



City Council
April 27, 2021
Regular Session

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

Call to order

Mayor Terry Donahue called the April 27, 2021 Regular Session of the North Liberty City Council to order at 6:30 p.m. Councilors present: RaQuishia Harrington, Chris Hoffman, Annie Pollock Brent Smith, Brian Wayson; absent –none.

Others present: Ryan Heiar, Tracey Mulcahey, Grant Lientz, Ryan Rusnak, Kevin Trom, and other interested parties.

Approval of the Agenda

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

Consent Agenda

Hoffman moved, Smith seconded to approve the Consent Agenda including the City Council Minutes, Regular Session, April 13, 2021; the attached list of Claims; Ranshaw House Project, Change Order Number 4, Wolfe Contracting, Inc., \$13,629.34; SW Growth Area Water & Sewer Extensions, Change Order Number 1, Boomerang, \$5,631,96 and extension of substantial completion date by 42 days; Liquor License Renewal – Bluebird Café; Liquor License Renewal – Table; Liquor License Renewal – LD Express. The vote was all ayes. Consent Agenda approved.

City Engineer Report

City Engineer Trom reported that an in- person progress meeting will be held on Thursday for the SW Growth Utilities Project. The private utilities continue to relocate for the Ranshaw Way, Phase 5 Project. Ranshaw House Project final completion date is May 30. An award for the Pool Heater Project contract is projected to happen in June. Shive-Hattery is continuing work with staff on City Hall concepts. The final floor plan concept will be presented to staff on Thursday.

City Administrator Report

City Administrator Heiar reported that he is attending Legislative meetings hosted by the Chamber. Topics have included the infrastructure bill, immigration policies and the Rescue Act. Heiar reported on Summer Slate in lieu of Blues and BBQ this summer including thirty to forty smaller events this summer beginning in May.

Mayor Report

Mayor Donahue proclaimed April 30, 2021 as Arbor Day. He reported on the recent Joint Agency meeting.

FY 22 Social Service Organization Presentations

The Mayor opened the presentations from applicants for FY 22 Social Service Grants. Big Brothers Big Sisters of Johnson County, Daleta Thurness, reported on the proposed program with a request of \$4,374. The Center for Worker Justice, Mazahir Salih, presented information on their request of \$14,000 for support of the program. Kyle Burke, CommUnity Crisis Services and Food Bank presented their application for \$10,500. A request from Corridor Community Action Network was presented by Amanda Nichols for \$14,770. Ashlee Hopkins from the Domestic Violence Intervention Program is requesting \$7,000 for Victim/Survivor Services. Girls on the Run of Eastern Iowa represented by Abbie Reuter is requesting \$3,200 for scholarships. Sofia DeMartino from Horizons presented the request for \$10,000 for Meals on Wheels services. Lucy Barker and Erin Silva from Houses into Homes spoke regarding the \$8,000 request for a volunteer coordinator. \$20,000 for the revolving loan fund and for minor homeowner rehab was requested by the Housing Trust Fund of Johnson County Executive Director, Ellen McCabe. Susan Brennan representing the AVID program, a part of the ICCSD Foundation, requested \$8,708 for the program. The request from the Iowa City Free Medical and Dental Clinic for \$2,500 was presented by Barbara Vinograde. \$10,000 for civil legal services from Iowa Legal Aid was requested by Jim Kringlen. Kaila Rome, representing the North Liberty Community Pantry is requesting \$18,000 for pantry services. The Rape Victim Advocacy Program, Adam Robinson, requested \$3,000 for sexual assault prevention education. Mark Sertterh, Shelter House, is requesting \$8,500 for emergency shelter services. Table to Table was represented by Nicki Ross presenting the request for \$6,353 for food rescue services. The Arc of Southeast Iowa, Chelsey Markle, is requesting \$1,000 for summer camp program supplies. Genevieve Anglin, United Action for Youth, is requesting \$8,500 for Youth Outdoor Adventures and Mental Health Services. LaTasha DeLoach from the Friends of the Center presented the application for SHIP Medicare Counseling Services for \$7,944. Council discussed the applications with applicants. The consensus was as follows:

1. Big Brothers/Big Sisters - \$4,375.00
2. Center for Worker Justice - \$5,000.00
3. CommUnity Crisis Services and Food Bank - \$10,500
4. Corridor Community Action Network - \$2,000.00
5. Domestic Violence Intervention Program - \$7,000.00
6. Friends of the Center - \$8,000.00
7. Girls on the Run of Eastern Iowa - \$3,200.00
8. Horizons, A Family Service Alliance - \$10,000.00
9. ICCSD Foundation - \$5,000.00
10. Iowa City Free Medical and Dental Clinic - \$3,050.00
11. Iowa Legal Aid - \$5,000.00
12. North Liberty Community Pantry - \$20,000.00
13. Rape Victim Advocacy Program - \$3,000.00
14. Shelter House - \$8,500.00
15. Table to Table - \$6,375.00
16. The Arc of Southeast Iowa - \$1,000.00

17. United Action for Youth - \$5,000.00.

A Resolution will be presented at the next meeting to finalize the awards.

