

Consent Agenda



Minutes
North Liberty City Council
January 10, 2012
Regular Session

Call to order.

At _ p.m., Mayor Pro Tem Gerry Kuhl called the January 10, 2012 Regular Session of the North Liberty City Council to order. Council members present: Chipman, Donahue, Hoffman, Kuhl, Wayson; absent – Mayor Salm.

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

Approval of the Agenda.

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

Consent Agenda.

Hoffman moved, Wayson seconded to approve the Consent Agenda including the City Council Minutes from the Regular Session on December 27, 2011 and the attached list of Claims. The vote was: ayes- Wayson, Kuhl, Chipman, Donahue, Hoffman; nays –none. Motion carried.

Public Comment.

No public comment was offered.

City Attorney Report.

City Attorney Peterson provided an update on the Board/Commission appointment issue. The criteria for boards/commissions have inconsistencies. The Mayor wants to have discussion to provide guidance to staff. This will be on the next agenda.

The Council can establish rules under Iowa law. Peterson has a draft ready. The rules include general rules of operation, public participation, and rules of procedure. He will be sending out the draft for Council review. Council was asked to make sure nothing was overlooked. The Council Rules might be ready for consideration at the next Council meeting.

In reviewing the Open Records Policy and Form, Peterson reported that there is not a need for change at this point and time.

Councilor Chipman requested including gender balance policy for board and commissions in the upcoming discussion.

City Engineer Report.

City Engineer Trom had no report, but offered to answer questions.

City Administrator Report.

City Administrator Heiar reported that staff has been busy with budget preparation. The packet will be sent out tomorrow morning.

The budget work Session will be held next Tuesday, January 17 at 4:30 p.m. Department heads will be present to answer any questions that might come up.

The next City Council meeting will be held on Monday, January 23 starting at 6:30 p.m. The meeting is being moved to accommodate the Iowa League of Cities Legislative Day in Des Moines on Tuesday. The earlier start is to accommodate the Library Expansion Project presentation by Neumann Monson.

Heiar is meeting with North Liberty Development next week regarding the Small Business Program. The program will be presented with both North Liberty Development and the Entrepreneurial Center being present.

In the previous City Code, a section was included that was adopted in 2003 that allows for geese and antlerless deer to be hunted in the city limits. When the new code was adopted, this section was omitted. In 2003, the Council spent time discussing this policy with IDNR. Council would like to see this issue on an upcoming agenda for discussion. Council recommended asking IDNR to weigh in.

Street and Maintenance Facility Project.

Heiar, Don Colony, Street Superintendent, and Brian Gotwals from Shive-Hattery led the discussion regarding proposed plan for Maintenance Facility. Staff proposes to go ahead with the wash bay bid with additional funding added to the project budget. Other bid items could potentially be picked up if contingencies allow. Gotwals summarized the bids received and the proposed prioritization of the alternates for the project. Council discussed the wash bay, allowances in the bids, electrical on the site and emergency power.

Chipman moved, Hoffman seconded to approve the Resolution Number 12-01, A Resolution accepting the bid from Garling Construction for the Streets and Maintenance Facility Project. After discussion, the vote was: ayes – Kuhl, Hoffman, Chipman, Wayson; nays – Donahue. Motion carried.

Road Use Tax Issuance.

At 7:51 p.m., Mayor Pro Tem Kuhl opened the Public Hearing on a Revenue Loan Agreement in a principal amount not to exceed \$2,200,000. No oral or written comments were received. The public hearing was closed.

Hoffman moved, Wayson seconded to approve Resolution Number 12-02, A Resolution taking additional action to enter into a Road Use Tax Revenue Loan Agreement. The vote was: ayes – Donahue, Chipman, Wayson, Hoffman, Kuhl; nays – none. Motion carried.

Parking Regulations.

Wayson moved, Chipman seconded to approve Resolution Number 12-03, A Resolution approving Parking Control Devices in the City of North Liberty, Iowa. After discussion, the vote was: ayes – Chipman, Hoffman, Kuhl, Wayson, Donahue; nays – none. Motion carried.

Sign Ordinance Amendment.

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

Old Business.

Councilor Chipman requested an update on Casey's project. Wheatley provided an update on his discussions with Casey's for the updated plan. Casey's is in the process of modifying plans to have additional masonry installed. Councilor Donahue would like to review the plan for the building prior to approval by the City Planner.

