

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 22, 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 Jodi Quakenbush, Administrative Secretary.
- CONSENT AGENDA** Branigan and Schultz moved and seconded approval of the consent agenda items 3A-3D. Unanimous. Schultz and Branigan moved and seconded approval of consent agenda item 3E. Schultz and Branigan moved and seconded amending the resolution to include: that any and all documents generated to facilitate this transfer shall contain language that shall prohibit the use of this property as a facility in which abortions are performed, including but not limited to a deed restriction prohibiting the use of this property as a facility in which abortions are performed. Unanimous. Belt and Schultz moved and seconded amending to add an appraisal at the expense of the buyer. Unanimous. Original vote as amended. Unanimous.
- Schultz commented about the number of people attending the meeting because of a notice that Dr. Carhart issued regarding opening a clinic in Council Bluffs. We are somewhat limited on what we can do, but will try to do what we can to prevent a clinic like this coming to Council Bluffs. We have worked hard to make Council Bluffs a great place to work, live and raise a family.
- PUBLIC HEARINGS**
Ordinance 6111 Held Public Hearing, repealing Ordinance No. 5362 which approved the Tax Increment Financing District for the Bennett Avenue Urban Renewal Area. Belt and Walsh moved and seconded approval. Unanimous.
- Ordinance 6112 Held Public Hearings, repealing Ordinance No. 5416 which approved the Tax Increment Financing District for Featherstone Apartments Urban Renewal Area. Belt and Head moved and seconded approval. Unanimous.
- Resolution 10-336 Held Public Hearing, authorizing the Annual Certification of Debt and directing the filing of the Certification Report with the Pottawattamie County Auditor for Hawkeye Heights, Original 1983 Downtown Mall, Mid-American Convention Center and the Marketplace Urban Renewal Areas. Belt and Walsh moved and seconded approval. Unanimous.
- ORDINANCES ON FIRST READING**
6114 Belt and Walsh 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" and setting a Public Hearing for December 13, 2010 at 7:00 p.m.. Unanimous.
- Ordinance 6115 Schultz and Walsh moved and seconded for discussion, amending Chapter 9.16 "Signs and Signals" by amending Section 9.16.055 "Automated red light enforcement" to reduce the penalty amount to \$48.00. Head commented that she was in favor of lowering the cost, but the \$48.00 doesn't cover the administrative fees associated with it. Schultz added that \$48.00 is what we owe Red Flex per our contract. Walsh commented that this is in place for the safety of our community and that it has changed the way drivers drive and is beneficial. Mayor Hanafan commented that the system is in place for safety and has worked. Schultz said that he would be willing to amend the ordinance to a fee of \$67.00. Belt said that he would never support this kind of a system. Voice Vote: 1 Aye, 4 Nays (Belt, Branigan, Head & Walsh).
- ORDINANCE ON 2nd READING**
Ordinance 6113 Belt and Branigan moved and seconded approval amending Title 17, entitled "Housing" amending Chapter 17.09 "Inspections", Heard from Carl Limmer, 3010 Avenue J, with concerns about the enforcement of this ordinance. Belt and Schultz moved and seconded to receive and file a document from Ms. Limmer. Heard from Don Angerth, 304 Glen Avenue, with concerns regarding enforcement of this ordinance. Unanimous.

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**ORDINANCE ON 3rd
READING**

Ordinance 6109

Belt and Branigan moved and seconded 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. Unanimous. Ordinance 6109 passes into law.

Ordinance 6110

Branigan and Schultz moved and seconded amending Title 13 entitled "Building and Construction" by enacting a new Chapter 13.23 to be codified and entitled "International Existing Building Code". Unanimous. Ordinance 6110 passes into law.

RESOLUTIONS

Resolution 10-330

Belt and Branigan moved and seconded approving the contract with Metropolitan Area Planning Agency for funding of the Comprehensive Operational Analysis for the City of Council Bluffs Transit Systems. Unanimous.

Resolution 10-331

Head and Branigan moved and seconded authorizing the Mayor and City Clerk to enter into an agreement with Dostal Construction, Inc., for the Dodge House Rehabilitation Project. Unanimous.

Resolution 10-332

Branigan and Head moved and seconded, officially designating the City Council meeting dates for the City of Council Bluffs for the 2011 calendar year. Unanimous.

Resolution 10-334

Head and Walsh moved and seconded approval, approving the 2011 Calendar Year Budget as adopted by the Board of Water Works Trustees and authorizing the City Clerk to file the budget with the Pottawattamie County Auditor. Unanimous.

Resolution 10-335

Belt and Branigan moved and seconded approval, adopting an accounting policy for intangible assets effective July 1, 2009. Unanimous.

**RECEIVE AND FILE
ITEMS**

Walsh and Head moved and seconded approval of Receive and File Item 9A and 9C-E. Notices of Claim (4). Notice of Right of Redemption (2). Unanimous.

