



**North Liberty City Council
Regular Session
November 14, 2023**



City Administrator Memo



To **Mayor and City Council**
 From **Ryan Heiar, City Administrator**
 Date **November 10, 2023**
 Re **City Council Agenda November 14, 2023**

Consent Agenda

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

- City Council Minutes (10/24/23)
- Claims
- FY 2023 Street Finance Report
- Change Order #3, Penn Meadows Park North Parking Lot Project, Midwest Concrete, (\$18,727.74)
- Pay Application #4, Penn Meadows Park North Parking Lot Project, Midwest Concrete, \$663,174.14
- Pay Application #9, City Hall Project, City Construction, \$412,040.17
- Liquor License Renewals
 - Andale Cantina
 - The Leaderboard
 - The Depot

Meetings & Events

Tuesday, Nov 14 at 6:30p.m.
City Council

Wednesday, Nov 15 at 4:30p.m.
Greater IC Annual Banquet

Monday, Nov 20 at 7:00p.m.
Library Board

Thursday, Nov 23
Thanksgiving Holiday – **City Offices Closed**

Friday, Nov 24
Thanksgiving Holiday – **City Offices Closed**

Tuesday, Nov 28 at 6:30p.m.
City Council

FY25 Annual Appropriations

The City has previously entered into economic development agreements called annual appropriations to incentivize businesses. With an annual appropriation, TIF funds generated by the business are used to rebate the taxes paid. The difference between an annual appropriation and a standard rebate agreement is that the annual appropriation must be approved each year by the Council. An annual appropriation is the preferred method of offering an incentive in most cities throughout Iowa because it is much less risky than other options as it is structured as a rebate of taxes already paid by the business versus cash up front. The chart below provides a summary of annual appropriations, both of which are recommended for approval.

Company	Amount	Length of Agreement	Year of Agreement	Agreement Terms
Spotix	\$21,860	7-years	7	100% of TIF taxes rebated annually for 7-years, not-to-exceed \$400,000
Diamond Dreams	\$40,658	5-years	2	100% of TIF taxes rebated annually for 5-years, not-to-exceed \$320,000
Total	\$62,518			

FY25 Urban Renewal (TIF) Draw

The urban renewal draw, also known as the TIF Indebtedness Report, and not to be confused with annual appropriations referenced above, recognizes the amount of TIF revenue that needs to be certified in FY25 in order to make debt and rebate payments. The FY25 draw is \$4,516,282, approximately \$27k less than FY24's draw of \$4,542,907. Staff recommends approval of the certification.

Streets Maintenance Facility Remodel Project

The design for the Street Maintenance Facility Project is complete, and staff is asking the City Council for approval of the plans and specifications. The project budget has climbed \$100k, from \$600k to \$700k; however, and fortunately, the Road Use Tax fund has the capacity to fund the difference. The project scope includes a 2,200 square foot area that adds 11 workstations, a conference room, locker room, laundry facilities, and an upper-level sign production area. The existing workspace, which serves as a breakroom and meeting area, is significantly undersized and inefficient. The proposed improvements will better serve our existing staff as well as accommodate future growth. Bids for this project will be opened on December 4, and a recommendation for contract award is slated for the December 12 Council meeting.

Centennial Park: Next Stage Project

The original design proposal with Shive Hattery for the Centennial Park: Next Stage Project did not include the final commissioning of the building's HVAC system and envelope. These pieces were intentionally excluded from the original scope of work until further details were available regarding the HVAC system and other building components. The design is nearing 60% complete, and more details are now available (i.e., geothermal, window treatments, duct work, etc.). Shive Hattery is proposing to add these elements to their scope of work at a cost of \$34,050. Staff believes the cost to be reasonable, the work necessary, and recommends approval of the amended proposal.

Urban Renewal Loan Agreement

The resolution on the agenda is setting a public hearing date for December 12 for the purpose of entering into a loan agreement for the Centennial Center: Next Stage Project. Following the public hearing on December 12, the Council will be asked to consider a resolution that allows the City to enter into a loan agreement at a later date. As with most of the City's projects, borrowing occurs after the project is completed. The steps outlined above will allow the City to take appropriate actions for financing the Centennial Center

Next Stage Project before the project starts so that borrowing can occur without issue when the project is completed.

UIHC Fire Service Agreement

Buildings owned by the University of Iowa are exempt from the obligation to pay property tax, but still receive the benefits of fire protection services from the communities where those buildings are located – and they are often among the largest structures in each respective community. To offset this imbalance, the University of Iowa and other similar agencies regularly enter into agreements to pay their proportionate share of the costs of supporting their facilities. The amount is calculated based on a formula that considers the square footage of the exempt buildings relative to the overall protected area, the responsible fire department's annual budget, plus depreciation, administrative overhead, and so on. The formula is identical to what Iowa City, Ames, and Cedar Falls use for their Universities, and what Des Moines uses for the State Capitol and State Office buildings. The City's first year collection is estimated to be just under \$37k. Staff recommends approval.

Steindler Way Street Naming

Steindler Orthopedic has requested that the private street name within its development be renamed from "One Steindler Way" to "Steindler Way". "One Steindler Way" was originally requested by the property owner; however, after further consideration the owners prefer the street name "Steindler Way." Staff also prefers the shorter name and recommends approval.

Solomon's Landing Part One

Public improvements for Solomon's Landing Part One subdivision have been installed and subsequently inspected and approved by City staff. The final plat was approved prior to the construction of public improvements, pursuant to the Developer having provided surety guaranteeing their installation, as permitted by the City's subdivision ordinance. Staff recommends approval of the resolution accepting public improvements for Solomon's Landing Part One.

Franchise Fee Ordinance

The proposed language within this ordinance amendment increases the franchise fee amount on customer's gas and electric bills from 2% to 3%. The revenue purpose statement remains the same, which states that all of the revenue generated be invested in:

- The repair, remediation, restoration, cleanup, replacement, and improvement of existing public parks, park facilities, and trail structures within the City of North Liberty;
- The construction, reconstruction, or repair of public park grounds and trails within the City of North Liberty, and the acquisition of real estate needed for such purposes.

The 1% increase is being requested to help pay for the Centennial Park: Next Stage Project. Below is the most recent Franchise Fee Model, estimating the additional revenue and identifying upcoming projects. While the bulk of money is intended for Centennial Park, there are dollars allocated for other community parks projects in future years. This model was developed during the FY24 budget discussions and is likely to change as the FY25 budget is developed.

	FY22	FY23	FY24	FY25	FY26	FY27	FY28
	Actual	Actual (unaudited)	Budget	Estimated	Estimated	Estimated	Estimated
Revenues							
Alliant Energy	\$ 169,656	\$ 182,567	\$ 230,491	\$ 279,355	\$ 282,148	\$ 284,970	\$ 287,820
Linn County REC	\$ 115,388	\$ 159,763	\$ 201,701	\$ 244,461	\$ 246,906	\$ 249,375	\$ 251,869
MidAmerican Energy	\$ 67,604	\$ 118,773	\$ 149,951	\$ 181,741	\$ 183,558	\$ 185,393	\$ 187,247
Total Revenues	\$ 352,649	\$ 461,103	\$ 582,143	\$ 705,557	\$ 712,612	\$ 719,738	\$ 726,936
Expenditures							
Projects*							
Babe Ruth Field backstop		\$ 60,000					
Babe Ruth Field concessions Phase I		\$ 25,000					
Centennial Park ADA playground							
Penn Meadows parking repair/resurface		\$ 250,000					
Penn Meadows parking expansion		\$ 130,000					
Centennial Park			\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	
Fox Run Pond Park playground			\$ 338,000				
Broadmoor Park new park walk trail				\$ 109,000			
Trail Lighting				\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
Fox Run Neighborhood Park playground					\$ 90,000		
Penn Meadows Tennis parking expansion					\$ 36,000		
Quail Ridge Park parking expansion					\$ 75,000		
Ranshaw House outdoor fitness equipment						\$ 60,000	
Red Fern Dog Park agility equipment						\$ 65,000	
Fox Valley playground							\$ 200,000
Freedom Park new park walk trail							\$ 87,000
Total Expenditures	\$ -	\$ 465,000	\$ 838,000	\$ 659,000	\$ 751,000	\$ 675,000	\$ 337,000
Net Change in Fund Balance	\$ 352,649	\$ (3,897)	\$ (255,857)	\$ 46,557	\$ (38,388)	\$ 44,738	\$ 389,936
Beginning Fund Balance	\$ -	\$ 352,649	\$ 348,752	\$ 92,894	\$ 139,451	\$ 101,063	\$ 145,802
Ending Fund Balance	\$ 352,649	\$ 348,752	\$ 92,894	\$ 139,451	\$ 101,063	\$ 145,802	\$ 535,738

Fats Oil Grease Ordinance

The Iowa Plumbing Code requires the installation of grease interceptors for the kitchens of restaurants, nursing homes, schools, hospitals and other facilities from which grease can be expected to be discharged. The City Code has, since 2017, specified certain maintenance requirements for those devices, required logs be kept for device maintenance and grease hauling activities, and required grease haulers to file electronic manifests with the City. The proposed ordinance amendment further limits the amount of grease which may be discharged into the City sewer, codifies the “25% rule” to provide clarity on maintenance requirements, creates a unique identifier for each grease interceptor device to allow for more effective tracking of maintenance, implements a permit requirement and permit fee, and sets forth specific penalties for noncompliance. Further, this ordinance will eliminate the possibility of the business trying to maintain their own interceptor and will require a professional service to complete the inspection and required maintenance.

Storm Water Utility Fee Ordinance

The City has had a Storm Water Utility ordinance and fee in place since 1999. The user fee was \$1.00/utility customer for the first year and was doubled to \$2.00 in 2000. Since that time, the fee has remained the same. North Liberty’s storm water fee structure is outdated and not considered a best practice. Staff is proposing a revised structure that assesses a fee based on the amount of impervious surface contained on a property. The new rate structure is defined in the ordinance and is identical to what was provided to Council in a September 7, 2023 memo (included in packet). A recap of the rates are as follows:

Rate Structure

	Current Rate	Rate for first ERU			Rate/Additional ERU		
		Year 1	Year 2	Year 3	Year 1	Year 2	Year 3
Single-Unit, Two-Unit & Townhomes	\$ 2.00	\$ 3.00	\$ 4.00	\$ 4.00	n/a	n/a	n/a
Multi-Unit & Manufactured Homes	\$ 2.00	\$ 2.50	\$ 3.00	\$ 3.00	n/a	n/a	n/a
Mix Used, Residential	\$ 2.00	\$ 2.25	\$ 2.50	\$ 2.50	n/a	n/a	n/a
Commercial & Industrial	\$ 2.00	\$ 3.00	\$ 4.00	\$ 4.00	\$ 0.33	\$ 0.66	\$ 1.00

Customers with the most impervious pavement will see the greatest impact on their monthly bill. Below is a list of the top ten properties in terms of largest amounts of impervious surface, also identifying the anticipated monthly cost using the proposed rate structure.

Address	Description	Impervius Surface Area (SF)	Total ERU's	Current Monthly Cost	Proposed Monthly Cost (YEAR 1)	Proposed Monthly Cost (YEAR 2)	Proposed Monthly Cost (YEAR 3)
720 Alexander Way	Whirlpool	1,306,978	373.42	2.00	\$ 125.90	\$ 249.80	\$ 376.42
1400 S Dubuque St	Liberty High School	1,225,043	350.01	2.00	\$ 118.17	\$ 234.35	\$ 353.01
901 Heartland Way	Heartland Express	651,333	186.10	2.00	\$ 64.08	\$ 126.16	\$ 189.10
1425 W Penn St	LL Pelling	509,859	145.67	2.00	\$ 50.74	\$ 99.48	\$ 148.67
1, 970 & 972 Centro Way	Centro	430,187	122.91	2.00	\$ 43.23	\$ 84.46	\$ 125.91
2875 W Penn St	Frontier Distribution, LLC	396,969	113.42	2.00	\$ 40.10	\$ 78.20	\$ 116.42
180 E Forevergreen Rd	North Central Junior High	312,907	89.40	2.00	\$ 32.17	\$ 62.35	\$ 92.40
395 Herky St	JM Swank	288,231	82.35	2.00	\$ 29.85	\$ 57.69	\$ 85.35
1125 240th St	NIS, LLC	268,719	76.78	2.00	\$ 28.01	\$ 54.01	\$ 79.78
2870 Stoner Ct	Frontier Distribution, LLC	258,230	73.78	2.00	\$ 27.02	\$ 52.03	\$ 76.78



Agenda



CITY COUNCIL

November 14, 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, October 24, 2023
 - B. FY 2023 Street Finance Report
 - C. Penn Meadows Park North Parking Lot Project, Midwest Concrete, Change Order Number 3, (\$18,727.74)
 - D. Penn Meadows Park North Parking Lot Project, Midwest Concrete, Pay Application Number 4, \$663,174.14
 - E. City Hall Project, City Construction, Pay Application Number 9, \$412,040.17
 - F. Andale Cantina Liquor License Renewal
 - G. The Leaderboard Liquor License Renewal
 - H. The Depot Liquor License Renewal
 - I. Claims
5. Public Comment
6. Engineer Report
7. City Administrator Report
8. Mayor Report
 - A. Native American Heritage Month Proclamation
9. Council Reports
10. FY 25 Annual Appropriations
 - A. Resolution Number 2023-126, A Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (Diamond Dreams)

- B. Resolution Number 2023-127, A Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (Spotix)
11. FY 25 Urban Renewal Draw
 - A. Discussion and possible action on the Annual Urban Renewal funds request for FY 25
 12. Streets & Maintenance Facility Remodel Project
 - A. Public Hearing regarding proposed plans, specifications, and estimate of cost
 - B. Resolution Number 2023-128, A Resolution finally approving and confirming plans, specifications, and estimate of cost for the Streets & Maintenance Facility Remodel Project
 13. Centennial Park Phase 1
 - A. Resolution Number 2023-129, A Resolution approving the Amendment to the Professional Services Agreement between the City of North Liberty and Shive-Hattery, Inc. for the Centennial Park Next Stage Phase One Project
 14. Urban Renewal Loan Agreement
 - A. Resolution Number 2023-130, A Resolution setting the date for a public hearing on proposal to enter into an Urban Renewal Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$6,000,000
 15. UIHC Fire Service Agreement
 - A. Resolution Number 2023-131, A Resolution approving the Fire Service Agreement UIHC Forevergreen Road Campus between the City of North Liberty and the University of Iowa Board of Regents that establishes the terms and conditions under which fire protection will be provided
 16. Steindler Way Street Naming
 - A. Resolution Number 2023-132, A Resolution authorizing and approving the renaming of the private street in Steindler Medical Park Subdivision in the City of North Liberty, Johnson County, Iowa to Steindler Way
 17. Solomon's Landing Part One
 - A. Resolution Number 2023-133, A Resolution accepting public improvements for Solomon's Landing Part One in North Liberty, Iowa
 18. Franchise Fee Ordinance
 - A. Public Hearing regarding proposed increase to franchise fees

- B. First consideration of Ordinance Number 2023-27, An Ordinance amending the MidAmerican Energy Company, Interstate Power and Light Company, and Linn County Rural Electric Cooperative Franchise Agreements to adjust franchise fees

19. Fats Oils Grease Ordinance

- A. Public Hearing regarding proposed amendments to the fats, oils, and grease requirements
- B. First consideration of Ordinance Number 2023-28, An Ordinance amending Chapters 95 and 97 of the North Liberty Code of Ordinances further limiting the discharge of fat, oil, and grease into the Sanitary Sewer System, codifying maintenance and recordkeeping requirements and of fat, oil, and grease recovery systems and establishing permitting requirements and penalties for noncompliance

20. Storm Water Fees Ordinance

- A. Public Hearing regarding amendments to the way storm water fees are calculated and charged
- B. First consideration of Ordinance Number 2023-29, An Ordinance amending Chapter 100 of the North Liberty Code of Ordinances establishing an equitable fee structure for Storm Water Utility Services

21. Old Business

22. New Business

23. Adjournment



Consent Agenda



City Council
October 24, 2023
Regular Session

Call to order

Mayor Hoffman called the October 24, 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.

Others present: Tracey Mulcahey, Grant Lientz, Ryan Rusnak, Josiah Bilskemper, and other interested parties.

Approval of the Agenda

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

Consent Agenda

Smith moved, Bermel seconded to approve the Consent Agenda including the City Council Minutes, Regular Session, October 10, 2023; Liquor License Renewal, Fareway; Liquor License Renewal, Rusciano's; Liquor License Renewal, J & A Tap; Liquor License Renewal, Fiesta; Liquor License Amendment, Kum & Go; and the attached list of Claims. The vote was all ayes. Consent Agenda approved.

Public Comment

No public comment was offered.

City Engineer Report

City Engineer Bilskemper reported that the Penn Meadows Parking Lot Project trees and plantings were complete last week, and asphalt was completed this week. The permeable pavers will be installed next week. The project is to be substantially complete by November 24. The Forevergreen Road Signalization Project is at the 95% point of the design phase. It will be bid in December. The Fox Run Pond Trail Project is closing in on the final review. It will be bid in December. The Streets and Maintenance Remodel Project had its final owner review meeting today. Bid documents will be issued soon. The public hearing on plans and specifications will be held at the November 14 Council meeting.

City Administrator Report

City Clerk Mulcahey reported on the 110th City Birthday event.

Mayor Report

Mayor Hoffman had no report.

Council Reports

Councilor Smith passed along the positive comments toward Ryan Rusnak for positive work in the community as he is campaigning. Councilor Sittig attended the Joint Entities meeting last week. JCPH urged all to get flu, COVID and RSV vaccines. Mayor Hoffman reported that ICCSD is looking to start a new comprehensive preschool program. Councilor Bermel reported that the absentee ballot deadline has already passed. She encouraged all to find their polling place and vote in the City and School Board elections. Council Wayson reported that all can vote at auditor's office.

Penn Street Railroad Crossing Improvements Project

At 6:36 p.m., Mayor Hoffman opened the public hearing regarding proposed plans, specifications and estimate of cost for the Penn Street Railroad Crossing Improvements Project. No oral or written comments were received. The public hearing was closed at 6:36 p.m.

Harrington moved, Wayson seconded to approve Resolution Number 2023-121, A Resolution finally approving and confirming plans, specifications, and estimate of cost for the Penn Street Railroad Crossing Improvements Project. After discussion, the vote was: ayes – Bermel, Wayson, Smith, Sittig, Harrington; nays – none. Motion carried.

Assessment Resolution

Wayson moved, Bermel seconded to approve Resolution Number 2023-122, A Resolution assessing amounts owed to the City of North Liberty, Iowa to individual property taxes. The vote was: ayes – Smith, Wayson, Harrington, Sittig, Bermel; nays – none. Motion carried.

Forevergreen Road East Project

Sittig moved, Wayson seconded to approve Resolution Number 2023-123, A Resolution approving the Services Agreement between the City of North Liberty and Shive-Hattery, Inc. for the Forevergreen Road East Project. The vote was: ayes – Wayson, Bermel, Harrington, Smith, Sittig; nays – none. Motion carried.

Water Tower Place

Harrington moved, Smith seconded to approve Resolution Number 2023-124, A Resolution approving the Escrow Agreement for Water Tower Place between the City of North Liberty and Dahnovan Land Development, LLC. The vote was: ayes – Bermel, Harrington, Smith, Sittig, Wayson; nays – none. Motion carried.

Sittig moved, Bermel seconded to approve Resolution Number 2023-125, A Resolution approving the Final Plat for Water Tower Place in North Liberty, Iowa. The vote was: ayes – Smith, Sittig, Wayson, Bermel, Harrington; nays – none. Motion carried.

Old Business

No old business was presented.

New Business

Councilor Wayson offered the reminder that this coming weekend is the pickup for Scouting for Food. Councilor Smith is meeting with Senator Zach Wahls to discuss the predatory purchasing of mobile home parks.

Adjournment

Smith moved; Wayson seconded to adjourn at 6:40 p.m. The vote was all ayes. Meeting adjourned.

CITY OF NORTH LIBERTY

By: _____
Chris Hoffman, Mayor

Attest: _____
Tracey Mulcahey, City Clerk



City Street Finance Report

Fiscal Year 2023

Bureau of Local Systems

North Liberty

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Expenses

	General Fund Streets (001)	Road Use (110)	Other Special Revenues	Debt Service (200)	Capital Projects (300)	Utilities (600 & U0)	Grand Total
Salaries - Roads/Streets		\$513,148					\$513,148
Benefits - Roads/Streets		\$297,831					\$297,831
Training & Dues		\$4,949					\$4,949
Building & Grounds Maint. & Repair		\$17,150					\$17,150
Vehicle & Office Equip Operation and Repair		\$63,745					\$63,745
Other Utilities		\$27,605					\$27,605
Other Maintenance and Repair		\$2,130					\$2,130
Insurance		\$43,858					\$43,858
Printing		\$355					\$355
Street Maintenance Expense		\$40,685					\$40,685
Technology Expense	\$10,699	\$16,021					\$26,720
Other Contract Services		\$7,415					\$7,415
Office Supplies		\$1,524					\$1,524
Operating Supplies		\$11,570					\$11,570
Postage & Safety		\$5,275					\$5,275
New Posts & Signs		\$9,641					\$9,641
Replacement Posts & Signs		\$26,938					\$26,938



City Street Finance Report

Fiscal Year 2023

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	General Fund Streets (001)	Road Use (110)	Other Special Revenues	Debt Service (200)	Capital Projects (300)	Utilities (600 & U0)	Grand Total
Other Supplies		\$41,148					\$41,148
Other Capital Outlay		\$56,009					\$56,009
Principal Payment				\$3,366,799			\$3,366,799
Interest Payment				\$597,994			\$597,994
Bond Registration Fees				\$4,691			\$4,691
Transfer Out		\$908,468					\$908,468
Street Lighting		\$71,500					\$71,500
Traffic Control/Safety		\$109,804					\$109,804
Snow Removal		\$141,756					\$141,756
Snow Removal Salaries		\$47,022					\$47,022
Total	\$10,699	\$2,465,547		\$3,969,484			\$6,445,730



City Street Finance Report

Fiscal Year 2023

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Revenue

	General Fund Streets (001)	Road Use (110)	Other Special Revenues	Debt Service (200)	Capital Projects (300)	Utilities (600 & U0)	Grand Total
Levied on Property	\$0		\$0	\$183,568			\$183,568
TIF Revenues				\$3,636,626			\$3,636,626
State Revenues - Road Use Taxes		\$2,818,141					\$2,818,141
Charges/fees						\$0	\$0
Proceeds from Debt					\$13,024,268		\$13,024,268
Transfer In	\$10,699			\$149,290	\$748,479		\$908,468
Total	\$10,699	\$2,818,141	\$0	\$3,969,484	\$13,772,747	\$0	\$20,571,071



City Street Finance Report

Fiscal Year 2023

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Bonds/Loans

Bond/Loan Description	Principal Balance As of 7/1	Total Principal Paid	Total Interest Paid	Principal Roads	Interest Roads	Principal Balance As of 6/30
2021 GO/Corporate Bond	\$7,270,000	\$485,000	\$83,308	\$247,033	\$42,433	\$6,785,000
2015A GO Corporate Purpose	\$3,685,000	\$890,000	\$73,700	\$284,800	\$23,584	\$2,795,000
2013C	\$785,000	\$385,000	\$18,263	\$385,000	\$18,263	\$400,000
2012A	\$680,000	\$130,000	\$18,690	\$130,000	\$18,690	\$550,000
2020A General Corporate Purpose	\$9,280,000	\$885,000	\$185,600	\$487,841	\$102,309	\$8,395,000
2014C GO Corp Purpose	\$990,000	\$325,000	\$19,800	\$325,000	\$19,800	\$665,000
2017A GO Corp Purpose	\$1,625,000	\$425,000	\$48,750	\$85,000	\$9,750	\$1,200,000
2018A GO Corp Purpose	\$3,565,000	\$360,000	\$108,033	\$262,372	\$78,736	\$3,205,000
2019A GO Corp Purpose	\$5,995,000	\$830,000	\$119,900	\$704,753	\$101,807	\$5,165,000
2017B GO Corp Purpose	\$3,385,000	\$455,000	\$72,181	\$455,000	\$72,181	\$2,930,000
22A GO Corporate Purpose	\$9,135,000	\$0	\$221,524	\$0	\$110,441	\$9,135,000
2023A GO Corporate Bond	\$9,834,424	\$0	\$0	\$0	\$0	\$9,834,424
Total	\$56,229,424	\$5,170,000	\$969,749	\$3,366,799	\$597,994	\$51,059,424



City Street Finance Report

Fiscal Year 2023

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Equipment

Description	Model Year	Usage Type	Cost	Purchased Status
International Tandem Dump Truck #540	2022	Purchased	\$258,259	No Change
Chevrolet Colorado #502	2022	Purchased	\$37,322	No Change
RAM 5500 Bucket Truck #524	2020	Purchased	\$170,564	No Change
Vermeer Chipper	2007	Purchased	\$25,000	No Change
Ford F-250 Pickup #527	2003	Purchased	\$3,000	No Change
Case 621Gxt Wheel Loader	2018	Purchased	\$185,000	No Change
RAM 5500 #503	2020	Purchased	\$76,000	No Change
Dodge RAM Crew Cab Truck #520	2017	Purchased	\$34,000	No Change
Dodge RAM 1500 Crew Cab Truck #509	2017	Purchased	\$34,000	No Change
Aerial Platform Lift JLG 6605J	2016	Purchased	\$87,000	No Change
Dodge RAM 3500 Crew Cab 6.4 #501	2021	Purchased	\$55,000	No Change
Freightliner Dumptruck #506	2017	Purchased	\$180,000	No Change
Freightliner Vactor Truck #528	2016	Purchased	\$250,000	No Change
Case Backhoe Tractor	2013	Purchased	\$50,375	No Change
International Dump Truck #525	2016	Purchased	\$162,279	No Change
BMY by Harsco Semi tractor	1991	Purchased	\$0	No Change
Dodge 2500 Pickup #529	2001	Purchased	\$2,000	No Change
Bobcat T770 skidsteer	2019	Purchased	\$78,000	No Change
C3500 Concrete Saw	2020	Purchased	\$16,000	No Change
Case Road Grader	2007	Purchased	\$93,850	No Change
International Elgin Whirlwind #517	2015	Purchased	\$226,182	No Change



City Street Finance Report

Fiscal Year 2023

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Description	Model Year	Usage Type	Cost	Purchased Status
International Dump Truck #507	2011	Purchased	\$150,539	No Change
International Dump Truck #508	2011	Purchased	\$150,539	No Change
Ford F-555 Dump #504	2015	Purchased	\$77,123	No Change
Ford F-555 Dump #505	2013	Purchased	\$74,750	No Change
Freightliner Tandem Dumptruck #538	2016	Purchased	\$170,000	No Change
John Deere 5115 M Tractor #523	2012	Purchased	\$67,303	No Change
John Deere 5115 M Tractor #510	2019	Purchased	\$70,000	No Change
Mack Granite Dump Truck #539	2023	Purchased	\$283,000	New
AM Semi #519	1983	Purchased	\$0	No Change



Bureau of Local Systems
Ames, IA 50010

City Street Finance Report

Fiscal Year 2023

North Liberty

11/10/2023 1:34:52 PM

Street Projects

Project Description	Contract Price	Final Price	Contractor Name
Ranshaw Way Improvements Phase 5	\$7,882,879	\$8,095,751	Peterson Contractors, Inc.
Jones Boulevard - Penn to 240th Street	\$2,238,571	\$2,302,748	Schrader Excavating & Grading



City Street Finance Report

Fiscal Year 2023

Bureau of Local Systems

North Liberty

Ames, IA 50010

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Summary

	General Fund Streets (001)	Road Use (110)	Other Special Revenues	Debt Service (200)	Capital Projects (300)	Utilities (600 & U0)	Grand Total
Begining Balance	\$0	\$2,722,499	\$0	\$0	\$8,361,169	\$0	\$11,083,668
SubTotal Expenses (-)	\$10,699	\$1,557,079		\$3,969,484			\$5,537,262
Transfers Out (-)		\$908,468					\$908,468
Subtotal Revenues (+)	\$0	\$2,818,141	\$0	\$3,820,194	\$13,024,268	\$0	\$19,662,603
Transfers In (+)	\$10,699			\$149,290	\$748,479		\$908,468
Ending Balance	\$0	\$3,075,093	\$0	\$0	\$22,133,916	\$0	\$25,209,009

Resolution Number:

Execution Date: Tuesday, November 14, 2023

Signature: Tracey Mulcahey

CHANGE ORDER
For Local Public Agency Projects

No.: 3

Non-Substantial:

Substantial:

Administering Office
Concurrence Date

Accounting ID No. (5-digit number): _____

Project Number: 2112203620

Kind of Work: Parking Lot Construction

Local Public Agency: North Liberty

Contractor: Midwest Concrete

Date Prepared: November 7, 2023

You are hereby authorized to make the following changes to the contract documents.