New Business.

Councilor Kuhl spoke regarding the TIF Forum hosted by Sen. Joe Bolkcom. He encouraged council to review tape. On January 21, there is a follow up forum at the Johnson County Health and Human Services Building.

Councilor Wayson stated that the snow fences on Forvergreen Road have done a great job this year.

City Administrator Heiar presented information about the City of Literature program happening this weekend, One Book, Two Book. He encouraged all to google UNESCO Iowa City for additional information. Cherry Street will be closed intermittently on Sunday for the train portion of the event.

Adjournment.

At 8:02 p.m., Wayson moved, Donahue seconded to adjourn. All ayes. Meeting adjourned.

CITY OF NORTH LIBERTY

By: _____
Gerald L. Kuhl, Mayor Pro Tem

Attest:

Tracey Mulcahey, City Clerk



Minutes

North Liberty City Council
January 17, 2012
Special Work Session

Call to order.

At 4:30 p.m., Mayor Salm called the January 17, 2012 Special Session of the North Liberty City Council to order. Council members present: Chipman, Donahue, Kuhl, Wayson; absent – Hoffman.

Others present: Ryan Heiar, Tracey Mulcahey, Dave Ramsey, Eric Vandewater, Tom Palmer, Greg Metternich, Debra Hilton, Shelly Simpson, Guy Goldsmith, Dean Wheatley, Cheryle Caplinger, Scott Peterson, Erika Harper, Jennie Garner, Kevin Trom, Diane Venenga, Don Colony and other interested parties.

Approval of the Agenda.

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

Budget Presentation – FY 2013.

City Administrator Heiar presented the plan for the presentation for the meeting. Councilor Kuhl thanked Heiar for inviting department heads here. Council discussed salaries. Heiar stated that the numbers are simply placeholders until a better number can be determined.

General Fund

The Public Works budget was presented with no proposed amendments from FY 12. Council had no questions or comments.

The Health and Social Services budget was presented with no proposed changes from the FY 12 budget. Council had no questions or comments.

The Culture and Recreation budget includes the Library, Parks, Recreation, Community Center, Cemetery and Aquatic budgets.

The Library is requesting to add an additional part time page to the Library staff. With the new addition, five part time pages will be requested.

The Parks Department is requesting additional summer help for the landscaping in intersections on Highway 965. Staff has looked at contracting these services out and found

it more cost effective to do it in house. Two equipment purchases have been requested, snow removal equipment replacement and a large area mower.

The Recreation Department is requesting funds for duct cleaning, cardio equipment updates, replacement of aging BASP van and a phase of the replacement of meeting room tables and chairs. The department investigated leasing of new cardio equipment. The cost to buy outright was more cost effective than leasing. The City would have a contract for maintenance in either situation.

Councilor Hoffman arrived at 4:45 p.m.

The Community Center budget is for building maintenance contracts. No change is proposed to the Cemetery budget.

The proposed Aquatic Center budget allocates funds for an ultraviolet unit for the indoor pool, repainting walls of the indoor pool, and repainting of the outdoor slide.

Council discussed the proposed budgets with staff. No changes were proposed.

The Public Safety budget includes Police, Emergency Management, Building Safety, Fire, and Animal Control.

The Police Department budget proposes one new police officer, replacing an aging squad car, replacing both furnaces, software licensing, and radio repair and parts cost. There is no change to Emergency Management or Building Safety.

The Fire Department budget has many capital projects proposed for FY 13. These projects, SCBA, training pad, new fire engine, and an ATV, are to be funded with capital reserves. The exhaust removal system, estimated at \$50,000 is not included in the budget. The Fire Department management team is proposing to seek grants to fund the system.

The Animal Control budget has increased by \$20,000 due to the unknowns in the way animal control is handled by Iowa City.

Council discussed the proposed budgets. A canopy was proposed to be added to the Police Department's budget to provide cover for cars. The Police Department replacement factor worksheet was discussed at length. The Fire Department budget was discussed in detail. Councilor Hoffman requested the fund balance on the Fire Capital fund. Heiar provided. Councilor Kuhl wants the exhaust system included in the budget with or without grant funds. The system was discussed in detail. Council discussed the proposed SCBA and ATV purchases. Council discussed the proposed replacement of Fire Engine number 112. The truck is 20 years old. New model will have safety upgrades for better operation.