Franchise Fees

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

Livestock Ordinance

Hoffman moved, Wayson seconded to remove this item from the table. The vote was all ayes. Motion carried.

Lientz and Rusnak presented information on the ordinance. Council discussed the amendments to the Code with staff. Hoffman moved, Smith seconded to approve the first consideration of Ordinance Number 2021-06, An Ordinance amending the Code of Ordinances of the City of North Liberty, Iowa, updating portions of the Animal Control Code concerning livestock within city limits. After discussion, Hoffman moved to eliminate the fencing setback requirement and allow use of the entire back yard. After discussion, the vote on the amendment was: ayes – Wayson, Hoffman, Pollock, Harrington, Smith. After discussion, the vote on the amended ordinance was: ayes – Pollock, Smith, Wayson, Harrington, Hoffman; nays – none. Motion carried.

Greenbelt Trail Rezoning

At 8:35 p.m., Mayor Donahue opened the public hearing regarding proposed rezoning. Loren Hoffman, Hall & Hall Engineers and Pat Scanlon presented additional information on the application. The public hearing was closed.

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

Alcohol in Public Places

At 8:40 p.m., Mayor Donahue opened the public hearing regarding proposed amendments regarding allowing alcohol in public places. No oral or written comments were received. The public hearing was closed.

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

Tobacco Violations

Hoffman moved, Smith seconded to approve Resolution Number 2021-30, A Resolution accepting payment of \$300.00 Civil Penalty from Kum & Go L.C. dba Kum & Go #0507. The vote was: ayes – Pollock, Hoffman, Smith, Wayson, Harrington; nays – none. Motion carried.

Hoffman moved, Pollock seconded to approve Resolution Number 2021-31, A Resolution accepting payment of \$1,500.00 Civil Penalty from Fareway Stores, Inc., dba Fareway #993. The vote was: ayes – Smith, Harrington, Wayson, Hoffman, Pollock; nays – none. Motion carried.

Wayson moved, Pollock seconded to approve Resolution Number 2021-32, A Resolution accepting use of Section 452A.22(3) Affirmative Defense to Tobacco Civil Penalty by J & A Tap, Inc. The vote was: ayes – Wayson, Harrington, Smith, Pollock, Hoffman; nays – none. Motion carried.

Dubuque Street Phase 1 Project

Hoffman moved, Harrington seconded to approve Resolution Number 2021-33, A Resolution establishing fair market value and just compensation for the acquisition of certain properties for the Dubuque Street Phase 1 Improvement Project. The vote was: ayes – Wayson, Pollock, Harrington, Smith, Hoffman; nays – none. Motion carried.

Assessment Resolution

Hoffman moved, Smith seconded to approve Resolution Number 2021-34, A Resolution assessing delinquent amounts owed to the City of North Liberty, Iowa to individual property taxes. The vote was: ayes – Pollock, Hoffman, Harrington, Smith, Wayson; nays – none. Motion carried.

The Preserve, Part 4

Hoffman moved, Wayson seconded to approve Resolution Number 2021-35, A Resolution approving the Stormwater Management Facility Maintenance Agreement and Easement between the City of North Liberty and Watts Group Development, Inc. that establishes the terms and conditions under which stormwater management facilities will be maintained for The Preserve – Part Four in the City of North Liberty, Iowa. The vote was: ayes – Hoffman, Smith, Wayson, Harrington, Pollock; nays – none. Motion carried.

Hoffman moved, Wayson seconded to approve Resolution Number 2021-36, A Resolution approving the Final Plat and accepting improvements for The Preserve – Part Four North Liberty, Iowa. The vote was: ayes – Wayson, Harrington, Hoffman, Pollock, Smith; nays – none. Motion carried.

Old Business

Councilor Pollock thanked staff for work at Spring Clean Up Day.

New Business

Councilor Wayson spoke regarding the chicken ordinance and the quality of discussion on social service funding.

Adjournment

Mayor Donahue adjourned the meeting at 9:00 p.m.

CITY OF NORTH LIBERTY

By: _____
Terry L. Donahue, Mayor

Attest: _____
Tracey Mulcahey, City Clerk