A - Description of change to be made:

0045 - REDUCE the quantity for "AMENDED PLANTING SOIL" by 330.90 CY.

8007 - ADD an item for "GRANULAR STABILIZATION." Item is required to account for overexcavation and backfill of unsuitable material identified during a subgrade proofroll of the east parking lot prior to paving operations. Material shall be 2-inch nominal diameter roadstone, compacted in place. Method of Measurement: Item will be measured by weight in tons of material placed. Basis of Payment: Tons installed. Payment is full compensation for all labor, equipment and materials needed to excavate and dispose of unsuitable subgrade material, and place and compact rock stabilization material.

B - Reason for change:

0045 - Existing on-site topsoil in planting areas was found to be of sufficient depth and comprised of high quality material. A much smaller quantity of offsite amended planting soils was needed.

8007 - Subgrade proofroll showed unsuitable soil near the top 6-inches of the subgrade in three locations around the SW quadrant of the east parking lot (includes main loop drive aisle and trash dumpster pickup location).

C - Settlement for cost(s) of change as follows with items addressed in Sections F and/or G:

8007 - Agreed Unit Price

D - Justification for cost(s) (See I.M. 3.805, Attachment D, Chapter 2.36, for acceptable justification):

8007 - An agreed upon unit price for the work was established.

E - Contract time adjustment: No Working Days added

Working Days added: _____

Unknown at this time

Justification for selection:

Addition of stabilization rock will not add working days.

F - Items included in contract:

Participating				For deductions enter as "-x.xx"		
Federal-aid	State-aid	Line Number	Item Description	Unit Price .xx	Quantity .xxx	Amount .xx
		0045	AMENDED PLANTING SOIL	\$97.85	-330.900	-\$32,378.56
				Add Row	Delete Row	TOTAL
						-\$32,378.56

G - Items not included in contract:

Participating				For deductions enter as "-x.xx"		
Federal-aid	State-aid	Change Number	Item Description	Unit Price .xx	Quantity .xxx	Amount .xx
		8007	GRANULAR STABILIZATION	\$44.50	306.760	\$13,650.82
				Add Row	Delete Row	TOTAL
						\$13,650.82

H. Signatures

Agreed: *Pick George* 11-8-23
 Contractor Date

Recommended: *Joseph D. Blalinger* 11/08/23
 Project Engineer Date

Approved: _____ Date
 Person in Responsible Charge



MIDWEST CONCRETE INC.

9835 Midwest Lane Peosta, IA 52068 Ph: (563) 845-0947 Fax: (563) 583-1007 Email: office@midwest-concrete.net

North Liberty Penn Meadows Park

Payment Application #4

Date: 10/27/2023

	Qty	Unit	Price	Contract Amount	Previous Quantity	Previous Amount	Quantity this Estimate	Am't this Estimate	Quantity to Date	Total to Date
1	117.5	UNIT	39.02	\$ 4,584.85	117.5	\$ 4,584.85		\$ -	117.5	4,584.85
2	2142	CY	11.59	\$ 24,825.78	1175	\$ 13,618.25	967	\$ 11,207.53	2142	24,825.78
3	6787	CY	12.75	\$ 86,534.25	5920	\$ 75,480.00	867	\$ 11,054.25	6787	86,534.25
4	7716	SY	2	\$ 15,432.00	4097	\$ 8,194.00	3616	\$ 7,232.00	7713	15,426.00
5	988	CY	44.89	\$ 44,351.32	875	\$ 39,278.75	117	\$ 5,252.13	992	44,530.88
6	40	LF	150	\$ 6,000.00	40	\$ 6,000.00		\$ -	40	6,000.00
7	33	LF	164.14	\$ 5,416.62	32	\$ 5,252.48		\$ -	32	5,252.48
8	31	LF	47.67	\$ 1,477.77	31	\$ 1,477.77		\$ -	31	1,477.77
9	564	LF	92.61	\$ 52,232.04	468	\$ 43,341.48	123	\$ 11,391.03	591	54,732.51
10	669	LF	12.43	\$ 8,315.67	826	\$ 10,267.18		\$ -	826	10,267.18
11	2	EA	443.05	\$ 886.10	0	\$ -	2	\$ 886.10	2	886.10
12	2	EA	2258.83	\$ 4,517.66	1	\$ 2,258.83		\$ -	1	2,258.83
13	4	EA	3400.25	\$ 13,601.00	2	\$ 6,800.50		\$ -	2	6,800.50
14	1	EA	6434.56	\$ 6,434.56	0.9	\$ 5,791.10	0.1	\$ 643.46	1	6,434.56
15	1	EA	1200	\$ 1,200.00	1	\$ 1,200.00		\$ -	1	1,200.00
16	1	EA	1102.6	\$ 1,102.60	1	\$ 1,102.60		\$ -	1	1,102.60
17	2	EA	2646.92	\$ 5,293.84	2	\$ 5,293.84		\$ -	2	5,293.84
18	3386	SY	41.5	\$ 140,519.00	3331	\$ 138,236.50		\$ -	3331	138,236.50
19	346	SY	83.23	\$ 28,797.58	361	\$ 30,046.03		\$ -	361	30,046.03
20	2710	LF	23.66	\$ 64,118.60	2452	\$ 58,014.32		\$ -	2452	58,014.32
21	265	LF	23.43	\$ 6,208.95	165	\$ 3,865.95	100	\$ 2,343.00	265	6,208.95
22	2660	SY	1.45	\$ 3,857.00	0	\$ -		\$ -	0	-
23	0	TN	133.85	\$ -	0	\$ -		\$ -	0	-
24	0	TN	149.2	\$ -	0	\$ -		\$ -	0	-
25	5705	SY	9.5	\$ 54,197.50	3525	\$ 33,487.50	4820	\$ 45,790.00	8345	79,277.50
26	630	SY	15	\$ 9,450.00	381	\$ 5,715.00	249	\$ 3,735.00	630	9,450.00
27	1945	SY	39.09	\$ 76,030.05	185	\$ 7,231.65	1790	\$ 69,971.10	1975	77,202.75
28	100	SF	45	\$ 4,500.00	70	\$ 3,150.00	30	\$ 1,350.00	100	4,500.00
29	0	SY	72.88	\$ -	0	\$ -		\$ -	0	-
30	9300	SF	0.26	\$ 2,418.00	9300	\$ 2,418.00		\$ -	9300	2,418.00
31	660	TN	24.79	\$ 16,361.40	601.95	\$ 14,922.34		\$ -	601.95	14,922.34
32	210	TN	25.06	\$ 5,262.60	210	\$ 5,262.60		\$ -	210	5,262.60
33	4644	SF	7.06	\$ 32,786.64	0	\$ -		\$ -	0	-
34	55.6	STA	98.39	\$ 5,470.48	0	\$ -		\$ -	0	-
35	29	EA	61.8	\$ 1,792.20	0	\$ -		\$ -	0	-
36	3	STA	1287.5	\$ 3,862.50	0	\$ -		\$ -	0	-
37	1	LS	15450	\$ 15,450.00	0.5	\$ 7,725.00	0.25	\$ 3,862.50	0.75	11,587.50
38	14	EA	468.65	\$ 6,561.10	0	\$ -		\$ -	0	-
39	2	AC	515	\$ 1,030.00	0	\$ -		\$ -	0	-
40	0.3	AC	10300	\$ 3,090.00	0	\$ -		\$ -	0	-
41	690	SQ	51.5	\$ 35,535.00	0	\$ -		\$ -	0	-
42	407	MGAL	38.88	\$ 15,824.16	0	\$ -		\$ -	0	-
43	37	TN	298.43	\$ 11,041.91	0	\$ -		\$ -	0	-
44	16	CY	217.15	\$ 3,474.40	0	\$ -		\$ -	0	-
45	394	CY	97.85	\$ 38,552.90	0	\$ -	63.1	\$ 6,174.34	63.1	6,174.34
46	47	EA	439.56	\$ 20,659.32	0	\$ -	47	\$ 20,659.32	47	20,659.32
47	1	EA	527.9	\$ 527.90	0	\$ -	1	\$ 527.90	1	527.90
48	79	EA	57.58	\$ 4,548.82	0	\$ -	79	\$ 4,548.82	79	4,548.82
49	152	EA	18.54	\$ 2,818.08	0	\$ -	152	\$ 2,818.08	152	2,818.08
50	1	EA	84573.57	\$ 84,573.57	0	\$ -		\$ -	0	-
51	18	EA	654.88	\$ 11,787.84	0	\$ -	18	\$ 11,787.84	18	11,787.84
52	790	LF	12.06	\$ 9,527.40	0	\$ -	790	\$ 9,527.40	790	9,527.40
53	0	EA	11846	\$ -	0	\$ -		\$ -	0	-
54	1	LS	1545	\$ 1,545.00	0.1	\$ 154.50	0.5	\$ 772.50	0.6	927.00
55	2465	LF	1.55	\$ 3,820.75	1296	\$ 2,008.80	345	\$ 534.75	1641	2,543.55
56	3	EA	103	\$ 309.00	0	\$ -		\$ -	0	-
57	2	EA	103	\$ 206.00	2	\$ 206.00		\$ -	2	206.00
58	1740	LF	7.68	\$ 13,363.20	1740	\$ 13,363.20		\$ -	1740	13,363.20
59	1	LS	150000	\$ 150,000.00	0.5	\$ 75,000.00	0.4	\$ 60,000.00	0.9	135,000.00
60	1	LS	1000	\$ 1,000.00	0.25	\$ 250.00	0.7	\$ 700.00	0.95	950.00
8001	34	LF	94	\$ 3,196.00	34	\$ 3,196.00		\$ -	34	3,196.00
8002	1	LS	6064	\$ 6,064.00	0.25	\$ 1,516.00	0.7	\$ 4,244.80	0.95	5,760.80
8003	580	TN	128.75	\$ 74,675.00	0	\$ -	435	\$ 56,006.25	435	56,006.25
8004	580	TN	142.04	\$ 82,383.20	0	\$ -		\$ -	0	-
8005	3950	SY	69.06	\$ 272,787.00	0	\$ -	4398	\$ 303,725.88	4398	303,725.88
8006	325	TN	128.75	\$ 41,843.75	0	\$ -	215	\$ 27,681.25	215	27,681.25
8007	220	TN	44.5	\$ 9,790.00	0	\$ -	306.76	\$ 13,650.82	306.76	13,650.82
				\$ 1,663,823.86		\$ 635,711.02		\$ 698,078.04		\$ 1,333,789.07

5% Retainage \$ 31,785.55 \$ 34,903.90 \$ 66,689.45
 Previous Payments: 603,925.47 Total This Period: \$ 663,174.14 Total Less Retainage: \$ 1,267,099.62

Shive-Hattery, Josiah Bliskemper

Josiah Bliskemper
 Project Engineer Date

11 / 08 / 23

Midwest Concrete Inc.

Nick Georgan 10/27/2023
 Project Manager Date

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

PAGE 1 OF 9 PAGES

TO OWNER:
 City of North Liberty
 3 Quail Creek Circle
 North Liberty, IA 52317
 FROM CONTRACTOR:
 City Construction
 2346 Mormon Trek Blvd. Suite 2500
 Iowa City, IA 52246

PROJECT:
 North Liberty City Hall
 360 North Main Street
 North Liberty, IA 52317
 VIA ARCHITECT:
 Shive-Hattery, Inc.
 2839 Northgate Drive
 Iowa City, IA 52245

APPLICATION NO: 9
 PERIOD TO: 10/10/23
 PROJECT NOS: 1-159
 1207650
 CONTRACT DATE: 09/14/22

Distribution to:
 OWNER
 ARCHITECT
 CONTRACTOR

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.

1. ORIGINAL CONTRACT SUM \$ 9,389,509.00
 2. Net change by Change Orders \$ 0.00
 3. CONTRACT SUM TO DATE (Line 1 ± 2) \$ 9,389,509.00
 4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 6,004,793.35
 5. RETAINAGE:
 a. 5 % of Completed Work \$ 296,051.87
 (Column D + E on G703)
 b. 5 % of Stored Material \$ 4,187.80
 (Column F on G703)
 Total Retainage (Lines 5a + 5b or Total in Column I of G703) \$ 300,239.67
 6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total) \$ 5,704,553.68
 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 5,292,513.51
 8. CURRENT PAYMENT DUE \$ 412,040.17
 9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 3,684,955.32

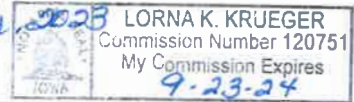
CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$0.00
Total approved this Month	\$0.00	\$0.00
TOTALS	\$0.00	\$0.00
NET CHANGES by Change Order	\$0.00	

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.

CONTRACTOR: City Construction

By: [Signature] Date: 10/10/23

State of: Iowa County of: Johnson
 Subscribed and sworn to before me this 10th day of October, 2023
 Notary Public: Lorna K. Krueger
 My Commission expires: September 23, 2024



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's 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 \$ 412,040.17

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

ARCHITECT: [Signature] Date: 11/08/2023

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.



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
ANDALE CANTINA, INC.	ANDALE CANTINA	(319) 530-7158		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
780 Community Drive	Ste # 1	North Liberty	Johnson	52317
MAILING ADDRESS	CITY	STATE	ZIP	
780 Community Drive	North Liberty	Iowa	52317	

Contact Person

NAME	PHONE	EMAIL
EMILIO ESTRADA	(319) 530-7158	emilioiowa@icloud.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LC0049112	Class C Retail Alcohol License	12 Month	Submitted to Local Authority
TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS	
Nov 14, 2023	Nov 13, 2024		
SUB-PERMITS			
Class C Retail Alcohol License			



State of Iowa

Alcoholic Beverages Division

PRIVILEGES

Catering

Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Richard Arthur						
EMILIO ESTRADA	North Liberty	Iowa	52317	PRESIDENT	50.00	Yes
sari estrada	North Liberty	Iowa	52317	secretary	50.00	Yes

Insurance Company Information

INSURANCE COMPANY

United Fire & Casualty Company

POLICY EFFECTIVE DATE

Sep 27, 2023

POLICY EXPIRATION DATE

Sep 27, 2024

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



State of Iowa

Alcoholic Beverages Division



State of Iowa ABD approval statement from the following county department

Legal Name of Applicant: _____

Name of Business (DBA): _____

Address of Business: _____

Business Phone: _____

Email: _____


State of Iowa ABD License #: _____

Johnson County Health Department:

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

Name: _____

Title: _____ **Date:** _____

Signature:  _____



North Liberty Police Department

340 N Main St•PO Box 77•North Liberty, Iowa•52317•(319) 626-5724/Fax: 5743

November 8, 2023

Liquor License Check

Business: Andale Cantina
780 Community Dr Ste 1
North Liberty, IA 52317

Owners: Emilio Estrada (DOB: 05/1977)
Sara Estrada (DOB: 03/1979)

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

I recommend the license be granted.

This record check was conducted by Sergeant Mitch Seymour.





State of Iowa
Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
US CORRIDOR ENTERTAINMENT LLC	THE LEADERBOARD	(319) 383-6821		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
680 MEADE DR	SUITE 3-5	North Liberty	Johnson	52317
MAILING ADDRESS	CITY	STATE	ZIP	
910 Pheasant Ln	North Liberty	Iowa	52317	

Contact Person

NAME	PHONE	EMAIL
GRANT UDING	(319) 383-6821	grant.uding@gmail.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LC0044966	Class C Retail Alcohol License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
Nov 15, 2023	Nov 14, 2024	

SUB-PERMITS

Class C Retail Alcohol License



State of Iowa
Alcoholic Beverages Division

PRIVILEGES

Outdoor Service

Status of Business

BUSINESS TYPE

Limited Liability Company

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Grant Uding	North Liberty	Iowa	52317	Vice-President	33.00	Yes
Joshua Smith	North Liberty	Iowa	52317	President	34.00	Yes
Yvonne O'Neill	North Liberty	Iowa	52317	Treasurer	33.00	Yes

Insurance Company Information

INSURANCE COMPANY

Illinois Casualty Co

POLICY EFFECTIVE DATE

Nov 1, 2023

POLICY EXPIRATION DATE

Nov 1, 2024

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



North Liberty Police Department

340 N Main St•PO Box 77•North Liberty, Iowa•52317•(319) 626-5724/Fax: 5743

October 20, 2023

Liquor License Check

Business: The Leaderboard Bar
680 Meade Drive
North Liberty, IA 52317

Owner:	Grant Uding	(DOB: 1990)
	Joshua Smith	(DOB: 1987)
	Yvonne O'Neill	(DOB: 1961)

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

I recommend the license be granted.

This record check was conducted by Sergeant Mitch Seymour.





State of Iowa ABD approval statement from the following county department

Legal Name of Applicant: US Corridor Entertainment LLC

Name of Business (DBA): The Leaderboard

Address of Business: 680 Meade Dr North Liberty IA 52317

Business Phone: 319-665-0015

Email: grant.uding@gmail.com


State of Iowa ABD License #: LC0044966

Johnson County Health Department:

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

Name: Rob Thul

Title: EHM Date: 10/19/23

Signature: 



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
The Depot North Liberty LLC	The Depot North Liberty LLC	(319) 545-9514		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
1290 S Dubuque St		North Liberty	Johnson	52317
MAILING ADDRESS	CITY	STATE	ZIP	
221 W Marengo Rd	Tiffin	Iowa	52340	

Contact Person

NAME	PHONE	EMAIL
David Scheetz	(319) 545-9514	info@thedepotexpress.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LE0002978	Class E Retail Alcohol License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
Dec 1, 2023	Nov 30, 2024	

SUB-PERMITS

Class E Retail Alcohol License

PRIVILEGES



Status of Business

BUSINESS TYPE

Limited Liability Company

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
David Scheetz	Oxford	Iowa	52322	President	50.00	Yes
Matthew Scheetz	Oxford	Iowa	52322	Vice-President	50.00	Yes

Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



North Liberty Police Department

340 N Main St•PO Box 77•North Liberty, Iowa•52317•(319) 626-5724/Fax: 5743

October 20, 2023

Liquor License Check

Business: The Depot Express
1290 S. Dubuque Street
North Liberty, IA 52317

Owners: David Scheetz (DOB: 1981)
Matthew Scheetz (DOB: 1979)

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

I recommend the license be granted.

This record check was conducted by Sergeant Mitch Seymour.





State of Iowa ABD approval statement from the following county department

Legal Name of Applicant: The Depot North Liberty LLC

Name of Business (DBA): The Depot North Liberty LLC

Address of Business: 1290 S Dubuque St North Liberty IA 52317

Business Phone: 319-545-9514

Email: info@thedepotexpress.com

State of Iowa ABD License #: LE0002978

Johnson County Health Department:

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

Name: Rob Thul

Title: EHM Date: 10/19/23

Signature: 



Mayor Report



PROCLAMATION

Native American Heritage Month

Whereas, the City of North Liberty, Iowa, recognizes that the Native and Indigenous Peoples of the lands that would later become known as the Americas have occupied these lands since time immemorial; and

Whereas, the City recognizes the fact that North Liberty is built upon the homelands and hunting grounds of the Native and Indigenous Peoples of this region; and

Whereas, the City is dedicated to opposing systemic racism towards Native and Indigenous peoples, which perpetuates high rates of poverty and income inequality, exacerbating disproportionate health, education, and social crises; and

Whereas, National Native American Heritage Month serves as an opportunity to celebrate the thriving cultures and values of the Native and Indigenous Peoples of this region; and

Whereas, during this month, we honor the resilience, strength, and vibrant cultures of Native and Indigenous Peoples; and

Whereas, it is important to promote understanding, awareness, and appreciation of Native and Indigenous Peoples' heritage among all citizens, fostering a spirit of inclusivity, respect, and unity.

Now, therefore, I, Chris Hoffman, Mayor of North Liberty, Iowa, do hereby proclaim the month of November as

Native American Heritage Month

in the City of North Liberty and would urge all residents to learn about the history and diverse cultures of Native Americans and Indigenous Peoples and to participate in events and activities that honor their contributions to our community and nation.

Signed in North Liberty, Iowa, this 14th day of November, 2023.

Chris Hoffman, Mayor



FY 25 Annual Appropriations

Resolution No. 2023-126

OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR

WHEREAS, the City of North Liberty, Iowa (the "City"), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the City of North Liberty Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, this Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa (the "Urban Renewal Tax Revenue Fund"), which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City has scheduled payments in the amount of **\$40,658** (the "Annual Payment") which shall come due in the fiscal year beginning July 1, 2024 with respect to the City's agreement with **Diamond Dreams**;

WHEREAS, it is now necessary for the City Council to obligate for appropriation to the Annual Payment, funds anticipated to be received in Urban Renewal Tax Revenue Fund in the fiscal year beginning July 1, 2024.

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

Section 1. The City Council hereby obligates **\$40,658** for appropriation from the Urban Renewal Tax Revenue Fund to the Annual Payment in the fiscal year beginning July 1, 2024.

Section 2. The City Clerk is hereby directed to certify the amount obligated for appropriation in Section 1 above, on the City's December 1, 2023 certification of debt payable from the Urban Renewal Tax Revenue Fund and to reflect such amount in the City's budget for the next succeeding fiscal year.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

APPROVED AND ADOPTED this 14th day of November, 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

Resolution No. 2023-127

OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR

WHEREAS, the City of North Liberty, Iowa (the "City"), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the City of North Liberty Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, this Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa (the "Urban Renewal Tax Revenue Fund"), which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City has scheduled payments in the amount of **\$21,860** (the "Annual Payment") which shall come due in the fiscal year beginning July 1, 2024 with respect to the City's agreement with Spotix, Inc.;

WHEREAS, it is now necessary for the City Council to obligate for appropriation to the Annual Payment, funds anticipated to be received in Urban Renewal Tax Revenue Fund in the fiscal year beginning July 1, 2024.

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

Section 1. The City Council hereby obligates **\$21,860** for appropriation from the Urban Renewal Tax Revenue Fund to the Annual Payment in the fiscal year beginning July 1, 2024.

Section 2. The City Clerk is hereby directed to certify the amount obligated for appropriation in Section 1 above, on the City's December 1, 2023 certification of debt payable from the Urban Renewal Tax Revenue Fund and to reflect such amount in the City's budget for the next succeeding fiscal year.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

APPROVED AND ADOPTED this 14th day of November, 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



FY 25 Urban Renewal Draw

**CODE OF IOWA SECTION 403.19 TAX INCREMENT FINANCING (TIF) INDEBTEDNESS
CERTIFICATION TO COUNTY AUDITOR
Due To County Auditor By December 1 Prior To The Fiscal Year TIF Increment Tax Is Requested
Use One Certification Per Urban Renewal Area**

City: North Liberty County: Johnson

Urban Renewal Area Name: North Liberty

Urban Renewal Area Number: 52001 (Use five-digit Area Number Assigned by the County Auditor)

I hereby certify to the County Auditor that for the Urban Renewal Area within the City and County named above the City has outstanding loans, advances, indebtedness, or bonds, none of which have been previously certified, in the collective amount shown below, all of which qualify for repayment from the special fund referred to in paragraph 2 of Section 403.19 of the Code of Iowa.

Urban Renewal Area Indebtedness Not Previously Certified*: \$ **19,472,921**

*There must be attached a supporting itemized listing of the dates that individual loans, advances, indebtedness, or bonds were initially approved by the governing body. (Complete and attach 'CITY TIF FORM 1.1'.)

The County Auditor shall provide the available TIF increment tax in subsequent fiscal years without further certification until the above-stated amount of indebtedness is paid to the City. However, for any fiscal year a City may elect to receive less than the available TIF increment tax by certifying the requested amount to the County Auditor on or before the preceding December 1. (File 'CITY TIF FORM 2' with the County Auditor by the preceding December 1 for each of those fiscal years where all of the TIF increment tax is not requested.)

A City reducing certified TIF indebtedness by any reason other than application of TIF increment tax received from the County Treasurer shall certify such reduced amounts to the County Auditor no later than December 1 of the year of occurrence. (File 'CITY TIF FORM 3' with the County Auditor when TIF indebtedness has been reduced by any reason other than application of TIF increment tax received from the County Treasurer.)

Notes/Additional Information:

Dated this 14th day of November, 2023

Signature of Authorized Official

319/626-5700
Telephone

TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEAR

City: North Liberty County: Johnson

Urban Renewal Area Name: North Liberty

Urban Renewal Area Number: 52001 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
1. 2014C TIF Bond City needs \$342,200 in princ/int/pa fees 100% of debt paid with TIF FY 25 - Fully certifying balance due - 342,200	10/30/2014	342,200
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
2. Diamond Dreams Not to exceed \$320,000 total Year 2 of 5	11/14/2023	40,658
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
3. 2015A GO Bond City needs \$296,725 in princ/int/pa fees FY 25 - Fully certifying balance due	10/07/2015	597,750
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
4. 2018A TIF/GO Bond City needs \$350,620 in princ/int/pa fees FY 25 - Fully certifying remaining balance	10/15/2018	2,422,115
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
5. Spotix Development Agreement Payment 7 of 7	11/14/2023	21,860
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 2.

Total For City TIF Form 1.1 Page 1: 3,424,583

* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.

TIF INDEBTEDNESS NOT PREVIOUSLY CERTIFIED ELIGIBLE FOR TAX COLLECTIONS NEXT FISCAL YEAR

City: North Liberty County: Johnson

Urban Renewal Area Name: North Liberty

Urban Renewal Area Number: 52001 (Use five-digit Area Number Assigned by the County Auditor)

Individual TIF Indebtedness Type/Description/Details:	Date Approved*:	Total Amount:
6. Corridor Media Properties Development Agreement Assignment from A & M Development. Year 7 of 10. Office Premium	02/08/20211	31,755
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
7. 2017B TIF Bond 100% TIF FY 25 Certified TIF Balance-fully certified	05/30/2017	2,942,500
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
8. GEICO Rebate Agreement Assigned from A & M	02/08/2011	15,665
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
9. 2023A Bond FY 25 Certified Full Amount	05/05/2023	11,773,418
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
10. Forevergreen Road Project - Repayment to IDOT	05/23/2017	1,285,000
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		

If more indebtedness entry lines are needed continue to Form 1.1 Page 3.

Total For City TIF Form 1.1 Page 2: 16,048,338

* "Date Approved" is the date that the local governing body initially approved the TIF indebtedness.



Streets & Maintenance Facility Remodel Project

Resolution No. 2023-128

**RESOLUTION FINALLY APPROVING AND CONFIRMING
PLANS, SPECIFICATIONS, AND ESTIMATE OF COST FOR THE
STREETS & MAINTENANCE FACILITY REMODEL PROJECT**

WHEREAS, the City Council of the City of North Liberty, Iowa, has heretofore given preliminary approval to the plans, specifications, and estimate of cost (the "Contract Documents") for the proposed Streets & Maintenance Facility Remodel Project (the "Project"), as described in the notice of hearing on the Contract Documents for the Project and the taking of bids therefor; and

WHEREAS, a hearing has been held on the Contract Documents on November 14, 2023;

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

Section 1. The City Council will receive bids for the Project on December 4, 2023 at 2:00 p.m. At such time and place the City Clerk will open such bids received and announce the results thereof. The City Council will consider bids received at the City Council meeting to be held on November 12, 2023 at 6:30 p.m. in Council Chambers at 1 Quail Creek Circle, North Liberty, Iowa.

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

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

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

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

APPROVED AND ADOPTED this 14th day of November, 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



Centennial Park Phase 1



AIA[®]

Document G802[®] – 2017

Amendment to the Professional Services Agreement

PROJECT: *(name and address)*
NL Centennial Park Event Complex
Phase 1
North Liberty, Iowa

AGREEMENT INFORMATION:
Date: May 15, 2023

AMENDMENT INFORMATION:
Amendment Number: 01
Date: October 24, 2023

OWNER: *(name and address)*
City of North Liberty
3 Quail Creek Circle
P.O. Box 77
North Liberty, Iowa 52317

ARCHITECT: *(name and address)*
Shive-Hattery, Inc.
2839 Northgate Drive
Iowa City, Iowa 52245

The Owner and Architect amend the Agreement as follows:

Article 1.1.9.3: Add Archeology Consultant

Article 1.1.11.1: Add .7 Archeology Consultant: Derek Lee, Bear Creek Archeology, 24091 York Street, Cresco, Iowa 52136

Article 4.1.1 Revise 4.1.1.23 Commissioning to "Provided". Commissioning includes both building systems commissioning as well as building envelope commissioning.

