



City Administrator & Staff Update

2022.08.05

- **Website:** The City's website is live, and an introductory post was added to the site. It is a work in progress as we get used to things and structure them to fit our need, but overall, I believe it will be a streamlined experience for residents. Please let us know if you see a broken link or have ideas to improve. We give up some overall design flexibility to get some of the standard tools offered by CivicPlus. Residents can sign up for email notices and text for notices we would like to push out. More text flexibility (similar to the email sign up) will come with the next software update. As for email notices, we need to add additional categories, i.e., Agendas.
 - I have added a section for City Administrator Updates to my webpage and plan to add weekly updates the Monday following emails to the Mayor and Council.
- **Iowa League:** The Iowa League's New Laws of Interest is attached and provides a good summary of legislative changes from this past session.
- **SEIRPC:** Please see the attached information on STBG funding and where we ranked #3 for Mt. Pleasant Phase #3. Hopefully, we and SEIRPC can improve the next submission for this future phase.
- **Mall:** Excellent discussion with Mall management and ownership. I am following up with Snyder and SEIRPC today to discuss issues identified by the mall related to the trail.
- **New Business:** We met this week with a prospective owner of the ABB building to address questions related to their concepts for the site. I also brought up the stormwater detention basin and surrounding area. They seem very willing to work with the city on that topic or transition in order to help improve stormwater management practices in the area.
- **JSC:** Kelly and I met with Angie Vaughn with the Joint Safety Committee and our participation. Reviewed what they offer and how we have participated to date. Staff enjoys having the training local. Sounds like we can have them take on some of the additional safety work that Kelly does to free up a little of her time as well as take advantage of their assistance on safety matters with OSHA, injuries, etc.
- **South Lift:** I am working with staff and the city attorney on a response to the subcontractor for the South Lift Station identify the issues, costs to the city/community, etc. Hope to have that out soon.
- **Mt. Pleasant Street Project Phase 2:** The pre-construction meeting was held yesterday with Norris Asphalt. Patching should begin the week of 8/22 and last for two weeks. They are looking at a late start date of October or November. They understand and note that there will most likely be liquidated damages and understand that IDOT has identified \$1000 per day in liquidated damages. Busy with work and they actually brought the topic up. This works a bit different (easier) than disincentives under city projects.
- **Luers final punch list and IDNR -** We have been informed that the contractor will be resolving the final punch list items tomorrow (Friday) in West Burlington. They scheduled a site visit with the city to look at some bricks that may still need to be addressed. Other than that, the projects are completed such that the city can schedule a final walk-through when it is suitable for everyone's schedule. IDNR will be out next week for a walk through.

- **Nagrocki Multi-Family Project.** The developer is looking to break ground this year yet. They will likely pursue a PUD to maximize the use of the property (they have done this before with the city). Kelly is making a few notes for their use and a timeline. I have concept drawings at City Hall
- **Tour:** Shaun conducted a tour of the fire training grounds for Burlington Committee reviewing options for the Burlington Fire Department. I think the tour went well. There are potential opportunities for cooperation, but we will see what the committee recommends to the City Council. The facility is always open to other departments to schedule training or joint exercises.

Police (Logan)

- We participated in National Night Out downtown at the Burlington Auditorium. Sgt. Dunham and Officer McCampbell participated.
- I have Sgt. Melssen working on Background Checks on the 6 Applicants that had submitted applications. We are working on some of this now because we are running out of time to get someone to the Academy by the end of the month.
- I had a meeting with the Superintendent and School Administration last week. We discussed several items, which should be coming out with the work session between the council and the school board. We had a lengthy conversation in reference to ALICE, and I advised them that Officer's Covert and McCampbell completed the training last week and we will be working with the school district this fall getting everyone trained in the program.

Finance (Moore)

- Angie has been working with the audit firm, Cindy, Kelly, and Tyler in preparation for next week's audit. Quite a bit of progress has been made. We plan to have Tyler review our financial setup (system setup) to identify areas where it can be improved or standardized to better align with our systems or processes and standard Iowa terminology. It was narrowly tailored before and can be reconfigured to better fit with standard practices.

