



City Council Meeting Minutes May 24, 2021

CALL TO ORDER

Mayor Walsh called the meeting to order at 7:00 p.m. on Monday, May 24, 2021.

Council Members Present: Joe Disalvo, Chad Hannan, Melissa Head, and Mike Wolf.

Council Member Present via Zoom: Roger Sandau.

Staff Present: Matthew Mardesen, Richard Wade, and Allison Head.

CONSENT AGENDA

Approval of Agenda and tape recordings of these proceedings to be incorporated into the official minutes.

Reading, correction and approval of the May 10, 2021 City Council Meeting Minutes.

Ordinance 6455 & Ordinance 6456

1. Ordinance to amend Chapter 15.16 C-3/Commercial District of the 2020 Municipal Code (Zoning Ordinance) by amending Section 15.16.020 "Principal Uses" to allow "Dwelling, Multifamily" and setting a Public Hearing on June 14th, 2021 at 7:00 p.m.
2. Ordinance to amend Chapter 15.17 C-4/Commercial District of the 2020 Municipal Code (Zoning Ordinance) by amending Section 15.17.020 "Principal Uses" to allow "Dwelling, Multifamily" and setting a Public Hearing on June 14th, 2021 at 7:00 p.m.

Ordinance 6457

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, and setting a Public Hearing for June 14, 2021 at 7:00 p.m., by rezoning property legally described as Lots 1 through 6, INRIP Subdivision, Tract No. 1, 1st Addition, and a parcel of land generally described as the Southeasterly 694.14 feet of the Southwesterly 604.81 feet of Government Lot 2 in Section 4-74-44, more specifically described in the Council packet, from P-C/Planned Commercial District to I-2/General Industrial District, as defined in chapter 15.21. Location: Northwest corner of the intersection of 23rd Avenue and South 35th Street. ZC-21-005

Resolution 21-148

Resolution accepting the work of Bluffs Paving and Utility Co. Inc. as complete and authorizing release of retainage after 30 days if no claims are filed in connection with the Gifford Road Reconstruction, Phase III. Project #PW20-24

Resolution 21-149

Resolution of intent to release and setting a Public Hearing for June 14, 2021 at 7:00 p.m. for permanent and perpetual easements granted for utility purposes across previously vacated north/south alleys abutting Lots 4 through 11, Block 15, Hughes and Doniphan's Addition. Location: 2121 South 7th Street. MIS-21-001

Resolution 21-150

Resolution of necessity and intent and setting a Public Hearing for June 28, 2021 at 7:00 p.m. to establish the River Road Urban Revitalization Area as legally described in the Council packet. Location: Undeveloped land lying north of 2849 River Road. URV-21-009

Resolution 21-151

Resolution of necessity and intent and setting a Public Hearing for June 28, 2021 at 7:00 p.m. to amend the South Pointe Urban Revitalization Area as legally described in the Council packet. Location: The property currently addressed as 4445 Gifford Road and undeveloped land lying south of said address. URV-21-008

Resolution 21-152

Resolution fixing date for a Public Hearing for June 28, 2021 at 7:00 p.m. on the proposal to enter into a Development Agreement with Robert McCarthy, and providing for publication of notice thereof.

Resolution 21-153

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY21.

March FY21 Financial Reports

Claims

Mike Wolf and Melissa Head moved and seconded approval of Consent Agenda. Unanimous, 5-0 vote.

PUBLIC HEARINGS

Resolution 21-154

Resolution approving the plans and specifications for the Southwest and 6th Avenue Pump Stations Control Panel Replacement and Generator Set Infrastructure project. Project # PW21-14B

Chad Hannan and Mike Wolf moved and seconded approval of Resolution 21-154. Unanimous, 5-0 vote.

Resolution 21-155

Resolution approving the plans and specifications for the Eastern Hills Trail Stop Park project.

Melissa Head and Chad Hannan moved and seconded approval of Resolution 21-155. Unanimous, 5-0 vote.

Resolution 21-156

Resolution to dispose of City property described as the northeasterly 50 feet of the southeasterly 200 feet of Lot 3, Subdivision of Original Plat Lot 91. Location: the property was formerly addressed as 223 East Graham Avenue. OTB-21-005

Heard from Rodney Kerkman, 229 E Graham Avenue, and Leo McIntosh, 215 Happy Hollow Circle. Motion to Receive and File by Hannan, seconded by Wolf. Unanimous.

Melissa Head and Joe Disalvo moved and seconded approval of amending Resolution 21-156 to reflect the change in purchase price to market value as shown on the County Assessor's website, totaling \$27,800. Unanimous, 5-0 vote.

Resolution 21-157

Resolution to dispose of City property described as the northeasterly 50 feet of the southeasterly 200 feet of Lot 3, Subdivision of Original Plat Lot 91. Location: the property was formerly addressed as 223 East Graham Avenue. OTB-21-006

Resolution withdrawn by applicant. Council took no action.