Article 4.1.1: ADD 4.1.1.35 Archeological Services

BUILDING SYSTEMS COMMISSIONING - SCOPE OF SERVICES

This scope shall apply to electrical and mechanical systems only. A/V systems, fire alarm and suppression, security cameras and access control are excluded.

1. Develop a commissioning plan which shall include the following:
 - a. A description of the activities that will be accomplished during each phase of commissioning, including the personnel intended to accomplish each activity.
 - b. A listing of the specific equipment or systems to be tested.
 - c. Functions/sequences to be tested (i.e. calibration, economizer controls).
 - d. Conditions that the tests will be performed (i.e. winter or summer design conditions, minimum OA or economizer control).
2. Development of Commissioning (Cx) Specifications: Project specific Cx specifications which will identify the scope of testing to be performed on the mechanical and lighting control systems and list key responsibilities of the Commissioning Provider (CxP), Contractor and Architect.
3. Technical Review of the Design: The commissioning of the mechanical and lighting control systems for the facility would begin during the design phase of the project by comparing the Owner’s project requirements while reviewing the drawings and specifications.
4. Submittal Review: Shop Drawings and Product Data submittals related to the building systems will be reviewed to allow for developing Prefunctional and Functional Checklists.
 - a. The commissioning plan will be updated to reflect the equipment and controls data submittals.
5. Organize and lead the CxP team and schedule and lead all of the CxP meetings.
 - a. Cx Kickoff Meeting: A Cx kickoff meeting with the Owner, Shive-Hattery, and Contractors will be held to review the Cx commissioning plan and to outline the process.
 - b. Controls Review Meeting: After the controls submittal(s) have been issued and there has been sufficient time for the Design Team and CxP to review, there will be a meeting with the Controls Contractor, Mechanical Contractor, Owner, Design Team and CxP to discuss comments and potential revisions.

6. Construction Observations: On site visits throughout construction will be made to observe initial installations and in-progress installations.
7. Project Schedule: To ensure commissioning activities are properly incorporated, the project's schedule will be reviewed, and feedback will be provided as needed.
8. Prefunctional/Installation Checklists: Checklist are generated by the CxP for each piece of equipment and are sent to be completed by the Contractors (mechanical, electrical, controls) and confirmed to be complete prior to the start of functional testing.
9. Start-ups: Equipment and system start-ups will be witnessed by the CxP, on an as-needed basis. All the observations from this monitoring will be documented.
10. Testing and Balancing: Testing, adjusting, and balancing work that has been performed by the Contractor will be reviewed.
11. Functional Performance Testing: All devices shall be functional tested.
 - a. On-site functional performance testing assumes all parts of the Building Automation Systems (BAS) are complete and have gone through the contractor's self-commissioning process.
12. Issues Log: A Commissioning and Testing Issues Log will be maintained to track any issues as well as resolutions throughout the project. Reports will be distributed within five (5) business days of site visits.
13. Cx Report: A close-out report will be provided by Shive-Hattery at project turnover, summarizing all components and systems that were commissioned and the following information:
 - a. Indication of deficiencies found during testing, including corrective measures used or proposed.
 - b. Off season or deferred system testing as needed.
 - c. Functional performance testing procedures for each series of tests. Submittal shall include samples of data reporting sheets that will be part of the reports.
 - d. Testing, adjusting, and balancing reports.
14. Off Season Testing: Systems that cannot be tested during the Cx phase due to outside conditions (i.e. air-cooled chiller review during winter) will be tested at a later time when conditions allow.
15. Site Observations: Up to three (3) on-site observation will occur during construction.

BUILDING ENVELOPE COMMISSIONING (BECx) - SCOPE OF SERVICES

Design Phase

1. Develop BECx Plan: Project specific document that outlines the organizations, schedule, and allocation of resources, responsibilities, and documentation requirements of the building commissioning process. This is a living document and will be updated as the project progresses.
2. Technical Reviews: Independent review of 90% CD architectural drawings and specifications. Specific attention will be given to the constructability and performance of the building enclosure.
3. Develop BECx Specifications: Project specific BECx specifications which will identify the scope of testing to be performed on the building enclosure and list key responsibilities of the BECxP, Contractor, and Architect.

Construction Phase

4. BECx Issues and Resolution Log: A Commissioning and Testing Issues Log will be maintained to track any issues regarding the building enclosure as well as resolutions throughout the project.

5. BECx Kickoff Meeting: A BECx kickoff meeting with the Owner’s Representative, Shive-Hattery, and Prime-Contractors will be held to review the BECx commissioning plan and to outline the process.
6. Submittal Review: Shop Drawings and Product Data related to the building enclosure will be reviewed to verify compliance with the Owner’s Requirements and Construction Documents.
7. Construction Observations: On-site visits throughout construction will be made to observe initial installations, mock-ups, in-progress installations, and field testing of the building enclosure. Frequency will vary, based on activity on the site. BECxP will regularly attend job-site meetings and maintain communication with Contractor.
 - a. Up to six (6) site visits will be made during construction
8. Field Performance Testing: Specified testing will be provided as key systems are completed. These tests will be completed as early as is feasible to identify issues early in construction.
 - a. One full day of testing will be conducted during construction.
9. BECx Report: A close-out report will be provided by Shive-Hattery at project turnover, summarizing all enclosure components that were commissioned.

ARCHEOLOGICAL SERVICES - SCOPE OF SERVICES

1. Complete Phase 1 cultural resources survey including fieldwork, data review, analyses, report preparation, and all other tasks necessary to complete the Phase I survey. The Phase I survey report will meet or exceed the Guidelines for Archeological Investigations in Iowa (AIA-Revised 2022).

BASIC SERVICES - SCOPE OF SERVICES MODIFICATIONS

1. Shive-Hattery will provide design of utility and infrastructure provisions required to support the irrigation system and will coordinate architectural, mechanical, electrical and civil design with the irrigation supplier as well as review this scope of work during construction. Design of the irrigation system is not part of this contract and will be completed by a third party outside this contract.
2. Audio/Visual system design for the event hall will be completed by a third party retained by the City via Request For Proposal (RFP) process. The remainder of A/V system will be procured and installed by the City of North Liberty. Modify Shive-Hattery scope to be reduced and limited to development of RFP, facilitation of the RFP process and coordination with the A/V designer and City to coordinate to provide necessary infrastructure to support A/V systems.

COMMISSIONING ADDITIONAL SERVICES

The following are additional services you may require for your project. We can provide these services, but they are not part of this proposal at this time.

1. Unit price for additional site visits for additional testing for failed tests or systems not deemed ready for commissioning will be \$147/hour per trip plus reimbursable expenses.

The Architect’s compensation and schedule shall be adjusted as follows:

Compensation Adjustment:

Building Systems & Building Envelope Commission Scope of Work \$28,600 Lump Sum
 Archeology Phase 1 Survey Scope of Work \$5,450
 Basic Services Scope of Work Modification \$0
 TOTAL \$34,050

Schedule Adjustment:

None. Design and construction will proceed per the current schedule.

SIGNATURES:

Shive-Hattery, Inc.

ARCHITECT *(Firm name)*

Jennifer Hoffman

SIGNATURE

Jennifer Hoffman, PE, Project
Manager

PRINTED NAME AND TITLE

10/24/23

DATE

City of North Liberty

OWNER *(Firm name)*

SIGNATURE

Ryan Heiar, City Administrator

PRINTED NAME AND TITLE

DATE



Resolution No. 2023-129

RESOLUTION APPROVING THE AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF NORTH LIBERTY AND SHIVE-HATTERY, INC. FOR THE CENTENNIAL PARK NEXT STAGE PHASE ONE PROJECT

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

WHEREAS, the development of facilities and infrastructure at Centennial Park is a goal of the City Council;

WHEREAS, construction of the improvements would be completed in phases comprised of an approximately 13,000 square foot event center with exterior stage in phase 1, and other projects done in future phases including splash pad, open pavilion, playground expansion, parking expansion, honor garden, expanded sidewalk/paving and site lighting;

WHEREAS, Shive-Hattery, Inc. presented a proposal for services relating to this phase of the project that were approved on May 23, 2023; and

NOW, THEREFORE, BE IT RESOLVED that the amended agreement presented by Shive-Hattery is approved for additional services relating to the Centennial Park Next Stage Project at a lump sum of \$28,600 for Building Systems and Building Envelope Commission Scope of Work, Archeology Phase 1 Survey Scope at \$5,450, and the unity price for additional site visits for failed tests or systems not deemed ready for commissioning at \$147/hour per trip plus reimbursable expenses are hereby approved as set forth therein.

BE IT FURTHER RESOLVED that the City Administrator is hereby authorized and ordered to execute the agreement with said engineering firm for the scope of work.

APPROVED AND ADOPTED this 14th day of November, 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



Urban Renewal Loan Agreement

MINUTES TO SET DATE FOR HEARING
ON PROPOSAL TO ENTER INTO
ADDITIONAL LOAN AGREEMENT

421033-94

North Liberty, Iowa

November 14, 2023

The City Council of the City of North Liberty, Iowa, met on November 14, 2023, at _____ o'clock ____m., at the _____, North Liberty, Iowa.

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

Present: _____

Absent: _____.

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

Ayes: _____

Nays: _____.

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

••••

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

CHRIS HOFFMAN, MAYOR

Attest:

TRACEY MULCAHEY, CITY CLERK

Resolution No. 2023-130

RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING ON PROPOSAL TO ENTER INTO AN URBAN RENEWAL LOAN AGREEMENT AND TO BORROW MONEY THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$6,000,000

WHEREAS, the City of North Liberty (the "City"), in Johnson County, Iowa proposes to enter into an Urban Renewal Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$6,000,000, pursuant to the provisions of Sections 384.24A and 384.24.3(q) of the Code of Iowa, for the purpose of paying the costs, to that extent, of undertaking the Centennial Park Improvements Project, an urban renewal project of the City authorized by action of the City Council on March 24, 2020 (the "Project"), and in lieu of calling an election thereon, the City desires to institute proceedings to enter into the Loan Agreement by causing a notice of such proposal to be published, including notice of the right to petition for an election, under the provisions of Sections 384.24.3(q) and 384.26 of the Code of Iowa, and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

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

Section 1. This City Council shall meet on December 12, 2023, at the Council Chambers, North Liberty, Iowa, at 6:30 p.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement described in the preamble hereof.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than ten (10) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$6,000,000

(GENERAL OBLIGATION)

The City Council of the City of North Liberty, Iowa (the "City"), will meet on December 12, 2023, at the Council Chambers, North Liberty, Iowa, at 6:30 p.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$6,000,000 for the purpose of paying the costs, to that extent, of undertaking the Centennial Park Improvements Project, an urban renewal project of the City authorized by action of the City Council on March 24, 2020.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A and Section 384.24.3(q) of the Code of Iowa and will constitute a general obligation of the City.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa. If no such petition is filed, at the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

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

Tracey Mulcahey
City Clerk

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the City declares (a) that it intends to undertake the Project which is reasonably estimated to cost approximately \$6,000,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the "Bonds"), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for such Projects have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

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

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

APPROVED AND ADOPTED this 14th day of November, 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
CITY OF NORTH LIBERTY

SS:

I, the undersigned, City Clerk of the City of North Liberty, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council relating to fixing a date for additional action on the City's proposal to enter into a certain loan agreement, as referred to therein.

WITNESS MY HAND this ____ day of _____, 2023.

TRACEY MULCAHEY, CITY CLERK

ORGANIZATION CERTIFICATE

STATE OF IOWA
JOHNSON COUNTY
CITY OF NORTH LIBERTY

SS:

I, the undersigned City Clerk, do hereby certify that the City of North Liberty is organized and operating under the provisions of Title IX of the Code of Iowa and not under any special charter and that the City is operating under the Mayor-Council form of government and that there is not pending or threatened any question or litigation whatsoever touching the incorporation of the City, the inclusion of any territory within its limits or the incumbency in office of any of the officials hereinafter named.

And I do further certify that the following named parties are officials of the City as indicated:

Chris Hoffman, Mayor

Ryan Heiar, City Administrator

Tracey Mulcahey, Assistant City Administrator/City Clerk

Debra Hilton, City Treasurer

Brian Wayson, Council Member/Mayor Pro Tem

Ashley Bermel, Council Member

RaQuishia Harrington, Council Member

Erek Sittig, Council Member

Brent Smith, Council Member

WITNESS MY HAND this ____ day of _____, 2023.

City Clerk

PUBLICATION CERTIFICATE

(PLEASE NOTE: Do not date and return this certificate until you have received the publisher's affidavit and have verified that the notice was published on the date indicated in the affidavit but please return all other completed pages to us as soon as they are available.)

STATE OF IOWA
JOHNSON COUNTY
CITY OF NORTH LIBERTY

SS:

I, the undersigned, City Clerk of the City of North Liberty, do hereby certify that pursuant to the resolution of the City Council fixing a date of meeting at which it is proposed to take action to enter into a certain loan agreement, the notice, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this _____ day of _____, 2023.

TRACEY MULCAHEY, CITY CLERK

(Attach here the publisher's original affidavit with the clipping of the notice, as published.)



UIHC Fire Service Agreement

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

**FIRE SERVICE AGREEMENT
UIHC FOREVERGREEN ROAD CAMPUS**

THIS AGREEMENT is made by and between the City of North Liberty, Iowa, a municipal corporation, hereinafter referred to as "City," and the University of Iowa Board of Regents, hereinafter referred to as "Owner."

I. RECITALS

WHEREAS, Owner is constructing a 469,050 sq. ft. health care complex (the "Property") on approximately 70 acres of real property situated in North Liberty, Iowa; and

WHEREAS, notwithstanding that the Property is exempt from taxation pursuant to Section 427.1 of the Code of Iowa, the City will provide fire protection services to the Property; and

WHEREAS, the City and Owner wish to ensure that the City is reasonably compensated for the cost of such services, and to reduce that understanding to writing.

II. TERMS

1. **Recitals.** By this reference, the Recitals set forth above are incorporated into and made part of this Agreement.

2. **Fire Protection Services.** The City shall provide emergency fire protection services (the "Services") to the Property on demand, by and through the City of North Liberty Fire Department, and consistent with the service levels provided to all occupied structures within the City's fire response area.

3. **Annual Fee.** In exchange for the provision of such Services, Owner shall pay a fee (the "Service Fee") annually to the City as set forth in this Agreement, payable on July 1st of each year.

4. **Calculation of Fee.** The Service Fee shall be calculated based on the total City of North Liberty Fire Department annual budget ("FD Budget"), applied proportionally to the percentage of the total gross square footage of floor space occupied by the Property ("SFP") relative to the total gross square footage of all structures within the City of North Liberty ("SFC"). Such calculation is depicted as follows:

$$\frac{\text{SFP}}{\text{SFC}} (\text{FD Budget}) = \text{Service Fee}$$

- A. The FD Budget shall include the following items:
 - i. Personnel salary and wages, including payments made on a per-call basis.
 - ii. Employee retirement contributions.
 - iii. Materials, supplies, and maintenance and upkeep of equipment.
 - iv. Purchased services attributable to the Fire Department.
 - v. Debt service on equipment and amortized expenditures, including Fire Department and emergency response facilities.
 - vi. Pro-rata share of overall City administrative overhead attributable to the Fire Department.
- B. The FD Budget shall not include any income from fire services contracts with third parties other than the University of Iowa.
- C. The FD Budget shall be recalculated by the City and provided to the Owner no later than May 1 of each calendar year.

5. **Calculation of Area.** It is understood and agreed that the initial SFP is 469,050 gross square feet. In the event the gross square footage of the Property owned by Owner changes, Owner shall provide updated SFP calculations to the City as soon as is reasonably practicable.

City and Owner agree that the annual calculation of the SFC shall be determined by the office of the Assessor of Johnson County, Iowa. It is understood and agreed that the initial SFC is 21,411,400 gross square feet. City shall provide updated SFC figures to Owner no later than May 1 of each calendar year.

6. **Interpretation.** The language of all parts of this Agreement shall in all cases be construed as a whole, according to its fair meaning, and not strictly for or against any of the Parties. This Agreement is made and entered into, and shall be subject to, governed by, and interpreted in accordance with, the laws of the State of Iowa.

7. **Severability.** Should any provision of this Agreement be declared or be determined by any court to be illegal or invalid, the validity of the remaining parts, terms, or

provisions shall not be affected thereby and said illegal or invalid part, term, or provision shall be deemed not to be a part of this Agreement.

8. **Entire Agreement.** This Agreement sets forth the entire agreement between the Parties hereto and fully supersedes any and all prior agreements or understanding between the Parties hereto pertaining to the subject matter hereof.

9. **Counterparts.** This Agreement shall be executed in one or more counterparts and by facsimile or other electronic means, each counterpart shall, for all purposes, be deemed an original, and all counterparts shall constitute the same instrument.

10. **Authority to Sign.** The undersigned individuals represent and warrant that they have authority to execute the Agreement on behalf of their respective parties. The undersigned individuals represent and warrant that all necessary corporate actions or resolutions have been taken to authorize the execution of this Agreement.

12. **Captions.** The captions or headings of the sections in this Agreement are for the convenience of reference only and in no way define, limit, or affect the scope or substance of any section of this Agreement.

19. **Successors and Assigns.** This Agreement may not be assigned without the written consent of both Parties. In such event, the Agreement shall be binding upon and inure to the benefit of each Party's successors and assigns.

20. **Modifications.** No part or provision of this Agreement may be changed, modified, waived, discharged or terminated except by an instrument in writing signed by the Party against whom enforcement of such change, modification, waiver, discharge or termination is sought. The failure of a party to seek redress for violation of, or to insist upon strict performance of, any provision of this Agreement shall not be a waiver of that provision by the party to estop that party from asserting fully any and all of its rights under this Agreement.

DATED this ___ day of _____, 2023.

CITY OF NORTH LIBERTY, IOWA

UNIVERSITY OF IOWA BOARD OF
REGENTS

By: _____
Chris Hoffman, Mayor

By:  _____
David W. Kieft
Business Manager
University of Iowa

ATTEST: _____
Tracey Mulcahey, City Clerk

STATE OF IOWA, JOHNSON COUNTY: ss

On this ____ day of _____, 2023, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Chris Hoffman and Tracey Mulcahey, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of North Liberty, Iowa, a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the municipal corporation; and that the instrument was signed and sealed on behalf of the municipal corporation by the authority of its City Council, as contained in Resolution No. _____ of the City Council on the ____ day of _____, 2023; and that Chris Hoffman and Tracey Mulcahey acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa

STATE OF IOWA, Johnson COUNTY: ss

This instrument was acknowledged before me on this 7th day of November, 2023, by DAVID KIEFT as agent for the University of Iowa Board of Regents.



MARY CROSS

Notary Public in and for the State of Iowa
My Commission Expires: April 29, 2024

Resolution No. 2023-131

RESOLUTION APPROVING THE FIRE SERVICE AGREEMENT UIHC FOREVERGREEN ROAD CAMPUS BETWEEN THE CITY OF NORTH LIBERTY AND THE UNIVERSITY OF IOWA BOARD OF REGENTS THAT ESTABLISHES THE TERMS AND CONDITIONS UNDER WHICH FIRE PROTECTION WILL BE PROVIDED

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

WHEREAS, the terms and conditions for the provision of fire protection services for the UIHC Forevergreen Road Campus have been set forth in an Agreement between the City of North Liberty and the University of Iowa Board of Regents; and

WHEREAS, it is the parties' desire to agree and establish, in writing, their understanding regarding said agreement.

NOW, THEREFORE, BE IT RESOLVED that that the Fire Service Agreement between the City of North Liberty and the University of Iowa Board of Regents is approved for the UIHC Forevergreen Road Campus, North Liberty, Iowa.

APPROVED AND ADOPTED this 14th day of November, 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



Steindler Way Street Naming

Resolution No. 2023-132

RESOLUTION AUTHORIZING AND APPROVING THE RENAMING OF THE PRIVATE STREET IN STEINDLER MEDICAL PARK SUBDIVISION IN THE CITY OF NORTH LIBERTY, JOHNSON COUNTY, IOWA TO STEINDLER WAY

WHEREAS, the Preliminary Site Plan for Steindler Medical Park Subdivision in the City of North Liberty, Johnson County, Iowa, was approved by the North Liberty City Council by Resolution No. 2023-63 adopted on April 25, 2023, and

WHEREAS, the City Council approved the naming the private street to "1 Steindler Way", and

WHEREAS, the developer has proposed renaming the private street, "Steindler Way," and

NOW, THEREFORE, BE IT RESOLVED by the North Liberty City Council that the private street will be renamed "Steindler Way" in Steindler Medical Park Subdivision.

APPROVED AND ADOPTED this 14th day of November, 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



Solomon's Landing Part One

Prepared by:
Ryan J. Prahm
Pugh Hagan Prahm, PLC

425 E. Oakdale Blvd., Ste. 201
Coralville, IA 52241

Phone (319) 351-2028
FAX (319) 351-1102

**OWNER'S CERTIFICATE AND DEDICATION
SOLOMON'S LANDING – PART ONE
NORTH LIBERTY, IOWA**

KNOW ALL MEN BY THESE PRESENTS:

Pratt Real Estate Management, Inc., does hereby certify and state that it is the owner of the following described real estate situation in Johnson County, Iowa, to-wit:

See Exhibit "A"

Pratt Real Estate Management, Inc., does further state that the subdivision of said real estate as it appears on the Final Plat of Solomon's Landing – Part One to which this certification and dedication is attached, is with its free consent and in accordance with the desire of said proprietor.

The streets and easements referenced on the Final Plat of Solomon's Landing – Part One, recorded November 3, 2022, Book 66, Page 88, of the Johnson County, Iowa Recorder's Office are hereby dedicated to the public, as provided by Chapter 354 of the 2023 Code of Iowa, as amended.

IN WITNESS WHEREOF, the undersigned owner has caused these presents to be signed on this 18th day of September 2023.

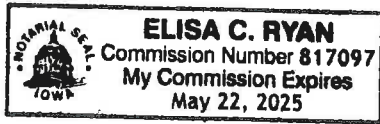
[Signature pages to follow]

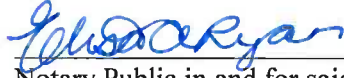
PRATT REAL ESTATE MANAGEMENT, INC.

By: 
Brandon Pratt, President and Secretary

STATE OF IOWA, COUNTY OF JOHNSON) ss:

This instrument was acknowledged before me on this 18th day of September
2023, by Brandon Pratt, as President and Secretary of Pratt Real Estate Management, Inc.




Notary Public in and for said State

CITY OF NORTH LIBERTY, IOWA

By: _____
Chris Hoffman, Mayor

ATTEST:

By: _____
Tracey Mulcahey, City Clerk

STATE OF IOWA, COUNTY OF JOHNSON) ss:

On this ____ day of _____ 2023, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Chris Hoffman and Tracey Mulcahey, to me personally known, who being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of North Liberty, Iowa, a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and the instrument was signed and sealed on behalf of the corporation by authority of its City Council, and the said Mayor and City Clerk did acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public in and for said State

EXHIBIT "A"

Legal Description

**SOLOMON'S LANDING – PART ONE
NORTH LIBERTY, JOHNSON COUNTY, IOWA**

Auditor's Parcel 2021009, according to the Plat of Survey recorded in Book 64, Page 285 in the Johnson County Recorder's Office, Johnson County, Iowa, excepting therefrom property conveyed to the City of North Liberty, Iowa, by Warranty Deed recorded in Book 6357, Page 142.

Resolution No. 2023-133

**RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR SOLOMON'S
LANDING PART ONE IN NORTH LIBERTY, IOWA**

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

WHEREAS, on October 25, 2022, the City Council of North Liberty approved the final plat for the Solomon's Landing Part One Subdivision pursuant to the owner and developer of the property, Pratt Real Estate Management, Inc., having provided for the installation of public improvements thereon in accordance with the provisions of City Code Section 180.11(8)(A)(2); and

WHEREAS, the installation of public improvements has been completed in accordance with the requirements of Chapter 180.11 of the City Code.

NOW, THEREFORE, BE IT RESOLVED that the public improvements contemplated by the Surety Agreement for Solomon's Landing Part One Subdivision and the Owner's Certificate and Dedication for said subdivision are hereby approved and accepted.

APPROVED AND ADOPTED this 14th day of November, 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



Franchise Fee Ordinance

Ordinance No. 2023-XX

AN ORDINANCE AMENDING THE MIDAMERICAN ENERGY COMPANY, INTERSTATE POWER AND LIGHT COMPANY, AND LINN COUNTY RURAL ELECTRIC COOPERATIVE FRANCHISE AGREEMENTS TO ADJUST FRANCHISE FEES.

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

SECTION 1. AMENDMENT OF MIDAMERICAN FRANCHISE FEE. Section 110.13 of the Code of Ordinances of the City of North Liberty, Iowa, is amended to read as follows:

110.13 FRANCHISE FEE.

There is hereby imposed upon and shall be collected from the natural gas customers of the Company receiving service pursuant to the Tariff located within the corporate limits of the City and remitted by the Company to the City, a franchise fee from each revenue class as set forth below of the gross receipts, minus uncollectable amounts, derived by the Company from the delivery and sale of natural gas to customers within the corporate limits of the City:

- Residential Customers ~~Two-Three~~ percent (~~23~~.00%)
- Commercial Customers ~~Two-Three~~ percent (~~23~~.00%)
- Industrial Customers ~~Two-Three~~ percent (~~23~~.00%)
- Public Authority Customers ~~Two-Three~~ percent (~~23~~.00%)
- Distribution (Transportation) Customers ~~Two-Three~~ percent (~~23~~.00%)

SECTION 2. AMENDMENT OF INTERSTATE POWER AND LIGHT COMPANY (ALLIANT) FRANCHISE FEE. Paragraph 1 of Section 111.10 of the Code of Ordinances of the City of North Liberty, Iowa, is amended to read as follows:

1. In its monthly billing, the Company shall include a franchise fee at a rate of ~~two~~ ~~three~~ percent (~~23~~.00%) of the gross receipts from the sale of electricity to the Company's electric customers located within the corporate limits of the City.

SECTION 3. AMENDMENT OF LINN COUNTY RURAL ELECTRIC COOPERATIVE FRANCHISE FEE. Paragraph 1 of Section 117.16 of the Code of Ordinances of the City of North Liberty, Iowa, is amended to read as follows:

1. The Cooperative shall include a franchise fee at a rate of ~~two-three~~ percent (~~23~~.00%) of the gross receipts from the sale of electricity for customers within the City Limits of North Liberty, Johnson County, Iowa. At any time during the term of the Franchise Agreement, the City may amend said franchise fee. The Cooperative

shall commence collecting the franchise fee at the specified rate within six months of the date the City notifies the Cooperative of adoption or amendment of the franchise fee. The franchise fee may increase up to a maximum of five percent (5%) as allowed by law. The City shall be solely responsible for the proper use of any amounts collected as franchise fees, and shall only use such fees as collected for a purpose as allowed by applicable law. Collection of the franchise fee shall cease at the earlier of the City's repeal of the franchise fee or the end of the franchise term. Notwithstanding the foregoing, the collection of any franchise fee shall be in accordance with applicable law, including but not limited to any limitations upon the collection of such franchise fee.

SECTION 4. REPEALER. All Ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. 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 6. 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 7. WHEN EFFECTIVE. This Ordinance shall be in effect upon 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 _____ in the Cedar Rapids *Gazette* on _____.

