

# Consent Agenda



**Minutes**  
North Liberty City Council  
November 22, 2011  
Work Session  
Regular Session

**Call to order.**

At 6:30 p.m., Mayor Salm called the November 22, 2011 Work & Regular Sessions of the North Liberty City Council to order. Council members present: Chipman, Donahue, Hoffman, Kuhl, Wayson.

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

**Approval of the Agenda.**

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

**FY 13 Budget Goal Setting.**

Staff and Council discussed City Council goals for the FY 13 Budget.

**Consent Agenda.**

Donahue moved, Kuhl seconded to approve the Consent Agenda including City Council Minutes from the Regular Meeting on November 8, 2011; City Council Minutes from the Special Meeting on November 10, 2011; the attached list of Claims; October Revenues; Iguanas Grill Liquor License Renewal, Class C License with Sunday Sales endorsement; Dubuque Street Trail Project payment to Peterson Contractors, Inc. for Pay Application Number 3 in the amount of \$75,847.22; Penn Street Project payment to Metro Pavers for Pay Application Number 6 in the amount of \$5,486.25; and Highway 965 Project payment to Metro Pavers for Pay Application Number 24 in the amount of \$2,114.25. After discussion, the vote was: ayes – Wayson, Donahue, Kuhl, Chipman, Hoffman; nays – none. Motion carried.

**Public Comment.**

No public comments were offered.

**City Attorney Report.**

City Attorney Peterson reported that he attended labor and employment seminar and city attorney conference. He requested to move Mar Lee Parkland donation item to the top of the agenda.

Kuhl moved, Hoffman seconded to move the Marlee Park Land Dedication agenda item to next on the agenda. The vote was all ayes. Motion carried.

**Mar Lee Park Land Dedication.**

City Attorney Peterson presented the proposed Park Land Dedication from N Liberty L.L.C. The Council discussed the proposed land dedication

Donahue moved, Chipman seconded to approve Resolution Number 11-141, A Resolution authorizing the City to accept real estate for use as a recreational park and authorizing execution of agreement between the City of North Liberty, Iowa and N Liberty L.L. C. regarding the terms and conditions under which the property will be dedicated. The vote was: ayes – Hoffman, Donahue, Wayson, Chipman, Kuhl; nays – none. Motion carried.

**City Engineer Report.**

City Engineer Trom reported that the Streets & Maintenance Facility plans are complete. The plans will be sent out to bidders soon. At the first meeting in December, the public hearing will be held. At the second meeting in December, the consideration of awarding the contract will be on Council's agenda.

Trom reported that Jones Boulevard Project paving is completed except for sidewalks. The contractor is planning to open the street tomorrow later in the day.

**City Administrator Report.**

City Administrator Heiar reported on inaccurate dates in his memo. City Hall is closed November 24 and 25. The Park Board is scheduled for December 1. Heiar requested feedback and comments from the Council regarding the Animal Control Issue memo they received. A meeting has been scheduled in January to further discuss this issue.

**Mayor Report.**

Mayor Salm presented information about the JECC budget process.

Councilor Chipman reported on her attendance at a League of Cities meeting. Topics for this next legislative session include property tax and TIF, economic development, the Governor's Property Tax Committee. She encouraged us to be prepared to tell our story to the legislature of how the changes will affect our budgets.

**Midwest Home Builders Rezoning.**

Donahue moved, Hoffman seconded to approve the third consideration and adoption of Ordinance Number 11-16, 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. The vote was: ayes - Donahue, Hoffman, Chipman, Kuhl, Wayson; nays – none. Motion carried.

**Autumn Ridge Rezoning.**

Wheatley presented the application being made by Autumn Ridge for rezoning from single family to duplex residential zoning. Staff recommended RD-8 zoning with 100 ft lot widths rather than RD-10 with 80 ft. lot widths. The developer proposed RD-10 with 90 and 100 foot lot widths. The developer has submitted the preliminary plat with the proposed widths for the December Planning Commission. The Planning Commission recommended approval of the compromise presented by the developer.

At 8:03 p.m., Mayor Salm opened the public hearing regarding the rezoning request for Autumn Ridge. No oral or written comments were received. The Council discussed the application. The public hearing was closed.

Kuhl moved, Hoffman seconded to approve the first consideration of Ordinance Number 11-17, An Ordinance amending the Zoning Ordinance to change use on property owned by Autumn Ridge Partners L.C. located in North Liberty, Iowa to those set forth in the North Liberty Municipal Code for the RD-10 Duplex Residential District. After discussion, the vote was: ayes – Kuhl, Chipman, Hoffman, Wayson, Donahue; nays – none. Motion carried.

**Ranshaw House Project.**

Hoffman moved, Chipman seconded to approve Resolution Number 11-132, A Resolution approving an agreement between the City of North Liberty and the Iowa Department of Cultural Affairs regarding the Ranshaw House Renovation Project, Phase II. The vote was: ayes – Chipman, Donahue, Wayson, Hoffman, Kuhl; nays – none. Motion carried.

