 of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

D. Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards (staff commentary in italics).

(1) Map Amendments.

(a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies.

(b) The compatibility with the zoning of nearby property.

It is staff's opinion that the proposed zoning would be compatible with the area.

(c) The compatibility with established neighborhood character.

It is staff's opinion that the proposed zoning would be compatible with established neighborhood character.

(d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

It is staff's opinion that the proposed zoning would promote the public health, safety, and welfare of the City.

(e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

The RM-21 District permits residential development at 21 units per acre. This is too dense based on the size of the property and the character of the area.

(f) The extent to which the proposed amendment creates nonconformities.

It is staff's opinion that the proposed zoning would not create any nonconformities.

6. Additional Considerations:

The development and adoption of Connected to Tomorrow was a yearlong effort, which was the result of substantial input. The Plan identifies a shared vision and set of goals for the community based on a series of public discussions and community needs. Much like the 2013 plan, the 2022 comprehensive plan serves three primary roles:

- A Shared Vision for the Future. Comprehensive planning provides an opportunity for residents to create a shared vision for their community. Residents and City Staff identified issues and opportunities for North Liberty's land use, infrastructure, public facilities, natural resources, and more. These findings create a vision and set public priorities.
- Guidance for Decision-Makers. The plan serves as a guide for City Staff, the Planning Commission, City Council, and other City boards and commissions as they set policy, make public investments, and deliberate land use decisions.
- Legal Basis for Land Use Regulations. The Code of Iowa allows cities to adopt land use regulations, such as zoning and subdivision ordinances, to promote the "health, safety, morals or general welfare of the community." These regulations govern how to develop land within the city and its extraterritorial jurisdiction. Land use regulations recognize that people live cooperatively and have certain responsibilities to coordinate and harmonize private property uses. Connected to Tomorrow provides a legal basis for these regulations.

The adoption of Connected to Tomorrow is a directive to align the Zoning Ordinance and Map with the comprehensive plan. To quote the Plan, "Policymakers, most notably the City Council and Planning and Zoning Commission, will help set the course to realize this plan. These are the bodies to create and administer the policies that shape development in North Liberty. The plan should be a reliable guide to help with decisions related to large-scale policies and individual projects."

7. Staff Recommendation:

Finding:

1. The rezoning request from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment (rezoning) from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District on .40 acres to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval.

Ordinance No. 2023-15

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM RM-21 MULTI-UNIT RESIDENCE DISTRICT TO RM-12 MULTI-UNIT RESIDENCE DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended by designating the zoning district for 0.40 acres, more or less, as RM-12 Multi-Unit Residence District for property particularly described as follows:

All of Lots B and C, and that part of Lot A described as follows: Commencing at the southwest corner of Lot A, thence east 15 feet, thence north 20 feet to a point 15 feet east of the west boundary of Lot A, thence west 15 feet to the west boundary of said Lot A, thence south 20 feet to the point of beginning, all in the resubdivision of Lots 1, 2 and 3 of Block 1 of Original Town of North Liberty, Iowa, according to the plat thereof recorded in Plat Book 10, Page 30, Plat Records of Johnson County, Iowa;

SECTION 2. CONDITIONS IMPOSED. At the April 18, 2023 meeting the Planning Commission accepted the listed finding and forwarded the request for a zoning map amendment to the City Council with a recommendation for approval 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:

CHRIS HOFFMAN, 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. 2023-15 in *The Gazette* on the ____ of _____, 2023.

TRACEY MULCAHEY, CITY CLERK



**City Initiated Zoning Map
Amendment – Random
Commercial Properties,
LLC**



April 18, 2023

Chris Hoffman, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of the City of North Liberty for a zoning map amendment (rezoning) on approximately 4.0 acres, from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on property located on the east side of North Highway 965/Ranshaw Way approximately 275 feet south of West Cherry Street (Also Known As 250 North Highway 965/Ranshaw Way).

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its April 18, 2023 meeting. The Planning Commission took the following action:

Finding:

1. The rezoning request from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

The Planning Commission accepted the listed finding and forwards the request for zoning map amendment (rezoning) from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on approximately 4.0 acres to the City Council with a recommendation for approval.

The vote for approval was 4-0.

Josey Bathke, Chairperson
City of North Liberty Planning Commission



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **April 14, 2023**
Re **Request of the City of North Liberty for a zoning map amendment (rezoning) on approximately 4.0 acres, from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on property located on the east side of North Highway 965/Ranshaw Way approximately 275 feet south of West Cherry Street (Also Known As 250 North Highway 965/Ranshaw Way).**

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. Request Summary:

This is a City-initiated rezoning to achieve consistency with the new Comprehensive Plan Connected to Tomorrow, which was adopted by City Council on February 28, 2023.

Section 165.09(2) of the North Liberty Code of Ordinances reads, "Initiation. The City or a property owner in the City, or person expressly authorized in writing by the property owner, may propose a zoning text or map amendment."

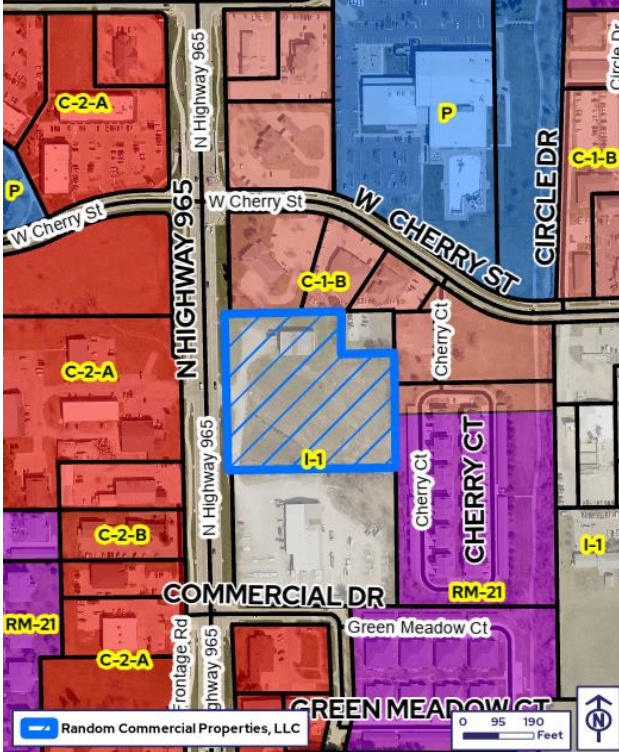
2. Current and Proposed Zoning:

Current Zoning

I-1 Light Industrial District. The I-1 District is intended to provide for the development of modern landscaped light-industrial and commercial establishments which have negligible impacts upon areas outside of the zoned district, and seek a hazard-and nuisance-free environment. The district is intended to provide for manufacture, assembly, fabrication, storage, and/or processing of goods listed for the location of compatible uses.

Proposed Zoning

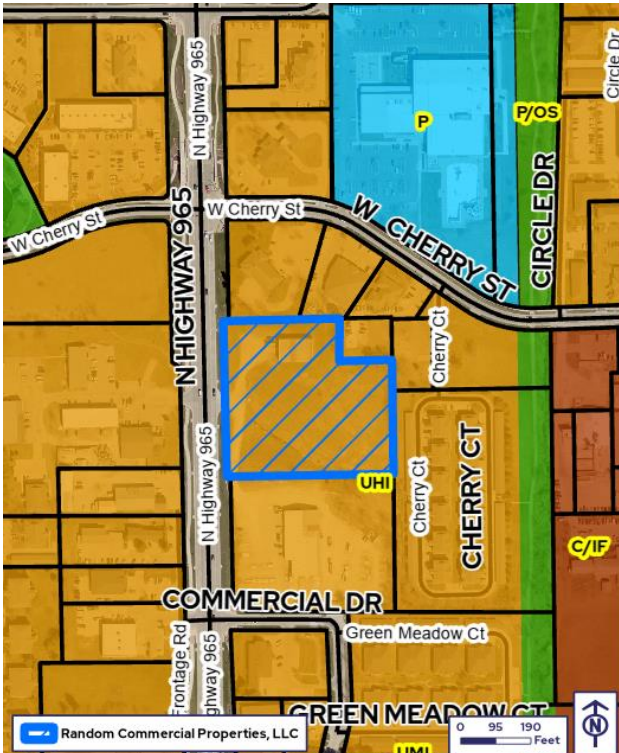
C-3 Higher-Intensity Commercial District. The C-3 District is intended to accommodate higher-intensity commercial development that serves both local and regional markets. The C-3 District addresses medium and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.



3. Comprehensive Plan

Future Land Use Map designation

UHI Urban High Intensity. The current I-1 zoning is not consistent with the UHI Land Use designation, however, the C-3 zoning would be consistent with UHI.



Urban High Intensity Description

These areas have increased economic activity and a higher frequency of diverse and complementary uses. High-intensity areas include more urban services with a horizontal and vertical mix of high-density residential uses and community to regional commercial uses of compatible densities and scales.

Residential

Developments have more focus on non-residential buildings but still offer residential uses ranging from townhomes and apartments. Mixing residential with commercial uses on the same site is encouraged when feasible from a design and market capitalization standpoint.

Form and Features

- » Aggregate development density at 14+ units per acre at sites with direct access to major arterial and collector streets. Development should avoid the creation of isolated multi-family development.
- » Edges of UHI residential developments transition to lower intensity uses or buffer from industrial/commercial uses through design, landscaping, and buffering.

Non-Residential

More prevalent and focus in the UHI district that can include larger offices, medical buildings, commercial, and larger institutional uses such as places of worship, community centers, and indoor recreation.

4. Public Input:

Good neighbor meetings are not required with City-initiated rezonings. Mailed notice (certified and regular) of the proposed rezoning was sent to the property owner listed in public records.

Figure 3.4: Land Use Compatibility

TRADITIONAL LAND USES	AGRICULTURE (AG)	URBAN RESERVE (UR)	URBAN LOW INTENSITY (ULI)	URBAN MEDIUM INTENSITY (UMI)	URBAN HIGH INTENSITY (UHI)	COMMERCIAL/ INDUSTRIAL FLEX (FLX)	PUBLIC AND SEMI PUBLIC (PUB)	PARK AND OPEN SPACE (P, OS)
Agriculture	●	●						○
Rural residential		●						
Low-density residential			●	○				
Medium-density residential			●	●	○			
High-density residential				●	●	○		
Rural commercial		●						
Neighborhood commercial			○	●	●	●		
Community commercial				○	●	●		
Regional commercial					○	●		
Low/medium intensity office			○	○	●	●		
High-intensity office				○	●	●		
Limited industrial		○			●	●		
Heavy industrial						○		
Parks and civic uses	●	●	●	●	●	○	●	●
Major public/civic facilities					○		●	○
Residential density range (du/A*)	≤40	≤40	3-8	7-14	14+	14+	NA	NA

● Permitted ○ Permitted with special review
*Dwelling Units per Acre

The C-3 zoning was selected because it is the highest intensity commercial district.

Section 165.09 of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

D. Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards (staff commentary in italics).

(1) Map Amendments.

(a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies.

(b) The compatibility with the zoning of nearby property.

It is staff's opinion that the proposed zoning would be compatible with the area.

(c) The compatibility with established neighborhood character.

It is staff's opinion that the proposed zoning would be compatible with established neighborhood character.

(d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

It is staff's opinion that the proposed zoning would promote the public health, safety, and welfare of the City.

(e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

There are several permitted uses listed in the I-1 district. However, a consistency review of any use with the Comprehensive Plan must be performed. For example, a retail goods establishment is listed as a permitted use within the I-1 District. That use would be appropriate if developed in accordance with commercial design standards.

(f) The extent to which the proposed amendment creates nonconformities.

It is staff's opinion that the proposed zoning would not create any nonconformities.

6. Additional Considerations:

The development and adoption of Connected to Tomorrow was a yearlong effort, which was the result of substantial input. The Plan identifies a shared vision and set of goals for the community based on a series of public discussions and community needs. Much like the 2013 plan, the 2022 comprehensive plan serves three primary roles:

- A Shared Vision for the Future. Comprehensive planning provides an opportunity for residents to create a shared vision for their community. Residents and City Staff identified issues and opportunities for North Liberty's land use, infrastructure, public facilities, natural resources, and more. These findings create a vision and set public priorities.
- Guidance for Decision-Makers. The plan serves as a guide for City Staff, the Planning Commission, City Council, and other City boards and commissions as they set policy, make public investments, and deliberate land use decisions.
- Legal Basis for Land Use Regulations. The Code of Iowa allows cities to adopt land use regulations, such as zoning and subdivision ordinances, to promote the "health, safety, morals or general welfare of the community." These regulations govern how to develop land within the city and its extraterritorial jurisdiction. Land use regulations recognize that people live cooperatively and have certain responsibilities to coordinate and harmonize private property uses. Connected to Tomorrow provides a legal basis for these regulations.

The adoption of Connected to Tomorrow is a directive to align the Zoning Ordinance and Map with the comprehensive plan. To quote the Plan, "Policymakers, most notably the City Council and Planning and Zoning Commission, will help set the course to realize this plan. These are the bodies to create and administer the policies that shape development in North Liberty. The plan should be a reliable guide to help with decisions related to large-scale policies and individual projects."

7. Staff Recommendation:

Finding:

1. The rezoning request from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment (rezoning) from I-1 Light Industrial District to C-3 Higher-Intensity Commercial District on approximately 4.0 acres to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval.

Ordinance No. 2023-16

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM I-1 LIGHT INDUSTRIAL DISTRICT TO C-3 HIGHER-INTENSITY COMMERCIAL DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended by designating the zoning district for 4.0 acres, more or less, as C-3 Higher-Intensity Commercial District for property particularly described as follows:

Lot 1, Lindner First Addition, North Liberty, Johnson County, Iowa according to the plat thereof recorded in Book 32, Page 329, Plat Records of Johnson County, Iowa;

SECTION 2. CONDITIONS IMPOSED. At the April 18, 2023, meeting the Planning Commission accepted the listed finding and forwarded the request for a zoning map amendment to the City Council with a recommendation for approval 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:

CHRIS HOFFMAN, 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. 2023-16 in *The Gazette* on the ____ of _____, 2023.

TRACEY MULCAHEY, CITY CLERK



**City Initiated Zoning Map
Amendment – Stephen M.
& Debra B. Carneol**



April 18, 2023

Chris Hoffman, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of the City of North Liberty for a zoning map amendment (rezoning) on approximately .37 acres, from I-1 Light Industrial District to C-1-B General Commercial District on property located south of West Cherry Street approximately 300 feet east of North Highway 965/Ranshaw Way (Also Known As 445 West Cherry Street).

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its April 18, 2023 meeting. The Planning Commission took the following action:

Finding:

1. The rezoning request from I-1 Light Industrial District to C-1-B General Commercial District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

The Planning Commission accepted the listed finding and forwards the request for zoning map amendment (rezoning) from I-1 Light Industrial District to C-1-B General Commercial District on approximately .37 acres to the City Council with a recommendation for approval.

The vote for approval was 4-0.

Josey Bathke, Chairperson
City of North Liberty Planning Commission



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **April 14, 2023**
Re **Request of the City of North Liberty for a zoning map amendment (rezoning) on approximately .37 acres, from I-1 Light Industrial District to C-1-B General Commercial District on property located south of West Cherry Street approximately 300 feet east of North Highway 965/Ranshaw Way (Also Known As 445 West Cherry 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. Request Summary:

This is a City-initiated rezoning to achieve consistency with the new Comprehensive Plan Connected to Tomorrow, which was adopted by City Council on February 28, 2023.

Section 165.09(2) of the North Liberty Code of Ordinances reads, "Initiation. The City or a property owner in the City, or person expressly authorized in writing by the property owner, may propose a zoning text or map amendment."

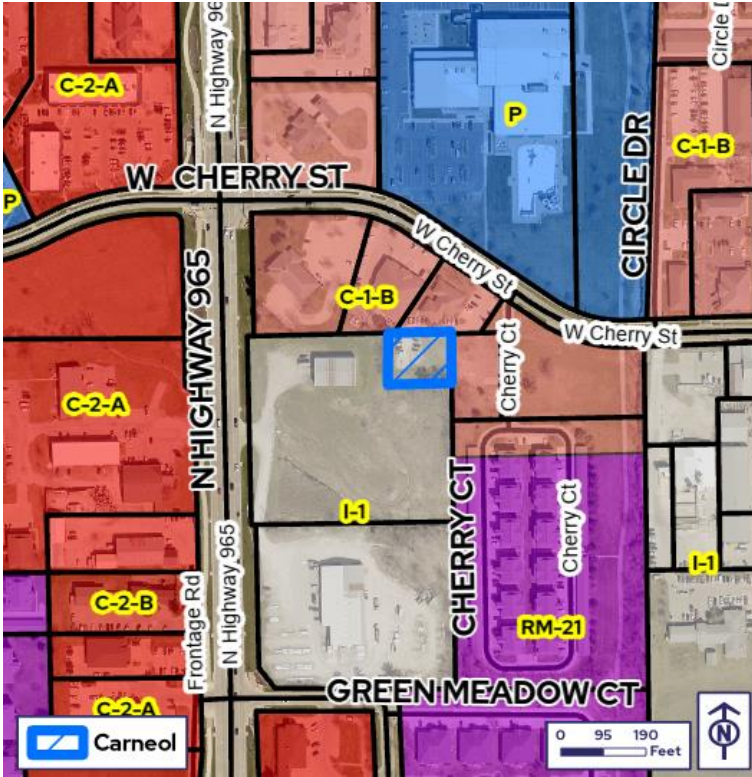
2. Current and Proposed Zoning:

Current Zoning

I-1 Light Industrial District. The I-1 District is intended to provide for the development of modern landscaped light-industrial and commercial establishments which have negligible impacts upon areas outside of the zoned district, and seek a hazard-and nuisance-free environment. The district is intended to provide for manufacture, assembly, fabrication, storage, and/or processing of goods listed for the location of compatible uses.