Ordinance No. 2023-27

AN ORDINANCE AMENDING THE MIDAMERICAN ENERGY COMPANY, INTERSTATE POWER AND LIGHT COMPANY, AND LINN COUNTY RURAL ELECTRIC COOPERATIVE FRANCHISE AGREEMENTS TO ADJUST FRANCHISE FEES

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

SECTION 1. AMENDMENT OF MIDAMERICAN FRANCHISE FEE. Section 110.13 of the Code of Ordinances of the City of North Liberty, Iowa, is amended to read as follows:

110.13 FRANCHISE FEE.

There is hereby imposed upon and shall be collected from the natural gas customers of the Company receiving service pursuant to the Tariff located within the corporate limits of the City and remitted by the Company to the City, a franchise fee from each revenue class as set forth below of the gross receipts, minus uncollectable amounts, derived by the Company from the delivery and sale of natural gas to customers within the corporate limits of the City:

- Residential Customers Three percent (3.00%)
- Commercial Customers Three percent (3.00%)
- Industrial Customers Three percent (3.00%)
- Public Authority Customers Three percent (3.00%)
- Distribution (Transportation) Customers Three percent (3.00%)

SECTION 2. AMENDMENT OF INTERSTATE POWER AND LIGHT COMPANY (ALLIANT) FRANCHISE FEE. Paragraph 1 of Section 111.10 of the Code of Ordinances of the City of North Liberty, Iowa, is amended to read as follows:

1. In its monthly billing, the Company shall include a franchise fee at a rate of three percent (3.00%) of the gross receipts from the sale of electricity to the Company's electric customers located within the corporate limits of the City.

SECTION 3. AMENDMENT OF LINN COUNTY RURAL ELECTRIC COOPERATIVE FRANCHISE FEE. Paragraph 1 of Section 117.16 of the Code of Ordinances of the City of North Liberty, Iowa, is amended to read as follows:

1. The Cooperative shall include a franchise fee at a rate of three percent (3.00%) of the gross receipts from the sale of electricity for customers within the City Limits of North Liberty, Johnson County, Iowa. At any time during the term of the

Franchise Agreement, the City may amend said franchise fee. The Cooperative shall commence collecting the franchise fee at the specified rate within six months of the date the City notifies the Cooperative of adoption or amendment of the franchise fee. The franchise fee may increase up to a maximum of five percent (5%) as allowed by law. The City shall be solely responsible for the proper use of any amounts collected as franchise fees, and shall only use such fees as collected for a purpose as allowed by applicable law. Collection of the franchise fee shall cease at the earlier of the City's repeal of the franchise fee or the end of the franchise term. Notwithstanding the foregoing, the collection of any franchise fee shall be in accordance with applicable law, including but not limited to any limitations upon the collection of such franchise fee.

SECTION 4. REPEALER. All Ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. 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 6. 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 7. WHEN EFFECTIVE. This Ordinance shall be in effect upon 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 _____ in the Cedar Rapids Gazette
on _____.



Fats Oils Grease Ordinance

ORDINANCE NO. 2023-XX

AN ORDINANCE AMENDING CHAPTERS 95 AND 97 OF THE NORTH LIBERTY CODE OF ORDINANCES FURTHER LIMITING THE DISCHARGE OF FAT, OIL, AND GREASE INTO THE SANITARY SEWER SYSTEM, CODIFYING MAINTENANCE AND RECORDKEEPING REQUIREMENTS AND OF FAT, OIL, AND GREASE RECOVERY SYSTEMS AND ESTABLISHING PERMITTING REQUIREMENTS AND PENALTIES FOR NONCOMPLIANCE

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

SECTION 1. AMENDMENT OF SANITARY SEWER SYSTEM ORDINANCE. Chapter 95.02 of the North Liberty Code of Ordinances is amended to read as follows:

95.02 DEFINITIONS.

For use in these chapters, unless the context specifically indicates otherwise, the following terms are defined:

1. "B.O.D." (denoting Biochemical Oxygen Demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20°) C, expressed in milligrams per liter or parts per million.
2. "Building drain" means that part of the lowest piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside and that extends 30 inches (762 mm) in developed length of pipe beyond the exterior walls of the building and conveys the drainage to the building sewer.
3. "Building sewer" means that part of the drainage system that extends from the end of the building drain and conveys the discharge to a public sewer, private sewer, individual sewage disposal system or other point of disposal.
4. "Customer" means any person responsible for the production of domestic, commercial, or industrial waste which is directly or indirectly discharged into the public sewer system.
5. "FOG" means fats, oils, and grease, the introduction and/or accumulation of which may disrupt the operation of the sewage system.
6. "FOG Recovery System" means a grease trap, grease interceptor, or similar device installed in commercial structures in accordance with the applicable plumbing code to prevent or limit the discharge of fats, oils, and grease into the sewage system.

7. "FOG Recovery System Identification Number" means a unique string of numerals and/or letters issued by the City to differentiate and identify each specific FOG Recovery System connected to the sewage system.

5:8. "Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage, and sale of produce.

6:9. "Industrial wastes" means the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

7:10. "Inspector" means the person duly authorized by the Council to inspect and approve the installation of building sewers and their connections to the public sewer system; and to inspect such sewage as may be discharged therefrom.

8:11. "Natural outlet" means any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

9:12. "On-site wastewater treatment and disposal system" means all equipment and devices necessary for proper conduction, collection, storage, treatment, and disposal of wastewater from four or fewer dwelling units or other facilities serving the equivalent of fifteen persons (1500 gpd) or less.

10:13. "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

11:14. "Public sewer" means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

12:15. "Sanitary sewage" means sewage discharging from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories, or institutions, and free from storm, surface water, and industrial waste.

13:16. "Sanitary sewer" means a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

14:17. "Sewage" means a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

15:18. "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.

16:19. "Sewage works" or "sewage system" means all facilities for collecting, pumping, treating, and disposing of sewage.

17:20. "Sewer" means a pipe or conduit for carrying sewage.

18:21. "Sewer service charges" means any and all charges, rates or fees levied against and payable by customers, as consideration for the servicing of said customers by said sewer system.

~~19:22.~~ "Slug" means any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average 24-hour concentration or flows during normal operation.

~~20:23.~~ "Storm drain" or "storm sewer" means a sewer which carries storm and surface waters and drainage but excludes sewage and industrial wastes, other than unpolluted cooling water.

~~21:24.~~ "Superintendent" means the Superintendent of sewage works and/or of water pollution control of the City or any authorized deputy, agent, or representative.

~~22:25.~~ "Suspended solids" means solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

~~23:26.~~ "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.

SECTION 2. AMENDMENT OF PUBLIC SEWER ORDINANCE. Chapter 97.03 of the North Liberty Code of Ordinances is amended to read as follows:

97.03 PROHIBITED DISCHARGES.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

1. Flammable or Explosive Material. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
2. Toxic or Poisonous Materials. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) milligrams per liter as CN in the wastes as discharged to the public sewer.
3. Corrosive Wastes. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
4. Solid or Viscous Substances. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and

paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

5. Excessive B.O.D., Solids or Flow. Any waters or wastes having (a) a five-day biochemical oxygen demand greater than 213 parts per million by weight, or (b) containing more than 235 parts per million by weight of suspended solids, or (c) having an ammonia nitrogen level greater than 30 mg/l, or (d) having a chemical oxygen demand (COD) level greater than 300 mg/l, or (e) total organic carbon (TOC) level greater than 140 mg/l or (f) total kjeldahl nitrogen (TKN) level greater than 30 mg/l, or (g) total fats, /oil and grease (FOG) level greater than ~~400~~100 mg/l, or (h) having an average daily flow greater than two percent of the average sewage flow of the City, shall be subject to the review of the Superintendent. Where necessary in the opinion of the Superintendent, the owner shall provide, at the owner's expense, such preliminary treatment as may be necessary to (a) reduce the biochemical oxygen demand to 213 parts per million by weight, or (b) reduce the suspended solids to 235 parts per million by weight, or (c) reduce the ammonia nitrogen level to 30 mg/l, (d) reduce the COD level to 300 mg/l, (e) or reduce the TOC level to 140 mg/l, or (f) reduce the TKN level to 30 mg/l, or (g) reduce total FOG to ~~400~~100 mg/l, or (h) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and Building Official, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

SECTION 3. AMENDMENT OF PUBLIC SEWER ORDINANCE. Subparagraph 2 of Chapter 97.04 of the North Liberty Code of Ordinances is amended to read as follows:

2. Fat, Oil and Grease (FOG). Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of ~~400~~100 mg/L total FOG.

SECTION 4. AMENDMENT OF PUBLIC SEWER ORDINANCE. Chapter 97.09 of the North Liberty Code of Ordinances is amended to read as follows:

1. Maintenance Requirements.
 - A. All users shall maintain any fats, oil and grease (FOG) recovery system so that the discharges therefrom are in compliance with all applicable laws, rules and regulations. Users include but are not limited to owners, tenants and builders of any structure connected to the sewage system.
 - B. All ~~non-automobile service facility~~ FOG traps recovery systems shall have all floating material removed per a schedule approved by authorized agent of the City. All ~~non-automobile service facility~~ FOG traps and recovery systems shall be completely pumped out annually or when the FOG and solids contents thereof exceed ~~s the 25% Rule, as established and delineated by the Wastewater Department 25% of the interceptor or trap depth, whichever comes first.~~ All automobile service facility FOG traps and recovery systems shall be completely (100%) pumped out annually or when the contents thereof exceed the 25% Rule. Routine maintenance, ~~annual maintenance and maintenance due to exceeding the 25% Rule and maintenance required by this ordinance~~ shall include the complete recovery of all contents, including floating materials, wastewater and bottom sludge and solids. The frequency of maintenance may be increased to comply with ~~the applicable daily maximum discharge limits,~~ the manufacturer's recommendation, ~~or the 25% Rule or to comply with this ordinance.~~ The frequency shall be as often as necessary to prevent overflows of FOG from entering the City's ~~wastewater collection~~ sewage system.
 - C. The Pump-and-Return Method of decanting or discharging of removed waste or wastewater back into the FOG recovery system is prohibited.
 - D. ~~Removal of floating material from a FOG trap of less than 50 gallons may be performed by the owner of the FOG producing facility, provided said floating material is properly disposed of in accordance with all applicable laws.~~ Any removal and hauling of FOG as a result of the complete pumping of a FOG trap and all other FOG recovery systems shall be performed by a professional liquid waste hauler.
 - E. If any FOG recovery system discharge wastes fail to meet requirements of the applicable ~~daily maximum limits~~ city ordinances, the City is authorized to require that the user repair, replace or upgrade its FOG recovery system at the sole expense of the user.
 - F. No user may place an additive of any type into the FOG trap or FOG recovery system.

2. Maintenance Records. Each user at each FOG producing facility shall maintain an accurate and complete record of all cleaning(s) or maintenance of its FOG producing facility's FOG recovery system, and shall file electronic copies of same with the Building Department or designated agent per current procedures. Submissions will be made either weekly, monthly, quarterly, semi-annually, or annually, based on the service schedule. The following records shall be kept on-site at the FOG producing facility for a minimum of 24 months:
- A. Haulers. The hauler shall provide the FOG producing facility manager, at the time of service, a manifest conforming to all federal and state statutes and regulations,
 - B. Manifests. The removal of FOG recovery system contents shall be recorded on a manifest that identifies the pumping, hauling and disposing of the wastes, and whether collected from an interior or an exterior FOG recovery system.
 - C. Manifest Information. Each manifest shall contain the following information and such other information as may be required by State statute:
 - (1) User information, including name, address, the volume pumped from each FOG recovery system, ~~and the~~ date and time of the pumping;
 - (2) Hauler information, including company name, address, state license/permit number, and disposal/receiving facility location information ~~and the FOG Recovery System Identification Number;~~
 - (3) Receiving facility information, including the facility name and address, date and time of receiving, ~~and EPD number;~~
 - (4) A certification that the FOG trap or FOG recovery system was in working order. If not, deficiencies shall be listed; and
 - (5) A certification that the maintenance requirements, as set forth in Subsections 97.09(D) and (E) below, are being complied with by the user relative to the FOG trap or FOG recovery system.
 - D. Manifest/Maintenance Log. The owners of each FOG producing facility shall maintain and keep available on the premises a continuous log of manifests, FOG maintenance reports, and other similar records regarding each cleaning or maintenance of the FOG recovery system for the previous twenty-four (24) months. The log shall be kept on the FOG producing facility premises in a location where the log is available for inspection or review by the City.
 - E. Manifest/Maintenance Log Filing. The ~~liquid waste hauler customer~~ shall file manifests ~~to with~~ the City or designated agent after each service. ~~Manifest for FOG devices less than 50 gallon may be used by the FOG producing facility's owner or representative but manifests are still required.~~ All submissions must be electronic along with fees associated with each submission.

3. Repairs. Any repair that is required for a FOG trap or recovery system shall be made by the user within thirty (30) days of the user receiving notice of the need for a repair from either the hauler, the owner, or the City.
4. Permit Required. It is unlawful for any person to operate a FOG recovery system connected to the sewage system without first being issued a FOG Operation Permit by the City for each such device. Each FOG Operation Permit is valid for one year.
 - A. FOG Operation Permit Fee. Before any FOG Operation Permit is issued or renewed, the person who makes the application shall pay to the Clerk the permit fee for each FOG Recovery System to be connected to the sewage system. The City Council shall set the permit fee by resolution, which shall be used to cover the cost of issuing the permit and supervising, regulating, and inspecting the systems and maintenance records required by this chapter.
 - B. Permit Revocation and Denial. A FOG Operation Permit may be revoked for any violation of this chapter. No FOG Operation Permit shall be issued or renewed unless the user is in compliance with the requirements of this chapter.
 - C. FOG Operation Permit Fee waived. No initial FOG Recovery Permit fee shall be required for new FOG Operation Permits applied for prior to July 1, 2024.
5. Penalty for Noncompliance. Any person who fails to perform an act required by this chapter or who commits an act prohibited by this chapter or who resists the enforcement of any section of this chapter shall be deemed to have committed a municipal infraction in accordance with Chapter 3 of this Code of Ordinances.

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. 2023-28

AN ORDINANCE AMENDING CHAPTERS 95 AND 97 OF THE NORTH LIBERTY CODE OF ORDINANCES FURTHER LIMITING THE DISCHARGE OF FAT, OIL, AND GREASE INTO THE SANITARY SEWER SYSTEM, CODIFYING MAINTENANCE AND RECORDKEEPING REQUIREMENTS AND OF FAT, OIL, AND GREASE RECOVERY SYSTEMS AND ESTABLISHING PERMITTING REQUIREMENTS AND PENALTIES FOR NONCOMPLIANCE

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

SECTION 1. AMENDMENT OF SANITARY SEWER SYSTEM ORDINANCE. Chapter 95.02 of the North Liberty Code of Ordinances is amended to read as follows:

95.02 DEFINITIONS.

For use in these chapters, unless the context specifically indicates otherwise, the following terms are defined:

1. "B.O.D." (denoting Biochemical Oxygen Demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees (20°) C, expressed in milligrams per liter or parts per million.
2. "Building drain" means that part of the lowest piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside and that extends 30 inches (762 mm) in developed length of pipe beyond the exterior walls of the building and conveys the drainage to the building sewer.
3. "Building sewer" means that part of the drainage system that extends from the end of the building drain and conveys the discharge to a public sewer, private sewer, individual sewage disposal system or other point of disposal.
4. "Customer" means any person responsible for the production of domestic, commercial, or industrial waste which is directly or indirectly discharged into the public sewer system.
5. "FOG" means fats, oils, and grease, the introduction and/or accumulation of which may disrupt the operation of the sewage system.
6. "FOG Recovery System" means a grease trap, grease interceptor, or similar device installed in commercial structures in accordance with the applicable plumbing code to prevent or limit the discharge of fats, oils, and grease into the sewage system.

7. "FOG Recovery System Identification Number" means a unique string of numerals and/or letters issued by the City to differentiate and identify each specific FOG Recovery System connected to the sewage system.
8. "Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage, and sale of produce.
9. "Industrial wastes" means the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
10. "Inspector" means the person duly authorized by the Council to inspect and approve the installation of building sewers and their connections to the public sewer system; and to inspect such sewage as may be discharged therefrom.
11. "Natural outlet" means any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
12. "On-site wastewater treatment and disposal system" means all equipment and devices necessary for proper conduction, collection, storage, treatment, and disposal of wastewater from four or fewer dwelling units or other facilities serving the equivalent of fifteen persons (1500 gpd) or less.
13. "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
14. "Public sewer" means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
15. "Sanitary sewage" means sewage discharging from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories, or institutions, and free from storm, surface water, and industrial waste.
16. "Sanitary sewer" means a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
17. "Sewage" means a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.
18. "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.
19. "Sewage works" or "sewage system" means all facilities for collecting, pumping, treating, and disposing of sewage.
20. "Sewer" means a pipe or conduit for carrying sewage.
21. "Sewer service charges" means any and all charges, rates or fees levied against and payable by customers, as consideration for the servicing of said customers by said sewer system.

22. "Slug" means any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average 24-hour concentration or flows during normal operation.
23. "Storm drain" or "storm sewer" means a sewer which carries storm and surface waters and drainage but excludes sewage and industrial wastes, other than unpolluted cooling water.
24. "Superintendent" means the Superintendent of sewage works and/or of water pollution control of the City or any authorized deputy, agent, or representative.
25. "Suspended solids" means solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
26. "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.

SECTION 2. AMENDMENT OF PUBLIC SEWER ORDINANCE. Chapter 97.03 of the North Liberty Code of Ordinances is amended to read as follows:

97.03 PROHIBITED DISCHARGES.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

1. Flammable or Explosive Material. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
2. Toxic or Poisonous Materials. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) milligrams per liter as CN in the wastes as discharged to the public sewer.
3. Corrosive Wastes. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
4. Solid or Viscous Substances. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and

paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

5. Excessive B.O.D., Solids or Flow. Any waters or wastes having (a) a five-day biochemical oxygen demand greater than 213 parts per million by weight, or (b) containing more than 235 parts per million by weight of suspended solids, or (c) having an ammonia nitrogen level greater than 30 mg/l, or (d) having a chemical oxygen demand (COD) level greater than 300 mg/l, or (e) total organic carbon (TOC) level greater than 140 mg/l or (f) total kjeldahl nitrogen (TKN) level greater than 30 mg/l, or (g) total fats, /oil and grease (FOG) level greater than 100 mg/l, or (h) having an average daily flow greater than two percent of the average sewage flow of the City, shall be subject to the review of the Superintendent. Where necessary in the opinion of the Superintendent, the owner shall provide, at the owner's expense, such preliminary treatment as may be necessary to (a) reduce the biochemical oxygen demand to 213 parts per million by weight, or (b) reduce the suspended solids to 235 parts per million by weight, or (c) reduce the ammonia nitrogen level to 30 mg/l, (d) reduce the COD level to 300 mg/l, (e) or reduce the TOC level to 140 mg/l, or (f) reduce the TKN level to 30 mg/l, or (g) reduce total FOG to 100 mg/l, or (h) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and Building Official, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

SECTION 3. AMENDMENT OF PUBLIC SEWER ORDINANCE. Subparagraph 2 of Chapter 97.04 of the North Liberty Code of Ordinances is amended to read as follows:

2. Fat, Oil and Grease (FOG). Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/L total FOG.

SECTION 4. AMENDMENT OF PUBLIC SEWER ORDINANCE. Chapter 97.09 of the North Liberty Code of Ordinances is amended to read as follows:

1. Maintenance Requirements.
 - A. All users shall maintain any fats, oil and grease (FOG) recovery system so that the discharges therefrom are in compliance with all applicable laws, rules and regulations. Users include but are not limited to owners, tenants and builders of any structure connected to the sewage system.

- B. All FOG recovery systems shall have all floating material removed per a schedule approved by authorized agent of the City. All FOG traps and recovery systems shall be completely pumped out annually or when the FOG and solids content thereof exceeds 25% of the interceptor or trap depth, whichever comes first. Routine maintenance and maintenance required by this ordinance shall include the complete recovery of all contents, including floating materials, wastewater and bottom sludge and solids. The frequency of maintenance may be increased to comply with the manufacturer's recommendation, or to comply with this ordinance . The frequency shall be as often as necessary to prevent overflows of FOG from entering the City's sewage system.
 - C. The Pump-and-Return Method of decanting or discharging of removed waste or wastewater back into the FOG recovery system is prohibited.
 - D. Any removal and hauling of FOG as a result of the complete pumping of a FOG trap and all other FOG recovery systems shall be performed by a professional liquid waste hauler.
 - E. If any FOG recovery system discharge wastes fail to meet requirements of the applicable city ordinances, the City is authorized to require that the user repair, replace or upgrade its FOG recovery system at the sole expense of the user.
 - F. No user may place an additive of any type into the FOG trap or FOG recovery system.
2. Maintenance Records. Each user at each FOG producing facility shall maintain an accurate and complete record of all cleaning(s) or maintenance of its FOG producing facility's FOG recovery system, and shall file electronic copies of same with the Building Department or designated agent per current procedures. Submissions will be made either weekly, monthly, quarterly, semi-annually, or annually, based on the service schedule. The following records shall be kept on-site at the FOG producing facility for a minimum of 24 months:
- A. Haulers. The hauler shall provide the FOG producing facility manager, at the time of service, a manifest conforming to all federal and state statutes and regulations,
 - B. Manifests. The removal of FOG recovery system contents shall be recorded on a manifest that identifies the pumping, hauling and disposing of the wastes, and whether collected from an interior or an exterior FOG recovery system.
 - C. Manifest Information. Each manifest shall contain the following information and such other information as may be required by State statute:
 - (1) User information, including name, address, the volume pumped from each FOG recovery system, the date and time of the pumping;

- (2) Hauler information, including company name, address, state license/permit number, and disposal/receiving facility location information and the FOG Recovery System Identification Number;
 - (3) Receiving facility information, including the facility name and address, date and time of receiving;
 - (4) A certification that the FOG trap or FOG recovery system was in working order. If not, deficiencies shall be listed; and
 - (5) A certification that the maintenance requirements, as set forth in Subsections 97.09(D) and (E) below, are being complied with by the user relative to the FOG trap or FOG recovery system.
- D. Manifest/Maintenance Log. The owners of each FOG producing facility shall maintain and keep available on the premises a continuous log of manifests, FOG maintenance reports, and other similar records regarding each cleaning or maintenance of the FOG recovery system for the previous twenty-four (24) months. The log shall be kept on the FOG producing facility premises in a location where the log is available for inspection or review by the City.
- E. Manifest/Maintenance Log Filing. The customer shall file manifests with the City or designated agent after each service. All submissions must be electronic along with fees associated with each submission.
3. Repairs. Any repair that is required for a FOG trap or recovery system shall be made by the user within thirty (30) days of the user receiving notice of the need for a repair from either the hauler, the owner, or the City.
4. Permit Required. It is unlawful for any person to operate a FOG recovery system connected to the sewage system without first being issued a FOG Operation Permit by the City for each such device. Each FOG Operation Permit is valid for one year.
 - A. FOG Operation Permit Fee. Before any FOG Operation Permit is issued or renewed, the person who makes the application shall pay to the Clerk the permit fee for each FOG Recovery System to be connected to the sewage system. The City Council shall set the permit fee by resolution, which shall be used to cover the cost of issuing the permit and supervising, regulating, and inspecting the systems and maintenance records required by this chapter.
 - B. Permit Revocation and Denial. A FOG Operation Permit may be revoked for any violation of this chapter. No FOG Operation Permit shall be issued or renewed unless the user is in compliance with the requirements of this chapter.
 - C. FOG Operation Permit Fee waived. No initial FOG Recovery Permit fee shall be required for new FOG Operation Permits applied for prior to July 1, 2024.
5. Penalty for Noncompliance. Any person who fails to perform an act required by this chapter or who commits an act prohibited by this chapter or who resists the enforcement

of any section of this chapter shall be deemed to have committed a municipal infraction in accordance with Chapter 3 of this Code of Ordinances.

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



Storm Water Fees Ordinance



To **North Liberty Mayor & City Council**
CC **North Liberty Department Heads**
From **Ryan Heiar, City Administrator**
Date **September 7, 2023**
Re **HF718 and revenue options**

Introduction

The purpose of this memo and related attachments is to provide the City Council with the following:

- A summary of the negative financial impacts of the recently approved property tax legislation, referred to as HF718;
- An overview of other potential revenue sources available to the City to lessen the impact perpetuated by HF718;
- An analysis and recommendation to proceed with a 1% increase of the Utility Franchise Fee to fund Centennial Park Next Stage and other future park projects;
- An analysis and recommendation to proceed with a rate and billing restructure of the storm water utility.

HF718

During the 2023 state legislative session, the state made significant changes to the property tax system with promises that additional revisions further handcuffing local governments will follow. A few of the more crippling provisions in HF718 include:

- Consolidation of most general and special fund levies.
- Tax levy limitations based on growth tiers.
- New and/or expanded exemptions for military and homeowners aged 65+.
- Budget reporting and timelines.

A more detailed summary of HF718, as offered by the League of Cities, is attached.

The most impactful punch in HF718 is the tiered growth formula, which is intended to drive down a city's general fund tax levy. In short, if a city's annual growth in taxable value is under 3% there is no reduction multiplier applied; however, if the city's growth rate is between 3% and 5.99%, or 6% or greater, a 2% or 3% reduction multiplier is applied, respectively.

In anticipation of the FY25 budget, staff has developed a model to help understand the ramifications to the general fund budget.

Figure 1

2023 Legislative Property Tax Reform					
Projected Impacts					
	FY25	FY26	FY27	FY28	4-Year Total Projected Revenue Reduction
Previous Year Non-TIF Taxable Value (PYNTTV)	\$ 1,116,405,228	\$ 1,183,389,542	\$ 1,254,392,914	\$ 1,329,656,489	
Budget Year Non-TIF Taxable Value (BYNTTV)	\$ 1,183,389,542	\$ 1,254,392,914	\$ 1,329,656,489	\$ 1,409,435,878	
Growth Rate	106%	106%	106%	106%	
Previous Year General Fund Levy (PYGFL)	\$ 8.10000	\$ 7.86408	\$ 7.63503	\$ 7.41265	
If Growth is > 6% Multiply PYNTTV by 1.03	\$ 1,149,897,385	\$ 1,218,891,228	\$ 1,292,024,702	\$ 1,369,546,184	
Previous Year General Fund Property Taxes Certified (PYGFPTC) (with Utility Replacement Request)	\$ 9,042,882	\$ 9,306,267	\$ 9,577,324	\$ 9,856,275	
Adjusted City General Fund Levy (ACGFL) [(PYGFPTC ÷ PYNTTV) x 1,000]	\$ 7.86408	\$ 7.63503	\$ 7.41265	\$ 7.19675	
Projected General Fund Revenues with New Legislation	\$ 9,306,267	\$ 9,577,324	\$ 9,856,275	\$ 10,143,351	
Projected General Fund Revenues with Previous Legislation	\$ 9,585,455	\$ 10,160,583	\$ 10,770,218	\$ 11,416,431	
Projected Revenue Reduction	\$ (279,188)	\$ (583,259)	\$ (913,943)	\$ (1,273,080)	\$ (3,049,470)

Figure 1 calculates the reduction in the tax levy over the next four years, which is the effective time period of HF718. The taxable value growth rate used in this model is 6%, a reasonable estimate given previous year’s growth. This illustration shows general fund revenues modestly increasing each year; however, the projected revenue increase is drastically less when compared to pre FY24 calculations. The bottom line of Figure 1 provides the difference in revenues each year. In a four-year period, the cumulative reduction in revenue totals over \$3 million. This is a significant number.

Another variable within HF718 that has not been calculated yet is the expanded exemptions for military and senior homeowners. Jonson County is trying to evaluate this variable; however, it is a complex process. These exemptions will add to the reduced revenues as outlined above.

And finally, it is anticipated that the rollback will drop approximately 6%+, from 54% to 48% in FY25. This calculation is not part of HF718; rather the rollback, which fluctuates annually, has been in place since the 70’s. As a point of reference, the largest year to year change to the rollback in the last two decades was 2.28%. This too, will impact the general fund’s ability to generate sustainable revenue.

Fortunately, there are several levies that will not be consolidated into the city's new adjusted general fund levy, and which the City can use to offset the legislative growth restrictions. For North Liberty, those levies include:

- FICA & IPERS
- Other Employee Benefits
- Liability, property & Self Insurance Costs
- Support of a Local Emergency Management Commission

Considering the projections in Figure 1, it is anticipated that the four unconsolidated levies noted above could generate the necessary revenue to fill the funding shortfall created by HF718 for fiscal years 25, 26 and 27, as shown in Figure 2. In year four, however, the unconsolidated levies can no longer keep up with the legislative imposed growth restrictions.

