

Peters & Longmuir, PLC

Attorneys at Law

309 First St. E Independence, IA 50644
Branch Office: 415 A Ave, Vinton, IA 52349
319-334-9992
319-334-9993 fax

www.jtplawoffice.com

James T. Peters
jtp@jtplawoffice.com

RJ Longmuir
rjl@jtplawoffice.com

Joshua H White
jhw@jtplawoffice.com

of Counsel:
Gary F. McClintock
garyhmclaw@indytel.com

October 4, 2022

Dylan Mulfinger, City Administrator
City of Oelwein
20 2nd Ave S.W.
Oelwein, IA 50662

Re: City Attorney Position for City of Oelwein

Dear Mr. Mulfinger:

We appreciate the opportunity to submit our qualifications to serve as Attorneys for the City of Oelwein.

Our office has a long history of providing services to area Iowa communities. We presently have three full time attorneys. As requested, we have provided a brief history for each attorney in our office highlighting experience in providing services to municipalities.

James T. Peters

Mr. Peters has been practicing law in Independence, Iowa since 1986. He initially served as city attorney for the City of Fairbank, Iowa. In that position, he helped establish their first TIF districts, enforce City Ordinances, and worked with economic development projects. Mr. Peters served as lead attorney for the City when it established and built the natural gas franchise operated by the City. He also worked with community leaders to create development agreements encouraging a grocery store to relocate to the City of Fairbank.

In 1989, Mr. Peters accepted the role as City Attorney for the City of Manchester, Iowa and continues to serve in that capacity. He has for many years served as City Attorney for Dundee, Masonville, Hopkinton, Delaware, Winthrop, Quasqueton and Brandon Iowa. The firm has recently began providing service to Stanley Iowa.

As Attorney for these various communities, he has provided a wide range of legal services advising and representing cities on various issues. A few examples are provided below:

General Advice

Mr. Peters regularly attends Council meetings for the City of Manchester, Iowa and other cities on an as needed basis. In addition, he regularly meets with city officials to address specific issues as they present themselves.

Acquisition of Land for Economic and Community Development.

He has assisted communities in the acquisition of land through 1031 exchanges; eminent domain; negotiation of development agreements, prosecution of abandoned building cases; and ordinary negotiations for purchase, sale and exchange of real property.

Employment and Human Resource Matters.

Mr. Peters has been regularly involved in drafting and interpreting employment agreements; assisting in the development of employee policies and handbook; terminating employment of employees for cause and representing the City in hearings involving termination of employment; review of employee disciplinary actions, Civil Rights complaints as well as routine issues of employment law.

Open Meetings and Public Records Issues.

Mr. Peters has advised communities on a regular basis in addressing requests for public information and determining what information and when information is appropriate to be disclosed. In this regard, he has represented Cities responding to complaints raised with the Iowa Public Information Board.

Municipal Code Enforcement.

Mr. Peters has worked with City Councils, Planning and Zoning commissions and Boards of Adjustment to enforce city zoning and discuss amendments to such ordinances as needed. In addition, he has represented the cities in District Court on contested zoning matters.

He represents cities in the prosecution of simple misdemeanors, traffic violations and municipal infractions including nuisance abatement, vicious dogs, noise complaints and related matters.

Administrative Law

Mr. Peters has represented cities with issues raised by Iowa DNR; Competitive bidding disputes, and other related issues which often involve Iowa municipalities.

R.J. Longmuir

Mr. Longmuir is a lifelong resident of Eastern Iowa having been raised on a farm near Arlington Iowa. He joined Mr. Peters in the practice of law in Independence Iowa in November of 2014. He is now a partner in the firm known as Peters & Longmuir, PLC. He has been a partner in the firm since 2018.

As a partner in general practice law firm which emphasized municipal law, Mr. Longmuir has assisted Cities with all matters listed within the scope of services included in the request for proposals provided by your city. As Attorney for the various communities service by our office

he has provided a wide range of legal services advising and representing cities on various issues. A few examples are provided below:

General Advice

Mr. Longmuir regularly attends Council meetings for the City of Quasqueton, Iowa and Manchester, Iowa as well as other cities on an as needed basis. In addition, he regularly meets with city officials to address specific issues as they present themselves.

