

Consent Agenda



Minutes
North Liberty City Council
December 27, 2011
Regular Session

Call to order.

At 7:00 p.m., Mayor Salm called the December 27, 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, Dean Wheatley, Erika Harper and other interested parties.

Approval of the Agenda.

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

Consent Agenda.

Hoffman moved, Wayson seconded to approve the Consent Agenda including City Council Minutes from the Regular Session on December 13, 2011; the attached list of Claims; November Revenues; and the Jones Boulevard Project Pay Application Number 5 for Horsfield Construction in the amount of \$592,121.23. The vote was: ayes- Donahue, Kuhl, Wayson, Chipman, Hoffman; nays – none. Motion carried.

Public Comment.

No public comment was offered.

City Attorney Report.

No City Attorney report was given.

City Administrator Report.

City Administrator Heiar reported that he and Kelly Hayworth will be attending the City Development Board meeting in January.

Heiar updated Council on meetings he has been involved in including meeting with the Iowa City School Superintendent to discuss east side growth. The district is discussing elementary growth needs and the when and where of a new high school.

Heiar met with Coralville, the University of Iowa, and Nancy Richardson to discuss possible funding options for Highway 965 improvements.

The latest draft of the Economic Development Policy will be sent out later this week with summarized comments and changes.

Heiar reminded Council that the FY 13 Budget Work Session will be held on January 17.

The City has received bids for the street shop. Tonight Council will be asked to set the public hearing for financing for the January 10 meeting. Staff is reviewing bids and options for bid alternates. Staff will be providing funding recommendations for this project.

Mayor Report.

Mayor Salm thanked the Coralville Fire Department for their hard work on the fire in the other half of his daughter's duplex.

UNESCO Presentation.

Jeanette Pilak from UNESCO presented an update on the City of Literature USA. She updated Council on events, fund raising, and programming that the City of Literature USA is putting together. The City of Literature USA is taking on a great role in recruitment and retention of businesses. Pilak encouraged staff and Council to utilize it as a tool in economic development.

Highway 965 Phase II Agreement.

Kuhl moved, Hoffman seconded to approve Resolution Number 11-148, A Resolution approving the Services Agreement Amendment Number One between the City of North Liberty and McClure Engineering Company for services relating to the Highway 965, Phase II Improvements Project, North Liberty, Iowa. After discussion, the vote was: ayes – Chipman, Wayson, Kuhl, Hoffman; nays – Donahue. Motion carried.

Casey's Site Plan Application.

Wheatley made the Staff and Planning Commission case presentation of Casey's Site Plan application. The Staff recommendation was for approval with conditions including sidewalk detail and when to install the sidewalks. The southerly sidewalk was discussed at length at the Planning Commission. The Planning Commission recommended denial of the application after a lengthy discussion about use and appearance issues.

Doug Beech, legal counsel for Casey's, made the applicant's presentation of Casey's Site Plan. The developer agrees to color the concrete on the north side of the building, but does not want to put the sidewalk in on the south side at this time. He reported that Casey's meets all the legal issues to be approved.

Mayor Salm thanked Casey's for staying in our community. He requested something a bit aesthetically nicer, not a completely reengineered building. The Liberty Centre area is one we have focused on creating a high quality sense of place. This area will be a diamond when completed, and would like Casey's to be a part of that. The City Council discussed the application.

Donahue moved, Kuhl seconded to ___ Resolution Number 11-144, A Resolution Approving the Commercial Development Site Plan for Part of Lot 16, Liberty Centre, Part One, North Liberty, Iowa with the conditions of:

- The sidewalk matter on Cherry Street to be resolved.
- The southerly sidewalk is deferred until the City constructs Highway 965, but an escrow or letter of credit is required.

- The Building should be constructed so that at the midpoint of the building there are three to five courses of different material that breaks up the appearance of the brick.
- The sidewalk from Cherry Street (private sidewalk) is to be colored.
- The City Planner has the authority to approve the design.
- The City Attorney is responsible for the legal components of the site plan agreement.