Proposed Zoning

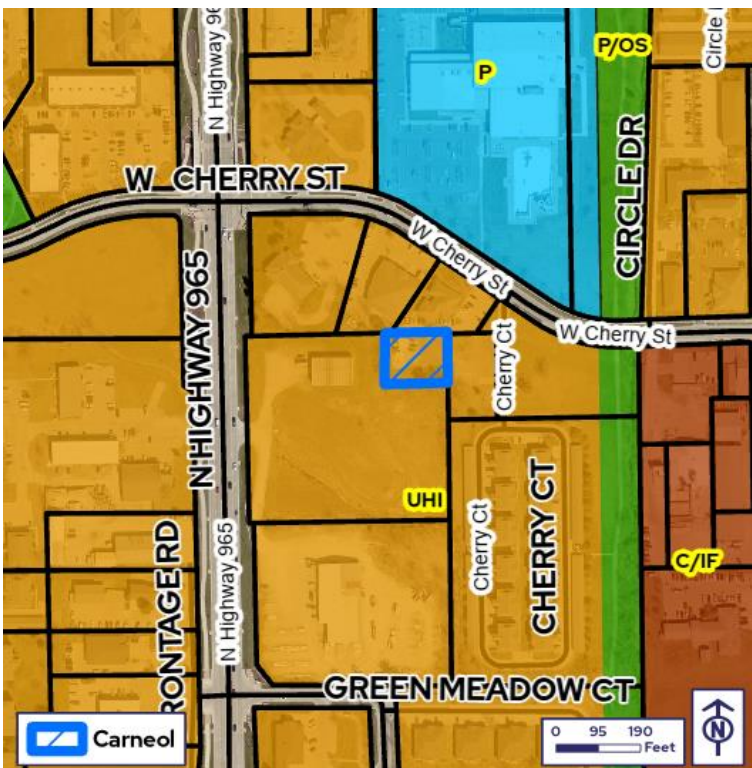
C-1-B General Commercial District. The C-1-B District is intended to provide for the uses established under the C-1-A Central Commercial District and other commercial uses which due to space requirements and the nature of operations are not suitable for location within a compact central commercial center. Setback and yard requirements are greater than under the C-1-A Central Commercial District.



3. Comprehensive Plan

Future Land Use Map designation

UHI Urban High Intensity. The current I-1 zoning is not consistent with the UHI Land Use designation, however, the C-1-B zoning would be consistent with UHI.



Urban High Intensity Description

These areas have increased economic activity and a higher frequency of diverse and complementary uses. High-intensity areas include more urban services with a horizontal and vertical mix of high-density residential uses and community to regional commercial uses of compatible densities and scales.

Residential

Developments have more focus on non-residential buildings but still offer residential uses ranging from townhomes and apartments. Mixing residential with commercial uses on the same site is encouraged when feasible from a design and market capitalization standpoint.

Form and Features

- » Aggregate development density at 14+ units per acre at sites with direct access to major arterial and collector streets. Development should avoid the creation of isolated multi-family development.
- » Edges of UHI residential developments transition to lower intensity uses or buffer from industrial/commercial uses through design, landscaping, and buffering.

Non-Residential

More prevalent and focus in the UHI district that can include larger offices, medical buildings, commercial, and larger institutional uses such as places of worship, community centers, and indoor recreation.

4. Public Input:

Good neighbor meetings are not required with City-initiated rezonings. Mailed notice (certified and regular) of the proposed rezoning was sent to the property owner listed in public records.

Figure 3.4: Land Use Compatibility

TRADITIONAL LAND USES	AGRICULTURE (AG)	URBAN RESERVE (UR)	URBAN LOW INTENSITY (ULI)	URBAN MEDIUM INTENSITY (UMI)	URBAN HIGH INTENSITY (UHI)	COMMERCIAL/ INDUSTRIAL FLEX (FLX)	PUBLIC AND SEMI PUBLIC (PUB)	PARK AND OPEN SPACE (P, OS)
Agriculture	●	●						○
Rural residential		●						
Low-density residential			●	○				
Medium-density residential			●	●	○			
High-density residential				●	●	○		
Rural commercial		●						
Neighborhood commercial			○	●	●	●		
Community commercial				○	●	●		
Regional commercial					○	●		
Low/medium intensity office			○	○	●	●		
High-intensity office				○	●	●		
Limited industrial		○			●	●		
Heavy industrial						○		
Parks and civic uses	●	●	●	●	●	○	●	●
Major public/civic facilities					○			○
Residential density range (du/A*)	≤40	≤40	3-8	7-14	14+	14+	NA	NA

● Permitted ○ Permitted with special review
*Dwelling Units per Acre

The C-1-B zoning was selected due to the adjacent property under common ownership (North Liberty Dental) being zoned C-1-B.

Section 165.09 of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

D. Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards (staff commentary in italics).

(1) Map Amendments.

(a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies.

(b) The compatibility with the zoning of nearby property.

It is staff's opinion that the proposed zoning would be compatible with the area.

(c) The compatibility with established neighborhood character.

It is staff's opinion that the proposed zoning would be compatible with established neighborhood character.

(d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.

It is staff's opinion that the proposed zoning would promote the public health, safety, and welfare of the City.

(e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

There are several permitted uses listed in the I-1 district. However, a consistency review of any use with the Comprehensive Plan must be performed. For example, a retail goods establishment is listed as a permitted use within the I-1 District. That use would be appropriate if developed in accordance with commercial design standards.

(f) The extent to which the proposed amendment creates nonconformities.

It is staff's opinion that the proposed zoning would not create any nonconformities.

6. Additional Considerations:

The development and adoption of Connected to Tomorrow was a yearlong effort, which was the result of substantial input. The Plan identifies a shared vision and set of goals for the community based on a series of public discussions and community needs. Much like the 2013 plan, the 2022 comprehensive plan serves three primary roles:

- A Shared Vision for the Future. Comprehensive planning provides an opportunity for residents to create a shared vision for their community. Residents and City Staff identified issues and opportunities for North Liberty's land use, infrastructure, public facilities, natural resources, and more. These findings create a vision and set public priorities.
- Guidance for Decision-Makers. The plan serves as a guide for City Staff, the Planning Commission, City Council, and other City boards and commissions as they set policy, make public investments, and deliberate land use decisions.
- Legal Basis for Land Use Regulations. The Code of Iowa allows cities to adopt land use regulations, such as zoning and subdivision ordinances, to promote the "health, safety, morals or general welfare of the community." These regulations govern how to develop land within the city and its extraterritorial jurisdiction. Land use regulations recognize that people live cooperatively and have certain responsibilities to coordinate and harmonize private property uses. Connected to Tomorrow provides a legal basis for these regulations.

The adoption of Connected to Tomorrow is a directive to align the Zoning Ordinance and Map with the comprehensive plan. To quote the Plan, "Policymakers, most notably the City Council and Planning and Zoning Commission, will help set the course to realize this plan. These are the bodies to create and administer the policies that shape development in North Liberty. The plan should be a reliable guide to help with decisions related to large-scale policies and individual projects."

7. Staff Recommendation:

Finding:

1. The rezoning request from I-1 Light Industrial District to C-1-B General Commercial District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment (rezoning) from I-1 Light Industrial District to C-1-B General Commercial District on approximately .37 acres to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval.

Ordinance No. 2023-17

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM I-1 LIGHT INDUSTRIAL DISTRICT TO C-1-B GENERAL COMMERCIAL DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended by designating the zoning district for 0.37 acres, more or less, as C-1-B General Commercial District for property particularly described as follows:

Lot 2, Lindner First Addition, North Liberty, Johnson County, Iowa according to the plat thereof recorded in Book 32, Page 329, Plat Records of Johnson County, Iowa;

SECTION 2. CONDITIONS IMPOSED. At the April 18, 2023, meeting the Planning Commission accepted the listed finding and forwarded the request for a zoning map amendment to the City Council with a recommendation for approval 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:

CHRIS HOFFMAN, 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. 2023-17 in *The Gazette* on the ____ of _____, 2023.

TRACEY MULCAHEY, CITY CLERK



**Twopoint2, LLC and
Vantage Properties, LLC
Zoning Map Amendment**



April 18, 2023

Chris Hoffman, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of Twopoint2, LLC and Vantage Point Properties, LLC for a zoning map amendment (rezoning) on approximately 5.23 acres on property located on the west side of North Highway 965/Ranshaw Way approximately 280 feet south of West Cherry Street. The rezoning would be from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development. The purpose of the request is to rehabilitate the southeast portion of the property and waive some of the Zoning Ordinance design standards.

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its April 18, 2023 meeting. The Planning Commission took the following action:

Findings:

1. The rezoning request from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code; and
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review", and other Code of Ordinance requirements.

Recommendation:

The Planning Commission accepted the two listed findings and forwards the request for zoning map amendment (rezoning) from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development on approximately 5.23 acres to the City Council with a recommendation for approval.

The vote for approval was 4-0.

Josey Bathke, Chairperson
City of North Liberty Planning Commission



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **April 14, 2023**
Re **Request of Twopoint2, LLC and Vantage Point Properties, LLC for a zoning map amendment (rezoning) on approximately 5.23 acres on property located on the west side of North Highway 965/Ranshaw Way approximately 280 feet south of West Cherry Street. The rezoning would be from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development. The purpose of the request is to rehabilitate the southeast portion of the property and waive some of the Zoning Ordinance design standards.**

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. Request Summary:

The request proposes to rehabilitate the property for multiple tenants. The primary reason for the rezoning is to waive some of the Ordinance Design Standards.

2. Current and Proposed Zoning:

Current and Proposed Zoning

C-2-A Highway Commercial District Planned Area Development.

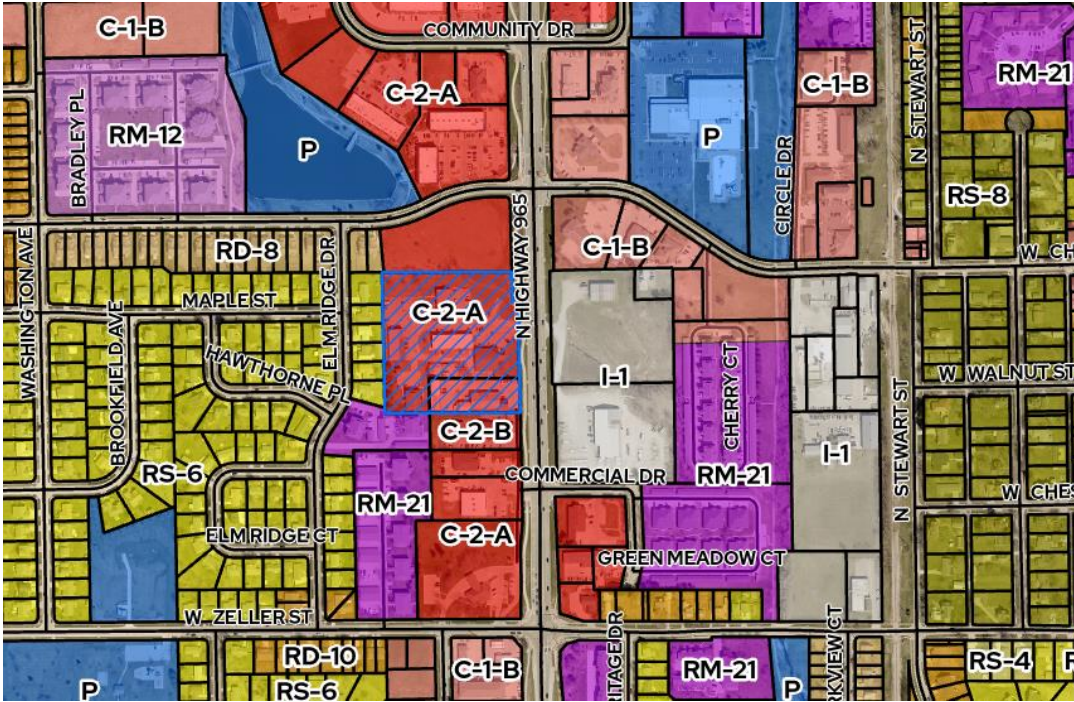
C-2-A Highway Commercial District. The C-2-A District is intended to provide for those commercial uses which may take particular advantage of a highway location and/or due to size or other nuisance constraints may be incompatible with the predominantly retail uses permitted in the C-1-A and C-1-B Commercial Districts, and whose service area is not confined to any one neighborhood or community.

Proposed Zoning

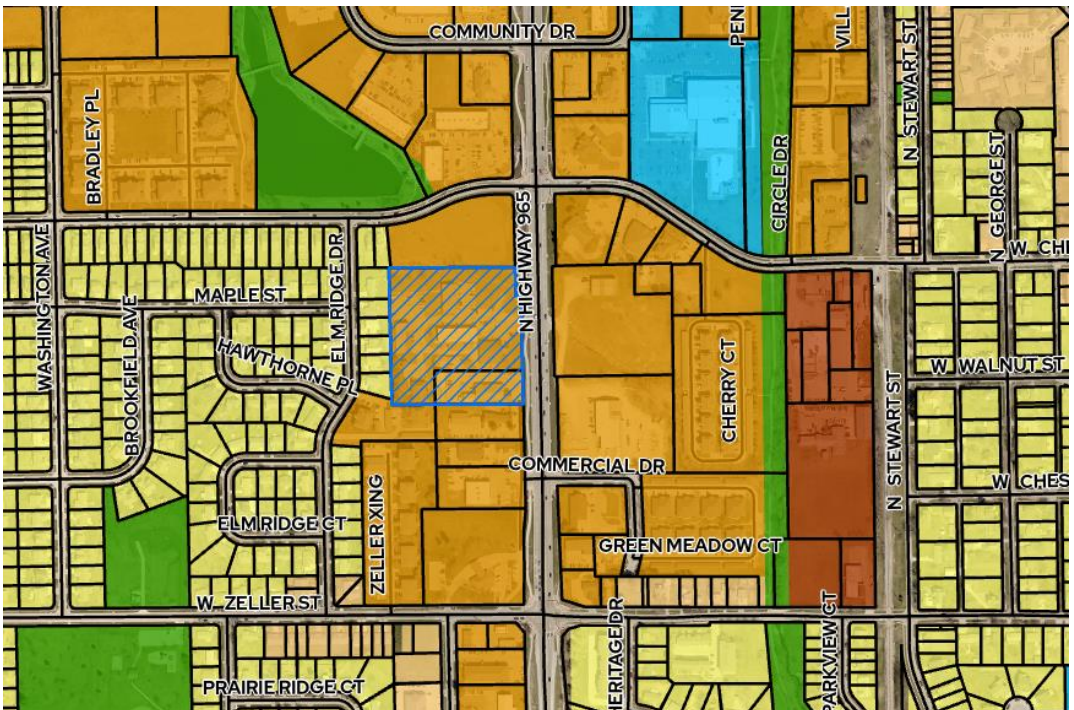
PAD Planned Area Development Overlay District.

The PAD 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 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 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 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.



3. Consistency with Comprehensive Plan:
Land Use Plan designation: Urban High Intensity.



Urban High Intensity Description

These areas have increased economic activity and a higher frequency of diverse and complementary uses. High-intensity areas include more urban services with a horizontal and vertical mix of high-density residential uses and community to regional commercial uses of compatible densities and scales.

Residential

Developments have more focus on non-residential buildings but still offer residential uses ranging from townhomes and apartments. Mixing residential with commercial uses on the same site is encouraged when feasible from a design and market capitalization standpoint.

Form and Features

- » Aggregate development density at 14+ units per acre at sites with direct access to major arterial and collector streets. Development should avoid the creation of isolated multi-family development.
- » Edges of UHI residential developments transition to lower intensity uses or buffer from industrial/commercial uses through design, landscaping, and buffering.

Non-Residential

More prevalent and focus in the UHI district that can include larger offices, medical buildings, commercial, and larger institutional uses such as places of worship, community centers, and indoor recreation.

Relevant Connected to Tomorrow Sections

Section 2 Vision & Goals

Relevant Land Use Tomorrow Guiding Development Principles:

- Be commerce ready to support a range of enterprises.

4. Public Input:

A virtual good neighbor meeting was held on March 21, 2023. A couple of people outside of City staff of the applicant attended and just had general questions about the proposal. No formal objections have been received.

5. Analysis of the Request

Section 165.09 of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

- D. Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards (staff commentary in italics).

- (1) Map Amendments.
- (a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies.
- (b) The compatibility with the zoning of nearby property.
It is staff's opinion that the proposed zoning would be compatible with the area.
- (c) The compatibility with established neighborhood character.
It is staff's opinion that the proposed zonings would be compatible with established neighborhood character.
- (d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
It is staff's opinion that the proposed zonings would promote the public health, safety, and welfare of the City.
- (e) The suitability of the property for the purposes for which it is presently zoned, i.e., the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.
It is staff's opinion that this is a specific case warranting flexibility from the Zoning Ordinance.
- (f) The extent to which the proposed amendment creates nonconformities.
It is staff's opinion that the proposed zoning would not create any nonconformities.

Section 165.05(2) of the North Liberty Code of Ordinances entitled, "Preliminary Site Review" sets forth the approval standards (Ordinance language in *italics* and staff analysis in **bold**).

Generally, the plan is to rehabilitate the southeast portion of the property for new users. The property was developed at a time when current design standards regarding masonry were not applicable.

