



## **City Council Special Meeting Minutes June 14, 2019**

### **CALL TO ORDER**

Sharon White, Mayor Pro Tem called the meeting to order on Friday June 14, 2019 at 4:02 pm

Sharon White and Roger Sandau present. Nate Watson, Melissa Head and Mike Wolf present via telephone.

Staff Present: Jodi Quakenbush

### **MAYORS PROCLAMATIONS**

### **PUBLIC HEARINGS**

### **APPLICATIONS FOR PERMITS AND CANCELLATIONS**

#### **I Know a Guy Fireworks Applications**

Professional Fireworks demo near Fireworks stand at Horseshoe Casino. Requesting the following dates:

June 21, 2019 & June 22, 2019 with June 23, 2019 as a Rain date

June 28, 2019 & June 29, 2019 with June 30, 2019 as a Rain date

Roger Sandau and Melissa Head moved and seconded approval of Torch's Fireworks d/b/a I know a guy Fireworks special fireworks permit for the dates of June 28, 2019 & June 29, 2019 only, with one rain date of June 30, 2019, as amended. Voice Vote, 3-2 vote.

(Nays: Watson, White)

#### **Hooters Ragbrai Event - Extended Outdoor Liquor License**

Outdoor Event Friday July 19, 2019 & Saturday July 20, 2019

Roger Sandau and Nate Watson moved and seconded approval of Outdoor Liquor License. Unanimous, 5-0 vote.

### **OTHER BUSINESS**

Decision on Chris Pomerleau's request to waive rental registration late fees

Nate Watson and Mike Wolf moved and seconded approval of Motion to Deny the Request to waive rental registration late fees. Unanimous, 5-0 vote.

## **CITIZENS REQUEST TO BE HEARD**

### **ADJOURNMENT**

Sharon White Adjourned the meeting at 4:21 pm

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.

Matthew J. Walsh, Mayor

Attest: Jodi Quakenbush, City Clerk

**Council Communication**

Department: City Clerk  
Case/Project No.:  
Submitted by:

I Know a Guy Fireworks Applications  
ITEM 2.A.

Council Action: 6/14/2019

**Description**

Professional Fireworks demo near Fireworks stand at Horseshoe Casino. Requesting the following dates:  
June 21, 2019 & June 22, 2019 with June 23, 2019 as a Rain date  
June 28, 2019 & June 29, 2019 with June 30, 2019 as a Rain date

**Background/Discussion**

**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Fireworks Special Event Application</a>	Other	6/13/2019

**SPECIAL EVENT PERMIT APPLICATION**  
(Must be turned in at least 2 weeks prior to event)

A Special Event Permit is required from the City of Council Bluffs for any special activity that requires exclusive use of city streets and sidewalks, requires special assistance of a city department, or is likely to have a large impact on traffic.

Please Note: If you are having a small event in a City park (small wedding, family picnic, etc.) you may need to fill out the Parks & Rec. Special Event Form.

Please check any boxes that apply:

**I. General Information.**

- Organization/Person Requesting: Torch's Fireworks DBA I Know A Lot Y Fireworks
- Name of Event: \_\_\_\_\_
- Contact Name: Chris Hawston
- Mailing Address for Contact: 4726 Fairfax Loop Bismarck ND 58503
- Contact Phone Number: 701-426-6700
- Email Chr3@torch's fireworks.com
- Address of Event: 2701 23rd Ave Council Bluffs IA 51501
- Estimate of Number of Participants: \_\_\_\_\_
  - ☒ 1-50                      ☐ 251-500
  - ☐ 51-100                    ☐ 501-1,000
  - ☐ 100-150                  ☐ > 1,000
- Attach map of event location, set-up, and/or route

**II. Type of Event:**

- |  |  |
|--|--|
| <input type="checkbox"/> Circus*               | <input type="checkbox"/> Walk, Run, Bicycle Event            |
| <input type="checkbox"/> Carnival*             | <input type="checkbox"/> Concert                             |
| <input checked="" type="checkbox"/> Fireworks* | <input type="checkbox"/> Neighborhood/Block or Private Party |
| <input type="checkbox"/> Parade*               | <input type="checkbox"/> Other: _____                        |

**\*The above events require City Council approval, which could take 2-4 weeks to obtain.**

**III. Date of Event**

- Date Set Up 6/21-22 6/28-29 Date Taken Down SAME DAY
- Date Held \_\_\_\_\_ Times Held \_\_\_\_\_

**IV. Brief description of event:** 20-30 Fireworks Being Lit For  
product knowledge as items are All New this  
year and have never been seen before.

