



**North Liberty City Council
Regular Session
November 12, 2024**



City Administrator Memo



To **Mayor and City Council**
 From **Ryan Heiar, City Administrator**
 Date **November 8, 2024**
 Re **City Council Agenda November 12, 2024**

Consent Agenda

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

- City Council Minutes (10/22/24)
- Pay Application #8, Streets and Maintenance Facility – Interior Remodel, Peak Construction, \$23,950.75
- Change Order #6, City Hall Project, City Construction, \$30,859.00
- Pay Application #16, City Hall Project, City Construction, \$30,568.15
- Change Order #2, Centennial Park Event Complex Phase 1, Larson Construction Co., Inc., (\$536.00)
- Pay Application #3, Centennial Park Event Complex Phase 1, Larson Construction Co., Inc., \$637,740.71
- Change Order #1, Forevergreen Road Signalization Project, Eastern Iowa Excavating & Concrete, LLC., \$3,225.00
- Pay Application #3, Forevergreen Road Signalization Project, Eastern Iowa Excavating & Concrete, LLC., \$36,602.55
- Pay Application #7, Penn Meadows Park Parking Lot Project, Midwest Concrete Inc., \$10,208.06
- Liquor License Renewals
 - Andale Cantina
 - J&A Tap
 - Fiesta Mexican Restaurant
 - Rusciano’s
- Claims

NOTE: The City Hall change order includes a handful of smaller items that were identified as the construction was nearing completion. Some of the more significant items include the installation of corner pieces on the decorative metal on the building, installation of a knox box, and gutter and downspout work at the front of the building. A complete list of the changes can be found in the Change Order. It should be noted that the City was reimbursed for the \$3,500 DOAS work. The FGR change order is a result of some onsite redesign of sanitary and storm sewer infrastructure. The change includes deletions and additions resulting in a \$3,200 overall addition.

Meetings & Events

Tuesday, Nov 12 at 6:00p.m.
City Council

Monday, Nov 18 at 7:00 p.m.
Library Board

Tuesday, Nov 26 at 6:00p.m.
City Council

Thursday, Nov 28
Thanksgiving Holiday – City Offices Closed

Friday, Nov 29
Thanksgiving Holiday – City Offices Closed

NOTE: Only one Council meeting will occur in December, on Tuesday December 10. The second meeting in December is cancelled.

2024A Bond Sale

Annually, the City borrows funds to pay for projects that have been or are nearing completion. Because the City's cash position is solid, it has the ability to borrow after the fact,

which saves money on interest and eliminates uncertainty of identifying exact project costs prior to the completion of the project.

2024A Bond Sale Details	
Park Land Acquisition	\$2,745,906
Penn Meadows Parking Lot	\$1,900,000
City Hall [B]	\$4,250,000
Cost of Issuance (including capitalized interest)	\$299,094
	\$9,195,000

Tuesday's agenda includes a resolution awarding the 2024A Series Bonds to a lender. The sale is scheduled for the morning of Tuesday, November 12. Once results are received and reviewed, the resolution and supporting documents will be updated accordingly. The City's Financial Advisor, Tionna Pooler with IPA, will be in attendance Tuesday evening to review the results of the sale.

ARPA Funds Discussion

The City has approximately \$300k remaining in ARPA funds that must be obligated by the end of the year. Included in the packet is a follow-up memo from the one published on October 18 as well as related attachments.

Hodge Construction Company Rezoning

This rezoning request – northeast corner of West Forevergreen Road and Bernardy Drive – to C-3 Higher Intensity Commercial District is to facilitate construction of higher-density multi-unit residents, although the zoning would allow for commercial uses as well. The C-3 District allows for commercial and multi-unit residences in either horizontal mixed-use (different buildings) or vertical mixed-use (same building) developments. There is no residential density restriction in the C-3 District. The concept provided to City staff shows 234 residential units in three buildings (45.6 units/acre). The northern portion of the property was left out of the rezoning so that this area would be more compatible with the home sites to the north. Staff recognizes that the proposed development is on the higher end of residential density. Certainly, this density wouldn't be appropriate in all locations within the City; however, staff advocates for higher density and intensity in appropriate locations. This was considered when creating the North Liberty Connected to Tomorrow Comprehensive Plan Future Land Use Map, which was adopted in February 2023. A virtual good neighbor meeting was held on September 17. A few people outside of City staff and the applicant attended but no one had comments or questions. There is one letter of concern in the background material regarding the potential for undesirable

commercial uses. The Planning Commission unanimously recommended approval of the rezoning at its October 1 meeting. Staff also recommends approval.

Update: The property owner has agreed to conditions pertaining to limiting allowing uses and access to West Forevergreen Road. This signed agreement is in the background material and the rezoning ordinance has been updated to reflect conditions imposed.

Administrative Rezoning (1470 Anter Drive)

This City initiated rezoning at 1470 Antler Drive is for the purpose of reducing the rear setback for a 16'x20' building addition. Unfortunately, the City issued a permit in error showing the addition with a 22' rear yard setback. After permit issuance and the building foundation being installed, it was determined that the addition did not meet the required 30' rear yard setback. The law in Iowa is that a building permit which is issued contrary to a valid zoning law – like one concerning setbacks – is void, and subject to revocation. Such permits do not grant the property owner any vested rights. Further, Iowa Code §670.4(j) states that cities and their employees are immune from liability arising from permits issued in error, as long as the permit was not issued with malice or in furtherance of a crime. City liability aside, staff feels a sense of responsibility and wants to help alleviate the problem. The PAD Planned Area Development is a zoning overlay district that would allow a setback reduction if approved by City Council. City staff believes this is the best approach to legitimize this setback reduction for the 16'x20' building addition. The setback reduction would only pertain to the addition. A setback variance was a discussed alternative; however, it was determined that the likelihood of achieving consistency with the approval standards was minimal. Good neighbor meetings are not required for City-initiated rezonings but staff mailed letters to all property owners within 200' of the subject property notifying them of the request. The property owner at 1495 Blacktail Lane expressed no objection to the request. An objection has been received from a property outside the 200' protest radius. The Planning Commission considered this item at its November 5 meeting and unanimously recommended approval. It should be noted that staff has implemented a redundancy review for building permits involving zoning setbacks to limit future mistakes.

Forevergreen Roundabout Easement

The City has negotiated the acquisition of a temporary construction easement from DERS Investments, LLC, which, together with agreements already in place with surrounding landowners, will facilitate the construction of a roundabout at the intersection of Forevergreen Road and Jasper Avenue. Staff recommends approval.

IDOT Preconstruction Agreement

This agreement with the IDOT pertains to the Penn Street bridge replacement and ramps upgrade project. The agreement outlines the responsibilities for each agency during and after construction. Notably, the City will be invoiced after the project is completed for sod placement in the median (~\$25k) as this was a request by City staff. Staff recommends approval of the agreement.

FY26 Tax Increment Financing Request

There are two items on the agenda related to tax increment financing. The first is a resolution approving the FY26 annual appropriation economic development payment to Diamond Dreams in the amount of \$25,934. The second, which only requires a voice vote, is the FY26 TIF draw. This report tells the County that the City will need approximately \$4.3 million in TIF dollars in FY26 to pay its obligations. These funds will be used to pay three economic development agreements, including Diamond Dreams, and eight annual bond payments. Staff recommends approval of both.

Library Board Appointment

The lone county member of the North Liberty Community Library has resigned creating a midterm opening. The Mayor is recommending Cara Flynn be appointed to fill the vacancy.

North Jones LLC Rezoning

This rezoning request located at 1605, 1655 and 1695 North Jones Boulevard to RM-12 Multi-Unit Residence District is to allow the construction of another multi-unit residence north of 1695 North Jones Boulevard. The existing RM-8 Multi-Unit Residence District tends to be more appropriate for lower-density townhouses. A virtual good neighbor meeting was held on September 17. No one outside of City staff and the applicant attended and there are no formal objections to the request. The Planning Commission unanimously recommended approval of the rezoning at its October 1 meeting. Staff recommends approval as well.



Agenda



CITY COUNCIL
Tuesday, November 12, 2024
6:00 p.m.
Regular Session
Council Chambers
360 N. Main Street

1. Call to order
2. Roll call
3. Approval of the Agenda
4. Consent Agenda
 - A. City Council Minutes, Regular Session, October 22, 2024
 - B. Streets and Maintenance Facility – Interior Remodel, Pay Application Number 8, Peak Construction, \$23,950.75
 - C. City Hall Project, Change Order Number 6, City Construction, \$30,859.00
 - D. City Hall Project, Pay Application Number 16, City Construction, \$30,568.15
 - E. Centennial Park Event Complex Phase 1, Change Order Number 2, Larson Construction Co., Inc., (\$536.00)
 - F. Centennial Park Event Complex Phase 1, Pay Application Number 3, Larson Construction Co., Inc., \$637,740.71
 - G. Forevergreen Road Signalization Project, Change Order Number 1, Eastern Iowa Excavating & Concrete, LLC., \$3,225.00
 - H. Forevergreen Road Signalization Project, Pay Application Number 3, Eastern Iowa Excavating & Concrete, LLC., \$36,602.55
 - I. Penn Meadows Park Parking Lot Project, Pay Application Number 7, Midwest Concrete Inc., \$10,208.06
 - J. Liquor License Renewal, Andale Cantina
 - K. Liquor License Renewal, J & A Tap
 - L. Liquor License Renewal, Fiesta Mexican Restaurant
 - M. Liquor License Renewal, Rusciano's
 - N. Claims
5. Public Comment
6. Engineer Report
7. City Administrator Report

8. Mayor Report
 - A. National Hunger and Homelessness Awareness Week
9. Council Reports
10. 2024 A Bond Sale
 - A. Resolution Number 2024-104, A Resolution awarding General Obligation Corporate Purpose Bonds, Series 2024A
11. American Rescue Plan Act (ARPA) Funds
 - A. Discussion and possible action regarding the remaining unallocated ARPA funds.
12. Hodge Construction Company Rezoning
 - A. Motion to remove from the table
 - B. Public Hearing regarding proposed rezoning
 - C. First consideration of Ordinance Number 2024-10, An Ordinance amending the Zoning Map District designation for certain property located in North Liberty, Iowa from RM-21 Multi-Unit Residence District to C-3 Higher-Intensity Commercial District
13. Administrative Rezoning
 - A. Public Hearing regarding proposed rezoning
 - B. Staff and Commission recommendations
 - C. First consideration of Ordinance Number 2024-12, An Ordinance amending the Zoning Map District designation for certain property located in North Liberty, Iowa from RS-6 Single-Unit Residence District to RS-6 PAD Single-Unit Residence District
14. Forevergreen Roundabout Easement
 - A. Resolution Number 2024-105, A Resolution approving the Temporary Construction Easement Agreement between DERS Investments LLC and the City of North Liberty
15. Iowa DOT Preconstruction Agreement
 - A. Resolution Number 2024-106, A Resolution approving the Preconstruction Agreement between the Iowa Department of Transportation and the City of North Liberty

16. FY 26 Tax Increment Financing (TIF) Request
 - A. Resolution Number 2024-107, 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
 - B. Discussion and possible action on the Annual Urban Renewal funds request for FY 26

17. Library Board Appointment
 - A. Affirmation of the Mayor's appointment of Cara Flynn to the Library Board

18. North Jones LLC Rezoning
 - A. Second consideration of Ordinance Number 2024-11, An Ordinance amending the Zoning Map District designation for certain property located in North Liberty, Iowa from RM-8 Multi-Unit Residence District to RM-12 Multi-Unit Residence District

19. Old Business

20. New Business

21. Adjournment



Consent Agenda

City Council
October 22, 2024
Regular Session

Call to order

Mayor Hoffman called the Tuesday, October 22, 2024, Regular Session of the North Liberty City Council to order at 6:00 p.m. in Council Chambers at 360 N. Main Street. Councilors present: Brian Leibold, Paul Park, Erek Sittig, Brent Smith, and Brian Wayson.

Others present: Ryan Heiar, Tracey Mulcahey, Grant Lientz, Josiah Bilskemper, Ryan Rusnak, Ron Conner, Terri Conner, Chief Brian Platz, Mazahir Salih, Samantha Fitzpatrick, Aldair Solis Sanchez, Nate Kaeding, and other interested parties.

Approval of the Agenda

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

Consent Agenda

Smith moved, Wayson seconded to approve the Consent Agenda including the City Council Minutes, Regular Session, October 8, 2024; Ranshaw Way Phase 5, Pay Application Number 30, Peterson Contractors, Inc., \$27,673.08; Centennial Park Event Complex, Pay Application Number 2, Larson Construction Co., Inc., \$294,713.07; Centennial Park Event Complex, Change Order Number 1, Larson Construction Co., Inc., \$9,705.52; Penn Street Railroad Crossing Project, Pay Application Number 3, Midwest Concrete, Inc., \$9,592.17; West Penn Street Project, Pay Application Number 6, Peterson Contractors, Inc., \$19,669.75; West Penn Street Project, Change Order Number 2, Peterson Contractors, Inc., \$28,975.77; and the attached list of Claims. The vote was all ayes. Consent Agenda approved.

Public Comment

Councilor Smith presented information on the lifesaving incident that happened in his neighborhood two weeks ago right after the Council meeting. Ron and Terri Conner offered comments on the event.

City Engineer Report

City Engineer Bilskemper reported on projects in design, North Liberty Road Trail, Community Center Parking Lot, and Freedom Park Trail. Council discussed the report with Bilskemper.

City Administrator Report

City Administrator Heiar provided an update on the Centennial Event Center and recognized Chief Platz for receiving the Roger Mooty award. Chief Platz spoke regarding the award.

Mayor Report

Mayor Hoffman reported on the Joint Entities meeting held yesterday. Greater Iowa City will be at an upcoming meeting to present an update on the Wage Enhancement Program. He spoke about the Pulse Point app that allows all to know where AEDs are located and when they are needed throughout the community. He attended the Iowa Non-Profit Summit as a panel member.

Council Reports

Councilor Wayson attended the Joint Entities meeting. He encouraged all to learn how to do CPR to increase odds of survival. He helped with Scouting for Food. North Liberty Scouts collected 3500 lbs. of food. Councilor Smith attended the Think Iowa City Board of Directors meeting. Herky on Parade proceeds were split among local school districts for art and music programming. He asked the public to consider voting yes to continue the Johnson County Conservation land conservation program. Councilor Sittig attended Nightmare on Ale Street, and the Joint Entities Meeting. He met with Greater IC and Travero regarding the rail line. The MPOJC Bus Rapid Transit report will be completed on Friday. Councilor Park attended the Joint Entities meeting. He will be attending Iowa Mayors Association Emergency Management seminar. He offered a reminder that early voting is next weekend at Library. Councilor Leibold reminded all to vote. He offered congratulations to fall activities at Liberty and CCA schools. He attended Nightmare on Ale Street. He requested community share feedback with Council.

Immigrant Welcome Network of Johnson County

Mazahir Salih, Executive Director, Immigrant Welcome Network of Johnson County, presented information on the organization. Interns Samantha Fitzpatrick and Aldair Solis Sanchez assisted in the presentation. Council discussed the presentation with Salih.

American Rescue Plan Act (ARPA) Funds

Staff recommends remaining \$312,000 be invested into the Community Center parking lot improvements. Heiar requested feedback from the Council. Council discussed proposed possible uses of the ARPA funds. The consensus was to bring this back to Council on November 12 to review proposals.

Hodge Construction Company Rezoning

At 7:06 p.m., Mayor Hoffman opened the public hearing regarding proposed rezoning. No oral or written comments were received. The public hearing was closed at 7:06 p.m.

Rusnak reported that staff and the Planning Commission recommend approval of the application. Council discussed the report with staff.

Nate Kaeding was present on behalf of the applicant and offered additional information on the application. Council discussed the application with Kaeding.

Wayson moved to table this agenda item until the next City Council meeting. Sittig seconded. After discussion, the vote was all ayes.

North Jones LLC Rezoning

At 7:41 p.m., Mayor Hoffman opened the public hearing regarding proposed rezoning. No oral or written comments were received. The public hearing was closed at 7:41 p.m.

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

Adam Hahn, Watts Group, was present on behalf of the applicant and offered additional information on the application. Council discussed the application with Hahn.

Sittig moved, Park seconded to approve the first consideration of Ordinance Number 2024-11, An Ordinance amending the Zoning Map District designation for certain property located in North Liberty, Iowa from RM-8 Multi-Unit Residence District to RM-12 Multi-Unit Residence District. The vote was: ayes – Smith, Park, Sittig, Wayson, Leibold; nays – none. Motion carried.

North Liberty Road Trail Project

Wayson moved, Park seconded to approve Resolution Number 2024-99, A Resolution approving the Temporary Construction Easement Agreement between Scanlon Family LLC and the City of North Liberty. The vote was: ayes – Smith, Sittig, Wayson, Park, Leibold; nays – none. Motion carried.

Smith moved, Park seconded to approve Resolution Number 2024-100, A Resolution approving the Temporary Construction Easement Agreement between Life Church Assembly of God and the City of North Liberty. The vote was: ayes – Leibold, Park, Sittig, Smith, Wayson; nays – none. Motion carried.

2024 Bond Sale

Wayson moved, Leibold seconded to approve Resolution Number 2024-101, A Resolution setting the date for sale of General Obligation Corporate Purpose Bonds, Series 2024A and authorizing the use of a preliminary official statement in connection therewith. After discussion, the vote was: ayes – Park, Sittig, Leibold, Wayson, Smith; nays – none. Motion carried.

CDBG-CV

Wayson moved, Sittig seconded to approve Resolution Number 2024-102, A Resolution approving the policies required by the Community Development Block Grant CV Program for the purchase of fresh food for the North Liberty Community Pantry. After discussion, the vote was: ayes – Leibold, Park, Smith, Wayson, Sittig; nays – none. Motion carried.

Parking Resolution

Sittig moved, Leibold seconded to approve Resolution Number 2024-103, A Resolution Approving Parking Control Devices in the City of North Liberty, Iowa. The vote was: ayes – Leibold, Sittig, Smith, Park, Wayson; nays – none. Motion carried.

Code of Ordinances Amendments

Sittig moved, Wayson seconded to approve the third consideration and adoption of Ordinance Number 2024-09, An Ordinance amending the Zoning Code and Subdivision Ordinance

regulations for Preliminary Site Plans, Zoning Certificates, Defined terms, Residential Density, Permitted Uses and Use Standards, Parking Requirements, Parking Lot Landscaping, Fences and Walls, Yard Encroachments, Design Standards and Required Improvements for Subdivisions. After discussion, the vote was: ayes – Leibold, Smith, Sittig, Wayson, Park; nays – none. Motion carried.

Old Business

No old business was presented.

New Business

No new business was presented.

Adjournment

Park moved; Smith seconded to adjourn at 7:50 p.m. The vote was all ayes. Meeting adjourned.

CITY OF NORTH LIBERTY

By: _____
Chris Hoffman, Mayor

Attest: _____
Tracey Mulcahey, City Clerk

TO OWNER/CLIENT:

City of North Liberty
PO Box 77
North Liberty, Iowa 52317

PROJECT:

023-025 North Liberty Streets and Maintenance Facility - Interior Remodel
437 South Front Street
North Liberty, Iowa 52317

APPLICATION NO: 8

INVOICE NO: 8

PERIOD: 09/01/24 - 09/30/24

PROJECT NO: 023-025

FROM CONTRACTOR:

Peak Construction Group, Inc.
660 Liberty Way Unit C
North Liberty, Iowa 52317

VIA ARCHITECT/ENGINEER:

Chris Ciccariello (Shive Hattery)

CONTRACT DATE:

CONTRACT FOR: North Liberty Streets and Maintenance Facility

CONTRACTOR'S APPLICATION FOR PAYMENT

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

1. Original Contract Sum	\$608,000.00
2. Net change by change orders	\$13,690.63
3. Contract Sum to date (Line 1 ± 2)	\$621,690.63
4. Total completed and stored to date (Column G on detail sheet)	\$621,690.63
5. Retainage:	
a. 5.00% of completed work	\$31,084.56
b. 0.00% of stored material	\$0.00
Total retainage (Line 5a + 5b or total in column I of detail sheet)	\$31,084.56
6. Total earned less retainage (Line 4 less Line 5 Total)	\$590,606.07
7. Less previous certificates for payment (Line 6 from prior certificate)	\$566,655.32
8. Current payment due:	\$23,950.75
9. Balance to finish, including retainage (Line 3 less Line 6)	\$31,084.56

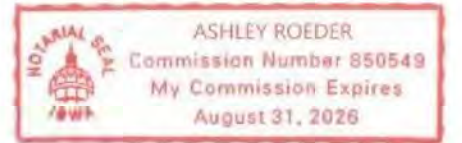
CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner/Client:	\$11,263.79	\$0.00
Total approved this month:	\$2,898.45	\$(471.61)
Totals:	\$14,162.24	\$(471.61)
Net change by change orders:	\$13,690.63	

The undersigned 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 which previous Certificates for payment were issued and payments received from the Owner/Client, and that current payments shown herein is now due.

CONTRACTOR: Peak Construction Group, Inc.

Signed by: Kris Chyko
By: FE91FBE54C9C4DD Date: 9/24/2024

State of: Iowa
County of: Johnson
Subscribed and sworn to before me this 9/24/2024 day of



Notary Public: Ashley Roeder
My commission expires: 35B7512BEEFA4BB

ARCHITECT'S/ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on the on-site observations and the data comprising this application, the Architect/Engineer certifies to the Owner/Client that to the best of the Architect's/Engineer's knowledge, information and belief that Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$23,950.75

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

ARCHITECT/ENGINEER:

By: Tom Stawicki Date: 10/29/2024

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 the rights of the Owner/Client or Contractor under this Contract.



AIA®

Document G701® – 2017

Change Order

PROJECT: *(Name and address)*
North Liberty City Hall
North Liberty

CONTRACT INFORMATION:
Contract For: General Construction
Date: September 19, 2022

CHANGE ORDER INFORMATION:
Change Order Number: 006
Date: October 25, 2024

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

ARCHITECT: *(Name and address)*
Shive-Hattery, Inc. 1207650
2839 Northgate Drive
Iowa City, Iowa 52245

CONTRACTOR: *(Name and address)*
City Construction
2346 Mormon Trek Blvd. Suite 2500
Iowa City, Iowa 52246

THE CONTRACT IS CHANGED AS FOLLOWS:

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

- Perforated Metal Screen System Curtainwall Clips per CAR #023R2 – ADD \$7,152.00
- PR-20 Added Knox Boxes per CAR #030 – ADD \$1,643.00
- PR-18 Paint Council Chambers Letters per CAR #031 – ADD \$1,779.00
- PR-19 Provide and Install Signage per CAR #032 – ADD \$2,359.00
- Added Door Closer per CAR #033 - ADD \$898.00
- PR-27 Decorative Metal Panels per CAR #034 - ADD \$4,536
- PR-25 Eliminate Gutter, Downspout and Splash Block per CAR #035 - DEDUCT \$869.00
- PR-24 Install Gutter, Downspout and Splash Block per CAR #037 - ADD \$3,665.00
- Gate Access per CAR #038 - ADD \$5,175
- PR-23 Install Overhead stop (Revised to Exterior Grade Kickdown) per CAR #040 - ADD \$54.00
- PR-15 Revise Airpath Within DOAS-1 per CAR #041 - ADD \$3,507.00
- Power Pedestals per CAR #042 - ADD \$960.00

The original Contract Sum was	\$	9,389,509.00
The net change by previously authorized Change Orders	\$	91,447.00
The Contract Sum prior to this Change Order was	\$	9,480,956.00
The Contract Sum will be increased by this Change Order in the amount of	\$	30,859.00
The new Contract Sum including this Change Order will be	\$	9,511,815.00

The Contract Time will be unchanged by Zero (0) days.
The new date of Substantial Completion will be the same.

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

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

Shive-Hattery, Inc.

ARCHITECT *(Firm name)*
Natalie Oppedal

SIGNATURE
 Natalie A. Oppedal, Architect

PRINTED NAME AND TITLE
 October 25, 2024

DATE

City Construction

CONTRACTOR *(Firm name)*
Matthew Toth

SIGNATURE
 Matthew Toth, Project Manager

PRINTED NAME AND TITLE
 10/25/2024

DATE

City of North Liberty

OWNER *(Firm name)*

SIGNATURE

PRINTED NAME AND TITLE

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	PROJECT: North Liberty City Hall 360 North Main Street North Liberty, IA 52317	APPLICATION NO: 16	Distribution to: <input checked="" type="checkbox"/> OWNER <input checked="" type="checkbox"/> ARCHITECT <input type="checkbox"/> CONTRACTOR
FROM CONTRACTOR: City Construction 2346 Mormon Trek Blvd. Suite 2500 Iowa City, IA 52246	VIA ARCHITECT: Shive-Hattery, Inc. 2839 Northgate Drive Iowa City, IA 52245	PERIOD TO: 10/16/24	
		PROJECT NOS: 1-159	
		CONTRACT DATE: 09/14/22	

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	\$	91,447.00
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$	9,480,956.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	9,471,456.00
5. RETAINAGE:		
a. 5 % of Completed Work (Column D + E on G703)	\$	473,572.80
b. 5 % of Stored Material (Column F on G703)	\$	0.00
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$	473,572.80
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$	8,997,883.20
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	8,967,315.05
8. CURRENT PAYMENT DUE	\$	30,568.15
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	483,072.80

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$91,447.00	\$0.00
Total approved this Month	\$0.00	\$0.00
TOTALS	\$91,447.00	\$0.00
NET CHANGES by Change Order	\$91,447.00	

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:  Date: 

State of: Iowa County of: Johnson
 Subscribed and sworn to before me this 16th day of October 2024
 Notary Public: Sabrina A. Vorhies
 My Commission expires:

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 \$ 30,568.15

(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:
By:  Date: October 25, 2024

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.



AIA[®]

Document G701[®] – 2017

Change Order

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

CONTRACT INFORMATION:
Contract For: General Construction
Date: May 29, 2024

CHANGE ORDER INFORMATION:
Change Order Number: 002
Date: November 5, 2024

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

CONTRACTOR: *(Name and address)*
Larson Construction Co., Inc.
600 17th St. SE
Independence, Iowa 50644

THE CONTRACT IS CHANGED AS FOLLOWS:

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

COR 04: PR #4: Curtain Wall Parapet Revisions - Change in Metal Stud Framing - DEDUCTS \$536.00

The original Contract Sum was	\$ 7,272,000.00
The net change by previously authorized Change Orders	\$ 9,705.52
The Contract Sum prior to this Change Order was	\$ 7,281,705.52
The Contract Sum will be increased by this Change Order in the amount of	\$ -536.00
The new Contract Sum including this Change Order will be	\$ 7,281,169.52

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

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

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

Shive-Hattery, Inc.
ARCHITECT *(Firm name)*

Larson Construction Co., Inc.
CONTRACTOR *(Firm name)*

City of North Liberty
OWNER *(Firm name)*

Abby Foster
SIGNATURE

SIGNATURE

SIGNATURE

Abby Foster, AIA
PRINTED NAME AND TITLE

PRINTED NAME AND TITLE

PRINTED NAME AND TITLE

11/05/2024
DATE

DATE

DATE

APPLICATION AND CERTIFICATE FOR PAYMENT

TO OWNER: City of North Liberty 360 North Main St. North Liberty, IA 52317	PROJECT: Centennial Park Event Complex 1565 St. Andrews Drive North Liberty, IA 52317	APPLICATION NO: 3 PERIOD TO: 10/31/2024 CONT. DATE: PROJECT NO: A1242 INVOICE NO: 10984	DISTRIBUTION TO: OWNER <input type="checkbox"/> ARCHITECT <input type="checkbox"/> CONTRACTOR <input type="checkbox"/> FIELD <input type="checkbox"/> OTHER <input type="checkbox"/>
FROM CONTRACTOR: LARSON CONSTRUCTION CO., INC. PO BOX 112 INDEPENDENCE, IA 50644	VIA ARCHITECT: Shive-Hattery 2839 Northgate Drive Iowa City, IA 52245		

CONTRACTOR'S APPLICATION FOR PAYMENT

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

1. ORIGINAL CONTRACT SUM.....	\$	7,272,000.00
2. NET CHANGES IN THE WORK.....	\$	9,705.52
3. CONTRACT SUM TO DATE (Line 1+/-2).....	\$	7,281,705.52
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703).....	\$	1,323,730.97
5. RETAINAGE		
a. 5 % of Completed Work (Column D+E on G703)	\$	40,122.56
b. 5 % of Stored Material (Column F on G703)	\$	26,064.00
Total Retainage (Lines 5a + 5b, or Total in Column I of G703).....	\$	66,186.56
6. TOTAL EARNED LESS RETAINAGE.....	\$	1,257,544.41
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT.....		619,803.70
8. CURRENT PAYMENT DUE.....	\$	637,740.71
9. BALANCE TO FINISH, PLUS RETAINAGE		
	\$	6,024,161.11

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: By: Heather Larson Date: 11-05-24

State of: Iowa
 County of: Buchanan

Subscribed and sworn to before me this 5th day of Nov. 2024

Notary Public: Heather Robinson
 My Commission expires: 5-7-25



ARCHITECT'S CERTIFICATE FOR PAYMENT

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

AMOUNT CERTIFIED..... \$ 637,740.71
 (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: (NOTE: If Multiple Prime Contractors are responsible for performing portions of the Project, the Architect's Certification is not required.)

By: Abby Foster Date: 11/05/2024

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 on the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 0.00	\$ 0.00
Total approved this month	\$ 9,705.52	\$ 0.00
TOTALS	\$ 9,705.52	\$ 0.00
NET CHANGES by Change Order	\$ 9,705.52	

CHANGE ORDER
For Local Public Agency Projects

No.: 01

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

Project Number: 2112302570

Kind of Work: Roadway Construction

Local Public Agency: North Liberty

Contractor: Eastern Iowa Excavating & Concrete, LLC.

Date Prepared: 11/05/2024

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

A - Description of change to be made:

- 0005 - REDUCE quantity of "Removal of Intakes and Utility Accesses" to 1 EA.
- 0006 - REDUCE quantity of "Manhole, Sanitary, SW-301, 48 IN" to 0 EA.
- 0012 - REDUCE quantity of "Removal of Sanitary Sewer Pipe" to 0 LF.
- CO#1-1 - ADD an item for "Storm Sewer Extension"
- CO#1-2- ADD an item for "Sanitary Manhole (Material and Delivery)"
- CO#1-3 - ADD an item for "Sanitary Manhole Adjustment, Major"
- CO#2-1 - ADD an item for "Extra Conduit/Wire, Removal of 3 Bases"

B - Reason for change:

- 0005 - Proposed location of sanitary manhole was in conflict of existing force main and will remain in its existing location.
- 0006 - Sanitary manhole to remain in existing location and will not require new structure.
- 0012 - Sanitary manhole to remain in existing location and will not require pipe removals.
- CO#1-1 - Existing storm outlets were found buried in foreslope and vegetation and require extension to accommodate grading.
- CO#1-2- New sanitary manhole materials to be purchased by City since they are unable to be returned to supplier.
- CO#1-3 - Existing sanitary manhole to have major adjustment performed to match proposed roadway grade elevation.
- CO#2-1 - Signal pole locations and push button locations shifted to avoid utility conflicts and require additional wiring and conduit.

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

- 0005 - Established Unit Price
- 0006 - Established Unit Price
- 0012 - Established Unit Price
- CO#1-1 - Agreed Upon Lump Sum Price
- CO#1-2- Agreed Upon Lump Sum Price
- CO#1-3 - Agreed Upon Unit Price
- CO#2-1 - Agreed Upon Lump Sum Price

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

- 0005 - Unit price was established from bid form.
- 0006 - Unit price was established from bid form.
- 0012 - Unit price was established from bid form.
- CO#1-1 - An agreed upon lump sum price for the work was established. The cost is considered reasonable for extension of the storm outlets and removal of vegetation.
- CO#1-2 - An agreed upon lump sum price for the work was established. The cost is considered reasonable for the materials and delivery of the new sanitary manhole cone and riser sections.
- CO#1-3 - An agreed upon lump sum price for the work was established. The cost is considered reasonable for a major sanitary manhole adjustment including casting.
- CO#2-1 - An agreed upon lump sum price for the work was established. The cost is considered reasonable for the additional signal conduit and wiring and adjustment of push button bases.

