

Consent Agenda



MINUTES
North Liberty City Council
October 25, 2011
Regular Session

Call to order.

At 7:00 p.m., Mayor Salm called the October 25, 2011 Regular Session of the North Liberty City Council to order. Council members present: Chipman, Donahue, Hoffman, Kuhl, Wayson.

Others present: Ryan Heiar, Tracey Mulcahey, Scott Peterson, Kevin Trom, Dean Wheatley, Erika Harper and other interested parties.

Approval of the Agenda.

Kuhl moved, Chipman seconded to approve the agenda. The vote was: ayes – Hoffman, Kuhl, Wayson, Donahue, Chipman; nays – none. Motion carried.

Consent Agenda.

Hoffman moved, Wayson seconded to approve the Consent Agenda including the City Council Minutes from the Regular Meeting on October 11, 2011; the attached list of Claims; September Revenues; the Liquor License Renewal for Fareway Stores, Class E Liquor License with Carryout Wine and Beer Endorsements; and the Liquor License Renewal for J & A Tap, Class C Liquor License with Sunday Sales Endorsement. The vote was: ayes – Kuhl, Donahue, Chipman, Wayson, Hoffman; nays – none. Motion carried.

Public Comment.

Dawn Zacek of 551 Fox Run Drive spoke on the North Liberty Community Food Pantry's Stone Soup Supper scheduled for 5:00 to 7:00 on Sunday, October at South Slope. She provided statistics on the pantry.

Jim Kee presented information about a dog bite incident he was involved in nine days ago. He was attacked by two dogs on the trail as he was running. He requested that the City consider adding a specific animal control department rather than having the police department.

Heiar stated that the Police Chief is investigating. The Iowa City Animal Shelter requested dogs have animals on house arrest. Both the Police Department and Streets Department handle animal control claims.

A man who didn't identify himself related the conversation he had with his vet regarding the home quarantine and expertise on dangerous animals. Heiar stated that the Iowa City Animal Shelter is the expert on the case. A ticket with a fine was issued to the owners.

Glen Mullikin thanked council for going forward with the golf cart ordinance. He asked the council members who are voting against the ordinance why they do not support it when no one in the community is speaking against it.

Ron Bandy, 25 N. Dubuque Street, expressed the preference that an additional ball field not be placed at Penn Meadows Park due to the impact on neighborhoods. He would like to see city park money spread around

Eric Weatherford, 1445 Hayden Lane, spoke about parking on 236th Street since the approval to limit parking Heiar related that parking will be allowed on the north side of 236th Street with a resolution on the next agenda. Staff will be sending letters to adjacent property owners for comments about parking changes before council considers the changes. Councilor Wayson reminded that parking should not be right up against driveways, rather space should be allowed for those backing out a line of sight.

City Attorney Report.

City Attorney Peterson had no report, but offered to answer questions.

City Engineer Report.

City Engineer Trom reported on the following City projects. The contractor on the Jones Boulevard project is working on the subgrade treatment on the last phase. Work continues on storm sewer and grading along the entire street. Sidewalk and driveway crews will be here next week. The road is expected to be open for traffic by December 1. The Golfview Drive, Penn Street, and the Dubuque Street Trail projects are all open for use with punch lists of outstanding items. The Street Maintenance Facility project contractor is almost done with the dewatering project. The plans are 95% complete and ready for the final staff review.

Councilor Wayson asked if staff talked to contractor about leaving stuff on the roadway. Heiar indicated it had been addressed. Councilor Kuhl asked about South Slope parking on sidewalks. A trailer has been parked on the sidewalk since Sunday morning. Heiar will address with South Slope.

City Administrator Report.

City Administrator Heiar reported that the North Liberty Business Banquet is scheduled for November 3 with a 5 p.m. start. Staff will RSVP for everyone. The Council Candidate Forum is scheduled for tomorrow night council at 7 p.m. in Council Chambers. He is planning to have the next joint meeting with the Parks Board on November 10 at 6:30 p.m.

With regards to questions about the noise ordinance, staff will be reviewing the ordinance for consistency. He requested input from Council regarding the ordinance.

Heiar reported that the safety audit with the status report is included in the Council packet.

A spreadsheet and graph showing FY 11 fund balances was included in the packet. Heiar reported that every fund end up better than had been projected except for the storm water fund.