Open Meetings and Public Records Issues.

Mr. Longmuir has advised communities on a regular basis in addressing requests for public information and determining what information and when information is appropriate to be disclosed. In this regard, he has represented Cities responding to complaints raised with the Iowa Public Information Board.

Municipal Code Enforcement.

Mr. Longmuir has worked with City officials to enforce city zoning and community development issues.

He represents cities in the prosecution of simple misdemeanors, traffic violations and municipal infractions including nuisance abatement, vicious dogs, noise complaints and related matters.

Acquisition of Real Estate

Mr. Longmuir recently completed enforcement of a substantial judgment obtained by a city. He executed on the judgment through a series of sheriff's sales allowing the City to acquire various properties in the community which are being sold or otherwise used for community development.

He also has been regularly involved in the prosecution of cases involving abandoned buildings.

Joshua H. White

Mr. White joined Peters & Longmuir, PLC in 2021. He immediately became involved in researching issues for open meetings, municipal zoning enforcement and review of various municipal ordinances being considered by various Cities. Mr. White has been involved in filing and prosecution of claims for acquisition of abandoned property and abatement of public nuisance. As our newest attorney he has been exposed to a number of issues involving city government and continues to grow in his experience in this area.

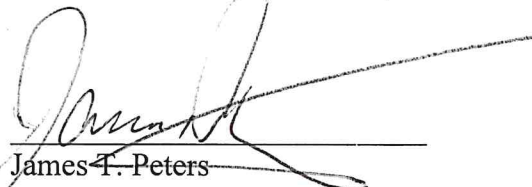
As requested, we have provided a resume of all of our attorneys who would be available to serve your city.

In addition, we have provided a separate document setting forth the hourly cost for services performed by our office.

We look forward to meeting with you to discuss any questions and provide any additional information you require to consider our office for this position,

Very truly yours,

PETERS AND LONGMUIR, PLC



James T. Peters

JTP/kl
Enclosure(s)

RESUME – STATEMENT OF QUALIFICATIONS

James T. Peters

Educational:

Luther College - BA in Political Science – 1980

University of Iowa Law School - JD – graduated with distinction - 1983

Employment:

Bozeman, Neighbor Patton and Noe – Moline, Illinois – 1983 -1984

Cartwright, Druker & Ryden – Marshalltown, Iowa – 1984-1986

Terry L. Hinman, PC – Independence, Iowa – 1986-1988

Ristvedt & Peters, PC – Independence, Iowa – 1988-1995

Peters Law Firm (Now Peters & Longmuir, PLC)– Independence, Iowa – 1995-present

Summary of areas of practice

General Practice

Real Estate – Prepare title opinions, purchase agreements, contracts, and representation at closing for residential and commercial property sale and acquisition on a regular basis.

Commercial and Business - Advise and consult with a wide variety of commercial and agricultural businesses relating to environmental, employment, and real estate issues including when appropriate representation in District Court to pursue or defend civil litigation.

Litigation- Advise and prosecute civil actions including workers compensation claims, personal injury claims, medical malpractice, federal tax court appeals, and general disputes involving contracts and real estate.

Estate Planning, Probate and Tax – Regularly meet with clients to develop and execute estate planning to address their specific situations. Assist clients with probate of estates, trusts, and related litigation. Assist with State and Federal income tax planning and preparation of tax returns.

Criminal Law – Representation of criminal defendants ranging from routine operating while intoxicated charges to kidnapping and other class A B and C felony charges. This area of practice included various jury trials, appeals to the Iowa Court of Appeals and the Iowa Supreme Court as well as prosecution of petitions seeking post-conviction relief. (1985-2019). Mr. Peters does not at this time accept cases involving criminal law.