**Annual Financial Report – FY 2011.**

Kuhl moved, Donahue seconded to approve Resolution Number 11-133, A Resolution approving the Annual Report for the Fiscal Year ending June 30, 2011 for the City of North Liberty, Iowa. The vote was: ayes – Hoffman, Kuhl, Wayson, Donahue, Chipman; nays – none. Motion carried.

**Annual Appropriations**

Hoffman moved, Wayson seconded to approve Resolution Number 11-134, A Resolution obligating funds from the urban renewal tax revenue fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (JM Swank). The vote was: ayes – Wayson, Donahue, Kuhl, Chipman, Hoffman; nays – none. Motion carried.

Chipman moved, Hoffman seconded to approve Resolution Number 11-135, A Resolution obligating funds from the urban renewal tax revenue fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (Heartland Express). After discussion, the vote was: ayes – Donahue, Kuhl, Chipman, Hoffman, Wayson; nays – none. Motion carried.

Wayson moved, Hoffman seconded to approve Resolution Number 11-136, A Resolution obligating funds from the urban renewal tax revenue fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next

succeeding fiscal year (Maytag). After discussion, the vote was: ayes – Kuhl, Chipman, Hoffman, Wayson, Donahue; nays – none. Motion carried.

Hoffman moved, Wayson seconded to approve Resolution Number 11-137, A Resolution obligating funds from the urban renewal tax revenue fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (NL Hospitality). The vote was: ayes – Chipman, Hoffman, Wayson, Donahue, Kuhl; nays – none Motion carried.

**Mowing Assessment Resolution.**

Chipman moved, Donahue seconded to approve Resolution Number 11-138, A Resolution authorizing the assessment of delinquent amounts owed to the city of North Liberty, Iowa, to individual property taxes. The vote was: ayes – Wayson, Kuhl, Donahue, Hoffman, Chipman; nays – none. Motion carried.

**Front Street Speed Limits**

Donahue moved, Wayson seconded to approve Resolution Number 11-139, A Resolution approving special speed limits in the City of North Liberty, Iowa. The vote was: ayes – Donahue, Chipman, Kuhl, Hoffman, Wayson; nays – none. Motion carried.

**Corridor Commercial, Part 6.**

Wheatley presented the application for final plat for Corridor Commercial, Part 6.

Wayson moved, Donahue seconded to approve Resolution Number 11-140, A Resolution approving the Final Plat of Corridor Commercial Subdivision, Part 6, North Liberty, Iowa. After discussion, the vote was: ayes – Kuhl, Chipman, Hoffman, Wayson, Donahue; nays – none. Motion carried.

**Old Business.**

No old business was presented.

**New Business.**

Council discussed the scheduling of the second meeting in December.

**Adjournment.**

At 8:15 p.m., Wayson moved, Hoffman seconded to adjourn. All ayes. Meeting adjourned.

**CITY OF NORTH LIBERTY**

By: \_\_\_\_\_  
Thomas A. Salm, Mayor

Attest:

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Tracey Mulcahey, City Clerk

# License Application ( LC0036590 )

## ***Applicant***

<b>Name of Applicant:</b>	<u>Chrisma, Inc</u>		
<b>Name of Business (DBA):</b>	<u>Reds Alehouse</u>		
<b>Address of Premises:</b>	<u>405 N. Dubuque</u>		
<b>City:</b> <u>North Liberty</u>	<b>County:</b> <u>Johnson</u>	<b>Zip:</b> <u>52317</u>	
<b>Business Phone:</b>	<u>(319) 331-7418</u>		
<b>Mailing Address:</b>	<u>405 N. Dubuque</u>		
<b>City:</b> <u>North Liberty</u>	<b>State:</b> <u>IA</u>	<b>Zip:</b> <u>52317</u>	

## ***Contact Person***

<b>Name:</b>	<u>Faye Swift</u>		
<b>Phone:</b>	<u>(319) 331-7418</u>	<b>Email Address:</b>	<u>faye@cbrep.com</u>

**Classification:** Class C Liquor License (LC) (Commercial)

**Term:** 12 months

**Effective Date:** 01/05/2012

**Expiration Date:** 01/04/2013

**Privileges:**

Class C Liquor License (LC) (Commercial)  
Outdoor Service  
Sunday Sales

## ***Status of Business***

<b>BusinessType:</b>	<u>Privately Held Corporation</u>		
<b>Corporate ID Number:</b>	<u>124112</u>	<b>Federal Employer ID #</b>	<u>421321205</u>

## ***Ownership***

**Faye Swift**First Name: FayeLast Name: SwiftCity: CoralvilleState: IowaZip: 52241Position President% of Ownership 51.00 %

U.S. Citizen

**John Robert Swift**First Name: John RobertLast Name: SwiftCity: CoralvilleState: IowaZip: 52241Position owner% of Ownership 24.00 %

U.S. Citizen

**Matthew Swift**First Name: MatthewLast Name: SwiftCity: Iowa CityState: IowaZip: 52240Position Secretary% of Ownership 25.00 %

U.S. Citizen

***Insurance Company Information***Insurance Company: Society InsurancePolicy Effective Date: 01/05/2012Policy Expiration Date: 01/05/2013

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:



**Police Department**

5 East Cherry Street • P.O. Box 77 • North Liberty, Iowa • 52317 • (319) 626-5724/FAX -5743

[www.northliberty.org](http://www.northliberty.org)

Liquor License Check;

11-18-2011

Applicant: Reds Alehouse

A records check of the applicant shows no incidents or concerns in the past year with the North Liberty Police Department that could affect the liquor license. The Police Department does not have any concerns with the renewal of the liquor license.