E - Contract time adjustment: No Working Days added Working Days added: _____ Unknown at this time

Justification for selection:

No working days added, no days charged for the added scope.

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
		0005	REMOVAL OF INTAKES AND UTILITY ACCESS	\$965.00	-1.00	-\$965.00
		0006	MANHOLE, SANITARY, SW-301, 48-IN	\$8,315.00	-1.00	-\$8,315.00
		0012	REMOVAL OF SANITARY SEWER PIPE	\$91.00	-55.00	-\$5,005.00
				Add Row	Delete Row	TOTAL
						-\$14,285.00

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
		CO#1-1	STORM SEWER EXTENSION	\$5,975.00	1.000	\$5,975.00
		CO#1-2	SANITARY MANHOLE (MATERIAL & DELIVERY)	\$3,325.00	1.000	\$3,325.00
		CO#1-3	SANITARY MANHOLE ADJUSTMENT, MAJOR	\$4,025.00	1.000	\$4,025.00
		CO#2-1	EXTRA CONDUIT/WIRE, REMOVAL OF BASES	\$4,185.00	1.000	\$4,185.00
				Add Row	Delete Row	TOTAL
						\$17,510.00

NET CHANGE FROM CHANGE ORDER 01: \$3,225.00

H. Signatures

Agreed:

 11.6.2024
Contractor Date

Recommended:

 11/5/2024
Project Engineer Date

Approved:

Person in Responsible Charge Date Other (optional) Title Date

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF TWO PAGE(S)

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

PROJECT: Forevergreen Road
Signal Improvement

APPLICATION NO: PP#3

Distribution to:

FROM CONTRACTOR:
EASTERN IOWA EXCAVATING & CONCRETE
P.O. BOX 189
CASCADE, IA 52033

VIA ENGINEER: Shive Hattery

PERIOD TO: 25-Oct-24

<input checked="" type="checkbox"/>	OWNER
<input checked="" type="checkbox"/>	ENGINEER
<input checked="" type="checkbox"/>	CONTRACTOR
<input type="checkbox"/>	

PROJECT NOS:

CONTRACT FOR:

CONTRACT DATE: 25-Jan-24

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.

SEE ATTACHED SWORN STATEMENT FROM CONTRACTOR TO OWNER

1. ORIGINAL CONTRACT SUM	\$	<u>1,344,361.00</u>
2. Net change by Change Orders	\$	<u>17,510.00</u>
3. CONTRACT SUM TO DATE (Line 1 ± 2)	\$	<u>1,361,871.00</u>
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	<u>\$1,216,324.63</u>
5. RETAINAGE: (Original Contract Only)		
a. 5 % of Completed Work (Column D + E on G703)	\$	<u>60,816.23</u>
b. 0 % of Stored Material (Column F on G703)	\$	<u>0.00</u>
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$	<u>60,816.23</u>
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$	<u>1,155,508.40</u>
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	<u>1,118,905.85</u>
8. CURRENT PAYMENT DUE	\$	<u>36,602.55</u>
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	<u>206,362.60</u>

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: EASTERN IOWA EXCAVATING & CONCRETE

By: Grant Kramer

Date: 11/06/24

State of Iowa County of Dubuque
Subscribed and sworn to before me: Grant Kramer
Notary Public: Lynne White
My Commission expires: April 26, 2026



ENGINEER'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 \$ 36,602.55

(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.)

ENGINEER: Shive Hattery

By: [Signature]

Date: 11/6/2024

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

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$0.00
Total approved this Month (#1)	\$17,510.00	
TOTALS	\$17,510.00	\$0.00
NET CHANGES by Change Order	\$17,510.00	\$0.00



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 #7

Date: 6/26/2024

	Qty	Unit	Price	Contract Amount	Previous Quantity	Previous Amount	Quantity this Estimate	Amt this Estimate	Quantity to Date	Total to Date
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										
21										
22										
23										
24										
25										
26										
27										
28										
29										
30										
31										
32										
33										
34										
35										
36										
37										
38										
39										
40										
41										
42										
43										
44										
45										
46										
47										
48										
49										
50										
51										
52										
53										
54										
55										
56										
57										
58										
59										
60										
8001										
8002										
8003										
8004										
8005										
8006										
8007										

5% Retainage \$ 84,473.99 \$ 537.27 \$ 85,011.25

Previous Payments: 1,605,005.73 Total this Period: \$ 10,208.06 Total Less Retainage: \$ 1,615,213.79

Shive Hattery

Josiah B. Bilberger 11/06/24

 Date

Midwest Concrete Inc.

Nick Gerasimos 6/26/2024

 Project Manager Date



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

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
Nov 14, 2024	Nov 13, 2025	

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, 2024

POLICY EXPIRATION DATE

Sep 27, 2025

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: Andale Cantina Inc

Name of Business (DBA): Andale Cantina

Address of Business: 780 Community Dr #1 North Liberty, IA 52317

Business Phone: 319-530-7158

Email: emilioiowa@icloud.com

State of Iowa ABD License #: LC0049112

Johnson County Health Department:

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

Name: Rob Thul

Title: EHM **Date:** 10/7/24

Signature:  Digitally signed
by Rob Thul
Date:
2024.10.07
09:03:45 -05'00'



North Liberty Police Department

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

October 8, 2024

Liquor License Check

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

Owners: Emilio Estrada (DOB: 05/1977)
Sari 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 Lieutenant Rueben Ross.





State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
J & A Tap Inc	J & A Tap	(319) 626-3033		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
440 N Dubuque Street		North Liberty	Johnson	52317
MAILING ADDRESS	CITY	STATE	ZIP	
440 N Dubuque Street	North Liberty	Iowa	52317	

Contact Person

NAME	PHONE	EMAIL
John Hruby	(319) 631-3973	lynnaf22@yahoo.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LC0036492	Class C Retail Alcohol License	12 Month	Pending Dramshop Review

TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS
Nov 1, 2024	Oct 31, 2025	

SUB-PERMITS

Class C Retail Alcohol License

PRIVILEGES



Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
John Hruby	North Liberty	Iowa	52317	Owner	50.00	Yes
Amanda Lynn-Hruby	North Liberty	Iowa	52317	Owner	50.00	Yes

Insurance Company Information

INSURANCE COMPANY

Illinois Casualty Co

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



State of Iowa ABD approval statement from the following county department

Legal Name of Applicant: J & A Tap Inc

Name of Business (DBA): J & A Tap

Address of Business: 440 N Dubuque St

Business Phone: 319-626-3033

Email: lynnaf22@yahoo.com

State of Iowa ABD License #: LC0036492

Johnson County Health Department:

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

Name: Rob Thul

Title: EHM Date: 8/19/24

Signature: 
Digitally signed by Rob Thul
Date: 2024.08.19
12:50:37 -0500'



North Liberty Police Department

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

August 20, 2024

Liquor License Check

Business: J&A Tap
440 N. Dubuque Street
North Liberty, IA 52317

Owners:	John Hruby	DOB: 1967
	Amanda Hruby	DOB: 1962

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 Lieutenant Rueben Ross.



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
Fiesta North Liberty Inc	Fiesta Mexican Restaurant	(515) 380-0766		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
720 Pacha Parkway	Suite 2 & 3	North Liberty	Johnson	52317
MAILING ADDRESS	CITY	STATE	ZIP	
720 PACHA PKWY	North Liberty	Iowa	523174797	

Contact Person

NAME	PHONE	EMAIL
Juan Berber	(515) 380-0766	jberber1@live.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LC0044005	Class C Retail Alcohol License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
Nov 1, 2024	Oct 31, 2025	

SUB-PERMITS

Class C Retail Alcohol License

PRIVILEGES



Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Antonio Berber	Adel	Iowa	50003	President	100.00	Yes

Insurance Company Information

INSURANCE COMPANY

Society Insurance

POLICY EFFECTIVE DATE

Nov 1, 2024

POLICY EXPIRATION DATE

Nov 1, 2025

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 ABD approval statement from the following county department

Legal Name of Applicant: Fiesta North Liberty Inc

Name of Business (DBA): Fiesta North Liberty Inc

Address of Business: 720 Pacha Pkwy Suite 2 & 3

Business Phone: 515-802-7464

Email: jberber1@live.com


State of Iowa ABD License #: LC0044005

Johnson County Health Department:

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

Name: Rob Thul

Title: EHM Date: 8/19/24

Signature: 
Digitally signed by Rob Thul
Date: 2024.08.19 13:08:08 -05'00'



North Liberty Police Department

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

August 20, 2024

Liquor License Check

Business: Fiesta Mexican Restaurant
720 Pacha Parkway Units 2 & 3
North Liberty, IA 52317

Owners: Antonio Berber (DOB: 1985)

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 Lieutenant Rueben Ross.





State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
CGR LLC	Rusciano's authentic taste of Napoli	(319) 665-2761		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
710 Pacha parkway	#5	North Liberty	Johnson	52317
MAILING ADDRESS	CITY	STATE	ZIP	
710 Pacha parkway #5	North Liberty	Iowa	52317	

Contact Person

NAME	PHONE	EMAIL
Carol Gorney	(563) 357-2924	cgrllc2016@gmail.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
BW0095672	Special Class C Retail Alcohol License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
Oct 23, 2024	Oct 22, 2025	

SUB-PERMITS

Special 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
Carol Gorney	iowa city	iowa	52240	manager	45.00	Yes
Gennaro Rusciano	iowa City	iowa	52240	owner/ chef	55.00	No

Insurance Company Information

INSURANCE COMPANY

Illinois Casualty Co

POLICY EFFECTIVE DATE

Oct 23, 2024

POLICY EXPIRATION DATE

Oct 23, 2025

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 ABD approval statement from the following county department

Legal Name of Applicant: CGR LLC

Name of Business (DBA): Rusciano's Authentic Taste of Napoli

Address of Business: 710 Pacha Parkway #5

Business Phone: 319-665-2761

Email: cgrllc2016@gmail.com

State of Iowa ABD License #: BW0095672

Johnson County Health Department:

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

Name: Rob Thul

Title: EHM Date: 8/19/24

Signature: 
Digitally signed by Rob Thul
Date: 2024.08.19 13:07:05 -0500



North Liberty Police Department

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

August 20, 2024

Liquor License Check

Business: Rusciano's Authentic Taste of Napoli
710 Pacha Parkway Suite 5
North Liberty, IA 52317

Owners: Carol Gorney (DOB: 1963)
Gennaro Rusciano (DOB: 1982)

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 Lieutenant Rueben Ross.





Mayor Report



PROCLAMATION

National Hunger and Homelessness Awareness Week

Whereas, Johnson County faces an unprecedented number of households experiencing homelessness and hunger each day; and

Whereas, this proclamation seeks to foster understanding and empathy for those affected by these critical issues and to inspire action and advocacy on behalf of people with food insecurities and who lack a permanent home. Through collaboration, education, and advocacy, we can work toward sustainable solutions that address the root causes of food insecurity and homelessness; and

Whereas, together, we can create a more compassionate society that prioritizes the well-being of all its members, ensuring that no one is left behind in the struggle for basic human needs. Realizing that food security and housing stability are essential for a prosperous and healthy community; and

Whereas, the realities of hunger and homelessness affect thousands of adults and children in our community every day. The North Liberty food pantry reports almost 18,000 visits and deliveries over the past fiscal year, along with Shelter House reporting nearly 34,000 nights of shelter provided for those experiencing homelessness, and on one of the coldest nights of the year, 24 of our neighbors slept outside due to not having a home; and

Whereas, food insecurity and hunger stems from a lack of financial security and the high cost of living; and

Whereas, homelessness persists due to a shortage of accessible, affordable, and right-sized housing with and without supports; and

Whereas, numerous organizations in North Liberty and Johnson County at large are dedicated to supporting individuals experiencing poverty and homelessness; and

Whereas, while we have made significant strides in addressing hunger and homelessness through collaborative community efforts, we must continue to develop resources that meet the needs of individuals with hope, dignity, and opportunity.

Now, therefore, be it resolved that we, the North Liberty, City Council, do hereby proclaim November 17-23, 2024, as:

HUNGER AND HOMELESSNESS AWARENESS WEEK

in North Liberty and urge all citizens to recognize the vital roles we each play in making a difference in the lives of adults and children who experience hunger and homelessness in our community.

Mayor Chris Hoffman

Signed in North Liberty, Iowa
this 12th day of November, 2024



2024A Bond Sale

MINUTES TO RECEIVE BIDS AND SELL BONDS

421033-94

North Liberty, Iowa

November 12, 2024

The City Council of the North Liberty, Iowa, met on November 12, 2024, at _____ o'clock __.m., at the _____, North Liberty, Iowa.

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

Present: _____

Absent: _____.

This being the time and place fixed by the City Council for the consideration of bids for the purchase of the City's General Obligation Corporate Purpose Bonds, Series 2024A, the Mayor announced that bids had been received and canvassed on behalf of the City at the time and place fixed therefore.

Whereupon, such bids were placed on file, and the substance of such bids was noted in the minutes, as follows:

Name and Address of Bidder

Final Bid
(interest cost)

(ATTACH BID TABULATION)

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

Ayes: _____

Nays: _____.

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

RESOLUTION NO. 2024-104

RESOLUTION AWARDING GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2024A

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

WHEREAS, the City used a portion (\$965,000) of its borrowing authority under the 2021 Loan Agreement to issue its General Obligation Corporate Purpose Bonds, Series 2023A, leaving borrowing authority thereunder in the principal amount not to exceed \$8,335,000; and

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

WHEREAS, the City also proposed to enter into a General Obligation Loan Agreement (the "Essential Purpose Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$2,100,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the costs, to that extent, of undertaking parking lot improvements at Penn Meadows Municipal Park (the Essential Purpose Project"); and pursuant to law and duly published notice of the proposed action has held a hearing thereon on May 28, 2024; and

WHEREAS, the City also proposed to enter into a General Obligation Urban Renewal Loan Agreement (the "General Obligation Urban Renewal Loan Agreement" and together with the 2021 Loan Agreement, the 2022 Loan Agreement, and the Essential Purpose Loan Agreement, the "Loan Agreements") and to borrow money thereunder in a principal amount not to exceed \$2,700,000 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 Northside Community Park Land Acquisition Project, an urban renewal project of the City authorized by action of the City Council on June 27, 2023, as amended on May 14, 2024, and in lieu of calling an election upon such proposal, has published notice of the proposed action, including notice of the right to petition for an election, and has held a hearing thereon, and as of June 11, 2024, no petition had been filed with the City asking that the question of entering into the General Obligation Urban Renewal Loan Agreement be submitted to the registered voters of the City; and

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

WHEREAS, a Preliminary Official Statement (the "P.O.S.") has been prepared to facilitate the sale of General Obligation Corporate Purpose Bonds, Series 2024A (the "Bonds") in evidence of the obligation of the City under the Loan Agreement, and the City has made provision for the approval of the P.O.S. and has authorized its use by Independent Public Advisors, LLC, as municipal financial advisor to the City; and

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

WHEREAS, upon final consideration of all bids, the bid of _____, _____, _____ (the "Purchaser"), is the best, such bid proposing the lowest interest cost to the City for the Bonds;

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

Section 1. The bid of the Purchaser referred to in the preamble is hereby accepted, and the Bonds are hereby awarded to the Purchaser at the price specified in such bid, together with accrued interest, if any.

Section 2. The form of agreement of sale/official bid form (the "Sale Agreement") of the Bonds to the Purchaser is hereby approved, and the Mayor and City Clerk are hereby authorized to execute the Sale Agreement for and on behalf of the City.

Section 3. Further action with respect to the approval of the Loan Agreement and the issuance of the Bonds is hereby adjourned to the City Council meeting to be held on November 26, 2024.

Section 4. All resolutions or parts thereof 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.

Passed and approved November 12, 2024.

Mayor

Attest:

City Clerk

••••

Upon motion and vote, the meeting was adjourned.

Mayor

Attest:

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 as such City Clerk I have in my possession or have access to the complete corporate records of the City and of its City Council and officers and that I have carefully compared the transcript hereto attached with those corporate records and that the transcript hereto attached is a true, correct and complete copy of all the corporate records in relation to the sale of General Obligation Corporate Purpose Bonds, Series 2024A of the City evidencing the City’s obligation under a certain Loan Agreement and that the transcript hereto attached contains a true, correct and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time with respect thereto.

WITNESS MY HAND this ____ day of _____, 2024.

City Clerk

(Attach here a copy of the bid of the successful bidder.)



American Rescue Plan Act Funds



To **North Liberty Mayor & City Council**
From **Ryan Heiar, City Administrator**
Date **November 7, 2024**
Re **Remaining ARPA Funds – Follow up from October 22nd Discussion**

At the October 22 meeting, the City Council discussed options for allocating the remaining \$300k+ in American Recovery Plan Act (ARPA) funds. Staff recommended these funds be dedicated to the Community Center, specifically the impending parking lot project (see attached memo with updated attachments*); however, the City Council asked that other ideas be vetted.

Other suggestions that were mentioned at the meeting or in a follow-up discussion with staff include:

United Action for Youth (UAY)

Recently UAY requested funding to support a transitional living program for which they were unable to secure funds (see attached email from UAY Executive Director, Talia Meidlinger). UAY is trying to raise a minimum of \$100k to be able to stand up the existing service for the year, which started October 1, 2024. Their intent was to increase this service by securing a \$250k grant through the Family and Youth Services Bureau; unfortunately, funding was not awarded. The City Council could use ARPA funds to provide a contribution to UAY. Staff cautions Council as federal COVID funds start to dry up, similar requests may become more prevalent. In the last few years, with ARPA funds available, these types of requests have been easier to fund. Given the recent property tax law changes and the potential for further future impacts, it will be increasingly difficult to support unbudgeted requests. If the Council is inclined to provide a contribution to UAY for this program, staff would recommend \$5,000.

Economic Development

Another suggestion was to focus the remaining funds on economic development initiatives such as workforce support, small business assistance, tourism and hospitality, targeted impact grants (i.e. daycare), etc. If this is a concept that the City Council would like to pursue, staff would recommend contracting with Greater IC to:

1. Work with City staff to help shape the scope of an economic development program based on actual needs of the business community. It will be important for the success of the program to have well defined eligibility and funding parameters.
2. Administer the program and funds as City staff does not have the capacity to stand up this program.

Affordable Housing

One option discussed at the October 22 meeting was to increase the contribution to the Housing Trust Fund of Johnson County, allocating additional money to affordable housing in North Liberty. The Council previously approved a contribution of \$400k to HTFJC with the top priority of trying to leverage North Liberty's ARPA funds with a Low-Income Housing Tax Credit (LIHTC). Unfortunately, North Liberty's project was one of many around the state not awarded. Ellen McCabe will be at Tuesday's meeting to present another option for investing in affordable housing in North Liberty. In short, the idea is to release a general Request for Proposals (RFP), soliciting investment ideas from various affordable housing developers. This could range from the rehabilitation of existing affordable units to purchasing lots for new single family affordable homes. Assuming the concept is acceptable, the City Council can determine if the \$400k already committed is satisfactory or if additional funds should be earmarked.

North Liberty Community Center

Staff remains committed to recommending some or all of the remaining funds to be used for the Community Center. As previously noted, this aging facility - which is a service that everyone in the community can utilize - will need significant investment in the short- and mid-term. In addition to what was already provided (attached memo) here is a list of other projects that the Community Center team is currently contemplating:

• Replace indoor pool acoustical wall panels	\$100,000
• Replace indoor Pool DuctSox (6)	\$35,000
• Replace indoor pool pumps	\$18,000
• Replace indoor pool backwash valves	\$4,000
• Replace Robert's gym air handling unit (1 of 5)	<u>\$26,000</u>
	\$183,000

While none of the projects mentioned above and in the attached memo are overly exciting, they are detrimental to the operation of the community center. The point in drawing attention to these projects is so that the Council and community understand the need to invest in the existing facility for it to continue to be a viable space for our residents and visitors.

It should be noted, ARPA funds must be obligated by December 31, 2024. The federal government, for the purpose of ARPA funds, has defined obligation as "an order placed for property and services and entering into contracts, subawards, and similar transactions that require payment." If the City Council is amendable to a Community Center project, staff will recommend shifting ARPA funds to an existing project that is under contract (i.e. Centennial Park) and shifting future borrowed funds to a Community Center project.

While it could be argued that the funds are obligated by approving a project, shifting funds to a project already under contract will ensure compliance to the ARPA rules.

If the City Council decides to fund economic development initiatives, UAY and/or additional affording housing options, staff will draft an agreement between the City and agency for approval before the year end.

However the remaining funds are used, the Council is being asked to make the decision on Tuesday, November 12 so that there is no question about compliance to the federal rules.

*An updated rendering and cost opinion for the Community Center Parking Lot Project are attached to the October 18 memo. Of note, the rendering shows enhanced pedestrian access on all sides of the community center and to the Ranshaw House.

Ryan Heiar

From: Talia Meidlinger <Talia.Meidlinger@unitedactionforyouth.org>
Sent: Wednesday, October 9, 2024 11:25 AM
To: Council
Subject: [External] Funding loss

Importance: High

Some people who received this message don't often get email from talia.meidlinger@unitedactionforyouth.org. [Learn why this is important](#)

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

Good morning City Councilors,

I am writing you this afternoon to update you about a recent funding change at UAY. For the last 24 years, UAY has been awarded federal funding through the Family and Youth Services Bureau (FYSB) for our Transitional Living Program, which serves young people experiencing homelessness. Two weeks ago, we were notified that our proposal was not funded in the most recent competitive funding round. The current funding cycle ended on September 30th, and we were only made aware that our program wasn't being funded on September 17th. Our project officer let us know that this was the most competitive cycle for the funding she has ever seen. In our 4 -state region, there were 11 proposals and only 1 was funded. This increase is primarily due to the national 15% increase in unaccompanied minors who are experiencing homelessness. While we are confident that we can secure funding in the next cycle, that leaves us with a one year gap. It is crucial that we continue to provide support for young people in Johnson County who are experiencing homelessness in the year we are facing.

The award we had anticipated for the program was \$250,000. We have launched an Emergency Fundraising campaign to raise \$100,000. \$100,000 is the absolute minimum amount of funding to maintain the very basics of the program. If we had been awarded \$250,00 from FYSB we intended to increase the number of non-parenting young people we could serve. However, faced with this loss of funding, we are forced to decrease our capacity by 6 housing spots. The only reason we are able to continue serving 6 non-parenting young people with this smaller amount is because we own the properties where they are housed.

For scope, last year we housed and provided intensive case management to 50 young people who were experiencing homelessness. This year, from July 31st thru October 2nd the program has received referrals for 52 young people who meet eligibility requirements for the program. To serve all of the youth who need our services, we should look to expand our program to six times its size, while the unfortunate reality is we have had to cut it in half.

I would appreciate an opportunity to meet with you to discuss any funds that you all has access to, whether it be unallocated ARPA funds or other discretionary funds that you may be able to divert to UAY to support our emergency need for this program.

In the event that we are not able to get the financial support we need, we will be faced with the impossible job of informing youth who previously experienced homeless that they will be asked to leave their stable housing. And for eligible young people on our waiting list, we would have to inform them that we no longer have services to offer them. We have been a source of hope and a way out of systems of poverty for almost a quarter of a century. We can't let that end now.

You all have been incredibly supportive of UAY throughout the years and I am hopeful that in our time of need, you will work with us to support our Transitional Living Program.

Gratefully,

Talia Meidlinger



To **North Liberty Mayor & City Council**
 From **Ryan Heiar, City Administrator**
 Date **October 18, 2024**
 Re **Remaining ARPA Funds**

The Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program, authorized by the American Rescue Plan Act (ARPA), provided direct financial support to the City of North Liberty in the amount of \$2,906,110 to assist with response and recovery from the COVID-19 public health emergency.

To date, the City has spent or allocated nearly \$2.6 million of the federal government subsidy, leaving \$300k+ to be allocated by December 2024 and spent by December 2026. A snapshot of the City’s ARPA financial model is depicted below.

American Rescue Plan Act (ARPA) Allocation							
Coronavirus State & Local Fiscal Recovery Funds					AWARDED	REMAINING	
					\$ 2,906,110	\$ 311,610	
Projects Funded	FY22	FY23	FY24	FY25	TOTAL	POTENTIAL	
1. Domestic Violence Intervention Program	\$ 25,000				\$ 25,000		
2. North Liberty Community Pantry	\$ 100,000			\$ 250,000	\$ 350,000		
3. City Social Services Grants		\$ 150,000	\$ 155,000		\$ 305,000		
4. Storm Water GIS		\$ 200,000			\$ 200,000		
5. Centennial Park			\$ 1,000,000		\$ 1,000,000		
6. Ranshaw House Furnishings			\$ 40,000		\$ 40,000		
7. Affordable Housing Program			\$ 400,000		\$ 400,000		
10. Liberty Centre Pond Repairs				\$ 132,000	\$ 132,000		
11. Leaf Vac Trailer				\$ 142,500	\$ 142,500		
12. Other					\$ -		
Total	\$ 125,000	\$ 350,000	\$ 1,595,000	\$ 524,500	\$ 2,594,500		\$ -
General Fund Transfer	\$ -	\$ 275,000	\$ 155,000	\$ -			\$ 311,610
Equipment Revolving Transfer	\$ -	\$ -	\$ -	\$ 142,500		BALANCE	
Stormwater Capital Transfer	\$ -	\$ -	\$ -	\$ 132,000			

Originally, staff was planning to recommend that the remaining ARPA funds be used to upgrade the shower rooms, family restrooms and locker area at the indoor pool. This section of the facility needs attention, is one of the most heavily used, and is the most criticized by patrons. However, after recently receiving estimated costs for this project - \$900k - staff has reconsidered the recommendation. A summary of the costs and scope of the project are attached to this memo.

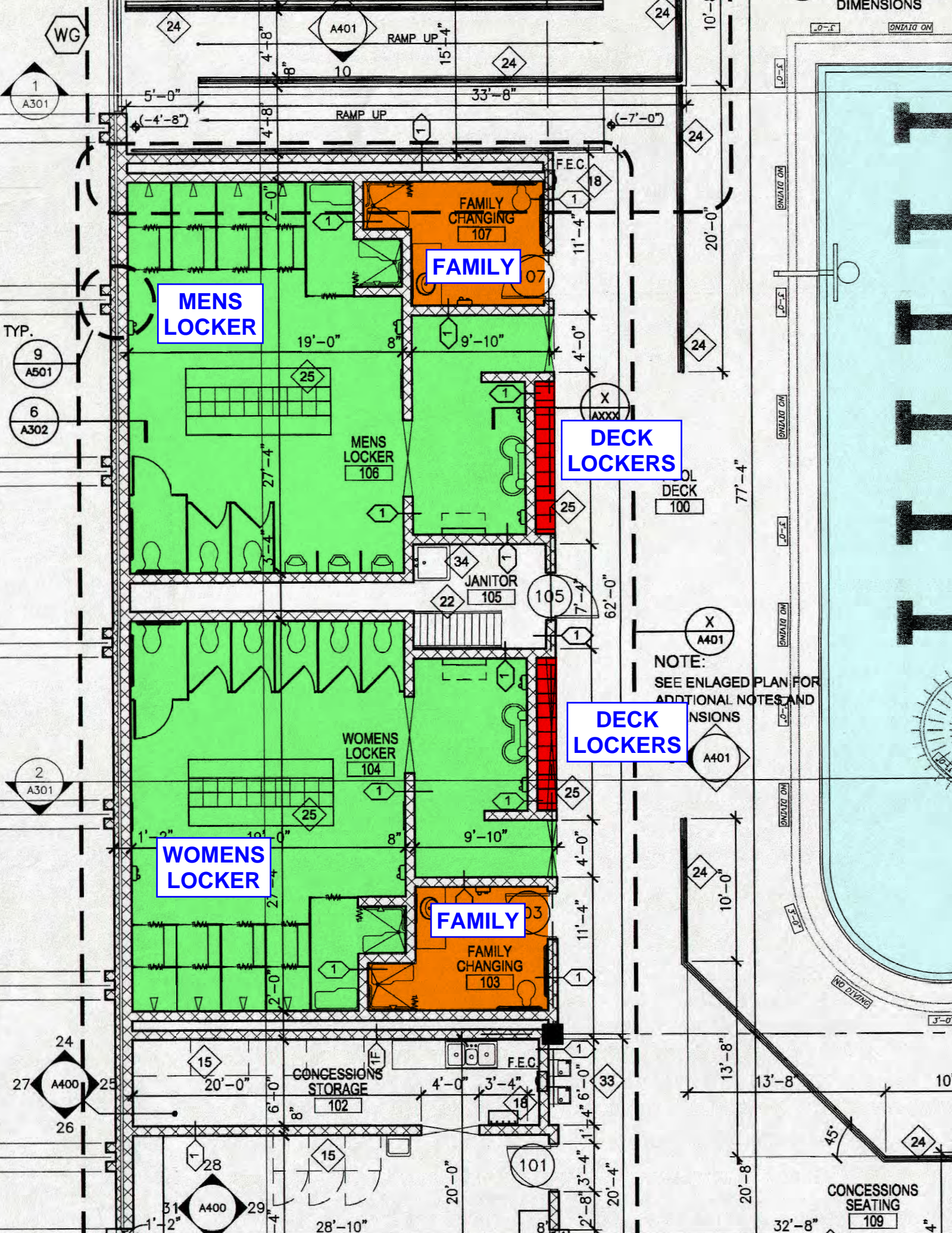
Staff is now suggesting that the remaining ARPA funds be used for Phase 1 of the Community Center Parking Lot Rehabilitation Project, which is estimated at \$360k (summary of costs and scope attached). The reason for this course change is related to

the fact that cost and scope of the shower/rest/locker room facilities has grown substantially, with an original budget of \$250k. Given that the estimated cost is now \$900k and that design and construction would be difficult to complete before the end of 2026, staff is recommending ARPA funds be used for a different project.

The team remains committed to recommending these funds be used at the Community Center. The original part of the North Liberty Community Center is 30 years old, while the pool and related spaces are over 20 years old. As has been the case in the last few years, this facility is showing its age and will need continual investment to keep it operational. In the last five years, the roof has been replaced, HVAC system upgraded, tuckpointing completed, pool heater replaced, and various other maintenance projects contemplated and finished. In 2022, with assistance from Shive Hattery, a facility study was completed to identify short-, mid- and long-term projects that will be necessary. Some of those projects have been completed, many are included in the City's current 5-year CIP as described below, and the remaining are forecasted to be completed in the next 10-15 years.

5-Year CIP Community Center Projects			
Fiscal Year	Project	Project Description	Cost
FY25	Parking Lot & Sidewalks - Design	Design new parking lots & sidewalks for the Community Center.	\$ 50,000
FY25	Windows (24) - Second Floor	Replace and seal second floor windows and window flashing.	\$ 32,000
FY25	Aquatics - Enhancements	Diving boards \$15K, Floatables \$20K, Outdoor Chairs \$15K	\$ 50,000
FY26	Parking Lot & Sidewalks - West and East Sides	Resurface west parking lot. Includes milling top 2" and installation of PETROMAT and new asphalt with paint striping. Fill cracks to prevent heaving and extend the life of the pavement in north and south parking lots.	\$ 300,000
FY26	Aquatic - Bathrooms	Remodel Aquatic shower rooms, family restrooms & locker area.	\$ 900,000
FY26	Aquatic - Enhancements	Replace inside pool starting blocks, inside & outside pool diving boards, lifeguard stands, eight floatables & inside pool basketball hoop. Add outside pool basketball hoop.	\$ 50,000
FY27	Parking Lot & Sidewalks - South Side	Resurface south parking lot. Includes milling top 2" and installation of PETROMAT and new asphalt with paint striping.	\$ 400,000
FY28	Parking Lot & Sidewalks - North Side	Resurface north parking lot. Includes milling top 2" and installation of PETROMAT and new asphalt with paint striping.	\$ 400,000
FY28	Aquatic - Enhancements	Replace aging equipment, as determined.	\$ 100,000
FY29	Acoustical Ceiling Tile	Replace 100 tiles, as needed throughout the facility.	\$ 15,000
FY29	Cabinets - Library	Replace cabinets at the window projections in the Library workspace.	\$ 15,000
FY29	Cabinets - Recreation	Refurbish cabinets in the BASP room, kitchen, and other areas throughout facility.	\$ 60,000
FY29	Doors - Exterior Hollow Metal	Refinish exterior hollow metal doors from 1997 and 2003 to prevent onset of rust.	\$ 8,000
FY29	Doors & Door Frames - Interior Hollow Metal	Repaint hollow metal doors and door frames of interior building.	\$ 18,000
FY29	Doors & Windows - Exterior Aluminum	Refinish aluminum doors and windows from 1997 and 2003, which have lost their finish coat.	\$ 40,000
FY29	Track - Painting	Prep and paint underside of metal track deck, because the paint is peeling.	\$ 25,000
FY29	Window Lintels	Prepare and paint all exterior steel window lintels.	\$ 8,000
5-Year Total			\$ 2,471,000

All that is to say, for the North Liberty Community Center to remain an attractive, place-making and quality of life amenity for the community, substantial investment is required. Staff believes using the remaining ARPA funds for phase 1 of the parking lot project will not only ensure compliance with the ARPA funding deadline, but also significantly help move forward with necessary maintenance projects for this community attraction.



