

**RECORD OF PROCEEDINGS**

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- CALL TO ORDER** A regular meeting of the Council Bluffs City Council was called to order by Mayor Thomas P. Hanafan, on Monday, January 24, 2011 at 7:00 p.m.
- ATTENDANCE** Council Members present: Lynne Branigan, Sheryl Garst, Melissa Head, Matt Walsh and Sharon White. Staff present: Richard Wade, City Attorney and Marcia Worden, City Clerk.
- CONSENT AGENDA** Walsh and Branigan moved and seconded approval of the consent agenda. Unanimous.
- PUBLIC HEARINGS**  
Resolution 11-13 Held Public Hearing, approving the Plans, Specifications, Form of Contract and Cost Estimate for the Council Bluffs Public Library Parking Lots Project. Walsh and White moved and seconded approval. Unanimous.
- Resolution 11-14 Held Public Hearing, granting final plat approval for Fienhold Subdivision, a replat of Lots 1 – 4, Block 9, Mullin's Addition. Garst and Head moved and seconded approval. Unanimous.
- Resolution 11-15 Held Public Hearing, granting final plat approval for Casey's 1<sup>st</sup> Addition, a replat of Parcels "A", "B" & Lot 7, Block 19, Hughes and Doniphan's Addition. Heard from Wally Pelds, 2323 Dixon Street, Des Moines, representing Jeff Ballenger and Casey's General Stores, speaking in favor of the replat. Walsh and Branigan moved and seconded approval. Unanimous.
- ORDINANCES ON 3<sup>RD</sup> CONSIDERATION**  
6114 Walsh and White moved and seconded approval, amending Chapter 9.40 "Loading Zone" by amending Section 9.40.010 "Authority of traffic engineer – Unlawful stopping or parking" and Section 9.40.040 "Loading Zone". Unanimous. Ordinance 6114 passed into law.
- Ordinance 6117 Walsh and White moved and seconded approval, amending the zoning map as adopted by reference in Section 15.02.040, by changing the district designation of certain grounds, premises and property located at 1406 7<sup>th</sup> Avenue, from R-3/Low Density Multi-Family Residential to I-1/Light Industrial, as set forth and defined in Chapters 15.10 and 15.20. Unanimous. Ordinance 6117 passed into law.
- Ordinance 6118 Garst and Head moved and seconded approval, providing that general property taxes levied and collected each year on all property located within the River Road Urban Renewal Area, in the City of Council Bluffs, County of Pottawattamie, State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Iowa Western Community College, Council Bluffs Community School District, Loess Hills Area Education Agency 13, and other taxing districts, be paid to a special fund for payments of principal and interest of loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the River Road Urban Renewal Area. Voice Vote: 4 Ayes; 1 Abstention (Branigan). Ordinance 6118 passed into law.
- Ordinance 6119 Head and Garst moved and seconded approval, providing that general property taxes levied and collected each year on all property located within the Franklin Avenue Urban Renewal Area, in the City of Council Bluffs, County of Pottawattamie, State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Iowa Western Community College, Lewis Central Community Schools, Loess Hills Area Education Agency 13, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Franklin Avenue Urban Renewal Area. Unanimous. Ordinance 6119 passed into law.

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Ordinance 6120 Walsh and Head moved and seconded approval, amending Chapter 15.03 "Definitions" by amending Section 15.03.048A "Automobile sales and rental" to exempt motorcycle and other small equipment sales from the minimum lot size requirement. Unanimous. Ordinance 6120 passed into law.

**RESOLUTIONS**  
Resolution 11-16 Walsh and Head moved and seconded approval, amending the restrictive covenants on property known as Bluffs Vision Subdivision. Unanimous.

Resolution 11-17 Branigan and Garst moved and seconded approval, adopting the policy banning the possession of firearms in City-owned buildings. Unanimous.

Resolution 11-18 Branigan and Head moved and seconded approval, approving changes to the authorized staffing levels of the Parks, Recreation and Public Property Department. Unanimous.

