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, July 27, 2009 at 7:00 p.m.

ATTENDANCE

Council Members present: Darren Bates, Scott Belt, Lynne Branigan, Matt Schultz and Matt Walsh. Staff present: Richard Wade, Cit Attorney and Marcia Worden, Acting City Clerk.

CONSENT AGENDA

Belt and Bates moved and seconded the approval of the consent agenda. Unanimous.

PUBLIC HEARINGS

Resolution 09-215

Held Public Hearing regarding Resolution 09-215, authorizing disposal of an interest in City property in connection with the Valley View Drive Extension Project. Walsh and Schultz moved and seconded approval of Resolution 09-215. Unanimous.

Resolution 09-216

Held Public Hearing regarding Resolution 09-216, authorizing the Mayor to submit an application to the Iowa Department of Economic Development for Supplemental Community Disaster Grant Program Funding for five (5) projects in the amount of $8,166,360.63 on the Playland Park Sanitary Sewer Lining; Lateral #5 Channel Lining and Pump Station Improvements; Missouri River Relief Well Replacement; North 28th Street Pump Station and Outfall; and 6th Avenue Sanitary Pump Station Emergency Generator. Belt and Walsh moved and seconded approval of Resolution 09-216. Unanimous.

Resolution 09-217

Held Public Hearing regarding Resolution 09-217, approving the Plans, Specifications, Cost Estimate and Form of Contract for the Council Bluffs Public Library Teen Center Renovation. Branigan and Schultz moved and seconded approval of Resolution 09-217. Unanimous.

Resolution 09-218

Held Public Hearing regarding Resolution 09-218, determining an area of the City to be a blighted area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary, in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for an Urban Renewal Project; and adopting Amendment No. 2 to the Playland Park Urban Renewal Plan. Branigan and Belt moved and seconded approval of Resolution 09-218. Unanimous.

ORDINANCES ON FIRST READING

Ordinance 6036

Branigan and Walsh moved and seconded approval of Ordinance 6036, amending Chapter 9.16, Signs and Signals" by amending Section 9.16.055 "Automated Red Light Enforcement" to amend the fine to the current schedule fine, including all surcharges and costs, as set by the Iowa Code. Branigan indicated extra revenue generated would go to off-set other public safety related items. Voice Vote: 3 Ayes; 2 Nays (Belt, Schultz).

Ordinance 6037

Belt and Bates moved and seconded approval of Ordinance 6037, amending Ordinance Nos. 5766 and 5859, providing that general property taxes levied and collected each year on all property located within the Amended Playland Park Urban Renewal Project 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, Council Bluffs Community School District, 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 Amended Playland Park Urban Renewal Redevelopment Project and setting a Public Hearing for August 10, 2009 at 7:00 p.m. Belt requested Community Development see that future amendments to this area include everything up to the southern boundaries of the railroad. Unanimous.

Ordinance 6038	Belt and Bates moved and seconded approval of Ordinance 6038, 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 3506 2nd Avenue and 3510 2nd Avenue from C-2/Commercial to R-3/Low Density Multi-Family Residential, as set forth and defined in Chapters 15.15 and 15.10 and setting a Public Hearing for August 10, 2009 at 7:00 p.m. Walsh indicated he'd be voting against the zoning classification on Aug. 10th if Community Development was unable to reach the property owner of 3510 2nd Avenue. Unanimous.
Ordinance 6039	Belt and Walsh moved and seconded approval of Ordinance 6039, amending Chapter 15.03 "Definitions" by amending 15.03.271 "Family Home" and setting a Public Hearing for August 10, 2009 at 7:00 p.m. Unanimous.
Ordinance 6040	Belt and Walsh moved and seconded approval of Ordinance 6040, amending Chapter 3.08 "Beer and Liquor Control" by amending Section 3.08.045 "Exceptions to Section 3.08.040(5)", to include areas zoned as C-3, and to allow amplified music between the hours of 12:00 p.m. and 10:00 p.m., and setting a Public Hearing for August 10, 2009 at 7:00 p.m. Walsh noted revisions needed to be addressed prior to the next meeting; Schultz added he had concerns regarding future problems; Bates noted parameters needed reviewed and encouraged new businesses to locate in the downtown area. Voice Vote: 4 Ayes, 1 Nay (Schultz).
ORDINANCE ON SECOND READING Ordinance 6035	Schultz and Branigan moved and seconded approval of Ordinance 6035, amending Chapter 2.08 "Schedule of Fees" by repealing Section 2.08.030 "Waiver of fees", and by enacting a new Section 2.08.030 "Waiver of fees" to allow the Mayor to waive parking meter hood fees. Unanimous. Bates moved and Walsh seconded to waive third reading of Ordinance 6035. Unanimous, Ordinance 6035 passed in law.
RESOLUTIONS Resolution 09-219	Bates and Branigan moved and seconded the postponement of Resolution 09-219 until August 10, 2009 at 7:00 p.m., authorizing the Mayor to execute an agreement with the Iowa Department of Transportation for the 29th Avenue Sanitary Sewer Relocation Project; IDOT Agreement #U-2009-11238, designated as IDOT Project #IMN-029-3(65)54-OE-78 (ROW) and #IM-029-3(67)52-13-78 (Construction) FY10-06A. Unanimous.
Resolution 09-220	Branigan and Bates moved and seconded approval of Resolution 09-220, authorizing the Mayor and City Clerk to execute an agreement with Valmont Industries, Inc., for the Downtown Street Pole Refurbishing, FY10-17. Branigan was happy for the color change; Bates added the project will be funded by an insurance settlement from the June 2008 hail storm and a contribution made by the Iowa West Foundation. Heard from John Pribyl, 1551 Madison Avenue, voiced concerns with the project. Mayor Hanafan shared that many poles were in need of repair and the bronze color will match the color scheme now in Bayliss Park. Walsh noted both bids were very close and indicated Valmont Industries will be using sub-contractors from Council Bluffs on the project. Unanimous.
Resolution 09-221	Belt and Walsh moved and seconded approval of Resolution 09-221, authorizing the Mayor and City Clerk to execute an agreement with Leazenby Construction, Inc., for the South 11th Street Storm Sewer; US 275 to 32nd Avenue, FY10-05C. Belt indicated a new bidding process was implemented. Unanimous.
Resolution 09-222	Branigan and Walsh moved and seconded approval of Resolution 09-222, encouraging the use of the Targeted Jobs Withholding Tax Credit Program in the Playland Park Urban Renewal Area. Unanimous.
Resolution 09-223	Belt and Branigan moved and seconded approval of Resolution 09-223, supporting an IJOBS Grant to construct a Public Works Joint Operation Facility. Voice Vote: 4 Ayes, 1 Nay (Schultz).