MENS LOCKER

FAMILY

DECK LOCKERS

WOMENS LOCKER

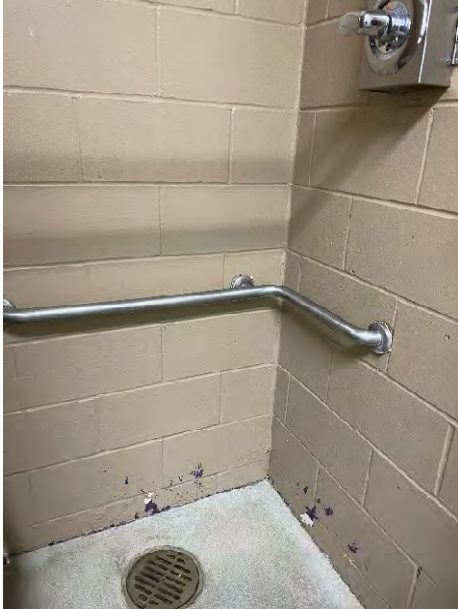
DECK LOCKERS

FAMILY

NOTE: SEE ENLARGED PLAN FOR ADDITIONAL NOTES AND DIMENSIONS

CONCRETE SEATING

ITEM	DESCRIPTION	UNIT	QUANTITY	EXTENDED COST
LOCKER ROOMS - MEN'S AND WOMEN'S				
1	General Conditions	LS	2	\$ 6,800
2	Demolition	LS	2	\$ 13,600
3	LED Lighting	LS	2	\$ 7,000
4	Finishes	LS	2	\$ 120,400
5	Fixtures and Accessories	LS	2	\$ 172,600
6	Locker Island	LS	2	\$ 45,400
7	Toilet and Shower Compartments	LS	2	\$ 49,900
LOCKER ROOMS - SUBTOTAL:				\$ 415,700
Inflation to 2026 Q2 (+ 06% of total):				\$ 25,000
Contractor Overhead and Profit (+15% of total):				\$ 66,500
LOCKER ROOMS - CONSTRUCTION ESTIMATE:				\$ 507,200
FAMILY RESTROOMS				
1	General Conditions	LS	2	\$ 2,300
2	Demolition	LS	2	\$ 4,700
3	LED Lighting	LS	2	\$ 1,000
4	Finishes	LS	2	\$ 24,150
5	Fixtures and Accessories	LS	2	\$ 32,100
6	ADA Shower Upgrade	LS	2	\$ 3,250
FAMILY RESTROOMS - SUBTOTAL:				\$ 67,500
Inflation to 2026 Q2 (+ 06% of total):				\$ 4,500
Contractor Overhead and Profit (+15% of total):				\$ 11,000
FAMILY RESTROOMS - CONSTRUCTION ESTIMATE:				\$ 83,000
LOCKERS AND BENCH - POOL DECK				
1	General Conditions	LS	1	\$ 1,400
2	Demolition	LS	1	\$ 2,800
3	Locker Replacement	LS	1	\$ 19,900
4	Bench Extention	LS	1	\$ 4,000
LOCKERS AND BENCH - SUBTOTAL:				\$ 28,100
Inflation to 2026 Q2 (+ 06% of total):				\$ 2,000
Contractor Overhead and Profit (+15% of total):				\$ 5,000
FAMILY RESTROOMS - CONSTRUCTION ESTIMATE:				\$ 35,100
COMBINED PROJECTS - CONSTRUCTION ESTIMATE:				\$ 625,300
POTENTIAL PROJECT CONTINGENCIES				
	Concept Phase - Design Contingency	15%		\$ 94,000
	* Bid Phase - Small Project Contingency	5%		\$ 31,500
	** Bid Phase - Construction Phasing Complexity	5%		\$ 31,500
	Construction Phase - Additions / Revisions / Unknowns	5%		\$ 31,500
PROJECT CONTINGENCIES - SUBTOTAL:				\$ 188,500
COMBINED PROJECTS - CONSTRUCTION + CONTINGENCY ESTIMATE:				\$ 813,800
Design and Construction (12%):				\$ 90,500
COMBINED PROJECTS - PROJECT ESTIMATE:				\$ 904,300



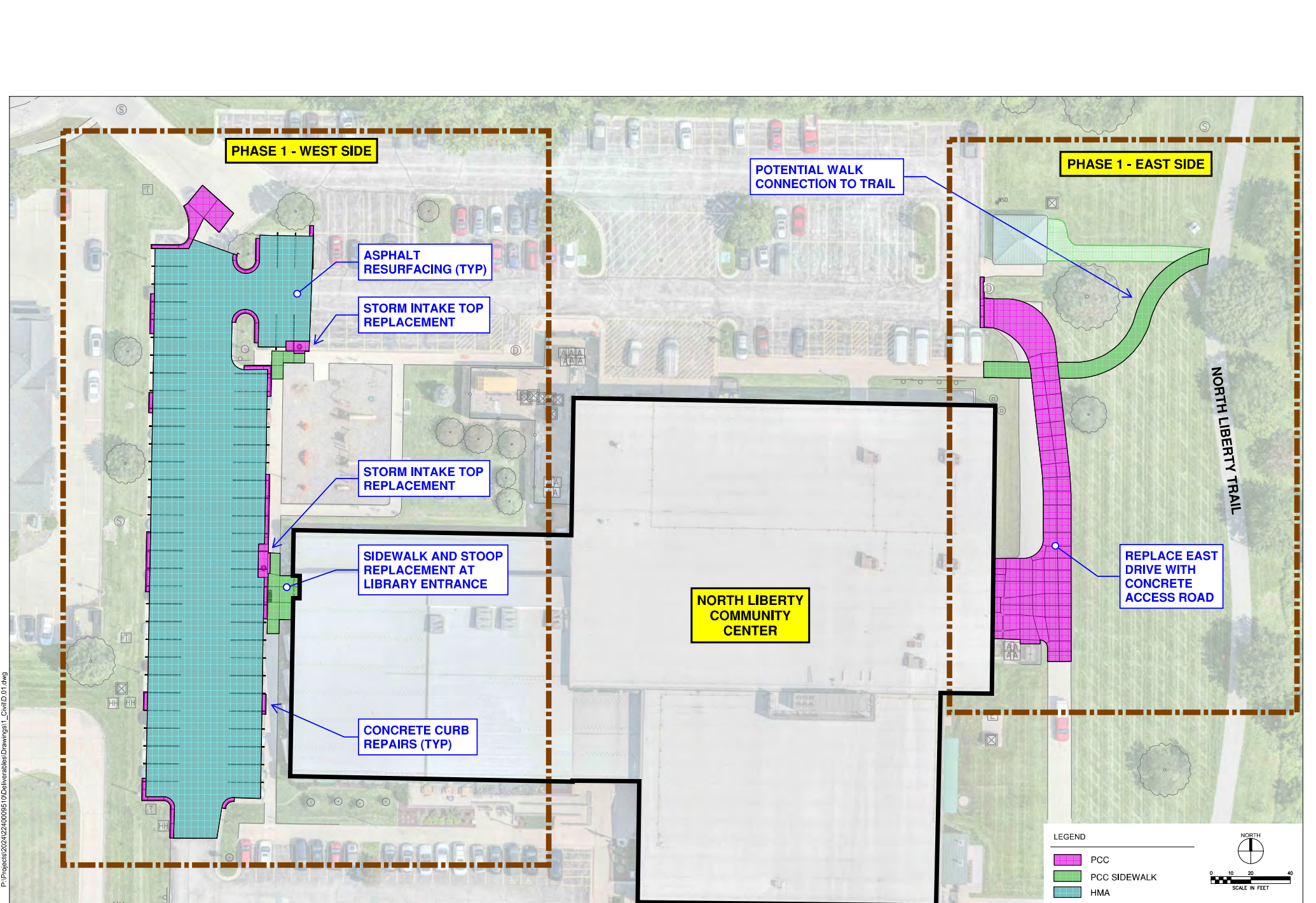
North Liberty Community Center – Pool Locker Rooms – Existing Conditions

Project #2240011790





North Liberty Community Center – 2018 Main Level Locker Room Remodel – Finishes



PHASE 1 - WEST SIDE

PHASE 1 - EAST SIDE

POTENTIAL WALK CONNECTION TO TRAIL

ASPHALT RESURFACING (TYP)

STORM INTAKE TOP REPLACEMENT

STORM INTAKE TOP REPLACEMENT

SIDEWALK AND STOOP REPLACEMENT AT LIBRARY ENTRANCE

CONCRETE CURB REPAIRS (TYP)

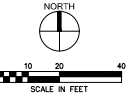
NORTH LIBERTY COMMUNITY CENTER

REPLACE EAST DRIVE WITH CONCRETE ACCESS ROAD

NORTH LIBERTY TRAIL

LEGEND

- PCC
- PCC SIDEWALK
- HMA



P:\Projects\2024\2240009510\Deliverables\Drawings\1_Civil\1D.01.dwg

City of North Liberty - NLCC Parking Lot Improvements - Phase 1

OPINION OF ANTICIPATED CONSTRUCTION COSTS

50% Owner Review - October 2024

DESCRIPTION: Resurface the existing parking lots surrounding the Community Center - Phase 1 West Lot concept includes mill and overlay of asphalt surfacing, some areas of full depth asphalt repair, some areas of curb repair, replacing Library entrance sidewalk to improve drainage near the door, and replacing east entrance access drive to widen and realign.

ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT COST	EXTENDED COST
1	TOPSOIL, ON-SITE	CY	100	\$ 20.00	\$ 2,000.00
2	TOPSOIL, OFF-SITE	CY	150	\$ 40.00	\$ 6,000.00
3	CLASS 10 EXCAVATION	CY	150	\$ 45.00	\$ 6,750.00
4	SUBGRADE PREPARATION	SY	500	\$ 3.00	\$ 1,500.00
5	MODIFIED SUBBASE	CY	440	\$ 60.00	\$ 26,400.00
6	INTAKE, SW-541, REMOVE AND REPLACE TOP	EACH	2	\$ 5,000.00	\$ 10,000.00
7	PAVEMENT, PCC, 8-INCH, C-MIX	SY	43	\$ 70.00	\$ 3,010.00
8	PAVEMENT, PCC, 7-INCH, C-MIX	SY	435	\$ 60.00	\$ 26,100.00
9	REMOVE AND REPLACE PCC CURB AND GUTTER, 2.0 FT, 5 IN. STANDARD CURB	LF	369	\$ 60.00	\$ 22,140.00
10	MILLING AND RESHAPING	SY	1,911	\$ 17.00	\$ 32,487.00
11	HMA OVERLAY, BASE COURSE, 2.0-INCH	TON	250	\$ 135.00	\$ 33,750.00
12	HMA OVERLAY, SURFACE COURSE, 1.0-INCH	TON	145	\$ 140.00	\$ 20,300.00
13	REMOVAL OF SIDEWALK	SY	63	\$ 15.00	\$ 945.00
14	PAVEMENT REMOVAL	SY	600	\$ 15.00	\$ 9,000.00
15	SIDEWALK, P.C. CONCRETE, 6-INCH	SY	59	\$ 65.00	\$ 3,835.00
16	REMOVE AND REPLACE PCC STOOP TOP	SF	36	\$ 125.00	\$ 4,500.00
17	DETECTABLE WARNINGS, CAST IRON	SF	12.0	\$ 65.00	\$ 780.00
18	FULL DEPTH PATCHES, 4" HMA WITH 6" SUBBASE	SY	300.0	\$ 75.00	\$ 22,500.00
19	PAINTED PAVEMENT MARKINGS, HIGH-BUILD	STA	11	\$ 100.00	\$ 1,100.00
20	TEMPORARY TRAFFIC CONTROL	LS	1.00	\$ 5,000.00	\$ 5,000.00
21	PERMANENT SEEDING, FERTILIZER AND HYDRAULIC EROSION CONTROL	ACRE	0.30	\$ 10,000.00	\$ 3,000.00
22	STABILIZING CROP - TEMPORARY SEEDING, FERTILIZER AND MULCHING - TYPE 4	ACRE	0.3	\$ 1,000.00	\$ 300.00
23	COMPOST FILTER TUBE (8 IN DIA.)	LF	1,000	\$ 2.50	\$ 2,500.00
24	STABILIZED CONSTRUCTION ENTRANCE	TON	20	\$ 50.00	\$ 1,000.00
25	BIODEGRADABLE EROSION CONTROL BLANKET	SQ	40	\$ 23.00	\$ 920.00
26	INLET PROTECTION DEVICE, OPEN THROAT CURB INTAKE	EACH	1	\$ 150.00	\$ 150.00
27	MOBILIZATIONS, EROSION CONTROL	EACH	2	\$ 500.00	\$ 1,000.00
28	MOBILIZATIONS, EMERGENCY EROSION CONTROL	EACH	1	\$ 1,000.00	\$ 1,000.00
29	MOBILIZATION	LS	1	\$ 15,000.00	\$ 15,000.00
30	CONCRETE WASHOUT	LS	1	\$ 1,500.00	\$ 1,500.00

Opinion of Probable Construction Cost - Subtotal \$ **264,500**

Contingency (10%) \$ 26,500

Opinion of Probable Construction Cost - Total \$ **291,000**

Engineering (Design - Bid - Construction) \$ 45,000

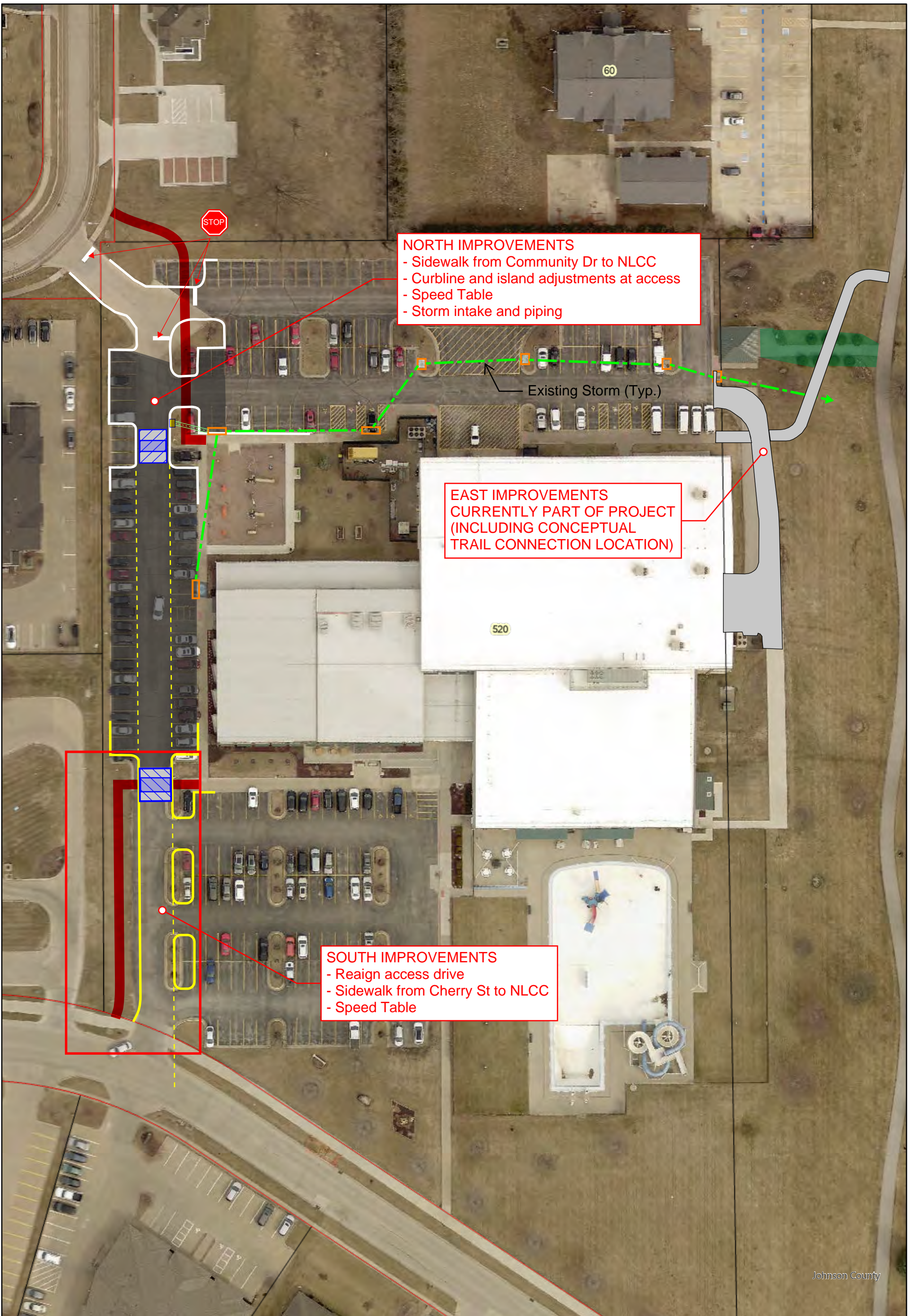
Opinion of Project Cost - Total \$ **336,000**

ADD SCOPE - Trail Connection					
1	TOPSOIL, ON-SITE	CY	50	\$ 20.00	\$ 1,000
2	CLASS 10 EXCAVATION	CY	60	\$ 45.00	\$ 2,700
3	SUBGRADE PREPARATION	SY	160	\$ 3.00	\$ 480
4	MODIFIED SUBBASE	CY	20	\$ 60.00	\$ 1,200
5	REMOVAL OF SIDEWALK	SY	90	\$ 15.00	\$ 1,350
6	SIDEWALK, P.C. CONCRETE, 6-INCH	SY	130	\$ 65.00	\$ 8,450
				Contingency (20%)	\$ 3,000
				ADDED Trail Connection Construction Cost Subtotal	\$ 18,000
				Engineering (Design - Bid - Construction)	\$ 3,500
				ADDED Trail Connection Project Cost Subtotal	\$ 21,500

Opinion of Probable Construction Cost Incl ADD Scope- Total \$ **309,000**

Opinion of Project Cost Incl ADD Scope - Total \$ **357,500**

The Engineer, as a design professional familiar with the construction industry, has prepared this opinion of the Probable Cost of Construction. It is recognized, however, that neither the Engineer nor the Owner has control over the cost of labor, materials, or equipment, over the Contractor's method of determining bid prices, or over competitive bidding, market, or negotiating conditions. Accordingly, the Engineer cannot and does not warrant or represent which bids or negotiated prices will not vary from the Probable Cost of Construction.



NORTH IMPROVEMENTS

- Sidewalk from Community Dr to NLCC
- Curbline and island adjustments at access
- Speed Table
- Storm intake and piping

**EAST IMPROVEMENTS
CURRENTLY PART OF PROJECT
(INCLUDING CONCEPTUAL
TRAIL CONNECTION LOCATION)**

SOUTH IMPROVEMENTS

- Realign access drive
- Sidewalk from Cherry St to NLCC
- Speed Table

Existing Storm (Typ.)

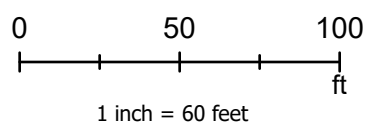
Johnson County



**Johnson County GIS
Web Printing**

My Map

Printed: 10/18/2024



The information presented herein is intended to be an accurate representation of existing records. Johnson County assumes no liability for errors or omissions. Users relying on this information do so at their own risk.

City of North Liberty - NLCC Parking Lot Improvements - Phase 1

OPINION OF ANTICIPATED CONSTRUCTION COSTS

Scope and Planning Coordination 11/6/2024

DESCRIPTION:

Possible ADD scope components for adding speed tables and sidewalk connections to the North and South sections of the NLCC access drive. Includes revisions to geometry and curb lines.

ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT COST	EXTENDED COST
<u>NORTH IMPROVEMENTS</u>					
1	TOPSOIL, OFF-SITE	CY	55	\$ 40.00	\$ 2,200
2	CLASS 10 EXCAVATION	CY	75	\$ 45.00	\$ 3,375
3	MODIFIED SUBBASE	CY	35	\$ 60.00	\$ 2,100
4	PAVEMENT REMOVAL	SY	375	\$ 15.00	\$ 5,625
5	SIDEWALK, P.C. CONCRETE, 6-INCH	SY	140	\$ 65.00	\$ 9,100
6	DETECTABLE WARNINGS, CAST IRON	SF	48	\$ 65.00	\$ 3,120
8	REMOVE AND REPLACE PCC CURB AND GUTTER, 2.0 FT, 5 IN. STANDARD CURB	LF	350	\$ 60.00	\$ 21,000
9	SPEED TABLE, PCC	SY	80	\$ 100.00	\$ 8,000
10	SIGNAGE	LS	1	\$ 1,000.00	\$ 1,000
11	STORM INTAKE (SW-501)	EA	1	\$ 7,500.00	\$ 7,500
12	STORM PIPE (15" RCP)	LF	30	\$ 80.00	\$ 2,400
13	MOBILIZATION	LS	1	\$ 6,000.00	\$ 6,000
				Contingency (10%)	\$ 7,000
				ADDED North Improvements Conceptual Cost Total	\$ 78,000
				Engineering (Design - Bid - Construction)	\$ 11,500
				ADDED North Improvements Project Cost Total	\$ 89,500

<u>SOUTH IMPROVEMENTS</u>					
1	TOPSOIL, ON-SITE	CY	50	\$ 20.00	\$ 1,000
2	CLASS 10 EXCAVATION	CY	75	\$ 45.00	\$ 3,375
4	MODIFIED SUBBASE	CY	40	\$ 60.00	\$ 2,400
5	PAVEMENT REMOVAL	SY	380	\$ 15.00	\$ 5,700
6	SIDEWALK, P.C. CONCRETE, 6-INCH	SY	140	\$ 65.00	\$ 9,100
7	DETECTABLE WARNINGS, CAST IRON	SF	24	\$ 65.00	\$ 1,560
8	REMOVE AND REPLACE PCC CURB AND GUTTER, 2.0 FT, 5 IN. STANDARD CURB	LF	520	\$ 60.00	\$ 31,200
9	SPEED TABLE, PCC	SY	80	\$ 100.00	\$ 8,000
10	SIGNAGE	LS	1	\$ 500.00	\$ 500
11	MILLING AND RESHAPING	SY	510	\$ 17.00	\$ 8,670
12	HMA OVERLAY, BASE COURSE, 2.0-INCH	TON	65	\$ 135.00	\$ 8,775
13	HMA OVERLAY, SURFACE COURSE, 1.0-INCH	TON	30	\$ 140.00	\$ 4,200
14	MOBILIZATION	LS	1	\$ 10,000.00	\$ 10,000
				Contingency (10%)	\$ 8,000
				ADDED South Improvements Conceptual Cost Total	\$ 102,000
				Engineering (Design - Bid - Construction)	\$ 15,000
				ADDED South Improvements Project Cost Total	\$ 117,000

Opinion of Project Cost Incl Possible ADD Scope - Total	\$ 564,000
--	-------------------

The Engineer, as a design professional familiar with the construction industry, has prepared this opinion of the Probable Cost of Construction. It is recognized, however, that neither the Engineer nor the Owner has control over the cost of labor, materials, or equipment, over the Contractor's method of determining bid prices, or over competitive bidding, market, or negotiating conditions. Accordingly, the Engineer cannot and does not warrant or represent which bids or negotiated prices will not vary from the Probable Cost of Construction.



Hodge Construction Company Rezoning

November 5, 2024

Chris Hoffman, Mayor
City of North Liberty
360 North Main Street
North Liberty IA 52317

Re: Request of Hodge Construction Company for a zoning map amendment (rezoning) from RM-21 Multi-Unit Residence District to C-3 Higher-Intensity Commercial District on approximately 5.12 acres. The property is located at the northeast corner of West Forevergreen Road and Bernardy Drive.

Mayor Hoffman:

In accordance with Iowa Code Section 414.5, I, Nate Kaeding, acting as authorized representative of Hodge Construction Company, agree to the following imposed conditions on the rezoning to C-3 Higher-Intensity Commercial District:

1. That the following uses are the only ones permitted in the C-3 District:
 - Child Care Center
 - Dwelling – Multiple Unit
 - Dwelling – Mixed Use (which includes any of the permitted C-3 uses on the 1st floor).
 - Financial Institution
 - Office
 - Medical/Dental Office
2. That there be no direct access to West Forevergreen Road.

Sincerely,



Nate Kaeding



November 5, 2024

Chris Hoffman, Mayor
City of North Liberty
360 North Main Street
North Liberty IA 52317

Re: Request of Hodge Construction Company for a zoning map amendment (rezoning) from RM-21 Multi-Unit Residence District to C-3 Higher-Intensity Commercial District on approximately 5.12 acres. The property is located at the northeast corner of West Forevergreen Road and Bernardy Drive.

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its October 1, 2024 meeting. The Planning Commission took the following action:

Finding:

1. The rezoning request from RM-21 Multi-Unit Residence District to C-3 Higher-Intensity Commercial District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

The Planning Commission accepted the listed finding and forwards the zoning map amendment to the City Council with a recommendation for approval.

The vote for approval was 4-0.

Amy Yotty, Chairperson
City of North Liberty Planning Commission

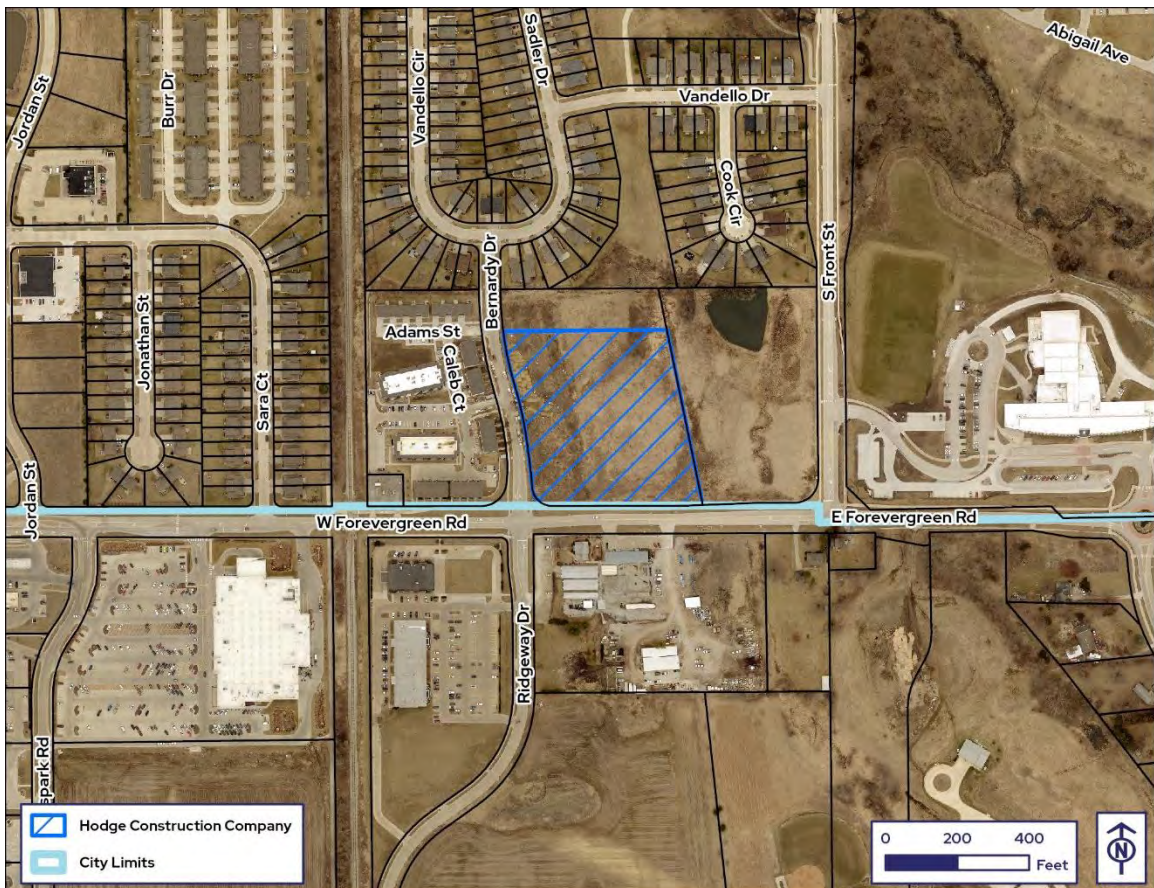


To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **September 27, 2024**
 Re **Request of Hodge Construction Company for a zoning map amendment (rezoning) from RM-21 Multi-Unit Residence District to C-3 Higher-Intensity Commercial District on approximately 5.12 acres. The property is located at the northeast corner of West Forevergreen Road and Bernardy Drive.**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo.

1. Request Summary:

The purpose of the rezoning request is to facilitate construction of higher-density multi-unit residents, although the zoning would allow for commercial uses as well.