Resolution 11-19 Branigan and Head moved and seconded approval, of a three-year contract between the City of Council Bluffs and the Fraternal Order of Police, Lodge #1. Unanimous.

Resolution 11-20 Walsh and Branigan moved and seconded approval, authorizing the Mayor and City Clerk to execute a Commercial Lease Agreement with the Iowa Department of Transportation for the Riverfront Park Parking Lot under I-480 Bridge, Agreement #IMN-29-3(65)54-OE-78. Unanimous.

Resolution 11-21 Walsh and White moved and seconded approval, authorizing the Mayor and City Clerk to enter into an agreement with Yamaha Golf Carts for the Golf Cart Lease at Dodge Riverside Golf Course. Unanimous.

Resolution 11-22  
Resolution 11-23  
Resolution 11-24 Branigan and Head moved and seconded approval, authorizing the Mayor to execute the Order Accepting the Acknowledgement/Settlement Agreements from No Frills Supermarket, Ameristar Casino Gift Shop and Tienda Mexicana for violations of Iowa Code Section 453A.2(1). Unanimous.

**MAYOR'S APPOINTMENTS**  
Motion by Walsh concurring with the recommendation of Item 7A (1-6) regarding Mayor's Appointments, second by Head: 1. Citizens/Police Advisory Board, reappoint Greg Reiner, Brenda Boyle, Patti Johnson and John H. Vinson, with terms expiring October 27, 2016; 2. Council Bluffs Arena & Convention Center Commission, reappoint Chuck Smith, with a term expiring July 1, 2014; 3. Board of Electrical Examiners, reappoint Marj Phillips, with a term expiring September 1, 2014; 4. Historic Preservation Commission, reappoint Alisa Roth and Beth Lindquist, with terms expiring December 31, 2013; 5. Local Board of Health, reappoint Dr. Dennis Jones and Dr. A. R. Fisher, with terms expiring December 13, 2013; 6. Municipal Housing Agency, appoint Kathryn Cutler and Brett Ryan, with terms expiring July 31, 2012. Unanimous.

**RECEIVE AND FILE ITEMS**  
Garst and Walsh moved and seconded approval of Receive and File Items 8A-8E (1-2): 8A. Cash Balance Statement (December 2010); 8B. List of Bills (December 2010); 8C. Notice of Claim (1); 8D. Notice of Right of Redemption (1); 8E. Salvage Yard License Applications (1-2): 1. Robert Peters, 1709 10<sup>th</sup> Avenue; 2. Watco Mechanical Services, 1101 South 21<sup>st</sup> Street. Unanimous.

**APPLICATIONS FOR PERMITS & CANCELLATIONS**  
Walsh and Head moved and seconded approval of New & Renewal Applications for Beer/Liquor & Wine Permits regarding Items 9A (1-2). 1. Famous Dave's, 50 Arena Way; 2. I-80 Liquor, 2411 South 24<sup>th</sup> Street. Unanimous.

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Garst thanked Cindy Lynch, Personnel Director and leadership of the Police Department for negotiating a good contract.

Heard from Martin Cannon, Attorney, 24000 210<sup>th</sup> Street, Crescent, requesting the Mayor's Office and Council to evaluate the process of restricting abortion clinics within the City of Council Bluffs.

Mayor Hanafan indicated it may take some time but the matter would again come before the City Council once a recommendation was made by staff and State leaders regarding police powers the City may have regarding abortion clinics.

Heard from the following individuals regarding the abortion clinic issue: Mary St. Francis, 1871 Woodland Drive, Fairfield; Martha Cornell, 2169 235<sup>th</sup> Street, Fort Dodge and Robin Strain, 1423 Avenue D.

**ADJOURNMENT**

Branigan and Head moved and seconded adjournment at 7:42 p.m.

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

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Thomas P. Hanafan, Mayor

ATTEST:

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Marcia L. Worden, City Clerk