Figure 2

Levies NOT Impacted*	FY25	FY26	FY27	FY28
Trust & Agency				
Funds Available	\$ 630,000	\$ 661,500	\$ 694,575	\$ 729,304
Funds Needed to Cover Reduction	\$ 279,188	\$ 583,259	\$ 694,575	\$ 729,304
Potential Tax Rate	\$ 0.23592	\$ 0.52735	\$ 0.52237	\$ 0.51744
Property & Liability Insurance				
Funds Available	\$ 239,400	\$ 251,370	\$ 263,939	\$ 277,135
Funds Needed to Cover Reduction	\$ -	\$ -	\$ 219,368	\$ 277,135
Potential Tax Rate	\$ -	\$ -	\$ 0.16498	\$ 0.19663
EMA				
Funds Available	\$ 11,550	\$ 12,128	\$ 12,734	\$ 13,371
Funds Needed to Cover Reduction	\$ -	\$ -	\$ -	\$ 13,371
Potential Tax Rate	\$ -	\$ -	\$ -	\$ 0.00949
Tax Rate	\$ 8.10000	\$ 8.16237	\$ 8.10000	\$ 7.92030
Additional Funds Generated	\$ 279,188	\$ 583,259	\$ 913,943	\$ 1,019,810
Funding Shortfall	\$ (0)	\$ (0)	\$ 0	\$ (253,270)

While these projections offer some clarity as staff plans for FY25, it is difficult, arguably impossible, to plan for future years as the governor and legislature have made it clear that

further, more aggressive adjustments to the property tax system will be looming. That said, the following paragraphs will highlight currently available options for alternative funding streams.

Capital Projects Levy (Referendum required)

One tool that remains untouched by HF718 is the Capital Projects Levy, which, upon a successful vote of the community, could generate up to \$730k annually (a \$0.675 tax levy). This revenue source is required to be used for capital projects as determined by

the City Council. As the community center, pool and other city facilities continue to age, this levy may be a future option to fund larger scale maintenance and repair projects.

Local Option Sales Tax (LOST)

Another referendum required funding stream, which has gathered some attention in previous years, is the Local Option Sales Tax. North Liberty, along with most of the other Johnson County cities, is one of only a handful of cities across the state that does not utilize this revenue source. In the last 15 years, the city has held two referendums for a LOST, both times ending in defeat. There are numerous variables when computing the potential revenue capabilities of this tax, thus the anticipated revenue is difficult to estimate. At a minimum, annual revenue would likely top \$1 million. State code requires 50% of all LOST generated to be used for property tax relief, while the remaining 50% can be used for any other lawful purpose but must be described in the ballot language.

Service Charges and fees

The city charges fees for various services, such as building and zoning permits, recreation programs, access to the swimming pool and other recreational facilities, site plan review, etc. Occasionally, these fees may need to be adjusted; however, it's fair to say that the city is not aggressive when considering increases. For example, in the last 15 years, site plan review and zoning fees have not increased. Recreation center fees have been adjusted twice since 2004, with the last increase coming in 2018. It is not uncommon for cities to subsidize these services and programs with tax revenue; however, if the state continues to diminish the city's abilities to generate revenue, stronger consideration for fee increases should be considered. Currently, the recreation team is evaluating fees at the recreation center. It is too early in the process to determine if a fee increase will be recommended.

Utility Franchise Fee

A Franchise Fee allows the City to collect up to 5% of a gas and/or electric bill of a property within the corporate limits. North Liberty currently collects a 2% fee and revenues are trending upward due to growth of accounts and the recent increase in gas and electric rates. Figure 3 identifies actual revenues for fiscal years 22 and 23.

Figure 3

	FY22	FY23
	Actual	Actual (unaudited)
Revenues		
Alliant Energy	\$ 169,656	\$ 182,567
Linn County REC	\$ 115,388	\$ 159,763
MidAmerican Energy	\$ 67,604	\$ 118,773
Total Revenues	\$ 352,649	\$ 461,103

Staff is recommending a 1% increase in the Franchise Fee to help fund the Centennial Park project, as well as future park capital projects. As general fund revenues dwindle, these fees will be even more imperative to fund park projects.

Figure 4 provides a projection of revenues with a one percent increase, effective January 1, 2024.

Figure 4

	FY24	FY25	FY26	FY27	FY28
	Budget	Estimated	Estimated	Estimated	Estimated
Revenues					
Alliant Energy	\$ 230,491	\$ 279,355	\$ 282,148	\$ 284,970	\$ 287,820
Linn County REC	\$ 201,701	\$ 244,461	\$ 246,906	\$ 249,375	\$ 251,869
MidAmerican Energy	\$ 149,951	\$ 181,741	\$ 183,558	\$ 185,393	\$ 187,247
Total Revenues	\$ 582,143	\$ 705,557	\$ 712,612	\$ 719,738	\$ 726,936

Stormwater Utility

The city has had a storm water utility for over two decades and in that time, rates have rarely been adjusted. The current rate, which is a flat fee of \$2 for each utility account, has not been adjusted since 2000. Moreover, the flat fee rate is an outdated and inequitable billing structure. In the last 24 months, staff has made a monumental effort in collecting impervious surface data, via GIS, throughout the city and is ready to recommend a change in the billing structure for the stormwater utility. Instead of billing a flat fee, staff is proposing to bill based on the amount of impervious surface on a lot. This method is considered a best practice and is used widely across the United States with great success.

The proposed billing structure would establish an equivalent residential unit (ERU) of 3,500 square feet. The ERU was calculated by reviewing amounts of impervious surfaces on various single-unit, two-unit and townhome lots. As described in Figure 5, single-unit, two-unit and townhome lots would be charged for one ERU. Multi-unit and manufactured housing would be charged 75% of an ERU and mixed use residential 62.5% of an ERU. Larger, nonresidential properties would be billed \$4 for the first ERU and \$1 for subsequent ERU's.

Figure 5

Rate Structure

	Current Rate	Rate for first ERU			Rate/Additional ERU		
		Year 1	Year 2	Year 3	Year 1	Year 2	Year 3
Single-Unit, Two-Unit & Townhomes	\$ 2.00	\$ 3.00	\$ 4.00	\$ 4.00	n/a	n/a	n/a
Multi-Unit & Manufactured Homes	\$ 2.00	\$ 2.50	\$ 3.00	\$ 3.00	n/a	n/a	n/a
Mix Used, Residential	\$ 2.00	\$ 2.25	\$ 2.50	\$ 2.50	n/a	n/a	n/a
Commercial & Industrial	\$ 2.00	\$ 3.00	\$ 4.00	\$ 4.00	\$ 0.33	\$ 0.66	\$ 1.00

The proposal suggests a two-year phase in for the rate increase for the first ERU and a three-year phase in for the rate for additional ERU's. This approach will soften the impact for larger impervious surface owners. The three-year revenue projection is described below in Figure 6.

Figure 6

Current Revenue Summary			
	# of Accounts	Current Monthly Revenue	Current Annual Revenue
Single-Unit, Two-Unit & Townhomes	6,424	\$ 12,848	\$ 154,176
Multi-Unit & Manufactured Homes	2,288	\$ 4,576	\$ 54,912
Mix Used, Residential	353	\$ 706	\$ 8,472
Commercial & Industrial	489	\$ 978	\$ 11,736
TOTALS	9,554	\$ 19,108	\$ 229,296
Proposed Revenue Summary (Year 1)			
	Proposed Monthly Revenue	Proposed Annual Revenue	Additional Annual Revenue
Single-Unit, Two-Unit & Townhomes	\$19,272	\$ 231,264	\$ 77,088
Multi-Unit & Manufactured Homes	\$5,720	\$ 68,640	\$ 13,728
Mix Used, Residential	\$794	\$ 9,531	\$ 1,059
Commercial & Industrial	\$2,176	\$ 26,117	\$ 14,381
TOTALS	\$ 27,963	\$ 335,552	\$ 106,256
Proposed Revenue Summary (Year 2)			
	Proposed Monthly Revenue	Proposed Annual Revenue	Additional Annual Revenue
Single-Unit, Two-Unit & Townhomes	\$25,696	\$ 308,352	\$ 77,088
Multi-Unit & Manufactured Homes	\$6,864	\$ 82,368	\$ 13,728
Mix Used, Residential	\$883	\$ 10,590	\$ 1,059
Commercial & Industrial	\$3,921	\$ 47,051	\$ 20,933
TOTALS	\$37,363	\$448,361	\$112,808
Proposed Revenue Summary (Year 3)			
	Proposed Monthly Revenue	Proposed Annual Revenue	Additional Annual Revenue
Single-Unit, Two-Unit & Townhomes	25,696	\$ 308,352	\$ -
Multi-Unit & Manufactured Homes	\$6,864	\$ 82,368	\$ -
Mix Used, Residential	\$883	\$ 10,590	\$ -
Commercial & Industrial	\$5,496	\$ 65,948	\$ 18,897
TOTALS	\$38,938	\$467,258	\$18,897

To offer an additional frame of reference, attached is a spreadsheet comparing rates, revenue/per capita, annual revenue, use of funds and other stormwater data from MS4 cities throughout Iowa.

Summary

Much of the information in this memo is for informational purposes and to prepare Council as FY25 budget discussions begin later this year. There are two issues however, that will need further discussion and potential action by the City Council. Staff recommends consideration of a 1% franchise fee increase and a restructure of the stormwater utility billing. If there is consensus to move forward, staff will provide additional information and ordinances for the City Council to consider in November.

In the meantime, if you have questions or desire additional data, please contact me.

HF 718



Updated on June 29, 2023



Posted on May 12, 2023

HF 718 Analysis

***Important Disclaimer: the HF 718 analysis on this page is our current “unofficial” understanding of the new law. As we continue to learn more, we will update this page.**

[League’s Cityscape Article on HF 718](#)

[HF 718 recording](#) from June 28

[HF 718 presentation slide deck](#)

Summary of the New Property Tax Law

In our analysis, divisions 2, 5, 6, 7, 8, 9, 10, 13, and 14 include impacts on city governments. At a high level, HF 718 includes:

- Consolidation of levies and creation of a newly-defined adjusted city general fund levy (ACGFL)
- Levy limitation based on property tax valuation growth “tiers”
- New homestead exemption for residential property owners of age 65 or more
- Military service exemption expansion
- Property tax abatement agreements and limits
- Regional transit funding
- County auditor reports to distinguish revaluation and other additions to the tax base
- Required statement to be mailed to each property owner
- Changes to the budget timelines, forms, hearings and processes
- Single date annually for bond elections
- Bond financing (new general corporate purpose bonding limitations) and reporting requirements

Below is a summary containing a basic analysis of each division of the bill that the League believes impacts cities. Again, please note that this is an unofficial analysis, and is subject to updates.

Please check back to see any new updates or Q&A as we move forward.

Division II: New General Fund Levy & Levy Limitations

Division II creates a new adjusted city general fund levy (ACGFL) that combines several current levies into one. This new ACGFL is then subject to potential limitation or reduction for fiscal years 25-28, depending upon the city's non-TIF taxable valuation growth compared to the previous year. Beginning in fiscal year 29 (FY 29) all cities go to a \$8.10 ACGFL maximum going forward and the levy limitation calculation ceases. (For clarity, those cities under \$8.10 in FY28 will be allowed to go up to the \$8.10 maximum beginning in FY29; those cities above the \$8.10 in FY28 will be reduced to a maximum of \$8.10).

What Levies are Combined?

The levies combined include Section 384.1 – the current general fund levy (up to \$8.10) for FY 24, Section 384.8 – the emergency levy (up to \$0.27) for FY 24, any amount levied under Section 24.48 (appeal) for FY 24, and any amount levied for FY 24 from Section 384.12 subsections:

- 384.12 (1) Instrumental/Vocal Music Groups
- 384.12 (2) Memorial Buildings
- 384.12 (3) Symphony Orchestra
- 384.12 (4) Cultural & Scientific Facilities
- 384.12 (5) County Bridge
- 384.12 (6) Mississippi or Missouri River Bridge Construction
- 384.12 (7) Bridge Purchase
- 384.12 (8) Contract for Use of Bridge
- 384.12 (9) Aid to a Transit Company
- 384.12 (11) Rent, Insurance, Maintenance of Civic Center
- 384.12 (12) Operation & Maintenance of City-owned Civic Center
- 384.12 (13) Planning a Sanitary Disposal Project
- 384.12 (15) Levee Improvement Fund in a Special Charter City
- 384.12 (16) Maintain Institution Received by Gift/Devise
- 384.12 (18) City Emergency Medical District
- 384.12 (20) Support Public Library

What Levies are not included in the new ACGFL limitation?

Debt service, pensions, employee benefits, operation and maintenance of a municipal transit system or regional transit district, aviation authority, tort and self-insurance, capital improvement reserve fund, support for a local emergency management commission, emergency services

districts, and a levy to exceed a maximum amount set in Code with narrow/newly-defined parameters.

Important Timing Notes:

The baseline ACGFL year is FY 24; the first annual ACGFL adjustment will be for the FY 25 budget year. This legislation consolidates the levies into a new ACGFL permanently. However, the levy limitation calculation (deriving the next year's maximum ACGFL levy) is limited to a four-year period (FYs 25-28). Beginning with FY 29, cities would be able to select a levy rate for the ACGFL of up to \$8.10, regardless of their growth or previous ACGFL rate. **Note: if a city's ACGFL were above \$8.10 in FY 28, they would be required to reduce to \$8.10 beginning in FY 29.**

Note that the assessment process generally applies every other year for most properties. For that reason, growth rates might vary year-to-year.

Calculating the New Adjusted City General Fund Levy (ACGFL)

The steps below show how to calculate your next-year ACGFL.

1. Find your city's non-TIF taxable value including gas & electric (and excluding ag land and ag building) on which property taxes are calculated for the current fiscal year. This is the amount on line 2a of your budget certification page (which can be found here: <https://dom-localgov.iowa.gov/budget-search>). For example, to calculate the new ACGFL in FY 25, you will begin with the line 2a value from the FY 24 budget certification page.
2. Identify your non-TIF taxable value including gas & electric on which property taxes are calculated for the next budget year, and calculate growth compared to the current budget year (step #1 above). This is the amount you would enter on line 2a of your budget certification page. To do this, divide the next-year non-TIF taxable growth by the current-year non-TIF taxable growth. For example, when calculating the new ACGFL in FY 25, this would be dividing line 2a for FY 25 by the line 2a value for FY 24.
3. The baseline year for the ACGFL is FY 24; the levy limitation begins with the FY25 budget year. Calculate your baseline general fund levy (ACGFL). To do this, go to your city's budget certification page (page 1 of your FY 24 budget). The budget archives can be found: <https://dom-localgov.iowa.gov/budget-search>.

From there, combine (sum) all of the levy rates for the levies being merged. In addition to your existing regular general fund levy (up to \$8.10), these are Section 384.12 subsections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 15, 16, 18 and 20; the emergency levy (Section 384.8); and any amount levied under Section 24.48 (appeal) for FY 24.

As you plan your FY 25 budget, use the FY 24 baseline ACGFL you just calculated. For your FY 26-28 budgets, use the current year ACGFL as you prepare your next year's budget. For example, when preparing your FY26 budget, look up your FY 25 ACGFL for this step.

4. Based on the result of steps #2 and #3, follow the applicable option:

Tier I: your city's growth rate from step #2 above is less than 3%

- If your city's ACGFL from step #3 is greater than \$8.10 AND your non-TIF taxable value growth from step #2 is less than 1.03, stop. You may use your calculated ACGFL for the current year as a maximum ACGFL for the next budget year.
- If your city's ACGFL from step #3 is less than \$8.10 AND your non-TIF taxable value growth from step #2 is less than 1.03, stop. \$8.10 is your maximum ACGFL for the next budget year.

Tier II: your city's growth rate from step #2 above is between 3%-5.99%

- If your non-TIF taxable value growth from step #2 is between 1.03 and 1.059, multiply your step #1 result by 1.02. Continue to step #5.

Tier III: your city's growth rate from step #3 above is 6% or greater

- If your non-TIF taxable value growth from step #2 is 1.06 or greater, multiply your step #1 result by 1.03. Continue to step #5.

5. Sum the 'property taxes certified' (with utility replacement request) that are generated by the levies you combined in step #3 for the current year. These are found on your budget certification pages on the same lines as the combined levies.

6. Calculate the following:

$1,000 * (\text{amount from step \#5} / \text{amount from step \#4})$

This is your new maximum ACGFL for the next year's budget, for FYs 25-28. Remember that beginning with FY 29, all cities select an ACGFL of up to \$8.10. (Note: this is regardless of growth from the previous year. And, for FY 29, a city whose ACGFL was previously above \$8.10 would be reduced to \$8.10 going forward).

Division V: Homestead Property Tax Credit & Exemption

Division V creates a new homestead exemption for property owners aged 65 and over, in addition to the current homestead credit. This additional exemption is \$3,250 for FY 25 and increases to \$6,500 beginning FY 26 and forward. The current homestead credit will continue to be state-funded, however, there is no state reimbursement for the exemption created in this division. This will result in a reduction in taxable value for local government.

Division VI: Military Property Tax Credit & Exemption

Division VI increases the military service exemption for eligible property owners to \$4,000 beginning FY 25. The military exemption will not be funded by the state in any amount for FYs beginning FY 25 and forward. This will result in a reduction in taxable value for local governments.

Division VII: Property Tax Abatement Agreements and Limits

Division VII requires that minimum assessment agreements for commercial properties be created and agreed upon in writing before the projects are eligible for property tax abatement under a revitalization area established under Chapter 404. The agreement must contain specified information, including a minimum actual value for the completed improvements, and must be certified by the assessor. This applies to revitalization areas created in FY 25 and after, and for first-year exemption applications in existing revitalization areas filed on or after July 1, 2024.

In addition, Division VII prohibits property tax abatement for the school district portion of revitalization areas for residential projects established under Chapter 404, beginning with revitalization areas created in FY 25 and after, and for first-year exemption applications in existing revitalization areas filed on or after July 1, 2024.

Cities are encouraged to consult their bond counsel on the potential impact of this provision of the legislation.

Division VIII: Transit Funding

Allows the city of Des Moines to go up to 7.5% franchise fees, with any portion above 5% required to be dedicated to regional transit (DART).

Division IX: County Auditor Evaluation Reports

Beginning with assessment year 24 (AY 24 or FY 26), annual county auditor reports must distinguish such values as revaluation or other types of addition to the value within the abstract to be provided to the Iowa Department of Management.

Division X: Local Government Budgets and Taxpayer Statements

Division X requires that county offices mail each property taxpayer an annual statement and change the budget process and timelines. All political subdivisions, including cities, must file a report annually by **March 15** with the Iowa Department of Management (DOM) containing the information specified in the new law to be included in the mailings. Then, by **March 20** (annually), the county auditor, using the information compiled and calculated by DOM, must send to each property owner or taxpayer within the county by regular mail an individual statement with the specified information (see below) broken out by political subdivision comprising the taxpayer's taxing district.

Division X requires political subdivisions to hold a public hearing on the proposed property tax amounts for the budget year and new taxpayer statements. This is a hearing in addition to the public hearing required under *Code of Iowa* Section 24.9 (to approve the annual budget) and must be separate from any other meeting of the governing body, including any other meeting or hearing related to the political subdivision's budget. No other business unrelated to the new hearing requirements can be discussed at the meeting at which this hearing is held. At the hearing, the

political subdivision shall receive oral or written testimony from any resident or property owner of the political subdivision. After all, testimony has been received and considered, the governing body may decrease, but not increase, the proposed property tax amount to be included in the political subdivision's budget.

Notice of the public hearing shall be published not less than ten nor more than twenty days prior to the hearing in a newspaper published at least once weekly and having general circulation in the city. However, if the city has a population of two hundred or less, publication may be made by posting in three public places in the city.

Notice of the hearing shall also be posted and clearly identified on the political subdivision's internet site for public viewing beginning on the date of the newspaper publication and shall be maintained on the political subdivision's internet site with all prior year notices and copies of the statements mailed. Additionally, if the political subdivision maintains a social media account on one or more social media applications, the public hearing notice or an electronic link to the public hearing notice shall be posted on each such account on the same day as the publication of the notice.

The law states that a municipality shall not certify or levy in any fiscal year a property tax unless and until the estimates have been made, filed, and considered. The verified proof of publication of the notice shall be filed in the office of the county auditor and preserved by the auditor. It clarifies that the levy will not be valid unless notice is published, mailed, and filed. However, the bill states that "failure of an owner or taxpayer to receive a statement under section 24.2A shall not invalidate a levy."

This division also repeals Sections 331.433A and 384.15A. The League is working to confirm that this means that it repeals the pre-existing "Maximum Property Tax to Levy" notice and hearing.

This division moves the city's budget certification deadline to **April 30** annually, beginning with the FY 25 budget.

The new statements to be mailed to each property owner or taxpayer must include:

1. The sum of the current fiscal year's actual property taxes certified for a levy for all of the district's levies and the combined property tax rate per \$1,000 for such tax amount for the current fiscal year;
2. The combined effective property tax rate for the district calculated using the sum of the current fiscal year's actual property tax certified for levy of all of the district's levies above;
3. The combined amount of the property tax dollars to be certified for all of the district's levies for the budget year and the proposed combined property tax rate per \$1,000 for such levies;
4. If the property tax dollars specified under (3) exceed the current fiscal year's actual property tax dollars certified for levy specified in (1), a detailed statement of the major reasons for the increase, including the specific purposes or programs for which the district is proposing an increase;
5. An example comparing the amount of property taxes on a residential property with an actual

value of \$100,000 in the current fiscal year and such amount on the residential property using the proposed property tax dollars for the budget year, including the percentage difference in such amounts;

6. An example comparing the amount of property taxes on a commercial property with an actual value of \$100,000 in the current fiscal year and such amount on the commercial property using the proposed property tax dollars for the budget year, including the percentage difference in such amounts;

7. The district's percentage of total property taxes certified for levy in the owner's or taxpayer's taxing district in the current fiscal year among all taxing authorities;

8. The date, time, and location of the district's public hearing on the information contained in the statements.

9. Information on how to access the political subdivision's internet site, the political subdivision's statements under this section, and other budget documents for prior fiscal years.

Division XIII: Bond Elections

Division XIII requires that all elections on the question of issuing bonds or other indebtedness are to be held on the first Tuesday after the first Monday in November (once annually), beginning with elections occurring on or after July 1, 2023. The Commissioner of Elections is required to mail notice to each registered voter in the jurisdiction, including the full text of the public measure to be voted on at the election. This notice must be mailed not less than ten nor more than twenty days before the election.

Division XIV: City Bond Financing & Annual Finance Report (AFR) Requirements

Division XIV includes a 30% increase to the limits to enter into loan agreements payable from the general fund and a 30% increase to the limits for general corporate purpose reverse referendum thresholds. This division is effective beginning with FY 25. It also adjusts related population definitions.

This division adds the requirement that an estimate of the annual increase in property taxes as the result of the bond issuance of a residential property with an actual value of \$100,000 be added to the notice of proposed action to issue a bond for an essential corporate purpose.

Beginning with the annual financial report published by December 1, 2025, each report shall include a list of bonds, notes, or other obligations issued by the city during the most recently completed fiscal year, and the applicable lists for other fiscal years beginning on or after July 1, 2024, for which obligations remain unpaid, payable from any source, including the amount of the issuance, the project or purpose of the issuance, whether the issuance was approved at the election, eligible to be subject to a petition for an election, or was exempt from the approval at the election as the result of statutory exclusions based on the population of the city or amount of the issuance, and identification of issuances from the fiscal year or prior fiscal years related to the same project or purpose.

FAQ:

Q: We thought that the FICA/IPERS levy budget line could not be used unless the general fund was at its maximum? How does HF 718 impact this?

A: Iowa's Administrative Code 545.4.2 (see below/link). As the admin code refers to the "tax rate limit of that fund," the newly calculated general fund limit (ACGFL) will apply to each individual city. For example, if a city's ACGFL was limited to \$6.00 in a budget year, then that city must choose to use the full \$6.00 ACGFL before using the FICA/IPERS line. The ACGFL would **not** need to be at \$8.10 in order to use the FICA/IPERS line unless that was the city's calculated ACGFL limit.

Reference:

545—4.2(384) Mandatory procedures. These employee benefits must be budgeted in the city general fund up to the tax rate limit of that fund with the excess being budgeted in the trust and agency fund for those employees being paid from the city general fund: 1. Employer's share of FICA under *Code of Iowa* Section 97C.10. 2. Employer's share of IPERS under *Code* Section 97B.9.

