

**City Council**

September 12, 2023

Council Chambers

Call to order

Mayor Chris Hoffman called the September 12, 2023 Work Session of the North Liberty City Council to order at 6:00 pm. Councilors present: Ashley Bermel, RaQuishia Harrington, Erik Sittig, Brent Smith, and Brian Wayson.

Others present: Ryan Heiar, Ryan Rusnak, Josiah Bilskemper, Mary Byers, Terry Donahue, Paul Parks, Harold Cameron, Ashley Bonner, Chase Lovetinsky, Kevin Ni, Leela Strand, Madison Jurgens, McKenna Kelley, Megan Quinn, Oliva Roling, Piper Kearney, Montana Duran, Micah Ariel James, Amy Alice Chastain, Emily Meister, Darrel Neitderhisar, Kenneth and Marcella Raim, David Raim, and other interested parties.

Approval of the Agenda

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

Work Session

City Administrator Heiar addressed the Council on the recently passed state bill HF718. There are significant changes to the property tax levy structure. The most impactful part of this bill is the tiered growth formula, which is intended to drive down a city's general fund tax levy. One tool that remains untouched by HF718 is the Capital Projects Levy, that would require a successful vote of the community, which could generate up to \$730k annually. In anticipation of the FY25 Budget, staff has developed a model to help understand the ramifications of this bill on the general fund budget.

Stormwater Utility

The city has had a storm water utility for over two decades. In that time, rates have rarely been adjusted. The current rate is \$2.00 for each utility account and has not been adjusted since 2000. The flat fee rate is an outdated and inequitable billing structure. In the last 24 months, staff has made a monumental effort in collecting impervious surface data through GIS, throughout the city and is ready to recommend a change in the billing structure for the stormwater utility. Instead of billing a flat fee, staff is proposing to bill based on the amount of impervious surface on a lot. This method is considered a best practice and is used widely across the United States with great success.

Staff is recommending a 1% increase in the Franchise Fee to help fund the Centennial Park Project, as well as future park capital projects, and a restructuring of the stormwater utility fee. The consensus of the council was to move ahead with the increase to the Franchise Fee and restructuring of the stormwater utility fee.

Regular Session

The Regular Session began at 6:40 p.m.

Consent Agenda

Sittig moved, seconded by Smith to approve Item 5(D) on the Consent Agenda, Penn Meadows Parking Lot Project, Change Order Number 2, Midwest Concrete, \$168,905.35. During discussion, the City Engineer explained the reason for the change order. The vote was all ayes. Consent Agenda item 5(D) was approved.

Smith moved, seconded by Bermel, to approve City Council Minutes, Regular Session, August 22, 2023; City Hall Project, Pay Application Number 7, City Construction, \$631,442.76; Penn Meadows Parking Lot Project, Change Order Number 1, Midwest Concrete, (\$3,008.62); Penn Meadows Parking Lot Project, Pay Application Number 2, Midwest Concrete, \$205,729.65; Claims. The vote was all ayes. Consent Agenda approved.

Public Comment

No public comment was offered.

Engineer Report

City Engineer Bilskemper reported that the paving in Penn Meadows Park continues, and the 8' sidewalk on Penn Street will start soon to tie in the 8' trial system into the park. Forevergreen Road Signalization for the intersection of Kansas Ave and South Jones Blvd continues with the next scheduled submittal for late October. Fox Run Pond Trail is 50% designed and ready for bid in December.

City Administrator Report

City Administrator Heiar reported that several members of City Staff, Greater Iowa City, Better Together and Englert Theater presented to the Enhance Iowa Board a request for \$1 million for the Centennial Park Next Stage. Heiar felt the Board was interested in the project and local fund raising should continue.

Mayor Report

Mayor Hoffman congratulated Mark Farrier on receiving his Grade 4 Iowa Wastewater Operator License. Officer Chuck Tygart will be retiring at the end of September from the Police Department. Hoffman and several council members and staff attended the I80/380 Ribbon Cutting. Hoffman attended the First Friday Coffee Connection at City Tractor this month. He encouraged more people to attend. City Council Elections will be held on November 7, 2023, and three seats are up on the current council. The Next Stage is hosting a Dinner/Theater event this Friday.

Micah Ariel James, Outreach & Equity Coordinator, Amy Alice Chastain, Global Ties Iowa, and Emily Meister, United Way of Johnson and Washington County are part of this week's Welcoming Week Planning Committee. They encouraged people to come to the Neighbors and Flavors Event at the Ranshaw House this Sunday from 12:00 to 2:00 p.m.