Hoffman moved, Wayson seconded to table the item for two weeks. After discussion, the vote on tabling was: ayes – Wayson, Hoffman; nays – Kuhl, Chipman, Donahue. Motion failed.

After discussion, the vote on the motion on the resolution was: ayes – Wayson, Kuhl, Chipman, Hoffman, Donahue; nays – none. Motion carried.

Sign Ordinance Amendment.

Wheatley made the Staff and Commission presentation of proposed sign ordinance amendment. The Planning Commission recommended approval of the amendment. Wheatley summarized the changes in the ordinance.

At 8:30 p.m., Mayor Salm opened the public hearing regarding proposed amendment. No oral or written comments were received. The public hearing was closed.

Chipman moved, Wayson seconded to approve the first consideration of Ordinance 11-18, An Ordinance amending the Code of Ordinances of the City of North Liberty, Iowa, 2011, by amending the Chapter pertaining to Sign Regulations. After discussion, the vote was: ayes – Kuhl, Chipman, Hoffman, Donahue, Wayson; nays – none. Motion carried.

Assessment Resolution.

Kuhl moved, Wayson seconded to approve Resolution Number 11-149, A Resolution of Assessment of delinquent amounts owed to the City of North Liberty, Iowa, to individual property taxes. After discussion, the vote was: ayes- Chipman, Hoffman, Donahue, Wayson, Kuhl; nays – none. Motion carried.

Saints Corridor, Part Two Final Plat.

Wheatley presented the request for Saints Corridor, Part Two Final Plat. All improvements have been made.

Donahue moved, Hoffman seconded to approve Resolution Number 11-150, A Resolution approving the Final Plat of Saints Corridor, Part 2, North Liberty, Iowa. The vote was: ayes – Hoffman, Donahue, Wayson, Kuhl, Chipman; nays – none. Motion carried.

Progress Park, Part 11 Final Plat.

Kuhl moved, Donahue seconded to approve Resolution Number 11-151, A Resolution approving the Final Plat of Progress Park, Part 11, North Liberty, Iowa. The vote was: ayes – Donahue, Wayson, Kuhl, Chipman, Hoffman; nays – none. Motion carried.

Road Use Tax Issuance.

Kuhl moved, Chipman seconded to approve Resolution Number 11-152, A Resolution to fix a date for a Public Hearing on a Loan Agreement in a principal amount not to exceed \$2,200,000. After discussion, the vote was: ayes – Wayson, Kuhl, Chipman, Hoffman, Donahue; nays – none. Motion carried.

Autumn Ridge, Part Three Developer’s Agreement.

Donahue moved, Wayson seconded to approve Resolution Number 11-153, A Resolution approving the Developer’s Agreement between the City of North Liberty and Autumn Ridge Partners, LC that establishes the terms and conditions under which Autumn Ridge, Part Three will be developed in the City of North Liberty, Iowa. The vote was: ayes – Kuhl, Chipman, Hoffman, Donahue, Wayson; nays – none. Motion carried.

Urban Renewal Plan Update.

Hoffman moved, Chipman seconded to approve Resolution Number 11-154, A Resolution setting a date for the public hearing on the Urban Renewal Plan Amendment. After discussion, the vote was: ayes – Chipman, Hoffman, Donahue, Wayson, Kuhl; nays – none. Motion carried.

Old Business.

No Old Business was brought forward.

New Business.

Councilor Kuhl received info about a small claims action resolved by court. He requested further discussion with staff due to concerns about the issue.

Councilor Chipman stated that there is a conflict on the January 24 City Council meeting with the Iowa League of Cities meeting. She requested that staff propose a different date.

Mayor Salm encouraged all to check ceiling fans and exhaust fans in bathrooms.

Adjournment.

At 8:45 p.m., Wayson moved, Kuhl seconded to adjourn. All ayes. Meeting adjourned.

CITY OF NORTH LIBERTY

By: _____
Thomas A. Salm, Mayor

Attest:

Tracey Mulcahey, City Clerk