<https://www.legis.iowa.gov/docs/iac/rule/11-22-2006.545.4.2.pdf>

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Storm Water Rates, Revenues and Uses Comparison of MS4 Cities

City	Population	Rates				ERU Size	ERU Cap on C/I	Highest Monthly Bill	Annual Revenue	Revenue/Capita	Revenue Uses	
		Single-Unit, Two-Unit & Townhouse	Manufactured Home Park (if specified)	Multi-Unit	Commercial/ Industrial							
North Liberty	21,399	\$2.00 FF	\$2.00 FF		\$2.00/unit	\$2.00 FF	N/A	N/A	\$ 2.00	\$ 229,296	\$ 10.72	Staffing, small system improvement projects, community grants, equipment, manhole repair.
North Liberty (proposed)	21,399	\$4.00 FF	\$3.00 FF		\$3.00/unit	\$4.00 + \$1.00/ERU	3,500	N/A	\$ 376.42	\$ 454,758	\$ 21.25	
Iowa City	75,233	\$5.5 FF			\$2.75/unit	\$5.00 + (\$2.00 * SF Impervious Surface/3129)	3,129	N/A	\$ 1,578.22	\$ 1,704,329	\$ 22.65	Public education, storm sewer inspection, cleaning, maintenance/repair, and administrative costs associated with storm water management. In addition, projects to help improve water quality and reduce flooding. Funding for new storm sewer construction, separation of combined sewers, modification of existing troubled systems.
Coralville	23,125	\$3.00 FF			\$3.00/unit	\$3.00 + (\$1.40 * (SF Impervious Surface/3440))	3,440	N/A	\$ 396.61	\$ 569,910	\$ 24.64	Public education and outreach. Illicit discharge detention and elimination (reporting pollution into a storm drain or waterway). Construction site stormwater runoff control. Post-construction stormwater management. Pollution prevention and good housekeeping.
Marion	41,864	\$5.17 FF			\$3.50 + (\$1.65 * (SF Impervious Surface/2791))	\$3.50 + (\$1.65 * (SF Impervious Surface/2791))	2,791	N/A	\$ 1,110.00	\$ 1,200,000	\$ 28.66	Help support storm sewer inspection, cleaning, maintenance/repair of the city's storm/surface water pipes and public education.
Ames	66,950	\$5.2 FF			\$5.20 - 150 - 10,000 10.40 - 10,001 - 30,000 15.60 - 30,001 - 90,000	\$5.20 - 150 - 10,000 \$10.40 - 10,001 - 30,000 \$15.60 - 30,001 - 90,000	N/A	4	\$ 46.80	\$ 1,946,539	\$ 29.07	Address aging infrastructure, rehabilitation and maintenance work as well as education/outreach activities and compliance with state and federal stormwater runoff regulations.
Pleasant Hill	11,186	\$5.5 FF			\$5.5/unit	\$5.5 FF	3,500	65	\$ 358.00	\$ 360,000	\$ 32.18	Operations and maintenance costs of the storm water management programs and facilities. Some of the services tied to the storm water management program include the provision of adequate systems of collection, conveyance, detention, treatment, and release of stormwater; the reduction of hazard to property and life resulting from stormwater runoff and flooding; improvement in general health and welfare through reduction of undesirable stormwater conditions and flooding; and improvement to the water quality in the stormwater and surface water systems and its receiving water.
Asbury	5,977	\$8.00 FF			\$8.00/unit	\$15 - 0-20,00 \$25 - 20,001 - 40,000 \$45 - 40,001 - 60,000 \$85 - 60,001 - 80,000 \$175 - 80,001 - 100,000 \$330 - Greater than 100,000	N/A	N/A	\$ 330.00	\$ 195,086	\$ 32.64	Provide for the management, protection, control, regulation, use and enhancement of stormwater management systems and facilities.
Hiawatha	7,161	\$4.75 FF	\$3.95 FF		\$4.25 + (SF Impervious Surface/6.50)	\$4.25 + (SF Impervious Surface/6.50)	10,000	N/A	\$ 229.75	\$ 293,400	\$ 40.97	Operation and maintenance of the storm water management facilities.
Norwalk	14,177	\$7.50 FF			SF Impervious Surface/3000	SF Impervious Surface/3000	3,000	N/A	\$ 1,500.00	\$ 600,116	\$ 42.33	Stormwater maintenance and repair.
Bondurant	8,710	\$6.59/ERU			\$6.59/ERU	\$3.25/ERU	2,450	N/A	\$ 3,139.50	\$ 402,401	\$ 46.20	Inspection of construction sites and post-construction stormwater facilities. Public education and outreach on stormwater impacts and water quality management. Enforce a discharge detention and elimination program. Maintain pollution prevention and good housekeeping program.
Johnston	24,390	\$7.05/ERU			\$7.05/ERU	\$7.05/ERU	4,000	4 - Residential 40 - C/I	\$ 282.00	\$ 1,130,000	\$ 46.33	Exclusive use of managing and improving the city's stormwater management infrastructure (storm sewer, creeks, drainage ways, etc.)
Grimes	16,295	6.38 FF	\$3.19 FF		\$3.19/unit	\$6.38*(Impervious Surface/10,000)	10,000	40	\$ 255.20	\$ 758,732	\$ 46.56	To ensure that appropriate resources are available to manage the storm water within Grimes and to provide a stable funding source to maintain compliance with the MS4 permit required by the Iowa Department of Natural Resources (DNR)
Urbandale	46,648	\$7.00 FF	\$7.00 FF		Impervious Surface/3200 7.00/ERU up 100 ERUs \$6.00/ERU over 100 ERUs	Impervious Surface/3200 \$7.00/ERU up 100 ERUs \$6.00/ERU over 100 ERUs	3,200	N/A	\$ 2,800.00	\$ 2,200,000	\$ 47.16	Operations and maintenance costs of the storm water management programs and facilities. Services tied to the storm water management program include the following: Illicit discharge detection and elimination; Improving water quality; Public education and outreach; Stormwater sewer system maintenance, repairs and construction.
Ankeny	72,222	\$6.50*(Impervious Surface)/(4000)			\$6.50*(Impervious Surface)/4000)	\$6.50*(Impervious Surface)/4000)	4,000	4 - Single & two-family 80 - multi, commercial & industrial	\$ 520.00	\$ 3,411,607	\$ 47.24	Construction, maintenance and operation of the stormwater management systems and facilities.
Marshalltown	27,433	\$4.00 FF			SF Impervious Surface/2800	SF Impervious Surface/2800	2,800	N/A	\$ 3,782.40	\$ 1,328,226	\$ 48.42	Provide for safe and efficient capture of storm water runoff, mitigate the damaging effects of storm water runoff, correction of storm water related problems, fund activities of storm water management and include design, planning, regulations, education, coordination, construction, operations, maintenance, inspection and enforcement activities.
Waukee	29,167	\$6.75 FF			\$6.75/unit	SF Impervious Surface/2973	2,973	N/A	\$ 3,192.75	\$ 1,435,500	\$ 49.22	Operations and maintenance of stormwater management and facilities: System maintenance, repairs and construction; Illicit discharge detection and elimination; Public education and outreach; Improving water quality.
Altoona	21,503	\$6.00/ERU			\$6.00/ERU	\$6.00/ERU	4,000	N/A	\$ 5,706.00	\$ 1,139,959	\$ 53.01	Cover costs of stormwater services provided throughout the city.
Cedar Rapids	136,429	\$7.25/ERU			\$7.25/ERU	\$7.25/ERU	4,356	N/A	\$ 6,971.00	\$ 7,800,000	\$ 57.17	Used to pay for capital improvements, operations, maintenance, and meeting federal/state permit obligations.
Bettendorf	39,548	\$6.60*((SF Property*30%)/2500))			\$6.60* (SF Impervious Surface/2500)	\$6.60* (SF Impervious Surface/2500)	2,500	N/A	\$660+	\$ 2,547,662	\$ 64.42	Fund the City of Bettendorf's stormwater management program. The costs associated with storm water management include: personnel, maintenance, vehicles, equipment and infrastructure improvement projects.
Clive	18,908	\$5.58 FF 0-3100 SF \$11.15 FF 3100 - 5100 SF \$16.73 FF over 5100 SF			\$5.58 FF 0-3100 SF \$11.15 FF 3100 - 5100 SF \$16.73 FF over 5100 SF	\$11.15*(Impervious Surface/3667)	3,667	N/A	\$ 2,234.46	\$ 1,642,659	\$ 86.88	Contributing towards the cost of construction, maintenance and operation of the stormwater mgmt. system and facilities.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 100 OF THE NORTH LIBERTY
CODE OF ORDINANCES ESTABLISHING AN EQUITABLE FEE
STRUCTURE FOR STORM WATER UTILITY SERVICES**

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

SECTION 1. AMENDMENT. Chapter 100.01 of the North Liberty Code of Ordinances is amended to read as follows:

100.01 PURPOSE.

The purpose of this chapter is to establish a storm water management system ~~district utility and provide a means of funding the operation and maintenance of for~~ the regulation of storm water ~~runoff quality and quantity management facilities~~ within the ~~district~~ City, and to provide a means of funding the management of ~~programs and facilities associated therewith, including, but not limited to the inspection, cleaning, operation, maintenance, repair and administrative costs associated with storm water management, as well as public education, outreach, and code enforcement concerning storm water management, and for the planning, design, land acquisition, construction, extension, replacement, and debt service of storm sewers and appurtenant structures retention and detention basins, storm sewers, inlets, ditches and drains.~~

SECTION 2. AMENDMENT. Chapter 100.02 of the North Liberty Code of Ordinances is amended to read as follows:

100.02 STORM WATER MANAGEMENT SYSTEM DISTRICT.

The entire City is declared a storm water management system district for the purpose of establishing, imposing, adjusting, and providing for the collection of ~~rates fees supporting for~~ the operation and maintenance of storm water management system utility programs and facilities within the City as described in Section 100.01 of this Code of Ordinances. As additional areas are annexed to the City, such areas shall ~~immediately automatically~~ be included within the storm water management system district.

SECTION 3. AMENDMENT. Chapter 100.03 of the North Liberty Code of Ordinances is amended to read as follows:

100.03 RATES DEFINITIONS.

1. "Developed property" means real property upon which a structure or impervious surface has been placed or constructed, thus increasing the amount of rainwater or surface water runoff.
2. "Director" means the Planning Director or his/her designee.
3. "Dwelling unit" shares the same definition as set forth in Chapter 167.01.
4. "Equivalent residential unit" (ERU) means the average impervious area of residential developed property per dwelling unit located within the City, as periodically determined and established as provided in this chapter.
5. "ERU rate" means the dollar value periodically determined and assigned to each ERU as a fee for storm water management services, and expressed as \$x.xx per ERU.
6. "Exempt property" means any city-owned property, including but not limited to public streets, alleys and sidewalks, buildings, and parks.
7. "Impervious area" means the number of square feet of hard-surfaced areas which either prevent or slow the entry of water into the soil mantle as it enters under natural conditions for undeveloped property, and/or causes water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions for undeveloped property, including but not limited to roofs, roof extensions, patios, porches, driveways, pavement, gravel, and athletic courts.
8. "Nonresidential property" means any property developed for commercial, industrial, governmental or institutional use, including but not limited to churches, hospitals, parking lots and mixed use properties incorporating residential uses.
9. "Storm Water Drainage System" means the system of publicly or privately owned or operated rivers, creeks, ditches, drainage channels, pipes, basins, street gutters, and lakes within the City through which or into which storm water runoff, surface water or subsurface water is conveyed or deposited.
10. "Storm water management system utility" means the enterprise fund utility created by this chapter to operate, maintain and improve the system and for such other purposes as stated in this chapter.
11. "Storm water management system" means the existing storm water management facilities, storm water drainage system, and flood protection system of the City and all improvements thereto which by this chapter are constituted as the property and responsibility of the storm water

management utility, to be operated as an enterprise fund to, among other things, conserve water, control discharges and flows necessitated by rainfall events; and incorporate methods to collect, store, absorb, inhibit, treat, use or reuse water to prevent or reduce flooding, over-drainage, environmental degradation and water pollution or otherwise affect the quality or quantity of discharge from such system, and programs directly supporting those purposes.

12. "Undeveloped property" means any real property that has no impervious area.

13. "User" means any person owning, operating or otherwise responsible for property within the City, which directly or indirectly discharges storm water or subsurface waters to any portion of the storm water management system, including direct or indirect discharges to the City's storm water drainage system, or which is directly or indirectly protected by the City's flood protection system or storm water drainage system.

—The rates for the operation and maintenance of the storm water management facilities shall be collected by imposing a monthly rate on each residential, commercial, and industrial user within the City. Such rates shall be established by resolution of the Council, which may establish different monthly rates for different classifications of users.

SECTION 4. AMENDMENT. Chapter 100.04 of the North Liberty Code of Ordinances is amended to read as follows:

100.04 BILLING FOR STORM WATER SERVICE UTILITY FEE.

1. Fee Established. There is hereby established a storm water utility fee. Except as otherwise provided, every user owning or occupying property that is not exempt property in the City of North Liberty shall pay to the city a storm water utility fee as determined in this Chapter.

2. Equivalent Residential Unit (ERU) Established. For the purposes of this chapter, one ERU is equivalent to three thousand five hundred (3,500) square feet of impervious area.

3. ERU Rate Established. The storm water utility fee rate is \$3.00 per ERU for the 2024 calendar year, increasing to \$4.00 per ERU beginning January 1, 2025.

4. Monthly Fees Imposed. The fees under this chapter shall be collected by imposing a monthly charge on each dwelling unit within the district.

a. Residential users. Storm water utility fees for residential users are based on the nature of the premises served, as determined by the allocations set forth below on Table 100.03-1. Dwelling types listed in Table 100.03-1 share the same definitions established for each under Chapter 168.07 of this Code of Ordinances.

Table 100.03-1 Residential Storm Water Utility Fee Allocations			
Dwelling type	ERU Allocation	Monthly Rate Effective January 1, 2024	Monthly Rate Effective January 1, 2025
Single-Unit, Two-Unit & Townhomes	1.00 ERU per dwelling unit	\$3.00	\$4.00
Multi-Unit & Manufactured homes	0.75 ERU per dwelling unit	\$2.50	\$3.00
Mixed Use Residential	0.625 ERU per dwelling unit	\$2.25	\$2.50

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b. Nonresidential users. Nonresidential fees are determined by the actual impervious area of the premises served. Each nonresidential user is charged at the base rate of one ERU for each parcel containing up to one ERU of impervious area, plus an additional fee for each subsequent ERU of impervious area beyond the first on each such parcel, as set forth below in Table 100.03-2.

Table 100.03-2 Nonresidential Storm Water Utility Fee Allocations				
Use type	Base Rate	Additional Fee Effective January 1, 2024	Additional Fee Effective January 1, 2025	Additional Fee Effective January 1, 2026
Commercial and Industrial	1.00 ERU per user	\$0.33 per user for each additional ERU of impervious area	\$0.66 per user for each additional ERU of impervious area	\$1.00 per user for each additional ERU of impervious area

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4.5. Billing for Storm Water Utility Fees. All storm water management utility fees are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 92.04 of this Code of Ordinances. Water service may be discontinued in accordance with the provisions contained in Section 92.05 if the combined service account becomes delinquent, and the provisions contained in Section 92.08 relating to lien notices shall also apply in the event of a delinquent account.

SECTION 5. AMENDMENT. Chapter 100.06 of the North Liberty Code of Ordinances is amended to read as follows:

100.06 EXEMPTIONS, APPEALS.

1. An owner or occupant of a townhome, multi-unit residential property or mixed-use residential property aggrieved by the initial or any subsequent calculation of the number of dwelling units upon or in such property, calculation of the storm water utility fee, or allocation of such fee among the occupants, may appeal such calculations and allocation to the City. Upon such appeal, the storm water utility fee for such property may be recalculated utilizing information supplied by the appealing owner or occupant, provided such information is verified as correct by the director.
2. An owner or occupant of nonresidential property aggrieved by the initial or any subsequent determination of the total impervious area of such property, calculation of storm water utility fee for such property, or allocation of such fee among the occupants, may appeal such calculations and allocation to the director. Upon such appeal, the storm water utility fee for such property may be recalculated utilizing information supplied by the appealing owner or occupant, provided such information is verified by the director.
3. Any adjustment of the storm water utility fee resulting from such appeal shall be retroactive to the date the appeal was filed.
4. Appeals by the owners or occupants of property subject to the storm water utility fee shall include a statement of the number of dwelling units, total property area, and/or total impervious area, as appropriate for the particular grounds for appeal. Such information may be shown on the storm water utility reporting forms or on appeal forms, and may be accompanied by plats, county assessor's records, or survey data. The director may request additional information from the appealing party. Based upon the information provided by the utility and appealing party, the director shall make a final calculation of the storm water utility fee. The director shall notify the appealing party, in writing, of the director's decision within ninety (90) days after receipt of the appeal. If still aggrieved, a party may request, in writing, a review by the City Administrator of the director's decision. Such request must be filed with the City Clerk within thirty (30) days after the director's decision, shall cite the specific error by the director, and shall include the calculation of the storm water utility fee which the appealing party believes to be correct. The City Administrator shall review the record presented and render a written decision within thirty (30) days after receipt of the request for review. The City Administrator may request additional information from the director or the appealing party. ~~If still aggrieved, a party may request review of the City~~

~~Administrator's decision by the City Council in the same manner as above provided for review by the City Administrator. Any property owner aggrieved by the decision of the City Council Administrator may appeal to the County district court by action filed within thirty (30) days of the mailing of the ruling of the City Council Administrator to the address of the property owner, occupant or occupant organization as shown on the review request or on the records of the City with respect to the appeal. The filing of an appeal shall not excuse the payment of the storm water utility fee when due. However, the City shall refund any portion of the fee paid subsequent to the filing of an appeal which is adjudged to be excessive, with interest at the rate provided by law.~~

- ~~The following are exempt from the requirements of this chapter:~~
- ~~1. Agricultural use of land;~~
 - ~~2. Emergencies causing an immediate danger to life or property;~~
 - ~~3. Land within floodplain areas as designated in the Federal Emergency Management Agency maps in effect at the time of the development;~~
 - ~~4. Areas deemed appropriate by the City Engineer.~~

SECTION 6. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 7. 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 8. 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 9. 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

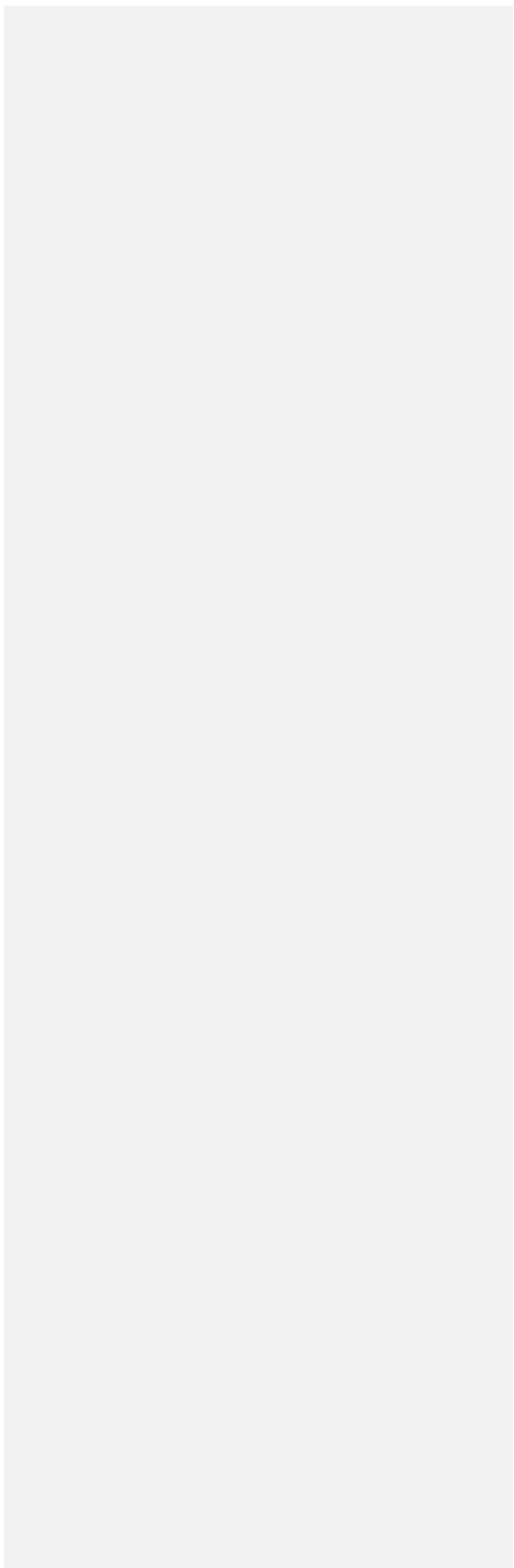
ATTEST:

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. 2023-29

AN ORDINANCE AMENDING CHAPTER 100 OF THE NORTH LIBERTY CODE OF ORDINANCES ESTABLISHING AN EQUITABLE FEE STRUCTURE FOR STORM WATER UTILITY SERVICES

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

SECTION 1. AMENDMENT. Chapter 100.01 of the North Liberty Code of Ordinances is amended to read as follows:

100.01 PURPOSE.

The purpose of this chapter is to establish a storm water management system utility for the regulation of storm water runoff quality and quantity within the City, and to provide a means of funding the management of programs and facilities associated therewith, including, but not limited to the inspection, cleaning, operation, maintenance, repair and administrative costs associated with storm water management, as well as public education, outreach, and code enforcement concerning storm water management, and for the planning, design, land acquisition, construction, extension, replacement, and debt service of storm sewers and appurtenant structures.

SECTION 2. AMENDMENT. Chapter 100.02 of the North Liberty Code of Ordinances is amended to read as follows:

100.02 STORM WATER MANAGEMENT SYSTEM DISTRICT.

The entire City is declared a storm water management system district for the purpose of establishing, imposing, adjusting, and providing for the collection of fees supporting the operation and maintenance of storm water management system utility programs and facilities within the City as described in Section 100.01 of this Code of Ordinances. As additional areas are annexed to the City, such areas shall automatically be included within the storm water management system district.

SECTION 3. AMENDMENT. Chapter 100.03 of the North Liberty Code of Ordinances is amended to read as follows:

100.03 DEFINITIONS.

1. "Developed property" means real property upon which a structure or impervious surface has been placed or constructed, thus increasing the amount of rainwater or surface water runoff.
2. "Director" means the Planning Director or his/her designee.
3. "Dwelling unit" shares the same definition as set forth in Chapter 167.01.
4. "Equivalent residential unit" (ERU) means the average impervious area of residential developed property per dwelling unit located within the City, as periodically determined and established as provided in this chapter.
5. "ERU rate" means the dollar value periodically determined and assigned to each ERU as a fee for storm water management services, and expressed as \$x.xx per ERU.
6. "Exempt property" means any city-owned property, including but not limited to public streets, alleys and sidewalks, buildings, and parks.
7. "Impervious area" means the number of square feet of hard-surfaced areas which either prevent or slow the entry of water into the soil mantle as it enters under natural conditions for undeveloped property, and/or causes water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions for undeveloped property, including but not limited to roofs, roof extensions, patios, porches, driveways, pavement, gravel, and athletic courts.
8. "Nonresidential property" means any property developed for commercial, industrial, governmental or institutional use, including but not limited to churches, hospitals, parking lots and mixed use properties incorporating residential uses.
9. "Storm Water Drainage System" means the system of publicly or privately owned or operated rivers, creeks, ditches, drainage channels, pipes, basins, street gutters, and lakes within the City through which or into which storm water runoff, surface water or subsurface water is conveyed or deposited.
10. "Storm water management system utility" means the enterprise fund utility created by this chapter to operate, maintain and improve the system and for such other purposes as stated in this chapter.
11. "Storm water management system" means the existing storm water management facilities, storm water drainage system, and flood protection system of the City and all improvements thereto which by this chapter are constituted as the property and responsibility of the storm water management utility, to be operated as an enterprise fund to, among other things, conserve water, control discharges and flows necessitated by rainfall

events; and incorporate methods to collect, store, absorb, inhibit, treat, use or reuse water to prevent or reduce flooding, over-drainage, environmental degradation and water pollution or otherwise affect the quality or quantity of discharge from such system, and programs directly supporting those purposes.

12. "Undeveloped property" means any real property that has no impervious area.
13. "User" means any person owning, operating or otherwise responsible for property within the City, which directly or indirectly discharges storm water or subsurface waters to any portion of the storm water management system, including direct or indirect discharges to the City's storm water drainage system, or which is directly or indirectly protected by the City's flood protection system or storm water drainage system.

SECTION 4. AMENDMENT. Chapter 100.04 of the North Liberty Code of Ordinances is amended to read as follows:

100.04 STORM WATER UTILITY FEE.

1. Fee Established. There is hereby established a storm water utility fee. Except as otherwise provided, every user owning or occupying property that is not exempt property in the City of North Liberty shall pay to the city a storm water utility fee as determined in this Chapter.
2. Equivalent Residential Unit (ERU) Established. For the purposes of this chapter, one ERU is equivalent to three thousand five hundred (3,500) square feet of impervious area.
3. ERU Rate Established. The storm water utility fee rate is \$3.00 per ERU for the 2024 calendar year, increasing to \$4.00 per ERU beginning January 1, 2025.
4. Monthly Fees Imposed. The fees under this chapter shall be collected by imposing a monthly charge on each dwelling unit within the district.
 - a. Residential users. Storm water utility fees for residential users are based on the nature of the premises served, as determined by the allocations set forth below on Table 100.03-1. Dwelling types listed in Table 100.03-1 share the same definitions established for each under Chapter 168.07 of this Code of Ordinances.

Table 100.03-1 Residential Storm Water Utility Fee Allocations

Dwelling type	ERU Allocation	Monthly Rate Effective January 1, 2024	Monthly Rate Effective January 1, 2025
Single-Unit, Two-Unit & Townhomes	1.00 ERU per dwelling unit	\$3.00	\$4.00
Multi-Unit & Manufactured homes	0.75 ERU per dwelling unit	\$2.50	\$3.00
Mixed Use Residential	0.625 ERU per dwelling unit	\$2.25	\$2.50

- b. Nonresidential users. Nonresidential fees are determined by the actual impervious area of the premises served. Each nonresidential user is charged at the base rate of one ERU for each parcel containing up to one ERU of impervious area, plus an additional fee for each subsequent ERU of impervious area beyond the first on each such parcel, as set forth below in Table 100.03-2.

Table 100.03-2 Nonresidential Storm Water Utility Fee Allocations				
Use type	Base Rate	Additional Fee Effective January 1, 2024	Additional Fee Effective January 1, 2025	Additional Fee Effective January 1, 2026
Commercial and Industrial	1.00 ERU per user	\$0.33 per user for each additional ERU of impervious area	\$0.66 per user for each additional ERU of impervious area	\$1.00 per user for each additional ERU of impervious area

5. Billing for Storm Water Utility Fees. All storm water utility fees are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section [92.04](#) of this Code of Ordinances. Water service may be discontinued in accordance with the provisions contained in Section [92.05](#) if the combined service account becomes delinquent, and the provisions contained in Section [92.08](#) relating to lien notices shall also apply in the event of a delinquent account.

SECTION 5. AMENDMENT. Chapter 100.06 of the North Liberty Code of Ordinances is amended to read as follows:

100.06 APPEALS.

1. An owner or occupant of a townhome, multi-unit residential property or mixed-use residential property aggrieved by the initial or any subsequent calculation of the number of dwelling units upon or in such property, calculation of the storm water utility fee, or allocation of such fee among the occupants, may appeal such calculations and allocation to the City. Upon such appeal, the storm water utility fee for such property may be recalculated

utilizing information supplied by the appealing owner or occupant, provided such information is verified as correct by the director.

2. An owner or occupant of nonresidential property aggrieved by the initial or any subsequent determination of the total impervious area of such property, calculation of storm water utility fee for such property, or allocation of such fee among the occupants, may appeal such calculations and allocation to the director. Upon such appeal, the storm water utility fee for such property may be recalculated utilizing information supplied by the appealing owner or occupant, provided such information is verified by the director.
3. Any adjustment of the storm water utility fee resulting from such appeal shall be retroactive to the date the appeal was filed.
4. Appeals by the owners or occupants of property subject to the storm water utility fee shall include a statement of the number of dwelling units, total property area, and/or total impervious area, as appropriate for the particular grounds for appeal. Such information may be shown on the storm water utility reporting forms or on appeal forms, and may be accompanied by plats, county assessor's records, or survey data. The director may request additional information from the appealing party. Based upon the information provided by the utility and appealing party, the director shall make a final calculation of the storm water utility fee. The director shall notify the appealing party, in writing, of the director's decision within ninety (90) days after receipt of the appeal. If still aggrieved, a party may request, in writing, a review by the City Administrator of the director's decision. Such request must be filed with the City Clerk within thirty (30) days after the director's decision, shall cite the specific error by the director, and shall include the calculation of the storm water utility fee which the appealing party believes to be correct. The City Administrator shall review the record presented and render a written decision within thirty (30) days after receipt of the request for review. The City Administrator may request additional information from the director or the appealing party. Any property owner aggrieved by the decision of the City Administrator may appeal to the County district court by action filed within thirty (30) days of the mailing of the ruling of the City Administrator to the address of the property owner, occupant or occupant organization as shown on the review request or on the records of the City with respect to the appeal. The filing of an appeal shall not excuse the payment of the storm water utility fee when due. However, the City shall refund any portion of the fee paid subsequent to the filing of an appeal which is adjudged to be excessive, with interest at the rate provided by law.

SECTION 6. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 7. 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 8. 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 9. 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



Additional Information



To **Mayor and City Council**
CC **City Administrator**
From **Tom Palmer, Building Official**
Date **11/3/2023**
Re **Monthly Report**

October Permits:

120 permits were issued in the month of October with an estimated construction value of 72.6 million dollars. Twenty-eight new housing permits were issued with an estimated construction value of 6 million dollars. Five new commercial permits were issued with an estimated value of 55.5 million dollars. The commercial projects are Steindler, Daimond Ridge warehouse, Kwik Trip and Bowldogs. Staff completed 227 inspections in the month of October.

Rental/Code Compliance Cases:

Eight rental permit applications were received in October. Two code compliance cases were processed in October.

Emory Place:

Framing is nearing completion of the first of three buildings to be erected.





