

COUNCIL AGENDA, CITY OF COUNCIL BLUFFS, IOWA
REGULAR MEETING 06/28/2010 7:00 PM
COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL
209 PEARL STREET

AGENDA

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER

3. CONSENT AGENDA

- A. Approval of agenda and tape recording of this proceeding to be incorporated into the official minutes
- B. Reading, correction and approval of the June 14, 2010 City Council meeting minutes
- C. Ordinance 6091, amending the zoning map as adopted by reference in Section 15.02.040, by changing the district designation of a strip of (approximately one-half block wide) east of South 15th Street between 23rd and 28th Avenues (including any abutting vacated right-of-way), from R-2/Two Family Residential District to A-2/Parks, Estates and Agricultural District, as set forth and defined in Chapters 15.09, 15.15, 15.21 and 15.05 and setting a Public Hearing for July 12, 2010 at 7:00 p.m.
- D. Ordinance 6092, amending Chapter 15.14 - C-1 Commercial District" by amending Chapter 15.14.020 "Principal Uses" to remove "Funeral Service", "Hotel/Motel", "Private Parking Lot" and "Public Parking Lot", and by amending Section 15.14.030 "Conditional Uses" to update the reference from Chapter 15.27 to Chapter 15.02 and setting a Public Hearing for July 12, 2010 at 7:00 p.m.
- E. Resolution 10-195, setting a Public Hearing for July 12, 2010 at 7:00 p.m., on the Plans, Specifications and Form of Contract for the Scott Street Parking Lot Project
- F. Resolution 10-197, setting a Public Hearing on the Plans, Specifications and Form of Contract for July 12, 2010, at 7:00 p.m., for the River's Edge Park Project, Phase 1

4. ORDINANCES ON FIRST READING

- A. Ordinance 6093, amending Chapter 3.62 "Transient merchants", by amending Sections 3.62.130 "Charitable or religious organizations" and 3.62.135 "School fundraising activities" to prohibit unwanted sales at residences where signs are posted as set forth in Section 3.62.100(h)
- B. Ordinance 6094, amending Chapter 9.16 "Signs and Signals" by amending Section 9.16.055 "Automated red light enforcement" to maintain the penalty amount at \$107.25

- C. Ordinance 6095, amending Chapter 3.08 "Beer and Liquor Control", by amending Section 3.08.045 "Exceptions to Section 3.08.040(5)", to allow open air taverns in areas not zoned C-4 when the liquor license establishment is a legal non-conforming use and the area does not exceed 150 square feet, with restrictions

5. ORDINANCES ON SECOND READING

- A. Ordinance 6089, amending Chapter 3.08 "Beer and Liquor Control" by amending Section 3.08.190 "Prohibited sales and acts", and by enacting a new Section 3.08.192, to be entitled "Signage requirements"
- B. Ordinance 6090, amending Chapter 8.10 "Alcohol--Possession/Consumption" by amending Section 8.10.010 "Open container", and Section 8.10.020 "Consumption in public places"

6. ORDINANCES ON THIRD READING

- A. Ordinance 6086, amending Chapter 15.26 "Nonconformities" by amending Section 15.26.030 "Nonconforming uses", to allow the addition of an outdoor area of less than 150 square feet for the purpose of adding an outdoor dining or open air tavern to a pre-existing liquor license establishment without being deemed an enlargement of a pre-existing use; and by amending Sections 15.26.030(4) and 15.26.060 to update the reference from Chapter 15.27 to Chapter 15.02

B. ORDINANCES FOR THIRD CONSIDERATION: RECOMMENDATION FOR DENIAL

- B)1) Ordinance 6059, amending Chapter 13.12 entitled "Plumbing Code" of Title 13 entitled "Building and Construction" by adding Section 13.12.024 entitled "Administrative Provisions", by adding Section 13.12.026 entitled "Fuel Gas Piping", by adding Section 13.12.028 entitled "Code Amendments", and by deleting Sections 13.12.030 to 13.12.110 (continued from 4/12/2010)
- B)2) Ordinance 6060, amending Title 13 entitled "Building and Construction" by repealing Chapter 13.16 in its entirety and enacting a new Chapter 13.16 entitled "Electrical Code" (continued from 4/12/2010)
- B)3) Ordinance 6063, amending Title 13 entitled "Building Construction" by amending in part Chapter 13.27 to be entitled "Swimming Pool, Spa and Hot Tub Code" (continued from 4/12/2010)
- B)4) Ordinance 6064, amending Title 13 entitled "Building and Construction" by amending Chapter 13.21 which is entitled "Property Maintenance Code" (continued from 4/12/2010)
- B)6) Ordinance 6066, amending Title 13 entitled "Building and Construction", by amending Chapter 13.26 to be codified and entitled "Fuel Gas Code" (continued from 4/12/2010)
- B)7) Ordinance 6067, amending Title 13 entitled "Building and Construction", by enacting a new Chapter 13.01 to be codified and entitled "Administrative Provisions" (continued from 4/12/2010)