**APPLICATIONS
FOR PERMITS &
CANCELLATIONS**

Walsh and Schultz moved and seconded approval of Additional Privilege, New & Renewal Applications for Beer/Liquor & Wine Permits & Cigarette Permits regarding Items 10A (2-4) & 10B. 10A2 Hy-Vee #2, 1745 Madison Avenue, 10A3 Lighthouse Restaurant & Lounge, 401 Veterans Memorial Highway (new) 10A4 Westwood Golf Course, 421 Harrah's Boulevard & 10B The Party Pantry, 430 South 35th Street. Unanimous.

Walsh and Head moved and seconded approval of Liquor License Renewal Application regarding Item 10A1 Goofy's, 807 South 21st Street. Schultz commented that he has made it a practice to vote against any establishment that has sold to a minor. Branigan noted that she still feels the violations are unacceptable. Roll Call Vote 3 Ayes, 2 Nays (Branigan & Schultz)

Mayor Hanafan commented that he understands a majority of the people in attendance are here for the same reason. He said that he received a letter and a request to speak at tonight's meeting and that he suggested Jean Plourde speak first. As of right now no one has stepped forward to ask for a building or zoning permit. Some people thought there was going to be a vote tonight and that is not true.

Heard from Jeff Dristol, 814 23rd Avenue, regarding a construction issue at his property and how the contractor received a permit. Schultz commented that he has the option to go to court, our hands are tied as to what we can do. We can look into the letter from the building division. Mayor Hanafan noted that we have all of your information and will follow up on it.

Heard from the following people speaking against the possibility of a clinic operated by Leroy Carhart in Council Bluffs. Branigan and Walsh moved and seconded to receive and file document from Jean Plourde.

Jean Plourde, 131 South 16th Street
Lonnie Parton, 2111 23rd Ave (Victory Fellowship Church)
Jon Jacobsen, 1745 Madison Avenue, Suite 1002
Christine Wilson, 131 South 16th Street
Katie Bothie, 3201 Renner Drive
John Kilrith, 328 Cloverdale Drive
Robin Strain, 1423 Avenue D
Gary Hollars, 3905 Ramelle Drive
Kathy Johaneck, 106 Timber Drive
Ricky Ahrens, 22550 Beverly Lane
Jonathan Weaver, 2025 Avenue C
Mark Schiller, 338 Fleming
Sarah Trent, 1423 Avenue D
Peg Christensen, 26890 Juniper Road
Teresa Arronburg, 15 Locust Lodge
Connie Pritchett, no address given

Schultz thanked everyone for coming and wanted to assure them that the Council has been looking into this matter and will try to do what they can to keep this from coming to our community. We have worked very hard to change this community to make it a positive place to work, live and raise and family. We do appreciate everyone coming tonight.

Mayor Hanafan commented that he appreciates everyone coming out tonight. We have checked into each City department and the City has not been contacted about this individual coming to Council Bluffs. On behalf of the City, City Council and staff we appreciate your efforts. You can't end this tonight, you need to follow up in the future.

Belt wished everyone a Happy Thanksgiving and a safe holiday.

Walsh mentioned that we are in the process of replacing two Council Members. We received 30 resumes from very qualified people. Next week the selection committee will review and reduce the number to 10, interviews will be held on Tuesday November 30th. At that point the selection committee will rate each person interviewed and the three current Council Members will choose from those who rated the highest.

Branigan clarified the Advisory Committee will narrow the field from 30 to 10 and then those 10 will be interviewed. The Interviews will take place here in Council Chambers.

ADJOURNMENT

Branigan and Head moved and seconded adjournment at 8:31 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: Jodi Quakenbush, Admin. Sec.

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CALL TO ORDER

A Special Session was held on Tuesday November 30, 2010 at 6:00 p.m.

ATTENDANCE

Council Members present: Lynne Branigan, Melissa Head and Matt Walsh.
Staff present: Richard Wade and Jodi Quakenbush.

Interviews were held for the upcoming vacant City Council Seats. The 10 applicants interviewed were: Frank Brabec, Sheryl Garst, Roger Hansen, Richard Heining, Jay Kathol, Boyd Littrell, Jon Narmi, Brent Siegrist, Mike Wallner and Sharon White. An Advisory Board of 12 members rated each applicant on their answers on a series of 7 questions. The 12 advisory board members were: Helen Brandenburg, Ron Tekippe, Kirk Madsen, Tony Tauke, David Tobias, Jim Maaske, Hersh Rodasky, Tom Howard, Dan Van Houten, Pam Horihan, Beth Lindquist and Josh Powell. The top four applicants in alphabetical order are Sheryl Garst, Jon Narmi, Brent Siegrist and Sharon White. The current Council Members will choose two of the top four applicants to fill these positions in January.

ADJOURNMENT

Adjourned at 8:00 p.m.

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Richard Wade, City Attorney

ATTEST: Jodi Quakenbush, Admin.