

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, August 23, 2010 at 7:00 p.m.
- ATTENDANCE** Council Members present: Lynne Branigan, Melissa Head and Matt Schultz. Staff present: Richard Wade, City Attorney and Marcia Worden, City Clerk. Absent: Council Member's, Scott Belt and Matt Walsh.
- CONSENT AGENDA** Schultz and Branigan moved and seconded approval of the consent agenda. Unanimous.
- RESOLUTIONS**
Resolution 10-250 Council Member Walsh arrived at 7:06 p.m., four Council Members present. Schultz and Branigan moved and seconded denial of financial relief to Shirley Lindner in connection to the removal of dangerous trees at 4835 Navajo Street in the year 2001. Council held a discussion noting the following: although the diseased trees were on private property the trees were removed at tax payer's expense; a precedence would be set for future issues if relief was granted; and an interest free loan was arranged with payments set at \$25 per month. Heard from Shirley Lindner, 4835 Navajo Street, concerned with the cost and the time frame the trees were removed. Wade indicated the City was concerned about additional damage, once the City deemed the situation an immediate nuisance the trees were removed. Walsh indicated a settlement could be considered, Schultz added an offer would need to be brought forward for consideration. Unanimous. Resolution 10-250 failed.
- Resolution 10-251 Branigan and Head moved and seconded approval, authorizing the Mayor to submit a Resource Enhancement and Protection Program (REAP) Grant application and authorizing the Mayor to enter into a contract if approved. Unanimous.
- Resolution 10-252 Walsh and Branigan moved and seconded approval, approving the Capital Improvement Program for FY 2011 – 2012 through FY 2015 – 2016. Unanimous.
- Resolution 10-253 Branigan and Head moved and seconded approval, authorizing the Mayor and City Clerk to execute an agreement with the Iowa Department of Transportation in connection with the Byway Signage Installation and Maintenance. Heard from Elizabeth Birkel-Leddy, 9323 Pratt Circle, Omaha, Golden Hills R C & D Representative. Unanimous.
- Resolution 10-254 Walsh and Head moved and seconded approval, approving Change Order #3 for the Wastewater Treatment Plant Digester Complex Upgrade adding \$52,824.00 to the contract amount. Unanimous.
- Resolution 10-255 Branigan and Head moved and seconded approval, approving the review and update of the Regional Intergrated Solid Waste Management Plan for the Omaha-Council Bluffs Metropolitan Area Planning Agency. Unanimous.
- Resolution 10-256 Walsh and Branigan moved and seconded approval, authorization for the annual appropriation of TIF Rebate Grants to CBIA-LLLLP, Council Bluffs Retirement, LLC, 117 Pearl Street, LLC, Marketplace Development, LLC and the Bass Pro Trustee Account. Unanimous.
- Resolution 10-257 Branigan and Head moved and seconded approval, authorizing the Mayor and City Clerk to execute an agreement with Schemmer Associates, Inc., for professional engineering services in connection with the redesign of parking lots at the Mid-America Center. Unanimous.
- Resolution 10-258 Branigan and Head moved and seconded approval, authorizing the Mayor to execute a development agreement between the City of Council Bluffs and the Iowa Interstate Railroad, Ltd. Unanimous.

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**RECEIVE & FILE
ITEMS**

Schultz and Walsh moved and seconded approval of Receive and File Items 5A – 5E: 5A. Cash Balance Statement, July 2010; 5B. List of Bills, July 2010; 5C. Notice of Claim (1); 5D. Notice of Right of Redemption (1); 5E. Notices of Taxing Districts (4). Unanimous.

**APPLICATIONS
FOR PERMITS &
CANCELLATIONS**

Schultz and Head moved and seconded approval of Renewal Applications for Beer Permits regarding Items 6A (1-4). 6A1. Aldi, Inc., 3135 Manawa Centre Drive; 6A2. Brewski's, 726 Creek Top; 6A3. D & S Xpress, 1220 North 25th Street; 6A4. Council Bluffs Travel Centre, 3210 7th Street. Item 6B1. Cigarette Permit Application for The Fiddlin Monkey, 154 West Broadway and Item 6C1. Special Event Permit: Thomas Jefferson Homecoming Parade, September 10, 2010. Unanimous.

Heard from Jennifer Giles, 2724 North Broadway #6. Motion by Walsh, second by Branigan to receive & file a court document submitted by Ms. Giles. Unanimous. Motion by Walsh, second by Branigan to receive & file an ultrasound photo. Unanimous.

Mayor Hanafan announced the name change of Metro Area Transit (MAT) to the "Metro".

ADJOURNMENT

Schultz and Head moved and seconded adjournment at 7:26 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