



**Study Session Agenda
City of Council Bluffs, Iowa
May 6, 2019, 3:45 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street**

- A. Wind Energy Conversion Systems - Chris Gibbons
- B. Review Agenda



**Council Agenda, City of Council Bluffs, Iowa
Regular Meeting May 6, 2019, 7:00 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street**

AGENDA

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER

3. CONSENT AGENDA

- A. Approval of Agenda & tape recordings of these proceedings to be incorporated into the official minutes.
- B. Reading, correction and approval of the April 22, 2019 City Council Meeting Minutes.
- C. Resolution 19-109
Resolution setting a Public Hearing for May 20, 2019 at 7:00 p.m. for the SCADA Upgrade, Phase 1 (WPCP). Project #PW17-23
- D. Mayor's Appointments
Storm Water Advisory Committee
- E. Notice of Right of Redemption
- F. Claims

4. MAYORS PROCLAMATIONS

- A. ALS Awareness Month
- B. National Foster Care Month

5. PUBLIC HEARINGS

- A. Resolution 19-110
Resolution to approve a proposed amendment to the current City budget for the fiscal year ending June 30, 2019.
- B. Resolution 19-111
Resolution authorizing the Mayor and City Clerk to execute an easement in connection with the installation of electric facilities by BNSF Railway Company.

6. ORDINANCES ON 2ND READING

A. Ordinance 6384

Ordinance to amend Title 9 Traffic, Chapter 9.88 Speed Regulations of the 2015 Municipal Code of Council Bluffs, Iowa, by amending Section 9.88.080 Schedule of posted streets.

7. RESOLUTIONS

A. Resolution 19-112

Resolution authorizing and setting the Drainage District annual assessment for Mosquito Creek #22, Sieck #32, and West Lewis #35 for fiscal year 2020.

B. Resolution 19-113

Resolution to abolish a part-time fleet maintenance laborer position.

C. Resolution 19-114

Resolution to set the non-union wage increase for FY20.

D. Resolution 19-115

Resolution waiving the City of Council Bluffs review of Parcel number 7443 17 176 006 otherwise identified as 13667 192nd Street. And authorizing an agreement for the future voluntary annexation.

8. APPLICATIONS FOR PERMITS AND CANCELLATIONS

A. Liquor Licenses - New

1. Casey's General Store #3201, 701 32nd Avenue
2. Fifty-One 501 Grill 'n Bar, 4104 Rivers Edge

B. Liquor License Renewals

1. American Legion Rainbow Post #2, 716 4th Street
2. Big Al's, 2700 2nd Ave
3. Boxer BBQ, 722 Creek Top
4. Courtyard by Marriott, 2501 Bass Pro Drive
5. Family Fare #791, 1801 Valley View Drive
6. Hy-Vee Food Store #1, 2323 W Broadway
7. O Face Bar, 2400 9th Ave
8. Rodeo Saloon & BBQ, 164 W Broadway
9. Spillway Grill and Bar, 1840 Madison Ave
10. StreetSide Lounge, 319 N 16th Street
11. Tobacco Hut #14, 1925 W Broadway

C. Cigarette Permits

D. Celebrate CB, Parade and events

- 9. CITIZENS REQUEST TO BE HEARD**
- 10. OTHER BUSINESS**
- 11. ADJOURNMENT**

DISCLAIMER:

If you plan on attending this meeting and require assistance please notify the City Clerk's office at (712) 890-5261, by 5:00 p.m., three days prior to the meeting.



City Council Meeting Minutes April 22, 2019

CALL TO ORDER

Mayor Matthew Walsh called the meeting to order on Monday April 22, 2019 at 7:00 p.m.

Council Members present: Melissa Head, Roger Sandau, Nate Watson, Sharon White and Mike Wolf.

Staff Present: Richard Wade and Jodi Quakenbush.

CONSENT AGENDA

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

Reading, correction and approval of the April 8, 2019 City Council Meeting Minutes.

Resolution 19-99

Resolution setting a public hearing for May 6, 2019 at 7:00 p.m., for granting an easement in connection with the installation of electric facilities by BNSF Railway Company.

