CALL TO ORDER

A regular meeting of the Council Bluffs City Council was called to order by Mayor, Matthew J. Walsh on Monday, July 11, 2016 at 7:00 p.m.

ATTENDANCE

Council Members present: Melissa Head, Al Ringgenberg, Roger Sandau, Nate Watson (by phone) and Sharon White. Staff present: Richard Wade and Marcia Worden.

CONSENT AGENDA

White and Head moved and seconded approval of the consent agenda, 3A. Agenda and tape recording of this proceeding to be incorporated into the official minute; 3B. Reading, correction and approval of the June 27, 2016 meeting minutes; 3C. Resolution 16-169, intent to dispose of City property legally described as Lots 9 and 10, Block 16, Wright's Addition, setting a Public Hearing for July 25, 2016, 7:00 p.m.; 3D. Resolution 16-170, intent to release a perpetual and permanent easement located across the vacated east/west alley abutting Los 79-83 and 102-106, Belmont Addition, setting a Public Hearing for July 25, 2016, 7:00 p.m.; 3E. Resolution 16-171, setting a Public Hearing on the Plans, Specifications, Form of Contract and Cost Estimate for the Walnut Grove Elementary School Demolition and Restoration Project located at 2920 Avenue J; 3F. Mayor's Appointments; 3G. Notices of Claim (1); 3H. Notices of Taxing Districts (4). White requested to postpone approval to Dean Fajen's appointment for the Public Art Commission. Sandau and Head moved and seconded, changing the order of the first four resolutions to be read in the following order: to read Item 5A, followed by Items 4A, 5C and 5B in that order specifically; due to the fact the last three items reference River's Edge and the Playland Park area. Unanimous, 5-0 vote. Ringgenberg and Head moved and seconded approval of the original motion as amended. Unanimous, 5-0 vote.

PUBLIC HEARINGS
Resolution 16-172

Held Public Hearing, approving and authorizing the execution of a Development Agreement by and between the City of Council Bluffs and Pottawattamie County Development Corporation. Heard from Julie Stavneak, Developer, 142 West Broadway, Andrew Conzett and Eric Westman of Alley Poyner Macchietto Architecture, 1516 Cuming Street, who gave a presentation. Ringgenberg mentioned giving guarded approval noting concerns with the financial aspect of the project. White and Head moved and seconded approval. Unanimous, 5-0 vote.

Resolution 16-147 (4A)
(postponed from 6/13/2016)

Head and White moved and seconded approval, determining an area of the city to be a blighted 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 Amendment No. 4 to the Playland Park Urban Renewal Plan. Heard from Deb Petersen, 215 South Main Street, on behalf of her clients who encourage development and overall use of TIF to enhance development. But the concern is there seems to be no obligation or guarantee to build the second office building and there's only one tenant for office building #1. Petersen adds there's currently available office space in downtown Omaha and Council Bluffs. Other concerns are that the office building won't be filled right of way, jobs are what we want; and current businesses within the Co. Bluffs area are prohibited to transfer to the new development. Petersen continue noting the TIF is calculated on the entire project, and on one office building at 75% for 20 years, if it goes forward and pays its taxes, it will pay for other expenses; on the other hand Petersen referenced the Old Midlands Mall/Mall of the Bluffs where taxes went down. Petersen requested Council to review the documents carefully; and asked for all comments be recorded on Items 5C and 5B also. Watson questioned the portion of the agreement Ms. Petersen spoke of, City Attorney Wade indicated it was addressed in Exhibit H, Section 7.1, Paragraph A. Heard from the following: Jay Noddle, 2285, South 67th Street, Omaha, we're really excited; I think we can make a difference and it's a fantastic project. If you choose to do this, we're going in with all the gusto we have. If you don't we're up against deadlines, pricing and financial commitments. We take a lot of pride in what we do, we've had a chance to advance and we hope you see your way to approve the parking structure; if not, we'll accept it and move on. Thank you for your time. Heard from Bob Mundt, 149 West Broadway, CEO of the Chamber of Commerce, who highlighted the letter of support submitted by the Chamber. Council Member Head indicated she wanted to see a project like this since she ran for Council, we do have the eye of Omaha and it's a real exciting project.

