

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 9, 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 Schultz moved and seconded approval of the consent agenda. Branigan and Head moved and seconded, amending the consent agenda by moving Items 4D & 4F after Item 6E. Unanimous. Vote on original motion as amended. Unanimous.
- MAYOR'S PROCLAMATION** Mayor Hanafan proclaimed August 9, 2010 as "*Recommitment to Full Implementation of the ADA*". Receiving the proclamation was Robert Syvertson, with the League of Human Dignity. Mr. Syvertson thanked the Mayor and the City Council for their recommitment to ADA. Also heard from Theresa Jacoby, Civil Rights Commissioner, 3453 Avenue E, who referenced a book "*No Pity*" that refers to ADA guidelines and housing issues. Ms. Jacoby also thanked the City of Council Bluffs for the recommitment to ADA issues. Mayor Hanafan noted it was important for those in office and the community to learn about ADA and thanked the League and Civil Rights Commission for leading the way in this issue.
- PUBLIC HEARINGS**
Resolution 10-239 Held Public Hearing, authorizing the vacation of that portion of Avenue "A" right-of-way lying between North 10th Street and North 11th Street/CNW Railroad right-of-way and abutting Blocks 16 and 17, Grimes' Addition. Walsh and Branigan moved and seconded approval. Unanimous.
- Resolution 10-240 Held Public Hearing, authorizing the vacation of that portion of 3rd Avenue right-of-way lying between South 11th and South 12th Streets and abutting Block 13 and 16, Beer's Addition. Head and Walsh moved and seconded approval. Unanimous.
- Resolution 10-241 Held Public Hearing, vacating and disposing of the remainder of a north/south alley running north 150' from the east/west portion of Navajo Street between Mohawk and Navajo Streets and abutting Lots 10 through 15, Block 32, Manawa Park Addition. Walsh and Head moved and seconded approval. Belt indicated with no comment received from the Parks Department he would not be supporting the disposal. Voice Vote: 4 Ayes; 1 Nay (SB).
- Resolution 10-242 Held Public Hearing, granting easements and conveying certain property rights in the Fifth Avenue right-of-way and the South Main right-of-way adjacent to the south one-half of Lot 9, Block 4, Jacksons Addition. Branigan and Head moved and seconded approval. Unanimous.
- Resolution 10-243 Held Public Hearing, approving voluntary annexation of approximately 319 acres extending east and south from the current City limits at MidAmerican Energy/Mosquito Creek through Interstate 29 right-of-way on the east. Branigan and Head moved and seconded approval. Unanimous.
- RESOLUTIONS**
Resolution 10-244 Branigan and Head moved and seconded approval, authorizing the Mayor to sign a Purchase Agreement with the G. William Coulthard Trust Wetland Mitigation Bank for the purchase of 1.9 acres of wetland credits associated with construction of the River's Edge Park. Unanimous.
- Resolution 10-245 Branigan and Walsh moved and seconded approval, authorizing the Mayor to make application for a Local Comprehensive Planning Grant Program administered by the Rebuild Iowa Office. Unanimous.

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Resolution 10-246 Branigan and Head moved and seconded approval, approving the use of 2011 Community Development Block Grant (CDBG) and Home Investment Partnership Program Funds (HOME) and directing the Mayor to submit the Annual Plan to the City of Omaha and the U.S. Department of Housing and Urban Development (HUD). Unanimous.

Resolution 10-247 Branigan and Head moved and seconded approval, to support and designate the Council Bluffs Housing Trust Fund as the entity responsible for coordinating the local housing trust fund programs for further development and preservation of affordable housing in Council Bluffs. Belt asked if there was a liaison position available for a Council Member. Heard from Barbara Johnson, 372 Lincoln Avenue, President of the Housing Trust Fund board, indicating that Brenda Carrico and Tina Hochwender both with Community Development are currently on the board and noted Council Members were welcome. Belt requested the board meeting dates and times be forwarded to the City Clerk. Unanimous.

Resolution 10-248 Walsh and Branigan moved and seconded approval, approving the Form of Contract and Cost Estimate for the Comprehensive Operational Analysis for the City of Council Bluffs Transit Services. Walsh received several calls with concerns that there would no longer be a transit system in Council Bluffs and added the firm would be hired to strategize ways to increase ridership, generate more revenue through ridership, to help identify areas where costs could be cut and to negotiate a contract with a service provider to help improve the transit system. Heard from Theresa Jacoby, 3453 Avenue E, speaking in support of the much needed transit system. Unanimous.

Resolution 10-236 Walsh and Schultz moved and seconded the rejection of all bids regarding the South 32nd Street Sanitary Sewer Improvements – Phase I. Walsh mentioned the project was re-bid and noted the bid was substantially higher, a \$300,000 increase from the previous bid. Walsh referred to a comment made by staff that indicated the high water table would increase the de-watering system cost. Walsh encouraged the Legal staff to expedite the mediation process on a previous issue and resolve the extra expense regarding this project. Belt referred to information received at Study Session that indicated there were critical issues with the project and asked if the project could be put in multiple phases and rebid. Mayor Hanafan mentioned if the bids were rejected the project would not be done this year. Unanimous. Resolution 10-236 failed to pass.

Resolution 10-238 Branigan and Head moved and seconded, authorizing the Mayor and City Clerk to execute an agreement with Olson Brothers Construction Company in connection with the Scott Street Parking Lot Project. Unanimous.

RECEIVE & FILE ITEMS Walsh and Head moved and seconded approval of Receive and File Items 7A – 7C: 7A. Notices of Claim (3); 7B. Notice to Taxing District (1); 7C. Notices of Right of Redemption (7). Unanimous.

APPLICATIONS FOR PERMITS & CANCELLATIONS Branigan and Head moved and seconded approval of Renewal Applications for Beer/Wine & Liquor Permits regarding Items 8A thru 8B. 8A1. Atherton Automotive Service, 2900 West Broadway; 8A2. Godfather's Pizza, 34 Pearl Street; 8A3. Huhot Mongolian Grill, 3120 Manawa Centre Drive; 8A4. Lipstix, 1501 North 16th Street; 8A5. Quik Stop #575, 1749 West Broadway; 8A6. Sam's Club #6472, 3221 Manawa Centre Drive and Item 8B1. Cigarette Permit Application for Bottom's Up Lounge, 2800 Twin City Drive. Unanimous.

Heard from Joseph Carter, 3654 Avenue D, regarding the condition of Fairview Cemetery roads. Walsh indicated he's aware of the condition and noted the City has a vested interest in the cemetery since the association relinquished their responsibility to the cemetery years ago. Walsh also mentioned the one-cent sales tax is used for trails and street/sewer repairs. Mayor Hanafan added the road use tax cannot be used on private roads but only on public roads and referred to the City's new Capital Improvement Program regarding road repair.

Heard from Jennifer Giles, 2724 North Broadway, #6. Branigan shared her concern for Ms. Giles and her baby.

ADJOURNMENT

Branigan and Head moved and seconded adjournment at 7:32 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