Mayor Hoffman read a proclamation recognizing September 8-17, 2023, as Welcoming Week in the City of North Liberty.

Council Reports

Councilor Bermel thanked the Colony Barn for hosting the Iowa Hawkeye and Cyclone event held last Saturday.

Councilor Smith attended the grand opening of the Colony Barn and the ribbon cutting for the I80/380 Interchange. Smith was appointed Vice Chair of The Better Together 2030 Board of the Directors. Smith announced that he has filed his papers for another term for City Council.

Councilor Wayson reported at the next MPOJC meeting on September 19 they will be discussing a feasibility study on the old CRANDIC Railroad.

Youth Council

Micah Ariel James presented 10 members of the 2023-2024 Youth Councilor that were sworn in by Mayor Hoffman.

Steindler Way

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

Bermel moved, seconded by Harrington, to approve Resolution Number 2023-98, A Resolution authorizing and approving the name of the private street as "1 Steindler Way" in Steindler Medical Park Subdivision in the City of North Liberty, Johnson County, Iowa. After discussion, the vote was: ayes—Smith, Sittig, Wayson, Harrington, Bermel; nays—none. Motion carried.

Sweetwater Lane

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

Harrington moved, seconded by Smith, to approve Resolution Number 2023-99, A Resolution authorizing and approving the name of the private street as "Sweetwater Lane" in Water Tower Place, Lot 5 in the City of North Liberty, Johnson County, Iowa. After discussion, the vote was: ayes—Bermel, Wayson, Sittig, Smith, Harrington; nays—none. Motion carried.

Pratt Real Estate Management, Inc. Zoning Map Amendment

At 7:07 pm, Mayor Hoffman opened the public hearing regarding the proposed Zoning amendment. No oral or written comments were received. The public hearing was closed.

The applicant was available for questions from the Council.

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

Harrington moved, seconded by Sittig, to approve the first consideration of Ordinance Number 2023-22, An Ordinance amending the Zoning Map District Designation for certain property located in North Liberty, Iowa from RS-9 Single-Unit Residence District to RD-10 Two-Unit Residence District. The vote was: ayes—Harrington, Bermel, Wayson, Sittig, Smith; nays—none. Motion carried.

Pratt Real Estate Management, Inc. Zoning Map Amendment and Preliminary Subdivision Plat PAD

At 7:10 pm, Mayor Hoffman opened the public hearing regarding proposed rezoning and Planned Area Development. No oral or written comments were received. The public hearing was closed.

The applicant was available for questions from the Council.

Rusnak reported that staff and Planning Commission recommended approval of the Zoning Amendment and Preliminary Subdivision Plat PAD.

Wayson moved, seconded by Sittig, to approve the first consideration of Ordinance Number 2023-23, An Ordinance amending the Zoning Map District Designation for certain property located in North Liberty, Iowa from ID Interim Development District and RS-9 Single-Unit District to RD-10 PAD Two-Unit Residence District Planned Area Development and approving the Planned Area Development Preliminary Plat and waivers pursuant to Chapter 168.05(3)(B). The vote was: ayes—Wayson, Harrington, Sittig, Smith, Bermel; nays—none. Motion carried.

Scanlon Family, LLC Zoning Map Amendment

The public hearing was opened at 7:19 pm regarding proposed rezoning amendment. No oral or written comments were received. The public hearing was closed.

Bob Downer spoke on behalf of the developer on the change in zoning due to the single-family housing market has decreased substantially because of increasing interest rates and construction costs, and the demand is growing in duplex market. This area is adjacent to the new school site and the developer is working with the School District on a trail system in the development.

Rusnak reported this request is compatible and consistent with the new adoption of the Comprehensive Plan. The Planning Commission recommended approval of the Zoning Map Amendment.

Some Council members feel this area has high multi-family inventory already and would not be in favor of any higher density moving west to Hemmingway Dr. and Berkshire Lane. They would be in favor of this request because of the school site in the area.

Sittig moved, seconded by Bermel, to approve the first consideration of Ordinance Number 2023-24, An Ordinance amending the Zoning Map District Designation for certain property located in North Liberty, Iowa from RS-6 Single-Unit Residence District to RD-8 Two-Unit Residence

District. After discussion, the vote was: ayes—Sittig, Smith, Harrington, Bermel; nays—Wayson. Motion carried.

Street Vacation

At 7:34 Mayor Hoffman opened the public hearing regarding proposed street vacation. No oral or written comments were received. The public hearing was closed.