Public Works (Brissey)

- Water lab
- Sewer lab
- Lift station rounds
- Parks and Broadway trash and recycling
- Locates
- Service trucks
- Mowing Parks and city properties
- Maintenance and clean up at sewer plant
- Patching
- Working on pool maintenance and testing
- Watering all trees that have been planted in town, sewer plant and potted seedling
- Trimming dead wood out of trees in city right of way
- Boomerang as completed bore under Mt Pleasant Street and laying water main
- Removing duck weed from sewer plant
- Bearing went out on gear box on vac truck. Broke case and drive shaft send quote and memo in for council approval.
- Replaced vu bulbs
- Preconstruction meeting Thursday 8-4-22 on Mt Pleasant Street overlay

July 29, 2022

Re: Surface Transportation Block Grant Program (STBG) and Iowa's Transportation Alternatives Program (TAP) Funding Awards

Dear Regional Partner:

This letter is to inform you that the Southeast Iowa Regional Planning Commission Policy Board voted at their meeting on July 28, 2022, to approve the Final FFY2023-2026 Transportation Improvement Program (TIP). As part of approving the Final TIP, the SEIRPC Policy Board approved projects for regional STBG and TAP funding in FFY 2026. Please see the enclosed sheet for the regional STBG and TAP project scores, rankings, and approved funding amounts.

If your project did not score high enough to receive funding this year, we would encourage you to apply again in a future round. SEIRPC staff is always open to answer questions about the application process or ideas for improving your score in future funding cycles up until the yearly deadline at the end of December.

If you have any questions relating to the regional programming of federal STBG or TAP Funds, please contact me at your earliest convenience by e-mail at zjames@seirpc.com or by phone at 319-753-4313.

Regards,

A handwritten signature in black ink, appearing to read 'Zach James', with a stylized flourish at the end.

Zach James
Assistant Director

FFY 2026 City STBG Scores, Rankings, and Anticipated Funding

Rank	Sponsor/Project	Score	Request	Anticipated Funding
1	City of Mount Pleasant – Winfield Avenue, Broadway to Grand plus Trail on Winfield Avenue and on Grand Avenue from Baker to Winfield	460.57	\$1,800,000	\$1,482,656
2	City of Burlington – Sunnyside Avenue Reconstruction, Phase 1 – Roosevelt to Irish Ridge	428.29	\$2,190,674	\$0
3	City of West Burlington – Mount Pleasant Street Rehabilitation Project, Phase 3	414.86	\$970,000	\$0
4	City of Danville – Old Highway 34 Rehabilitation Project	270.00	\$977,000	\$0
Total Anticipated Funds – City STBG				\$1,482,656

FFY 2026 County STBG Anticipated Funding (not competitive)

Sponsor	Request	Anticipated Funding
Louisa County – X99 Pavement Reconstruction	\$2,000,000	\$1,812,135
Total Anticipated Funds – County STBG		\$1,812,135

FFY 2026 TAP Scores, Rankings, and Anticipated Funding

Rank	Sponsor	Score	Request	Anticipated Funding
1	City of Fort Madison – Connecting Fort Madison! Phase 4, 48th Street Trail Connection	34.00	\$420,382	\$375,000
2	Des Moines County – Multiuse Trail to Dam Overlook at Big Hollow	29.71	\$292,000	\$0
3	City of New London – South Side Trail Connection	28.14	\$345,000	\$0
Total Anticipated Funds – TAP				\$375,000

New Laws of Interest to Cities 2022 Legislative Session



Reminder:

The text of each bill is accessible from the General Assembly's website:
www.legis.iowa.gov

The 2022 legislative session adjourned sine die on May 25, more than 30 full days after the legislative per diem expired. This adjournment also concluded the second and final session of the 89th General Assembly.

The 2022 legislative session focused on several themes such as tax cuts on corporate and personal income, workforce issues such as housing, unemployment, childcare and deregulating industry such as preempting home-based businesses and simplifying alcohol licenses. While the League highlights the impact on cities, the majority of legislation that passed did not impact local governments.

The bills summarized in this annual publication include the bills passed into law that affect city government. Many bills were drafted, filed and considered during the session, which did not pass. Bills that did not pass but were considered often highlight possible future topics for the legislative session, such as alterations to the property tax system, alterations to Local Option Sales and Service Tax, and preempting local decisions in areas such as building and maintenance code. As we work through the changes caused by the 2022 legislative session, it is never too early to prepare for the next legislative session.