Family Law – Represented persons in a variety of, custody, property division and other related family matters. Regularly handled 60 or more family law cases per year. When appropriate, these cases also included representation before the Iowa Supreme Court and the Iowa Court of Appeals. (1985-2020). Mr. Peters does not at this time accept cases involving family law

Municipal Law- This area of practice has been addressed in the letter of interest and qualifications submitted to the city.

Relevant Professional Organizations:

Member of the Iowa State Bar Association

U.S. Federal Court for the Northern District of Iowa

U.S. Federal Court for the Southern District of Iowa

United States Tax Court

Past Member of the Iowa State Bar Association Grievance Commission

RESUME – STATEMENT OF QUALIFICATIONS

R.J. Longmuir

Education:

The University of Iowa – BBA – 2010
Creighton University Law School – J.D. 2014

Employment

Peters & Longmuir, PLC 2014-present
Associate (2014-2017) Partner (2018-present)

Summary of areas of practice

Criminal Law – actively engaged in representation of criminal defendants ranging from routine operating while intoxicated charges and other significant felony charges. This area of practice included Iowa Court of Appeals and the Iowa Supreme. (2014-present)

Family Law – practiced in the area of divorce, custody, adoption, related family matters. Regularly handled 60 or more family law cases per year. (2014-2022)

General Practice

Real Estate – Prepare title opinions, purchase agreements, contracts, and provide representation at closing for residential and commercial property sale and acquisition on a regular basis.

Business - Advise and consult with a wide variety of commercial and agricultural businesses relating to environmental, employment, and real estate issues including when appropriate representation in District Court to pursue or defend civil litigation.

Municipal Law- This area of practice has been addressed in the letter of interest and qualifications submitted to the city.

Relevant Professional Organizations:

Member of the Iowa State Bar Association
U.S. Federal Court for the Northern District of Iowa
Member of the Iowa Ethics Grievance Commission
Member of the Iowa State Bar Association Grievance Commission

RESUME – STATEMENT OF QUALIFICATIONS

Joshua H. White

Education

University of Iowa College of Law- JD 2021

Brigham Young University BA Russian Major and International Strategy and Diplomacy Minor
2017

Employment

Powell and McCullough PLC - Law Clerk 2019- 2020

Peters & Longmuir, PLC – Associate 2021-present

Summary of areas of practice

Criminal Law – actively engaged in representation of criminal defendants. This area of practice included numerous magistrate and district court trials and hearings.

Family Law – Practices in the area of divorce, custody, related family matters.

General Practice

Real Estate – Provide title opinions, purchase agreements, contracts, and representation at closing for residential and commercial property sale and acquisition on a regular basis.

Business - Advise and consult with a wide variety of commercial and agricultural businesses relating to environmental, employment, and real estate issues including when appropriate representation in District Court to pursue or defend civil litigation.

Municipal Law- This area of practice has been addressed in the letter of interest and qualifications submitted to the city

Relevant Professional Organizations:

Member of the Iowa State Bar Association

ATTORNEY SERVICE FEES

Attorney services provided by James T. Peters and R.J. Longmuir will be billed at an hourly rate of \$160.00, in increments of one tenth of an hour. Travel time from the office in Independence, Iowa to the City of Oelwein will be billed at the rate of \$80.00 per hour.

Services provided by Joshua H. White will be billed at an hourly rate of \$100.00, in increments of one tenth of an hour.. Such services will be primarily in the role of prosecution of City misdemeanor violations and general research and drafting. Travel time from the office in Independence, Iowa to the City of Oelwein will be billed at the rate of \$50.00 per hour.

Legal Assistant. The office has assistants with significant experience. It is anticipated that one of the legal assistants would be assigned by the firm as the responsible assistant to address court scheduling, communication with law enforcement officers, and the Court for prosecution of City cases. In addition, the assistant would be responsible for general scheduling and gathering information for nuisance abatement and similar matters. Legal Assistant services will be billed at the rate of \$70.00 per hour in increments of one tenth of an hour.