- *Date, north arrow and graphic scale.* **Provided.**
- *The property owner's name and description of proposed development.* **Provided.**
- *A vicinity sketch showing the location of the property and other properties within 1,000 feet of it.* **Provided.**
- *Property boundary lines, dimensions, and total area.* **Provided.**
- *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 site plan.* **Provided.**
- *The location of existing streets, sidewalks, easements, utilities, drainage courses.* **Provided.**
- *The total square feet of building floor area, both individually and collectively.* **Provided.**

- *All structures and major features shall be fully dimensioned including distance between structures, distance between driveways, parking areas, property lines and building height. **Provided.***
- *Off-street parking areas, ingress and egress to the property, number of parking spaces proposed, number of parking spaces required by this code and type of surfacing. **Provided.***
- *Pedestrian walkways with special consideration given to pedestrian safety. **Provided.***
- *Trash and refuse enclosures. **Provided.***
- *The general drainage pattern and location of storm water detention features. **Provided.***
- *The general location, type and size of landscaping and ground cover illustrated in color perspective. **Provided.***
- *A rendering, elevation or photo of the proposed development. **Provided.***

6. Additional Considerations:

New commercial developments are expensive considering land and building costs. These costs ultimately get passed on to tenants, which lease the space. There is a smaller portion of the business community which is willing and/or able to least at those rates.

It is easy to see the ultimate type of development because the applicant rehabilitated the adjacent development to the north.



The PAD waivers requested are as follows:

- Building setback waiver to allow a 0' setback to the common property line.
- Waiver from the 60% masonry requirement.
- Waiver from the trash enclosure and recycling enclosure as it will be incorporated into the design of the building.
- Allow for shared parking with the property to the north.

7. Staff Recommendation:

Findings:

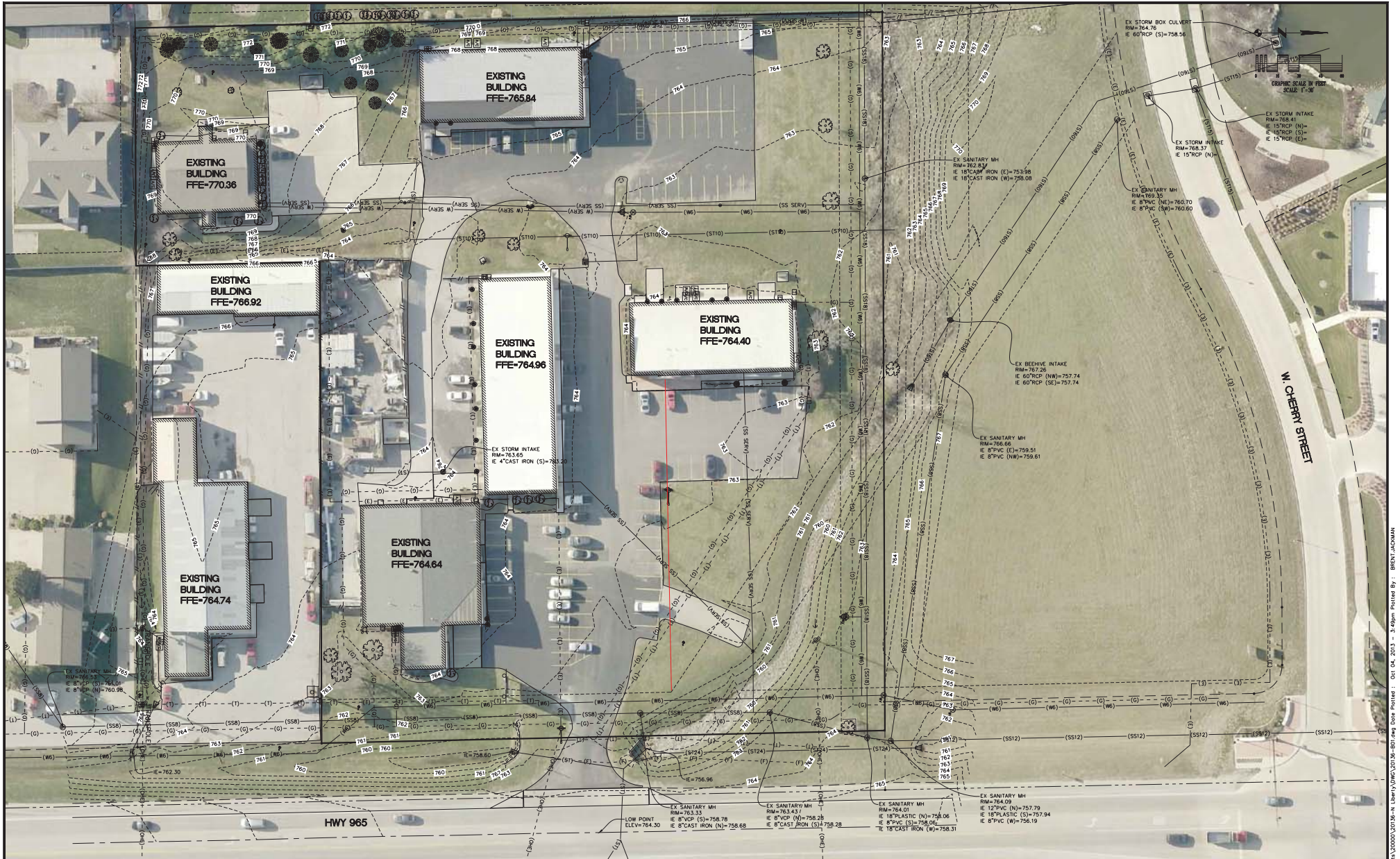
1. The rezoning request from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code; and
2. The site plan would achieve consistency with North Liberty Code of Ordinances Section 165.05(2) entitled, "Preliminary Site Plan Review", and other Code of Ordinance requirements.

Recommendation:

Staff recommends the Planning Commission accept the two listed findings and forward the request for zoning map amendment (rezoning) from C-2-A Highway Commercial District to C-2-A PAD Highway Commercial District Planned Area Development on approximately 5.23 acres 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.



DRAWN BY: DAS			
CHECKED BY: BWJ			
APPROVED BY: XXX			
DATE: 10/03/13			
FIELD BOOK: XXX	NO.	REVISION DESCRIPTION	APPROVED DATE

HALL & HALL ENGINEERS, INC.
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 PHONE: 319-385-9888 FAX: 319-385-1955

CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE
 LAND SURVEYING AND DEVELOPMENT PLANNING

JDS DEVELOPMENT
 HWY 965
 NORTH LIBERTY, IOWA

TOPOGRAPHIC SURVEY AND BOUNDARY

SHEET	1
OF	1
PROJECT NO.	20136

CAD File: L:\Projects\20000\20136-N_Liberty\DWG\20136-1801.dwg Date Plotted: 01/04/2013 3:49pm Plotted By: BRETT JACKMAN

DRAWINGS FOR PROPOSED IMPROVEMENTS FRONTAGE ROAD AND LOT RESURFACING NORTH LIBERTY PLAZA, NORTH LIBERTY, JOHNSON COUNTY, IOWA

LEGAL DESCRIPTION

175 N HIGHWAY 965 (PARCEL ID# 0612376002) AND 165 N HIGHWAY 965 (PARCEL ID# 0612385001), NORTH LIBERTY, JOHNSON COUNTY, IOWA.

NOTE:

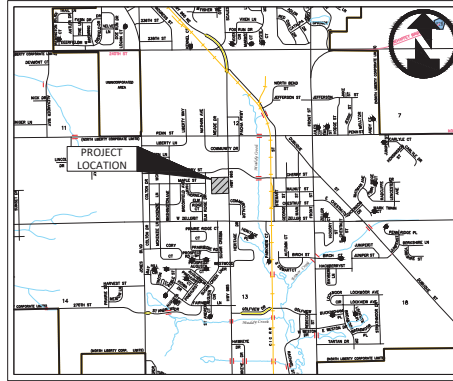
THE PROPOSED IMPROVEMENTS INCLUDED IN THESE DRAWINGS HAVE BEEN DESIGNED IN ACCORDANCE WITH CITY OF NORTH LIBERTY REQUIREMENTS AND THE IOWA STATEWIDE URBAN DESIGN AND SPECIFICATIONS (SUDAS), LATEST ADDITION, UNLESS NOTED OTHERWISE ON THE PLANS.

GIVEN THIS PROPERTY WAS BUILT AND SUBDIVIDED IN A HISTORIC ERA, THE DEVELOPER REQUESTS A VARIANCE TO THE FOLLOWING:

ZONING CODE 168.03 - BUILDING SETBACK-EXISTING, NONCONFORMING BUILDING SETBACK BETWEEN EXISTING PARCELS WHICH DIVIDE BETWEEN THE SINGLE OWNER. EXISTING SETBACK IS ZERO (0) FEET. VARIANCE TO ALLOW ZERO FEET SETBACK OF EXISTING AND NEW CONSTRUCTION.

ZONING CODE 169.10 B - 60% REQUIREMENT FOR SPECIFIC WALL ELEVATION MATERIALS. GIVEN THE LOCATION OF EXISTING BUILDINGS AND IN PLACE EXTERIOR CONDITIONS, REQUEST TO REVIEW THE IMPROVEMENTS AS A WHOLE WITH PRIORITY PLACED ON PEDESTRIAN AND VEHICULAR VANTAGE POINTS. VARIANCE FOR FACADE MATERIALS EXTENDED TO TRASH ENCLOSURE WHICH IS TO BE INCORPORATED INTO A WALL WITH REQUESTED VARIANCE PER ELEVATION PLAN.

ZONING CODE 169.01 - CONSIDERATION FOR OVERFLOW PARKING SHARED IN COMMON WITH EXISTING COMMERCIAL SITE TO NORTH WHICH IS CURRENTLY OVER PARKED TO CODE. ADDITIONAL NEW PARKING CAN BE LOCATED BEHIND BUILDING 2 NEW CONSTRUCTION.



CITY OF NORTH LIBERTY, IOWA

SHEET INDEX	
C0.00	COVER SHEET
CIVIL	
C0.01	LEGEND AND GENERAL NOTES
C0.02	GENERAL NOTES
C1.00	EXISTING CONDITIONS AND REMOVALS PLAN
C2.00	SITE & EROSION CONTROL PLAN - FRONTAGE ROAD
C3.00	PAVEMENT PLAN - FRONTAGE ROAD
C4.00	SITE & EROSION CONTROL PLAN - LOT RESURFACING
C5.00	PAVEMENT PLAN - LOT RESURFACING

APPLICANT INFORMATION

OWNER/APPLICANT:
JEFF SCHWEITZER
VANTAGE POINT PROPERTIES
PHONE: 319-621-2335
EMAIL: JEFF@NORTHLIBERTYPLAZA.COM

PROJECT INFORMATION

CONTACT PERSON:
BRIAN BOELK
AXIOM CONSULTANTS, LLC
60 E. COURT STREET, UNIT 3
IOWA CITY, IOWA 52240-3833
PHONE: 319-519-6220
EMAIL: BBOELK@AXIOM-CON.COM

UTILITY CONTACTS

<p>ALLIANT ENERGY CONTACT NAME: ALLIANT ENERGY FIELD ENGINEER CONTACT PHONE: 800-255-4268 CONTACT EMAIL: LOCATE_IPL@ALLIANTENERGY.COM</p>	<p>SOUTH SLOPE TELEPHONE CONTACT NAME: BRIAN FRESE CONTACT PHONE: 319-227-7111 CONTACT EMAIL: BRIAN@SOUTHSLOPE.COM</p>
<p>LINN COUNTY RECORDER CONTACT NAME: JOHNA NUNEMAKER CONTACT PHONE: 319-377-1587 CONTACT EMAIL: NUNEMAKER@LINNCOUNTYREC.COM</p>	<p>MEDIACOM IOWA CITY CONTACT NAME: CARL NORTON CONTACT PHONE: 319-594-6201 CONTACT EMAIL: CNORTON@MEDIACOMCC.COM</p>
<p>MIDAMERICAN - GAS CONTACT NAME: CARSON HEMPHILL CONTACT PHONE: 319-341-4461 CONTACT EMAIL: CRHEMPHILL@MIDAMERICAN.COM</p>	<p>UNIVERSITY OF IOWA CONTACT NAME: CHRIS HATLAND CONTACT PHONE: CONTACT EMAIL: CHRIS-HATLAND@UIOWA.EDU</p>
<p>CITY OF NORTH LIBERTY CONTACT NAME: TOM PALMER CONTACT PHONE: 319-626-5736 CONTACT EMAIL: TPALMER@NORTHLIBERTY.ORG</p>	<p>WINDSTREAM COMMUNICATIONS CONTACT NAME: LOCATE DESK CONTACT PHONE: 800-289-1901 CONTACT EMAIL: LOCATE.DESK@WINDSTREAM.COM</p>



I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

BRIAN A. BOELK, P.E.
LICENSE NUMBER 16503. DATE _____

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2022.

PAGES OR SHEETS COVERED BY THIS SEAL: ALL PLAN SHEETS

CITY APPROVAL

BY: _____ DATE: _____



REV.	DESCRIPTION OF CHANGES	DATE
1	CITY SUBMITTAL	03-30-2023

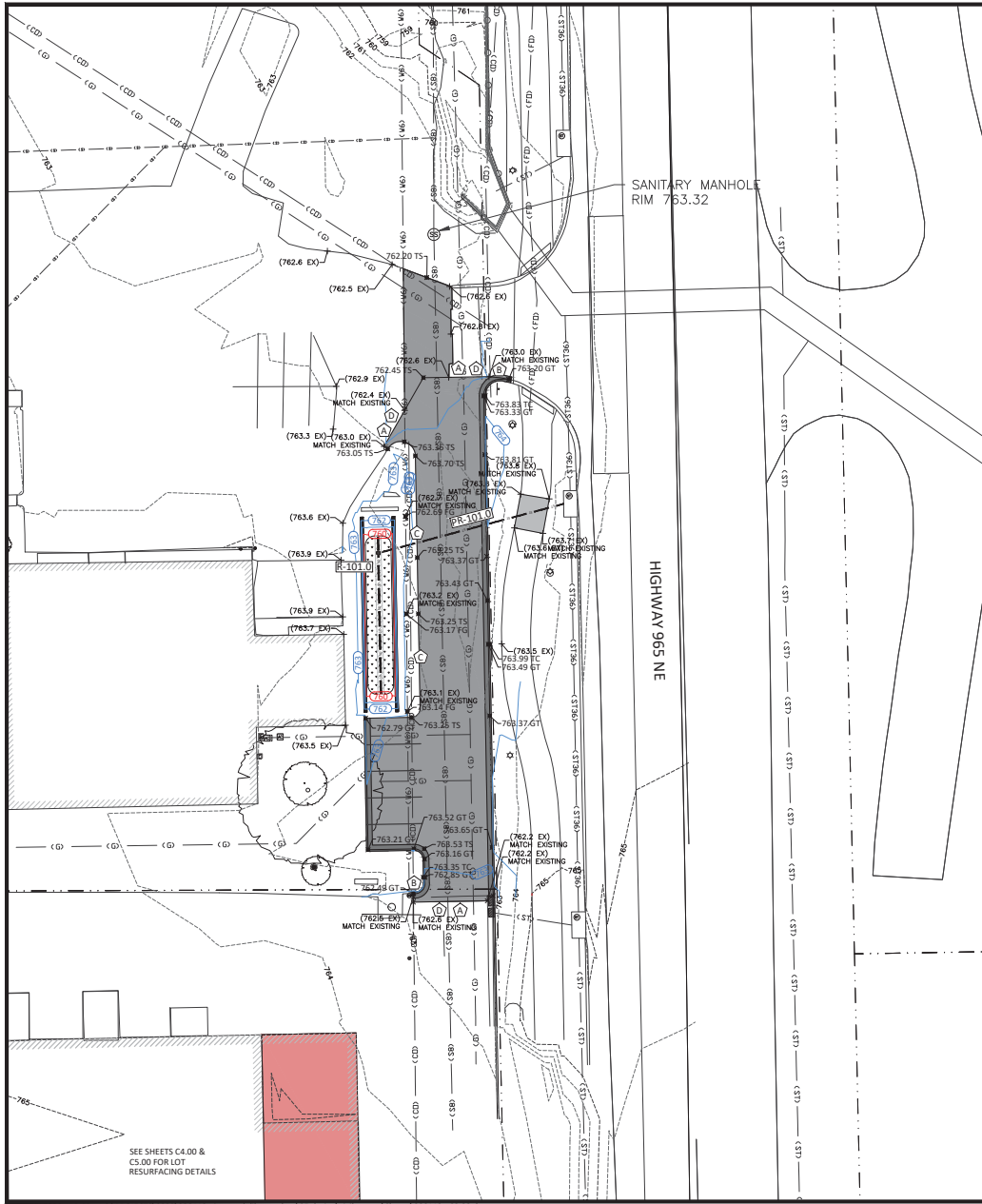
DRAWING LOG

PROJECT NAME: NORTH LIBERTY PLAZA
CITY: NORTH LIBERTY, IA
CLIENT NAME: VANTAGE POINT PROPERTIES

NOT FOR CONSTRUCTION

SHEET NAME: COVER SHEET
PROJECT NO: 220113
SHEET NUMBER: BOELK

C0.00



PAVING PLAN KEY NOTES:

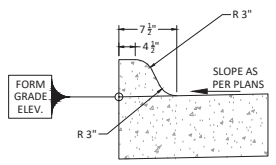
- (A) MATCH EXISTING ADJACENT PAVEMENT
- (B) BEGIN TRANSITION FROM NO CURB TO STANDARD CURB. SEE PCC CURB DETAILS SUDAS PV-102
- (C) NO CURB FOR PAVEMENT ADJACENT TO BIO RETENTION CELL TO FACILITATE EFFECTIVE OVERLAND STORM FLOW INTO STORMWATER FACILITY.
- (D) SAWCUT AND REMOVE EXISTING PAVEMENT PER LIMITS OF PROPOSED PAVEMENT

LEGEND:

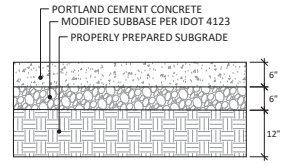
- PROPOSED BIOCELL
- SIDEWALK PCC PAVEMENT
- STANDARD DUTY ACC PAVEMENT WITH STANDARD PCC 6" CURB AS SHOWN. (OR APPROVED EQUIVALENT)

GENERAL NOTES:

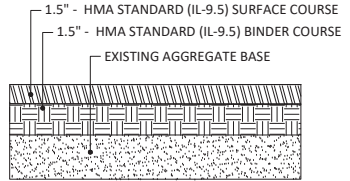
1. JOINTING PLAN TO BE SUBMITTED BY PAVING CONTRACTOR FOR ENGINEER REVIEW PRIOR TO PLACEMENT.
 2. SEE SUDAS SECTION 7010 FOR ADDITIONAL CONCRETE PAVING REQUIREMENTS
- GT = GUTTER
 TS = TOP OF SLAB
 TC = TOP OF CURB
 EX = EXISTING GRADE
3. ASSUME STANDARD 6" CURB UNLESS NOTED OTHERWISE.