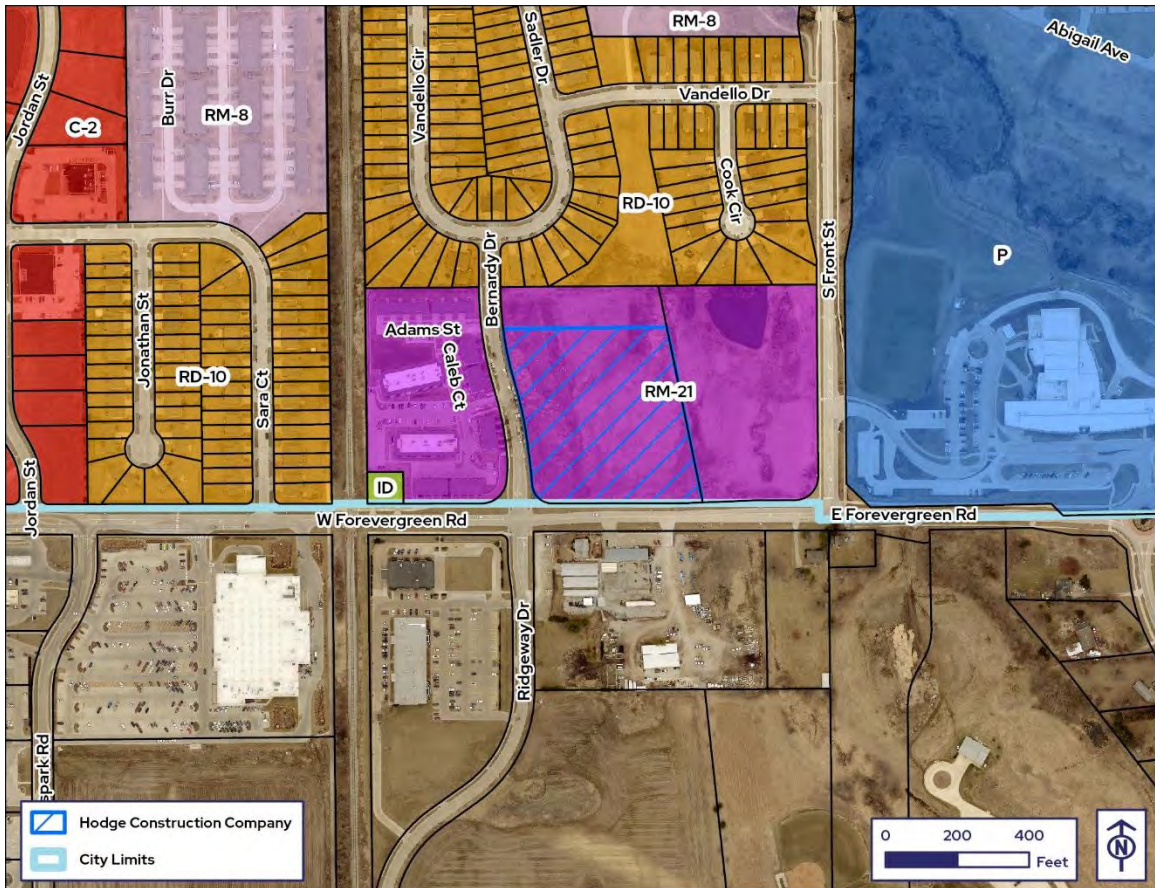
2. Current and Proposed Zoning:

Current Zoning

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

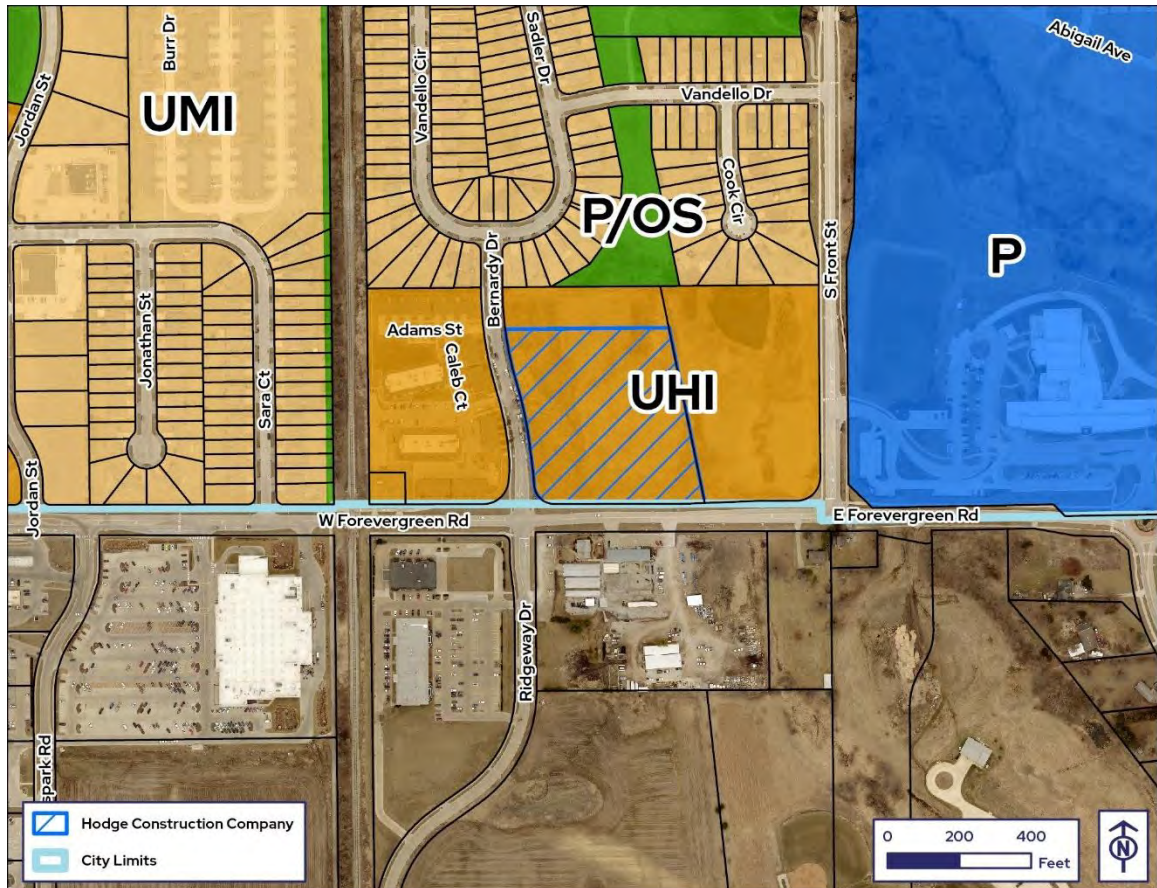
Proposed Zoning

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



3. Consistency with Comprehensive Plan:

Land Use Plan designation: Urban High Intensity.



Urban High Intensity Description

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

Residential

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

Form and Features

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

Non-Residential

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

4. Public Input:

A virtual good neighbor meeting was held on September 17, 2024. A few people outside of City staff and the applicant attended the meeting, but no one had any questions. There is correspondence in the background material regarding the potential for commercial development.

5. Zoning Map Amendment Approval Standards

Section 165.09(4)(D)(1) of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

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

Map Amendments.

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

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

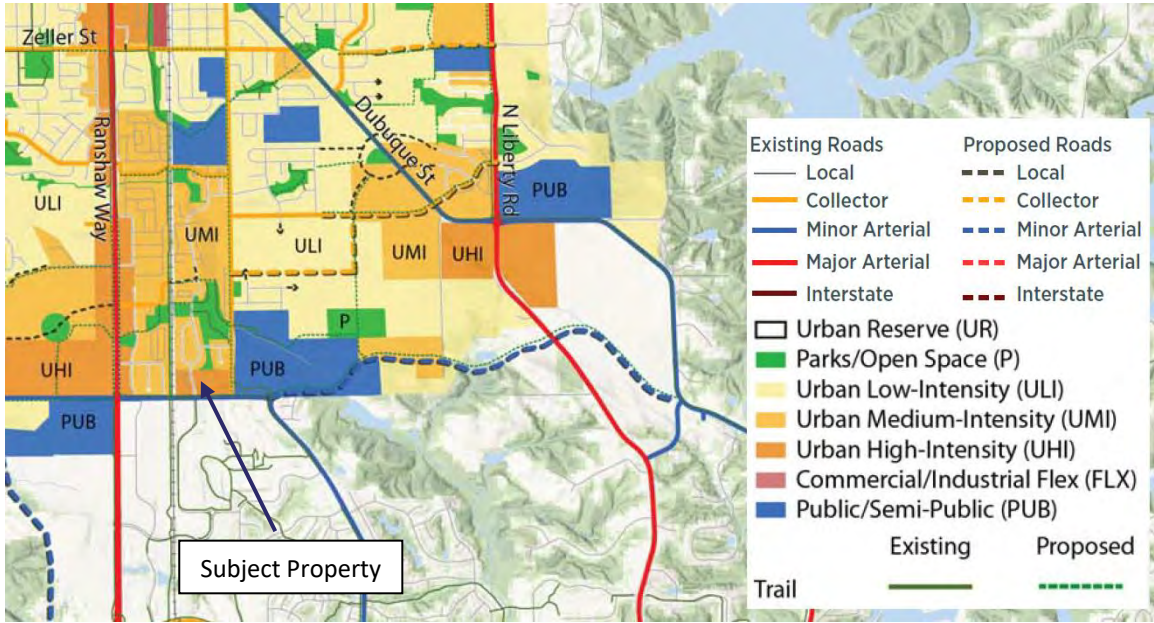
Figure 3.4: Land Use Compatibility

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

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

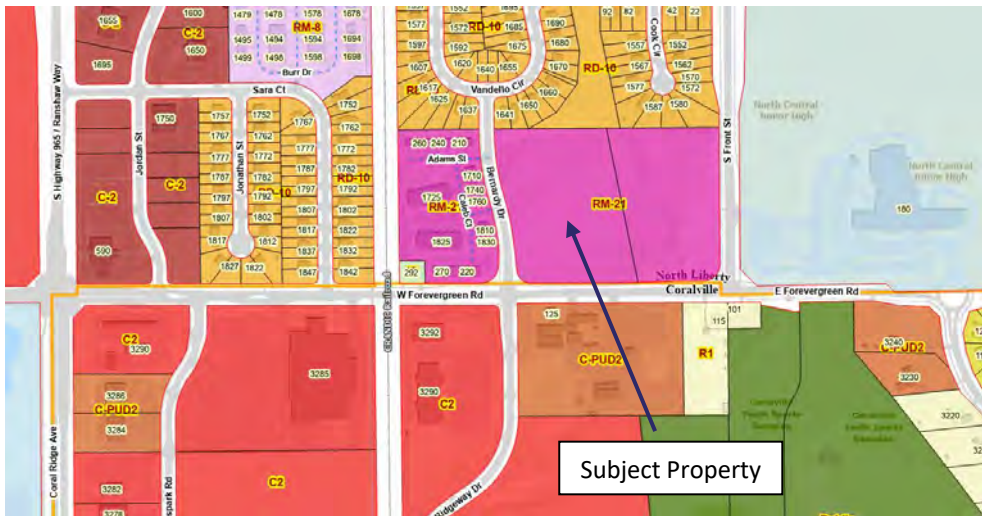
A primary consideration is the appropriateness of C-3 in this location. The property is designed Urban High Intensity (UHI) on the Future Land Use Map (FLUM). C-3 would be consistent with the FLUM.

The UHI Future Land Use Map designation was chosen for this and the adjacent properties due to the existing RM-21 Zoning and that Forevergreen Road is an arterial roadway, with planned extension to North Liberty Road and Dubuque Street.



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

(b) The compatibility with the zoning of nearby property. As mentioned, Forevergreen Road is an arterial roadway, with planned extension to North Liberty Road and Dubuque Street. Additionally, there is commercial zoning and development on the south side of Forevergreen Road in the City of Coralville.



It is staff's opinion that the zoning map amendment would be compatible with the zoning of nearby property.

(c) The compatibility with established neighborhood character.
As mentioned, it is staff's opinion that the C-3 District would be appropriate in this location. To achieve greater compatibility with the Creekside Subdivision to the north, staff suggested (and the applicant agreed) that there be less intense residential development toward the north end of the property. *The C-3 zoning boundary would be approximately 115' from the southern boundary of the Creekside Subdivision.*

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

(d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
It is staff's opinion that the proposed zonings would promote the public health, safety, and welfare of the City.

(e) The extent to which the proposed amendment creates nonconformities.
It is staff's opinion that the proposed zoning would not create any nonconformities.

6. Additional Considerations:

The intensity of the proposed development.

The C-3 District allows for commercial and multi-unit residences in either horizontal mixed-use (different buildings) or vertical mixed-use (same building) developments. There is no residential density restriction in the C-3 District.

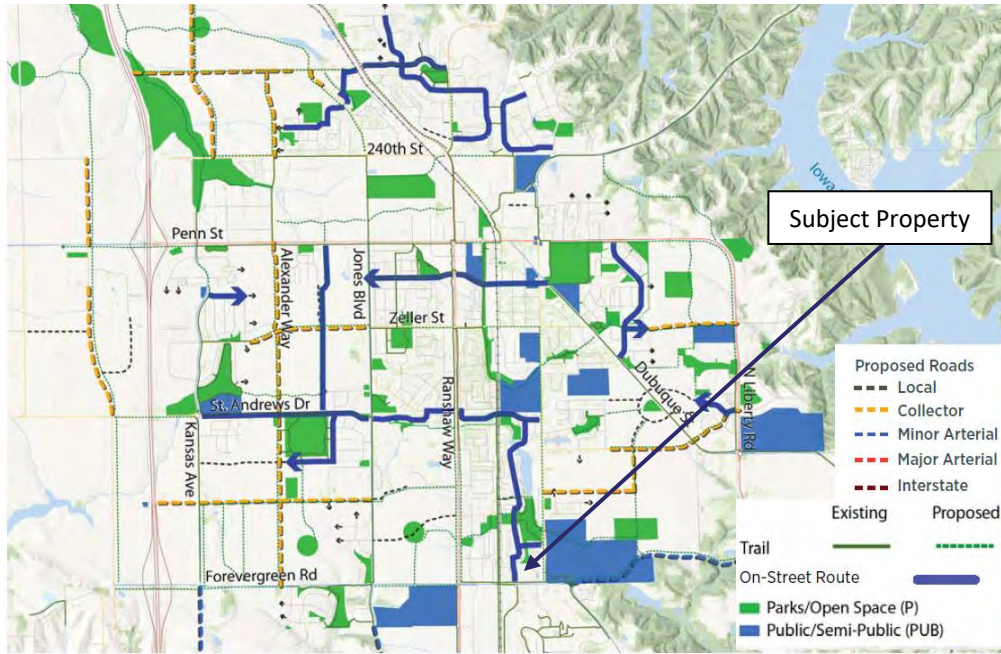
The concept provided to City staff shows 234 residential units in three buildings (45.6 units/acre). To maximum density and meet off-street parking standards, the building would be a "4 over 1", which is four-stories of wood framing over a concrete platform. Wood framing is less expensive than steel or metal framing or using entirely concrete. The concrete base allows builders to construct a building that is one story taller than would normally be allowed for entirely wood-framed buildings under building code.

Staff recognizes that the proposed development is on the higher end of residential density. Certainly, this density wouldn't be appropriate in all locations within the City. However, staff advocates for higher density and intensity in appropriate locations. This was considered when creating the North Liberty Connected to Tomorrow Comprehensive Plan Future Land Use Map, which was adopted in February 2023.

There is a trend toward creating a “15-minute city”, which provides access to all human needs by walking or bicycling 15 minutes or less. On next page is a graphical representation of an ½ mile urban node measured from the intersection of Ranshaw Way and Forevergreen Road. This would be approximately a 10-minute walk from the edge of the radius to the center. A node is the concentration of development near the intersection of major arterials where higher density, mixed-use development should occur. Within this node there is a (forthcoming) major healthcare institution, a major grocery store, retail, offices, and restaurants. It is staff’s opinion that the undeveloped 160 acres north of the hospital is one of the biggest opportunity sites in North Liberty.

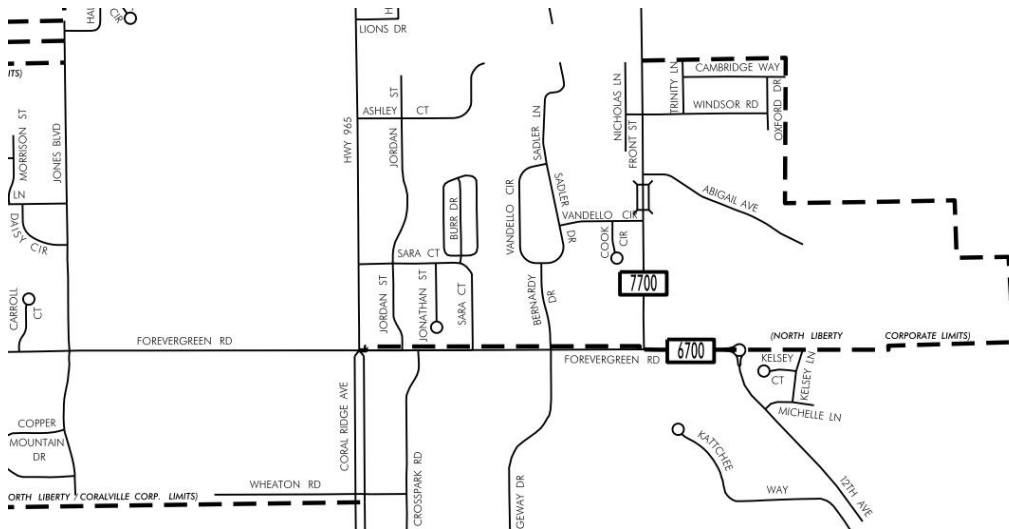


There is an 8' wide trail along the north side of Forevergreen Road and within a short distance, the 10' wide North Liberty Road regional trail. These tie into the existing and future City and regional trail network.



Traffic Considerations

The anticipated vehicle trips for mid-rise multi-family development is 5.44 per day. The concept provided to City staff shows 234 residential units in three buildings, which equates to 1,272 vehicle trips per day at full build out. Below is a map showing 2022 DOT traffic counts, which 6,700 vehicles trips per day. This is well below the maximum roadway capacity of this roadway segment.



Staff reached out to the City of Coralville regarding the anticipated future of the Forevergreen Road/Front Street intersection since it maintains this section of Forevergreen Road. The City Engineer indicated that they expect this intersection to become a roundabout at some point. Additionally, he indicated that the Coralville Youth Sports Park will eventually have a secondary access along Forevergreen Rd and that ideally, a fourth leg of the roundabout could become the secondary access (yellow). This would require some property acquisition.



7. Staff Recommendation:

Finding:

1. The rezoning request from RM-21 Multi-Unit Residence District to C-3 Higher-Intensity Commercial District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

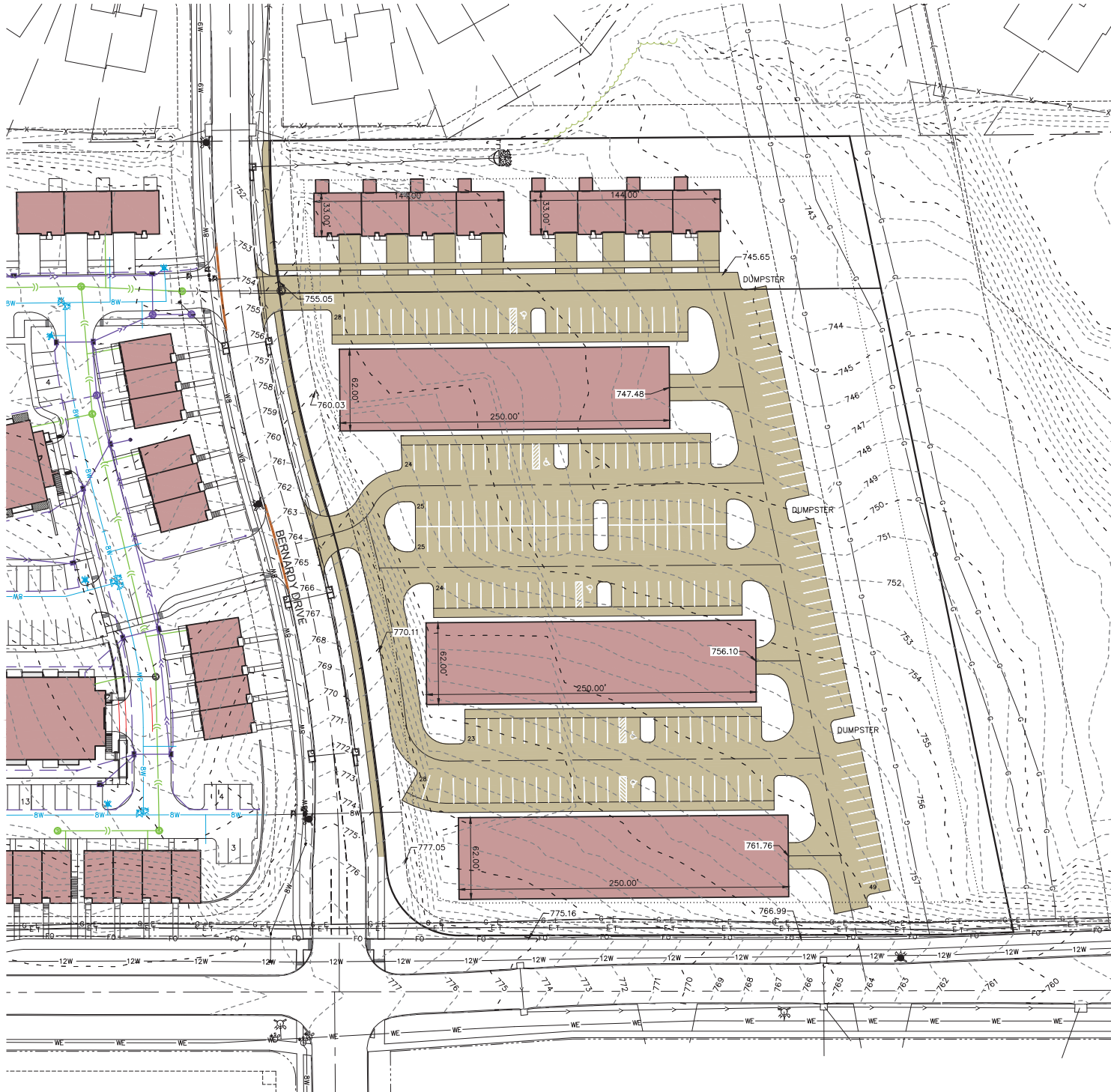
Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment (rezoning) from RM-21 Multi-Unit Residence District to C-3 Higher-Intensity Commercial District on approximately 5.12 acres to the City Council with a recommendation for approval.

Suggested motion:

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

Concept Plan Only

6.32 ACRES



SITE CHARACTERISTICS:

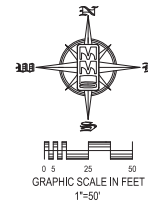
TOTAL AREA 6.32 ACRES
 FRONT SETBACK 25 FEET
 REAR SETBACK 20 FEET
 SIDE SETBACK 20 FEET

ZONE: RM-21
 LOT 1 AREA 1.19 ACRES
 TOTAL UNITS 8 UNITS
 DENSITY 6.7 UNITS/ACRE

ZONE: C3
 LOT 2 AREA 5.13 ACRES
 TOTAL UNITS 234 UNITS
 DENSITY 45.6 UNITS/ACRE

OUTDOOR PARKING 226 SPACES
 GARAGE PARKING 126 SPACES
 TOTAL PARKING 352 SPACES

REQUIRED PARKING 1 AND 2 BEDROOM UNITS 1.5 SPACES/UNIT



CIVIL ENGINEERS
 LAND PLANNERS
 LAND SURVEYORS
 LANDSCAPE ARCHITECTS
 ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.
 IOWA CITY, IOWA 52240
 (319) 351-8282
www.mmsconsultants.net

Date	Revision

SITE CONCEPT

CREEKSIDE SOUTH

NORTH LIBERTY
 JOHNSON COUNTY
 IOWA

MMS CONSULTANTS, INC.

Date: 06-18-24

Designed by: JDM Field Book No:

Drawn by: Scale: 1"=50'

Checked by: Sheet No:

Project No: 1

1296-278 of 1

Ryan Rusnak

From: Brian crow <northblackbird@gmail.com>
Sent: Thursday, September 19, 2024 7:05 AM
To: Ryan Rusnak
Subject: Re: [External] Northeast Corner of West Forevergreen Road and Bernardy Drive

You don't often get email from northblackbird@gmail.com. [Learn why this is important](#)

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

Thank you for taking the time to respond to me. Your points are well taken. If I may, I'd like to say one last thing in response.

As you mentioned, the area is already highly commercialized, but so far the businesses are on the south side of Forevergreen Road, where there are basically no houses. People live on the north side of the road. Children walk to school on the north side of the road. Businesses on this block would be creating traffic and congestion for them.

Anyway, I'll stop bugging you about it now. Thanks again for your time.

Brian Crow

On Sep 18, 2024, at 8:14 AM, Ryan Rusnak <rrusnak@northlibertyiowa.org> wrote:

Hi Brian,

Thanks for participating in the virtual meeting. For feedback is valued.

Your concern about commercial uses if rezoned is valid.

I assume your concern over commercial is limited to certain uses (such as gas stations as you mentioned).

Even though that is not their intent, I struggle with the concept that no commercial is appropriate because Forevergreen is a major road and there is commercial across the street.

<image001.png>

RYAN "RUS" RUSNAK
PLANNING DIRECTOR
(319) 626-5747 office

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

From: Brian Crow <northblackbird@gmail.com>
Sent: Tuesday, September 17, 2024 6:58 PM
To: Ryan Rusnak <rusrnak@northlibertyiowa.org>
Subject: [External] Northeast Corner of West Forevergreen Road and Bernardy Drive

You don't often get email from northblackbird@gmail.com. [Learn why this is important](#)

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

Hello, Ryan. My family and I are residents of the Creekside neighborhood and we are concerned about the proposed rezoning at the corner of Forevergreen Road and Bernardy Drive. I realize that Hodge's current plan is to simply build higher-density residential buildings on the site, but I am worried that the rezoning could open the door for potentially having businesses, etc in that area. This is a nice, peaceful neighborhood and it would be upsetting if someone dropped something like a gas station into it.

I just wanted to be sure you are aware that the people who live in this neighborhood might have some concerns about this proposal.

Thank you for your consideration.
Brian Crow

Ordinance No. 2024-10

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM RM-21 MULTI-UNIT RESIDENCE DISTRICT TO C-3 HIGHER-INTENSITY COMMERCIAL DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended such that the below-described property (the "Property") is assigned a zoning designation of C-3 Higher Intensity Commercial District:

BEGINNING at the Southeast Corner of Lot 2 of Creekside South, to North Liberty, Iowa, in accordance with the Plat thereof Recorded in Plat Book 61 at Page 98 of the Records of the Johnson County Recorder's Office; Thence S87°44'23"W, along the South Line of said Lot 2, a distance of 48.81 feet; Thence S89°53'34"W, along said South Line, 371.56 feet, to the Southwest Corner thereof; Thence Northwesterly, 82.56 feet, along the West Line of said Lot 2 on a 55.00 foot radius curve, concave Northeasterly, whose 75.02 foot chord bears N47°06'13"W; Thence Northwesterly, 62.64 feet, along said West Line on a 1101.59 foot radius curve, concave Southwesterly, whose 62.63 foot chord bears N05°43'44"W; Thence N07°21'28"W, along said West Line, 61.48 feet; Thence Northwesterly, 163.65 feet, along said West Line on a 980.00 foot radius curve, concave Southwesterly, whose 163.46 foot chord bears N12°08'30"W; Thence Northwesterly, 156.83 feet, along said West Line on a 920.00 foot radius curve, concave Northeasterly, whose 156.64 foot chord bears N12°02'32"W; Thence N89°32'10"E, 456.00 feet, to a Point on the East Line of said Lot 2; Thence S11°37'34"E, along said East Line, 498.65 feet, to the POINT OF BEGINNING. Said Rezoning Parcel contains 5.12 acres, and is subject to easements and restrictions of record.

SECTION 2. CONDITIONS IMPOSED. Pursuant to Iowa Code §414.5, the following conditions have been agreed to in writing by the property owner and are hereby imposed to satisfy public needs caused by the requested change upon said rezoning taking effect:

1. That the following uses are the only ones permitted on the Property:
 - a) Child Care Center
 - b) Dwelling – Multiple Unit
 - c) Dwelling – Mixed Use (including any otherwise permitted C-3 uses on the first floor).
 - d) Financial Institution
 - e) Office
 - f) Medical/Dental Office

2. That there be no direct access from the Property to West Forevergreen Road.

SECTION 3. RECORDATION. The City Clerk is hereby authorized and directed to record this ordinance at the Johnson County Recorder’s office upon final passage and approval.

SECTION 4. REPEALER. All Ordinances and 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 from and after its final passage, approval and publication as provided by law.

First reading on
Second reading on
Third and final reading on

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

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

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. 2024-10 in *The Gazette* on the ____ of _____, 2024.

TRACEY MULCAHEY, CITY CLERK



Administrative Rezoning



November 5, 2024

Chris Hoffman, Mayor
City of North Liberty
360 North Main Street
North Liberty IA 52317

Re: Request of City of North Liberty for a zoning map amendment (rezoning) from RS-6 Single-Unit Residence District to RS-6 PAD Single-Unit Residence District Planned Area Development on approximately .18 acres. The property is located at 1470 Antler Drive.

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its November 5, 2024 meeting. The Planning Commission took the following action:

Finding:

1. The rezoning request from RS-6 Single-Unit Residence District to RS-6 PAD Single-Unit Residence District Planned Area Development would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

The Planning Commission accepted the listed finding and forwards the zoning map amendment to the City Council with a recommendation for approval.

The vote for approval was 4-0.

Barry A'Hearn, Vice Chairperson
City of North Liberty Planning Commission

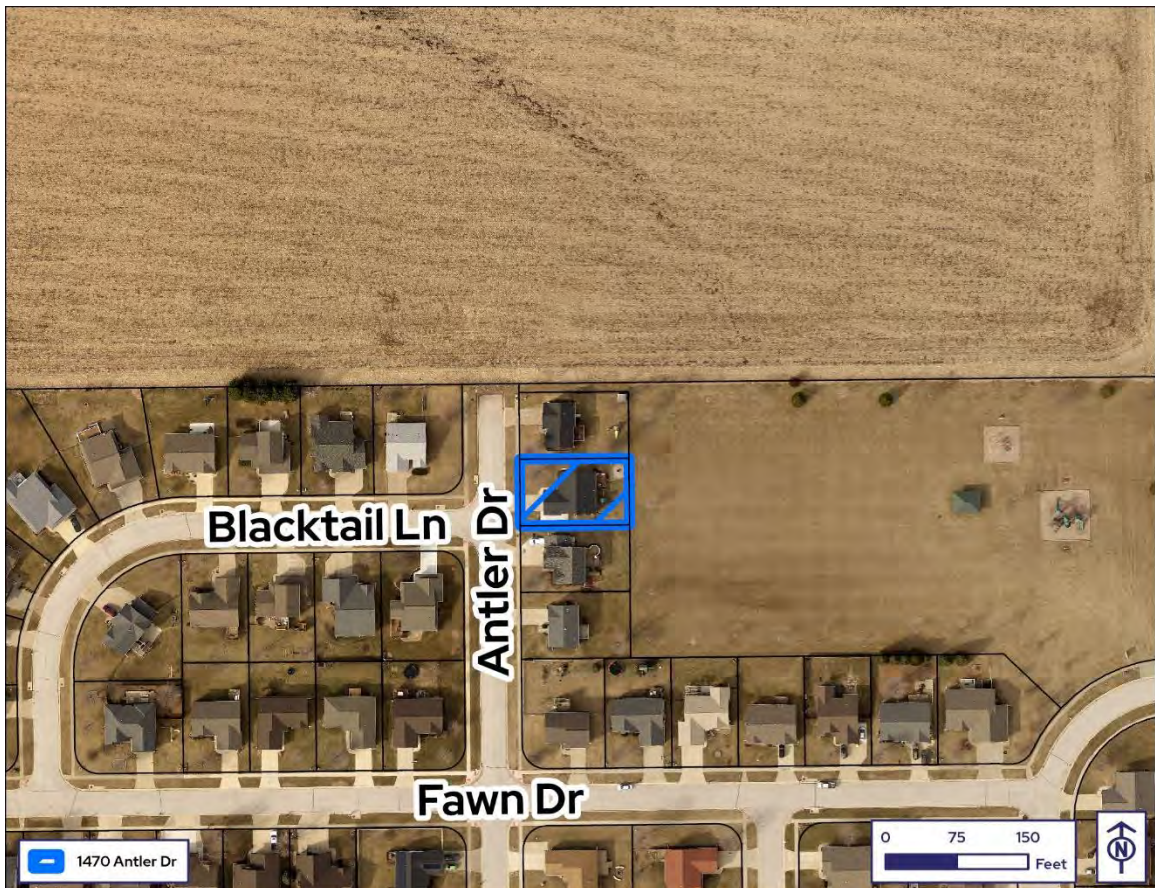


To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **October 30, 2024**
Re **Request of City of North Liberty for a zoning map amendment (rezoning) from RS-6 Single-Unit Residence District to RS-6 PAD Single-Unit Residence District Planned Area Development on approximately .18 acres. The property is located at 1470 Antler Drive.**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo.

1. Request Summary:

The City issued a building permit (20240873) for a 16'x20' building addition to east side of the existing residence at 1470 Antler Drive. Subsequent to permit issuance and the building foundation being installed, it was determined that the addition did not meet the required 30' rear yard setback.



