

RECORD OF PROCEEDINGS

- CALL TO ORDER** A regular meeting of the Council Bluffs City Council was called to order by Mayor Thomas P. Hanafan, on Monday, November 8, 2010 at 7:00 p.m.
- ATTENDANCE** Council Members present: Scott Belt, Lynne Branigan, Melissa Head, Matt Schultz and Matt Walsh. Staff present: Richard Wade, City Attorney and Marcia Worden, City Clerk.
- CONSENT AGENDA** Branigan and Head moved and seconded approval of the consent agenda. Unanimous.
- PUBLIC HEARINGS**
Resolution 10-313 Held Public Hearing, to vacate and to dispose of a 15' by 160.6' triangle of Autumn Circle adjacent to 1301 Madison Avenue. Belt and Head moved and seconded approval. Unanimous.
- Resolution 10-314 Held Public Hearings, to vacate and dispose of the north/south alley between South 6th and South 7th Street, running south from Willow Avenue for 192'. Heard from Gary Woods, 12 Westlake Village, representing St. John Lutheran Church. Schultz and Head moved and seconded approval. Unanimous.
- Ordinance 6109 Held Public Hearing, amending the zoning map as adopted by reference in Section 15.02.040, by changing the district designation of approximately 319 acres of newly annexed land (including 50.1 acres of Interstate 29 right-of-way) from A-3/River Front and Agricultural Production District (County) to A-2/Parks, Estates and Agricultural District (City) as set forth and defined in Chapter 15.05. Belt and Walsh moved and seconded approval. Unanimous.
- Ordinance 6110 Held Public Hearing, amending Title 13 entitled "Building and Construction" by enacting a new Chapter 13.23 to be codified and entitled "International Existing Building Code". Branigan and Head moved and seconded approval. Unanimous.
- ORDINANCES ON FIRST READING**
6111 Belt and Walsh moved and seconded approval, repealing Ordinance No. 5362 which approved the Tax Increment Financing District for the Bennett Avenue Urban Renewal Area and setting a Public Hearing for 7:00 p.m., November 22, 2010. Unanimous.
- Ordinance 6112 Belt and Walsh moved and seconded approval, repealing Ordinance No. 5416 which approved the Tax Increment Financing District for Featherstone Apartments Urban Renewal Area and setting a Public Hearing for November 22, 2010 at 7:00 p.m. Unanimous.
- Ordinance 6113 Walsh and Branigan moved and seconded approval, amending Title 17, entitled "Housing" amending Chapter 17.09 "Inspections". Unanimous.
- ORDINANCE ON 3rd READING**
Ordinance 6097 Walsh and Branigan moved and seconded approval, adopting the 2010 Municipal Code of Council Bluffs, Iowa. Unanimous. Ordinance 6097 passes into law.
- Ordinance's 6098 Walsh and Head moved and seconded approval of Items 6B – 6L, amending Title 13 "Building Construction"; Ordinance 6098, enacting a new Chapter 13.01 to be codified and entitled "Council Bluffs Uniform Administrative Code"; Ordinance 6099, amending Chapter 13.07 entitled "General Contractor's Registration"; Ordinance 6100, amending Chapter 13.06 entitled "Residential Code"; Ordinance 6101, enacting a new Chapter 13.08 entitled "Building Code"; Ordinance 6102, enacting a new Chapter 13.09 to be codified and entitled "Mechanical Code"; Ordinance 6103, enacting a new Chapter 13.12 "Plumbing Code"; Ordinance 6104, enacting a new Chapter 13.16 to be codified and entitled "Electrical Code"; Ordinance 6105, enacting a new Chapter 13.20 to be codified and entitled "Energy Conservation Code"; Ordinance 6106, enacting a new Chapter 13.26 "Fuel Gas Code"; Ordinance 6107, amending in part Chapter 13.27 to be entitled "Swimming Pool, Spa, and Hot Tub Code" and Ordinance 6108, relocate all of Chapter 13.21 in its entirety to Title 17 "Housing", Chapter 17.02 "International Property Maintenance Code". Unanimous. Ordinances 6098 – 6108 pass into law.