October Permit Tally Reprt

Request Type		Construction Value	Total Fees
Group: MEP			
		\$5,831.00	\$0.00
			Group Total: 1
Group: Accessory Structure			
		\$73,192.00	\$904.75
			Group Total: 4
Group: Commercial Alteration			
		\$7,355.00	\$144.22
			Group Total: 1
Group: Construction Site Plan Review			
		\$0.00	\$0.00
			Group Total: 7
Group: Construction Site Runoff			
		\$0.00	\$150.00
			Group Total: 2
Group: Deck			
		\$266,182.00	\$2,849.06
			Group Total: 8
Group: Demolition			
		\$0.00	\$25.00
			Group Total: 1
Group: Driveway			
		\$1,500.00	\$0.00
			Group Total: 1
Group: Excavating & Grading			
		\$0.00	\$23.50
			Group Total: 1
Group: Fence			
		\$33,730.00	\$225.00
			Group Total: 9
Group: Fire Alarm & Detection Equipment			
		\$17,844.71	\$0.00
			Group Total: 4
Group: Fire Protection System			
		\$4,500.00	\$0.00
			Group Total: 1
Group: FOG			
		\$0.00	\$0.00

Group Total: 1

Group: Industrial Addition

		\$72,000.00	\$797.75
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Group Total: 1

Group: Mechanical Electrical Plumbing (MEP)

		\$59,244.00	\$547.19
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Group Total: 7

Group: New Commercial

		\$55,500,000.00	\$223,467.02
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Group Total: 4

Group: New Single Family Dwelling

		\$1,820,348.00	\$15,298.45
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Group Total: 4

Group: New Townhouse

		\$4,680,000.00	\$55,530.00
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Group Total: 24

Group: Patio

		\$0.00	\$0.00
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Group Total: 1

Group: Permanent Sign

		\$56,000.00	\$100.00
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Group Total: 2

Group: Pool

		\$4,000.00	\$97.25
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Group Total: 1

Group: Rental

		\$0.00	\$950.00
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Group Total: 8

Group: Residential Addition

		\$45,000.00	\$593.25
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Group Total: 1

Group: Residential Alteration

		\$321,539.37	\$4,252.47
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Group Total: 13

Group: Right of Way

		\$14,000.00	\$144.25
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Group Total: 3

Group: Sign

		\$80,379.00	\$100.00
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Group Total: 2

Group: Stormwater Quality Grant

		\$0.00	\$0.00
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October Permit Tally Reprt

Group Total: 3

Group: Subdivision

		\$0.00	\$2,924.00
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Group Total: 2

Group: Swimming pools, spas and hot tubs

		\$3,500.00	\$90.25
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Group Total: 1

Group: Temporary Use

		\$9,600,000.00	\$0.00
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Group Total: 1

Group: Zoning Certificate

		\$0.00	\$25.00
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Group Total: 1

		\$72,666,145.00	\$223,611.05
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Total Records: 120



Permit Summary Report Inspection Type

Schedule Date 01/01/2023 TO 10/31/2023

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Row Total
Inspection request	7	2	12	25	42	42	26	41	45	30	0	0	272
Re-inspection	30	28	38	57	37	28	34	27	42	50	0	0	371
1st SWPPP	1	4	4	9	0	3	1	14	3	4	0	0	43
Above Suspended Ceiling	0	1	0	0	3	1	0	0	1	1	0	0	7
Backflow Preventer	0	0	0	0	0	0	0	1	1	2	0	0	4
Building Sewer	0	0	1	2	4	0	0	2	4	3	0	0	16
Commercial Final	0	0	1	1	2	6	0	1	2	0	0	0	13
Commercial Rough-In	1	1	1	1	1	2	3	0	2	0	0	0	12
Commercial Water Service	0	0	0	0	2	0	0	1	0	0	0	0	3
Deck, Porch, Sunroom Footings	6	2	7	5	6	13	9	11	25	13	0	0	97
Final	12	10	14	8	15	30	19	30	20	13	0	0	171
Fire - Aboveground Storage Tank for Motor Vehicle Fuel Dispensing	0	0	0	0	0	0	0	1	0	0	0	0	1
Fire - Automatic Sprinkler System	6	0	1	2	3	2	1	0	1	0	0	0	16
Fire - Automatic Sprinkler System - Preconcealment	0	0	0	0	0	0	1	0	0	1	0	0	2
Fire - Compressed Gas Detection	0	0	0	0	2	0	0	0	0	0	0	0	2
Fire - Fire Alarm Installation	0	0	1	3	3	2	1	0	2	0	0	0	12
Fire - Fire Alarm Installation (Rough-In)	0	0	0	0	0	0	2	0	0	2	0	0	4
Fire - Fire Dept. Acceptance	0	0	2	2	3	3	1	0	2	0	0	0	13
Fire - Kitchen Hood Suppression System Installation	0	0	0	0	0	2	0	0	0	0	0	0	2
Fire - Retail Sales of Fireworks	0	0	0	0	0	1	0	0	0	0	0	0	1
Fire - Smoke Alarms (Rough-In)	0	0	0	0	0	0	1	0	0	0	0	0	1
Footings/Slabs	5	6	11	14	5	9	10	20	14	6	0	0	100
Foundation Dampproofing	0	1	3	2	6	5	3	6	5	5	0	0	36
Foundation Wall	2	3	6	6	5	7	6	14	12	4	0	0	65
Framing	2	1	0	0	0	0	3	1	0	1	0	0	8
Gas Piping	0	0	0	1	0	0	0	0	0	0	0	0	1
Gas service release	17	10	14	6	17	3	3	6	20	21	0	0	117
Grading	3	3	2	11	10	6	9	2	2	6	0	0	54
Manufactured Home	0	6	2	2	2	4	0	2	1	0	0	0	19
Meeting	0	0	2	2	3	2	0	2	2	2	0	0	15
Notice of Termination CSR	5	2	3	2	12	0	11	4	4	5	0	0	48
Other	2	1	2	4	0	1	4	2	1	0	0	0	17
Permanent Electric Service Release	5	8	19	13	16	12	2	19	13	22	0	0	129
Plumbing below slab	3	3	6	5	9	9	3	18	15	4	0	0	75
Pool Final (residential)	0	0	0	0	0	0	0	0	0	1	0	0	1
Rental	16	77	103	60	22	20	5	10	5	13	0	0	331
Residential final (New Construction)	16	13	20	21	6	0	19	6	8	7	0	0	116
Residential Photovoltaic (PV) Solar System	1	1	7	2	1	2	2	1	1	2	0	0	20
Residential Rough-in (New Construction)	10	6	11	9	12	13	1	11	11	11	0	0	95
Residential Sewer Service	1	3	11	4	4	8	2	21	4	5	0	0	63
Residential Water Service	1	2	10	2	8	7	2	27	8	5	0	0	72
Rough-in	4	2	2	2	4	6	4	6	3	7	0	0	40
Sanitary Sewers	0	0	1	0	0	0	0	0	0	0	0	0	1
Sidewalk Release	5	5	3	9	5	0	12	4	5	5	0	0	53
Sump Pump Discharge Line	0	0	6	20	5	6	1	7	10	4	0	0	59
Temporary Electric Service	3	0	7	5	4	8	4	8	14	7	0	0	60
Water Heater	0	0	1	0	0	2	3	2	0	3	0	0	11
Water Main and Appurtenance	0	0	0	2	1	0	0	0	1	0	0	0	4
Witness air pressure test and piping inspection	17	10	12	12	18	11	5	15	13	12	0	0	125
Totals:	181	211	346	331	298	276	213	343	322	277	0	0	2798



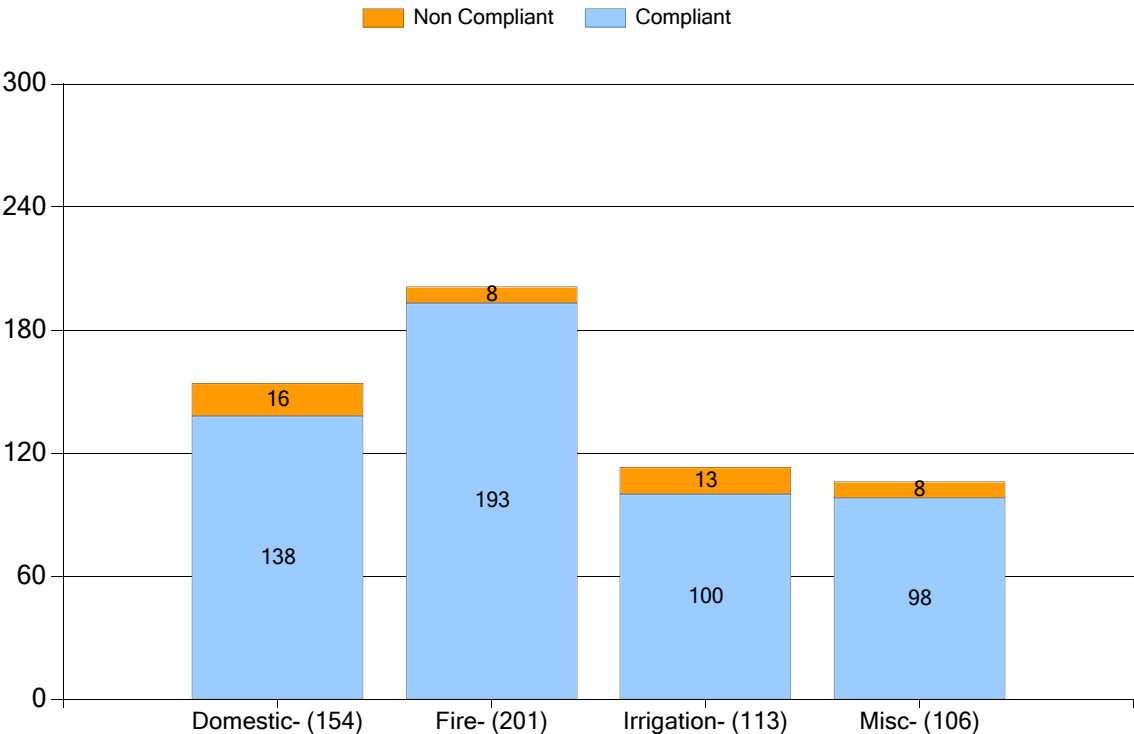
Certificate of Occupancy October Report

Applicant	Parcel Address	Project Description	Permit Type
Amy Dupont	1225 Ogden Ln	Black Chain-link Fence Installation	Zoning
Annmarie Baughman	725 N Highway 965	Aldi (2) 9'5- 1/2"x7"11-1/8" Flex-Face Illum'd wall signs. (2) d/f	Zoning
Malik Ghannam	765 Clark Ave	Zero lot, townhouse	Zoning
Christopher Stoakes	255 Hackberry St	20'x20' concrete patio with pergola	Zoning
Kimberley Rocca	1855 Alderwood Rd	4' Black vinyl chain link fence in backyard.	Zoning
David Schmitt	225 S Stewart St	Placement of a fence in our backyard.	Zoning
Marco Padilla Gomez	10 Holiday Lodge Road	2023 Rental Permit	Residential Rental
Stephanie Moore	80 Vixen Cir	residential chain link fence (4 ft)	Zoning
Aaron & Jennifer Terwilleger	1010 Maple St	2024 Rental Permit	Residential Rental
Sharon Ho	40 ZELLER XING # 205	2023 Rental Permit	Residential Rental
Stephanie Mueller; Alter - Haus of Hue	595 Ashley Ct Ste 6	Hair Salon	Zoning
Nathan Lenning	325 Sunset Pl	Concrete patio in backyard.	Zoning
Ryan D Drey	1190 Ogden Ln	Putting a fence up in our back yard and hooking up to the neighbors.	Zoning
Randy Huling	1667 Aspen Ct	2023 Rental Permit	Residential Rental
Scott Cooley	295 Radcliffe Dr	2023 Rental Permit	Residential Rental
STRETCH ZONE	650 W Cherry St Ste 6	INTALL QTY.1 CHANNEL LETTERSET, REFACE EXISTING GROUND SIGN	Zoning
Steve Fisher - Complete Transformation Construction	1545 Cedar Springs Dr	4 seasons room	Building
Grand Rail Development	1750 Jordan St	Updating MedSpa classification to 'Ambulatory'	Building
Legacy GreenBuilders	1215 OSAGE LN	New Single Family Dwelling	Building

Brian Shay - MLS Custom Homes	415 N JUNIPER ST	New SFD	Building
Dahnovan Builders LLC	1669 Aspen Ct	new townhome	Building
Brandon Platts	1165 Salm Dr	New Build	Building
APS Construction	240 N Front St	new addition and garage	Building
Paul Scallon	1267 Berkshire Ln	Building 0 Lot Lines	Building
Paul Scallon	1265 Berkshire Ln	Building 0 Lot Lines	Building
Sushant Sengupta	955 236th St	18' by 62' Warehouse Addition	Building
K&A Homes	1225 Salm Dr	Single family new home construction	Building
Tom Litterer	1535 Franklin St	Add Deck/ Sunroom above current patio	Building
Daniel Spilde	1120 Ivy Ln	2023 Rental Permit	Residential Rental
Ryan Abraham-Dahnovan Builders	1650 Linden Lane	New 16 x 18 porch with easy breeze windows and 16 x 8 deck.	Building

Total Records: 30

Breakdown of Backflow Preventer Compliance



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



To **Mayor and City Council**
CC **City Administrator Ryan Heiar**
From **Community Relations Director Nick Bergus**
Date **Nov. 6, 2023**
Re **Community Relations Staff Report**

Beat the Bitter

Our annual winter festival will return in January and February with games and good cheer to get North Libertarians out of the house. Events on the calendar include the core offerings of North Liberty Lights, 5K-ish Glow Run, Fire & Ice with ice sculptures and fireworks and the Snuggie Crawl. Additional community events that will happen during the festival, including BSA Chili Supper, Sip & Stroll, StoryWalk, the seasonal ice rink and Ice Fishing with TAKO, with others to be added in the coming weeks. We expect tickets to go on sale for the Snuggie Crawl and 5K-ish Glow Run to go on sale the week of Thanksgiving. The schedule is at beatthebitter.com.

City Slate

The City Slate included one event with two sessions in October: Halloween Moonlight Walk (held Oct. 20 after a weather delay from Oct. 13). The event has been held in years past and was enhanced this year with additions of the best and favorite parts of the Library's Trunk or Treat and the Recreation Department's Haunted Happenings, which were not held due to staffing and financial constraints. With good weather, we saw more than 1,500 attendees across the day and evening sessions.

The team also planned for the Golden Turkey Hunt, a citywide search for a hidden medallion worth prizes each Tuesday, and Tours & Treats for the 110th, a birthday party with cake and ice cream as an excuse for tours of the under-construction City Hall, on Nov. 10, and well as getting ready for Breakfast with Santa on Dec. 2.

Building North Liberty's Next Stage

Work continued on design and fundraising for this project with large gifts from Linn County REC, the Community Foundation of Johnson County and a to-be-announced family. We prepared a letter that will be sent to previous Community Center donors in early November with printing and stuffing donated by Alphagraphics. We have a number of grants currently under consideration and are working to push hard in the year end.

Staffing

We spent October preparing to hire an Event Assistant. In addition to producing City Slate programs and being part of other programming teams, the position will be vital to being prepared for the opening of the Centennial Center by preparing policies, marketing the space, planning a first season of events and supporting other staff to help us build capacity. We had more than 50 applicants for the role with a wide variety of experiences. We interviewed six candidates with the help of Recreation, Library and Englert staff and look forward to having someone start the last week in November.

Sponsorship Drive

Jillian continued to meet with previous sponsors and other community supporters to secure sponsorships for an array of community initiatives, including Blues & BBQ, Beat the Bitter, City Slate and more.

Other Items

Staff volunteered with the North Liberty Community Pantry, Englert Theatre, Bike Iowa City, Johnson County Successful Aging Policy Board, United Action for Youth and worked with other local initiatives and non-profits.

Staff facilitated North Liberty Youth Council and Neighborhood Ambassador meetings.

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.

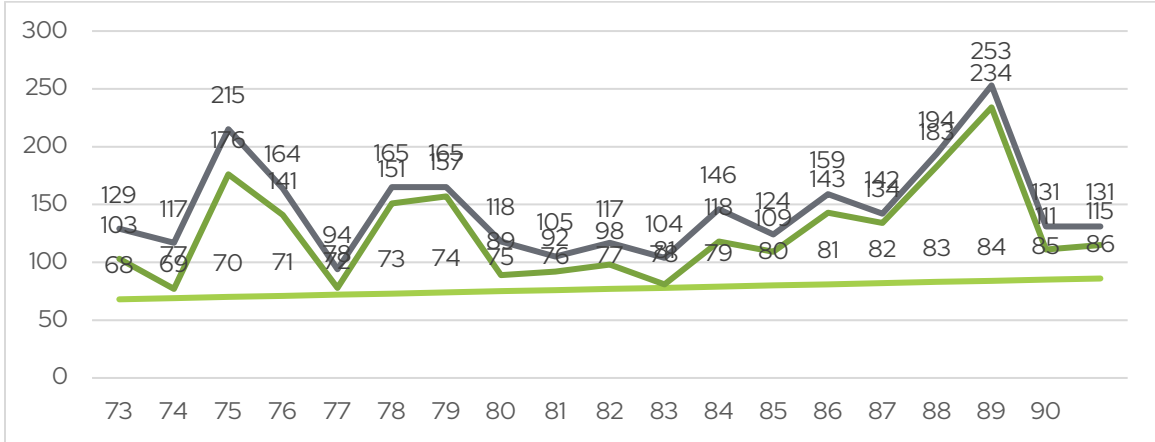
We posted news releases about City Slate events, Centennial Park support, snow procedures, energy audits, trash and more.

Completed Videos

Title	Requested By	Completed	Duration
Council Candidate: Leibold	Community Relations	Oct. 9	0:04
Council Candidate: Mbanza	Community Relations	Oct. 9	0:04
Council Candidate: Park	Community Relations	Oct. 9	0:04
Council Candidate: Smith	Community Relations	Oct. 9	0:04
City Council	Administration	Oct. 10	0:41
Tree & Storm Water	Administration	Oct. 11	0:31
Library Board of Trustees	Administration	Oct. 23	0:56
City Council	Administration	Oct. 24	0:15
Total completed productions: 8	Duration of new video: 2.65 hours		

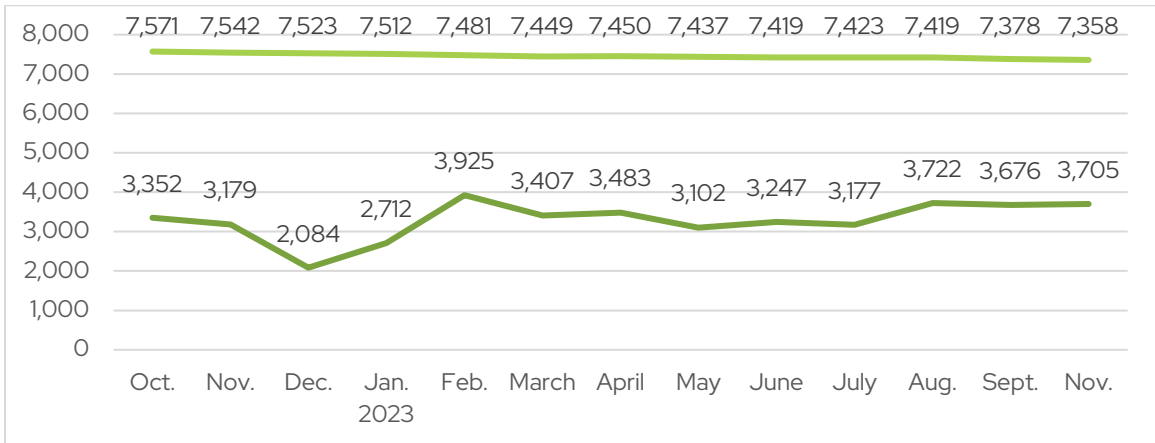
52317 Podcast

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.

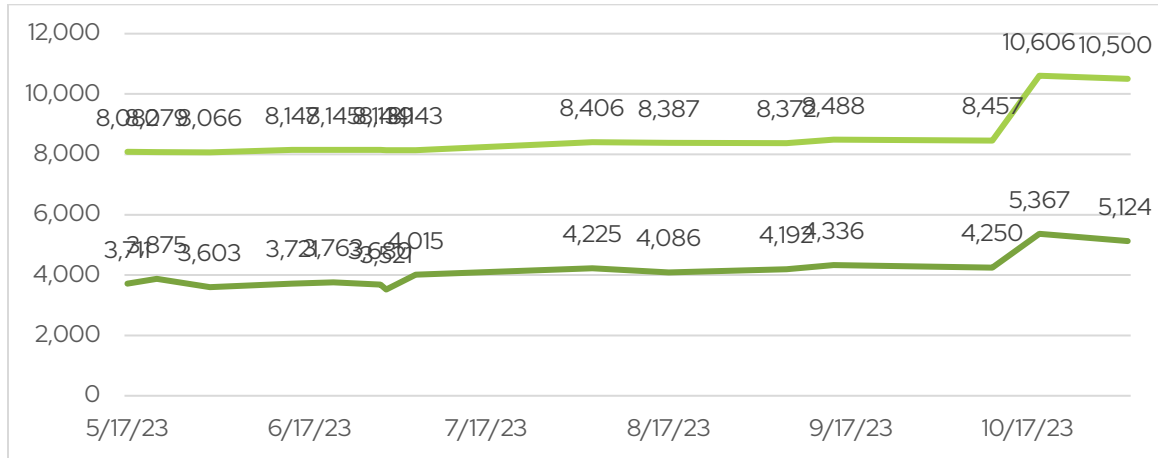
North Liberty Bulletin Email Newsletters



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.

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.

Social Media

Month	Facebook		Instagram	Nextdoor
	New follows	Reach	Followers	Members
Oct	5104	63,718	3,182	6,206
Sept	112	82,206	3,145	6,151
Aug	78	94,400	3,129	6,087
July	113	88,157	3,097	6,058
June	208	220,786	3,063	6,026
May	195	102,109	3,035	5,999
April	144	118,294	2,994	5,945
March	92	41,370	2,977	5,937
Feb	110	49,514	2,952	5,916
Jan 2023	59	46,763	2,919	5,890
Dec	54	25,825	2,890	5,847
Nov	64	35,617	2,862	5,807
Oct	91	25,561	2,840	5,789

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. **Instagram followers** is the number of users following 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.

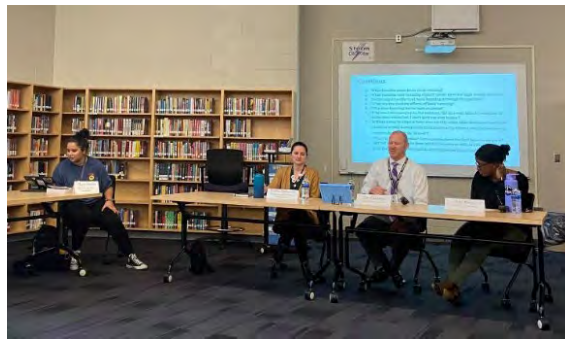


TO: Ryan Heiar, City Administrator and City Council
FROM: Jennie Garner, Library Director
DATE: Nov 1, 2023
SUBJECT: Monthly Library Report

Library News

The library was awarded a \$1200 Theisen's More for Your Community grant to offer a series of conversational English classes for language learners. This has been a consistent request from our community. Our adult services librarian, Nick, wrote the following on the grant application: Through Census Data, over 8,600 people in our report speaking English "less than very well," making communication with others - including employers, doctors, government officials, and teachers - difficult and less effective. One of the most effective ways to learn a language is to be immersed in it, gaining experience through use. To provide this, the library will contract with a teacher/host to provide 10 months of weekly conversational meetings to practice speaking and hearing English. While the primary goal is language education, providing for this need also helps ensure attendees can navigate other needs such as food, shelter, safety, and health.

Outreach, education, and community engagement are big parts of library work. Youth Services Librarian, Kayla, was invited to sit on a Banned Books panel at Liberty High School last month and had the opportunity to answer questions and engage with about 20 teens about intellectual freedom and censorship.



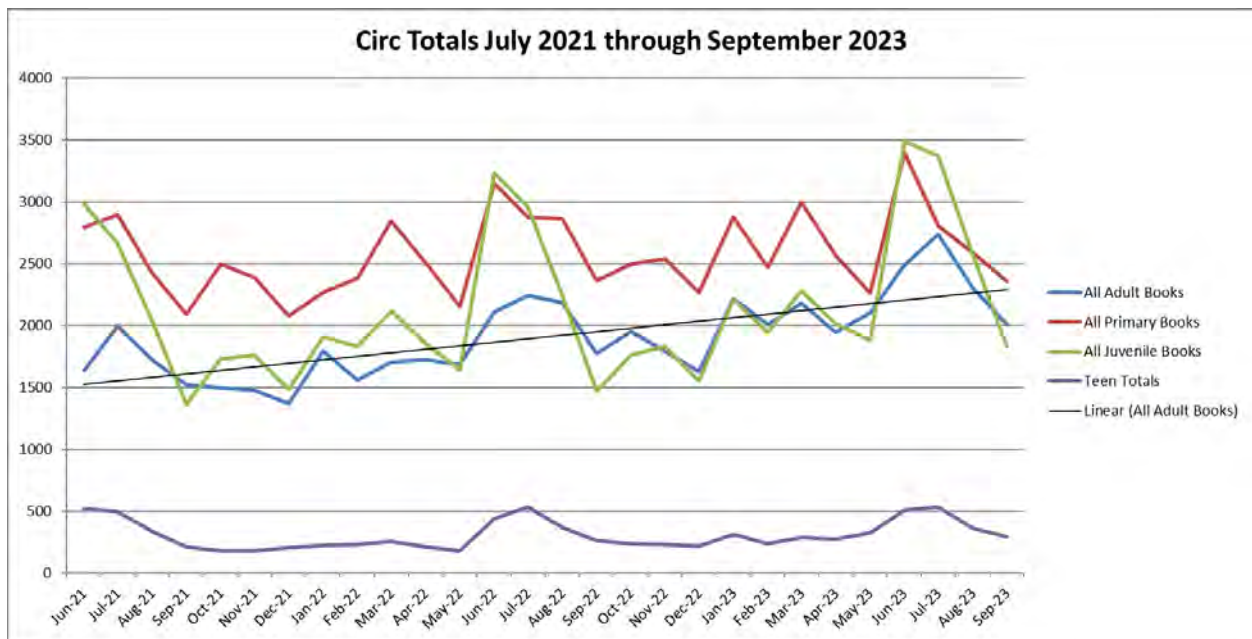
The Gazette spotlighted a Music Together early literacy program we hosted in October at the library and got some great [photos](#). Early literacy builds school readiness and child development.

NOTE: The Public Libraries of Johnson County are hosting our **Annual Legislative Reception** on November 30 at 5:30pm. We'd love to invite all of you to join us to learn more about library services and issues impacting libraries. You'll be getting an email invitation. We hope to see you there!

Circulation in comparison with the last four years is doing well and basically on trend for recovery to pre-pandemic numbers. It's interesting that we don't see huge surges of circulation in the fall when there are a lot of new books being published by established authors. Surges in adult circulation tend to be in January when there are New Years Resolutions, cabin fever, and holiday stress being over driving people to the library along with summer surges. Charts below show uses of specific genres in the collection.

Also interesting is that use of the physical collection continues to increase steadily and we've seen slight decreases in eBooks and eAudios which have been growing rapidly in the last decade.

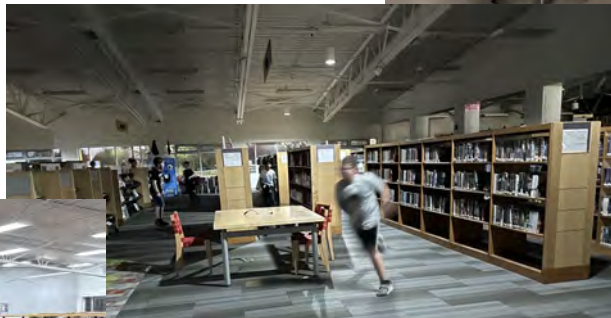
This chart shows trends in circulation of our physical collection for the four main age groups. Our typical slowing of circulation in September when school and activities ramp up is not as pronounced as in previous years.



Scroll for more program highlights.



Library staff helped with the Annual Moonlight Walk City Slate event (formerly :Library hosted Trunk of Treat)



Over 40 T(w)eens had the library to themselves for a T(w)een Lockin in October. Games, snacks, and community.

Below: Iowa Weather cooperated for Spooky Rockets, an outdoor T(w)een program.





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

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

Date **November 1, 2023**

Re **Monthly Report**

We performed various building maintenance tasks as needed this month.

We maintained equipment as needed this month by performing preventative maintenance, repairing mowing, trimming, and landscaping equipment.

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

Our sports field maintenance team continues to provide weekly soccer field maintenance. Soccer games continue but will be over soon.

Parks staff mowed and trimmed our parks and grounds as needed. Mowing is now nearing the end. We have aerated and fertilized all high use turfgrass areas. We finished fall native prairie mowing for the season.

We graded and seeded the expanded berm at Red Fern Dog Park. The seed is beginning to show some signs of growth.

We continue to water all new plants and trees as needed as well as older landscaping areas that require more frequent watering.

We continue to remove dead or declining trees and performed our annual fall tree pruning in our parks. This is the best time of year to prune trees because they are dormant for the season. We will continue pruning as time/weather permits.

The Penn Meadows Park splash pad and all park restrooms have been winterized for the season.

Liberty Centre irrigation and fountain have been winterized for the season.

The outdoor pool irrigation has been winterized for the season.

We have been grinding and leveling out uneven concrete trail and sidewalk lips to prevent trip hazards. We are nearing completion for the season.

Parks Staff attended the Aquatic, Forest, and Roadside Pest Management Re-Certification Applicator Class on October 18th at the Johnson County Extension Office. This is required annually to maintain our state pesticide and herbicide licenses.

Parks Staff assisted the IDNR Fishery Management team with the release of 2000 rainbow trout at Liberty Centre Pond on October 27th. The trout arrived from the state hatchery near Manchester, Iowa. The release of the trout will give anglers local fishing opportunities at Liberty Centre Pond this fall. All IDNR fishing regulations will be enforced. There were many anglers fishing the day of the trout release.

The entire pervious concrete walking trail at Cornerstone Park failed beyond repair and was deemed unsafe to use. Pervious concrete is no longer recommended due to the premature deterioration of the product. We received bids to tear out and replace everything with standard concrete. The work has now been completed and looks great. The Parks Department continues to backfill and grade the trail edges as time permits.

