



**City Council**  
June 22, 2021  
Work & Regular Sessions

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 June 22, 2021 Work and Regular Sessions of the North Liberty City Council to order at 6:00 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, Tandi Brannaman, Natalie Oppedal, Emily Naylor, Kaila Rome, Brandon Pratt, Mark Holtkamp, Jon Marner and other interested parties.

**Approval of the Agenda**

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

**Work Session – City Hall Project**

Heiar offered an introduction on the City Hall design process. Kevin Trom, Tandi Brannaman, Emily Naylor, Emma Riordan and Natalie Oppedal from Shive Hattery presented information on the proposed project including floor plan, site, layout and design, cost estimates and schedule. Council discussed the presentation with Shive Hattery staff.

At 6:50 p.m., Council moved into the Regular Session.

**Consent Agenda**

Pollock moved, Smith seconded to approve the Consent Agenda including the City Council Minutes, Regular Session, May 25, 2021; the attached list of Claims; Southwest Area Growth Utilities Project, Pay Application Number 10, Boomerang Corporation, \$213,490.79; Southwest Area Growth Utilities Project, Change Order Number 2, Boomerang Corporation, \$18,750.00; Ranshaw Phase 5 Project, Pay Application Number 1, PCI, \$181,552.23; FY 2022 Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for J & A Tap; FY 2022 Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for LD Express; FY 2022 Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Liberty View Wine & Spirit; FY 2022 Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for The Station II LLC; FY 2022 Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Urban Fuel LLC; FY 2022 Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Casey's General Store #2788, 595 N. Kansas Avenue; FY 2022 Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for

Casey's General Store #2479, 625 W. Zeller Street; FY 2022 Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for The Depot North Liberty LLC; FY 2022 Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Fareway Stores, Inc. #993; FY 2022 Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Smokin' Joe's Tobacco & Liquor Outlet #12; FY 2022 Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Johny's Liquor Store; FY 2022 Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Kum & Go #507; and FY 2022 Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor for Walgreens #11710. The vote was all ayes. Consent Agenda approved.

### **City Engineer Report**

City Engineer Trom reported that the first part of the Ranshaw Way Phase 5 project is completed and traffic is shifted for the next part. Forevergreen Road Trail Project public hearing is on tonight's agenda. Bids will be accepted and awarded at the next Council meeting. The Centennial Park Road Project is a meeting behind the trail project. Bid documents will be on the July 27 meeting.

### **City Administrator Report**

City Administrator Heiar reported on the Project Better Together update. Representatives will be present at the next Council meeting for an update to the City Council on the next steps.

### **Mayor Report**

Mayor Donahue reported on the calls and contacts regarding the panhandlers next to Walgreens. Staff will continue monitoring the situation.

### **Forevergreen Road Trail Project**

At 6:56 p.m., Mayor Donahue opened the Public Hearing regarding proposed plans, specifications, estimate of cost and form of contract for the Forevergreen Road Trail Project. No written or oral comments were received. The public hearing was closed.

Wayson moved, Smith seconded to approve Resolution Number 2021-54, A Resolution approving and confirming plans, specifications, and estimate of cost for the Forevergreen Road Trail Project. The vote was: ayes – Wayson, Hoffman, Pollock, Harrington, Smith; nays – none. Motion carried.

Wayson moved, Harrington seconded to approve Resolution Number 2021-55, A Resolution approving the purchase of a Temporary Construction Easement by the City of North Liberty for the Forevergreen Road Trail Project. The vote was: ayes – Hoffman, Pollock, Harrington, Wayson, Smith; nays – none. Motion carried.

### **Ag Experience Ordinance**

Rusnak presented a summary of the ordinance updates. At 7:01 p.m. Mayor Donahue opened the Public Hearing regarding proposed Ag Experience Ordinance amendment. Katie Colony and Kaila Rome spoke regarding the proposed ordinance amendment. The public hearing was closed.

Smith moved, Pollock seconded to approve the first consideration of Ordinance Number 2021-12, An Ordinance amending Section 167.01 Code of Ordinances of North Liberty, Iowa, entitled "Definitions" by amending definitions "Agriculture", "Food Pantry" and "Livestock", by adding the definitions "Agricultural Experience" and "Animal Confinement Operations" and by deleting the definitions "Farm", "Farm Animals" and "Farming"; amending Section 168.01 Code of Ordinances of North Liberty, Iowa, entitled "ID Zone – Interim Development District" by adding, amending and/or deleting certain uses in Table 168.01-A, entitled "ID Zone Uses", by adding, amending and/or deleting certain uses in Table 168.01B, entitled "ID Zone Bulk Regulations" and by amending "Off-Street Parking" regulations, by deleting "Stockyard Operation, License Required" and "Kennel, License Required" and by amending "Signs" regulations, amending Section 169.06, entitled "Location of Accessory Buildings and Uses" by amending "Food Pantry" regulations, and amending Chapter 170, entitled "Special Use Regulations" by creating Section 170.07 entitled "Agricultural Experience" and associated use regulations. After discussion, the vote was: ayes – Harrington, Hoffman, Pollock, Wayson, Smith; nays – none. Motion carried.