- B)8) Ordinance 6070, amending Title 13 entitled "Building and Construction" by amending Chapter 13.06 entitled "Residential Code" (continued from 4/26/2010)
- B)9) Ordinance 6072, amending Title 13 entitled "Building and Construction" by amending Chapter 13.23 which is entitled "Existing Building Code" (continued from 4/26/2010)
- B)10) Ordinance 6073, amending Title 13 entitled "Building and Construction" by repealing Chapter 13.08 entitled "Building Code" in its entirety and enacting a new Chapter 13.08 entitled "Building Code" (continued from 4/26/2010)

7. RESOLUTIONS

- A. Resolution 10-199, authorizing the Mayor to amend the Council Bluffs Pre-Disaster Mitigation Plan
- B. Resolution 10-200, approving the City of Council Bluffs' Citizen Participation Plan as a requirement of the Consolidated Plan process as outlined in 24 CRF 91.105 of the Housing and Community Development Act of 1974, as amended
- C. Resolution 10-201, authorizing a joint application to the Iowa Department of Economic Development by the Council Bluffs Enterprise Zone Commission and 510 Bluff Street Limited Liability Company for Enterprise Zone benefits
- D. Resolution 10-202, approving and authorizing an application to the Iowa Department of Economic Development for the certification and designation of Enterprise Zone 8 (EZ-8)
- E. Resolution 10-203, authorizing the Mayor and City Clerk to execute an agreement with Griffin Dewatering North Central, L.L.C., for the Levee Relied Wells Project
- F. Resolution 10-204, authoring the acquisition of 147 North 40th Street and two adjacent vacant lots as part of the Playland Park Redevelopment Project
- G. Resolution 10-205, awarding a contract in the amount of \$325,500.00 to Nelson-Hill for the City Hall Window Replacement Project
- H. Resolution 10-206, approving the Preliminary Offering Statement for \$7,300,000 (amount subject to change) G.O. Bonds, Series 2010C
- I. Resolution 10-207, authorizing the Mayor and City Clerk to execute a contract between the City of Council Bluffs and the Visiting Nurses Association of Pottawattamie County
- J. Resolution 10-208, authorizing the Mayor and City Clerk to execute a contract between the City of Council Bluffs and Dr. Ruben Altman

8. MAYOR'S APPOINTMENTS

- A. Mayor's Recommendations of Appointment:
 - 1. Council Bluffs Arena & Convention Center Commission
 - a. Appoint Bo Guidry with a term expiring July 1, 2012
 - b. Reappoint Scott Doll, Verne Welch and Chuck Smith with terms expiring July 1, 2014
 - 2. General Contractors Board of Appeals
 - a. Reappoint Mark Andersen with a term expiring March 22, 2015
 - 3. Plumbing Board of Appeals
 - a. Reappoint Bill Riley with a term expiring April 1, 2012
 - 4. Board of Water Works Trustees
 - a. Reappoint Carl Heinrich with a term expiring June 30, 2015
 - b. Reappoint Maureen R. Kruse with a term expiring June 30, 2016

9. RECEIVE AND FILE ITEMS

- A. Cash Balance Statement, May 31, 2010
- B. List of Bills, May 31, 2010
- C. Notice of Claim (1)
- D. Notices of Right of Redemption (9)
- E. Salvage Yard Applications:
 - 1. Cox Contracting Company, Inc., 202 West 29th Avenue
 - 2. South End Salvage & Recycling, 1319 South 17th Street

10. APPLICATIONS FOR PERMITS AND CANCELLATIONS

- A. RENEWAL APPLICATIONS FOR BEER/WINE/LIQUOR, OUTDOOR PERMITS:
 - 1. Bucky's #17, 1759 Madison Avenue
 - 2. Bucky's #34, 3501 West Broadway
 - 3. Bucky's #27, 2713 South 24th Street
 - 4. Caddy Shack, 1426 4th Avenue
 - 5. The Fiddlin' Monkey, 154 West Broadway (including outdoor dining)
 - 6. Fox Run Golf Course, 3001 MacIneery Drive
 - 7. Hard Luck Saloon, 628 16th Avenue
 - 8. Hooters, 2910 23rd Avenue
 - 9. LPL's Restaurant, 1707 Harry Langdon Boulevard
 - 10. Queen of Apostles Church, 3304 4th Avenue
 - 11. Thunderbowl, 1900 Madison Avenue
- B. Cigarette Permit Applications (30)

11. CITIZENS REQUEST TO BE HEARD

12. OTHER BUSINESS

13. ADJOURNMENT