The Penn Meadows Park parking lot project is moving along well. Grading and landscaping are nearing completion. The first layer of asphalt is down on the original parking lot and now waiting for the second and final layer to be applied. The new parking lot paver installation is also underway.

The Parks Department planted new trees at the Community Center which was in part funded by the Mid-American *Trees Please* grant we received this past spring. We waited until fall to plant the trees due to the very dry summer conditions we had.

I attended multiple meetings with Shive Hattery this past month. City Admin building construction, Penn Meadows Park north Parking Lot Improvement Project, Centennial Park “Next Stage” building design planning and the Fox Run Park/Pond trail project scheduled to begin next year. I will be presenting playground options at the November Parks and Recreation Commission meeting for this area as well.

We continue to prepare for the demolition of the old Casey’s building. The asbestos and hazardous material survey came back negative, which is great and saved us a lot of time and abatement costs. We received bids from demolition contractors and awarded the bid to Lynch’s Excavating, INC out of West Branch. This will be the 4th identical Casey’s they have taken down so my hope is that it will go smoothly.



Soccer field maintenance.



Fall prairie mowing.



Red Fern Dog Park berm grading and seeding.



Tree removal continues.



Annual trail & sidewalk trip hazard grinding.



Applying fall turfgrass fertilizer.



DNR Trout stocking on October 21st.



Cornerstone Park concrete trail removal and replacement.



Cornerstone Park concrete trail removal and replacement.



Penn Meadows Park Parking Lot Project preparing for asphalt.



Penn Meadows Park Parking Lot Project landscaping progress.



Mid-American *Trees Please* grant tree planting at the Community Center.



Old Casey's Building and Shive Hattery completing the asbestos and hazardous material survey.



Fox Run Park/Pond Playground option 1. (Multiple color options available)



Fox Run Park/Pond Playground option 2. (Multiple color options available)



Fox Run Park/Pond Playground option 3. (Multiple color options available)





North Liberty Police Monthly Report October 2023

Training:

- Members attended monthly Canine, Tactical Team, and Honor Guard Training. (56 hours)
- All officers completed fall and night firearms qualifications and training. (184 hours)
- Two officers became certified MRAP drivers. They will be placed on an on-call list for when the MRAP is deployed in the county. We currently have one other certified driver. (48 hours)
- All officers completed target solutions training on safe vehicle approaches and how to avoid complacency (23 hours)
- An investigator attended online training for exposing, investigating, and prosecuting scam artists. (3 hours)
- A records clerk attended the Iowa Police Chief's Administrators conference in Polk County (8 hours)
- A Firearms instructor attended rifle recertification (8 hours)
- Three Supervisors completed online management training on discipline, 80F, and problem employees presented by ICAP. This training is available to all officers in Iowa. (6 hours)

Traffic Contacts	311
Parking Contacts	64
Vehicle Inspections	11
Vehicle Unlocks	13
Crash Investigations	22
Public Assists	385
Assist other Agency	136
Crimes Against Persons Report	8
Crimes Against Property Report	16
Other Reports	26
Arrests	23
Warrants	4
Alcohol/Narcotics Charges	12
Crimes Against Persons Charges	2
Crimes Against Property Charges	2
Other Charges	9
Animal Calls	50
Total Calls for Service	1874
*Total Calls for Service for the year	21756

Public Relations:

- Our community outreach officer, Jordan Gallagher, Investigations Admin Lieutenant Rueben Ross and Chief worked the day shift of the Halloween moonlight walk. Officers Liz Monroe and Jeff McVey represent NLPD during the night shift. The turnout was so strong that we ended up having to pick up more candy!



- Troon Court hosted a Halloween block party and invited officers to the event.



- CSO Gallagher participated in trunk or treating events at Anderson Tae Kwon Do and Collins Community Union.
- Several officers presented active shooter training to South Slope and North Central Junior High.
- We participated in the bi-annual DEA Drug Take Back on Saturday, October 28th. We received and turned over 93 pounds of narcotics to the DEA for proper disposal. This is a national event to properly remove unused or expired medications from homes in the community.

Equipment:

- We are trying out AT&T and T-Mobile modems and cell phones. We have experienced calls and data dropping when using our current provider's equipment in town and when assisting with events out of our jurisdiction. It is important for us to have consistent means of communication and access to data when on calls.
- We are working on replacing the speaker in our vestibule that is used to call dispatch after hours. We continue to hear complaints from dispatch about them not being able to understand the individuals on the line. It is often described as someone talking through a tin can. IT will replace the speaker with a wall phone which should take care of the echo.
- The Patrol Lieutenant and IT are working on fixing the audio issue in one of our interview rooms by replacing the microphone to avoid fan feedback in the recording.

Enforcement/Crime:

- Investigations and officers responded to a shots fired incident at Vandello and Sadler. It appears vehicles were shooting at each other which caused damage to four residences. Several neighbors provided security camera footage to try to identify the vehicles/suspects. This is still under investigation.
- Six vehicles at a fitness center, daycare and school were entered or broken into, and purses/bags were stolen. This crime of opportunity has been happening around the area and we have reminded people not to keep these items visible in the front or back seat.
- 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 \(jecc-ema.org\)](#) or you can visit the crime map at [LexisNexis® Community Crime Map](#) and type in North Liberty.

Department Admin:

- Chief worked on budgeting for FY25 for the police department and the new animal control position.
- Meet with wireless providers for what their service and devices can provide for NL.
- Attended the Chief's meeting with the County Attorney's office and ILEA academy council.
- Command staff attended a mini training session on SharePoint to try to consolidate Teams, file folders and the SharePoint documents to one site for the department.



To **Park & Recreation Commission Board Members**
CC **Mayor, City Council, City Administrator**
From **Shelly Simpson**
Date **October 31, 2023**
Re **Monthly Report – October 2023**

In October, Rec Staff are busy with special events including Pumpkin Painting/Carving, the Moonlight Walk and Floating Pumpkin Patch. As the weather turns colder, more patrons will be coming inside the facility. The indoor pool re-opened on October 11. Our pool patrons are extremely happy to return. Rec staff works on planning programs for the WS Activity Guide and registration begins Dec 4.

Upcoming Events:

Nov: Golden Turkey Hunt
Nov 8: Turkey Hoop Shoot
Nov/Dec: Elf on the Shelf
Dec 2: Vendor Fair & Breakfast With Santa
Dec 11-23: Santa's Workshop

Recdesk Database:

Reviewing our Recdesk database; we have 13,537 residents (60%) and 8,904 non-residents (40%) totaling 22,441 individuals. Increase of 208 from last month.

Aqua Programs:

Aqua classes resumed the Week of Oct 16; including Aqua Boot Camp, Aqua Aerobics & Toning, Water Resistance, easy Does it and Arthritis Aqua - 79 registered, plus drop-ins. Aqua Program revenues totaled \$916.

Swim Lessons:

Swim lessons resumed Week of Oct 16; 248 in group lessons, 39 in private and 4 adults. Rec Swim Team had 12 participants. Swim lesson revenues totaled \$437.25.

Leagues/Sports:

Many sport leagues continued or started this month.
Supreme Leagues continued this month.
Adult Basketball (8 teams) and Co-ed Volleyball (6 teams) continue with games.
Pee Wee Soccer has 57 participants.
Pickleball Lessons continued with 7 participants.
Youth Competitive Leagues began. Gr. 4 – 8 teams; Gr.5 – 6 teams; Gr. 6 – 8 teams
Sport/Leagues Revenues totaled \$-0-.

Recsters BASP Program:

BASP AM – 17 participants, PM – 49 participants
All Day (Oct 13 - 21 participants, Oct 16 – 21 participants.
Before & After School revenues this month totaled \$17,925.

Classes/Programs:

Various fitness classes continue such as Body Blast, Yoga, Juijitsu, Total Body Sculpt and Zumba.
- 22 registered, plus drop-ins.

Tippi Toes Dance classes resumed with 61 dancers.

Senior Connections Lunches served 120 meals for the month: averaging 30 per date.

Club24 began on Monday AM serving 27 participants for the month: averaging 5 per date.

Special Events included - Pumpkin Carving/Painting – 27 participants, Floating Pumpkin Patch – Age 1-5: 60 participants, Ages 6-10: 75 participants – totaling 135 participants.

Moonlight Walk offered two sessions: one during the day and one at night. Both were very popular to the point we may have to go for two evenings in the future.

Classes/Programs revenue totaled \$16,673.75.

Pools: This month, Season Pool Pass revenues totaled \$2,399; Daily Pool Fees totaled \$530; Pool Rentals totaled \$1,125, and Concessions revenues totaled \$-0-

Weight & Exercise Area / Track:

Weight fee revenues totaled \$14,419.17; Split membership revenues totaled \$2,695.

We had 2,951 active memberships for the month.

We had 956 point of sale transactions for the month.

Gymnasiums:

Gymnasium Rental revenues totaled \$2,140.

Rentals:

Community Center Rental revenues totaled \$2,893.33; Shelter rental revenues totaled \$55;

Field Rental/Tennis Courts revenues totaled \$1,941.25.

Revenues:

Revenues for this month totaled \$63,771.75.

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 **November 1, 2023**
Re **Street Department Staff Monthly Report for October**

The following items took place in the month of **October** that involved the Street Department.

- Locating of all City utilities (258 job tickets) ongoing
 - a. This is a decrease of 31% from October 2022
- Continued animal control services (14 responses to animal issues)
- Cemetery plot locates (0 in total)
- Projects/Meetings
 - a. W Penn Street reconstruct (west of I380)
 - i. Continued design work and collaboration with Johnson Co Secondary Roads
 - ii. Staff hydro-excavated various private utilities to aid Shive-Hattery with design
 - b. New Subdivision Review
 - i. Construction plan review and evaluation by staff for new projects
 - ii. Water Tower Place subdivision walk-through to determine remaining punch list items
 - c. Street Department Building Project
 - i. Design currently at 95%
 - ii. Continued design meetings with Shive-Hattery
 - d. I380/Penn St Bridge
 - i. Continued meetings with IDOT, Shive-Hattery, and city staff for design and traffic impacts
 - e. W Forevergreen/S Kansas/S Jones Traffic Signal Project
 - i. Design currently at 95%
 - ii. Working with Shive-Hattery and University of Iowa on collaboration for fiber optical network sharing to reduce costs and benefit all users
- Staff conducted monthly safety inspections for all street equipment and buildings
 - a. Annual air monitoring sensors calibrated and tested in all buildings
- Monthly warning siren testing in all 8 locations
- Various street sign repairs and new installs
 - a. Radar feed back sign off S Jones Blvd repaired and operational again
- Service of various pieces of equipment
- Staff participated in Halloween Moonlight Walk at Liberty Pond for residents and children

- Training
 - a. Water license CEU training by IRWA on Emergency Water Supply exercise for Street Superintendent
- Construction of traffic signals and structures at W Penn St/Saratoga Pl/Country Ln intersection has started and continue
- Streets
 - a. Crews completed city wide cold patch repairs on all streets using hotbox trailer
 - b. Crack sealing of all newly repaired concrete locations
 - c. Contractor completed repairs on S Dubuque St in 10 location south of Juniper St
 - d. GIS mapping of all street signs continues
 - e. GIS mapping of electrical grid that is the responsibility of City continues
- Sanitary Sewer
 - a. Inspection of various manhole locations
- Storm Sewer
 - a. Plugged storm sewer pipe at Zeller/Elm Ridge intersection dug up, repaired, and site restored
- Fall leaf collection
 - a. Service provided for residents (October 9th to November 17th)
 - b. 2 sperate crews will perform collection during high volume weeks to provide a minimum 1 time per week pick up (equipment and weather dependent)
- Snow Operations
 - a. Installation of snow equipment on 80% of the fleet (remaining equipment is still being used for fall operations like leaf collection)
 - b. Fuel pumps used by all departments prepared for cold weather
 - c. All facilities and buildings prepared for cold season
 - d. Restocking/filling of liquid additive used for snow events during low temperatures
 - e. Street facility generator annual service and load testing completed
- FY25 Operational and CIP budgetary work for Road Use, Storm Water, Animal Control, Emergency Warning, and Sanitary Sewer Collection



Staff constructed "Tunnel of Terror" out of used and unneeded supplies



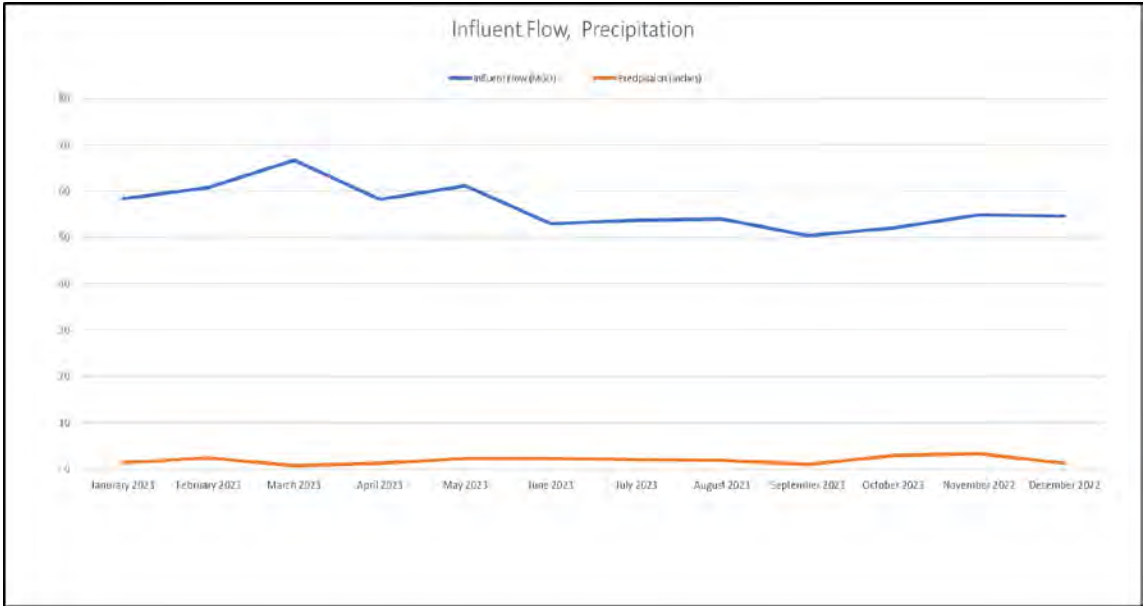
Milling bump location on South Dubuque St and then resurfacing with hot asphalt mix



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

1. All scheduled preventative maintenance at the plant and lift stations was completed. **97 work orders** were completed throughout September.
2. This month's staff safety meeting topic was Fire Prevention. Staff completed target solutions online and reviewed the topic as a group. All facility and vehicle fire extinguishers were inspected and several were replaced due to age.
3. Operations and Lab completed all monthly sample results and reports. The State Laboratory Certification was renewed. SHL inspected all the lab equipment and reviewed procedures with laboratory staff. Monthly Influent Flow Avg. was **1.68 MGD**. **1.363 MG** of solids were wasted from biological tanks to digesters during September. Biosolids storage building was emptied and cleaned.
4. **768.88 Wet Tons** of biosolids were hauled to a local farm field for fertilizer application. The biosolids storage building at the WWTP was approx. 90% full prior to this hauling event.
5. Several annual contracts were revised and updated in preparation for FY 25 budget process.
6. The final 2 membrane train recovery cleans were completed and inspection and repairs are also done on all membrane modules. Staff also worked on adjusting several permeate header pipes for better alignment and fitment. This allows for a more secure piping connection when membrane cassettes are removed and reinstalled.

Drew Lammers - WPCP Superintendent



Biosolids Loading and Hauling



Biosolids Storage Bld. Cleaned and Drains Flushed



Biosolids stockpiled before field application.



To **North Liberty Mayor and City Council Members**
CC **City Administrator Ryan Heiar**
From **Water Superintendent Greg Metternich**
Date **November 3, 2023**
Re **Monthly Report – October 2023**

In the month of October, we treated a total of 40,516,000 gallons of water, our average daily flow was 1,307,000 gallons, and our maximum daily flow was 1,881,000 gallons. The total amount of water used in the distribution system was about 1% higher than October 2022.

We have had a busy month with 9,258 accounts read, 61 re-reads, 121 service orders, 61 shut-offs, 53 re-connects for water service, 186 shut-off notices delivered, 4 new meter set inspections, 7-meter change outs, 22 MIU change outs, assisted 4 customers with data logging information, 71 calls for service, and 1 after hour or emergency calls. Our monthly total service work averaged 27 service orders per day.

Northway Well and Pump spent several days scrubbing iron and manganese scale from the casing of Well #8 using a steel brushing tool. The cleaning process knocked about 31 feet of material into the bottom of the Well. Northway was able to remove all 31 feet using a bailing process, next week they will be injecting a mild acid and installing a temporary pump and motor to pump out the acid and any remaining sediment.

Staff has started working on our bi-annual hydrant flushing program again. Normally in the fall we flush every hydrant in the distribution system, but with Well #8 currently out of service we changed from flushing every hydrant in the system to just the dead-ends. Next spring, we'll flush the entire distribution system.

We received bids for a new electric Ford Transit Van. Junge Ford won the bid and has the van on order, they were not able to provide a delivery date. I'll be working on having charging stations installed in two of our buildings and getting bids for equipment to outfit the van.

Staff has continued to work on our Lead and Copper inventory list, currently we have collected data on 6,940 properties and have 2,339 unknowns. We were able to identify 74 services in the month of October. 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
November 2, 2023, 7:00pm
City Council Chambers, 1 Quail Creek Circle, North Liberty, Iowa

This meeting may be accessed live by the public in person or on the internet at northlibertyiowa.org/live, on Facebook at facebook.com/northliberty or on YouTube at youtube.com/c/northliberty. Meetings are rebroadcast on cable and available on-demand on northlibertyiowa.org.

1. Call to Order
2. Approval of Minutes
 - a. No minutes for Oct 5th meeting due to no quorum.
3. Fox Run Playground Presentation/Renderings
4. Reports
 - a. Parks Report
 - b. Recreation/Pool Report
 - c. Questions, Concerns, Updates
5. Community Input / Ideas to Share
6. Upcoming Events
 - a. WS Activity Guide; Registration begins Dec 4th.
7. New Business
 - a. Board resignation – Jamie’s last mtg; begin process to fill.
8. Old Business
9. Next Meeting
 - a. Thursday, December 7, 2023, at 7:00pm.
10. Adjourn

Revenue By Period - GL Account Summary

Start Date: 10/1/2023 12:00 AM End Date: 10/31/2023 11:59 PM

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

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

001-0000-4500-20 - Daily Pool Fees													
530.00	522.77	303.00	0.00	241.00	233.77	0.00	0.00	0.00	0.00	0.00	0.00	-14.00	0.00
001-0000-4500-21 - Swim Lessons													
437.25	407.00	0.00	0.00	1,008.25	978.00	0.00	0.00	0.00	62.50	0.00		-633.50	0.00
001-0000-4500-22 - Aquatic Program/Classes													
916.00	888.37	378.00	0.00	919.50	891.87	0.00	0.00	0.00	26.50	0.00		-408.00	0.00
NONE - Unassigned													
-75.00	-75.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		-75.00	0.00
Split - Membership - Black & Gold													
2,695.00	2,623.87	0.00	324.00	2,371.00	2,299.87	0.00	0.00	0.00	0.00	0.00		0.00	0.00
63,771.75	62,010.96	4,440.00	2,963.75	58,689.08	56,928.29	0.00	0.00	\$0.00	682.50	644.50		-2,740.58	-907.50

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

Sales Tax

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

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

Dashboard Summary: October 2023

Today is Wednesday, November 1, 2023

Home **Recent Registrations** Recent Reservations Recent Memberships Recent Members CRM+

Time Period: Last 30 Days

Top 5 Programs - Registrations

Program	Registrations
Floating Pumpkin Patch: Age...	~75
BASP Oct. PM	~50
Connections Lunch 2023 10/20	~35
BASP Oct. PM	~25
Connections Lunch 2023 10/20	~20

Top 5 Programs - Revenue

Program	Revenue
BASP Oct. PM	~\$10,000
Supreme Basketball-3rd-4th Gr...	~\$2,000
NL Wrestling Club (Nov) 7pm	~\$1,000
Supreme Basketball-3rd-4th Gr...	~\$500
NL Wrestling Club (Nov) 7pm	~\$500

Total Program Registrations

810

- Online: 475
- In-house (In Person): 335

Total Receipts

\$66,050.33

- RecDesk Credit Card: [\\$57,936.58](#)
- Cash: [\\$4,457.00](#)
- Check: [\\$2,963.75](#)
- Household Credit: [\\$693.00](#)
- Refunds: [\\$2,768.58](#)

Invoices - Balance Due

- Open: [\\$38,731.97](#)
- Overdue: [\\$5,983.50](#)

Alerts & Notices

Membership Counts; October 2023:

Membership Counts (By Period)

Time Range	From Date	To Date
Last Month	10/1/2023	10/31/2023

Summary By Month

	Oct, 2023
New Primaries	256
All New	299
Primary Renewals	114
All Renewals	136
Active Primaries	2132
All Active	2951

Organization Activity; October 2023:

Today is Wednesday, November 1, 2023

Time Period: Last 30 Days

Export to Excel

Organization Activity

From 10/2/2023 to 11/1/2023

	Registrations	Reservations	Memberships	Check-Ins	Profiles Created	POS Transactions
All	736	76	445	5986	260	956
Resident	496	45	288	3854	126	
Non-Resident	240	31	157	2132	134	
No Residency Set	0	0	0	0	0	
Demographics						
< 18	495	1	107	834	90	
18 - 65	74	74	225	3027	135	
65+	167	0	112	2119	35	
Male	382	32	244	3883	125	
Female	354	44	201	2102	134	
Other Genders	0	0	0	1	1	
Online vs In-House						
Online	470	0	32	N/A	166	
In-Person	266	76	413	N/A	94	

Database Breakdown:

Residents: 13,537
 Non-residents: 8,904
 Total Database: 22,441

North Liberty (Residents) 13,537 (Outside city limits – 921)
 Iowa City 2,057
 Coralville 1,994
 Tiffin 997
 Solon 830
 Other 7,654

Joint Entities Meeting Minutes
ICCSA Educational Services Center
1725 N. Dodge Street
Iowa City, Iowa 52245
Monday, October 16, 2023

Present at Meeting:

Iowa City Community School District (ICCSA): ICCSD Board Members President Ruthina Malone, Vice President Lisa Williams, Molly Abraham, J.P. Claussen, Charlie Eastham, Jayne Finch, and Maka Pilcher Hayek, Superintendent Matt Degner, Executive Director of Elementary Schools Eliza Proctor, Preschool Program Administrator Heather Stevens

City of Coralville: Mayor Meghann Foster, City Council Members Hai Huynh

City of Iowa City: Mayor Bruce Teague, Council Members Laura Bergus, Pauline Taylor, Megan Alter

City of North Liberty: Mayor Chris Hoffman, City Council Members Erik Sittig

University Heights: Mayor Louise From

Johnson County Board of Supervisors: Lisa Green-Douglass, Royceann Porter, John Green, V Fixmer Oraiz

Clear Creek Amana Schools: Superintendent Corey Seymour

State Representative Elinor Levin

Johnson County Public Health: Danielle Pettit-Majewski, Director of Johnson County Public Health, Sam Jarvis, Community Health Manager

A. Opening

Call to Order

ICCSA Board President Malone called the meeting to order at 4:30 pm.

B. Welcome and Introductions

President Malone welcomed everyone, and introductions were made.

C. Childcare Initiative Update - City of Iowa City

Update from ICCSD on Preschool Initiative & Updates from those involved in local childcare coalition

Matt Degner reported that the most extensive work has been done with the childcare coalition group and collaborating with community partners. Cady Gerlach of the Childcare Coalition group provided a childcare solutions update.

Childcare Solutions: A Johnson County Community of Collaboration

- ICCSD Collaboration
 - ICCSD and Childcare Solutions team started meeting in late April and early May
 - Three opportunities identified: School Readiness Summit, Data Collection, Funding - long term
 - School Readiness Summit
 - Saturday, November 4, 2023
 - Training topics: various speakers
 - Panels
 - Education panels
 - Resource panels
 - Robust panel discussion
 - Partners
 - ICCSD administration
 - GWAEA administration
 - 4C's
 - Johnson County Social Services
 - Head Start
 - Childcare center directors private providers
 - Additional Johnson County programs
 - Infant and Toddler Scholarship Program - \$600 per month for families under 250% of FPL
 - Childcare Assistance (CCA) Incentive Program - \$100/month
 - Starting Strong Expansion
- Wage Enhancement Program
 - Fundraising Update
 - Program Branding
 - Challenge: Budgeting cycles of larger businesses
 - FY24 and FY25 are targets
 - Private fundraising and outreach campaign
 - 48 employees - 8 partner businesses
 - State Funding
 - Limited time match of only private funds
 - Our program is one of the primary models, along with Hamilton County
 - Iowa Women's Foundation facilitated with the State
 - IWF is hosting an All Call for Johnson County businesses October 19 at 2:00 pm

- Better Together 2023: A Shared Future for Johnson County
 - What we need
 - Share the opportunity
 - Make connections
 - Champion the public-private partnership
 - Ensure all neighborhoods have affordable child care
- 4Cs opportunity at Oddfellows - Affordable and Accessible Childcare for Neighborhoods
 - The Location
 - Childcare "desert" ■
 - Bear bus line
 - Between City and Tate High Schools
 - Zoning allows for this building to be a single-family home, a church, or a childcare center
 - The Scope
 - 120 children
 - 51% (or more) of children on Childcare Assistance ■
 - High proportion of slots specifically for infant care
- The Vision
 - Credentialed teachers are paid a wage commensurate with education and experience
 - This school becomes a training ground for future early childhood educators
 - Collaboration between area school districts and Kirkwood for internship and other training opportunities

Matt Degner reported that the district currently has half time funding preschool programs at several elementary buildings as well as a few pilot sites for full day experiences. Heather Stevens provided an update on the district's preschool current state of affairs and work she has been doing.

- Met 1:1 with administrators regarding preschool
- Would like to meet with families, preschool teachers and the community for similar discussion
- Surveyed all preschool teachers regarding instructional materials and furniture
 - Want equity among programs across the district
- Visits to two other districts
 - Common theme is funding
- Currently 481 preschool students
 - mostly 4-year-old students but some 3-year-old students with IEP's
- WRAP care is with Champions at Wickham, Shimek, Borlaug and Kirkwood
 - 40 slots in each building
 - Parents pay for WRAP care
- Construction at Horn will allow for two preschool rooms

Matt Degner stated the district will continue to work on existing pilot programs and make them accessible. There is a cost barrier inhibitor for some and the desire it to eliminate as many barriers as possible. The vision is a full day experience at no cost. He stated he would like to partner with municipalities for one site in Iowa City, one site in Coralville and one site in North Liberty to see if the model works. The cost would most likely be a per pupil cost.

D. Update from Johnson County Public Health

COVID-19 Update

Sam Jarvis provided a COVID-19 update.

- Updated COVID-19 vaccine available
- How has vaccine changed?
 - Commercialization of vaccine - now a cost
 - Bridge access program provided to uninsured and underinsured
 - Walgreens, CVS, Johnson County Public Health
 - Partnering with pharmacies in program for testing
 - No charge for testing
- Encouraging folks to get vaccine along with flu shot
- August and September saw uptick in illness
 - Trending back downwards
- Entering respiratory virus season
 - New tools, vaccines and antibodies available

Implications of a potential government shutdown

Danielle Pettit-Majewski provided information regarding implications of a potential government shutdown.

- 32 days to November 17 when current resolution ends
- Conversations with state partners
 - Can't tell if any back stock or additional funding for WIC program to continue services
 - Preparing for there not to be
- Conversations to do a drive for diapers and formula
 - Looking at different resources
 - There is a lot of need
 - Want to be prepared
 - Planning to do the drive regardless of shut down or not

E. Other Business

There was none.

F. Discuss schedule and hosts for upcoming Joint Entities Meetings

The next Joint Entities meeting is scheduled to be held on January 15, 2024, which is Martin Luther King Day. Coralville is scheduled to host the meeting and will find and communicate an alternate date.

Future meeting dates include:

April 15, 2024 - Iowa City

July 15, 2024 - North Liberty

October 21, 2024 - University Heights

January 13, 2025 - Johnson County

G. Adjournment

The meeting was adjourned at 5:10 pm.