Chief James Warkentin

North Liberty Police Department

1.1.A.2011 -  
emailed Tracy Jim - Bryan 11/18/11  
emailed to Kim Chandler @  
JC Health  
Sept 11/18/2011

12/13/11 Council Agent

**City of North Liberty**  
**Inspection Report for Alcoholic Beverage and Beer Control**  
**Chapter 15.04 of the Municipal Code**  
**Outdoor Service**

License Type Class C Beer/Liquor Sunday Sales NO New/Renewal/Amended

Legal Name of Applicant: Chrisma, LLC

Name of Business (DBA): Red's Alehouse

Address of Business: 405 N Dubuque St.  
North Liberty Ia 52317

Business Phone No. Faye Swift 331-7418

Section 5.04.100 of the Municipal Code requires approval from the following City and County Departments.

**City of North Liberty Inspection Department:**

The above mentioned property is located within a zoning district permitting the sale or consumption of alcoholic beverage.

[Signature]

Code Official

11-21-11

Date

An inspection was performed at the above referenced property to verify fire extinguisher maintenance program and exit requirements.

Designated Fire Inspector

Date

**Johnson County Health Department:**

The above mentioned food facility at the listed address is: (check one)

Currently licensed in accordance with the Iowa Food Code.

In process of becoming licensed in accordance with the Iowa Food Code.

[Signature]

Johnson County Health Official

11/18/11

Date

North Liberty Fire Department  
25 W Cherry ST  
PO Box 77 / Attn: Asst. Chief Hardin  
North Liberty, IA 52317

NLFD Fire Code Violation Notice

Wednesday December 7, 2011

**Red's Ale House**  
405 N Dubuque (City Limits) ST  
North Liberty, IA 52317

An inspection of your facility on Wednesday December 7, 2011 revealed the violations listed below.

ORDER TO COMPLY: Since these conditions are contrary to law, you must correct them upon receipt of this notice. An inspection to determine compliance with this Notice will be conducted on or after 30 days from Wednesday December 7, 2011.

If you fail to comply with this notice before the reinspection date listed, you may be liable for the penalties provided for by law for such violations.

Violation Code	Article	Division	Page	Count
3003.5.3 Securing compressed gas containers			0	2
Securing compressed gas containers, cylinders and tanks. Compressed gas containers, cylinders and tanks shall be secured to prevent falling caused by contact, vibration or seismic activity. Tanks must be secured to the wall or non-movable object. Chain must be anchored on both sides of the tank.				
Basement, small CO2 tank near the larger CO2 tanks that need secured.				
Basement, near south wall, propane tank needs secured.				
605.5 Extension cords			0	4
Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact.				
Basement, Dehumidifiers, replace extension cord with surge protectors with long cord.				
Basement, fans, replace extension cord with surge protector.				
605.6 Unapproved conditions			0	1
Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes. No exposed wiring.				
- Basement, exposed romex wiring to light switch near the north door. Contact NL Building Department for further assistance on how to correct the problem.				

North Liberty Fire Department  
25 W Cherry ST  
PO Box 77 / Attn: Asst. Chief Hardin  
North Liberty, IA 52317

NLFD Fire Code Violation Notice

Wednesday December 7, 2011

Red's Ale House  
405 N Dubuque (City Limits) ST  
North Liberty, IA 52317

609.3.3.1 TBL Cleaning Intervals 0 1

TYPE OF COOKING OPERATIONS FREQUENCY OF INSPECTION

- All other cooking operations: Every 6 months

Pizza Oven Hood and Duct needs to be cleaned.

7.1.2.1 Annual Fire Inspection - Fire Extinguisher 0 1

A trained and certified person who has undergone the instructions necessary to reliably perform maintenance and has the manufacturer's service manual shall service the fire extinguishers not more than 1 year apart. A current inspection tag shall be placed on the fire extinguisher.

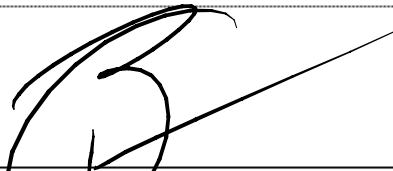
- New fire extinguisher near north door needs to have a current inspection tag.


1004.3 Posting of occupant load 0 1

Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.

Approved occupant load signs can be obtained from the North Liberty Building Department.

- Post approved occupant load signs.

  
\_\_\_\_\_  
HARDIN, BRYAN  
Inspector

x   
\_\_\_\_\_  
Occupant/Owner