2018 City Planning Commission Annual Report

March FY19 Financial Reports, Notice of Right of Redemption & Claims

Sharon White and Nate Watson moved and seconded approval of Consent Agenda. Unanimous, 5-0 vote.

MAYORS PROCLAMATIONS

A. National Community Development Week

Proclamation accepted by members of Community Development and partners they work with.

PUBLIC HEARINGS

Resolution 19-100

Resolution amending the established general procedures and standards, consistent with all applicable federal and state laws, for the siting, construction, installation, collocation, modification, relocation, operation and removal of small cell wireless technology within the City's right-of-way and on any City-owned property.

Heard from Jeff Armour & Sarah Meuli, with Verizon Wireless
Nate Watson and Melissa Head moved and seconded approval
of Resolution 19-100. Unanimous, 5-0 vote.

Resolution 19-101

Resolution approving the plans and specifications for the South 1st
Street Neighborhood Rehab, Phase X. Project # PW20-12

Sharon White and Mike Wolf moved and seconded approval of Resolution
19-101. Unanimous, 5-0 vote.

Resolution 19-102

Resolution authorizing the Mayor and City Clerk to execute a Quitclaim
Deed and Purchase Agreement granting Real Property for Iowa DOT
Parcel Number 405, Dodge Riverside Golf Course, to the State of Iowa
in connection with Council Bluffs Interstate System Improvements.

Roger Sandau and Nate Watson moved and seconded approval of
Resolution 19-102. Unanimous, 5-0 vote.

ORDINANCES ON 1ST READING

Ordinance 6384

Ordinance to amend Title 9 Traffic, Chapter 9.88 Speed Regulations
of the 2015 Municipal Code of Council Bluffs, Iowa, by amending
Section 9.88.080 Schedule of posted streets.

Mike Wolf and Nate Watson moved and seconded approval of First
Consideration of Ordinance 6384. Second Consideration will be held May
6, 2019 at 7:00 p.m.. Unanimous, 5-0 vote.

RESOLUTIONS

Resolution 19-103

Resolution authorizing the Mayor to execute the order accepting the
acknowledgment/settlement agreements from Alohma, 285 W.
Broadway and Avenue G Convenience Store, 1602 Avenue G for
violations of Iowa Code Section 453a.2(1)

Roger Sandau and Melissa Head moved and seconded approval of
Resolution 19-103. Unanimous, 5-0 vote.

Resolution 19-104

Request by Western Iowa Land Development, LLC to amend the
adopted planned residential development plan for East Fox Run
Subdivision by reducing the minimum rear yard setback for Lots 11-
12, Lots 17-20, and Lots 25-26 from 20 feet to 10 feet.

Sharon White and Nate Watson moved and seconded approval of
Resolution 19-104. Unanimous, 5-0 vote.

Resolution 19-105

Resolution authorizing the Mayor and City Council to execute an agreement with Carley Construction for the 22nd Avenue Water and Sanitary Sewer Project.

Roger Sandau and Melissa Head moved and seconded approval of Resolution 19-105. Unanimous, 5-0 vote.

Resolution 19-106

River's Edge Subdivision Improvement Project - Piazza parking and improvements to the south side of Avenue B from 40th to 42nd Street – Contract Award

Melissa Head and Mike Wolf moved and seconded approval of Resolution 19-106. Unanimous, 5-0 vote.

Resolution 19-107

Resolution confirming the appointment of Matthew Cox as Director of Public Works

Sharon White and Mike Wolf moved and seconded approval of Resolution 19-107. Unanimous, 5-0 vote.

Resolution 19-108

Resolution to adopt the proposed policy for federally funded projects.

Nate Watson and Mike Wolf moved and seconded approval of Resolution 19-108. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor Licenses: 1) Railway Inn, 115 S. 12th Street & 2) T'z, 128 W. Broadway
Cigarette Permit
Salvage/Storage Yard License

Sharon White and Melissa Head moved and seconded approval of Application for Permits and Cancellations, Items 8A 1& 2, 8B & 8C. Unanimous, 5-0 vote.

CITIZENS REQUEST TO BE HEARD

Heard from Bruce Kelly, 864 McKenzie Avenue. West lane on Kanesville & Bike Trail.