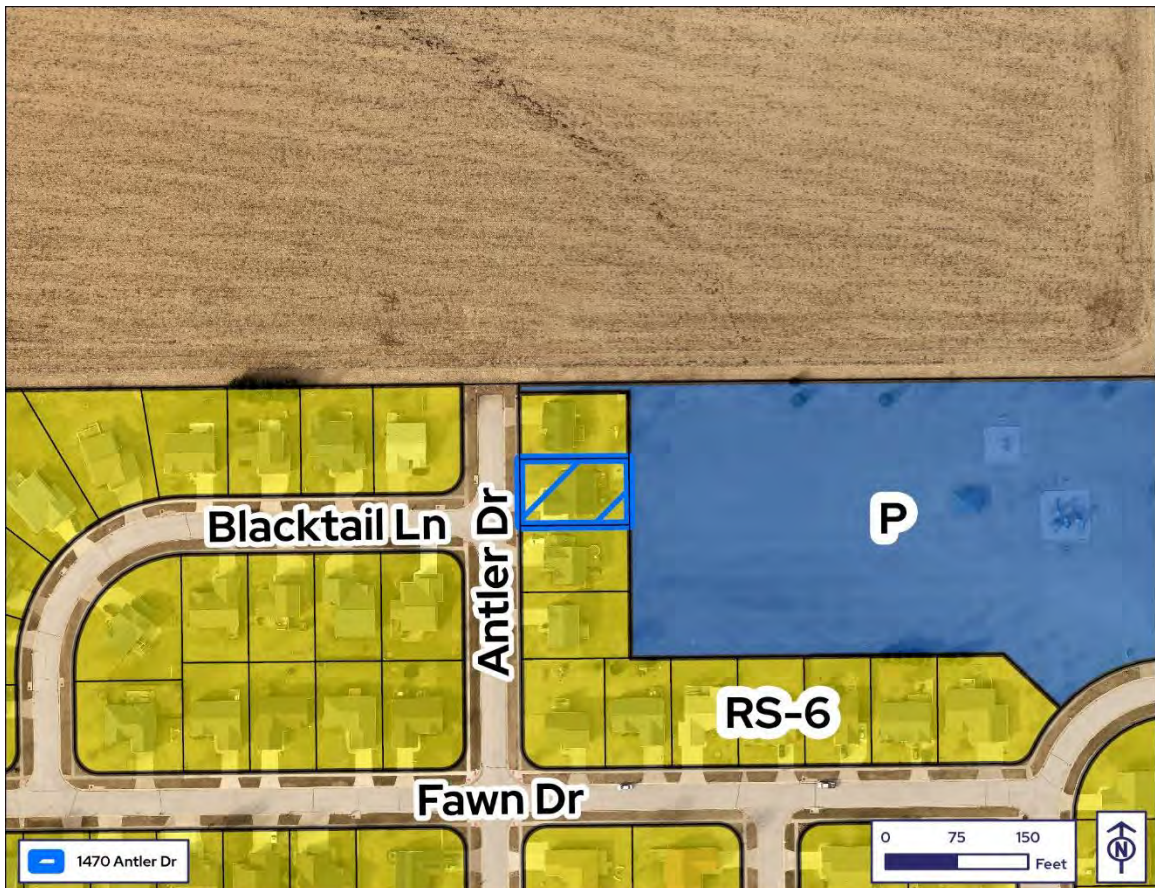
2. Current and Proposed Zoning:

Current Zoning

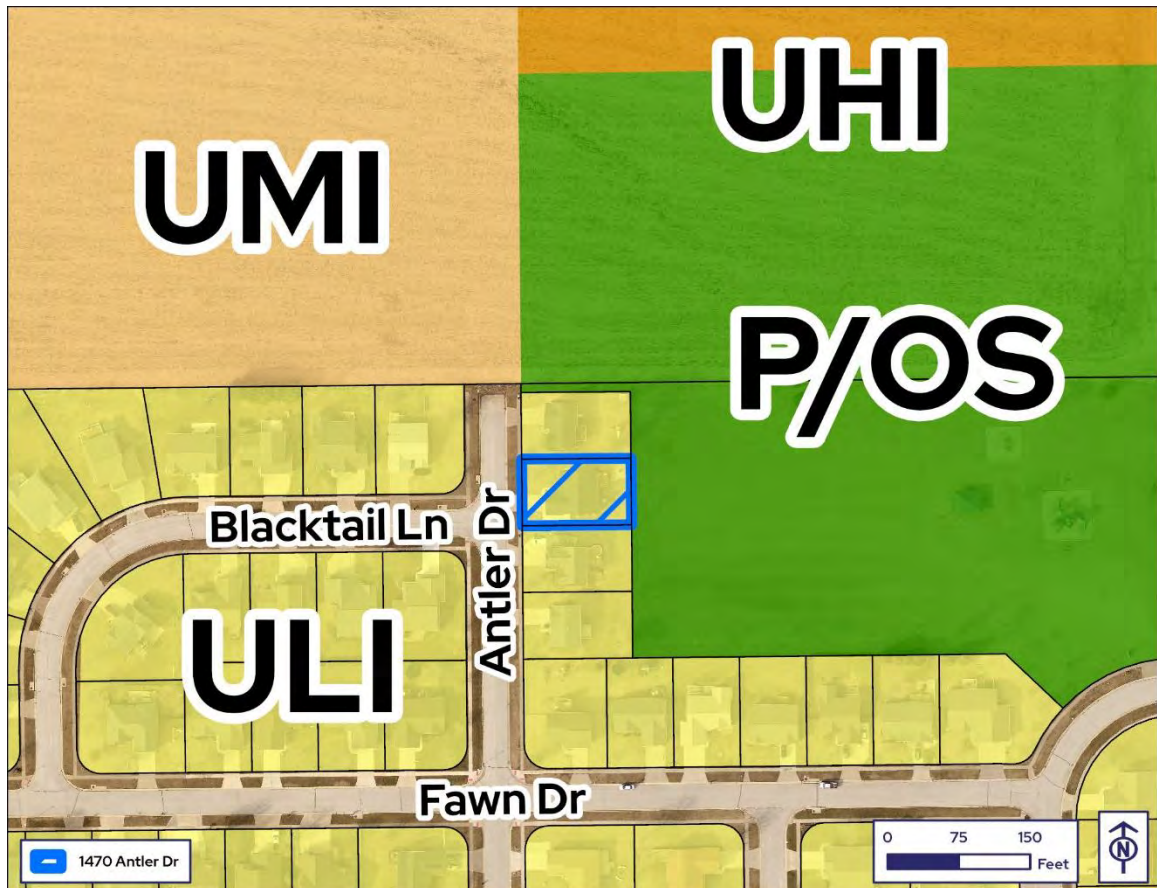
RS-6 Single-Unit Residence District. The RS-6 District is intended to provide for and maintain moderate density single-unit residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RS-6 District.

Proposed Zoning

RS-6 Single-Unit Residence District Planned Area Development. PAD Planned Area Development Overlay District. The PAD District is intended to encourage innovation and flexibility in planning the development of land so development is compatible with the site's physical and environmental characteristics. This district allows for flexibility in district requirements. The Planned Area Development District provides an opportunity for the development of a mixture of uses and housing types in a coordinated manner. The intent of the underlying district shall guide the development. It is incumbent upon the person proposing the PAD to justify the project, and any variations from the underlying zone district.



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



Urban Low Intensity Description

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

Residential

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

Form and Features

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

4. Public Input:

Good neighbor meetings are not required for City-initiated rezonings. However, staff mailed letters to all property owners within 200' of the subject property notifying them of the request. Roger Ammon at 1495 Blacktail Lane called and expressed no objection.

An objection has been received from a property outside the 200' protest radius.

5. Zoning Map Amendment Approval Standards

Section 165.09(4)(D)(1) of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

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

Map Amendments.

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

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

Figure 3.4: Land Use Compatibility

TRADITIONAL LAND USES	AGRICULTURE (AG)	URBAN RESERVE (UR)	URBAN LOW INTENSITY (ULI)	URBAN MEDIUM INTENSITY (UMI)	URBAN HIGH INTENSITY (UHI)	COMMERCIAL/ INDUSTRIAL FLEX (FLX)	PUBLIC AND SEMI PUBLIC (PUB)	PARK AND OPEN SPACE (P, OS)
Agriculture	●	●						○
Rural residential		●						
Low-density residential			●	○				
Medium-density residential			●	●	○			
High-density residential				●	●	○		
Rural commercial		●						
Neighborhood commercial			○	●	●	●		
Community commercial				○	●	●		
Regional commercial					○	●		
Low/medium intensity office			○	●	●	●		
High-intensity office				○	●	●		
Limited industrial		○				●		
Heavy industrial						○		
Parks and civic uses	●	●	●	●	●	○	●	●
Major public/civic facilities					○	○	●	○
Residential density range (du/A*)	≤40	≤40	5-8	7-14	14+	14+	NA	NA

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

It is staff's opinion that the proposed zoning would be compatible with the Comprehensive Plan and adopted land use policies.

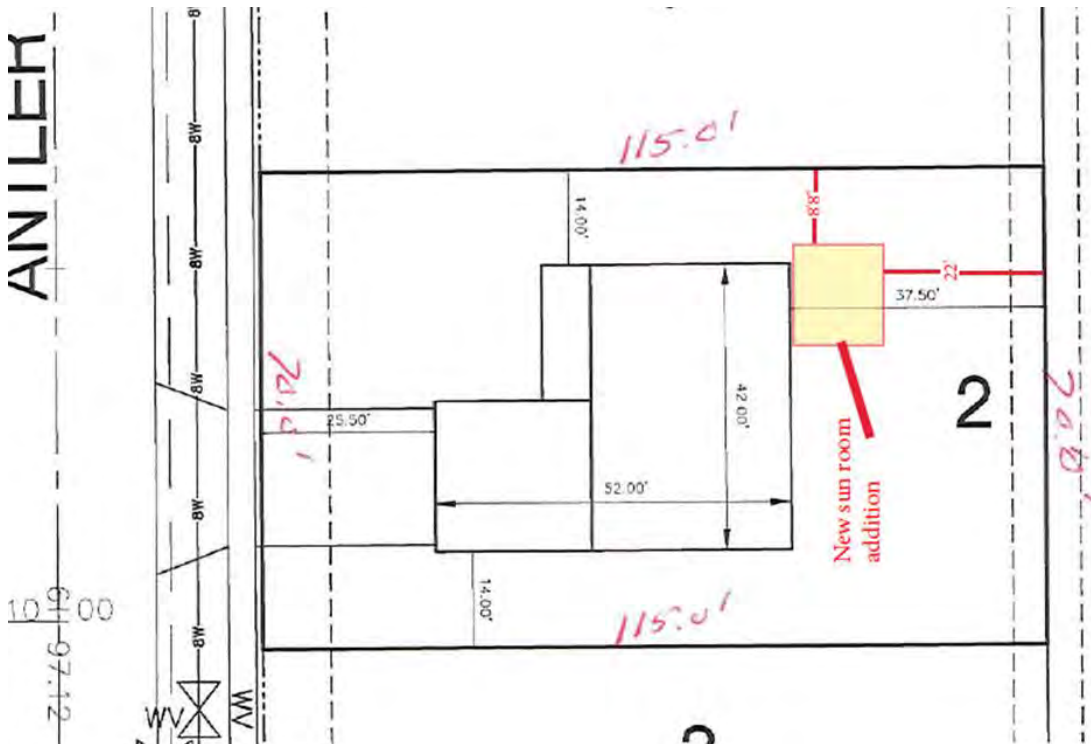
- (b) The compatibility with the zoning of nearby property.
It is staff's opinion that the proposed zoning would be compatible with nearby property.

- (c) The compatibility with established neighborhood character.
It is staff's opinion that the proposed zoning would be compatible with established neighborhood character.
- (d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
It is staff's opinion that the proposed zoning would promote the public health, safety, and welfare of the City.
- (e) The extent to which the proposed amendment creates nonconformities.
It is staff's opinion that the proposed zoning would not create any nonconformities.

6. Additional Considerations:

The City issued a building permit (20240873) for a 16'x20' building addition to east side of the existing residence at 1470 Antler Drive. Subsequent to permit issuance and the building foundation being installed, it was determined that the addition did not meet the required 30' rear yard setback. See diagram below (the addition is shown in yellow).

This diagram would serve as the required preliminary site plan, and therefore, would limit the setback reduction for the 16'x20' building addition.



The law in Iowa, as in most of the country, is that a building permit which is issued contrary to a valid zoning law – like one concerning setbacks – is void, and subject to revocation. Such permits do not grant the property owner any vested rights. I have attached a copy of the relevant case law. Further, Iowa Code §670.4(j) states that cities and their employees are immune from liability arising from permits issued in error, as long as the permit was not issued with malice or in furtherance of a crime.

The PAD Planned Area Development is a zoning overlay district that would allow a setback reduction if approved by City Council. City staff believes this is the best approach to legitimize this setback reduction for the 16'x20' building addition. The setback reduction would only pertain to the 16'x20' building addition.

A setback variance was a discussed alternative. However, it was determined that the likelihood of achieving consistency with the approval standards was minimal.

Staff has taken steps to include a redundant zoning review for building permits, which include zoning setbacks.

7. Staff Recommendation:

Finding:

1. The rezoning request from RS-6 Single-Unit Residence District to RS-6 PAD Single-Unit Residence District Planned Area Development would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment (rezoning) from RS-6 Single-Unit Residence District to RS-6 PAD Single-Unit Residence District Planned Area Development on approximately .18 acres to the City Council with a recommendation for approval.

Suggested motion:

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

Ryan Rusnak

From: Ryan Rusnak
Sent: Tuesday, November 5, 2024 2:52 PM
To: Eric Ruttum
Subject: RE: [External] PnZ meeting November 5th

Thanks Eric,

This is point I think we can find some common ground on.

Although, I would say that any precedent would be limited to home sites that back up to a park.



RYAN "RUS" RUSNAK
PLANNING DIRECTOR
(319) 626-5747 office

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

From: Eric Ruttum <egruttum@uwalumni.com>
Sent: Tuesday, November 5, 2024 2:50 PM
To: Ryan Rusnak <russnak@northlibertyiowa.org>
Subject: Re: [External] PnZ meeting November 5th

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

Thanks for all the background. Illegal spot zoning doesn't apply but granting a special right to someone that's different than their neighbors sets the stage for everyone to get a PAD added so they can do stuff to their house. I guess my biggest concern is the precedent this sets.

Eric

On Mon, Nov 4, 2024, 08:51 Ryan Rusnak <russnak@northlibertyiowa.org> wrote:

Hi Eric,

Thanks for email. I will incorporate this conversation into the background material.

I disagree that this would be illegal spot zoning.

The base zoning of RS-6 would remain, and therefore, all the permitted uses do not change.

The PAD is an overlay and its only purpose in this situation is reduce a rear setback for one structure.

The PAD is a tool often used by the City for flexibility. The City park was a consideration that this flexibility would not impact an abutting residential property to the east.

Illegal spot zoning often would result in a rezoning decision where a single parcel or small island of property would have a different use from the surrounding property.

If commercial zoning were being introduced to this property, I would agree that this would be illegal spot zoning.

Although, the attachment you provided discusses the appropriates of commercial zoning in a residential area.

The key for this type of situation would be consistency with the Comprehensive Plan.

This property is designated Urban Low Intensity (ULI) on the Comprehensive Plan Future Land Use Map. Below is summary of the ULI designation

The RS-6 District (and in this case the PAD) would be consistent with the ULI designation.

Urban Low Intensity Description

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

Residential

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

Form and Features

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



RYAN "RUS" RUSNAK
PLANNING DIRECTOR
(319) 626-5747 office

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

From: Eric Ruttum <egruttum@uwalumni.com>
Sent: Saturday, November 2, 2024 7:54 AM
To: Ryan Rusnak <rusnak@northlibertyiowa.org>
Subject: [External] PnZ meeting November 5th

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

Ryan,

For the November 5th meeting, how is item 6 (Antler Drive) not illegal spot zoning? The landowner wants to do something that's not allowed by current zoning. How is the answer to change the zoning for one tiny parcel? Spot zoning can be legal if there is something about this parcel that's unique and brings benefit to the community. There is nothing about this change that provides benefits to the community. This is all about making something legal for a landowner who wants something that is illegal. Thus, this appears to be illegal spot zoning.

I paraphrase from ISU PnZ Fact Sheet PZ11. <https://store.extension.iastate.edu/product/Planning-and-Zoning-Spot-Zoning>

If you look at this exact parcel alone, the public good is not being damaged. However, zoning is not intended to look at parcels individually in a vacuum. Zoning is intended to look at areas and parcels collectively and holistically. By rezoning this property, the city is setting the precedent that when landowners want to do something against zoning the city will bend over backwards for them. How many parcels is the city willing to rezone so everyone can build a sunroom on the back of their house?

I understand that the landowners requested and were granted a building permit. But it's incumbent upon landowners to understand and follow the law when asking for a permit. A simple survey and plan drawing would have prevented them from starting an illegally located foundation.

Based on the statement in the document package that "this is the best approach to legitimize the setback reduction" I believe the stage is set for illegal spot zoning. This rezoning is purely for the benefit of one landowner and is at best unreasonable. At worst, it is illegal.

I oppose this rezoning request.

Eric Ruttum

510 Fox Run

North Liberty, IA 52317

Ordinance No. 2024-12

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM RS-6 SINGLE-UNIT RESIDENCE DISTRICT TO RS-6 PAD SINGLE-UNIT RESIDENCE DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended such that the below-described property (the "Property") is assigned a zoning designation of RS-6 PAD Single-Unit District:

Lot 2, Deerfield Tenth Addition, North Liberty, Iowa recorded in Book 46, Page 309, Plat Records of Johnson County. Said Rezoning Parcel contains 8,050 square feet (.18 acres), more or less.

SECTION 2. CONDITIONS IMPOSED. At the November 5, 2024 meeting, the Planning Commission accepted the listed finding and forwarded the request for a zoning map amendment to the City Council with a recommendation for approval with no conditions.

SECTION 3. RECORDATION. The City Clerk is hereby authorized and directed to record this ordinance at the Johnson County Recorder's office upon final passage and approval.

SECTION 4. REPEALER. All Ordinances and 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 from and after its final passage, approval and publication as provided by law.

First reading on
Second reading on
Third and final reading on

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

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

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. 2024-12 in *The Gazette* on the ____ of _____, 2024.

TRACEY MULCAHEY, CITY CLERK



Forevergreen Roundabout Easement

**Prepared by and Return to:
Grant D. Lientz, 360 N. Main Street, P.O. Box 77, North Liberty, IA 52317 319-626-5767**

TEMPORARY CONTRUCTION EASEMENT AGREEMENT

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

IT IS HEREBY AGREED AS FOLLOWS:

For the sum of one dollar (\$1.00) plus other valuable consideration, the receipt of which is hereby acknowledged, the Property Owner hereby grants and conveys to the City a temporary easement for the public purpose of installing roundabout intersection improvements, roadway realignment, crosswalks, sidewalks, public utilities, and associated grading (the "Project"), under, over, through and across portions of real property located in Tiffin, Iowa, which easement is depicted and legally described on the attached Exhibit A.

Additionally, as part of the consideration for this agreement,

- A. The Property Owner will not be assessed for any costs for the design and construction of the Project, plans for which are on file at City Hall, nor shall the Property Owner be responsible for the initial costs of constructing or maintaining the Project; however, connection fees, frontage fees, or other typical and customary fees will be collected by the City at the time any part of the property is developed.
- B. The City shall be responsible for the recording of this Agreement and payment of the costs for the same.
- C. The City shall indemnify and hold harmless the Property Owner, its successors and assigns, from and against any loss, damage, expense, cost, third party claims, causes of action, or other liabilities arising out of, or purporting to arise out of, the City's exercise of the rights granted under this Agreement. This indemnification and hold harmless shall include, but is not limited to, reasonable legal fees and cost of defense incurred by Property Owner.

DIVISION I – TEMPORARY EASEMENT

The Property Owner and the City agree that:

1. Subject to the rights of parties to the easements referenced on Exhibit "A", Property Owner does hereby grant and convey to City a temporary construction easement (the "Temporary Easement") for the purpose of facilitating the City's construction of the Project described above.
2. The Property Owner shall not, during the construction of the Project, erect any landscaping, fences, or structures over, under or within the Temporary Easement area, nor change the grade, elevation or contour of any part of the Temporary Easement area, without obtaining the prior written approval of the City Engineer.
3. The City shall have the right of access to the temporary construction easement area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the easement area as herein described, including but not limited to the right to redirect public traffic and to remove any unauthorized obstructions or structures placed or erected on the easement area.
4. The City agrees to review the required temporary construction easement area upon completion of the final design for the Project. If the City Engineer determines, in their sole discretion and upon completion of said final design, that a reduction in the size of the temporary easement acquired under this agreement is reasonable, such that the reduction would not interfere with the construction and completion of the Project, then the City shall vacate such portions of the temporary construction easement as the City Engineer deems reasonable.
5. Following the construction and installation of the Project and final acceptance by the City, the City shall restore the temporary construction easement area to substantially the same condition as existed prior to the commencement of construction operations.
6. City covenants and agrees that driveways, fences, and other site features that are removed or disturbed shall be replaced by City consistent with the final construction plans, which the City Engineer shall make available to the Property Owner upon request. City covenants and agrees that existing underground drainage tiles that are removed or disturbed shall, to the extent reasonably possible, be replaced by City. City further agrees that all grassed areas disturbed by the construction shall be seeded within a reasonable time after construction is complete. Property Owner agrees that trees, shrubs and brush that are removed or disturbed will not be replaced by City.
7. City covenants and agrees to remove and stockpile existing topsoil from areas to be excavated, to be used in the event of any repair. Following installation of the improvements described herein, all areas within the temporary construction easement area which are disturbed will be graded to form a uniform slope, and topsoil shall be replaced and spread over disturbed areas, thereby restoring said areas substantially to their prior condition, with the exception of the replacement of trees, shrubs and brush.
8. The rights as described above in the temporary construction easement area shall commence upon the beginning of construction of the Project, which is anticipated to begin in March of 2026, and shall cease and terminate following the completion of the construction of the Project, which is anticipated to take place before September 30, 2027. Property Owner acknowledge that the dates in this paragraph 8 are estimates made in good faith prior to the finalization of design or letting of the Project, and subject to reasonable modification by the City based on actual letting dates. In no event shall the rights herein extend later than December 31, 2027.

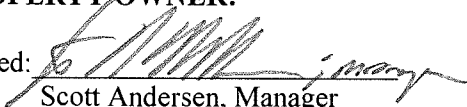
DIVISION II – GENERAL

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

Dated this 24th day of October, 2024.

PROPERTY OWNER:

CITY:

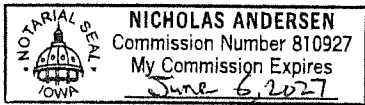
Signed: 
Scott Andersen, Manager

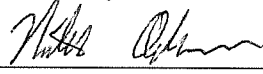
Signed: _____
Chris Hoffman, Mayor

Signed: _____
Tracey Mulcahey, City Clerk

STATE OF IOWA, JOHNSON COUNTY: ss

On this 24th day of October, 2024, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Scott Andersen, to me personally known, who, being by me duly sworn, did say that he is a member and manager of DERS Investments, LLC, an Iowa Limited Liability Company, and that he is authorized to act on behalf of the company, and that the instrument was signed on behalf of the company, and that Scott Andersen acknowledged the execution of the instrument to be his voluntary act and deed, and the voluntary act and deed of the company.




Notary Public in and for the State of Iowa

STATE OF IOWA, JOHNSON COUNTY: ss

On this _____ day of _____, 2024, 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 _____, 2024, 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

EXHIBIT A

Index Legend	
City:	TIFFIN
County:	JOHNSON
Geoparc# ID:	0622303001 & 0622303002
Description:	A PART LOT 19 AND LOT 20 PARK PLACE CITY CENTER - PART TWO, PHASE FOUR
Proprietor:	DEERS INVESTMENTS, LLC
Surveyor:	WALTER T. HURLBUTT
Company:	SHIVE-HATTERY INC
Return To:	2839 NORTHGATE DRIVE IOWA CITY, IOWA 52245, PH: 319 354 3040

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT

A PART LOT 19 AND LOT 20 OF PARK PLACE CITY CENTER - PART TWO, PHASE FOUR TIFFIN, JOHNSON COUNTY, IOWA

DESCRIPTION

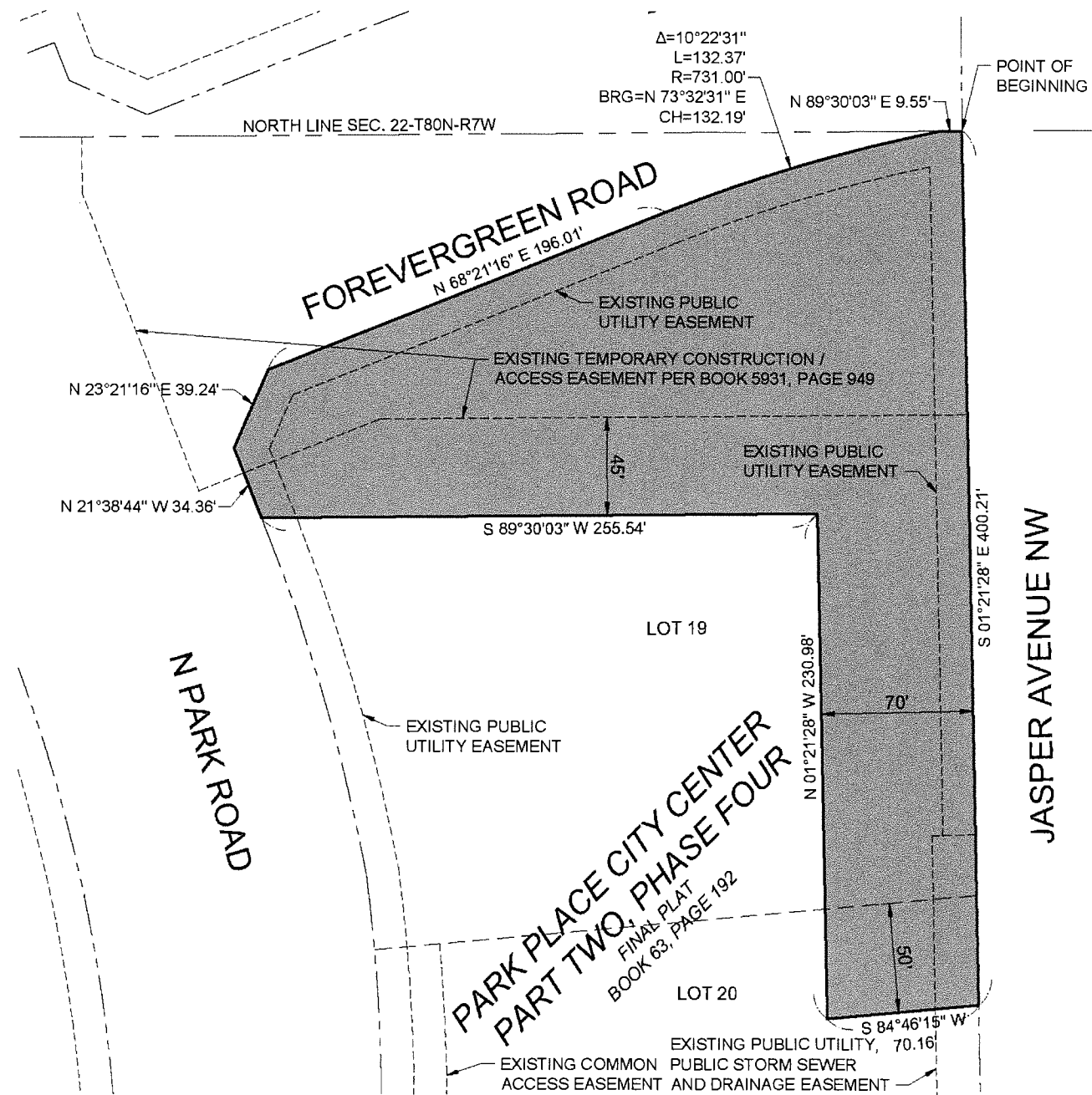
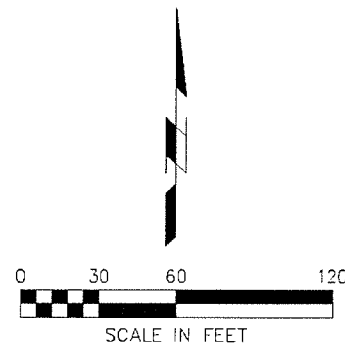
A temporary construction easement on that part of Lot 19 and Lot 20 of Park Place City Center - Part Two, Phase Four (Final Plat recorded in Plat Book 63, Page 192, at the Johnson County Recorder's Office) described as follows:

- Beginning at the northeast corner of said Lot 19;
- thence South 01° 21' 28" East 400.21 feet along the west right-of-way of Jasper Avenue NW (assumed bearing for this description only);
- thence South 84° 46' 15" West 70.16 feet;
- thence North 01° 21' 28" West 230.98 feet;
- thence South 89° 30' 03" West 255.54 feet to the east right-of-way of Park Road;
- thence North 21° 38' 44" West 34.36 feet along said east right-of-way to the south right-of-way of Forevergreen Road;
- thence North 23° 21' 16" East 39.24 feet along said south right-of-way;
- thence North 68° 21' 16" East 196.01 feet along said south right-of-way;
- thence Northeasterly along said south right-of-way and along the arc of a 731.00 foot radius curve concave southerly (chord bearing North 73° 32' 31" East 132.19 feet) to the north line of the Southwest Quarter of Section 22, Township 80 North, Range 7 West, of the 5th P.M.;
- thence North 89° 30' 03" East 9.55 feet along said north line of the Southwest Quarter to the point of beginning and containing 1.32 acres (57,540 square feet) more or less.

OWNER:
DEERS INVESTMENTS LLC
1100 ANDERSEN PL STE 550
TIFFIN IA 52340

SURVEY REQUESTED BY:
CITY OF NORTH LIBERTY

SURVEYOR / CONTACT:
WALTER T. HURLBUTT, PLS
SHIVE-HATTERY, INC
2839 NORTHGATE DRIVE
IOWA CITY, IA 52245
319-354-3040
whurlbutt@shive-hattery.com



9/23/2024 12:16:48 PM

\\shive-hattery.com\data\Projects\2024\224011780\Design\FGRD_Jasper\Survey\EP-DEERS-TCE.dwg

SHIVE-HATTERY

ARCHITECTURE + ENGINEERING

800.798.0313 | SHIVE-HATTERY.COM

EASEMENT EXHIBIT
LOT 19 & LOT 20 PARK PLACE CITY CENTER - PART TWO, PHASE FOUR
CITY OF NORTH LIBERTY
NORTH LIBERTY/TIFFIN, JOHNSON COUNTY, IOWA

DATE: 9/23/2024
DRAWN BY: WTH
APPROVED BY: WTH

SCALE: FIELD BOOK
WITH REVISION

###

2240011780

EASEMENT EXHIBIT

1 OF 1

Resolution No. 2024-105

**A RESOLUTION APPROVING THE TEMPORARY
CONSTRUCTION EASEMENT AGREEMENT BETWEEN DERS
INVESTMENTS LLC AND THE CITY OF NORTH LIBERTY**

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

WHEREAS, the City of North Liberty is requesting a temporary construction easement to facilitate the construction of the Forevergreen-Jasper Roundabout Project; and

WHEREAS, DERS Investments, LLC has agreed to provide the requested temporary construction easement in exchange for consideration in the amount of \$6,210.00; and

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

NOW, THEREFORE, BE IT RESOLVED that the attached agreement between DERS Investments, LLC and the City of North Liberty is approved.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute said agreement, and the City Clerk is authorized to issue payment to DERS Investments LLC in consideration of said agreement in the amount of Six Thousand Two Hundred Ten Dollars.

APPROVED AND ADOPTED this 12th day of November, 2024.