Resolution 21-158

Resolution authorizing the Mayor and City Clerk to execute a perpetual, non-exclusive easement for utilities located under and on:
The North ten (10) feet of a parcel of land located in the SE1/4 SW1/4 AND SW1/4 SE1/4 OF Section 11, Township 74 North, Range 44, West of the 5TH P.M., now in the City of Council Bluffs, Pottawattamie County, Iowa to MidAmerican Energy Company.

Chad Hannan and Mike Wolf moved and seconded approval of Resolution 21-158. Unanimous, 5-0 vote.

Resolution 21-159

Resolution granting Final Plat Approval of a two-lot minor subdivision to be known as the Richard Miller and Marie Knedler Subdivision. Location: 235 Harmony Street. SUB-21-007

Heard from Patricia Driscoll, 126 Benton Street, and Brian Weeks, 133 Benton Street.

Chad Hannan and Joe Disalvo moved and seconded approval of Resolution 21-159. Voice Vote, 4-0 vote.
(Abstain: Head)

Resolution 21-160

Resolution determining an area of the City to be an economic development 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 urban renewal projects; and adopting the New Horizon Urban Renewal Plan.

Heard from Patricia Driscoll, 126 Benton Street.

Joe Disalvo and Chad Hannan moved and seconded approval of Resolution 21-160. Unanimous, 5-0 vote.

ORDINANCES ON 1ST READING

Ordinance 6458

Ordinance for the division of revenues under Section 403.19, Code of Iowa, for New Horizon Urban Renewal Plan.

Mike Wolf and Chad Hannan moved and seconded approval of First Consideration of Ordinance 6458. Second Consideration to be held June 14, 2021 at 7:00 p.m. Unanimous, 5-0 vote.

ORDINANCES ON 3RD READING

Ordinance 6452

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, by rezoning property legally described as the East 1/2 of Lot 3 and Lots 4 through 12, Auditor's Subdivision, more specifically described in the Council Packet, from R-1/Single-Family Residential District to R-2/Two-Family Residential District as defined in Chapter 15.09. Location: 20, 40 and 100 Norton Avenue, 1326 North Broadway, and an undeveloped parcel of land west of 100 Norton Avenue. ZC-21-004

Mike Wolf and Melissa Head moved and seconded approval of Third Consideration of Ordinance 6452. Unanimous, 5-0 vote.

Ordinance 6453

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Lot 2, Arbor Creek Subdivision from A-2/Parks, Estates, and Agricultural District to R-2/Two-Family Residential District as defined in Chapter 15.09, and appending a PR/Planned Residential Overlay as defined in Chapter 15.28 of the Municipal Code of Council Bluffs, Iowa, to said property. Location: Undeveloped land lying south of 1020 Railroad Avenue. ZC-21-002

Mike Wolf and Joe Disalvo moved and seconded approval of Third Consideration of Ordinance 6453. Voice Vote, 4-1 vote. (Nays: Head)

Ordinance 6454

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Lot 1, Franklin Heights Subdivision from A-P/Administrative Professional District to R-2/Two-Family Residential District, as defined in Chapter 15.09., and appending a P-R/Planned Residential Overlay onto said property as defined in Chapter 15.28 of the Municipal Code of Council Bluffs. Location: Northwest corner of Franklin and Bennett Avenues. ZC-21-003

Heard from Brian Weeks, 131 Benton Street.

Mike Wolf and Joe Disalvo moved and seconded approval of Third Consideration of Ordinance 6454. Unanimous, 5-0 vote.

RESOLUTIONS

Resolution 21-161

Resolution amending the list of authorities for execution of financial transactions between the City of Council Bluffs, Iowa and institutions authorized to hold City funds (non-corporate resolution).

Mike Wolf and Melissa Head moved and seconded approval of Resolution 21-161. Unanimous, 5-0 vote.

Resolution 21-162

Resolution approving city depositories as required by the Code of Iowa, Section 12.C.2.

Chad Hannan and Melissa Head moved and seconded approval of Resolution 21-162. Unanimous, 5-0 vote.

Resolution 21-163

Resolution authorizing the mayor to execute an agreement with Ehrhart Griffin & Associates for engineering services in connection with the 2100 Block of Avenue H Sanitary Sewer Rehabilitation. Project # PW22-23

Melissa Head and Mike Wolf moved and seconded approval of Resolution 21-163. Unanimous, 5-0 vote.

Resolution 21-164

Resolution making changes to the positions assigned to the finance department.

Melissa Head and Mike Wolf moved and seconded approval of Resolution 21-164. Unanimous, 5-0 vote.

Resolution 21-165

Resolution authorizing the removal and installation of parking meters in connection with Library staff parking.

Chad Hannan and Joe Disalvo moved and seconded approval of Resolution 21-165. Unanimous, 5-0 vote.