Rain Dates

06/23-24

06/30 07/01

V. Additional permits required when event includes

☐ Sale of Alcoholic Beverages

- Requires temporary liquor license from the Iowa Alcoholic Beverage Division. Apply on-line at [www.iowaabd.com](http://www.iowaabd.com). ABD can be reached at 1-866-469-2223.
- The application for a temporary liquor license must be reported to the City Clerk's office and approved by multiple City Departments before final approval of the City Council. (this process could take 2-4 weeks)

☐ Sale of Food Products

- Requires permit from Iowa Department of Inspections & Appeals (515-281-6538).

☒ Fireworks

- Requires permit from City Fire Department (712-328-4646).

☒ Noise

- If event includes music, a live band, or noise of any kind a request for a noise variance must be made. See form attached.

VI. Traffic Control

☐ Request Police Assistance for \_\_\_\_\_

Cost for City worker's overtime may be required. Administrative fees for police services and cruisers are provided at additional costs.

☐ Street closures (**Must include a Map**)

If using the 712 Initiative Block Party Trailer, please complete section VIII.

- Street closures must be in compliance with the Manual for Uniform Traffic Control Devices. Traffic control barricades and signage must be furnished and placed by qualified companies or by the city. The city charges fees for this service.
- Street closures require abutting property owners' concurrence. Petition/permission form attached. Requires signature of any property affected by the closure.
- Event Organizers are responsible for notifying businesses that affected by street closure. Notice to businesses must be given at least 4 weeks in advance of the event.

VII. Please check any of the following boxes that apply to this event.

- ☐ animals
- ☐ open fires (other than barbeques)
- ☐ portables (porta-potties) – recommendations based on duration/people attending
- ☐ using a park, sidewalk or street surrounding a park
- ☐ using any portion of a public trail
- ☐ using any public area
- ☐ there will alcoholic beverages be sold
- ☐ there will alcoholic beverages be served
- ☐ there will there be a fee/charge to take part in this event

If you checked any of the boxes above, please give a brief description below:

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VIII. Street Closure while utilizing the 712 Initiative Block Party Trailer:

The following items must be completed and submitted with this application to the City Clerk's Office, 209 Pearl Street, Suite 102, Council Bluffs..

- ☐ Diagram of Street Closure attached
- ☐ Completed Street Closure Permission form, with signatures from all properties affected by the closure.

The 712 Initiative will provide the City Clerk's Office with your reservation information once they have approved the use the trailer.

If not using the 712 Initiative Block Party Trailer, you must obtain insurance, as outlined below.

**Insurance Requirements:** For all events, an *Insurance Certificate* is required in the amount of \$1,000,000.00, for Liability coverage, listing the City of Council Bluffs as an additional insured.

**PLEASE NOTE:** The request form must be returned to the City Clerk's Office, 209 Pearl Street, at least 2 weeks prior to the event or the event will be denied. If you have any questions please contact us at 712-890-5261

## NOISE VARIANCE REQUEST

APPLICATION DATE: \_\_\_\_\_

REQUESTING PERSON: \_\_\_\_\_

NAME: Chris Houston

MAILING ADDRESS: 4726 Fair Fax Loop Bismarck ND 58503

PHONE NUMBER: 701-426-6700

EMAIL: Chris@torchsfireworks.com

ORGANIZATION/EVENT: \_\_\_\_\_

EVENT LOCATION: \_\_\_\_\_

EVENT DATE: \_\_\_\_\_

EVENT TIME: \_\_\_\_\_

EXPLAIN SOURCE OF NOISE AND SPECIFIC HOURS OF NOISE:

Firework product knowledge demonstration

APPROVED ( )

DISAPPROVED ( )

APPROVED WITH STIPULATION ( )

The Police have the authority to cease music or require reduction of volume for the remainder of event if complaints are received.