Heiar presented the letter from the Iowa City Police Chief about a joint animal shelter. Staff has been working with Iowa City staff on a contract for services. The options were discussed. Council requested information on the history of the process. Council requested additional information and costs of handling animal control in house versus contracting with Iowa City for this service.

Councilor Wayson asked about information on citizen concerns regarding an issue. Heiar presented information about the process. On call numbers are on the voicemail.

Mayor Report.

Mayor Salm reported that the University of Iowa Community Credit Union broke ground 1 ½ weeks ago and hope to have the footings in place yet this fall. With previous allegations of attending functions and receiving food paid for by someone else, those that attended on behalf of the City paid for food and beverages consumed, as they always do. Mayor Salm reported it was a nice event and was well attended.

Blues & BBQ 2011 Report.

Cheryle Caplinger, co-chair of Blues and BBQ, presented the changes proposed for 2012. The event will be scheduled on Saturday, May 26 with Sunday being the rain date. The event is changing names to North Liberty Blues and BBQ. The event's hours will be changed to 11 a.m. to 11 p.m. The committee is seeking title and presenting sponsors for the event. The event will "Go Green" this year by reducing waste produced at the event. Councilor Kuhl proposed combining Blues and BBQ with Fun Days for one large event.

Economic Development Guide.

Heiar presented information about the proposals and process. John Lohman of the Corridor Business Journal presented the plan for the guide. The guide will highlight the great things that have happened in North Liberty in the last ten to fifteen years. Council discussed the proposed guide with Lohman.

Kuhl moved, Hoffman seconded to approve Resolution Number 11-120, A Resolution accepting the Proposal from the Corridor Business Journal for the 2011 Economic Development Guide and authorizing execution of the Memorandum of Understanding. The vote was: ayes – Donahue, Wayson, Hoffman, Chipman, Kuhl; nays – none. Motion carried.

Golf Cart Ordinance.

Donahue moved, Kuhl seconded to approve the third consideration and adoption of Ordinance Number 11-11, An Ordinance amending the Code of Ordinances of the City of North Liberty, Iowa, by adding a new chapter pertaining to the operation of golf carts on city streets with a city issued permit. After discussion, the vote was: ayes – Chipman, Kuhl, Donahue; nays – Wayson, Hoffman. Motion carried.

Cameron Way Partners Rezoning.

Donahue moved, Hoffman seconded to approve the third consideration and adoption of Ordinance Number 11-13, an Ordinance amending the Zoning Ordinance to change the use regulations on property owned by Jeff Mekota located in North Liberty, Iowa to those set forth in the North Liberty Municipal Code for the C-2-A Planned Area Development District. The vote was: ayes – Chipman, Hoffman, Donahue, Wayson; nays – Kuhl. Motion carried.

Moore Rezoning.

Donahue moved, Wayson seconded to approve the third consideration and adoption of Ordinance Number 11-14, an Ordinance amending the Zoning Ordinance to change the use regulations on property owned by Dean Moore located in North Liberty, Iowa to those set forth in the North Liberty Municipal Code for the RM-12 Multifamily and RD-10 Duplex Residential Districts. The vote was: ayes – Hoffman, Donahue, Wayson, Chipman; nays – Kuhl. Motion carried.

TIF Ordinance.

Chipman moved, Wayson seconded to approve the second consideration of Ordinance Number 11-15, An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2010 Addition to the North Liberty Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa.” The vote was: ayes – Donahue, Chipman, Kuhl, Wayson, Hoffman; nays – none. Motion carried.

Midwest Home Builders Rezoning.

Wheatley presented the application for rezoning and the history of the property. Staff recommended approval. The Planning Commission recommended approval.

Duane Musser, MMS Consultants, presented the application for rezoning. The majority of the discussion related to site plan issues.

At 8:15 p.m., Mayor Salm opened the public hearing regarding the proposed property rezoning. Ron Bandy commented on access relating to this development. The public hearing was closed.

Chipman moved, Hoffman seconded to approve the first consideration of Ordinance Number 11-15, An Ordinance amending the Zoning Ordinance to change use on property owned by Midwest Home Builders located in North Liberty, Iowa to those set forth in the North Liberty Municipal Code for the RM-8 Multifamily Residential District. After discussion, the vote was: ayes – Chipman, Wayson, Hoffman, Kuhl, Donahue; nays – none. Motion carried.

TIGER Grant.