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RESOLUTIONS	
Resolution 10-315	Walsh and Head moved and seconded approval, repealing the Bennett Avenue Urban Renewal Plan and Area. Unanimous.
Resolution 10-316	Walsh and Head moved and seconded approval, repealing the Featherstone Apartments Urban Renewal Plan and Area. Unanimous.
Resolution 10-317	Belt and Branigan moved and seconded approval, repealing the 28 th Street and Avenue A Urban Renewal Plan and Area. Unanimous.
Resolution 10-318	Belt and Head moved and seconded approval, repealing the Amended Katelman Urban Renewal Plan and Area. Unanimous.
Resolution 10-319	Belt and Walsh moved and seconded approval, authorizing a letter of intent to execute a development agreement with Warren Distribution for the use of urban renewal assistance. Roll Call Vote: 4 Ayes; 1 Abstention (Branigan).
Resolution 10-320	Walsh and Head moved and seconded approval, authorizing the Mayor to execute a non-binding letter of intent to enter a development agreement by and between the City of Council Bluffs and West Iowa Land Development (WILD) for the use of urban renewal assistance. Unanimous.
Resolution 10-321	Branigan and Walsh moved and seconded approval, establishing the Snow and Ice Control Policy and Procedures as set forth by the Department of Public Works. Walsh referenced the winter of 2009 and the snow removal problems that occurred. Walsh also commending the Public Works Department for drafting a snow removal policy and reminded citizens living on emergency snow routes to be aware of declared snow emergencies. Heard from Kim Farrell, 323 Leeds Circle, concerned with snow removal and parking regarding cul-de-sacs. Unanimous.
Resolution 10-322	Walsh and Head moved and seconded approval, authorizing the Mayor and City Clerk to execute an agreement with Judds Brothers Construction Co., for the 2 nd Avenue Trunk Sewer Repair. Unanimous.
Resolution 10-323	Head and Walsh moved and seconded approval, accepting the proposal of L.G. Roloff Construction Co., for Emergency Sanitary Sewer Repairs. Unanimous.
Resolution 10-324	Walsh and Branigan moved and seconded approval, authorizing the Mayor to execute an agreement with Snyder & Associates, Inc., for professional services related to the East Manawa Trail Project. Unanimous.
Resolution 10-325	Branigan and Head moved and seconded approval, authorizing the City Clerk to certify to the Pottawattamie County Treasurer the 2010 Water, Sewer and Refuse Collection Lien Schedule for Nonpayment of Residential Refuse Collection Charges, Nonpayment of Sewer Rental Fees and the Nonpayment of Water Fees. Unanimous.
Resolution 10-326	Branigan and Schultz moved and seconded approval, determining the necessity and setting a consultation date of November 19, 2010 and a Public Hearing for December 13, 2010 at 7:00 p.m., on a proposed Franklin Avenue Urban Renewal Plan for a proposed urban renewal area in the City of Council Bluffs, State of Iowa. Unanimous.
Resolution 10-310	Walsh and Head moved and seconded approval, determining the necessity and setting the date of November 19, 2010, as a consultation date and setting a Public Hearing for December 13, 2010 at 7:00 p.m., regarding the River Road Urban Renewal Plan for a proposed urban renewal area in the City of Council Bluffs, State of Iowa. Roll Call Vote: 4 Ayes; 1 Abstention (Branigan).

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RECEIVE AND FILE ITEMS

Walsh and Schultz moved and seconded approval of Receive and File Item 8A. Notices of Claim (4). Unanimous.

APPLICATIONS FOR PERMITS & CANCELLATIONS

Belt and Schultz moved and seconded approval of Additional Privilege, New & Renewal Applications for Beer/Liquor & Wine Permits regarding Items 9A (1-5). 9A1. Applebee's Neighborhood Grill and Bar, 3000 Dial Drive; 9A2. Casey's General Store #34, 511 23rd Avenue; 9A3. Great Wall, 900 Woodbury Avenue; 9A4. Iowa Western Community College, 2700 College Road; 9A5. Pizza King, 1101 North Broadway. Unanimous.

Heard from Dennis Madden, 600 Hazel Street, referencing road maintenance on Hazel Street.

Heard from Jan Sutherland, 34 Hillsdale Drive, regarding radon resistance new construction techniques.

Branigan recognized and thanked Council Member's Belt and Schultz for their public service to the City of Council Bluffs and indicated their public service will continue in new capacities.

Branigan noted Council Member's will form an advisory board, any individuals interested in the Council vacancies shall submit their resumes to the City Clerk no later than 5:00 p.m., November 19, 2010. The advisory board will then submit their recommendations to the City Council by the deadline of January 5, 2011. Walsh added this situation is unusual, a majority vote of three is needed and an advisory board will help in the selection process.

ADJOURNMENT

Schultz and Branigan moved and seconded adjournment at 7:34 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.

Thomas P. Hanafan, Mayor

ATTEST:

Marcia L. Worden, City Clerk