\_\_\_\_\_  
Chief Building Official

\_\_\_\_\_  
Date

# CERTIFICATE OF INSURANCE

ISSUE DATE 6/12/2019

**PRODUCER**

PROFESSIONAL PROGRAM INSURANCE BROKERAGE  
DIVISION OF SPG INSURANCE SOLUTIONS, LLC  
371 BEL MARIN KEYS BLVD., SUITE 220  
NOVATO CA, 94949-5662

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER, THIS CERTIFICATE DOES NOT AMEND, EXTEND OR LATER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

**INSURER(S) AFFORDING COVERAGE**

**INSURER A:** LLOYD'S OF LONDON

**INSURER B:**

**INSURER C:**

**INSURER D:**

**INSURED**

Torch's Fireworks, LLC  
4726 Fairfax Loop  
Bismarck, ND 58503

**COVERAGES**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE NAMED INSURED ABOVE FOR THE PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	GENERAL LIABILITY CLAIMS MADE  GEN'L AGGREGATE LIMIT APPLIES PER POLICY	PY/19-0103	06/01/2019	06/01/2020	EACH ACCIDENT	\$ 1,000,000
					MEDICAL EXP (Any one person)	\$
					FIRE LEGAL LIABILITY	\$ 50,000
					GENERAL AGGREGATE	\$ 2,000,000
					PRODUCTS-COMP/OPS AGG	\$
	AUTOMOBILE LIABILITY — ANY AUTO — ANY OWNED AUTOS — SCHEDULED AUTOS — HIRED AUTOS — NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	\$
					BODILY INJURY (Per person)	\$
					BODILY INJURY (Per accident)	\$
					PROPERTY DAMAGE (Per accident)	\$
					EACH ACCIDENT	\$
	EXCESS LIABILITY FOLLOWING FORM				AGGREGATE	\$
					WC STATUTORY LIMITS	OTH-ER \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				E.L.EACH ACCIDENT	\$
					E.L. DISEASE-EA EMPLOYEE	\$
					E.L. DISEASE-POLICY LIMIT	\$
	OTHER					

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS**

City of Council Bluffs are Additional Insured as respects the Class C aerial fireworks display on 06/15/2019, 06/21/2019, 06/22/2019, 06/28/2019, 06/29/2019 (RD: 06/16/2019, 06/23/2019, 06/24/2019, 06/30/2019, 07/01/2019) located at 2701 23rd Ave., Council Bluffs, IA 51503

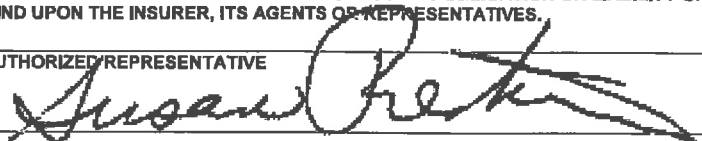
**CERTIFICATE HOLDER**

City of Council Bluffs  
209 Pearl St.  
Council Bluffs, IA 51503

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE





**Council Communication**

Department: City Clerk  
Case/Project No.:  
Submitted by:

Hooters Ragbrai Event - Extended Outdoor  
Liquor License  
ITEM 2.B.

Council Action: 6/14/2019

**Description**

Outdoor Event Friday July 19, 2019 & Saturday July 20, 2019

**Background/Discussion**

**Recommendation**

**ATTACHMENTS:**

Description

[Hooters Liquor License](#)

Type

Other

Upload Date

6/13/2019



State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
[Home](#)  
[About](#)  
[Alcohol](#)  
[Tobacco](#)  
[Links](#)  
[Contact](#)

<input type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input checked="" type="checkbox"/> SPECIAL EVENT
POLICE _____	Local Amt _____	
FIRE <u>A</u>	Endorsed _____	
BUILDING <u>SS</u>	Issued _____	
ZONING <u>SS</u>	Expires _____	
Council _____		

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## Outdoor Service Privilege LC0041042, Hooters of Council Bluffs, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

An Outdoor Service Area is a designated area that is adjacent to the licensed premises. The Application is to be used only if adding Outdoor Service Area Privilege after the original license has been issued. If Outdoor Service Area Privilege is requested at license renewal, mark the appropriate box on the renewal Privileges screen.

After approval the Iowa Alcoholic Beverages Division, an amended license will be mailed to the Local Official.

### Outdoor Service area dates (must fall within license period)

From: 07/19/2019 MM/DD/YYYY  
To: 07/20/2019 MM/DD/YYYY

Submit to the Local Authority the Outdoor Service Area Dram Shop Endorsement. Endorsement dates must correspond with the requested outdoor service dates. (Accord certificates are not accepted).