Resolution 09-224	Belt and Schultz moved and seconded approval of Resolution 09-224, authorizing the Mayor and City Clerk to execute an agreement with Cedar Valley Corporation for the College Road (East) Reconstruction, US 6 to Valley View Drive, FY10-15. Heard from John Pribyl, 1551 Madison Avenue, asking if sidewalks would be part of the project. Mayor Hanafan noted although no sidewalks would be provided; the bike path will be extending to the corner of College Road. Belt shared the project funds come from stimulus money. Unanimous.
Resolution 09-225	Branigan and Belt moved and seconded approval of Resolution 09-225, rejecting the bid from Iowa Erosion Control, Inc., for the South 35th Street Restoration and establishing a rebid, FY10-16. Unanimous.
Resolution 09-204	Walsh and Bates moved and seconded approval of Resolution 09-204, authorizing the Mayor and City Clerk to execute an agreement with Redflex Traffic Systems Inc., for services associated with the Automated Red Light Enforcement Program. Voice Vote: 3 Ayes; 2 Nays (Belt, Schultz).
Resolution 09-205	Branigan and Walsh moved and seconded approval of Resolution 09-205, authorizing the expansion of six (6) additional approaches to the Red Light Enforcement. Bates noted the additional locations would increase public safety and along with the Police Chiefs' recommendation, Bates will be voting in favor of additional approaches. Voice Vote: 3 Ayes; 2 Nays (Belt, Schultz).
MAYOR'S APPOINTMENT	Walsh and Bates moved and concurred with the Mayor's recommendations for Item 8A & 8B, to reappoint Richard Crowl, Jr. to the Dodge Trust Board of Trustees, term expiring July 1, 2015; reappoint Todd Lehan and Daryn Richardson to the Municipal Housing Agency, with terms expiring July 31, 2011. Unanimous. Walsh and Belt moved and concurred with the Mayor's recommendation for Item 8C to reappoint William Biede, Steve Anderson, Connie Hornbeck, Ray Prichard, William Stazzoni, Jerry Jares and Darren Bates to the Enterprise Zone Commission, with terms expiring June 30, 2011. Voice Vote: 4 Ayes; 1 Abstention (Bates).
RECEIVE & FILE ITEMS	Bates and Branigan moved and seconded approval of Receive & File Items 9A thru D. 9A. List of Bills, June 30, 2009; 9B. One (1) Notice of Claim; 9C. One (1) Offer to Buy – Doug & Jill Struyk; 9D. Statement of Cash Balances, June 30, 2009. Unanimous.
APPLICATIONS FOR PERMITS & CANCELLATIONS	Branigan and Walsh moved and seconded approval of the Liquor License Refund requested by Skeeter Barnes, 1751 Madison Avenue (Closing date – June 21, 2009) Unanimous.
	Council Member Belt congratulated the Iowa Black Hawks for their Arena Football Championship and also congratulated St. Albert High School for making it to State.
	Council Member Branigan thanked City staff and community volunteers for their hard work and involvement during Rag Brai.
	Council Member Bates thanked Library Director, Barbara Peterson for the great job she's done and was encouraged to see a teen center added to the library and appreciated the contribution Iowa West Foundation made toward the project.
ADJOURNMENT	Branigan and Schultz moved and seconded adjournment at 7:28 p.m. Unanimous.

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, Acting City Clerk