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



Iowa DOT Preconstruction Agreement

**IOWA DEPARTMENT OF TRANSPORTATION
Preconstruction Agreement
For Primary Road Project**

County	<u>Johnson</u>
City	<u>North Liberty</u>
Project No.	<u>IM-380-6(456)4--13-52</u>
	<u>Interchange</u>
	<u>IM-380-6(399)4--13-52</u>
	<u>Bridge</u>
	<u>IM-380-6(403)4--13-52</u>
	<u>Lighting</u>
	<u>IM-380-6(404)4--13-52</u>
	<u>Traffic Signals</u>
Iowa DOT	
Agreement No.	<u>2024-16-072</u>
Staff Action No.	<u>N/A</u>

This Agreement, is entered into by and between the Iowa Department of Transportation, hereinafter designated "DOT," and the city of North Liberty, Iowa, a Local Public Agency, hereinafter designated "LPA," in accordance with Iowa Code Chapters 28E, 306, 306A and 313.4 as applicable;

The DOT proposes to establish or make improvements to Interstate 380 (I-380) within Johnson County, Iowa; and

The DOT and the LPA are willing to jointly participate in said project, in the manner hereafter provided; and

The DOT and the LPA previously entered into the following agreement for the above referenced project: Agreement No. 2023-1-125 for right of way acquisition was executed by the LPA and DOT on August 8, 2023 and August 24, 2023 respectively; and

This Agreement reflects the current concept of this project which is subject to modification by mutual agreement between the LPA and the DOT; and

Therefore, it is agreed as follows:

1. Project Information

- a. The DOT shall design, let, and inspect construction of the following described project in accordance with the project plans and DOT Standard Specifications:

Reconstruction of the West Penn Street / County Road F28 and I-380 Interchange.

- b. As part of the project, the LPA has requested turf grass (sodding) in the raised medians on Penn Street within the city of North Liberty which shall be at no cost to the DOT. (See Exhibit A for location and Exhibit B for costs). The LPA agrees to retain ownership and jurisdiction of the turf grass areas and shall assume responsibility for all future maintenance operations associated therewith.
- c. All storm sewers constructed by the DOT as part of the project shall become the property of the LPA, which shall be responsible for their maintenance and operations. The LPA shall not make any connections to said storm sewers without the prior written approval of the DOT. The LPA shall prevent use of such storm sewers as a sanitary sewer.

2. Project Costs

- a. The LPA shall reimburse the DOT for its share of the project costs estimated at \$25,000, as shown in Exhibit B. The amount paid by the LPA upon completion of construction and billing by the DOT shall be determined by the actual quantities in place and the accepted bid at the contract letting.
- b. The DOT shall bear all costs except those allocated to the LPA under other terms of this Agreement.

3. Traffic Control

- a. I-380 through-traffic shall be maintained during the construction. Temporary ramp closures are possible for each ramp during varying stages of construction.
- b. If it becomes necessary to temporarily close LPA side roads during construction, the DOT shall furnish and install the required barricades and signing for the closure at project cost and shall remove same upon completion of the project also at no expense or obligation to the LPA. The DOT shall work in close cooperation with the LPA and the contractor to accommodate emergency services and local access across the project during construction. Any detours which may be necessary for project related LPA road closures shall be the responsibility of the LPA all at no expense or obligation to the DOT.

4. Construction & Maintenance

- a. Upon completion of the project, no changes in the physical features thereof shall be undertaken or permitted without the prior written approval and consent of the DOT.
- b. Future maintenance of the primary highway within the project area shall be carried out in accordance with the terms and conditions contained in 761 Iowa Administrative Code Chapter 150 (see Exhibit C for an illustration of the DOT and LPA maintenance responsibilities).
- c. New traffic signal construction for this project shall be provided under guidelines established in 761 Iowa Administrative Code Chapter 150. The DOT shall construct traffic signal installations all at no cost to the LPA. If constructed, the LPA shall accept ownership of and responsibility for future energy and maintenance costs of those traffic signal units which lie within the corporate boundaries.
- d. Structures built by the DOT over or under a primary road shall be maintained by the DOT, including repairs to floors and railing and painting. For structures serving roadways which are not on the primary road system, the cleaning and removal of snow, debris and foreign objects from local road traffic lanes, sidewalks, or walkways within the project limits (if any) including pedestrian overpasses or underpasses shall be the responsibility of the LPA.

5. General Provisions

- a. If the LPA has completed a Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the FIS is modified, amended or revised in an area affected by the project after the date of this Agreement, the LPA shall provide notice of the modification, amendment or revision to the DOT within 14 calendar days of the LPA's receipt of a subsequent FIS or modification. If the LPA does not have a detailed Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the LPA does adopt an FIS in an area affected by the project after the date of this Agreement, the LPA shall provide notice of the FIS to the DOT within 14 calendar days. The LPA agrees to defend, indemnify and hold the DOT harmless from any and all claims, costs, and damages arising from or related to the LPA's failure to timely provide an FIS or and FIS modification to the DOT in accordance with this provision.
- b. The LPA shall comply with all provisions of the equal employment opportunity requirements prohibiting discrimination and requiring affirmative action to assure equal employment opportunity as

required by Title VI of the Civil Rights Act of 1964 and Iowa Code Chapter 216. No person shall, on the grounds of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which State funds are used.

- c. It is the intent of both (all) parties that no third-party beneficiaries be created by this Agreement.
- d. If any section, provision, or part of this Agreement shall be found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional, except to the extent that the original intent of the Agreement cannot be fulfilled.
- e. This Agreement, as well as the unaffected provisions of any previous agreement(s), addendum(s), and/or amendment(s); represents the entire Agreement between the LPA and DOT regarding this project. All previously executed agreements shall remain in effect except as amended herein. Any subsequent change or modification to the terms of this Agreement shall be in the form of a duly executed amendment to this document.

IN WITNESS WHEREOF, each of the parties hereto has executed Agreement No. 2024-16-072 as of the date shown opposite its signature below.

CITY OF NORTH LIBERTY:

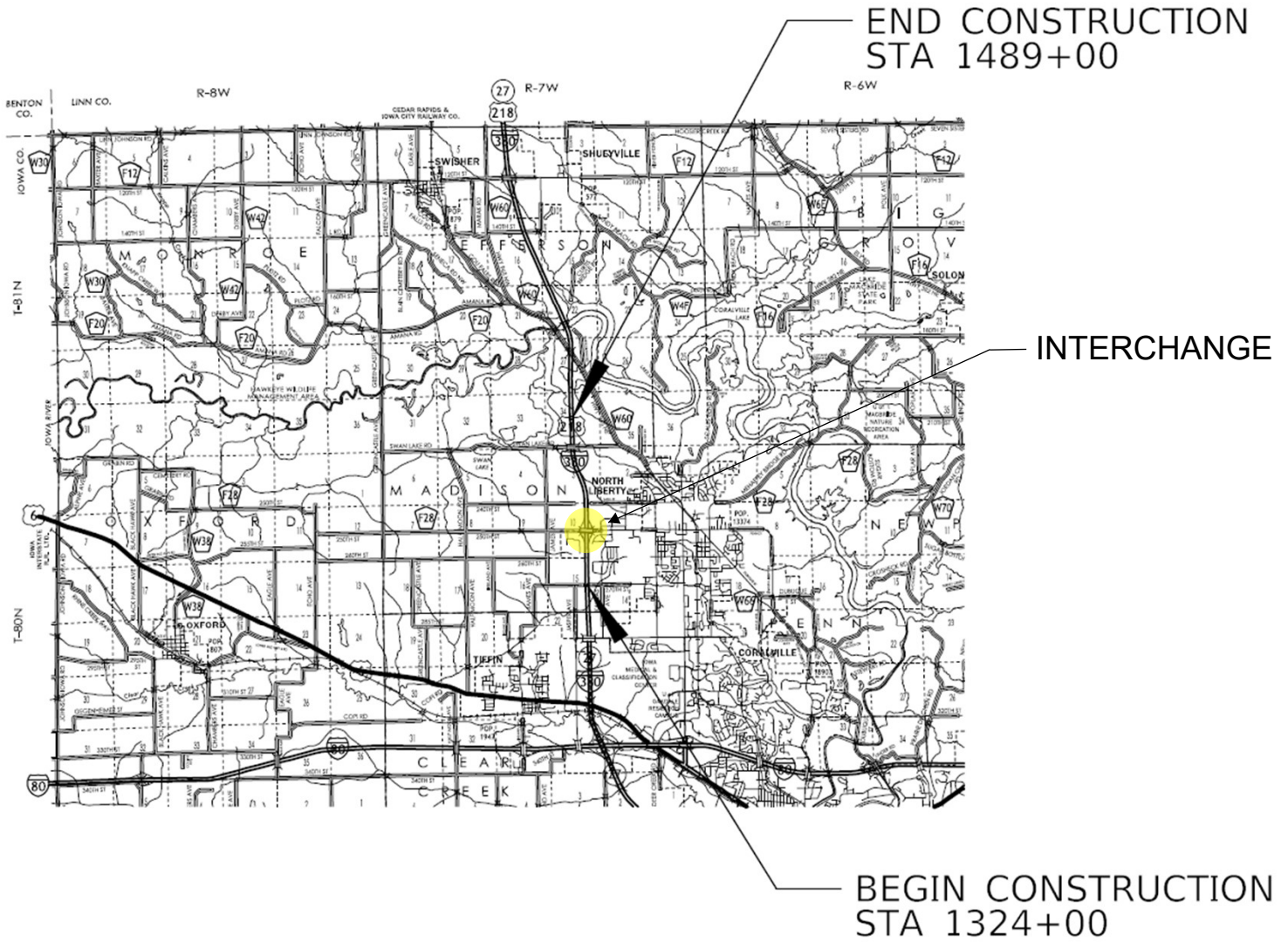
By: _____ Date _____, 20___.
Title: Mayor

I, _____, certify that I am the Clerk of the City, and that _____, who signed said Agreement for and on behalf of the City was duly authorized to execute the same on the ____ day of _____, 20__.

Signed: _____
City Clerk of North Liberty, Iowa

IOWA DEPARTMENT OF TRANSPORTATION:

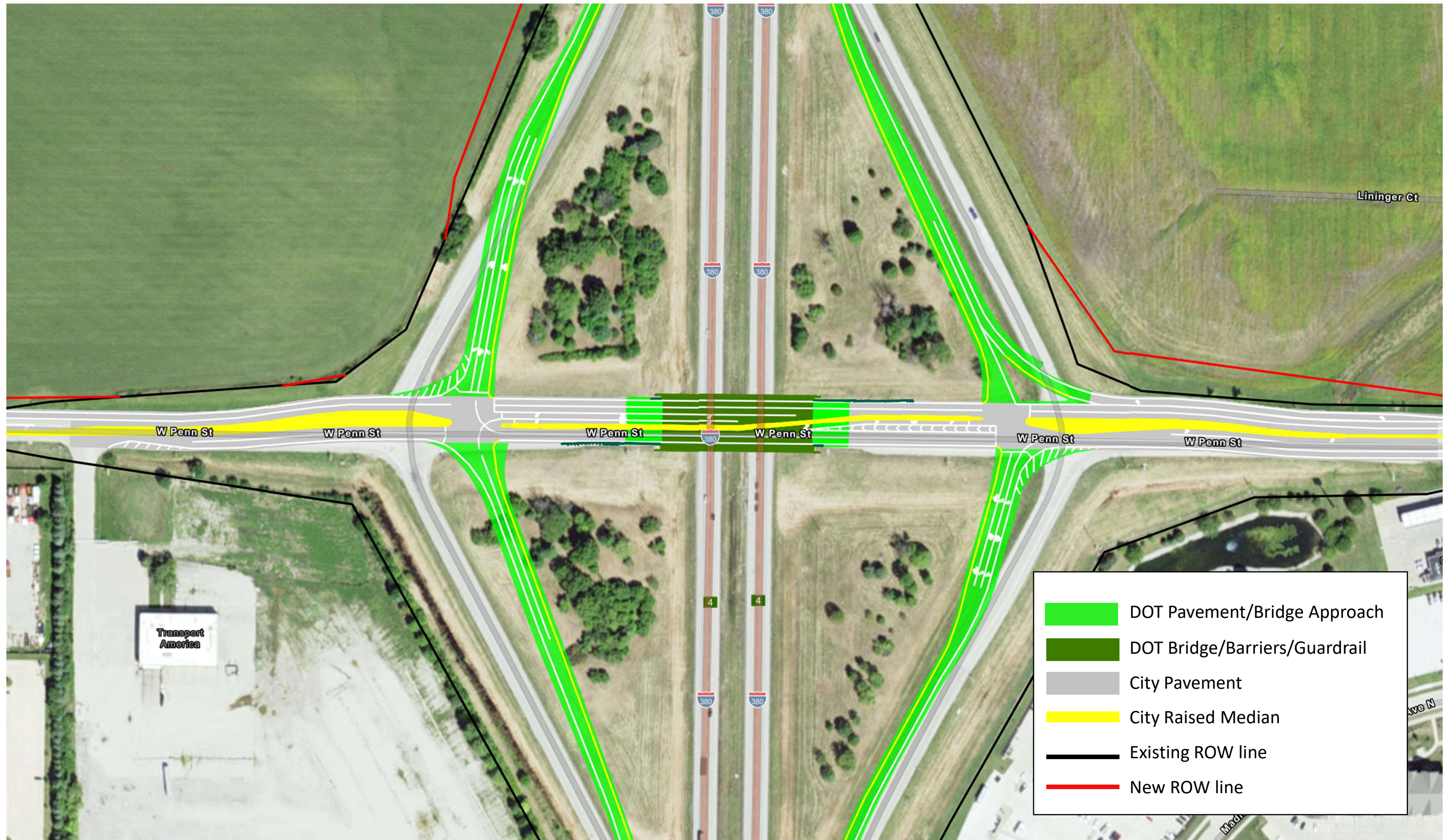
By: _____ Date _____, 20___.
James R. Schnoebelen, P.E.
District Engineer
District 6



Project Location

Exhibit B - Cost Estimate
IM-380-6(456)4--13-52

#	Item Code	Item Description	Unit	Unit Price	Quantity	Total Cost	Division 1 - Iowa DOT		Division 2 - City of North Liberty	
							Qty	Cost	Qty	Cost
1	2102-0425071	SPECIAL BACKFILL	CY	\$34.49	900.00	\$31,041.00	900.00	\$31,041.00	0.00	\$0.00
2	2102-2625001	EMBANKMENT-IN-PLACE, CONTRACTOR FURNISHED	CY	\$11.00	100,000.00	\$1,100,000.00	100,000.00	\$1,100,000.00	0.00	\$0.00
3	2102-2710070	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	\$4.67	20,000.00	\$93,400.00	20,000.00	\$93,400.00	0.00	\$0.00
4	2102-2710090	EXCAVATION, CLASS 10, WASTE	CY	\$7.40	40,000.00	\$296,000.00	40,000.00	\$296,000.00	0.00	\$0.00
5	2102-4560000	LOCATING TILE LINES	STA	\$143.07	30.00	\$4,292.10	30.00	\$4,292.10	0.00	\$0.00
6	2115-0100000	MODIFIED SUBBASE	CY	\$42.02	14,600.00	\$613,492.00	14,600.00	\$613,492.00	0.00	\$0.00
7	2301-1033100	STANDARD OR SLIP FORM PORTLAND CEMENT CONCRETE PAVEMENT, CLASS C, CLASS 3 DURABILITY, 10 IN.	SY	\$100.00	680.00	\$68,000.00	680.00	\$68,000.00	0.00	\$0.00
8	2301-1033130	STANDARD OR SLIP FORM PORTLAND CEMENT CONCRETE PAVEMENT, CLASS C, CLASS 3 DURABILITY, 13 IN.	SY	\$120.00	360.00	\$43,200.00	360.00	\$43,200.00	0.00	\$0.00
9	2303-1041500	HOT MIX ASPHALT HIGH TRAFFIC, BASE COURSE, 1/2 IN. MIX	TON	\$50.00	19,700.00	\$985,000.00	19,700.00	\$985,000.00	0.00	\$0.00
10	2303-1042500	HOT MIX ASPHALT HIGH TRAFFIC, INTERMEDIATE COURSE, 1/2 IN. MIX	TON	\$54.90	4,120.00	\$226,188.00	4,120.00	\$226,188.00	0.00	\$0.00
11	2303-1043502	HOT MIX ASPHALT HIGH TRAFFIC, SURFACE COURSE, 1/2 IN. MIX, FRICTION L-2	TON	\$60.41	4,250.00	\$256,742.50	4,250.00	\$256,742.50	0.00	\$0.00
12	2303-1258284	ASPHALT BINDER, PG 58-28H, HIGH TRAFFIC	TON	\$751.48	1,700.00	\$1,277,516.00	1,700.00	\$1,277,516.00	0.00	\$0.00
13	2304-0100000	DETOUR PAVEMENT	SY	\$75.84	2,000.00	\$151,680.00	2,000.00	\$151,680.00	0.00	\$0.00
14	2416-0100024	APRONS, CONCRETE, 24 IN. DIA.	EA	\$1,646.01	20.00	\$32,920.20	20.00	\$32,920.20	0.00	\$0.00
15	2416-1180024	CULVERT, CONCRETE ROADWAY PIPE, 24 IN. DIA.	LF	\$114.11	300.00	\$34,233.00	300.00	\$34,233.00	0.00	\$0.00
16	2435-0250700	INTAKE, SW-507	EA	\$5,913.90	26.00	\$153,761.40	26.00	\$153,761.40	0.00	\$0.00
17	2435-0251100	INTAKE, SW-511	EA	\$5,272.39	3.00	\$15,817.17	3.00	\$15,817.17	0.00	\$0.00
18	2503-0114224	STORM SEWER GRAVITY MAIN, TRENCHED, REINFORCED CONCRETE PIPE (RCP), 2000D (CLASS III), 24 IN.	LF	\$96.48	3,000.00	\$289,440.00	3,000.00	\$289,440.00	0.00	\$0.00
19	2510-6745850	REMOVAL OF PAVEMENT	SY	\$9.37	33,000.00	\$309,210.00	33,000.00	\$309,210.00	0.00	\$0.00
20	2512-1725256	CURB AND GUTTER, P.C. CONCRETE, 2.5 FT.	LF	\$50.00	7,100.00	\$355,000.00	7,100.00	\$355,000.00	0.00	\$0.00
21	2512-1950000	CURB, DOWELLED P.C. CONCRETE, AS PER PLAN	LF	\$50.00	2,700.00	\$135,000.00	2,700.00	\$135,000.00	0.00	\$0.00
22	2528-8400048	TEMPORARY BARRIER RAIL, CONCRETE	LF	\$17.34	800.00	\$13,872.00	800.00	\$13,872.00	0.00	\$0.00
23	2601-2639010	SODDING	SQ	\$500.00	25.00	\$12,500.00	0.00	\$0.00	25.00	\$12,500.00
23	2601-2643110	WATERING FOR SOD, SPECIAL DITCH CONTROL, OR SLOPE PROTECTION	MGAL	\$75.00	50.00	\$3,750.00	0.00	\$0.00	50.00	\$3,750.00
23	2601-2643300	MOBILIZATION FOR WATERING	EA	\$5.00	450.00	\$2,250.00	0.00	\$0.00	450.00	\$2,250.00
24	PCT-000-000	MOBILIZATION (000-000)	% of Project	\$0.05	9,265,436.24	\$463,271.81	9,265,436.24	\$463,271.81	0.00	\$0.00
25	PCT-000-030-02	TEMPORARY TRAFFIC CONTROL (000-030-020)	% of Project	\$0.05	9,265,436.24	\$463,271.81	9,265,436.24	\$463,271.81	0.00	\$0.00
26	PCT-999	UNQUANTIFIED	% of Project	\$0.20	9,265,436.24	\$1,840,587.25	9,265,436.24	\$1,840,587.25	0.00	\$0.00
27	TAS-10002	Planning Item for Lighting	LS	\$108,000.00	1.00	\$108,000.00	1.00	\$108,000.00	0.00	\$0.00
28	TAS-10003	Planning Item for Traffic Signals	LS	\$750,000.00	1.00	\$750,000.00	1.00	\$750,000.00	0.00	\$0.00
29	2301-0885550	BRIDGE APPROACH PAVT, AS PER PLAN	SY	\$300.00	1,200.00	\$360,000.00	1,200.00	\$360,000.00	0.00	\$0.00
30	PCT-999	UNQUANTIFIED	% of Project	\$0.10	400,000.00	\$40,000.00	400,000.00	\$40,000.00	0.00	\$0.00
31	2401-6745625	REMOVAL OF EXISTING BRIDGE	LS	\$98,676.49	1.00	\$98,676.49	1.00	\$98,676.49	0.00	\$0.00
32	2402-2720000	EXCAVATION, CLASS 20	CY	\$18.53	991.50	\$18,372.50	991.50	\$18,372.50	0.00	\$0.00
33	2403-0100010	STRUCTURAL CONCRETE (BRIDGE)	CY	\$891.58	685.30	\$610,999.77	685.30	\$610,999.77	0.00	\$0.00
34	2403-7000210	HIGH PERFORMANCE STRUCTURAL CONCRETE	CY	\$841.45	959.10	\$807,034.70	959.10	\$807,034.70	0.00	\$0.00
35	2403-7303000	STRUCTURAL CONCRETE COATING	SY	\$80.60	955.00	\$76,973.00	955.00	\$76,973.00	0.00	\$0.00
36	2404-7775000	REINFORCING STEEL	LB	\$2.25	19,728.00	\$44,388.00	19,728.00	\$44,388.00	0.00	\$0.00
37	2404-7775005	REINFORCING STEEL, EPOXY COATED	LB	\$1.61	290,343.00	\$467,452.23	290,343.00	\$467,452.23	0.00	\$0.00
38	2404-7775009	REINFORCING STEEL, STAINLESS STEEL	LB	\$5.25	4,100.00	\$21,525.00	4,100.00	\$21,525.00	0.00	\$0.00
39	2407-0564130	BEAMS, PRETENSIONED PRESTRESSED CONCRETE, BTD130	EA	\$37,084.13	22.00	\$815,850.86	22.00	\$815,850.86	0.00	\$0.00
40	2408-7800000	STRUCTURAL STEEL	LB	\$8.21	26,635.00	\$218,673.35	26,635.00	\$218,673.35	0.00	\$0.00
41	2414-6425410	CONCRETE BARRIER, REINFORCED, SEPARATION	LF	\$94.24	530.00	\$49,947.20	530.00	\$49,947.20	0.00	\$0.00
42	2414-6445100	STRUCTURAL STEEL PEDESTRIAN HAND RAILING	LF	\$250.31	579.60	\$145,079.68	579.60	\$145,079.68	0.00	\$0.00
43	2501-0201057	PILES, STEEL, HP 10 X 57	LF	\$62.32	11,130.00	\$693,621.60	11,130.00	\$693,621.60	0.00	\$0.00
44	2501-6335010	PREBORED HOLES	LF	\$56.44	540.00	\$30,477.60	540.00	\$30,477.60	0.00	\$0.00
45	2507-2638620	MACADAM STONE SLOPE PROTECTION	SY	\$53.49	1,122.00	\$60,015.78	1,122.00	\$60,015.78	0.00	\$0.00
46	2507-2638660	BRIDGE WING ARMORING - MACADAM STONE	SY	\$136.17	27.10	\$3,690.21	27.10	\$3,690.21	0.00	\$0.00
47	2533-4980005	MOBILIZATION Incl 10% Mobe, 10% Staging, 3% Aesthetics	EA	\$957,438.00	1.00	\$957,438.00	1.00	\$957,438.00	0.00	\$0.00
48	2555-0000010	Deliver and Stockpile Salvaged Materials	LS	\$5,000.00	1.00	\$5,000.00	0.00	\$0.00	1.00	\$5,000.00
		Subtotal - IM-380-6(456)4--13-52 Interchange Roadway				\$9,271,436.24		\$9,252,936.24		\$18,500.00
		Subtotal - IM-380-6(403)4--13-52 Lighting				\$108,000.00		\$108,000.00		\$0.00
		Subtotal - IM-380-6(404)4--13-52 Traffic Signals				\$755,000.00		\$750,000.00		\$5,000.00
		Subtotal - IM-380-6(399)4--13-52 Bridge				\$5,520,215.96		\$5,520,215.96		\$0.00
		Uninflated Total				\$15,654,652.20		\$15,631,152.20		\$23,500.00
		4.5% inflation from 7/1/23 Cost Date to 7/1/24				\$704,459.35		\$703,401.85		\$1,057.50
		Total				\$16,360,000.00		\$16,335,000.00		\$25,000.00



Maintenance Responsibilities for Penn St. Interchange

Note: Maintenance shall be according to IAC 761 Chapter 150

Resolution No. 2024-106

A RESOLUTION APPROVING THE PRECONSTRUCTION AGREEMENT BETWEEN THE IOWA DEPARTMENT OF TRANSPORTATION AND THE CITY OF NORTH LIBERTY

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

WHEREAS, the Iowa Department of Transportation wishes to make certain improvements to Interstate 380 and its interchange with West Penn Street (the "Project"); and

WHEREAS, the City of North Liberty desires certain improvements to be included in the Project relating to the installation of turf grass and the connection and maintenance of storm sewer facilities, and agrees to contribute towards the costs of same; and

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

NOW, THEREFORE, BE IT RESOLVED that the attached preconstruction agreement between the Iowa Department of Transportation and the City of North Liberty is approved.

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

APPROVED AND ADOPTED this 12th day of November, 2024.

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 26 Tax Increment Financing (TIF) Request

Resolution No. 2024-107

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 **\$25,934** (the "Annual Payment") which shall come due in the fiscal year beginning July 1, 2025 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, 2025.

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 **\$25,934** for appropriation from the Urban Renewal Tax Revenue Fund to the Annual Payment in the fiscal year beginning July 1, 2025.

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, 2024 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 12th day of November, 2024.

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

**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*: \$ 254,215

*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 12th day of November, 2024

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. <u>Diamond Dreams</u> <u>Not to exceed \$320,000 total</u>	<u>11/12/2024</u>	<u>25,934</u>
<input checked="" type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
2. <u>Corridor Media Properties Development Agreement</u> <u>Assignment from A & M Development Year 8 of 10. Office Premium</u>	<u>02/08/2011</u>	<u>31,802</u>
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
3. <u>GEICO Rebate Agreement</u> <u>Assignment from A & M Development. Year 6 of 10. Office Premium</u>	<u>02/08/2011</u>	<u>196,479</u>
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
4. _____ _____ _____ _____	_____	_____
<input type="checkbox"/> 'X' this box if a rebate agreement. List administrative details on lines above.		
5. _____ _____ _____ _____	_____	_____
<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 2.

Total For City TIF Form 1.1 Page 1: 254,215

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

**SPECIFIC DOLLAR REQUEST FOR AVAILABLE TIF INCREMENT TAX FOR NEXT FISCAL YEAR
 CERTIFICATION TO COUNTY AUDITOR
 Due To County Auditor By December 1 Prior To The Fiscal Year
 Where Less Than The Legally Available 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 next fiscal year and for the Urban Renewal Area within the City and County named above, the City requests less than the maximum legally available TIF increment tax as detailed below.

Provide sufficient detail so that the County Auditor will know how to specifically administer your request. For example you may have multiple indebtedness certifications in an Urban Renewal Area, and want the maximum tax for rebate agreement property that the County has segregated into separate taxing districts, but only want a portion of the available increment tax from the remainder of the taxing districts in the Area.

Specific Instructions To County Auditor For Administering The Request That This Urban Renewal Area Generate Less Than The Maximum Available TIF Increment Tax:	Amount Requested:
City draw amount required for FY 2026	4,299,708
2015A Bond \$301,025	
2017B Bond \$524,981	
2018A Bond \$347,070	
2019A Bond \$949,600	
2020A Bond \$475,285	
2021A Bond \$210,036	
2022A Bond \$475,158	
2023A Bond \$762,339	
Corridor Media \$31,802	
GEICO \$196,479	
Diamond Dreams \$25,934	

Dated this _____ day of _____, _____

 Signature of Authorized Official Telephone



Library Board Appointment

Application for
BOARD or COMMISSION
Appointment

Name: _____

Address: _____

Phone: _____ Email: _____ Gender: Male Female

I would like to volunteer to serve on the:

_____ Board of Adjustment

_____ Parks & Recreation Commission

_____ Board of Appeals

_____ Planning & Zoning Commission

_____ Cemetery Board

_____ Tree and Storm Water Board

_____ Library Board of Trustees

Place of employment and position:

Are you a citizen 18 years of age or older? YES NO

Are you a resident of North Liberty? YES NO

Length of residence in North Liberty: _____

Please give a brief statement of why you would like serve on this Board or Commission:

Please note any real estate, business or commercial interests within the City, other than your primary residence, for the purpose of identifying any actual or potential conflicts of interest:

Please give any other background or personal information that you feel would be helpful to the City Council in making their decision:

Signature of Applicant: _____ Date: _____



North Jones LLC Rezoning



October 1, 2024

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

Re: Request of North Jones, LLC for a zoning map amendment (rezoning) from RM-8 Multi-Unit Residence District to RM-12 Multi-Unit Residence District on approximately 3.53 acres. The property is located at 1605, 1655 and 1695 North Jones Boulevard.

Mayor Hoffman:

The North Liberty Planning Commission considered the above-referenced request at its October 1, 2024 meeting. The Planning Commission took the following action:

Finding:

1. The rezoning request from RM-8 Multi-Unit Residence District to RM-12 Multi-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

The Planning Commission accepted the listed finding and forwards the zoning map amendment to the City Council with a recommendation for approval.

The vote for approval was 4-0.

Amy Yotty, Chairperson
City of North Liberty Planning Commission

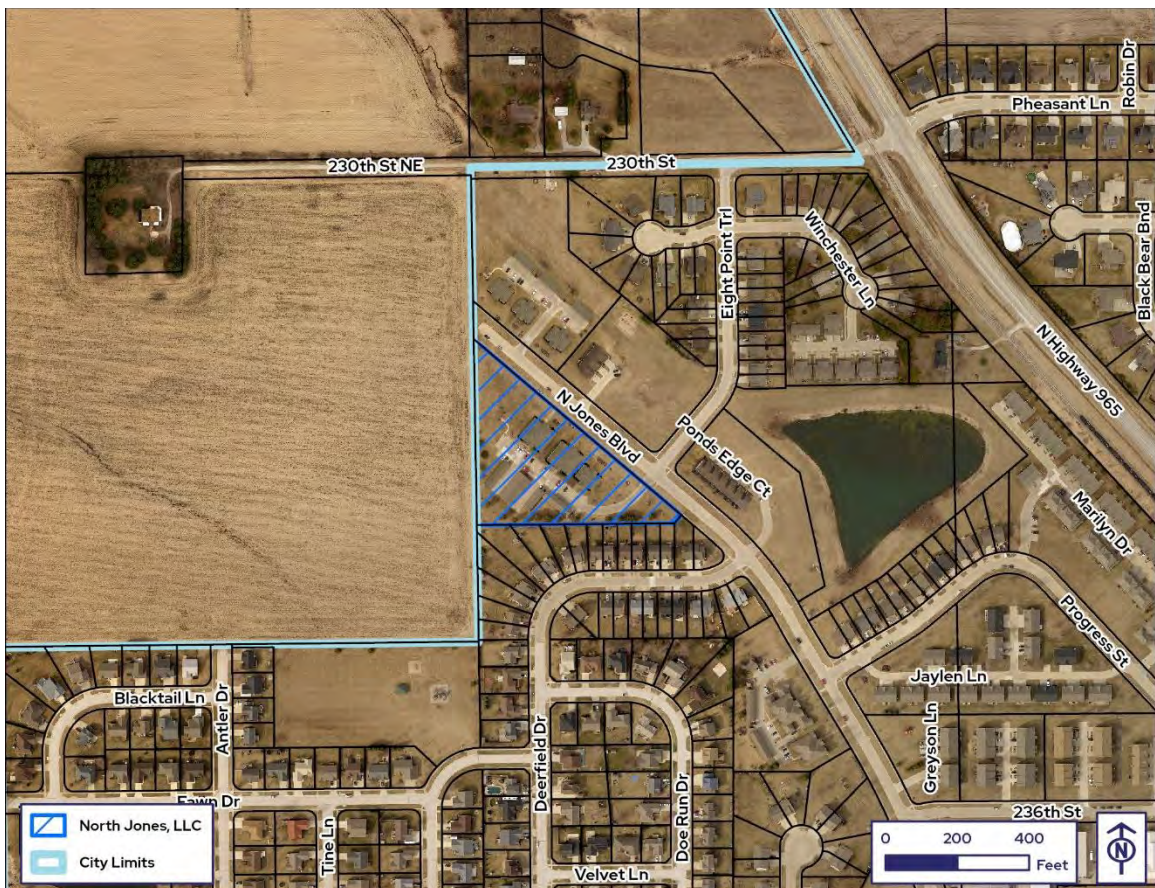


To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **September 27, 2024**
 Re **Request of North Jones, LLC for a zoning map amendment (rezoning) from RM-8 Multi-Unit Residence District to RM-12 Multi-Unit Residence District on approximately 3.53 acres. The property is located at 1605, 1655 and 1695 North Jones Boulevard.**

North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo.