Hoffman moved, Wayson seconded to approve Resolution Number 11-121, A Resolution authorizing submission of the TIGER III Application to the Department of Transportation for the Highway 965 Corridor Enhancement Project. The vote was: ayes – Donahue, Kuhl, Hoffman, Wayson, Chipman; nays – none. Motion carried.

Stream Gage Agreement.

Chipman moved, Donahue seconded to approve Resolution Number 11-122, A Resolution approving the agreement between the City of North Liberty and the United States Geological Survey to jointly fund a stream gage station on Muddy Creek. The vote was: ayes – Hoffman, Chipman, Kuhl, Wayson, Donahue; nays – none. Motion carried.

Penn Meadows, Part 6 Final Plat.

Wheatley presented the application for the final plat. Staff and the Planning Commission recommended approval of the plat.

Hoffman moved, Wayson seconded to approve Resolution Number 11-123, A Resolution approving the Final Plat of Penn Meadows, Part 6, North Liberty, Iowa. The vote was: ayes – Kuhl, Donahue, Wayson, Chipman, Hoffman; nays – none. Motion carried.

Autumn Ridge Property.

At 8:25 p.m., Mayor Salm opened the Public Hearing regarding granting a permanent easement to MidAmerican Energy. No oral or written comments were received. The public hearing was closed.

Kuhl moved, Donahue seconded to approve Resolution Number 11-124, A Resolution approving the Gas Easement Agreement between MidAmerican Energy Company and the City of North Liberty, Iowa. The vote was: ayes – Wayson, Hoffman, Chipman, Donahue, Kuhl; nays – none. Motion carried.

At 8:26 p.m., Mayor Salm opened the Public Hearing regarding disposing of property. No oral or written comments were received. The public hearing was closed.

Hoffman moved, Chipman seconded to approve Resolution Number 11-125, A Resolution approving the conveyance of property owned by the City of North Liberty and authorizing the Mayor to sign and the City Clerk to attest to a Quit Claim Deed for the conveyance of the property. After discussion, the vote was: ayes – Chipman, Kuhl, Hoffman, Donahue, Wayson; nays – none. Motion carried.

Assessment to property taxes.

Hoffman moved, Kuhl seconded to approve Resolution Number 11-126, A Resolution authorizing the assessment of delinquent amounts owed to the City of North Liberty, Iowa to individual property taxes. The vote was: ayes – Donahue, Kuhl, Hoffman, Wayson, Chipman; nays – none. Motion carried.

New Business. Councilor Wayson reminded all about the city election coming up. There is information on website about city council candidates and information about ward vote. Candidate Council Forum is scheduled for tomorrow night.

Adjournment. At 8:38 p.m., Hoffman moved, Wayson seconded to adjourn. All ayes. Meeting adjourned.

CITY OF NORTH LIBERTY

By: _____
Thomas A. Salm, Mayor

Attest:

Tracey Mulcahey, City Clerk

2834 Northgate Drive
Iowa City, IA 52245
Telephone (319) 354-3040
Fax (319) 354-6921

TO: The City of North Liberty
ATTN: Ms. Tracey Mulcahey
3 Quail Creek Circle
P.O. Box 77
North Liberty, Iowa 52317

DATE:	November 1, 2011
PROJECT #:	108420-0
RE:	Golfview Drive Improvements
	North Liberty, Iowa
	Pay Application #5

ENCLOSED

COPIES	DATE	DESCRIPTION
1	10.21.11	Pay Application No. 5

METHOD

Regular Mail Overnight Hand Deliver
 Regular UPS Courier Today Other E-Mail

COMMENTS:

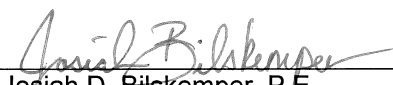
We have reviewed and approved the attached Pay Application #5 for the Golfview Drive Improvements project, submitted by Iowa Bridge & Culvert. The project was bid as lump sum, and the pay application matches the contractor's previously submitted "Schedule of Values." This pay application is for work completed from October 3rd to October 21st. This pay request indicated that all items have been completed, and this is consistent with the construction progress made by that date.

We recommend this pay application be included on the November 8th agenda and approved by the city council.

We will forward three signed hard copies in the mail. Please let me know if you have any questions, thanks.

Copy: Burge Hammond, Iowa Bridge & Culvert

Signed:



Josiah D. Bitskemper, P.E.

NOTIFICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

PAGE OF PAGES

TO (OWNER): City of North Liberty
North Liberty, IA

PROJECT App #5

APPLICATION NUMBER: **45**

- Distribution to:
- OWNER
- ARCHITECT
- CONTRATOR
-
-

PERIOD TO: ~~8-29-11~~ to ~~9-30-11~~
10.03.11 10.21.11

FROM (CONTRACTOR): Iowa Bridge & Culvert
P.O. Box 13
Washington, IA 52353

VIA(ARCH): Shive-Hattery & Associates
ARCHITECT'S PROJECT NO: 108420-0

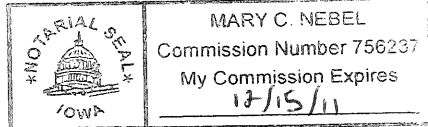
CONTRACT DATE: 5-19-2011

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
Change orders approved in previous months by Owner			
TOTAL			
Approved this month			
Number	Date Approved		
CO-01	8/9/2011	8650.95	
CO-02	9/13/2011	10576.86	
TOTALS		19227.81	
Net change by Change Orders		19227.81	0

The undersigned Contractor certifies that to the best of the Contractor's knowledge and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.



CONTRACTOR:

By: Rich Peirson

Date: 10-21-11

Application is made for Payment, as shown below, in connection with the Contract.

Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM.....	\$ 998,000.00
2. Net Change by Change Orders.....	\$ 19,227.81
3. CONTRACT SUM TO DATE (Line 1+-2).....	\$ 1,017,227.81
4. TOTAL COMPLETED & STORED TO DATE.....	\$ 1,017,227.81
(Column G on G703)	
5. RETAINAGE:	
a. 5% % of Completed Work	\$ 50861.39
(Column D+E on G703)	
b. 0 % of Stored Material	\$ 0
(Column F on G703)	
Total Retainage (Line 5a + 5b or Total in Column I of G703).....	\$ 50,861.39
6. TOTAL EARNED LESS RETAINAGE.....	\$ 966,366.42
(Line 4 less Line 5 Total)	
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 form prior Certificate).....	\$ 868,917.50
8. CURRENT PAYMENT DUE.....	\$ 97,448.92
9. BALANCE TO FINISH, PLUS RETAINAGE.....	\$ 50,861.39
(Line 3 less line 6)	

State of: IOWA

County of: Washington

Subscribed and sworn to before me this 21 day of October, 2011

Notary Public: Mary C. Nebel

My Commission expires: 12/15/11

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED..... \$ 97,448.92

(Attach explanation if amount certified differs from the amount applied for.)

ARCHITECT: Josiah D. B. Blomquist Date: 11/1/11

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract

City of North Liberty, City engineer Review and Approval

By: _____ Date: _____

City of North Liberty, City Council Review and Approval

Page 1
By: _____ Date: _____

CONTINUATION SHEET

AIA document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing

Pay App #5

APPLICATION NUMBER: **5**

Contractor's signed Certification is attached.

APPLICATION DATE: 10/21/11

In tabulations below, amounts are stated to the nearest dollar.

PERIOD TO: 10/3/11 to 10/21/11

Use Column I on Contracts where variable retainage for line items may apply.