A lot of time and hard work has gone into the project Council Member White added, it will add a lot of tax dollars in time; and be our front door to the City. I have always been in support, and have trust and good faith in the project. Council Member Watson mentioned he's been a big proponent of subsidy of the west end, my honorable colleagues and Mayor represent the people; and as we move along I will support the project without the particulars of the matter. We all have thoughts in the process, and I will insist on an honorable system, the best practice Watson added. How we best work together is the best for Council Bluffs; you have my assurance Head states, Walsh concurred. Ringgenberg mentions it's important to address the urban renewal area first, of which the parking garage is just one element of many priorities; listing bond debt to finance projects, and names levee accreditation, funding the Police Headquarters and the obligation to West Broadway, noting the CIP provides economic revitalization to fulfill funding for the Playland Park Development. I have to think of the tax payers and disagree with my colleagues. Mayor Walsh shared his views opposite of Council Member Ringgenberg's concerns. Council Member Sandau shared his concern of the City owning the garage after 20 years; adding it would be a tragedy if the project failed. Sandau hoped the item could be delayed for another two weeks.
Voice Vote: 3 Ayes; 2 Nays (Ringgenberg, Sandau).

Resolution 16-174

Held Public Hearing, making final determination on potential transfer of interests in real property to River's Edge Parking, LLC and taking an additional action approving and authorizing execution of the Parking Facility Lease Purchase Agreement in the amount of not to exceed $17,000,000 for the lease purchase acquisition of the River's Edge Parking Facility. City Clerk Worden mentioned one notice in opposition was received by email on July 8, 2016. White and Head moved and seconded approval. Sandau mentioned, because I'm voting no on this tonight doesn't mean I won't vote "yes" in the future. Ringgenberg echoed Sandau's comments, I'd also like more time to iron out a few details on management, how much the City will pay for operations, and research the City's ownership obligations. Watson thanked the Council and Mayor indicating the project is in the best interest of the City; mentioning being an integral part of the process in principle against the project. Sandau mentioned he'd continue to work with Mr. Noddle and do his due diligence, Noddle nodded in concurrence. Voice Vote: 3 Ayes; 2 Nays (Ringgenberg, Sandau). Please note Ms. Petersen's comments on Item 4A, Resolution 16-147.

Resolution 16-173

Held Public Hearing, approving and authorizing the execution of a Development Agreement by and between the City of Council Bluffs and River's Edge One, L.L.C. White and Head moved and seconded approval. Voice Vote: 4 Ayes; 1 Nay (Sandau). Please note Ms. Petersen's on Item 4A, Resolution 16-147.

Resolution 16-175

Held Public Hearing, to vacate and to dispose of that portion of the north/south right-of-way abutting Lot 14, Block 3, Rohrer's Park Second Addition and part of Lots 6 and 7, Ross Place. Heard from Larry Castillo, 1003 N. 8th Street, against the vacation. Heard from Trent Harvey, 1016 Military Avenue, applicant, who indicated he'd like to work with the neighbors. Head requested Don Gross speak to the issue, Mr. Gross indicated Council could vacate ½ the alley to Mr. Harvey and ½ to Mr. Castillo. Heard from Alisa Castillo, Illinois, who requested the item be tabled. Mayor Walsh mentioned the City is laid out on a grid of streets, White added, as a Commissioner, the City is trying to sell City owned property that adjoins property owner's property that could be utilized; and this street has never been improved. I would like for either people on either side to purchase the property and move on. White continued by saying she's in favor of the vacation, noting we don't maintain alleys any longer. Watson concurred with White, we need to remove the liability from the tax rolls, and if this was the only access to the property it would be a different situation. Ringgenberg also concurred with his colleagues; adding Community Development routinely goes through a process and notifies neighbors of adjacent properties. White and Head moved and seconded approval. Unanimous, 5-0 vote.

Resolution 16-176

Held Public Hearing, to vacate and dispose of that portion of North 13th Street lying north of the north line of Avenue K. Sandau and Head moved and seconded approval; closing the Public Hearing and postponing action until July 25, 2016. Unanimous, 5-0 vote.