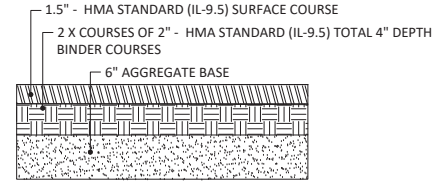
6" STANDARD CURB
NOT TO SCALE



STANDARD DUTY PAVEMENT SECTION - DESIGN ALTERNATE
NOT TO SCALE

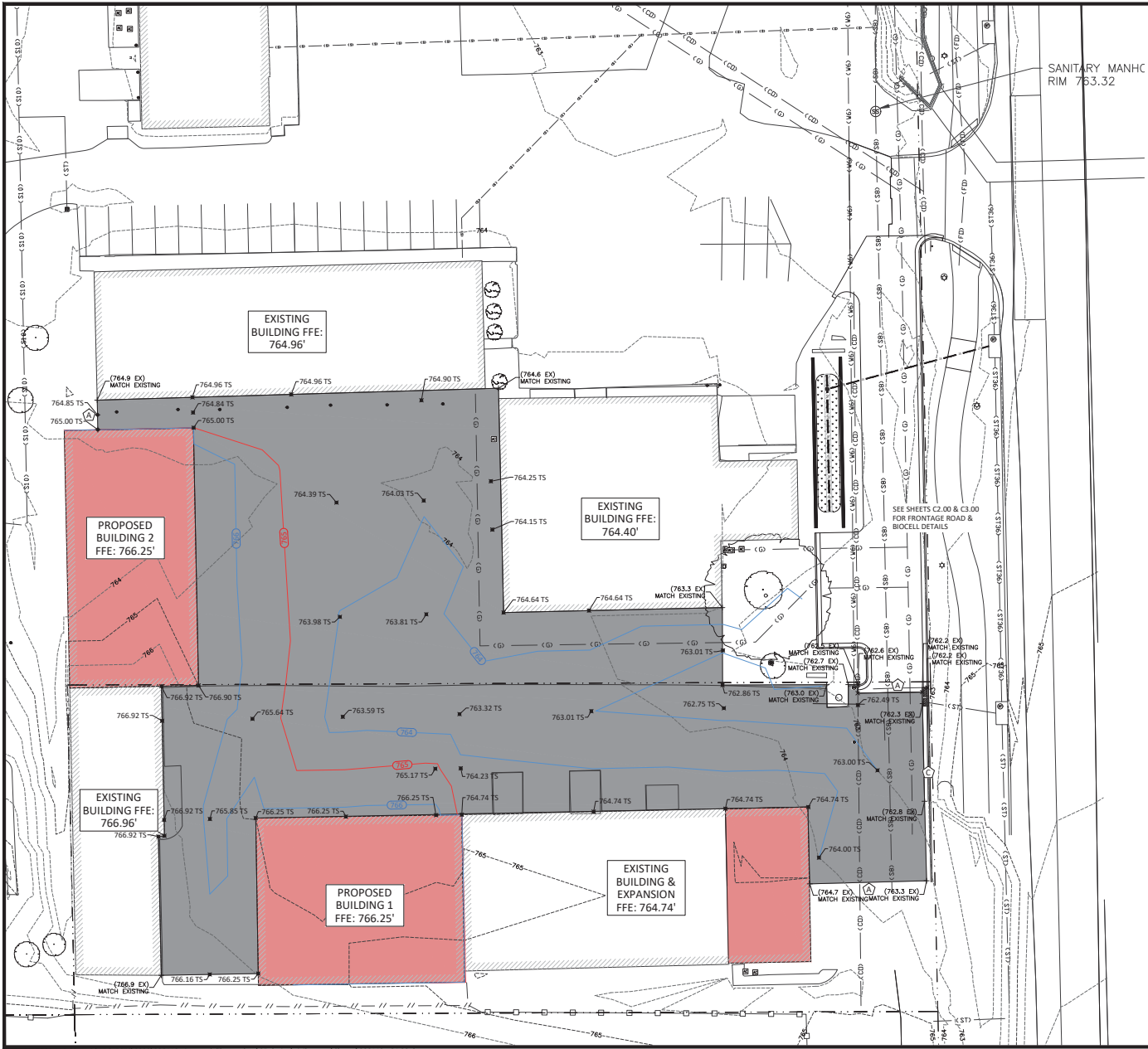


ACC PAVEMENT RESURFACE DETAIL
NOT TO SCALE



ACC PAVEMENT DETAIL
NOT TO SCALE

 ENGINEER WWW.AXIOM-CONS.COM (817) 519-6220	
DRAWING LOG DESCRIPTION OF CHANGES CITY: BOEKLING	DATE: 03-10-2023 REV: 1
PROJECT NAME: NORTH LIBERTY PLAZA NORTH LIBERTY, IA CLIENT NAME: VANTAGE POINT PROPERTIES	
SHEET NAME: PAVEMENT PLAN FRONTAGE ROAD PROJECT NO.: 220113 SHEET NUMBER: BOELK	
NOT FOR CONSTRUCTION C3.00	

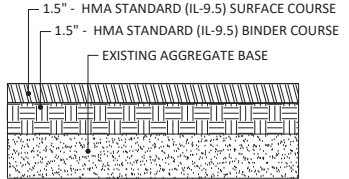


PAVING PLAN KEY NOTES:

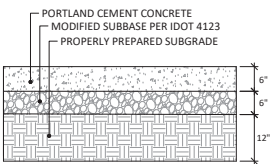
- (A) MATCH EXISTING ADJACENT PAVEMENT
- (B) SAWCUT AND REMOVE EXISTING PAVEMENT PER LIMITS OF PROPOSED PAVEMENT
- (C) INSTALL 6" STANDARD CURB

GENERAL NOTES:

1. JOINTING PLAN TO BE SUBMITTED BY PAVING CONTRACTOR FOR ENGINEER REVIEW PRIOR TO PLACEMENT.
 2. SEE SUDAS SECTION 7010 FOR ADDITIONAL CONCRETE PAVING REQUIREMENTS
- GT = GUTTER
 TS = TOP OF SLAB
 TC = TOP OF CURB
 FG = FINISHED GRADE
 EX = EXISTING GRADE
3. ASSUME STANDARD 6" CURB UNLESS NOTED OTHERWISE.



ACC PAVEMENT RESURFACE DETAIL 1



STANDARD DUTY PAVEMENT SECTION - DEISING ALTERNATE 2



REV.	DESCRIPTION OF CHANGES	DATE
1	CITY SUBMITTAL	01/30/2023

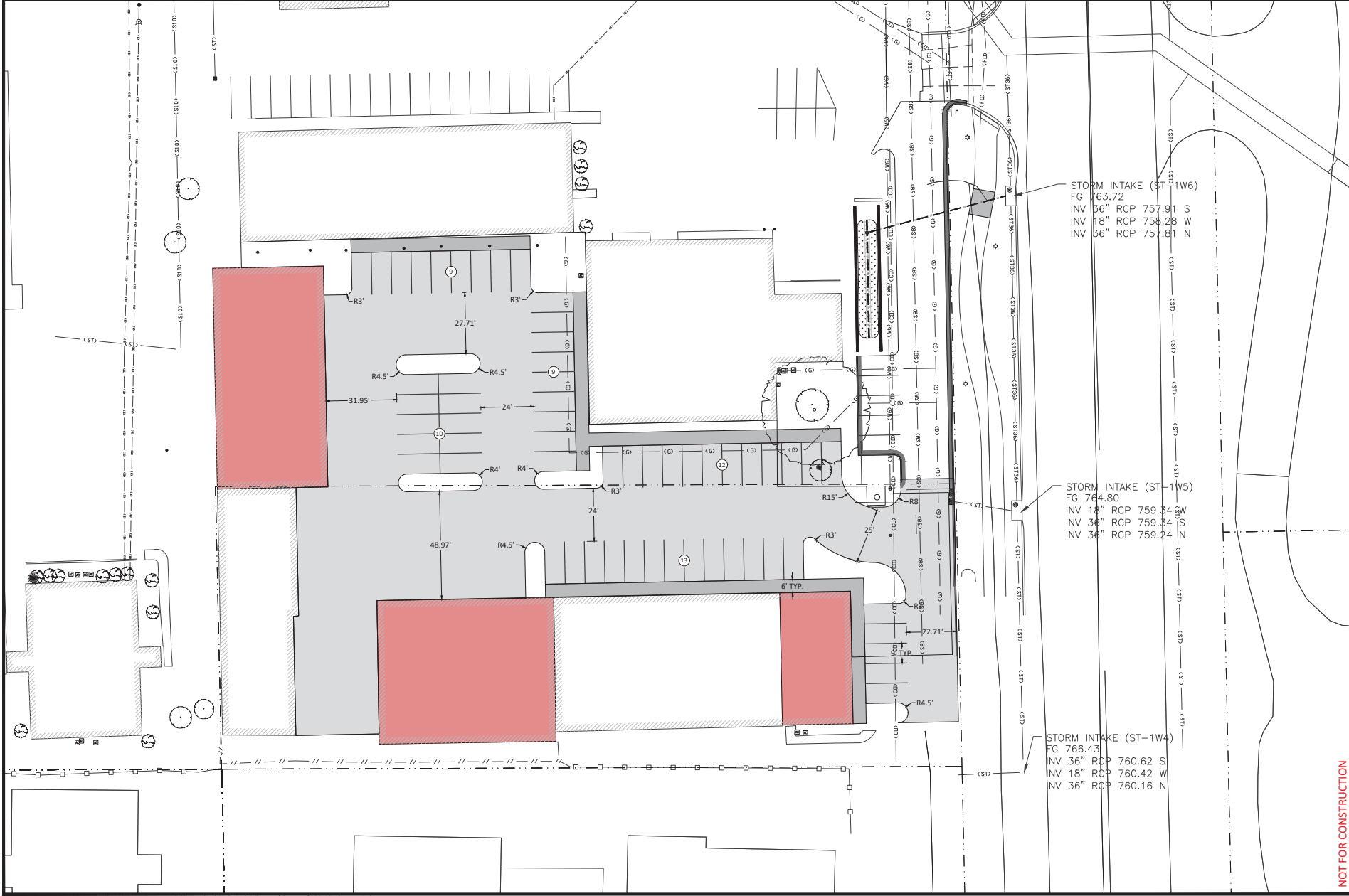
PROJECT NAME: NORTH LIBERTY PLAZA
 CLIENT NAME: VANTAGE POINT PROPERTIES
 DRAWING LOG

SHEET NAME: PAVEMENT PLAN
 PROJECT NO: 220113
 DESIGN PROFESSIONAL: BOELK

C5.00

Mar 30, 2023 - 10:02am S:\PROJECTS\2022\220113 - js - north liberty plaza\05 design\civil\survey\Sheets\220113 - C4.00.dwg

NOT FOR CONSTRUCTION



Apr 14, 2023 - 4:38pm s:\PROJECTS\2022\220113 - js - north liberty plaza\05 design\civil\survey\Concepts\220113 - Concept B.dwg

NOT FOR CONSTRUCTION

SHEET NAME:
 CONCEPT B

PROJECT NO.:

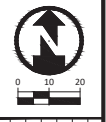
DESIGN PROFESSIONAL:

CLIENT NAME:

PROJECT NAME:
 NORTH LIBERTY PLAZA

PROPERTY NAME:
 VANTAGE POINT PROPERTIES

REV.	DESCRIPTION OF CHANGES	DATE



ENGINEER:

 WWW.AXIOM-CONSULTANTS.COM | (817) 519-6220

REVISIONS

Rev #	Date	Description

VANTAGE ARCHITECTS
 4800 BOWLING ST., SW, STE 100
 CEDAR RAPIDS, IA 52404
 319-8827738 (phone)
 www.vantagearch.com

POINT BUILDERS
 4800 BOWLING ST., SW, STE 100 CEDAR RAPIDS, IA 52404
 319-8827738 (phone)
 319-8827738 (fax)

NORTH LIBERTY PLAZA
 165 HIGHWAY 965
 NORTH LIBERTY, IOWA

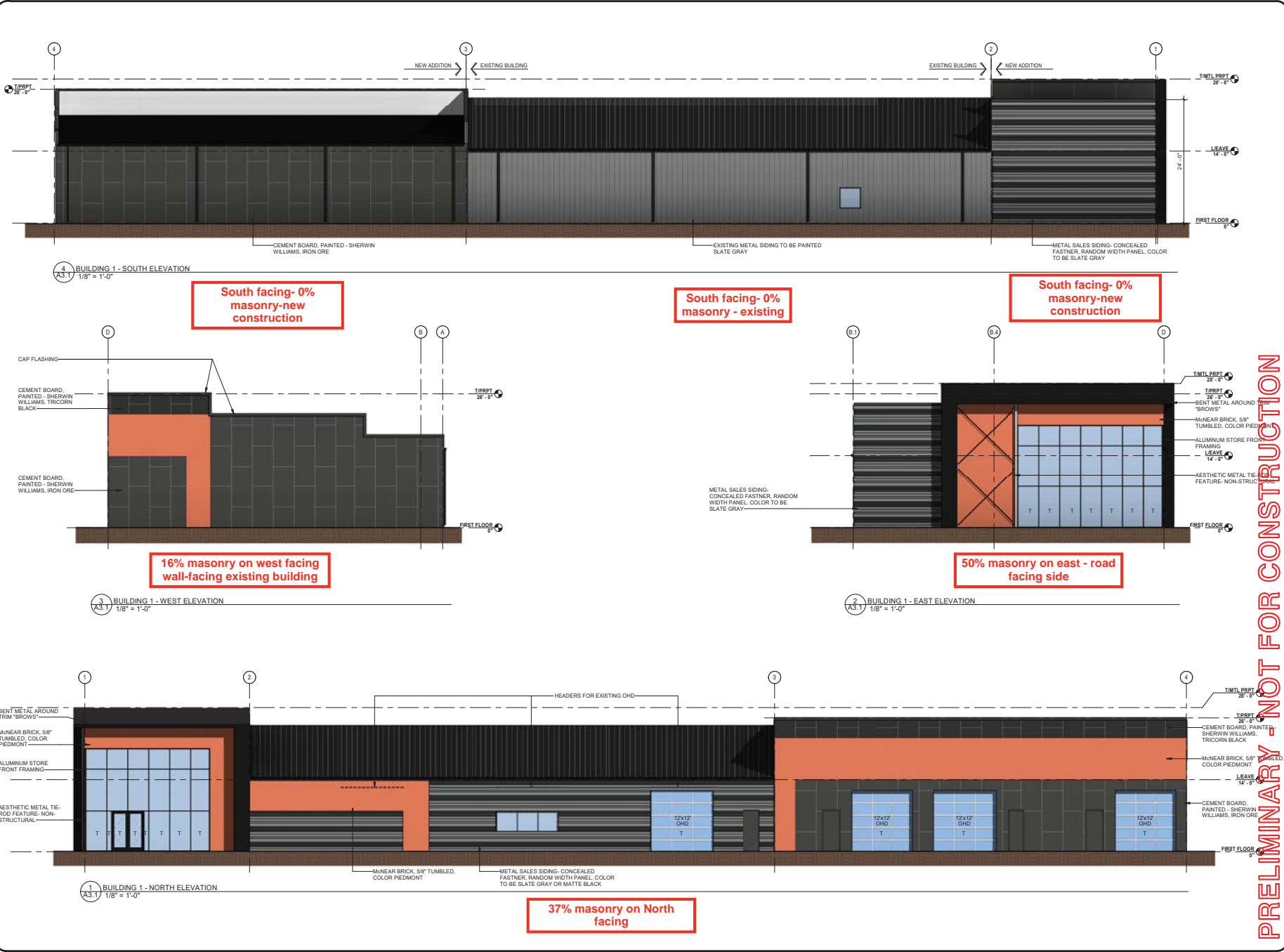
SCHEMATIC

Author	Checked

BUILDING 1 ELEVATIONS

SHEET
 A3.1

PRELIMINARY - NOT FOR CONSTRUCTION



C:\TEMP\NORTH LIBERTY PLAZA_0823_2023\dwg\03-schematic.dwg

REVISIONS		
Rev #	Date	Description

VANTAGE ARCHITECTS
 4800 BOWLING ST., SW, STE 100
 CEDAR RAPIDS, IA 52404
 319-8821738 (phone)
 www.vantagearch.com