1. Request Summary:

The purpose of the request is to construct another multi-unit residence north of 1695 North Jones Boulevard.



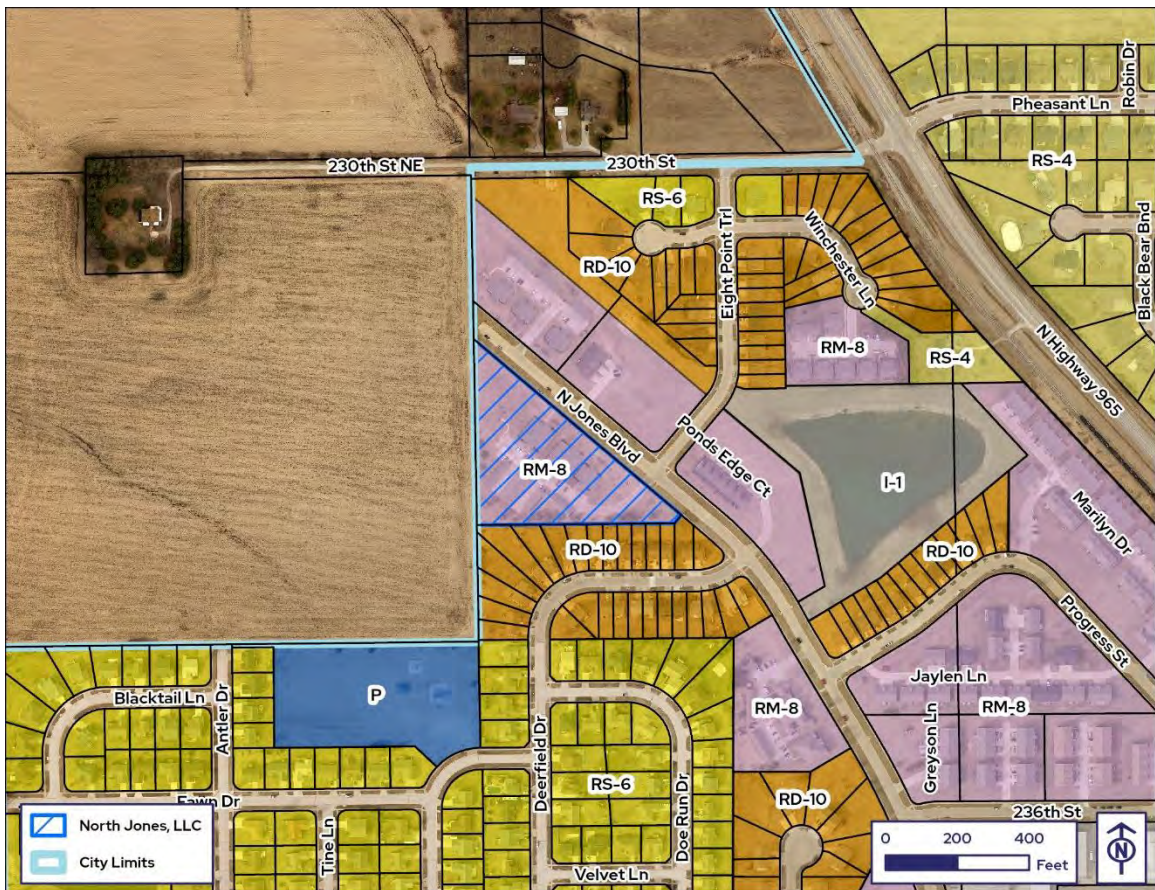
2. Current and Proposed Zoning:

Current Zoning

RM-8 Multi-Unit Residence District. The RM-8 District is intended to provide and maintain medium-density, multiple-unit housing residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RM-8 District.

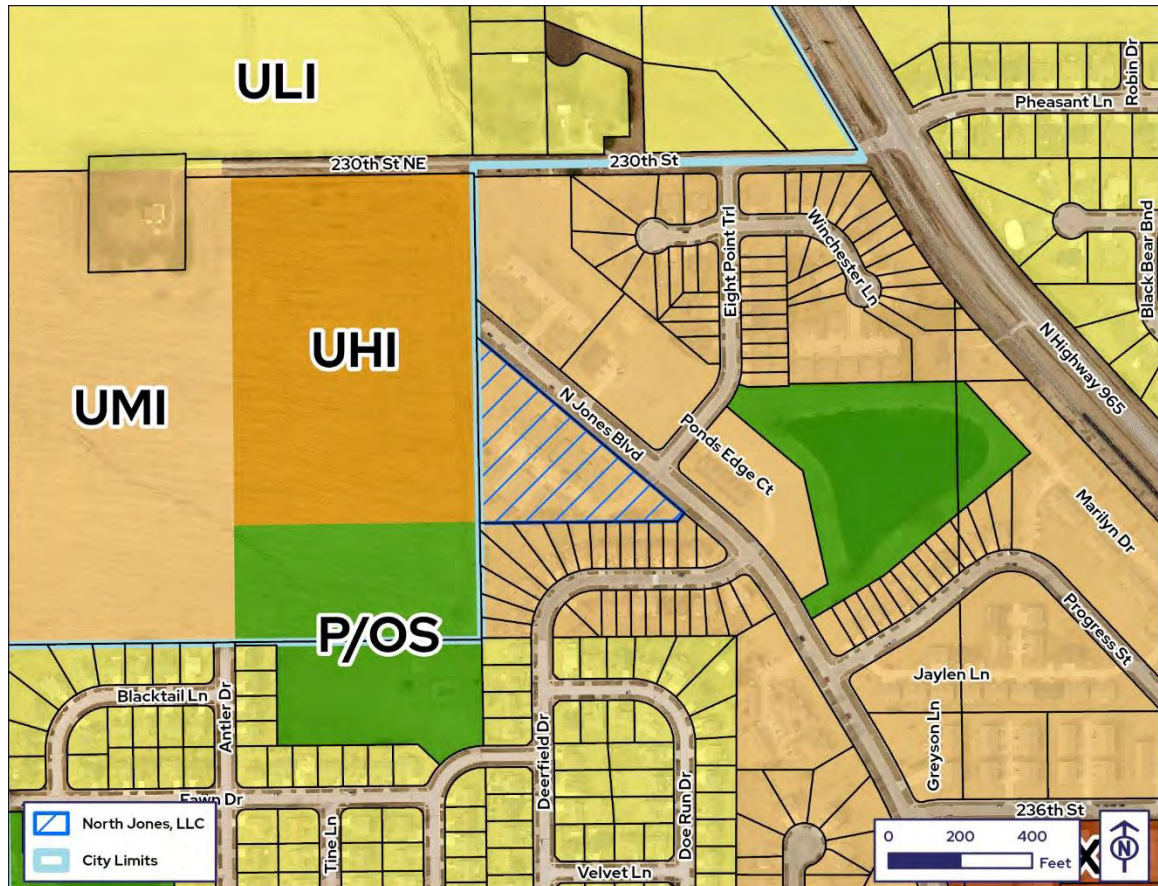
Proposed Zoning

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



3. Consistency with Comprehensive Plan:

Land Use Plan designation: Urban Medium Intensity.



Urban Medium Intensity Description

More variety in housing arrangements and more allowance for activity areas that draw people from outside the immediate area for services or recreation. Increased intensity (compared to ULI) improves opportunities for economic activity and social interaction. Medium intensity areas include mostly a horizontal mix of residential and non-residential uses at compatible moderate densities and scale, although there may be opportunities for vertical mixed-use.

Residential

Uses include a variety of housing types that may be on smaller lots. Housing mix can include single-family detached homes, duplexes, townhomes, and multifamily buildings to create integrated neighborhoods.

Form and Features

- » General aggregate development density of 7 to 14 dwelling units per acre. Innovative designs should allow more public spaces than ULI.
- » Attached housing developments maintain the identity of the individual housing units.
- » High connectivity with multiple access points into neighborhoods. As compared to ULI, UMI encourages closer proximity between transportation, housing, and commercial services.

4. Public Input:

A virtual good neighbor meeting was held on September 17, 2024. No one outside of City staff and the applicant attended the meeting. There are no objections to the request.

5. Zoning Map Amendment Approval Standards

Section 165.09(4)(D)(1) of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

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

Map Amendments.

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

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

Figure 3.4: Land Use Compatibility

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

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

The RM-12 District permits up to 12 units/per, which is within the allowable density of the Urban Medium Intensity Land Use designation. It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies.

- (b) The compatibility with the zoning of nearby property.
It is staff's opinion that the proposed zoning would be compatible with nearby property.

- (c) The compatibility with established neighborhood character.
It is staff's opinion that the proposed zoning would be compatible with established neighborhood character.

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

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

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

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

6. Additional Considerations:

There are none.

7. Staff Recommendation:

Finding:

1. The rezoning request from RM-8 Multi-Unit Residence District to RM-12 Multi-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment (rezoning) from RM-8 Multi-Unit Residence District to RM-12 Multi-Unit Residence District on approximately 3.53 acres to the City Council with a recommendation for approval.

Suggested motion:

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

Ordinance No. 2024-11

AN ORDINANCE AMENDING THE ZONING MAP DISTRICT DESIGNATION FOR CERTAIN PROPERTY LOCATED IN NORTH LIBERTY, IOWA FROM RM-8 MULTI-UNIT RESIDENCE DISTRICT TO RM-12 MULTI-UNIT RESIDENCE DISTRICT

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

SECTION 1. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended such that the below-described property (the "Property") is assigned a zoning designation of RM-12 Multi-Unit Residence District:

Lot 15 of Deerfield Seventh Addition to North Liberty, Iowa, in accordance with the Plat thereof recorded in Plat Book 45 at page 216 of the Records of the Johnson County Recorder's Office. Said Rezoning Parcel contains 3.53 acres, and is subject to easements and restrictions of record.

SECTION 2. CONDITIONS IMPOSED. At the October 1, 2024, meeting the Planning Commission accepted the listed finding and forwarded the request for a zoning map amendment to the City Council with a recommendation for approval with no conditions.

SECTION 3. RECORDATION. The City Clerk is hereby authorized and directed to record this ordinance at the Johnson County Recorder's office upon final passage and approval.

SECTION 4. REPEALER. All Ordinances and 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 from and after its final passage, approval and publication as provided by law.

First reading on October 22, 2024.

Second reading on

Third and final reading on

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, MAYOR

ATTEST:

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

TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. 2024-11 in *The Gazette* on the ____ of _____, 2024.

TRACEY MULCAHEY, CITY CLERK



Additional Information



To **Mayor and City Council**
CC **City Administrator**
From **Tom Palmer, Building Official**
Date **11/6/2024**
Re **Monthly Report**

October Permits:

One-hundred thirty-eight permits were issued in the month of October with an estimated construction value of 15.1 million dollars. Twenty building permits were issued for new single family dwelling units with construction value of 6.4 million dollars. Thirty-six building permits were issued for new townhouses with construction value of 7 million dollars. Staff completed 344 inspections in the month of October.

Rental/Code Compliance Cases:

Six rental permit applications were received in October. Four code compliance case was processed in October.

New Commercial Projects:

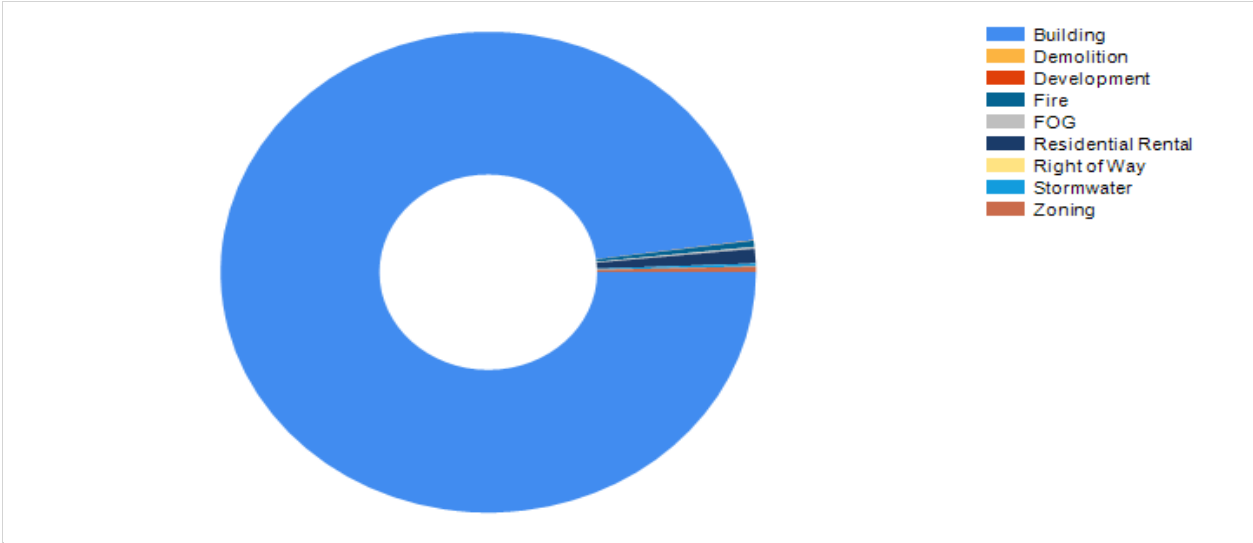
Commercial permit application was submitted in October for Jersey Mike's Subs. The location is the unit west of Starbucks located at 1255 Hayes Lane.

Permit Type Report

Permit Date
10/01/2024 to 10/31/2024

Description	Fees	Construction Value	Permits
Building	\$146,001.95	14,385,332.41	85
Demolition	\$25.00	0.00	1
Development	\$25.00	0.00	1
Fire	\$618.00	20,185.06	6
FOG	\$200.00	50.00	5
Residential Rental	\$1,446.00	385,000.00	6
Right of Way	\$0.00	200,000.00	1
Stormwater	\$300.00	0.00	5
Zoning	\$575.00	160,535.50	28
Total	\$149,190.95	15,151,102.97	138

Fees Breakdown



Permit Inspection Report Summary (01-01-2024 - 10-31-2024)

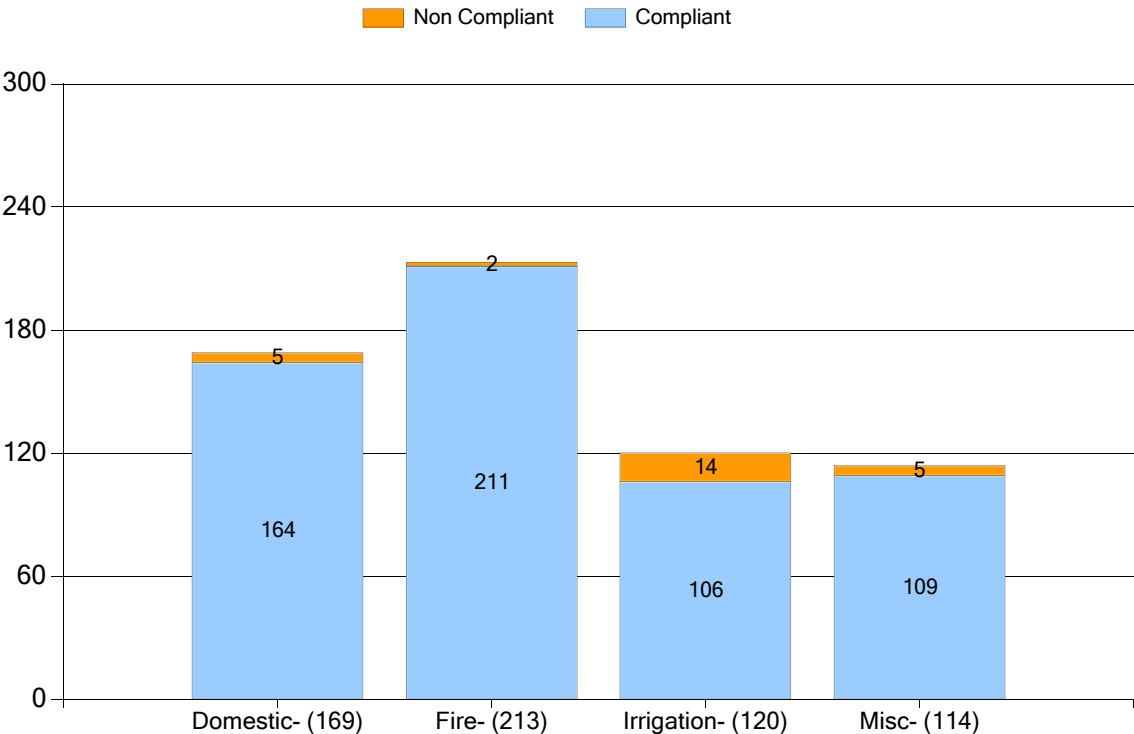
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Inspection request	19	42	46	39	27	47	37	33	24	37	0	0	351
Re-inspection	33	20	35	46	66	42	47	46	34	26	0	0	395
1st SWPPP	0	4	6	7	3	6	9	4	15	1	0	0	55
Above Suspended Ceiling	1	0	0	2	1	3	2	1	2	3	0	0	15
Backflow Preventer	0	0	0	1	0	0	0	1	0	0	0	0	2
Building Sewer	1	0	0	0	1	1	0	0	0	0	0	0	3
Certificate of Occupancy	0	0	0	0	0	0	0	1	0	0	0	0	1
Commercial Final	2	0	1	4	1	3	2	2	1	0	0	0	16
Commercial Rough-In	0	1	4	2	1	1	1	0	3	4	0	0	17
Commercial Water Service	0	2	0	0	0	1	0	1	0	0	0	0	4
Deck, Porch, Sunroom Footings	4	4	7	6	7	16	14	9	9	20	0	0	96
Final	11	14	12	11	10	12	17	14	18	15	0	0	134
Fire - Automatic Sprinkler System	1	5	5	2	10	4	3	6	0	5	0	0	41
Fire - Automatic Sprinkler System - Preconcealment	2	0	1	4	1	0	1	2	1	0	0	0	12
Fire - Compressed Gas Detection	0	0	0	0	0	0	2	1	0	0	0	0	3
Fire - Final Inspection	1	1	0	7	7	4	5	10	0	8	0	0	43
Fire - Fire Alarm Installation	1	0	0	3	5	4	4	6	0	4	0	0	27
Fire - Fire Alarm Installation (Rough-In)	3	0	1	3	1	0	2	4	1	0	0	0	15
Fire - Kitchen Hood Suppression System Installation	0	0	1	0	3	1	2	1	1	1	0	0	10
Fire - Mobile Food Unit	1	0	1	0	0	1	0	0	0	0	0	0	3
Fire - Operational - Temporary Membrane Structures/Tents	0	0	0	0	0	0	1	0	0	0	0	0	1
Fire - Rough In	0	0	0	1	1	0	1	3	0	0	0	0	6
Fire - Vehicle Exhaust Ventilation Equipment	0	0	0	0	0	0	1	0	0	0	0	0	1
Footings/Slabs	0	8	11	9	9	9	8	8	19	14	0	0	95
Foundation Dampproofing	0	3	9	3	3	6	6	2	15	6	0	0	53
Foundation Wall	1	6	10	8	10	5	9	2	23	11	0	0	85
Framing	0	1	0	1	0	0	1	0	2	2	0	0	7
Furnace/AC Replacement	0	0	0	5	4	12	15	5	4	1	0	0	46
Gas service release	16	3	6	9	3	5	12	9	22	22	0	0	107
Grading	1	13	2	9	4	3	8	8	1	3	0	0	52
Meeting	1	0	2	3	2	3	2	2	1	4	0	0	20
Notice of Termination CSR	1	3	10	8	1	3	5	2	2	4	0	0	39
Other	0	1	2	5	2	3	2	0	0	1	0	0	16
Permanent Electric Service Release	9	7	1	22	17	15	18	17	16	11	0	0	133
Plumbing below slab	1	6	15	6	6	11	7	6	14	8	0	0	80
Rental	31	41	12	6	8	0	4	89	105	52	0	0	348
Residential final (New Construction)	8	8	25	13	17	15	12	7	15	6	0	0	126
Residential Photovoltaic (PV) Solar System	2	2	3	0	2	0	0	6	2	3	0	0	20
Residential Rough-in (New Construction)	12	7	0	17	18	9	13	11	10	7	0	0	104
Residential Sewer Service	0	7	20	10	5	6	8	5	19	13	0	0	93
Residential Water Service	0	8	16	10	5	10	8	5	19	8	0	0	89
Rough-in	3	1	1	5	2	5	3	3	2	8	0	0	33
Sanitary Sewers	1	4	0	0	0	0	0	0	0	0	0	0	5
Sidewalk Release	2	3	12	7	2	2	5	2	3	5	0	0	43
Sump Pump Discharge Line	0	5	8	0	10	3	8	12	15	7	0	0	68
Temporary Electric Service	0	3	8	8	8	6	8	6	8	9	0	0	64
Water Heater	0	1	0	0	1	2	5	3	3	1	0	0	16
Water Main and Appurtenance	1	0	0	0	0	0	0	0	0	0	0	0	1
Witness air pressure test and piping inspection	12	14	2	20	15	13	17	14	7	14	0	0	128
Zoning Department Acceptance	0	0	0	0	0	0	1	1	0	0	0	0	2

Code Compliance Report

10/01/2024 - 10/31/2024

Case Date	Case #	Complaint	Reporting Code
10/3/2024	20240069	Permit was not obtained for a recently built deck	Building Code
10/3/2024	20240070	Junk on property. Weeds and grass out of control.	Nuisance
10/23/2024	20240071	Past due backflow test reports	City Code
10/23/2024	20240072	Past due backflow test reports	City Code

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, 2024**
Re **October 2024 Community Relations Staff Report**

City Slate

During October, we hosted two sessions of the Halloween Trail, a truck-or-treat-like event, on Oct. 11. The attendance for both sessions was up from 2023. Meanwhile, we worked on refining the calendar and budget for the coming year's City Slate programming, which will again include new programs, returning favorites and iterations on previous events. Details about events on the Slate can be found at northlibertyiowa.org/cityslate.

Beat the Bitter

The City has produced various events under the Beat the Bitter brand since 2016. Over the years, the festival has morphed with additions (Fire & Ice), iterations (Snuggie Crawl), expansions (affiliated events) and contractions (Kick Winter in the Snow Ball) and even went online in 2021, but it has never had a consistent format and the branding has been confusing. For 2025, we've decided to focus two consistently popular staples, Fire & Ice and the Snuggie Crawl, and move away from the Beat the Bitter brand. The change will ease some of the disproportionate sponsorship and logistical load some elements demanded, allowing the addition of elements to the Fire & Ice staple. The change will also ease the pressure to hold so many winter events in a short period of time, instead allowing staff to host events throughout January and February, meaning more people can engage with the programming. Details about these winter programs will come in November.

Neighborhood Ambassadors

Staff planned the final meeting of our original, or "OG," Neighborhood Ambassador cohort, which will coincide with the second meeting of our new annual class for a short celebration and chance to connect. Staff planned for the November session of our annual cohort, focused on community safety: social services, police and fire, with tours and Q&As.

Centennial Park

During October, construction of the building's foundation was completed and work on utilities began. We hosted an opportunity for the public to sign a structural beam that will

be installed inside the event center's entrance (above acoustic tile). Staff organized a Halloween-themed beer tasting fundraiser, A Nightmare on Ale Street, at the park, raising nearly \$4,000 from more than 400 attendees.

Youth Council

The North Liberty Youth Council facilitated a community-wide youth survey to learn more about things North Liberty junior high and high school students are impacted by and care about. For the second year in a row, respondents identified mental health as the number one issue facing youth in our community. With this in mind, the Youth Council has identified several areas of focus for the 2024-2025 term, including community resources, cultural representation and engagement, youth engagement and mental health. The group has begun working on a number of projects they hope to tackle during the year to help engage and support youth and others. Projects that are in development include a citywide cleanup competition, a school supply drive, a hygiene products drive, and a Youth Council newsletter.

The group also met with Jillian and Angela to learn about City Slate projects and other City events and the Centennial Center project and to explore opportunities for collaboration. The Youth Council hopes to work with Community Relations staff on at least one community event this spring.

Sponsorship

Jillian continued holding meetings with returning and potential local event partners to secure sponsorship support for 2025 community events. Over the past seven weeks, we secured \$134,500 in private sponsorship, including \$100,000 to help produce more than two dozen events on the City Slate, \$28,000 for winter's Fire & Ice and Snuggie Crawl festivities, \$2,500 to establish a new Movies on the Plaza series on the lawn of City Hall, and \$4,000 towards a ticketed adult Halloween party – one of the first events that will take place inside the Centennial Center.

In 2024 \$58,000 was secured specifically for Blues & BBQ sponsorship – which we are not contracting in 2025 while the festival takes a year off. Accounting for that, private sponsorship has seen a 6.5% increase to date in support of 2025 non-Blues community events. That percentage will continue to rise as we expect to write agreements for another \$10,000 to \$15,000 in sponsorships for the Ranshaw House Concert Series and other programs.

Our renewal rate is 93%. The continued success and growth of the City's event sponsorship program can be attributed to nurturing and continuing positive rapport with existing partners over many years, fostering new relationships with local businesses,

designing creative programs and following through by executing high-quality, professional events.

Other Items

Staff volunteered with the North Liberty Community Pantry, 100+ Women Who Care and worked with other local initiatives and non-profits.

Staff represented North Liberty at Greater Iowa City, Inc., on the Community Development Innovation Council, Data Task Force, City Connections Lunch, Coffee Connections and in the current Community Leadership Program class, at the Iowa Women's Foundation Lunch and at local groundbreaking and ribbon cuttings, during a presentation to the Iowa League of Cities about youth councils.

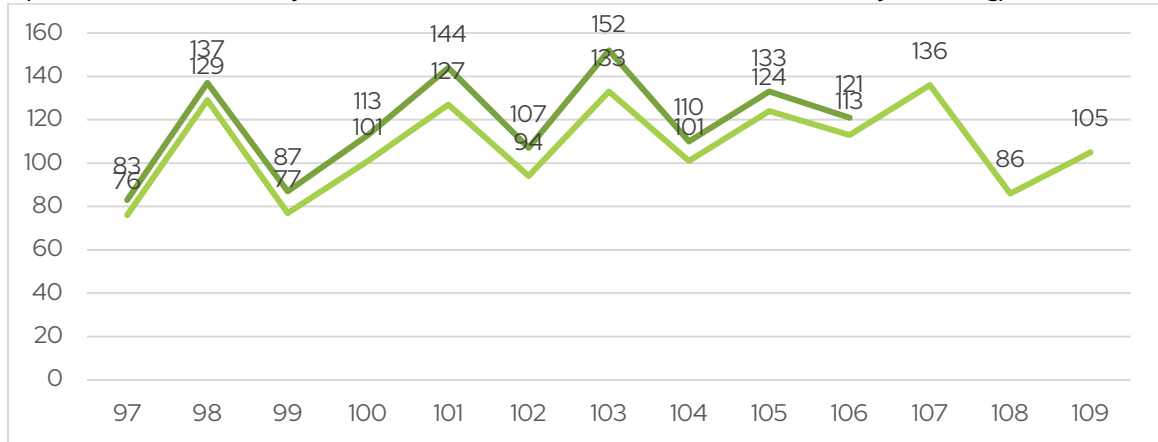
We posted news releases about City Slate events, staff award winners, election information, activity highlights, road projects and more.

Completed Videos

Title	Requested By	Completed	Duration
Planning & Zoning	Administration	Oct. 1	0:27
Parks & Recreation	Administration	Oct. 3	0:33
Eye on: Police	Community Relations	Oct. 7	0:04
City Council	Administration	Oct. 8	0:25
Good Neighbor Meeting	Planning	Oct. 21	0:16
City Council	Administration	Oct. 22	1:51
Eye on: Fire	Community Relations	Oct. 25	0:07
Social Service Agencies	Community Relations	Oct. 30	0:04
Total completed productions: 6	Duration of new video: 3.8 hours		

52317 Podcast

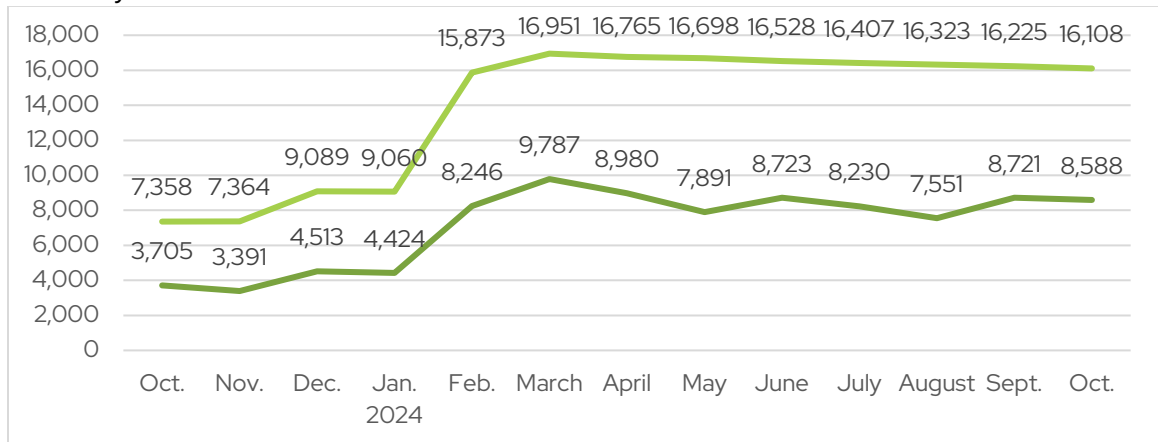
Episodes release every three weeks and can be found at northlibertyiowa.org/52317.



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

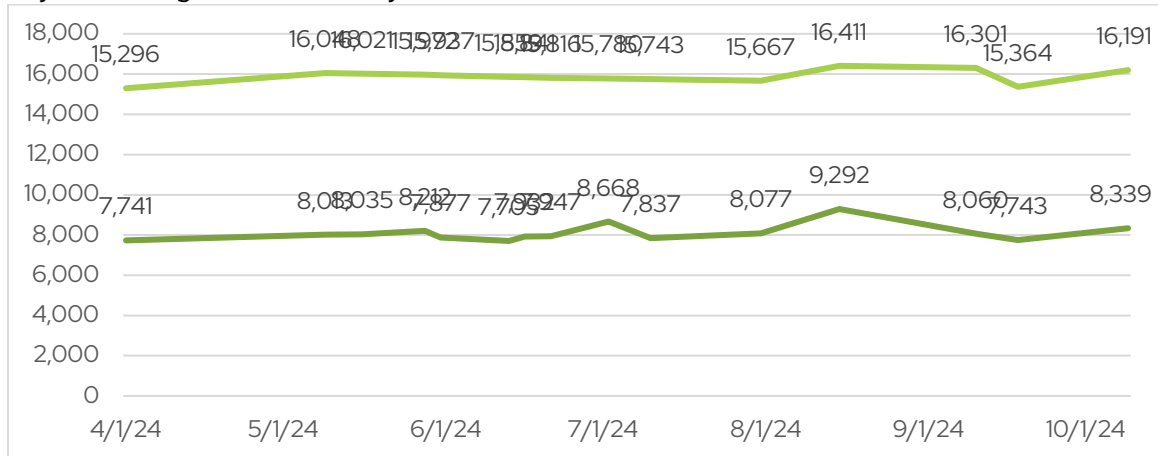
These emails offer news and updates in a friendly, approachable way on the first Thursday of each month.