Resolution 21-166

Resolution to amend the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying part of the SE1/4 SW1/4 and part of the NE1/4 SW1/4 of Section 32-75-43, more specifically described in the Council packet, from Public Park to Local Commercial, and reclassifying properties legally described as Lot 3, New Horizon Subdivision along with Lots 1-5 and Outlot A, New Horizon Subdivision, Replat 2, and Lot 2, Arbor Creek Subdivision, and part of the NW1/4 SW1/4 and part of the SW1/4 NW1/4 all in section 28-75-43, more specifically described in the Council packet, from Rural Residential/Agriculture to Medium Density Residential; and reclassifying properties legally described as Lot 1, Arbor Creek Subdivision and Lot 1, New Horizon Subdivision Replat 1 from Rural Residential/Agriculture to Public/Semi-Public. Locations: 1288 Valley View Drive, 4 Valley View Drive, 16 Valley View Drive, 1621 College Road, 1681 College Road, 1020 Railroad Avenue, undeveloped land located at the northwest corner of Railroad Avenue and College Road, and undeveloped land located between 4 Valley View Drive and 1681 College Road. CP-21-001

Heard from Patricia Driscoll, 126 Benton Street.

Chad Hannan and Joe Disalvo moved and seconded approval of Resolution 21-166. Unanimous, 5-0 vote.

Resolution 21-167

Resolution authorizing a joint application to the Iowa Economic Development Authority by the City of Council Bluffs and TSL Company Holdings, Ltd. for benefits under the Targeted Jobs Withholding Program.

Melissa Head and Mike Wolf moved and seconded approval of Resolution 21-167. Unanimous, 5-0 vote.

Resolution 21-168

Resolution authorizing a joint application to the Iowa Economic Development Authority by the City of Council Bluffs and Pollard Games, Inc. dba American Games and International Gamco for benefits under the Targeted Jobs Withholding Program.

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 21-168. Unanimous, 5-0 vote.

Resolution 21-169

Resolution authorizing the Mayor and City Clerk to execute an agreement with Compass Utility, LLC for the Hillside Estates Infrastructure Project.

Melissa Head and Mike Wolf moved and seconded approval of Resolution 21-169. Unanimous, 5-0 vote.

Resolution 21-170

Resolution determining the necessity and setting dates of a consultation and a public hearing on June 28, 2021 at 7:00 p.m. on a proposed South Avenue Urban Renewal Plan for a proposed Urban Renewal Area. Location: Generally located west of Harry Langdon Blvd, South of 18th Ave, east of South Expressway, north of I-80.

Chad Hannan and Melissa Head moved and seconded approval of Motion. Unanimous, 5-0 vote.

Resolution 21-171

The City of Council Bluffs budgeted for a 2.5% increase for non-union employees for FY2022, which would go into effect on 7/1/2021. In discussions with Mayor Walsh, we are proposing the following salary increases for FY2022.

Heard from Bruce Kelly, 864 McKenzie Avenue.

Melissa Head and Mike Wolf moved and seconded approval of Resolution 21-171. Unanimous, 5-0 vote.

Resolution 21-172

Resolution approving revision of Personnel Policy 503 Group Health, Life, Dental, Optical, and Long term Disability Plans.

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 21-172. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Cigarette Permits, Liquor Licenses:

1. Big Al's, 2700 2nd Avenue, Ste 3 &4
2. Big Kel's Pizza & Wings, 40 Arena Way, Ste 11
3. Family Fare #791, 1801 Valley View Drive
4. Latino Market LLC, 1535 Avenue G
5. The Salty Dog Bar & Grill, 2411 S 24th Street, Ste 6
6. Rodeo Saloon & BBQ, 164 W Broadway (continued from 5.10.21)

Melissa Head and Joe Disalvo moved and seconded approval of Applications for Permits and Cancellations, Items 8A and 8B #1-5. Unanimous, 5-0 vote.

Heard from Deborah Peterson, 215 S Main Street, and Patricia Driscoll, 126 Benton Street. Motion to Receive and File by Hannan, seconded by Wolf. Unanimous.

Melissa Head and Mike Wolf moved and seconded approval of Applications for Permits and Cancellations, Item 8B #6. Voice Vote, 2-3 vote.

(Nays: Disalvo, Hannan, Sandau)

Chad Hannan and Joe Disalvo moved and seconded approval of motion to deny Applications for Permits and Cancellations, Item 8B #6. Voice Vote, 3-2 vote.

(Nays: Head, Wolf)

CITIZENS REQUEST TO BE HEARD

Heard from Brian Weeks, 131 Benton Avenue regarding potholes.

Heard from Bruce Kelly, 864 McKenzie Avenue regarding bike trails and extra lane on Kanesville Boulevard.

Heard Deborah Peterson, 215 S Main Street addressing the Mayor.

ADJOURNMENT

Mayor Walsh adjourned the meeting at 8:14 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.

Matthew J. Walsh, Mayor

Attest: Allison Head, Acting City Clerk