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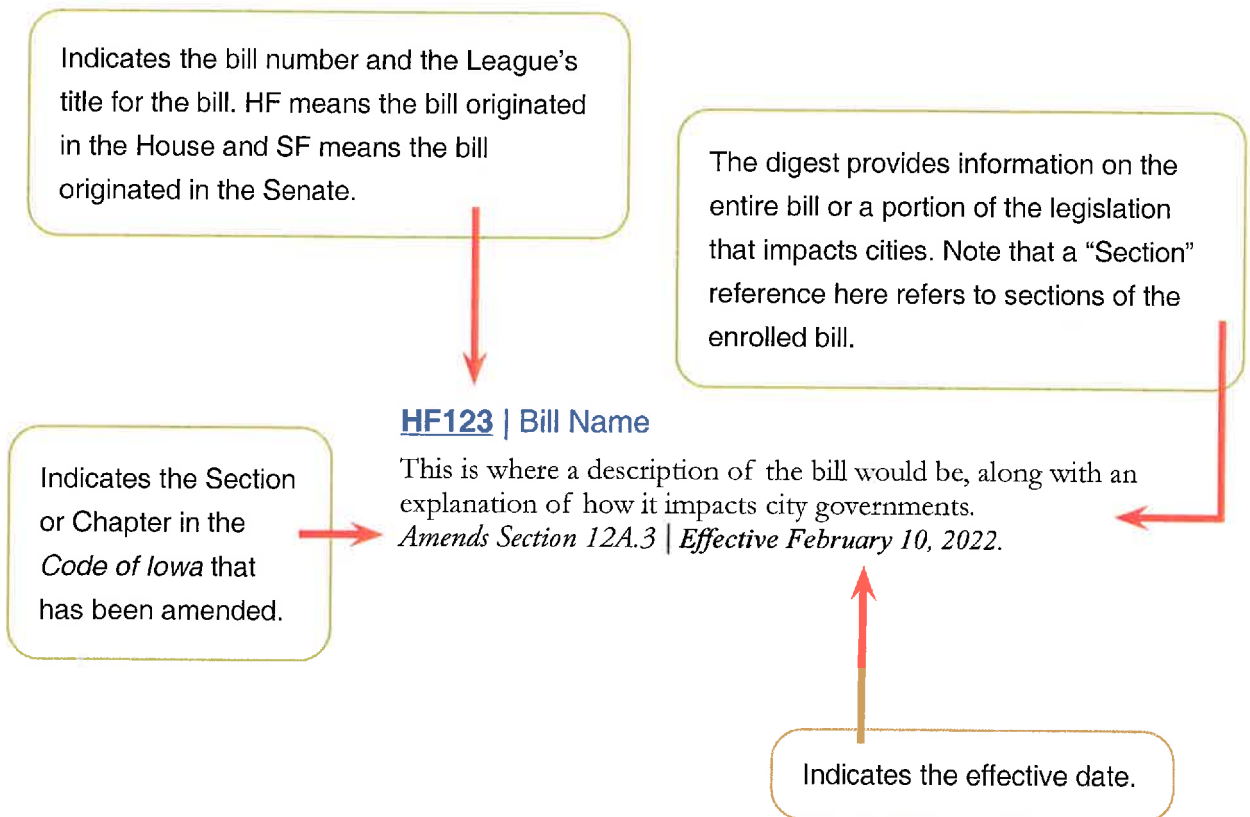
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Reader's Guide to New Laws Summaries

This Special Report outlines legislation passed during the 2022 legislative session that affects cities and is categorized in subject areas for easier reading. The sample entry below explains what type of information this report contains.

Note: The report is intended as a reference guide to new laws that may interest your community. This report should not act as a substitute for the actual final enrolled legislation, nor should it substitute for advice from an attorney.



Legislative Values

Legislative Values are more than just annual priorities. They are intended to represent what cities and the officials that govern them need, want, and expect to meet the challenges of their communities. Developed over time, they are reviewed before each General Assembly, which span two legislative sessions. The values below were reviewed by the Legislative Policy Committee, ratified by the Executive Board on August 13, 2020, then presented to and approved by League members at the League's Annual Conference on September 18, 2020.

Cities across the state value...

Local Control

Home Rule is the right to make local decisions at the local level – where decisions are made closest to those affected and can be tailored to fit unique conditions, needs, and concerns free from state interference.

Public Safety

Safety is essential to the health, stability, and vitality of communities. Cities must have the human and economic resources, tools, and technology to provide appropriate public safety services for their communities and citizens.

Infrastructure

Iowa's infrastructure is in need of repair and upgrade. It is vital that cities of all sizes have the resources to meet the infrastructure, technology, and human needs necessary to connect, transport, and grow.

Financial Stability

The commitment to reimburse local governments for lost resources due to state action must be maintained to prevent an increased burden on property tax payers or a reduction in city services. Mandates imposed on local governments must include appropriate funding mechanisms. Local governments need diversified revenue options that are fair and related to cost drivers.

Economic Development

Maintaining the flexibility of economic development tools is essential for economic growth in cities of all sizes and is vital to the success and advancement of the State of Iowa and its economy. Iowa needs more tools and funding to promote quality of life, community vitality, economic development, and to address housing needs.