Council discussed the proposed amendment to the Animal Control budget.

The Community and Economic Development budget includes Planning and Zoning, Economic Development, and Telecommunications.

ICAD is requesting \$50,000 for the next four fiscal years. There will be more discussion on this at the next budget meeting.

The Planning and Zoning budget is not significantly different. The Telecommunications budget includes \$5,000 for equipment upgrades and/or replacement.

Council discussed the proposed budgets.

The General Government budget includes Mayor and Council, General Administration, Legal, and Personnel budgets.

Heiar stated that there are no significant changes to any of the budgets other than Legal. The City Attorney position is proposed to go to a full time position from the three quarters position.

Councilor Kuhl asked about the potential to bring a City Engineer on staff. Heiar reported that working with a private company brings so many other tools, including other expertise, equipment and software. Kuhl cited Coralville as an example of City Engineer on staff. Heiar stated that Coralville still contracts much of their engineering work out.

Council discussed the proposed change in the City Attorney position. No changes were proposed.

The Water Budget was presented. A 12% rate increase is proposed. The costs of the ASR well in electricity and the additional testing costs due to population level are resulting in significant additional operational costs. Council discussed the proposed capital projects. Rate structure was discussed.

The FY 13 Wastewater Budget was proposed. An 8% increase is recommended. The requested additional employee has been postponed to FY 14. The budget includes a fork lift, a storage building and set aside for membrane train replacement.

Heiar presented the proposed Road Use Tax budget. Staff has increased the revenue projects in the Road Use Tax fund. Projects proposed include replacing the ditch mower, electric gate on the south side of the facility, and an overlay on North Dubuque Street. Council discussed debt service and funding of the maintenance facility. Councilor Kuhl is anxious to get the electrical system completed.

The Storm Water Budget for FY 13 includes the purchase of a leaf vacuum machine. North Liberty is an MS-4 community resulting in additional regulations. The City may consider a rate increase in the future. Council discussed the storm water budget.

General fund revenues were presented and discussed. North Liberty had an 11% growth in valuation. Councilor Kuhl stated he is satisfied with the budget.

The next budget meeting is proposed for January 31. At that meeting the Hotel/Motel tax expenditures, Capital projects and Wages/Benefits will be discussed.

Adjourn.

At 6:49 p.m., Donahue moved, Wayson seconded to adjourn. All ayes. Meeting adjourned.

CITY OF NORTH LIBERTY

By: _____
Thomas A. Salm, Mayor

Attest:

Tracey Mulcahey, City Clerk

DECEMBER 31ST, 2011

	MONTH-TO-DATE BALANCE	YEAR-TO-DATE BALANCE
010-GENERAL FUND	253,253.27	3,569,468.75
011-FIRE EQUIPMENT CAPITA	0.00	0.00
012-LIBRARY CAPITAL FUND	0.00	0.00
013-RECREATION CAPITAL FU	0.00	0.00
014-POLICE CAPITAL FUND	1,470.00	8,630.00
015-TRANSPORTATION IMPACT	0.00	0.00
016-STORMWATER IMPACT FEE	0.00	0.00
017-TREE PROGRAM	0.00	0.00
018-PARK CAPITAL FUND	0.00	98,453.00
019-YOUTH SPORTS SCHOLARS	655.00	5,997.61
020-EQUIPMENT REVOLVING	721.75	9,895.93
021-TELECOMMUNICATIONS EQ	0.00	2,000.00
022-LIBRARY TAG	0.00	0.00
023-LIBRARY ENDOWMENT	0.00	0.00
024-DRUG TASK FORCE	0.00	433.81
025-POLICE SEIZED FUNDS	0.00	397.00
060-ROAD USE TAX FUND	98,166.21	668,289.91
061-STREET CAPITAL PROJEC	0.00	9,590.02
062-IJOBS STREETS	0.00	0.00
090-TIF FUND	23,937.18	1,722,731.98
110-DEBT SERVICE FUND	0.00	6,995,105.09
210-TRUST AND AGENCY	9,870.75	391,064.49
280-CUSTOMER DEPOSITS	7,390.00	79,530.00
310-COMMUNITY CENTER II C	0.00	0.00
311-FRONT STREET RECONSTR	0.00	0.00
312-CHERRY STREET RECONST	0.00	0.00
313-TIF PROJECTS	0.00	0.00
314-ENTRYWAY DEVELOPMENT	0.00	0.00
315-HIGHWAY 965 IMPROVEME	0.00	2,017.00
316-COMMUNITY CENTER PHAS	0.00	0.00
317-TRAIL PROJECTS	0.00	0.00
318-EC DEVELOPMENT PROJEC	0.00	0.00
319-PENN STREET IMPROVEME	0.00	0.00
320-LIBERTY CENTER PROJEC	0.00	0.00
321-LAND/FACILITIES	0.00	2,117.65
322-LIBRARY BUILDING FUND	113,829.60	141,837.98
323-LIBERTY CENTRE BLUES/	0.00	0.00
324-RANSHAW HOUSE PROJECT	2.01	8,012.06
510-WATER FUND	170,668.34	1,124,880.76
511-WATER CAPITAL RESERVE	4,541.67	36,371.02
512-WATER SINKING FUND	60,157.08	360,942.48
513-WATER BOND RESERVE	0.00	0.00
514-WATER CAPITAL PROJECT	0.00	0.00
520-SEWER FUND	212,731.73	1,303,589.05
521-SEWER CAPITAL RESERVE	12,083.33	73,362.98
522-SEWER SINKING FUND	86,905.25	521,431.50
523-WASTEWATER TREATMENT	0.00	2,500.00
524-SEWER TRUNK AND I&I	0.00	0.00
525-SEWER DEBT SERVICE RE	0.00	0.00
530-STORMWATER MANAGEMENT	13,539.96	80,308.82
532-STORMWATER SINKING FU	0.00	0.00
GRAND TOTAL REVENUE	1,069,923.13	17,218,958.89

License Application (BB0033075)

Applicant

Name of Applicant:	<u>FMNL, LLC</u>		
Name of Business (DBA):	<u>Pancho's Mexican Grill</u>		
Address of Premises:	<u>650 Community Drive</u>		
City: <u>North Liberty</u>	County: <u>Johnson</u>	Zip: <u>52317</u>	
Business Phone:	<u>(319) 545-6565</u>		
Mailing Address:	<u>2475 Coral Court</u>		
City: <u>Coralville</u>	State: <u>IA</u>	Zip: <u>52241</u>	

Contact Person

Name:	<u>Kinsey Bartlett</u>		
Phone:	<u>(319) 545-6565</u>	Email Address:	<u>kinseyb@pancheros.com</u>

Classification: Class B Beer (BB) (Includes Wine Coolers)

Term: 12 months

Effective Date: 03/01/2012

Expiration Date: 02/28/2013

Privileges:

Class B Beer (BB) (Includes Wine Coolers)
Sunday Sales

Status of Business

BusinessType:	<u>Limited Liability Company</u>		
Corporate ID Number:	<u>414319</u>	Federal Employer ID #	<u>27-0727434</u>

Ownership

Kristin HardyFirst Name: KristinLast Name: HardyCity: CoralvilleState: IowaZip: 52241Position Shareholder% of Ownership 10.00 %

U.S. Citizen

Laura AndersonFirst Name: LauraLast Name: AndersonCity: CoralvilleState: IowaZip: 52241Position Shareholder% of Ownership 37.50 %

U.S. Citizen

Rodney AndersonFirst Name: RodneyLast Name: AndersonCity: CoralvilleState: IowaZip: 52241Position Manager of LLC% of Ownership 0.00 %

U.S. Citizen

Wendell MooreFirst Name: WendellLast Name: MooreCity: DebaryState: FloridaZip: 32713Position Shareholder% of Ownership 10.00 %

U.S. Citizen

Insurance Company InformationInsurance Company: Indiana InsurancePolicy Effective Date: 03/01/2012Policy Expiration Date: 03/01/2013

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

nailed Tracey - Bryan H - Jim W. 12/27/2012
SB 003075 - Expires 2/29/12

LLA2012-

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

License Type Class B Beer Liquor Sunday Sales Wine Wine coolers New Renewal Amended

Legal Name of Applicant: Pancho's Mexican Grill

Name of Business (DBA): FMNL, LLC

Address of Business: 650 Community Dr. Suite B North Liberty

Business Phone No. Shannon Krause (319) 545-6565

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]