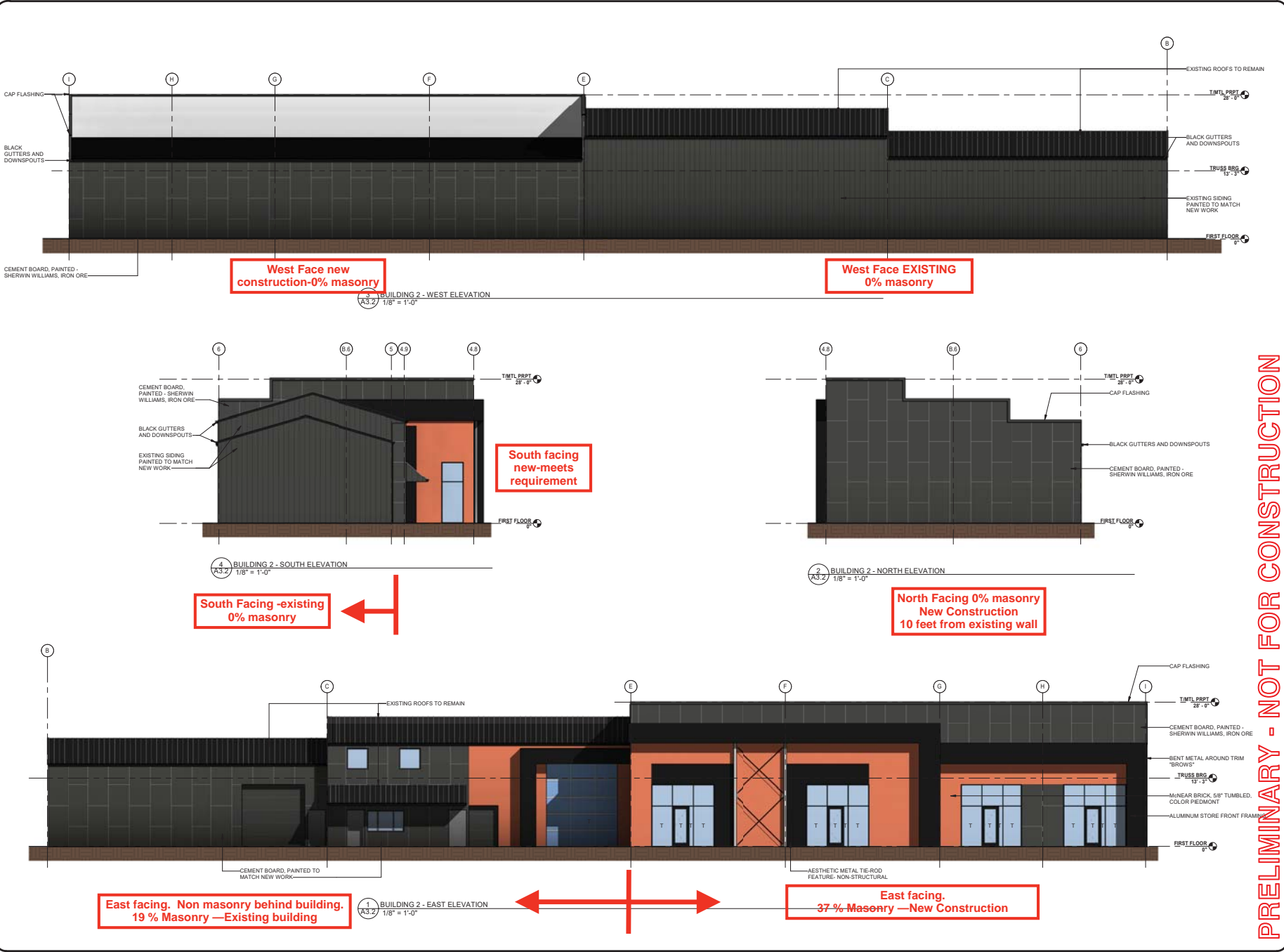
POINT BUILDERS
 THE VANTAGE ARCHITECTS GROUP
 4800 BOWLING ST., SW, STE 100 CEDAR RAPIDS, IA 52404
 VOICE 319844-5003 FAX 319298-9212

NORTH LIBERTY PLAZA
 165 HIGHWAY 965
 NORTH LIBERTY, IOWA

SCHEMATIC

DESIGN	CHECKED
Author	Checker
DATE: 02-22-2023	DATE: GA-0151
BUILDING 2 ELEVATIONS	
SHEET	
A3.2	

PRELIMINARY - NOT FOR CONSTRUCTION



Ordinance No. 2023-06

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM C-2-A HIGHWAY COMMERCIAL DISTRICT TO C-2-A PAD HIGHWAY COMMERCIAL PLANNED AREA DEVELOPMENT DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended by designating the zoning district for 5.23 acres, more or less, as C-2-A PAD Highway Commercial Planned Area Development District for property particularly described as follows:

Lot 1 Karrar's Second Subdivision, North Liberty, Iowa, according to the Plat thereof recorded in Book 33, Page 228, Plat Records of Johnson County, Iowa Recorder, AND Lot 1, Karrar's Third Addition, North Liberty, Iowa, according to the Plat thereof recorded in Book 34, Page 161, Plat Records of Johnson County, Iowa Recorder;

SECTION 2. CONDITIONS IMPOSED. At the April 18, 2023 meeting the Planning Commission accepted the listed finding and forwarded the request for a zoning map amendment to the City Council with a recommendation for approval 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 25, 2023.
Second reading on _____.
Third and final reading on _____.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, 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. 2023-06 in *The Gazette* on the ____ of _____, 2023.

TRACEY MULCAHEY, CITY CLERK



Zoning Code Ordinance Amendment



April 18, 2023

Chris Hoffman, Mayor
City of North Liberty
3 Quail Creek Circle
North Liberty IA 52317

Re: Request of the City of North Liberty for an Ordinance amending Chapter 165 of the North Liberty Code of Ordinances regarding preliminary site plan approval standards and access easement requirements for utility and emergency vehicles.

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its April 18, 2023 meeting. The Planning Commission took the following action:

Finding:

1. The proposed Ordinance would create clear approval standards for preliminary site plans and add a requirement for necessary easements during the construction review process.

Recommendation:

The Planning Commission accepted the listed finding and forwards the request for the Ordinance amendment to the City Council with a recommendation for approval. The vote for approval was 4-0.

Josey Bathke, Chairperson
City of North Liberty Planning Commission



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **April 14, 2023**
Re **Request of the City of North Liberty for an Ordinance amending Chapter 165 of the North Liberty Code of Ordinances regarding preliminary site plan approval standards and access easement requirements for utility and emergency vehicles.**

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. Request Summary:

This Ordinance modifies the preliminary site plan review regulations to include approval standards, which are absent from the current Code. The approval standards would include a consistency review with the comprehensive plan and any adopted land use policies. Staff asserts the adoption of Connected Tomorrow is a directive to align proposed development with the comprehensive plan. This would be a critical component of the preliminary site plan review process considering the temporary Moratorium Ordinance on site plans inconsistent with the 2023 Future Land Use Map expires at the end of May 2023.

Also included is the authority to require easements for access to public utilities and to allow emergency access on private developments during the construction site plan review process.

2. Public Input:

No public input has been received.

3. Staff Recommendation:

Finding:

1. The proposed Ordinance would create clear approval standards for preliminary site plans and add a requirement for necessary easements during the construction review process.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the Ordinance amendment to the City Council with a recommendation for approval.

Suggested Motion:

I move that the Planning Commission accept the listed finding and forward the Ordinance amendment to the City Council with a recommendation for approval.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 165 OF THE NORTH LIBERTY CODE OF ORDINANCES REGARDING PRELIMINARY SITE PLAN APPROVAL STANDARDS AND ACCESS EASEMENT REQUIREMENTS FOR UTILITY AND EMERGENCY VEHICLES

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

SECTION 1. RENUMBERING OF ORDINANCE. Subparagraphs E and F of Paragraph 2 of Chapter 165.05 of the North Liberty Code of Ordinances are re-lettered to subparagraphs F and G, respectively.

SECTION 2. AMENDMENT OF ZONING ORDINANCE. The following new subparagraph E is inserted into Paragraph 2 of the North Liberty Code of Ordinances immediately prior to subparagraph F:

- E. Approval Standards. The Planning Commission's recommendation to the City Council and the City Council's decision to approve or disapprove a preliminary site plan shall be informed by the preliminary site plan's adherence to the following standards:
- (1) The consistency of the preliminary site plan with all adopted ordinances and regulations.
 - (2) The consistency of the proposed land use with the Comprehensive Plan and any adopted land use policies. The submission of a preliminary site plan which proposes one or more uses inconsistent with the City's Future Land Use Map creates a rebuttable presumption that said use or uses are inharmonious with surrounding properties and incompatible with orderly development and redevelopment.

SECTION 3. AMENDMENT OF ZONING ORDINANCE. Paragraph 3(D) of Chapter 165.05 of the North Liberty Code of Ordinances, entitled Extension of Public Utilities, is amended to read as follows:

- D. Extension of public utilities and services, dedication of right-of-way. The petitioner may, as a condition of the construction site plan approval, be required to install public utilities, including (but not limited to) water lines, storm sewer, sanitary sewer, street paving, fire hydrants, and such other utilities as applicable to properly serve the proposed development, to provide easements for the ingress and egress of public utility and emergency vehicles, and to dedicate right-of-way to accommodate motorized and nonmotorized transportation, parking, and utility requirements. Where required as a condition of a construction site plan approval, utilities shall be constructed in accordance with construction standards as

established by resolution of the City Council for those portions within the public right-of-way and to be dedicated to the City, and may be required to be constructed to the same specifications for those undedicated portions where said utilities may have a direct effect on the future safety, proper functioning, and maintenance of those portions to be dedicated.

SECTION 4. AMENDMENT OF ZONING ORDINANCE. Paragraph 3(F) of Chapter 165.05 of the North Liberty Code of Ordinances, entitled Modifications, is amended to read as follows:

- F. Modifications. The development shall be substantially in conformance with the approved construction site plan. Amended construction site plans shall be submitted to the Code Official for determination if the amendment can be approved administratively or if the amendment requires review by the Planning Commission and approval by City Council in accordance with Section 165.05(2)(~~EE~~).

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 _____, 2023.

Second reading on _____, 2023.

Third and final reading on _____, 2023.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, 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 Cedar Rapids *Gazette* on the ____ day of _____, 2023.

TRACEY MULCAHEY, CITY CLERK

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 165 OF THE NORTH LIBERTY CODE OF
ORDINANCES REGARDING PRELIMINARY SITE PLAN APPROVAL
STANDARDS AND ACCESS EASEMENT REQUIREMENTS FOR UTILITY AND
EMERGENCY VEHICLES**

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

SECTION 1. RENUMBERING OF ORDINANCE. Subparagraphs E and F of Paragraph 2 of Chapter 165.05 of the North Liberty Code of Ordinances are re-lettered to subparagraphs F and G, respectively.

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- (1) The consistency of the preliminary site plan with all adopted ordinances and regulations.
 - (2) The consistency of the proposed land use with the Comprehensive Plan and any adopted land use policies. The submission of a preliminary site plan which proposes one or more uses inconsistent with the City's Future Land Use Map creates a rebuttable presumption that said use or uses are inharmonious with surrounding properties and incompatible with orderly development and redevelopment.

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- D. Extension of public utilities and services, dedication of right-of-way. The petitioner may, as a condition of the construction site plan approval, be required to install public utilities, including (but not limited to) water lines, storm sewer, sanitary sewer, street paving, fire hydrants, and such other utilities as applicable to properly serve the proposed development, to provide easements for the ingress and egress of public utility and emergency vehicles, and to dedicate right-of-way to accommodate motorized and nonmotorized transportation, parking, and utility requirements. Where required as a condition of a construction site plan approval, utilities shall be constructed in accordance with construction standards as

established by resolution of the City Council for those portions within the public right-of-way and to be dedicated to the City, and may be required to be constructed to the same specifications for those undedicated portions where said utilities may have a direct effect on the future safety, proper functioning, and maintenance of those portions to be dedicated.

SECTION 4. AMENDMENT OF ZONING ORDINANCE. Paragraph 3(F) of Chapter 165.05 of the North Liberty Code of Ordinances, entitled Modifications, is amended to read as follows:

- F. Modifications. The development shall be substantially in conformance with the approved construction site plan. Amended construction site plans shall be submitted to the Code Official for determination if the amendment can be approved administratively or if the amendment requires review by the Planning Commission and approval by City Council in accordance with Section 165.05(2)(F).

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 _____, 2023.

Second reading on _____, 2023.

Third and final reading on _____, 2023.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, 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 Cedar Rapids Gazette on the ____ day of _____, 2023.

TRACEY MULCAHEY, CITY CLERK

Ordinance No. 2023-11

AN ORDINANCE AMENDING CHAPTER 165 OF THE NORTH LIBERTY CODE OF ORDINANCES REGARDING PRELIMINARY SITE PLAN APPROVAL STANDARDS AND ACCESS EASEMENT REQUIREMENTS FOR UTILITY AND EMERGENCY VEHICLES

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

SECTION 1. RENUMBERING OF ORDINANCE. Subparagraphs E and F of Paragraph 2 of Chapter 165.05 of the North Liberty Code of Ordinances are re-lettered to subparagraphs F and G, respectively.

SECTION 2. AMENDMENT OF ZONING ORDINANCE. The following new subparagraph E is inserted into Paragraph 2 of the North Liberty Code of Ordinances immediately prior to subparagraph F:

E. Approval Standards. The Planning Commission's recommendation to the City Council and the City Council's decision to approve or disapprove a preliminary site plan shall be informed by the preliminary site plan's adherence to the following standards:

- (1) The consistency of the preliminary site plan with all adopted ordinances and regulations.
- (2) The consistency of the proposed land use with the Comprehensive Plan and any adopted land use policies. The submission of a preliminary site plan which proposes one or more uses inconsistent with the City's Future Land Use Map creates a rebuttable presumption that said use or uses are inharmonious with surrounding properties and incompatible with orderly development and redevelopment.

SECTION 3. AMENDMENT OF ZONING ORDINANCE. Paragraph 3(D) of Chapter 165.05 of the North Liberty Code of Ordinances, entitled Extension of Public Utilities, is amended to read as follows:

D. Extension of public utilities and services, dedication of right-of-way. The petitioner may, as a condition of the construction site plan approval, be required to install public utilities, including (but not limited to) water lines, storm sewer, sanitary sewer, street paving, fire hydrants, and such other utilities as applicable to properly

serve the proposed development, to provide easements for the ingress and egress of public utility and emergency vehicles, and to dedicate right-of-way to accommodate motorized and nonmotorized transportation, parking, and utility requirements. Where required as a condition of a construction site plan approval, utilities shall be constructed in accordance with construction standards as established by resolution of the City Council for those portions within the public right-of-way and to be dedicated to the City, and may be required to be constructed to the same specifications for those undedicated portions where said utilities may have a direct effect on the future safety, proper functioning, and maintenance of those portions to be dedicated.

SECTION 4. AMENDMENT OF ZONING ORDINANCE. Paragraph 3(F) of Chapter 165.05 of the North Liberty Code of Ordinances, entitled Modifications, is amended to read as follows:

F. Modifications. The development shall be substantially in conformance with the approved construction site plan. Amended construction site plans shall be submitted to the Code Official for determination if the amendment can be approved administratively or if the amendment requires review by the Planning Commission and approval by City Council in accordance with Section 165.05(2)(F).

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 25, 2023.

Second reading on _____, 2023.

Third and final reading on _____, 2023.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, 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 Cedar Rapids Gazette on the ____ day of _____, 2023.

TRACEY MULCAHEY, CITY CLERK



Additional Information



To **Mayor and City Council**
CC **City Administrator**
From **Tom Palmer, Building Official**
Date **5/3/2023**
Re **Monthly Report**

April Permits:

95 permits were issued in April with an estimated construction value of 4.6 million dollars. Ten new housing permits were issued with construction value of 3.5 million dollars. Staff completed 332 inspections during the month of April.

Rental/Code Compliance Cases:

Five new rental permit applications were received in April. Two compliance cases were processed in April.

2021 International Building Codes

Our neighboring jurisdictions Iowa City, Coralville and Johnson County have adopted or are in the process of adopting the 2021 Building Codes. The Building Department staff is reviewing the 2021 codes and preparing ordinance and amendments to the codes.