Like our membership, the Iowa League of Cities is a non-partisan, service oriented organization that does not participate in elections, make campaign contributions, or have a political action committee (PAC).



Legislation Passed In 2022

Appropriations

SF 2325 | High-Quality Jobs and Workforce Housing Tax Incentive

Extends the repeal of the Iowa Energy Center until 2027, alters the definition of a county in distress in order to make it easier to qualify for the high-quality jobs program and grants the Iowa Economic Development Authority the ability to provide an additional extension to housing tax incentive programs.

Amends Section 15.335C and 15.352 | Multiple effective dates

HF 2564 | Economic Development Authority Appropriation

Appropriates funds for use by the Iowa Economic Development Authority, including various line items including Councils of Governments Assistance, Tourism Office, Empower Rural Iowa, Housing Renewal Pilot program, Employer Child Care Tax Credit and others.

Amends numerous Sections | Effective July 1, 2022

HF 2579 | Rebuild Iowa Infrastructure Fund

Appropriates funds from the Rebuild Iowa Infrastructure Fund to various projects and departments, including the Water Quality Initiative Fund, Community Attraction and Tourism Fund, Sports Tourism Infrastructure Program, Water Trails and Low Head Dam Safety Grants and others.

Amends numerous Sections | Effective July 1, 2022

Miscellaneous

HF 2295 | Emergency Response Liability for the State

Grants the state liability protections from local government tort under specific circumstances. This liability protection requires a declared disaster emergency and authorization from the local government to the state, which requests the state's aid in disaster remediation and the state acted in good faith.

Amends Section 29C.6 | Effective July 1, 2022

SF 183 | Alternate Project Delivery Model

Provides cities with an additional project delivery model known as Construction Manager-At-Risk, which can be utilized for vertical infrastructure public improvements. Construction Manager-At-Risk, or CMaR, is characterized as having a Construction Manager assume liability for project cost overruns.

Creates Chapter 26A | Effective July 1, 2022

SF 2298 | Emergency Management and Joint 911 Board

Allows an emergency management commission to assume the responsibilities of a joint 911 service board if two-thirds of each board vote in favor of such a proposal.

Amends Section 29C.9 and 34A.3 | Effective July 1, 2022

SF 2266 | IPERS Retirement Employment Benefits

Alters the amount a retired IPERS employee can make without negatively affecting their benefits from IPERS. Increases this threshold from \$30,000 to \$50,000 a year.

Amends Section 97B.48A and 279.7A | Effective March 23, 2022

SF 2378 | Bottle Bill

Updates Iowa's container deposit system. Increases handler fees to three cents, reduces retailers' obligation to maintain a redemption center and makes other changes to convenience and distributor responsibilities.

Amends Section 22.7 and various divisions of 455C | Multiple effective dates

Preemption**HF 2130 | Registration and Use of ATV & UTV**

Prohibits a city from charging a fee to operate an all-terrain or off-road utility vehicle (ATV or UTV) within city limits. Maintains the authority for cities to regulate the operation of an ATV and UTV and cities may designate specific streets or areas within their corporate limits where they can be operated. These vehicles, however, are allowed to use the most direct route between an all-terrain trail or two secondary roads which are not contiguous.

Amends Section 321.385, 321I.8 and 321I.10 | Effective July 1, 2022

HF 2475 | Utility Board Removal

Creates a new standard and burden for the removal of utility board members. Requires unanimous approval by the city council and creates a finite list of reasons that a utility board member can be removed from office. Exempts cities from these new standards that are above 200,000 in population.

Amends Section 388.3 | Effective May 17, 2022

HF 2562 | Mobile Home Bill

Expands nonconforming use protections for mobile home park residents, requires mandatory notification for utility increases and provides other protections for the owners of mobile and manufactured homes from mobile and manufactured housing park owners.

Amends Section 335.3 and 414.1 | Multiple effective dates

SF 2296 | Expected Privacy of Garbage

Creates a policy of the state that garbage placed outside of a residence has no reasonable expectation of privacy and clarifies that local governments cannot create a reasonable expectation of privacy for garbage placed outside of a residence.

Amends Section 808.16 | Effective July 1, 2022

SF 2383 | Workforce Housing Omnibus

Preempts a local government from requiring an inspection of a mobile home that has already been inspected under federal mandates. Prohibits a city from enforcing some parking violations, with exceptions, to a vehicle displaying a license plate indicating they are a former prisoner of war, a Medal of Honor recipient, a Purple Heart Recipient, or has a 100% veteran disability rating.

Creates Section 335.30 and 414.28, amends Section 321.191 | Effective July 1, 2022

HF 2431 | Home-Based Business

Creates a definition for a no-impact home-based business and preempts local governments from regulating these businesses.