### **Hope Evangelical Church Site Plan**

Rusnak reported on staff and Planning Commission recommendations for the application.

Jon Marner, MMS Consultants, was present on behalf of the applicant and offered to answer questions. Council discussed the application with Marner.

Hoffman moved, Wayson seconded to approve Resolution Number 2021-56, A Resolution approving the Development Site Plan for 420 N. Front Street (Hope Evangelical Church), North Liberty, Iowa. The vote was: ayes – Wayson, Hoffman, Smith, Harrington, Pollock; nays – none. Motion carried.

### **FY 21-22 Wages**

Hoffman moved, Pollock seconded to approve Resolution Number 2021-57, A Resolution authorizing salaries and hourly wages for City Employees for the Fiscal Year of July 1, 2021 through June 30, 2022. The vote was: ayes – Wayson, Hoffman, Smith, Pollock, Harrington; nays – none. Motion carried.

### **Dubuque Street Project**

Wayson moved, Hoffman seconded to approve Resolution Number 2021-58, A Resolution approving the purchase of Temporary Construction Easements, Permanent Drainage Easement, and Right-of-way by the City of North Liberty for the Dubuque Street Phase One Project. The vote was: ayes – Wayson, Pollock, Hoffman, Harrington, Smith; nays – none. Motion carried.

Smith moved, Hoffman seconded to approve Resolution Number 2021-59, A Resolution approving the Underground Utility Easements between the City of North Liberty and Interstate Power and Light Company and Qwest Corporation. The vote was: ayes – Smith, Wayson, Hoffman, Pollock, Harrington; nays – none. Motion carried.

### **Red Door Properties**

Rusnak presented the staff and Planning Commission recommendations on this application. The presented plans were updated to the recommendations.

Jon Marner, MMS Consultants, and Mark Holtkamp, applicant, were present and offered additional information on the application. Council discussed the application with them.

Hoffman moved, Harrington seconded to approve Resolution Number 2021-60, A Resolution approving the Preliminary Plat and Final Plat for Progress Park – Part Twelve , North Liberty, Iowa. The vote was: ayes – Smith, Pollock, Wayson, Harrington, Hoffman; nays – none. Motion carried.

Pollock moved, Wayson seconded to approve Resolution Number 2021-61, A Resolution approving the Development Site Plan for Lot 2, Progress Park – Part Six (Scooters Coffee), North Liberty, Iowa. The vote was: ayes – Smith, Harrington, Pollock, Hoffman, Wayson; nays – none. Motion carried.

### **Livestock Ordinance**

Mayor and the Council discussed the Mayor’s veto of Ordinance Number 2020-06, 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. Hoffman moved, Wayson seconded to override the Mayor’s veto. The vote was: ayes – Smith, Hoffman, Harrington, Wayson; nays – Pollock. Motion carried.

### **Water Rate Amendment**

Wayson moved, Hoffman seconded to approve the third consideration and adoption of Ordinance Number 2021-09, An Ordinance amending Chapter 92.02, entitled “Rates for Service,” of the Municipal Code of North Liberty by adopting a new Section 92.02 to increase the charges for water used. The vote was: ayes – Smith, Harrington, Hoffman, Pollock, Wayson; nays – none. Motion carried.

### **Physician’s Building Rezoning Request**

Hoffman moved, Wayson seconded to approve the third consideration and adoption of Ordinance Number 2021-10, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending the use regulations on property located on the west side of south Kansas Avenue approximately .23 miles north of west Forevergreen Road located in North Liberty, Iowa to those set forth in the Municipal Code for the O/RP Office and Research Park District. The vote was: ayes – Pollock, Harrington, Wayson, Smith, Hoffman; nays – none. Motion carried.

### **Solomon Holdings LLC Rezoning Request**

Hoffman moved, Smith seconded to approve the third consideration and adoption of Ordinance Number 2021-11, An Ordinance amending Chapter 167 of the North Liberty Code of Ordinances by amending the use regulations on property located on the west side of Community Drive approximately 240 feet south of West Penn Street located in North Liberty, Iowa to those set forth in the Municipal Code for the C-2A PAD Highway Commercial District Planned Area

Development. The vote was: ayes – Hoffman, Harrington, Pollock, Smith, Wayson; nays – none. Motion carried.

#### **Hate Crime Ordinance Discussion**

Lientz presented information on regarding proposed Hate Crime Ordinance. Council discussed the proposed ordinance. Staff was asked to draft a potential resolution for the next meeting.

#### **Old Business**

Councilor Hoffman spoke regarding the North Liberty Community Pantry Golf Outing that had 120 participants. He updated on Project Better Together. Councilor Wayson offered additional information on the chicken ordinance.

#### **New Business**

No new business was presented.

#### **Adjournment**

Mayor Donahue adjourned the meeting at 8:20 p.m.

#### **CITY OF NORTH LIBERTY**

By: \_\_\_\_\_  
Terry L. Donahue, Mayor

Attest: \_\_\_\_\_  
Tracey Mulcahey, City Clerk