April Permit Tally Report

	Permit Type	Construction Value	Total Fees
Group: Accessory Structure			
		\$27,900.00	0
			Group Total: 8
Group: Commercial Alteration			
		\$30,000.00	\$23.50
			Group Total: 1
Group: Construction Site Plan			
		\$1.00	
			Group Total: 1
Group: Construction Site Runoff			
		\$361,276.00	\$450.00
			Group Total: 3
Group: Deck			
		\$19,800.00	\$425.70
			Group Total: 4
Group: Driveway			
		\$6,500.00	\$50.00
			Group Total: 2
Group: Fence			
		\$74,135.00	\$500.00
			Group Total: 20
Group: Fire Alarm & Detection Equipment			
		\$5,325.00	0
			Group Total: 1
Group: Gas Detection Systems			
		\$0.00	\$100.00
			Group Total: 1
Group: Manufactured Home			
		\$265,000.00	\$1,940.00
			Group Total: 5
Group: Mechanical Electrical Plumbing (MEP)			
		\$81,876.17	\$1,124.94
			Group Total: 9
Group: New Single Family Dwelling			
		\$2,881,418.00	\$23,890.44
			Group Total: 6
Group: New Townhouse			
		\$700,000.00	\$8,807.00

Group Total: 4

Group: Outdoor Storage

		\$2,000.00	0
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Group Total: 1

Group: Patio

		\$3,837.00	0
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Group Total: 1

Group: Rental

		\$0.00	\$500.00
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Group Total: 5

Group: Residential Addition

		\$30,000.00	\$441.75
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Group Total: 1

Group: Residential Alteration

		\$97,000.00	\$853.90
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Group Total: 4

Group: Right of Way

		\$3,000.00	\$1,375.00
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Group Total: 3

Group: Sidewalk

		\$7,085.00	\$50.00
--	--	------------	---------

Group Total: 2

Group: Sign

		\$7,281.00	\$200.00
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Group Total: 4

Group: Swimming pools, spas and hot tubs

		\$800.00	\$23.50
--	--	----------	---------

Group Total: 1

Group: Urban Chickens

		\$200.00	\$140.00
--	--	----------	----------

Group Total: 2

Group: Utility Service

		\$0.00	
--	--	--------	--

Group Total: 2

Group: Zoning Certificate

		\$1.00	\$50.00
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Group Total: 2

		\$4,604,435.17	\$40,945.73
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Total Records: 95



Certificate of Occupancy April Report

Applicant	Parcel Address	Project Description	Permit Type	Date C.O. Issued
Jeremy Smith	1110 Harrison St	install of 4ft black chain link fence to enclose	Zoning	4/27/2023
Kaiden Kuntz	280 Lencester Ave	Finishing fenced in backyard	Zoning	4/26/2023
Austin Weisinger	90 LYNX LN	12x16ft shed on a 13x22ft concrete pad in the	Zoning	4/25/2023
Danelle Marin	1665 Redbud Cir	Replacing two damaged sidewalk panels	Zoning	4/21/2023
John X.Q. Zhang	1250 Abraham Dr	Add chain-link fence to back yard for property	Zoning	4/19/2023
Lee Casebolt- CR Signs Inc	405 N Dubuque St	Install new channel letters on SE elevation. Red's	Zoning	4/18/2023
phuong pham	1322 Logan Ct	2023 Rental Permit	Residential Rental	4/18/2023
Kevin Dauber	760 Nathan Ave Unit 5	Retail goods establishment. Retail	Zoning	4/17/2023
James and Mary McGrath	1930 Robin Dr	Black vinyl Chain Link Fencing on 2 sides of property	Zoning	4/18/2023
John Lang	1025 Grouse Ct	Install New Metal Fence at Residential House	Zoning	4/17/2023
Christopher Jacobi	620 Fisher Trl	Fence	Zoning	4/17/2023
Abigail Maher	1860 Wood Duck Ct	Urban chicken permit	Zoning	4/18/2023
Alberto	1115 Leann Cir	Fencing installation	Zoning	4/19/2023
NCLD Lot 12 LC	755 Community Dr	2023 Rental Permit	Residential Rental	4/19/2023
Bri Evans	54 Holiday Lodge Road	new home to be placed on lot	Building	4/12/2023
Bri Evans	39 Holiday Lodge Road	new home to be placed on lot	Building	4/15/2023
Bri Evans	41 Holiday Lodge Road	new home to be placed on lot	Building	4/14/2023
McCreedy Ruth Construction, LLC	740 Community Dr Unit A	Remodel of the interior of an existing building	Building	4/26/2023
Caleb Shield	730 S Alexander Way	5 bedroom 3 bath ranch home	Building	4/21/2023

Watts & Co Construction	2080 Denison Ave	single family home	Building	4/13/2023
Rob McComas, McComas Lacina Construction	525 W Cherry St	Addition and paving at North liberty Dental facility	Building	4/25/2023
Caleb Shield	1705 Oak Terrace Ave	5 bed, 3 bath, 3 car ranch home	Building	4/26/2023
Caleb Shield	795 S Alexander Way	5 bedroom 3 bath 3 car ranch	Building	4/14/2023
Dahnovan Builders LLC	1122 Dahnovan Dr	4 plex construction	Building	4/13/2023
Dahnovan Builders LLC	1120 Dahnovan Dr	4 plex construction	Building	4/13/2023
Dahnovan Builders LLC	1118 Dahnovan Dr	4 plex construction	Building	4/13/2023
Dahnovan Builders LLC	1116 Dahnovan Dr	4 plex construction	Building	4/13/2023
Caleb Shield	2240 Denison Ave	New Unit in 5 Plex Condo	Building	4/12/2023
Caleb Shield	2238 Denison Ave	New 5 Plex Condo	Building	4/28/2023
Caleb Shield	799 Brook Ridge Ave	2 Story Zero Lot	Building	4/11/2023
Caleb Shield	797 Brook Ridge Ave	2 Story Zero Lot	Building	4/11/2023
Aurora Paiz	38 Golfview Ct	10x12 shed	Zoning	4/21/2023
Robson Homes Inc.	1515 Parker Ct	New single family dwelling	Building	4/26/2023
Robson Homes	1090 Harrison St	New single family dwelling	Building	4/13/2023
Bi-State Contracting	1236 Vintage Ln	Single family home	Building	4/3/2023
Bi-State Contracting	1238 Vintage Ln	Single family, one story home	Building	4/13/2023
Paul Scallon	1240 Ogden Ln	Build SFD	Building	4/5/2023
Bi-State Contracting	1202 Vintage Ln	Single Family Home	Building	4/17/2023
Michael P. Vogt	755 Community Drive	52 Unit Multifamily Building	Building	4/17/2023
Bi-State Contracting	1211 Vintage Lane	Vintage Estate Clubhouse Building	Building	4/21/2023

Total Records: 40

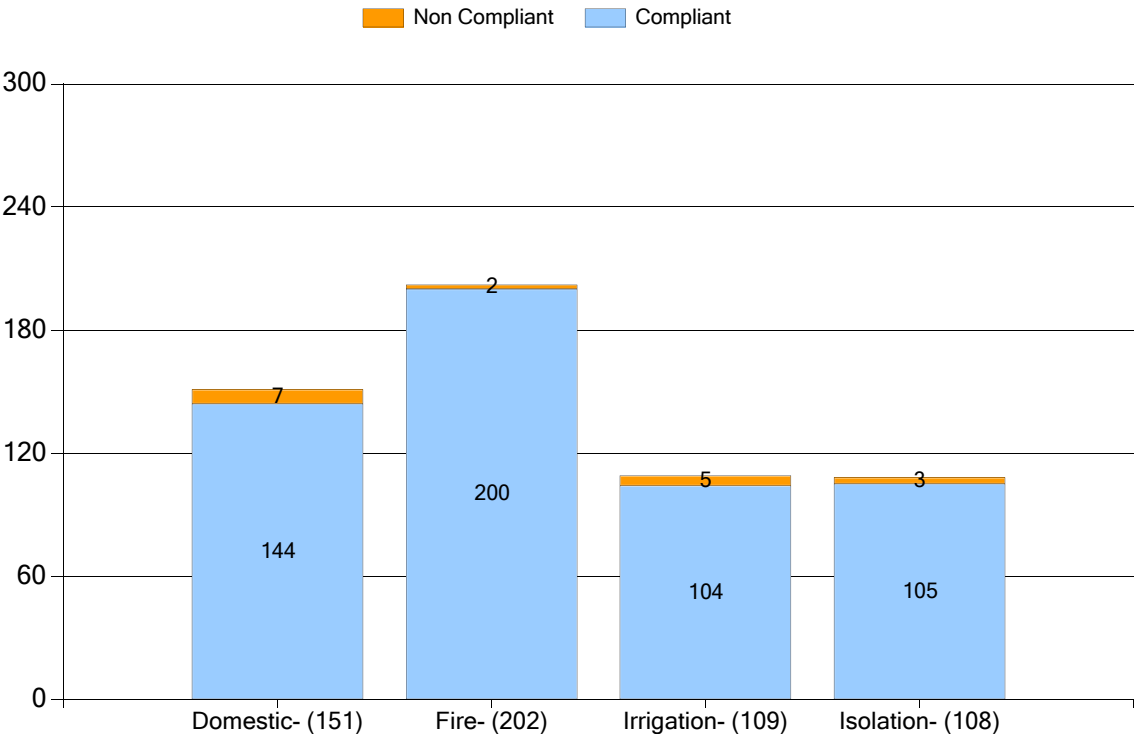


April Code Compliance Report

04/01/2023 - 04/30/2023

Case Date	Case #	Status	Complaint	Reporting Code
4/6/2023	20230021		Operating unpermitted home-based business.	Zoning Code
4/10/2023	20230022		Via Website Submission. Outdoor Storage of	Fire Code

Breakdown of Backflow Preventer Compliance



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



To **Mayor, City Council, Communications Advisory Commission**
CC **City Administrator Ryan Heiar**
From **Communications Director Nick Bergus**
Date **May 4, 2023**
Re **Communications Staff Report**

City Slate

Weather was a headwind for both the Bunny Clue Trail (April 1, which was moved inside) and Kites for Kids (April 22, which was not). The team also continued planning for Remarkable Rigs (May 13), the Playground Crawl (May 20) and a 10 June events: five Ranshaw House concerts, Free Fishing with TAKO, Let Love Fly, Swimming Storytime, Camp North Liberty, Swimming with Island and Mermaid Princesses and Joyriders Jubilee.

In April, we announced the Ranshaw House Concert Series lineup (Fridays in June and July), which will feature two-hour performances, extending the gatherings a little later into the evening. Details for events will be available at northlibertyiowa.org/cityslate.

Blues & BBQ

In April we selected food vendors and prepared to announce the stage lineup on May 1 in partnership with The Englert Theatre and solidified our partnership with the Iowa Craft Beer Tent for the event.

While additional fundraising has brought in more support than any previous year, we are seeing substantial cost increases for production, tents and other temporary event needs and are looking for ways to cut costs and increase revenue while staying true to what Blues & BBQ is: a free community festival (options like VIP seating or line skipping don't feel like they honor that). The permanent infrastructure at Centennial Park included in Next Stage will be part of the long-term puzzle, but we'll need to continue to be creative and nimble as we look to be sustainable for the future. The Pig & Pint Prelude will return, of course, and tickets will be available in May. The event, our 15th, is set for July 8. Details are available at northlibertyblues.org.

Building North Liberty's Next Stage

Following our announcement of the public Next Stage capital campaign in late March, we spent time hosting information sessions, talking to residents and businesses and planning next steps. We've seen the excitement and the translation of that excitement into pledges and gifts. Productive conversations with local businesses for large gifts is ongoing, with a lot of excitement for the project.

Ranshaw House

Most of the permanent furniture, including tables, chairs, a couch and more, has finally arrived and been installed. We're looking at what's missing, what art would work on the walls and planning an open house for social service agencies in the coming weeks to attract additional users. We'd like to host a public open house over the summer. Other uses for the space in the coming months include Summer Lunch & Fun, the weekly Ranshaw House Concert Series and continuing Youth Council and United Action for Youth meetings.

Neighborhood Ambassadors

We've transitioned the program to Micah's oversight and have been working on doing so since February, who will be leading the quarterly meetings and aspects of the program. From the start, we haven't wanted to "own" this relationship, instead we've wanted the program to build relationships broadly between the city and its residents and encouraged staff to reach out directly to ambassadors for feedback, education, information, engagement and more.

Bike Month

We're doing work to promote and participate in Bike Month, which happens each May. We worked with Planning and Streets to begin implementing bikeways, designated on-street bike routes, which we'll use during Spokes & Scoops (which will also celebrate the new underpass and completion of Front/Cherry/Dubuque streets with...free ice cream) on May 17, and we're working with the Recreation Department to host a bike rodeo on May 18. We're also using it as an opportunity to talk about bike safety and to encourage bikes as a transportation alternative.

Other Items

Staff represented the city with the Iowa Great Places site visit, served on the North Liberty Community Pantry board of directors, and in other local initiatives and non-profits.

We produced the City Council meeting and submitted it to the Iowa City government channel and produced several podcasts for the library in addition to 52317 episodes.

We organized media events around the Building North Liberty's Next Stage campaign, private local projects and Blues & BBQ.

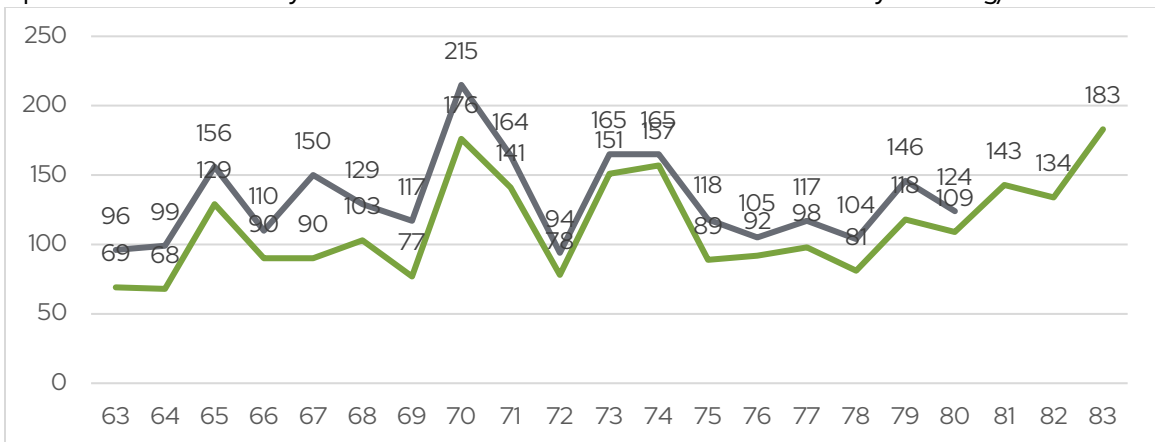
We posted news releases about events, fire response, Next Stage gifts, dog requirements and more.

Completed Videos

Title	Requested By	Completed	Duration
Communications Advisory	Administration	April 3	0:18
Eye on: City Hall	Communications	April 5	0:03
New full-time fire staff	Communications	April 6	0:07
Parks & Recreation Commission	Administration	April 6	1:24
Next Stage information session	Communications	April 11	0:28
City Council	Administration	April 11	1:07
Tree & Storm Water Advisory	Administration	April 12	0:21
Library Board of Trustees	Administrations	April 17	0:50
Planning & Zoning	Administration	April 18	1:47
City Council	Administration	April 25	2:37
Total completed productions: 10	Duration of new video: 9.03 hours		

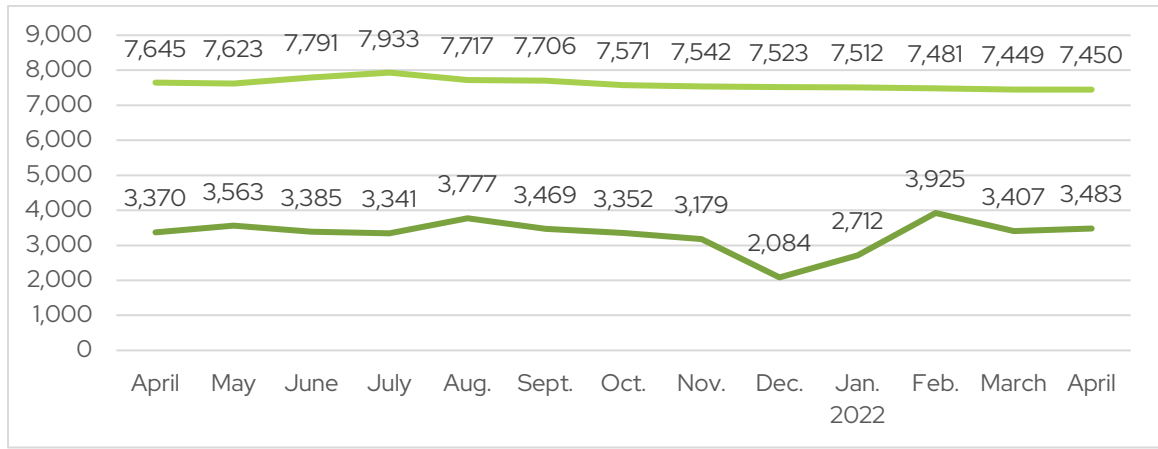
52317 Podcast

Episodes release every three weeks and can be found at northlibertyiowa.org/52317.