Resolution 16-177	Held Public Hearing, authorizing disposal of City property legally described as Lot 7, Block 8, Bayliss and Palmer's Addition. Ringgenberg and Head moved and seconded approval. Unanimous, 5-0 vote.
Resolution 16-178	Held Public Hearing, authorizing disposal of City property legally described as the east ½ and the west ½ of the west 48 feet of Lot 4, Block 17, Beer's Addition. White and Watson moved and seconded approval. Unanimous, 5-0 vote.
RESOLUTIONS Resolution 16-167 (postponed from 6/13/2016)	White and Ringgenberg moved and seconded approval, making changes to the positions assigned to the Finance Department. Voice Vote: 4 Ayes; 1 Nay (Head).
Resolution 16-179	White and Head moved and seconded approval, authorizing a joint application to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and New Community Development Corporation (DBA NeighborWorks Home Solutions) for Workforce Housing Tax Incentive Program (WHTIP) benefits. Unanimous, 5-0 vote.
Resolution 16-180	White and Head moved and seconded approval, authorizing a joint application to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and the Pottawattamie County Development Corporation (PCDC) for Workforce Housing Task Incentive Program (WHTIP) benefits. Unanimous, 5-0 vote.
Resolution 16-181	Sandau and Head moved and seconded approval, authorizing the Mayor to execute an agreement for Maintenance and Repair of Primary Roads in Municipalities with the Iowa Department of Transportation. Unanimous, 5-0 vote.
Resolution 16-182	Ringgenberg and Sandau moved and seconded to amend the resolution to read, "to authorize the Mayor to negotiate an agreement" rather than execute an agreement, with Project Advocates for owner's representative and related services during the design, development, bidding, construction and commission phases of a new Police Headquarters Building. Unanimous, 5-0 vote.
Resolution 16-183	Ringgenberg and Head moved and seconded approval, authorizing the Mayor to execute an agreement with the Council Bluffs School District for Vehicle and Equipment Maintenance. Unanimous, 5-0 vote.
Resolution 16-184	White and Head moved and seconded approval of additions and revisions of the City's current Personnel Policy Manual. Unanimous, 5-0 vote.
Resolution 16-185	White and Head moved and seconded approval, authorizing the City Clerk to certify the Weed Assessments to the Pottawattamie County Treasurer. Unanimous, 5-0 vote.
Resolution 16-186	Sandau and White moved and seconded approval, authorizing the City Clerk to certify the Solid Waste/Nuisance Assessments to the Pottawattamie County Treasurer. Unanimous, 5-0 vote.
Resolution 16-187	White and Watson moved and seconded approval, authorizing the Mayor to approve the Funding Agreement between the City of Council Bluffs and the Council Bluffs Convention and Visitor's Bureau. Unanimous, 5-0 vote.
Resolution 16-188	White and Head moved and seconded approval, authorizing placement of the Public Safety Display on City owned property located directly south of West Broadway between Pearl Street and Main Street. Unanimous, 5-0 vote.
APPLICATIONS/PERMITS & CANCELLATIONS	Sandau and Head moved and seconded approval inclusive of the New Beer/Liquor/Wine & Outdoor Permit Application for Item 7A1. 1. Dollar General Stores #1574, 2731 East Kanesville Boulevard; Items 7B (1-9). Renewal of Beer/Liquor/Wine and Outdoor Permit Applications: 1. Bucky's, 1759 Madison Avenue, 2. Bucky's, 3434 Nebraska Avenue, 3. Bucky's, 3501 West Broadway, 4. Bucky's, 2713 South 24th Street, 5. Hooter's, 2910 23rd Avenue. 6. Hy-Vee Drugstore, 757 West Broadway, 7 Mid America Center, 1 Arena Way, 8, Quaker Steak and Lube, 3320 Mid American Drive, 9. Super Quik Stop, 2800 Twin City Drive; and Items 7C. 2016-2017 Cigarette Permits (8). Unanimous, 5-0 vote.

CITIZENS REQUEST TO BE HEARD

A request was submitted by Colonial Plaza to the City Council to waive rental fees. Sandau and White moved and seconded to review the case further and continue action on the request until the July 25th meeting. Unanimous, 5-0 vote.

Mayor Walsh thanked the Church of Jesus Christ of Latter Day Saints for hosting the Grand Encampment and events held this past weekend; adding twenty years ago a large group made the trek from Nauvoo (Illinois) to Salt Lake City, Utah to celebrate the 150th Anniversary.

ADJOURNMENT

Mayor Walsh adjourned the meeting at 9:12 p.m. Unanimous.

The tape recording of this proceeding, though not transcribed, is part of the record f 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:

Marcia L. Worden, City Clerk