ARCHITECT'S PROJECT NO: 108420-0

A Item	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G		H BALANCE TO FINISH (D-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD		TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G/C)		
0	General Requirements								
	Performance & Payment Bond	1,500.00	1,500.00			1,500.00	100%	\$0.00	
	Insurance Requirements	3,000.00	3,000.00			3,000.00	100%	\$0.00	
1	Mobilization								
	Mobilization	50,000.00	50,000.00			50,000.00	100%	\$0.00	
2	Demolition								
	Site Demolition	20,000.00	20,000.00			20,000.00	100%	\$0.00	
3	Box Culvert								
	Curtain Wall Concrete	12,000.00	12,000.00			12,000.00	100%	\$0.00	
	Curtain Wall Rebar	4,500.00	4,500.00			4,500.00	100%	\$0.00	
	Footing Concrete	106,000.00	106,000.00			106,000.00	100%	\$0.00	
	Footing Rebar	38,000.00	38,000.00			38,000.00	100%	\$0.00	
	Wall Concrete	42,000.00	42,000.00			42,000.00	100%	\$0.00	
	Wall Rebar	15,000.00	15,000.00			15,000.00	100%	\$0.00	
	Wing Concrete	26,000.00	26,000.00			26,000.00	100%	\$0.00	
	Wing Rebar	9,000.00	9,000.00			9,000.00	100%	\$0.00	
	Deck Concrete	40,000.00	40,000.00			40,000.00	100%	\$0.00	
	Deck Rebar	15,000.00	15,000.00			15,000.00	100%	\$0.00	
	Backfill	40,000.00	40,000.00			40,000.00	100%	\$0.00	
4	Parapet/Barrier Rail								
	Concrete	20,000.00	20,000.00			20,000.00	100%	\$0.00	
	Rebar	15,000.00	15,000.00			15,000.00	100%	\$0.00	
	Joint Sealing	1,000.00		1,000.00		1,000.00	100%	\$0.00	
	Railing	20,000.00		20,000.00		20,000.00	100%	\$0.00	
	Stone Veneer	7,000.00	3,500.00	3,500.00		7,000.00	100%	\$0.00	
5	Earthwork								
	Mobilization	5,000.00	5,000.00			5,000.00	100%	\$0.00	
	Clear & Grubb	10,000.00	10,000.00			10,000.00	100%	\$0.00	
	Strip Topsoil	6,000.00	6,000.00			6,000.00	100%	\$0.00	
	Class 20 Excavation	50,000.00	50,000.00			50,000.00	100%	\$0.00	
	Dewatering	25,000.00	25,000.00			25,000.00	100%	\$0.00	
	Class 10 Excavation	24,000.00	24,000.00			24,000.00	100%	\$0.00	

	Finish Grading	5,000.00	5,000.00		5,000.00	100%	\$0.00
	Spread Topsoil	6,000.00	6,000.00	Pay App #5	6,000.00	100%	\$0.00
	Rip Rap	35,000.00	35,000.00		35,000.00	100%	\$0.00
6	Erosion Control						
	Silt Fence	2,700.00	1,000.00	1,700.00	2,700.00	100%	\$0.00
	Ditch Checks	1,500.00		1,500.00	1,500.00	100%	\$0.00
	Erosion Control Blanket	7,300.00		7,300.00	7,300.00	100%	\$0.00
	Concrete Washout	400.00	400.00		400.00	100%	\$0.00
	Rural Seeding	2,400.00		2,400.00	2,400.00	100%	\$0.00
	Sodding	5,600.00		5,600.00	5,600.00	100%	\$0.00
7	Paving						
	Mobilization	3,500.00	3,500.00		3,500.00	100%	\$0.00
	Modified Subbase	20,000.00	20,000.00		20,000.00	100%	\$0.00
	Sidewalk 4"	10,700.00	5,350.00	5,350.00	10,700.00	100%	\$0.00
	Sidewalk 6"	2,800.00	2,800.00		2,800.00	100%	\$0.00
	PCC Paving 9"	158,500.00	145,000.00	13,500.00	158,500.00	100%	\$0.00
	Pervious Pavement	2,800.00	2,800.00		2,800.00	100%	\$0.00
	Truncated Domes	1,200.00	1,200.00		1,200.00	100%	\$0.00
	Unit Pavers	4,300.00	4,300.00		4,300.00	100%	\$0.00
8	Landscaping						
	Landscaping	3,600.00	1,800.00	1,800.00	3,600.00	100%	\$0.00
9	Utilities						
	Mobilization	5,000.00	5000		5,000.00	100%	\$0.00
	Demolition	5,000.00	5000		5,000.00	100%	\$0.00
	Water Distribution	10,000.00	10000		10,000.00	100%	\$0.00
	Storm Sewers	50,000.00	38000	12,000.00	50,000.00	100%	\$0.00
	Sanitary Sewers	40,000.00	40000		40,000.00	100%	\$0.00
10	Traffic Control						
	Traffic Control	2,500.00	2,000.00	500.00	2,500.00	100%	\$0.00
	Striping	7,200.00		7,200.00	7,200.00	100%	\$0.00
11	Extra Work						
	CO-01	8,650.95		8650.95	8651		0.00
	CO-02	10,576.86		10576.86	10577		0.00
	CO-03						
	CO-04						
	CO-05						
		\$1,017,227.81	\$914,650.00	\$102,577.81	\$-	100%	\$0.00
							\$-