Downloads is the number times the podcast file was downloaded to a player, including a podcast client, webpage-embedded player or other device in its first 30 days and 90 days of publication. Numbers are as reported by service provider LibSyn as of the date of this report. **Episodes** 84: Copper Boar; 83: All Seasons Auto; 82: North Liberty Aquatics Center; 81: Mom on a Mission; 80: Lion's Club; 79: North Liberty Oral Surgery and Dental Implants 78: North Liberty coLab; 77: Big Brothers Big Sisters; 76: Kimberlee Rocca; 75: United Action for Youth; 74: Triple Oak Power; 73: Friends of Coralville Lake; 72: Maryam Thompson Photography; 71: Spotix; 70: Johnsy's Liquor; 69: Vertronic Aerospace; 68: North Liberty Coralville Softball Baseball; 67: Soiree; 66: Illuminate; 21: Heyn's; 65: LaLa Boutique; 64: Kirkwood Workplace Learning Connection; 63: Leash on Life;

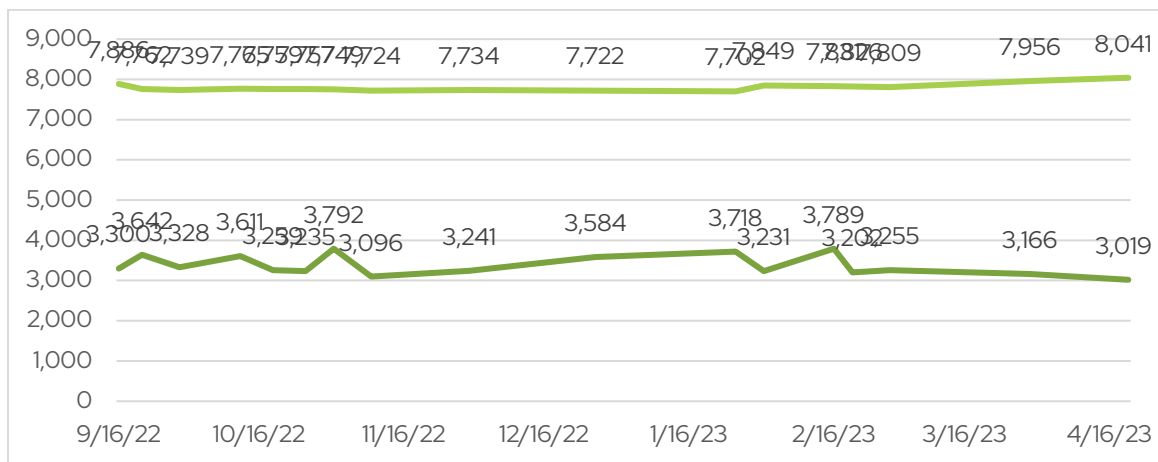
North Liberty Bulletin Email Newsletters



Recipients is the number of email addresses to which an issue of the Bulletin was sent and is represented by the top line. **Opens** is the number of unique recipients who opened the Bulletin and is represented by the bottom line; the standard open rate for government is 25.4%. Numbers are as reported by service provider Mailchimp. **Subject lines** April: The next big stage; March: Good and muddy; Feb.: It's a plan; Jan: Post cookie plate tune up; Dec: Bah! Humbug! and other traditions; Nov: Sharp-witted, keen-eyed, can't lose; Oct. The future is awkward and passionate; Sept: No one likes construction cones so here's a puppy; Aug: OK to the last drop; July: Years in the making; June: A full slate; May: Taking time for two wheels; April: Mud, trash and poop season;

Know Before You Go Emails

These emails focus on free, large-scale community and leverage the city's email list. It is a key marketing channel for City Slate events.



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

Website Statistics

Month	Sessions	Users	Pageviews
March 2023	33,771	26,678	61,955
Feb 2023	31,173	25,273	54,240
Jan 2023	31,768	24,915	57,610
Dec 2022	23,328	18,270	45,983
Nov 2022	29,888	22,127	58,381
Oct 2022	34,361	24,315	60,653
Sept 2022	23,690	17,833	44,903
Aug 2022	28,712	21,863	52,942
July 2022	26,101	19,342	50,030
June 2022	27,985	20,537	55,721
May 2022	25,781	19,174	48,930
April 2022	27,396	20,578	52,648
March 2022	25,815	19,113	49,629

Sessions is the number of time-bound user interactions with the website. **Users** is the number of unique devices loading the site in that month. **Pageviews** is the total number of pages loaded or reloaded. All stats are monthly.

Social Media

Month	Facebook		Twitter		Instagram	Nextdoor
	New likes	Reach	New follows	Impressions	Followers	Members
April	144	118,294	-1	22,500	2,994	
March	92	41,370	-11	8,202	2,977	5,937
Feb	110	49,514	4	12,800	2,952	5,916
Jan 2023	59	46,763	-1	15,600	2,919	5,890
Dec	54	25,825	3	14,300	2,890	5,847
Nov	64	35,617	-64	18,400	2,862	5,807
Oct	91	25,561	-2	13,200	2,840	5,789
Sept	50	23,333	-2	26,000	2,828	5,741
Aug	93	36,131	6	18,700	2,815	5,713
July	121	83,190	7	13,100	2,764	5,645
June	114	31,235	-3	14,900	2,738	5,617
May	122	33,811	23	17,700	2,712	5,585
April	57	37,226	-11	17,500	2,667	5,531

Facebook new likes is the net number of new users following the city's Facebook page; it does not include new *followers*. **Facebook reach** is the number of unique users who saw any of the city's Facebook content, reported on a 28-day period. **Twitter new follows** is the net number of new users following the city on Twitter. **Twitter impressions** is the total number of times a tweet from the city was shown to a user. **Instagram new follows** is the net number of new users liking the city's Instagram account. **Nextdoor members** is the number of verified North Liberty residents who are users and able to receive our agency messages.



TO: Ryan Heiar, City Administrator and City Council
FROM: Jennie Garner, Library Director
DATE: May 3, 2023
SUBJECT: Monthly Library Report

Library News

If you haven't visited the library recently, please stop by and check out the beautiful new information desk and acoustic panels that are now installed about two weeks ahead of schedule. It's remarkable the difference the panels make to tamp down the noise level in the library's main hallway. And as another city staff member commented, "they look like art". Now we're just waiting on the brightly colored desks to arrive, hopefully next week, to complete the project.

This month we are hosting our Flamingo Flocking fund-raiser for the endowment. There's a twist on that fund-raiser this year. The flamingos are in the library instead of in people's yards. Donors can give \$20 in their own name or in someone's honor during the month of May. They then get a paper flamingo to stick to the meeting room windows. For every five flamingos, we'll add another plastic flamingo to our flock on display and folks can watch the flock grow. The flocking in the community is tons of fun but it's become a pretty heavy lift for staff and volunteers to set them up and move them every single night in May.

We are so excited to announce that we have received a \$20,000.00 grant from Libraries Transform Communities (LTC) through the American Library Association to install handicap accessible buttons on our restroom doors in the library. This is the second LTC grant we've gotten in recent years. The first grant allowed us to launch our Lighthouse in the Library community engagement series that is ongoing.

We've refreshed our seed library to provide free seeds to the community for anyone who'd like to garden. We moved it to the adult reading area so that it's more visible and one of our staff members used their artistic talents to add some art to the drawers. Feel free to stop by and look through seed options if you garden or want to start planting.

We hosted Dr. Ibram X Kendi for a wonderful virtual event in April thanks to the Social Workers in Eastern Iowa Libraries project and the work of North Liberty Library's social work intern to pull that event together. Dr. Kendi was a little late getting started but had a fantastic interview with our public services librarian, Kellee. I hope some of you were able to attend.

Fourteen of the staff attended an in-service training day on April 28 featuring Colors training and discussion on how we can best work with different personalities as a team and with our public. In the afternoon we had Naloxone training so that staff is able to administer Naloxone in the event that there is ever an overdose in the community center. We hope we'll never need to use it but we want to be prepared to assist if needed. We'll have doses on hand in our first aid kit going forward.

Scroll for program highlights.



Staff is slowly settling in to the new circulation space and waiting for the bright new desks that will flank the main stationary unit.



Acoustic panels add some flare and lower the echo in the hallway. The current local artist's work on display is pictured in lower right corner.



Free seeds available through the Seed Library



We've started offering Tween Hours in the Teen Lounge. They spent some time in the lounge this month playing board games.



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

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

Date **May 1, 2023**

Re **Monthly Report**

We performed various building maintenance tasks as needed this month. Park staff repaired a wall crack at the outdoor pool. We installed new dugout benches at the Babe Ruth field.

We continue to pick up park/trail trash receptacles and pet waste stations as needed this month. Usage has picked up due to residents getting out and utilizing our parks system now that spring has arrived.

We maintained equipment as needed this month. We continue to prepare for the upcoming growing season by performing preventative maintenance and repairing of ball field maintenance, mowing, trimming, landscaping, and forestry equipment.

Ball season is here, and the fields have been busy during the week with the NLCBS club and on weekends with scheduled tournaments. Our sports field maintenance team continues to provide weekly field maintenance as well as soccer field maintenance and line painting.

Park staff tilled and prepared the Community Gardens site located at the northeast corner of Penn Meadows Park next to the barn in preparation for the May 1st Garden plot renters. This program remains a great success. All garden plots have been rented for the season.

We performed ground and landscape maintenance. We trimmed and pruned trees. We applied turf grass fertilizer and landscaping pre-emergent as needed. We have been very busy with round-a-bout and streetscape maintenance. We applied Emerald Ash Borer (EAB) insecticide treatment to city owned ash trees.

We have begun mowing and trimming for the season.

Park staff completed a final site grading at the Dubuque Street project area in preparation for final seeding. We hauled in 100 tons of topsoil to accomplish this.

The Parks Department along with Storm Water Coordinator, Mike Wolfe and the Fire Department coordinated a 1st annual prairie burn at the Centennial Park bio-swales on April 7th. Burning is the best option for maintaining control of invasive plants and general health of the prairie. The burn was a success and went very well.

We assisted the Mid-American forestry crew and helped plant three new trees at Fox Valley pond on April 28th. The trees were donated by Mid-American.

The Muddy Creek clean-up was held on April 8th. A huge thank you goes out to the Boy Scouts, Cub Scouts, Green Castle 4-H Club, Tree & Storm Water Board, City Council, residents, and City Staff who participated in this effort. We hauled away three truckloads of collected trash. Much appreciated!

We continue to meet with Shive Hattery, Contractors, and City staff regarding the new City Administration Building project, Rec Center roof final punch list, Dubuque Street final punch list, and the Penn Meadows north parking lot improvements project.

The Tree & Storm Water Board met on April 12th. We discussed tree grants, Tree City USA status (28 years now), recapped the Muddy Creek and Trail Clean-up Day on April 8th as well as other storm water related items.

We assisted the Cedar Springs and Quail Creek Ambassador's program by picking up trash bags and garbage collected by the residents on April 15th and 22nd. Thank you to all that helped with the clean-up efforts.

Park staff completed additional training requirements through Target Solutions. We also attended Excavator training, Confined space, and Flagger Safety training on April 13th.

Johnson County Refuse, the Streets & Parks Department along with other City Staff participated in the annual City-Wide Clean-up effort at the Public Works facility on Saturday April 29th. Many residents were able to utilize the clean-up program.

We donated free derecho mulch to the Squire Point wood chip trail project. This project will help stabilize and improve the trail system at Squire Point. We were happy to provide our excess mulch for this local trail improvement project.

We have been dealing with graffiti bandits on three separate occasions this past month. The main bike trail and the new pedestrian tunnel were targeted to name a few. Staff time was spent removing the so-called artwork.

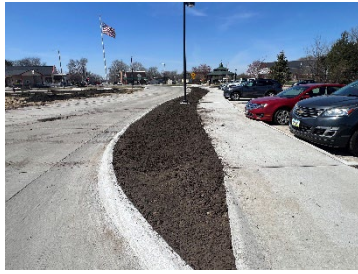
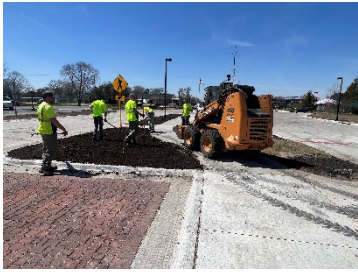


Outdoor Pool wall repair.



New dugout benches installed at the Babe Ruth field.





Dubuque Street Project final grading near Penn Elementary and the Babe Ruth Field.



1st annual prairie burn at the Centennial Park bio-swales.



Mid-American and Parks Department tree planting at Fox Valley pond.



Muddy Creek Clean-up on April 8th with the Boy Scouts, Cub Scouts, Green Castle 4-H club, Tree & Storm Water board members, Council members and City Parks Staff.



Graffiti vandalism at the new pedestrian tunnel.



Graffiti vandalism along the main bike trail.





North Liberty Police Monthly Report April 2023

Training:

- Members attended monthly Canine, Tactical Team, and Honor Guard Training (56 hours)
- Our GTSB Coordinator, Ryan Rockafellow, attended the National Life Saver's Conference in Seattle, WA. (32 hours)
- Investigator Rick Vazquez attended a 2-week conference in Des Moines. (80 hours)
- Canine Officer Ben Campbell attended a 4-hour case law update regarding search and seizure, traffic stops and use of a canine. (4 hours)
- Our new hire, Zach Jirak was certified through our departmental instructors for taser and firearms prior to going to ILEA. (12 hours)
- Our lead Driving instructor, Andrew Jennings was recertified at ILEA. (8 hours)
- 3 instructors (Firearms/DT, Taser/Driving and Implicit Bias/ABLE/de-escalation instructor) attended an Instructor Development Course in Moline. This will be required for all certified instructors in the department in addition to their certification course. (96 hours)
- Our Cybercrimes investigator is in Florida at the annual certification course/conference. Upon his return, he will work on completing his crimes against children and cybercrimes training assignments. The process will take a few months and he will work with an assigned proctor to achieve certification. This certification and his expenses are paid through the partnership with Iowa Crimes Against Children (ICAC). (80 hours)
- Chief attended a Commanders Emergency Vehicle Operations conference at the Newton Speedway. Topics included intervention techniques, policy considerations, and vehicle updates by NHTSA. (8 hours).
- 2 officers attended training to be certified as Salvage Vehicle Inspectors by the State. (16 hours)

Traffic Contacts	376
Parking Contacts	44
Vehicle Inspections	16
Vehicle Unlocks	29
Crash Investigations	20
Public Assists	498
Assist other Agency	126
Crimes Against Persons Report	4
Crimes Against Property Report	17
Other Reports	34
Arrests	30
Warrants	5
Alcohol/Narcotics Charges	13
Crimes Against Persons Charges	2
Crimes Against Property Charges	2
Other Charges	21
Animal Calls	47
Total Calls for Service	2107
*Total Calls for Service for the year	7918

Public Relations:

- Our community outreach officer, Jordan Gallagher, and Administration Lieutenant, Rueben Ross, worked the Financial Literacy Fair at NCJH.
- We hosted the bi-annual DEA sponsored drug take back event at our PD. We collected over 24 pounds of prescription narcotics for proper disposal.
- The Community Outreach officer attended the Kites for Kids event. He helped the kids put together their kites.
- An officer was requested and worked the Solon Prom that was hosted in town.
- We were requested by Liberty High School administration to run our canine through all the bags prior to a school band trip. We used this as a training opportunity for Falco and was completed with no issues.

Equipment:

- We reviewed the annual expenses for the PD which included a cost increase for the PD camera system software that is paid annually. While looking for other options, we discovered we were being billed double by the company who installed the system. We ended up going with a different company for the next 5 years and will end up saving \$4000 per year over the life of the 5-year contract.
- The new hire was outfitted with his uniforms, ballistic vest and duty gear.
- We purchased a used vehicle from Junge Ford that will be an administrative vehicle and used for our Cyber Crimes investigator.

Enforcement/Crime:

- Officers worked a joint traffic enforcement project in Johnson County with ICPD, CPD, State Patrol and JCSO to meet requirements of our GTSB contract.
- We identified, located and charged the teens involved with the graffiti seen around town.
- The two individuals that burglarized the Mexican grocery store were identified through the investigation and arrested on criminal warrants. We learned they were involved in other grocery store burglaries in the Midwest.
- To review any criminal complaints for the month [List of Criminal Complaints | Johnson County Iowa](#) or see North Liberty Calls for service go to [Joint Emergency Communications Center \(jecc-ema.org\)](#)

Department Admin:

- New hire, Zachary Jirak started April 3rd and will go to ILEA May 1st through August 18th. He completed several orientation items to include policy review, firearms and taser certification, and got outfitted in his uniform. He also went to ILEA to get pre-qualified and passed the physical agility testing. His addition puts us at full staff.
- The Chief attended meetings for the Community Violence Intervention Program, Guidelink policy board/Guidelink- law enforcement board, and the Johnson County chief's meeting.
- We also have representatives for monthly county wide meetings for Sexual Assault Response Team (SART), Domestic Violence Intervention Program (DVIP) and the Juvenile Justice Youth Development Policy Board (JJYD).
- Following the recommendations of a state audit, we updated our juvenile in custody and holding policy.
- The Community Outreach Officer, and our Mental Health Liaison attended a lunch and learn event presented by Chief Judge Lars Anderson and assist county attorney Lynn Rose on Johnson County's new Mental Health civil court procedures.
- The Chief met with District Representative, Rachael Anderson, on behalf of Congresswoman Miller-Meeks office on any needs we may have at the federal level.

Respectfully Submitted by Chief Diane Venenga and Alisha Ruffcorn 5/4/2023



Officer Gallagher helping put together kites.



o **Park & Recreation Commission Board Members**
CC **Mayor, City Council, City Administrator**
From **Shelly Simpson**
Date **May 1, 2023**
Re **Monthly Report – April 2023**

April is a big registration month for summer programs and can be seen in our monthly revenue report totaling \$116,469.05. Our Annual Eggstravaganza Events took place with the Bunny Clue Trail and inflatables moving inside, along with the addition of a petting zoo set up outside the Gerdin CC doors, and an estimated 400 in attendance. The Underwater Egg Hunt in the Indoor Pool had 136 participants. Various summer event planning meetings (Summer Lunch & Fun, Let Love Fly, were held.

Recdesk Database:

Reviewing our Recdesk database; we have 12,708 residents (62%) and 7,929 non-residents (38%) totaling 20,637 individuals. Increase of 247 from last month.

Aqua Programs:

Aqua classes continue to have great participation. This session had approximately 87 registered participants, plus daily drop-ins. Arthritis Aqua, Aqua Zumba, Aqua Boot Camp and Easy Does It continue to be the most popular. Aqua Program revenues totaled \$6,381.50.

Swim Lessons:

Registration for summer swim lessons began. Swim lesson revenues totaled \$33,303.

Leagues/Sports:

Spring Outdoor Soccer was offered in two forms; Hybrid & Recreation play totaling 93 participants. Leagues revenues totaled \$5,940.

Recsters BASP Program:

BASP (April) numbers are AM – 15 participants, PM – 41 participants.

All Days: April 21 – 17 participants, April 24 - 20 participants.