Creates Section 335.35 and 414.33, amends Section 137D.1 | Effective July 1, 2022

SF 2285 | Firework Zoning Preemption, Pre-Annexation Agreements, Zoning Board of Adjustment Membership

Makes additional requirements for county-appointed members to the city board of adjustment, prevents a city from requiring a landowner to sign a voluntary annexation agreement as a condition of granting a zoning change and prevents a city from spot zoning fireworks within industrial or commercial areas.

Creates Section 335.2A, amends Section 414.23 | Multiple effective dates

Public Safety**HF 2340 | Public Safety Nuisance**

Creates a mechanism for cities to declare as bar a public safety nuisance and have the city or county attorney file suit to mitigate the nuisance. There are specific criteria laid out in the law, such as the patrons of the bar contributing to rioting on several occasions, discharging firearms, or assaults, as well as proximity requirements for these actions.

Creates Section 123.56 | Effective July 1, 2022

SF 333 | Emergency Vehicle Permissions

Grants additional permissions to the operator of an emergency vehicle when in pursuit of an individual suspected of committing a felony or misdemeanor. Grants the authority for an emergency vehicle to utilize lights and sirens during a parade. Grants liability for injury or costs arising from an emergency vehicle's use in response to an emergency call or incident.

Amends various Sections within Chapter 321 | Effective May 24, 2022

SF 551 | Vehicle Operation by Volunteer Emergency Responders

Allows a trained and identifiable emergency services volunteer to exceed the speed limit while traveling to an emergency. Expunges certain traffic violations for volunteer emergency services providers who have been convicted of certain traffic violations while traveling to an emergency.

Creates Section 321.231A, amends Section 321.423 | Effective July 1, 2022

HF 2496 | Brady-Giglio List Regulations

Provides regulations and procedural requirements over a prosecuting agency's creation of a "Brady-Giglio" list. This list would contain the names of officers who lack the credibility to take the stand due to untruthfulness, criminal convictions, candor issues, or some other type of incident which calls into question an officer's credibility. Prevents a law enforcement agency from disciplining an officer for being placed on such a list.

Amends Section 80F.1 | Effective July 1, 2022

SF 2267 | Emergency Response Districts

Authorizes the establishment of Emergency Response Districts for the purpose of providing certain emergency services through the consolidation of emergency response areas. Allows cities to assign the responsibility for providing fire and emergency medical services to the district if a city participates.

Amends various Sections in 357J | Effective July 1, 2022

Records & Open Meetings

HF 2154 | Confidential Records of MFPRSI

Creates a list of confidential records that pertain to *Code of Iowa* Chapter 411. This list includes records containing social security numbers, specific financial information within a member's accounts, names of 411 members and their beneficiaries, records of payment amounts, and records that, if divulged, could lead to a loss to the retirement system or the provider of the information.

Amends Section 411.5 | Effective July 1, 2022

SF 2279 | Electronic Submission of Bids

Grants local governments the authority to accept public construction bidding contracts electronically. Lays out regulations for opening and receiving electronic bids.

Amends Section 26.7 | Effective July 1, 2022

SF 2322 | Public Records Examination Fees

Requires a lawful custodian of public records to attempt to provide a record at no cost other than for copying so long as the records take less than 30 minutes to produce.

Requires any cost associated with a record request to be reasonable. Clarifies that legal review and associated fees only be utilized for the redaction of legally protected information. Allows for the reasonableness of a record request to be challenged.

Amends Section 22.3 | Effective July 1, 2022

Taxes & Fees

HF 2552 | Business Property Tax Credit

Transitions the existing Business Property Tax Credit into an assessment limitation. This assessment limitation applies the residential rollback to the first \$150,000 of taxable valuation of commercial, industrial, and railway properties for the purposes of property taxation. Appropriates up to \$125 million as a backfill to prevent an immediate reduction in local government revenues.

Amends Section 2.48, 331.512, 357H.9, 403.20, 426C.10 and 441.21 | Effective July 1, 2022

SF 2374 | Alcohol Retail License

Changes liquor control licenses to alcohol retail licenses. Alters the designation, authority and fees of alcohol licenses.

Amends numerous Sections within Chapter 123 | Multiple effective dates

SF 2367 | Department of Revenue Omnibus, Local Option Sales and Service Tax (LOSST) Distributions

Makes many changes to the administration and collection of taxes. Exempts certain products such as child and adult diapers as well as feminine hygiene products from sale tax collection. Makes distributions of LOSST to local governments based on actual collections rather than estimates.

Amends Section 423.3 and 423B.7 | Multiple effective dates