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	67	41,795	3,526	7,069
Sept	112	69,482	3,507	7,000
Aug	110	37,807	3,471	6,935
July	108	75,615	3,462	6,851
June	128	69,922	3,425	6,762
May	125	74,483	3,394	6,708
April	89	84,900	3,368	6,665
March	130	56,333	3,341	6,579
Feb	102	72,100	3,313	6,498
Jan 2024	107	46,047	3,273	6,413
Dec	69	43,961	3,235	6,339
Nov	122	59,918	3,209	6,289
Oct	105	63,718	3,182	6,206

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 5, 2024
SUBJECT: Monthly Library Report

Library News

At the end of October, we had hearing loops installed in meeting rooms. Accessibility is a big part of our strategic plan, and we're thrilled to offer a better experience for people with hearing impairments. Included in that set up is two portable hearing loops and a mat that we've placed at the front desk. One of our patrons was having issues hearing over the bustle in the library after we placed the mat, and we were able to use the new mat and microphone at the desk to assist him. He was so happy that he was able to hear us clearly with the assistive tools. The hearing loop technology in the meeting rooms allows individuals with hearing aids or cochlear implants to connect directly to the audio systems, ensuring clear sound during meetings, presentations, and events.

The Hearing loop installation was made possible by a \$10,000 Libraries Transform Communities grant from the [American Library Association](#).

One of the goals of our programming team and in delivering library services is to combat the loneliness epidemic in the US. It's truly gratifying when we get to see relationships forming and folks gathering in the library. Our Monday morning Social Hour, which we've been hosting for more than 10 years, is a great example. We simply put out coffee and offer space for people to come together to socialize. The group varies in size from 10-25 people in our magazine area. The gatherings have grown and tend to last about 2 hours where previously they were about an hour. We hear feedback that they go to lunch and make plans together outside the library as well now. They welcome newcomers and have even reserved space in our meeting rooms to share travel experiences with each, creating their own organic armchair travel programs!

Additionally, Nick, our adult services librarian, moderates the Good Neighbor Book Club (GNBC), a program combined effort of the Neighborhood Ambassadors and the Library. The first group asked for a reunion and that was a great success with more than half of the participants showing up and signing up for the second six-week session, in which they will discuss *The Righteous Mind*, by Jonathan Haidt. The program is about ¾ full after less than a week of marketing.

I wanted to share with you some feedback Nick received from the first GNBC:

One participant said they were inspired by discussion at a prior GNBC to reconnect with a part of their family that they didn't talk to anymore because of political differences.

Quotes from two attendees:

- "I have found both book groups incredibly helpful and rewarding. I have met a

community of people who are willing to try to listen to each other (most of the time) and truly try to understand how our life experience and values inform our political views...The two of you have been wonderful role models for developing community in difficult times. The foundation of ideas and discussion offered by the book groups has enabled me to open discussions with friends and family that might otherwise not have happened. I've always believed that the library can play a vital role as the hub of a community, and my experience has been exactly that."

- "When I joined the first Good Neighbor Book Club, I was hoping to meet people who were also interested in turning down the shouting and negativity that had come to define the current mood of the country. I found that and so much more. Getting to discuss how to broaden our perspectives on information gathering and things that motivate people, I've learned more about myself and about how others may be feeling here in the North Liberty area, the state and the country. Since then I've included reading news from different sources to get a better perspective on how people are feeling, what their hopes and fears and concerns are. Also I was motivated to join the Living Room Conversations and the current Good Neighbor Book Club. Recently I've joined the Neighborhood Ambassadors training program. Being involved in these groups has supported by desire to help build community in our community and beyond."

Below are a couple photos from September reflecting how we connect with the community and help community members connect with each other and with their interests:



A couple of our Tuesday 55+ Connections attendees with the LEGO sculpture they built together.



The winner of one of our adult summer reading prizes – a compost kit for the recycling theme of the 2024 program – was excited to share photos.

Another goal at the library is to encourage civic engagement and civic learning. We collaborated with the League of Women voters this month to host an event for National Voter Registration Day providing them with a table so folks had an opportunity to register to vote along with snacks and stickers for those who registered.



On Saturday, Nov 2, we held a Kids Vote program in the library and had over 200 attendees come to vote and learn about the voting process. The election was Bluey vs Taylor Swift. Bluey won and one little patron was witnessed consoling Taylor with a hug and a "it's okay, we can't win every time."





Scroll for more program photos

STEM in Action with Dasia Taylor



Dasia Taylor's path to invention began in 11th grade at Iowa City West High School in Iowa, where she developed low-cost "smart" sutures to help detect infections. She is currently a student at the University of Iowa, as well as an entrepreneur and STEM advocate. Dasia was an NLL regular "library kid" growing up.





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

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

Date **November 4, 2024**

Re **Monthly Report**

We performed various building maintenance tasks as needed this month. T&T tuckpointing has finished painting the north and west elevations of the Rec Center building.

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 performed weekly soccer field maintenance this past month. Fall soccer season has now concluded for the year.

Parks Staff removed the old ballfield backstop at Koser Park to make way for the installation of the new enhanced backstop. D&N Fence from Cedar Rapids is currently installing the new backstop. The backstop should be completed in the next two weeks.

Parks staff mowed and trimmed our parks and grounds as needed. Mowing is now nearing the end. We finished fall native prairie mowing for the season.

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 are currently performing 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.

Parks Staff attended the Aquatic, Forest, and Roadside Pest Management Re-Certification Applicator Class on October 16th 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 25th. 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 Parks Department planted 10 new trees at Penn Meadows which was in part funded by the Mid-American *Trees Please* grant that we received this past spring. The trees will provide future shade around the Owen Skelly baseball field.

We have three Parks employees in training that will attend the upcoming CDL truck driving class in Mason City on October 6th and 8th.

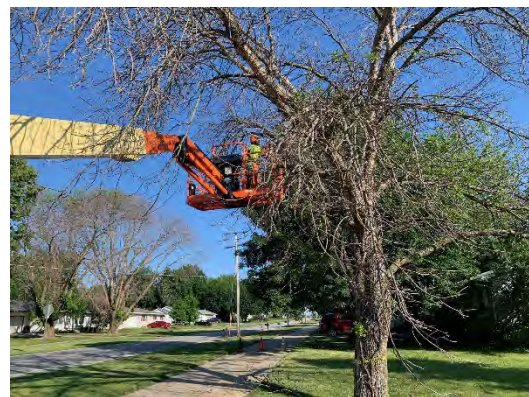
I attended multiple meetings with Shive Hattery this past month. Centennial Park progress meetings and the Freedom Park connecting trail project. Freedom Park is currently in the 100% design review phase and slated to go out for bid in December.

Country Landscapes, Inc from North Liberty was awarded the contract for the upcoming Liberty Centre Pond stone outcropping repair. Work is slated to begin in December and hopefully finish up early spring.

We installed a new trail crossing on Stone Creek Circle in the Fox Valley subdivision.



Soccer field maintenance.



Tree removals continue.



Annual prairie cut down.



Koser Park Ball field backstop removal.



DNR Trout stocking on October 25th.



Mid American *Trees Please* grant tree planting at OS field Penn Meadows Park.



Parks staff practicing for the CDL truck driving class in Mason City.



New trail crossing on Stone Creek Circle in the Fox Valley Subdivision.



North Liberty Police Monthly Report October 2024

Training:

- All Officers completed mandated training for our handguns and rifles. Officers also completed the low light requirement for handguns. (90 hours)
- Investigator Ryan Rockafellow completed his Cyber Security Crimes training which was mandated and paid for by the State. It took six months to complete due to the certification being very extensive. He will use this knowledge while working with the Johnson County Forensic Action Team (JFACT).
- Officer Ricardo Vazquez attended an annual joint tactical training class with other members of the Johnson County Special Emergency Response Team (SERT) at Camp Dodge. (40 hours)
- We hosted a Search Warrant Writing Class at the PD and had several officers (11) attend from other agencies. 7 NLPD officers also were in attendance (15 hours).
- Two certified officers completed Taser training at the police department (8 hours)
- 11 Field Training officers and coordinators had a meeting/training to plan for the training of the new recruits. (11 hours)
- Officer Noah Conard graduated from the 10-week Hawkeye Police Academy and will be starting the field training program. (525 hours)
- Recruit Jacob Boevers is still at Iowa Law Enforcement Academy and will complete that on December 18th.
- Officer Jordan Myles was hired and started Field Training since he was already certified.
- Officer Alex McEleney was hired and is working on administrative training prior to starting FTO since he is also already certified.

Traffic Contacts	146
Parking Contacts	29
Vehicle Inspections	0
Vehicle Unlocks	15
Crash Investigations	21
Public Assists	242
Assist other Agency	135
Crimes Against Persons Report	8
Crimes Against Property Report	14
Other Reports	26
Arrests	24
Warrants	3
Alcohol/Narcotics Charges	8
Crimes Against Persons Charges	9
Crimes Against Property Charges	4
Other Charges	11
Animal Calls	56
Total Calls for Service	1310
*Total Calls for Service for the year	16624

Public Relations:

- Officers attended the annual Halloween themed block party on Troon Court.
- The lobby was opened on Saturday the 26th for the National Prescription Drug Take back program. Sixty-Seven (67) pounds of medications were taken in and turned over to the DEA for proper disposal. We take medications year-round and participate in the National take back and disposal twice a year (Spring and Fall).
- We have had several new hire candidates ride along this month to see if NLPD would be a good fit.
- An NL family went to the Council meeting to thank NL Fire and Officer Tiffany DeBoer for their help on a medical call. We are glad everything turned out okay and that the parties

involved were there to help. It was very thoughtful of the family to publicly thank our responders.

- We partnered with the Kirkwood Workplace Learning Connection to hold a mini police academy with 15 area high school students. They learned what it was like to be a police officer, academy life, and certification milestones from our two new hires. They also experienced the Virtual Reality training simulator which covered explanations of use of force, law enforcement response, and de-escalation techniques.
- Officer DeBoer found some trick or treaters out on the street and stopped for a picture. Candy was given, once it was confirmed back-up was not needed and there were no outstanding warrants.



Equipment:

- We are still working with IT to be in compliance with the new CJIS security mandates. All officers will be issued a fob that will be used as an additional log in to any of the driver's license, vehicle registration, or criminal databases.
- Flock is still on hold as we wait for permission to install the 6 remaining cameras. We do have the FLOCK policy completed and will get that posted to the website to share with the public.
- Every two years our Axon body worn cameras are replaced. New cameras and a docking station have been put into service.

Enforcement/Crime:

- 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.
- We received several reports of political signs being taken in various neighborhoods around town.
- On October 1st we had several thefts from unlocked vehicles and a stolen motor vehicle overnight. The vehicle and suspects were located in Illinois and subsequently arrested.

Department Admin:

- Recruit Dedrick Jordan was offered a conditional job offer. He is expected to start in November and will go to the academy in January 2025.
- An Emergency Declaration went into effect on October 8th to cover all of our patrol shifts open from vacancies. This was needed according to the Union contracts. The investigations division was disbanded, and those individuals were moved to patrol until we get the new hires certified and trained. Lieutenant Ross will continue with handling Investigations for now

and we will move individuals back into those positions once we can. JCSO and CVPD agreed to assist us with emergency calls if we do not have someone immediately available.

- A Command Staff, Supervisor meeting, Chief's meeting, Elections planning meeting and ILEA council meeting were attended this month by the Chief.
- Chief is working on the FY 2026 budget for the PD and Animal Control.
- We had two departures this month. Travis Clubb left to go work for the Keokuk County Sheriff's Office and Jeff McVey left to work at Altoona PD. We wish them all the best in their future careers.
- We completed the background, interviews and hiring process for the open records position. An offer was made, and the candidate will start next month.
- We posted internally and externally for a vacant Sergeant's position. The application deadline is November 12th, and the posting is on the City's website.
- Our Mental Health Liaison, Kieonna Pope was hired by the Johnson County Sheriff's Office to fulfill the same role. Since this service is vital for our community, we have cancelled the previous MOU with CommUnity and will enter into an MOU with the Sheriff's Office and Coralville PD to continue to use the mental health liaison services. This move is beneficial to the sharing of information, since Kieonna will be considered a law enforcement employee and will have access to our shared records. Since the change, we have not observed any disruption in service and the program remains unchanged for any function or operational needs.
- We have cancelled our schedule hours for fingerprints and vehicles inspections while the emergency declaration is in place and until we get the 2nd records person hired. We will make exceptions for NL residents as time permits.
- Change Agent Consultant, Jeff Theulen completed his internal audit of the department and made some recommendations to implement within the department. An internal strategic plan was started for cultural and internal operational changes. We will continue to work on this plan moving forward and getting feedback from all employees.
- A department wide mandatory meeting was held to discuss expectations and future changes coming to the department.
- We updated five internal policies and added a new policy for the FLOCK camera system.
- Congratulations to Noah Connard for graduating from Hawkeye Police Academy.

Submitted on 11/4/2024



To **Park & Recreation Commission Board Members**
CC **Mayor, City Council, City Administrator**
From **Shelly Simpson**
Date **October 29, 2024**
Re **Monthly Report – October 2024**

October is highlighted with special events. The Halloween Moonlight Walk around Liberty Centre was a huge turnout as the weather was wonderful and Matt M does an excellent job with this event. Matt F offered Pumpkin Painting/Carving and had 10 registered. Ashley and pool staff held two divisions of our Pumpkin Float event with 59 participants in each division. Staff was offered flu shots at end of the month.

Recdesk Database:

Reviewing our Recdesk database; we have 15,195 residents (59%) and 10,690 non-residents (41%) totaling 25,885 individuals. Increase of 207 from last month.

Aqua Programs:

Aqua classes continue to have a great following. Aqua Boot Camp (9), Aqua Dance Fusion (13), Aqua Zumba (11), Arthritis MWF (15), Arthritis T TH (15), Easy Does It (17), Water Resistance (5) totaling 85, plus drop-ins.

Aqua Program/Class revenue totaled \$1,767.00.

Swim Lessons:

Swim lessons continued this month.

Revenues totaled \$3,230.00.

Leagues/Sports:

Some youth sports concluded this month, as others continued.

Pee Wee Soccer had (42) participants.

Youth Competitive Basketball began with (19) teams.

Adult Co-ed Volleyball and Basketball leagues continue.

Sport/Leagues revenues totaled \$375.00.

Recsters BASP Program:

BASP (Oct) has AM (20) and PM (50), totaling 70 kids.

All-Days: Four dates averaged 20 participants each day.

BASP revenues this month totaled \$13,665.00

Classes/Programs:

Tippi Toes Dance: Baby Ballet (20), Ballet Tap Jazz (24), Poms/Hip Hop (8), Tippi Pro (8) and Toddler & Me (14), totaling 74 dancers.

Aerobics Classes: Body Blast (7), Total Body Sculpt (4), Zumba (4), Vinyasa Yoga (1), Taiji (1), JiuJitsu (2), totaling 19 registered, plus drop-ins.

Connection Luncheons served (150) meals this month.

Classes/Programs revenue totaled \$12,117.00.

Special Events/Programs:

Halloween Moonlight Walk – Oct 11; Huge turnout, great weather.

Pumpkin Painting/Carving – Oct 16; (10) participants.

Pumpkin Float – Oct 27; Ages 1-5 (59) participants; Ages 6-10 (59) participants.

Pools: This month, Season Pool Pass revenues totaled \$3,454; Daily Pool Fees totaled \$1,516; Pool Rentals totaled \$1,250, and Concessions revenues totaled \$-0-.

Weight & Exercise Area / Track:

Weight fee revenues totaled \$12,843; Split membership revenues totaled \$2,642

We had 3,156 active memberships for the month.

We had 926 point of sale transactions for the month.

Rentals:

Gymnasium Rental revenues totaled \$1,115; Community Center Rental revenues totaled \$3,161.25; Shelter rental revenues totaled \$50, Field Rental/Tennis Courts revenues totaled \$7,102.67.

Revenues:

Revenues for October (Oct 1-27) totaled \$64,639.37.

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, 2024**
Re **Street Department Staff Monthly Report for October**

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

- Locating City Utilities (309 job tickets) ongoing
 - a. This is an increase of 19.7% from October 2023
- Continued animal control services (12 responses to animal issues)
- Cemetery plot locates (10 in total)
- Projects/Meetings
 - a. Street Department Building Project
 - i. The majority of space is now usable, and staff and equipment have been moved back in
 - ii. A few mechanical punch list items remain
 - b. W Forevergreen Rd Traffic Signal Project (traffic signals to be added at S Kansas Ave and S Jones Blvd at W Forevergreen Rd in both locations)
 - i. Finishing up on punch list items
- Storm Water
 - a. Finished mowing of all ROW (right of way) and easement locations to minimize spring snow melt issues
- Sanitary Sewer
 - a. Inspection of various manhole locations
- Training
 - a. New staff attended SPOT (Snowplow Operator Training) in Cedar Rapids
 - i. This event was organized by APWA (American Public Works Association) to help new operators with snow plowing operations
 - ii. It also allowed them to participate in a teams skills competition as a snowplow driver/spotter, skid loader operator, and mini hoe operator
 - iii. Poisonous Plant Training conducted by Johnson Co Secondary Road to help staff identify as they work in ROW and easement areas
- Staff participated in both Halloween Trail events at Liberty Centre Pond area handing out candy to trick or treaters
- Repairs made on streetlights not functioning
- Construction plan review of proposed subdivisions and site plans
- Staff conducted monthly safety inspections for all street equipment and buildings
- Monthly warning siren testing in all 8 locations
- Sign make, install, and repair in various locations

- Traffic signals
 - a. Removed temporary signal at the southwest corner of Ranshaw Way/Penn St and replaced with new pole and horizontal arm that were previously damaged by a contractor truck strike from last year
- Street Repairs
 - a. Crack/tar seal all repaired street areas completed this summer
 - b. Gravel road and shoulder grading
- Winter operations
 - a. Installation of 90% of all snow/ice equipment
 - b. Prepare fuel pumps, tanks, and buildings for winter weather
 - c. Performed preventative maintenance on 30 large overhead doors at public works complex
- New staff member Thomas Jungen will be starting November 4th
 - a. He is a lifelong North Liberty resident, and we are excited to have him as part of our team



Halloween Trail Fun!



SPOT Training and Equipment Rodeo Event

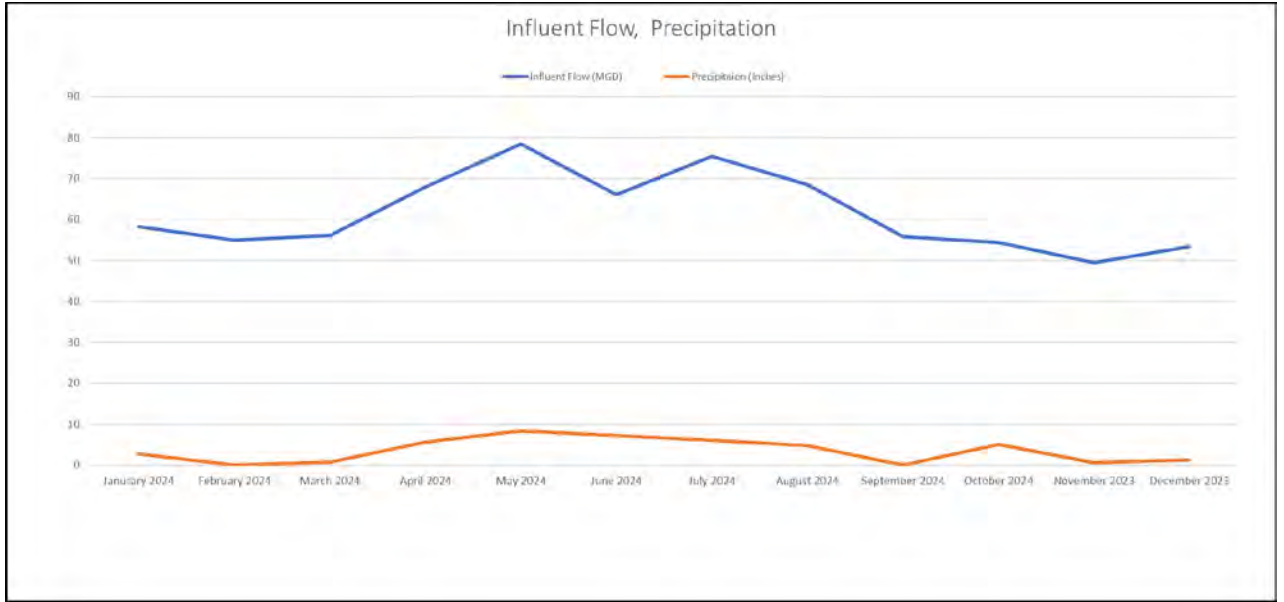


Ranshaw Way and W Penn St traffic signal removal and replacement



To **City Council, Mayor, and City Administrator**
From **Drew Lammers**
Date **Nov. 1, 2024**
Re **Oct. 2024 Water Pollution Control Plant (WPCP) Report**

1. All scheduled preventative maintenance at the plant and lift stations was completed. **126 work orders** were completed throughout October. Maintenance staff worked with a certified repair technician to replace a drive shaft bushing and seal on one of our large digester blowers. Prior to the repairs the blower was leaking oil and out of service for several weeks. The repairs went well, and the equipment is running again. Staff pulled one submersible pump for our dewatering feed system. It has a seal failure and was taken to a local motor shop for teardown and rebuild estimate.
2. This month's staff safety meeting topic was Fire Extinguishers. Staff completed target solutions training online and reviewed the training topic as a group. All WPCP fire extinguishers were inspected by our certified 3rd party vendor. WPCP does a monthly in-house inspection of all safety equipment as well.
3. Operations and Lab completed all monthly sample results and reports. Monthly Influent Flow Avg. was **1.75 MGD**. **0.72 MG** of solids were wasted from the biological tanks to digesters during October. WPCP Operators continue to haul biosolids to the field stockpile south of Tiffin. They are keeping the storage building empty to allow for more winter storage of biosolids. Quarterly testing was done for all certified testing parameters as part of our Quality Assurance / Quality Control plan. Each parameter has a split sample tested by our contract lab (SHL) for comparison with in-house results. All results were within acceptable control limits.
4. Contractors completed all tank catwalk repairs and coatings during October. WPCP staff relocated the scaffolding from the North Digester to the South Digester so the contractors could tear out and repour another section of degrading concrete. All of repairs look good and walkways were treated with a corrosion inhibitor prior to the epoxy coating and topcoat protection. We caught the damaged areas very early so repairs were minimal and should provide long-term use.
5. 2025 annual service contracts were renewed with several vendors. We have updated preventative maintenance cost estimates for use while working through FY 26 WPCP budget. We are working on the next full membrane replacement proposal with Veolia. Once completed we should have cost projections that will allow us to budget the appropriate amount for membrane replacement until around 2040. We are also working with Strand Engineering on permits and construction details for installing the used dewatering equipment purchased from the City of Clinton.



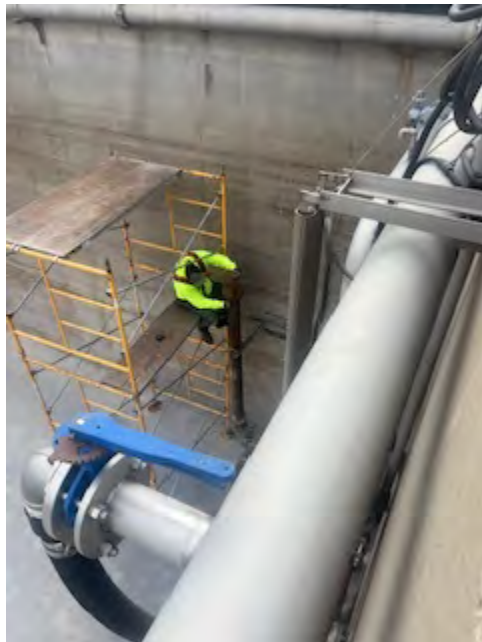
Concrete Walkway Repairs



Walkway Surface Prep Before Coating



Removing Decanter From North Digester





Completed Walkway with Epoxy Coating





To **North Liberty Mayor and City Council Members**
CC **City Administrator Ryan Heiar**
From **Water Superintendent Greg Metternich**
Date **November 4, 2024**
Re **Monthly Report – October 2024**

In the month of October, we treated a total of 46,172,000 gallons of water, our average daily flow was 1,489,000 gallons, and our maximum daily flow was 1,722,000 gallons. The total amount of water used in the distribution system was 12.25% higher than in October 2023.

We have had a busy month with 9,441 accounts read, 110 re-reads, 67 service orders, 265 shut-off notices delivered, 123 shut-offs, 111 re-connects for water service, 14 new meter set inspections, 6-meter change outs, 41 MIU change outs, assisted 20 customers with data logging information, 75 calls for service, and 6 after hour or emergency calls. Our monthly total service work averaged 36 service orders per day.

Maintenance staff continuing working on flushing dead-end fire hydrants as time allowed through October. Hydrant flushing was completed on October 29th. In early May next year, the second round of flushing will start at that time we will flush every hydrant in the distribution system.

We replaced another fire hydrant on Juniper Street last month, this required the street to be completely shut down, traffic was detoured around Juniper Court. Work started at 8:30AM after school traffic and was back open around 3:15PM.

October was a busy month working with contractors. We had to shut down the water main on Liberty Way for a hydrant relocation and a new hydrant that was damaged during building construction both required the water main to be pressure tested and additional bacteria samples to be taken. We had a similar situation at North Central Junior High, the new water service to the building was shut-down and retested. I met with Maxwell Construction dealing with two new water main connections that will require our water main to be shut down, this work will affect Advanced Millwork and A2Z Plumbing, I've met with both property owners, and we are working on getting this work scheduled. We met with the contractor and engineer at the corner of Ranshaw Way and Penn Street the new construction will require utility work (water and sewer) on both sides of that property.

Water Superintendent
Greg Metternich



Planning Commission

November 5, 2024

Council Chambers, 360 N. Main Street

Call to Order

Vice Chair Barry A'Hearn called the Tuesday, November 5, 2024, Planning Commission to order at 6:30 p.m. in the Council Chambers at 360 N. Main Street. Commission members present: Barry A'Hearn, Josey Bathke, Jason Heisler, Valerie Ward; absent: Sheila Geneser, Dave Willer, Amy Yotty.

Others present: Ryan Rusnak, Ryan Heiar, Grant Lientz, Tracey Mulcahey, Josiah Bilskemper, Jake Evans, Mike Bails, Adam Hahn, and other interested parties.

Approval of the Agenda

Bathke moved, Heisler seconded to approve the agenda. The vote was all ayes. Agenda approved.

Grand Rail Construction & Development Preliminary Site Plan

Staff Presentation

Rusnak presented the request of Grand Rail Construction & Development to approve a Preliminary Site Plan for a horizontal mixed-use development on 2.84 acres. Staff recommends that the Planning Commission accept the listed finding that the preliminary site plan would achieve consistency with the approval standards enumerated in Section 165.05(2)(E) of the Zoning Code and forward the request to approve a preliminary site plan for a horizontal mixed-use development on 2.84 acres to the City Council with a recommendation for approval.

Applicant Presentation

Jake Evans, Grand Rail Development, was present on behalf of the applicant and offered to answer questions.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the quality of the proposal and the fit in the location.

Recommendation to the City Council

Heisler moved, Bathke seconded that the Planning Commission accept the listed finding and forward the preliminary site plan to the City Council with a recommendation for approval. The vote was: ayes – Bathke, A'Hearn, Heisler, Ward; nays – none; absent: Geneser, Willer, Yotty. Motion carried.

Grand Rail Construction & Development Zoning Map Amendment and Preliminary Site Plan

Staff Presentation

Rusnak presented the request of Grand Rail Construction & Development for a zoning map amendment (rezoning) from C-1-B General Commercial District to C-2 Highway Commercial District and to approve a Preliminary Site Plan for 36-unit multi-dwelling housing building and

related infrastructure on approximately 1.68 acres. Staff recommends the Planning Commission accept the listed findings; 1. The rezoning request from C-1-B General Commercial District to C-2 Highway Commercial District would achieve consistency with the approval standards, and 2. The preliminary site plan would achieve consistency with the approval standards enumerated in Section 165.05(2)(E) of the Zoning Code; and forward the request for a zoning map amendment (rezoning) from C-1-B General Commercial District to C-2 Highway Commercial District and to approve a Preliminary Site Plan for 36-unit multi-dwelling housing building and related infrastructure on approximately 1.68 acres to the City Council with a recommendation for approval.

Applicant Presentation

Jake Evans was present on behalf of the applicant and offered to answer questions on the application.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the intensity of the request compared to what the applicant could have requested, the compatibility with the proposed development across the street, the density of current proposed developments, and the requirement for buffering between commercial and residential zoning, Mike Bails responded to the question regarding the plan for consistency across the street.

Recommendation to the City Council

Bathke moved, Heisler seconded that the Planning Commission accept the listed findings and forward the zoning map amendment (rezoning) and preliminary site plan to the City Council with a recommendation for approval. The vote was: ayes – Heisler, Bathke, Ward, A’Hearn; nays – none; absent: Geneser, Willer, Yotty. Motion carried.

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of Watts Development Group, Inc. for a zoning map amendment (rezoning) from RS-6 Single-Unit Residence District to RS-9 Single-Unit Residence District on approximately 1.73 acres. Staff recommends the Planning Commission accept the listed finding, the rezoning request from RS-6 Single-Unit Residence District to RS-9 Single-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code and forward the request for zoning map amendment (rezoning) from RS-6 Single-Unit Residence District on approximately 1.73 acres to the City Council with a recommendation for approval.

Applicant Presentation

Adam Hahn, Watts Group, was present on behalf of the applicant and offered additional information on the application.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the type of homes already constructed.

Recommendation to the City Council

Heisler moved, Bathke seconded that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes – Ward, A’Hearn, Heisler, Bathke; nays – none; absent: Geneser, Willer, Yotty. Motion carried.

Administrative Zoning Map Amendment

Staff Presentation

Rusnak presented the request of City of North Liberty for a zoning map amendment (rezoning) from RS-6 Single-Unit Residence District to RS-6 PAD Single-Unit Residence District Planned Area Development on approximately .18 acres. Staff recommends the Planning Commission accept the listed finding, the rezoning request from RS-6 Single-Unit Residence District to RS-9 Single-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code, and forward the request for zoning map amendment (rezoning) from RS-6 Single-Unit Residence District to RS-6 PAD Single-Unit Residence District Planned Area Development on approximately 0.18 acres to the City Council with a recommendation for approval. Lientz offered additional information on the application.

Applicant Presentation

No applicant presentation was offered.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including the neighborhood’s openness with the park space, citizen’s responsibility to know what setback requirements are, staff admitted the mistake, that this is a reasonable resolution, that having the park is a big factor in the resolution, no precedent created in this, that it was human error, and that staff has put in redundancies to try to not let it happen again.

Recommendation to the City Council

Bathke moved, Heisler seconded that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes – A’Hearn, Ward, Bathke, Heisler; nays – none; absent: Geneser, Willer, Yotty. Motion carried.

Administrative Zoning Map Amendment

Staff Presentation

Rusnak presented the request of City of North Liberty for a zoning map amendment (rezoning) from ID Interim Development District to P Public District on approximately 3.0 acres. Staff recommends the Planning Commission accept the listed finding, the rezoning request from ID Interim Development District to P Public District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code and forward the request for the zoning map amendment (rezoning) from ID Interim Development District to P Public District on approximately 3.0 acres to the City Council with a recommendation for approval.

Applicant Presentation

No applicant presentation was offered.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including why the location was selected and why the zoning is being revised.

Recommendation to the City Council

Heisler moved, Bathke seconded that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes – Bathke, Ward, A'Hearn, Heisler; nays – none; absent: Geneser, Willer, Yotty. Motion carried.

Approval of Previous Minutes

Heisler moved, Ward seconded to approve the minutes of the October 1, 2024, meeting. The vote was all ayes. Minutes approved.

Old Business

No old business was presented.

New Business

Rusnak reported that staff is seeing subdivision infrastructure construction projects wrap and get started on foundations. Greenbelt rezoning next month.

Adjournment

At 7:10 p.m., Heisler moved, Ward seconded to adjourn. The vote was all ayes. Meeting adjourned.

Signed:

Tracey Mulcahey, City Clerk