Spring Break Week (March 13-17) averaged 20 participants.

Enrollment for Summer Camp continued this month.

Before & After School revenues this month totaled \$26,160.

Classes/Programs:

We had approximately 19 registered participants in various rec classes, plus daily drop-ins. Coordination, Balance, Strength, and Total Body Sculpt are popular. We continue to search for new class instructors.

Tippi Toes Dance classes (March session) has 68 participants, plus registration began for summer classes.

Senior Connections Lunches served 90 meals for the month.

Classes/Programs revenue totaled \$14,898.55.

Pools: Indoor pool continues to be busy with lap swimmers, exercise class participants and open swim. This month, Season Pool Pass revenues totaled \$4,002; Daily Pool Fees totaled \$2,728; Pool Rentals totaled \$4,285.71 and Concessions revenues totaled \$0.

Weight & Exercise Area / Track:

Weight fee revenues totaled \$10,540; Split membership revenues totaled \$2,111.

We had 2,951 active memberships for the month.

We had 1,185 point of sale transactions for the month.

Gymnasiums:

Gymnasium Rental revenues totaled \$2,555.

Rentals:

Community Center Rental revenues totaled \$2,973.04; Shelter rental revenues totaled \$97.50;

Field Rental revenues totaled \$1,676.50

Revenues:

Revenues for this month totaled \$116,469.05.

Additional Reports: Recdesk Monthly Revenue, Dashboard Summary, Membership Summary and Organizational Activity.



To **Mayor and City Council**
CC **City Administrator Ryan Heiar**
From **Street Superintendent Michael Pentecost**
Date **May 1, 2023**
Re **Street Department Staff Monthly Report for April**

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

- Locating of all City utilities (353 job tickets) ongoing
 - a. This is a decrease of 10% from April 2022
- Continued animal control services (9 responses to animal issues)
- Cemetery plot locates (1 in total)
- Projects/Meetings
 - a. North Ranshaw Way paved shoulder project
 - i. Contract awarded to local LL Pelling Co
 - b. W Penn Street reconstruct (west of I380)
 - i. Continued design and discussion with Shive and Johnson County Secondary Roads on this joint project
- Dubuque St Phase 1
 - a. Contractor completed majority of punch list items this month
 - i. Primary items included permanent traffic paint, grading and seeding completed
- Penn St/I380 bridge meeting
 - a. DOT and staff continue on design of project
- Construction Plan Review group met to discuss recent submittals
 - a. Evermore subdivision post-construction review by staff
- Training
 - a. All employees completed Confined Space, Flagger Safety, and Work Zone Safety by IAMU
 - b. All employees completed Excavator Operations and Safety training by Bobcat of Iowa City
- Street sign repairs, replacement, and new installs
 - a. A number of street signs and cabinets were graffitied this month that needed to be cleaned off or replaced
 - i. Staff working with Police Department on damages
 - b. Installation of new Street/Bike way signs on Golfview Dr and Cherry St as well as installation of 30-minute parking signs around Cherry St/Dubuque St businesses
 - c. Installation of additional LED speed signs in school location that did not flash
- New Fire Station meeting to follow up on utility plan design

- Johnson County Emergency Management requested delivery of two 4" pumps to aid in flooding in the Quad City area communities
- Staffed helped Coralville with storm debris removal 1 day
 - a. Concern from Coralville about forecasted high winds and they needed help to get debris removed in ROW that potentially could become airborne with second storm
- Jaro Way house move
 - a. Working with contractor on requirements and details of move
- Keep Moving Forward Marathon
 - a. Working with organizers on requirements and details of race
- Spring Leaf Collection completed
 - a. Service provided for 5 weeks
 - b. 42 cubic yards of leaves collected
- Staff conducted monthly safety inspections for all street equipment and buildings
- Monthly warning siren testing in all 8 locations
 - a. Annual inspection and maintenance performed by contracted vendor
- Streets
 - a. South Dubuque St painted from Juniper St to roundabout by Liberty High School
 - b. Street light repairs in several locations that had pole or underground electrical issues
 - c. Crack sealing of Ranshaw Way from northern city limits to 240th St
 - d. Cold patching street repairs in various locations
- Sanitary Sewer
 - a. GPS Data gathering continues on new subdivisions and infrastructures
 - b. Pinpointing force sewer main data
- Storm Sewer
 - a. GPS Data gathering continues on new subdivisions and infrastructures
- Street sweeping operations continue and should conclude early May
- Snow operations
 - a. Complete removal all snow equipment off of the fleet
 - b. Equipment stacked and organized in "cold storage building"
 - c. Equipment outfitted for summer use operations
 - d. 800 tons of salt conveyed into salt storage build for next season
- Spring Clean Up-Day
 - a. Staff prepared Public Works Campus for April 29th day
 - b. Residents were able to use this annual service to get rid of unwanted household items free of charge
 - c. Services provided allowed multiple residents to drop items off several times in the time allowed



To **City Council, Mayor, and City Administrator**
From **Drew Lammers**
Date **May 1, 2023**
Re **April 2023 Water Pollution Control Plant (WPCP) Report**

1. All scheduled preventative maintenance at the plant and lift stations was completed. Staff stayed busy with numerous operational jobs throughout the month.
2. This month's staff safety meeting topic was Respiratory Protection. Staff completed target solutions online and reviewed the topic as a group. Staff also attended an IAMU class on Confined Space Safety.
3. Maintenance staff installed replacement bearings and seals in an emergency bypass trailer pump. Specialty tools were designed and fabricated to allow removal of the pump impeller easily. The tool will fit several of the same style pumps used at the facility for future maintenance.
4. All plant and lift station generators were serviced for annual preventative maintenance. One engine needed a water pump replaced and another needed a front engine cover gasket replaced. Both repairs were completed as well. All generators were also pressure washed inside and out.
5. While performing checks at lift stations, staff found an open valve vault, wet well and several pieces of debris thrown into the wet well. Both padlocks were cut to gain access. Staff removed all the debris, inspected the well and pumps, installed new locks, and set up cameras to view the area.
6. Laboratory staff sampled acute toxicity on our final effluent. This test is done by placing minnows in our effluent sample as well as a control sample for 2 days. All samples passed with zero fish mortality.
7. Painters have finished all sponge-jet blasting and prep inside the MBR. They have all the ceiling and walls repainted and will be working on the process piping and flooring next. Project pictures are shown below.

Drew Lammers - WPCP Superintendent



SPONGE-JET BLASTING



CEILING, WALLS, CONDUITS, AND DUCTING REPAINTED



PROCESS PIPING PREP WORK



To **North Liberty Mayor and City Council Members**
CC **City Administrator Ryan Heiar**
From **Water Superintendent Greg Metternich**
Date **May 2, 2023**
Re **Monthly Report – April 2023**

In the month of April, we treated a total of 34,899,000 gallons of water, our average daily flow was 1,163,000 gallons, and our maximum daily flow was 1,393,000 gallons. The total amount of water used in the distribution system was about 2.05% higher than April 2022.

We have had a busy month with 9,182 accounts read, 69 re-reads, 104 service orders, 67 shut-offs, 60 re-connects for water service, 208 shut-off notices delivered, 17 new meter set inspections, 7-meter change outs, 13 MIU change outs, assisted 25 customers with data logging information, 59 calls for service, and 15 after hour or emergency calls. Our monthly total service work averaged 28 service orders per day.

Starting the first week of April as time allowed the maintenance staff has been flushing fire hydrants on dead-end water mains. This helps move fresh water into low flow areas and makes sure the hydrants are in working order. We flush only dead-end hydrants in the spring and every hydrant in the fall. We have two areas left to complete and should be finished in about 4 to 6 days.

The 2022 Consumer Confidence Report has been completed and added to the City's website, it will be posted in the newspaper, and mailed to residents in the next few weeks. The EPA requires us to post this report every year by July 1st.

Staff finished repairing six different excavation sites, they hauled black dirt, did some small grading work, and seeded the areas.

Myself and two other staff members attended a training conference hosted by Ferguson Waterworks and Neptune Meter Company. This was the first time they have offered an all-in-one training covering innovative technology, how to properly install and connect meters, options for collecting and interpreting the data, and options for creating a system that would give the customer the ability to monitor their own account on a daily basis.

Staff has continued to work on our Lead and Copper inventory list, currently we have collected data on 6,140 properties and have 3,176 unknowns. We were able to identify 21 services in the month of April. As of the date of this report, I am not aware of any Lead service lines, and we have not found any connected to our distribution system.

Water Superintendent
Greg Metternich



Parks & Recreation Commission Minutes

April 6, 2023, 7:00pm

City Council Chambers, 1 Quail Creek Circle, North Liberty, Iowa

Commission Members Present: Richard Grugin, Jeremy Parrish, Gwen Johnson, Amy Chen, Kevin Stibbal, Jamie Gade

1. Call to Order
2. Approval of Minutes
 1. February 2, 2023
 2. March 2 meeting canceled, no minutes.
 3. Motion to approve by Gwen Johnson, Seconded by Shannon Greene, unanimous approval.
3. Centennial Park's Next Stage Presentation
 1. Communications Dept to give update on Centennial Park – Next Stage
4. Northside Park Update
 1. North Liberty approved acquisition through eminent domain to purchase property of 40 acres for Northside Park. Currently land is being used for farming. Land was part of North Liberty's comprehensive plan.
 2. Future plans may include soccer complex, playground, restroom facility.
5. Purpose of Commission – discussion
 1. Richard proposed adding an agenda item of new ideas and community feedback, allowing commission members to discuss topics and questions commission members are hearing in the community. All commission members present were in favor of agenda addition.
6. Reports
 1. Parks Report
 - i. Full report is in information packet.
 - ii. Babe Ruth building remodel has been finished this month. Needing to complete dugout covers, with help from Liberty High class. Installed sunshades over spectator seating.
 - iii. Aeration of turf has begun, with seeding.
 - iv. Spring landscape cleanup has begun to help growth and prevent weed growth.
 - v. Sport field maintenance has begun. Soccer is starting April 18th.
 - vi. Ice skating rink has been taken down, pickle ball resuming.
 - vii. DNR did trout stocking at Liberty Center.
 - viii. Parking lot expansion at Penn Meadows Park plan at 50% completion currently. Expanding green islands with solar lights. Incorporating storm water quality pavers. This coming July parking will be affected by the splash pad and playground. Parking impacts will be communicated prior.
 - ix. Cleanup day happened at Penn Meadows Park in early April with NLCBS ball league.
 - x. Trail cleanup day is Saturday April 8th, meet at North parking lot at the Rec center.
 - xi. Staffing has been going well and all spots have been filled except for two.
 - xii. Amy Chen had a question about the dog park merging the big dog and small dog areas. Guy mentioned a survey was completed and residents were against the idea. It will not be merged.
 2. Recreation/Pool Report

- i. Full report is in information packet.
- ii. Custodial Maintenance Technician has been hired and on boarded. Brian interviewed 6 candidates for Program Recreation Supervisor position. Will decide soon on final candidate to bring to HR for a possible offer early next week.
- iii. Summer activity guide went out to the public in March, and registration went out this week.
- iv. Community center served as storm sheltering in past week due to weather events.
- v. Eggstravaganza events happened over this past weekend. Egg coloring, fairy gardens, petting zoo, and other events happened during the day. Possibly 400 attendees.
- vi. Current Recster participants can sign up for summer camp in March. April is open enrollment for all.
- vii. Roof project completed and held through the storms. Next week will have last walkthrough for roof project.
- viii. Looking at a bid to do north and west sides of rec center wall refinishing.
- ix. Looking to add AC unit over concession stand.
- x. Membership and usage rebounding from COVID. Not quite to pre-COVID levels.
- xi. Brian has been working with Silver Sneakers to create a new membership option.
- xii. Registration for swimming lessons is completed.

3. Questions, Concerns, Updates

7. New Business

8. Old Business

9. Next Meeting

1. Thursday, May 4, 2023, at 7:00pm.

10. Adjourn

1. Motioned by Jeremy Parish, seconded by Gwen Johnson, unanimous approval.

Minutes from North Liberty Tree and Storm Water Advisory Board Meeting

February 1, 2023, 7:00 pm

Call to Order by Abdouramane Bila-Chair person. Board members present: Darice Baxter, Kevin McGrane, Doris Vaske, and Michael Burrill. Guy Goldsmith-Parks Director, Mike Wolfe-Stormwater Coordinator

Approval of Minutes for July 2022 meeting. Motion by Michael Burrill, second by Darice Baxter. Motion carried.

Abdouramane Bila opened the floor for Public Comment. No public comment.

Guy Goldsmith provided an update that the Tree City USA 2023 application was submitted and approved by the DNR.

Guy Goldsmith provided an update that the MidAmerican 2023 *Trees Please Grant* application was submitted.

Guy Goldsmith provided an update on the 2022 DNR Community Forestry Grant Program \$9800.00 that the payment has been received and put towards the trees that have already been planted.

Guy Goldsmith states that he and city staff are still looking into a program which could provide financial assistance to members of the community needing to remove an affected Ash trees as they can become a safety hazard. This program would be formatted similarly to stormwater grants which have been available for several years to improve water quality. The idea is well received but unsure where funding would come from.

Abdouramane Bila asks if there would be possible outside funding such as grants for tree removal related to Emerald Ash Borer. Guy Goldsmith states that he has inquired about this and that there is no funding available and likely will not be.

Darice Baxter asks if this would be funding for one-to-one replacement. Guy Goldsmith states that the funding would be for tree removal only as a means to entice owners to remove trees which will become a hazard.

Michael Burrill asks Guy Goldsmith how much tree removal costs generally. Guy states that depending on variables such as size and surrounding hazards the cost can be around \$1,000 for a 14 inch tree.

Doris Vaske asks if there could be assistance from power companies who often trim trees around power lines. Guy Goldsmith states that it is possible, but the company is unlikely to remove the whole tree as they only clear the tree from the power lines.

Kevin McGrane asks Guy Goldsmith if this would be for the next fiscal year. Guy states that it would depend on the priority of the issues and any available funding.

Abdouramane Bila asks if it would be helpful to tell council members who would be working on the budget. Guy Goldsmith states that it wouldn't hurt, however, the tree removal is ultimately up to the homeowner since it is on private property.

Guy Goldsmith states that Muddy Creek Clean-up is scheduled for April 8, 2023 at 9 AM at Rec Center. The annual clean-up is open to the public and is very beneficial. Guy states that there is usually a ton truck full of litter removed from the creek during the clean-up. This is done in the spring before growth obscures the litter, providing for easier removal.

Abdouramane Bila states that the Boy Scouts and Cub Scouts generally help with this event and the help is much appreciated.

Michael Burrill asks if there are other areas which could be cleaned up as well. Guy Goldsmith states that there are plenty of other areas which are tributaries that could use clean-up but that it unfortunately would be too time consuming.

Mike Wolfe mentions too that there is a lot of private property along Muddy Creek which would not be available for the public to clean-up. Mike Wolfe mentions that clean-up on any public ground, including parks, is beneficial as it is often that litter that ends up in Muddy Creek

Guy Goldsmith states that he has worked with City Ambassadors to help clean-up the city-owned retention ponds and some have organized clean-up of the ponds in their respective areas.

Kevin McGrane inquires whether the city would help get rid of trash if people were to provide trash bags and clean-up an area. Guy Goldsmith states that the city would actually provide the trash bags and would remove bags left in a central area. Anyone interested in obtaining garbage bags for such a clean-up can contact Guy Goldsmith.

Abdouramane Bila reiterates the timing of the Muddy Creek Clean-up and mentions that it is helpful to bring rain boots, a poncho depending on the weather, and good gloves.

Mike Wolfe states that it is helpful in the winter to clear the storm drains of snow and ice to allow for drainage although this has been a mild winter.

Mike Wolfe states that this is generally a slow time in the storm water area. He has been working on permit language and reports, nothing real noteworthy for the public.

Guy Goldsmith asks Mike Wolfe if there has been more discussion into painting the storm water drains which has been done in the past, to which Mike Wolfe answers in the affirmative. Mike states that the paint will likely have to be removed and he is trying to figure out how to best accomplish that.

Mike Wolfe states that the most visible storm drains around Liberty Centre Pond are degrading and would need to be redone. He wonders aloud if these should be done separately or just recommended to people who apply through the grant program which is already in place.

Doris Vaske asks if doing it as a competition would peak interest into painting the drains. Mike Wolfe states that is how the drain painting started, however, it took a lot of staff time to do this. Mike is open to the idea as he is a big proponent of the program.

Abdouramane Bila asks if the city has a sand reclaiming system or street sweeper that prevents it from going into the storm sewers. Mike Wolfe answers that the city sweeps the streets in the fall and the spring. The streets department takes that sand, that is now considered contaminated, to the landfill. They compare the weights of the sand that goes to the landfill with what they used to determine how much gets lost to the storm drains.

Guy Goldsmith provides an update on a new parking lot going into Centennial Park which will have permeable pavers incorporated into it to promote drainage. Some of the previously placed pavers as Centennial Park will require maintenance which has been budgeted for.

Darice Baxter asks if these pavers have held up well to which both Mike Wolfe and Guy Goldsmith answer in the affirmative.

Kevin McGrane asks if the permeable concrete used on trails in certain areas, such as Cornerstone Park, has held up. Guy Goldsmith states that he has not held up well, although better here than elsewhere, as it was an early technology.

Abdouramane Bila opens the floor to old business with none to address.

Abdouramane Bila opened the floor for New Business. Guy Goldsmith states that he is looking for seasonal workers. Anyone interested is encouraged to apply.

Next Meeting date: April 12, 2023, at 7:00pm

Motion to adjourn by Doris Vaske, second by Darice Baxter. Motion carried. Meeting adjourned.