### Explain how the boundaries of the Outdoor Service Area are designated (fence, barricades, etc.)

Temporary Fencing

Submit a sketch to the Local Authority on 8 1/2 x 11" white paper of the outdoor service area showing its relationship to the licensed premises. If a taper wagon, beer truck etc. is being used, attach a copy of the rental receipt.

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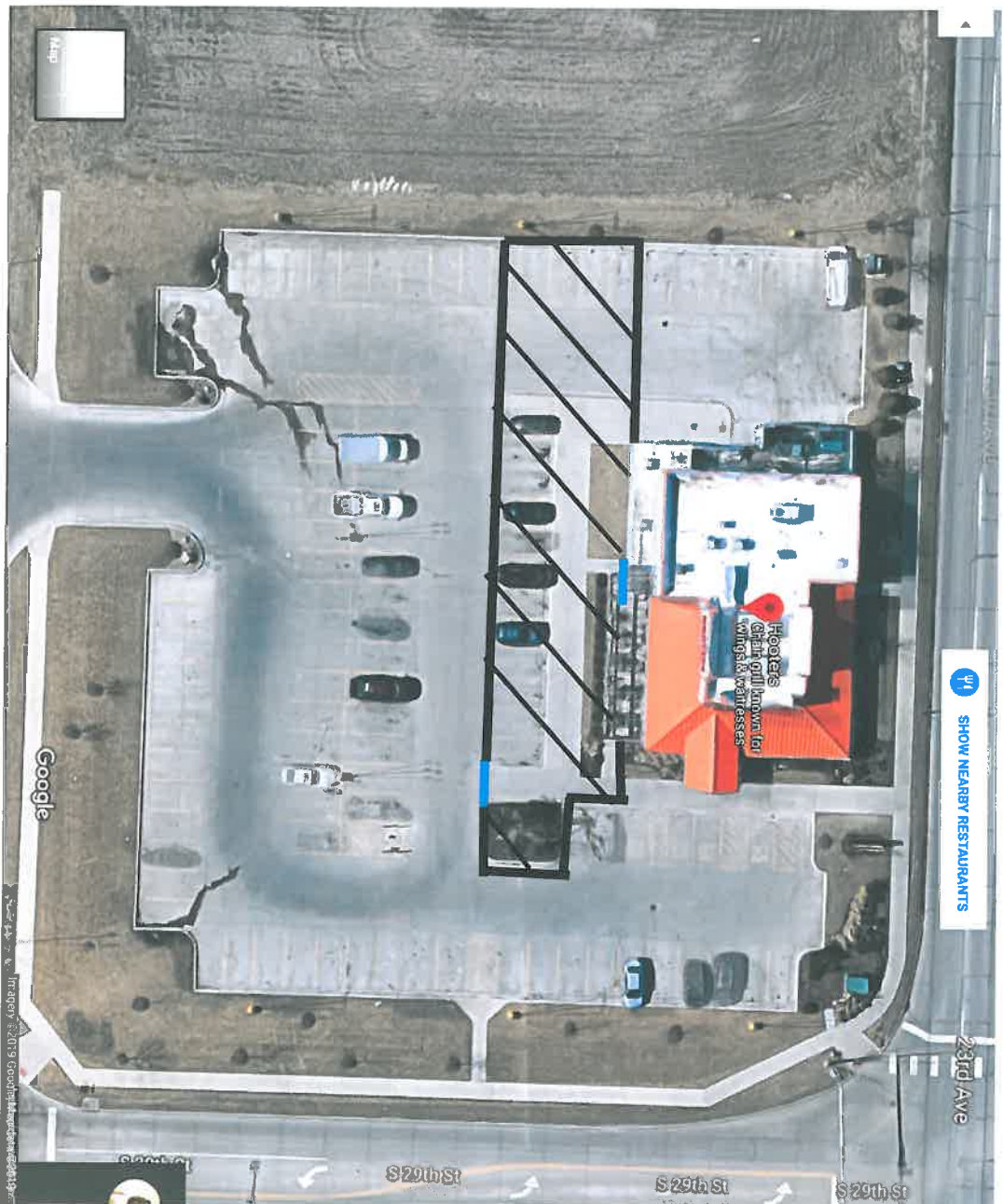


### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
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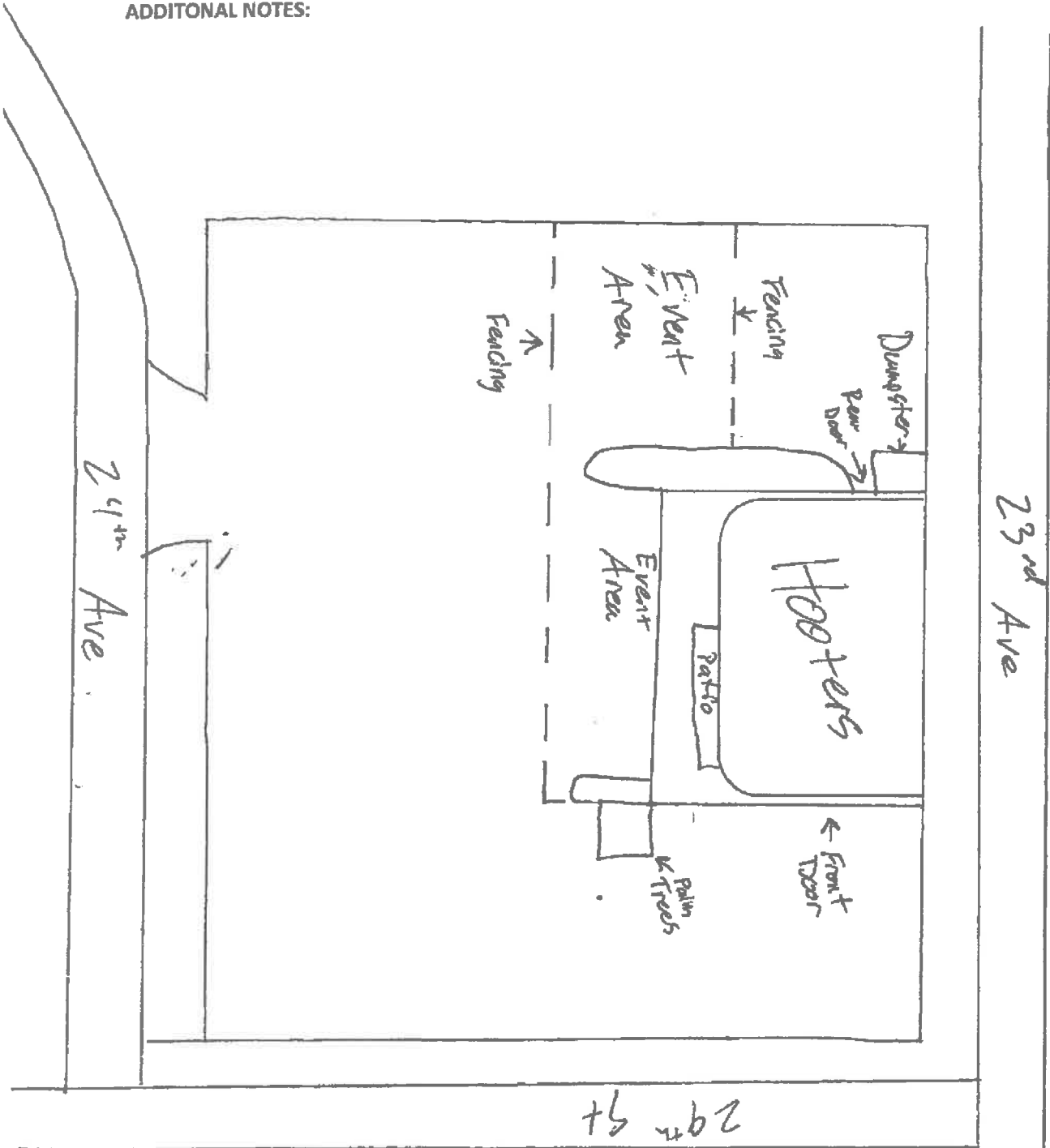
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FENCED  
AREA

ENTRANCE/  
EXIT

ADDITIONAL NOTES:



### Council Communication

Department: City Clerk  
Case/Project No.:  
Submitted by:

Decision on Chris Pomerleau's request to waive  
rental registration late fees  
ITEM 3.A.

Council Action: 6/14/2019

<b>Description</b>
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<b>Background/Discussion</b>
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<b>Recommendation</b>
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