12-28-11

Code Official

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

12/27/11
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

Thursday January 12, 2012

Panchero's
650 Community DR
Suite #B
North Liberty, IA 52317

An inspection of your facility on Thursday January 12, 2012 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 Thursday January 12, 2012

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
7.2.1.2 30 Day Inspection.			0	1
Fire extinguishers shall be inspected either at a minimum of 30-day intervals by staff. Documentation of the 30 day inspection shall be recorded on the backside of the inspection tag (Date & Initials) or on a log book.				
- Have employee's conduct a visual check of all fire extinguishers and then date & initial the backside of the tag located on the fire extinguisher.				
- Completed during inspection.				
Repaired 01/12/2012				
605.3 Working space and clearance			0	1
A working space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space. Exceptions: 1. Where other dimensions are required or allowed by NFPA 70. 2. Access openings into attics or under-floor areas which provide a minimum clear opening of 22 inches (559 mm) by 30 inches (762 mm).				
- No combustible storage is allowed below or in front of the electrical panels. Remove storage and garbage cans.				

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

NLFD Fire Code Violation Notice

Thursday January 12, 2012

Panchero's
650 Community DR
Suite #B
North Liberty, IA 52317

609.3.3.1 TBL Cleaning Intervals 0 1

Kitchen cooking hood needs the hood, duct and exhaust fan cleaned every six months by a professional company.

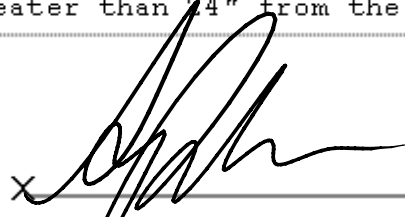
315.2.1 Ceiling clearance 0 0

Storage shall be maintained 2 feet (610 mm) or more below the ceiling in nonsprinklered areas of buildings or a minimum of 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings.

- Reduce storage above the cooler to greater than 24" from the ceiling.



HARDIN, BRYAN
Inspector



Occupant/Owner

Change Order No. 7

Date of Issuance: 1-17-12

Effective Date: 1-17-12

Project: Jones Boulevard Improvements	Owner: City of North Liberty	Owner's Contract No.: NA
Contract: NA	Date of Contract: 3-21-10	
Contractor: Horsfield Construction, Inc.		Engineer's Project No.: 110143-0

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Field modify landscaping along Jones Boulevard near St. Andrews Drive. Modifications per Culvers Landscaping and City Inspector. Agreed upon lump sum cost deduct due to decrease in amount of materials required. Added temporary striping Lump sum amount (\$715.00) as directed by City staff.

Attachments: (List documents supporting change): Horsfield Landscaping deduct proposal dated 1/3/12.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: \$ <u>2,441,604.95</u>	Original Contract Times: <input checked="" type="checkbox"/> Working Days <input type="checkbox"/> Calendar Days Substantial completion (days or date): <u>140</u> Ready for final payment (days or date): <u>160</u>
Increase from previously approved Change Orders Nos. 1-6. \$ <u>106,211.34</u>	Increase from previously approved Change Orders No. 1 to No. 6. Substantial completion (days): <u>0</u> Ready for final payment (days): <u>0</u>
Contract Price prior to this Change Order: \$ <u>2,547,816.29</u>	Contract Times prior to this Change Order: Substantial completion (days or date): <u>142</u> Ready for final payment (days or date): <u>162</u>
Decrease of this Change Order: \$ <u>(285.00)</u>	Increase of this Change Order: Substantial completion (days or date): <u>0</u> Ready for final payment (days or date): <u>0</u>
Contract Price incorporating this Change Order: \$ <u>2,547,531.29</u>	Contract Times with all approved Change Orders: Substantial completion (days or date): <u>143</u> Ready for final payment (days or date): <u>163</u>

RECOMMENDED:

ACCEPTED:

ACCEPTED:

By: *Cory B. Taylor*
Engineer (Authorized Signature)

By: _____
Owner (Authorized Signature)

By: *Scott Boyerding*
Contractor (Authorized Signature)

Date: 1/17/12

Date: _____

Date: 1/18/12

Approved by Funding Agency (if applicable): _____ Date: _____