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

Smith moved, seconded by Harrington to approve the first consideration of Ordinance Number 2023-25, An Ordinance vacating a portion of the North Front Street right of way in North Liberty, Iowa. The vote was: ayes—Smith, Wayson, Bermel, Harrington, Sittig; nays—none. Motion carried.

Zoning Ordinance Amendment

At 7:36 p.m. Mayor Hoffman opened the public hearing regarding proposed zoning amendment. No oral or written comments were received. The public hearing was closed.

Rusnak reported that staff and Planning Commission recommended approval of the zoning ordinance amendment.

Wayson moved, seconded by Smith to approve the first consideration of Ordinance Number 2023-26, An Ordinance amending Chapters 139, 165, 166, 167, 168, 169 and 173 of the North Liberty Code of Ordinances, amending regulations for naming of streets, conditions for construction site plan approval, zoning map amendments, and required comprehensive plan components, adding new and updating definitions, amending certain residential districts and combining the C-2-A and C-2-B Zoning Districts, amending bulk requirements in certain residential and commercial districts, zoning use matrix and zoning use standards, off-street parking regulations, maximum fence height in residential districts, accessory structure standards, and permitted encroachments in required yards. The vote was: ayes—Wayson, Bermel, Harrington, Smith, Sittig; nays—none. Motion carried.

West Penn Street Public Improvements

At 7:40 pm Mayor Hoffman opened the public hearing regarding the West Penn Street Public Improvements. David Raim: 2515 Swan Lake Road, North Liberty. The Raim Family opposes the improvements to the family farm located at 2536 James Ave, Iowa City. The family would like the ROW kept the same, and feel the easements asked for are not feasible and will require more encroachment on to their property. There are tile problems already in the ditches from a previous project. There is a safety issue with the big pole at the intersection of James Ave and F-28 where you must pull into the intersection to see traffic. The public hearing was closed.

Harrington moved, seconded by Bermel, to approve Resolution Number 2023-100, A Resolution granting approval to proceed with a Public Improvement, the West Penn Street Improvement Project. After discussion, the vote was: ayes—Harrington, Sittig, Wayson, Bermel, nays—Smith. Motion carried.

West Side Fire Station

At 8:11 pm Mayor Hoffman opened the public hearing regarding the West Side Fire Station. No oral or written comments were received. The public hearing was closed.

Wayson moved, seconded by Sittig, to approve Resolution Number 2023-101, A Resolution granting approval to proceed with a Public Improvement, the West Side Fire Station Project. The vote was: ayes—Sittig, Smith, Bermel, Harrington, Wayson; nays—none. Motion carried.

Bermel moved, seconded by Sittig, to approve Resolution Number 2023-102, A Resolution establishing fair market value and just compensation for the acquisition of certain property for the West Side Fire Station Project. The vote was: ayes—Wayson, Harrington, Bermel, Smith, Sittig; nays—none. Motion carried.

Assessment Resolution

Wayson moved, seconded by Harrington, to approve Resolution Number 2023-103, A Resolution assessing amounts owed to the City of North Liberty, Iowa to individual property taxes. The vote was: ayes—Smith, Wayson, Bermel, Harrington, Sittig; nays—none. Motion carried.

The Preserve Part Three A Final Plat

Harrington moved, seconded by Wayson, to approve Resolution Number 2023-104, A Resolution approving the Final Plat for The Preserve Part Three A in North Liberty, Iowa. The vote was: ayes—Harrington, Bermel, Smith, Sittig, Wayson; nays—none. Motion carried.

Enhance Iowa Community Attraction and Tourism Grant

Bermel moved, seconded by Harrington, to approve Resolution Number 2023-105, A Resolution authorizing and directing the City Administrator to sign, execute and submit application and associated documents for the Enhance Iowa – Community Attraction and Tourism Program. The vote was: ayes—Wayson, Bermel, Sittig, Harrington, Smith; nays—none. Motion carried.

Old Business

No old business was presented.

New Business

Wayson reported that the Wastewater Treatment Plant just changed out some of original membranes of the plant that were planned to only to last 10 years.

Closed Session

Wayson moved, seconded by Smith, to go into Closed Session Pursuant to Chapter 21.5 of the Iowa Code the City Council may go into closed session to discuss the purchase or sale of particular real estate, where premature disclosure could reasonably be expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. The vote was: ayes—Smith, Harrington, Sittig, Wayson, Bermel; nays—none. Motion carried.

Adjournment

Wayson moved, Sittig seconded to adjourn the meeting at 8:50 pm. The vote was all ayes. Meeting adjourned.

CITY OF NORTH LIBERTY

By: _____
Chris Hoffman, Mayor

Attest: _____
Mary Byers, Deputy City Clerk