ADJOURNMENT

Mayor Walsh Adjourned the meeting at 7:30 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: Jodi Quakenbush, City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: PW17-23
Submitted by: Matthew Cox, Public
Works Director

Resolution 19-109
ITEM 3.C.

Council Action: 5/6/2019

Description

Resolution setting a Public Hearing for May 20, 2019 at 7:00 p.m. for the SCADA Upgrade, Phase 1 (WPCP). Project #PW17-23

Background/Discussion

The City's Water Pollution Control Plant (WPCP) uses a Supervisory Control and Data Acquisition (SCADA) system to monitor operations at the plant and pump stations. The existing system is antiquated and maintenance is difficult because of the obsolete hardware and unsupported software. The scope of this initial phase is to upgrade the facilities at the WPCP so that data can be reliably gathered, communicated, and monitored within the plant.

An onsite assessment was completed by the consultant and identified two efforts: Immediate needs within the plant; and SCADA procurement and implementation. Immediate needs have been addressed within the WPCP operation budget. The project scope includes new hardware, software and communication equipment at the WPCP.

After a successful deployment, the intent is to expand the system to integrate communications with the existing sanitary sewer pump stations located throughout the collection system. Until the second project is accomplished, the new SCADA will need to work with the old system until the second phase of implementation can be accomplished.

This project was included in the FY17 CIP and is funded with Sales Tax Funds. The project has a revised budget of \$550,000.

The project schedule is as follows:	Hold Public Hearing	May 20, 2019
	Bid Letting	July 9, 2019
	Award	July 22, 2019
	Construction Start	August 2019

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 19-109	Resolution	5/1/2019

RESOLUTION
NO 19-109

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE
AND SETTING A PUBLIC HEARING ON THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
SCADA UPGRADE, PHASE 1 (WPCP)
PROJECT #PW17-23**

WHEREAS, the city wishes to make improvements known as SCADA Upgrade, Phase 1 (WPCP), within the city as therein described; and

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the city clerk.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the City Clerk is hereby ordered to set a public hearing on the plans, specifications, form of contract and cost estimate for the SCADA Upgrade, Phase 1 (WPCP) project setting May 20, 2019, at 7:00 p.m. as the date and time for said hearing.

AND BE IT FURTHER RESOLVED

That the aforementioned project is encompassed by the language of the 1989 Local Option Sales Tax Ballot and as such this is an appropriate expenditure of the Local Option Sales Tax Revenues.

ADOPTED
AND
APPROVED

May 6, 2019

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

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

Mayor's Appointments
ITEM 3.D.

Council Action: 5/6/2019

Description

Storm Water Advisory Committee

Background/Discussion

With City Council concurrence, I would like to make the following appointment:
STORM WATER ADVISORY COMMITTEE
Appoint the following with term expiring 06/30/2023:
Stacy Gillman
1816 S 8th Street

Recommendation

NOTICE TO REDEEM FROM TAX SALE

TO: Sharon L. Way
51201 196th Street
Council Bluffs, IA 51503
and any unknown heirs, devisees, grantees, assignees, successors in interest, unknown parties in possession, unknown spouses and claimants.

Unknown Spouse of Sharon L. Way, if any
51201 196th Street
Council Bluffs, IA 51503

Stanley Way, as an Heir of Sharon L. Way
51201 196th Street
Council Bluffs, IA 51503

Unknown Spouse of Stanley Way, if any
51201 196th Street
Council Bluffs, IA 51503

Sharon L. Way
51205 196th Street
Council Bluffs, IA 51503

Unknown Spouse of Sharon L. Way, if any
51205 196th Street
Council Bluffs, IA 51503

Stanley Way, as an Heir of Sharon L. Way
51205 196th Street
Council Bluffs, IA 51503

Unknown Spouse of Stanley Way, if any
51205 196th Street
Council Bluffs, IA 51503

Sheryl Ruckman, as an Heir of Sharon L. Way
185 15th Street
Council Bluffs, IA 51503

Scott D. Way, as an Heir of Sharon L. Way
51205 196th Street
Council Bluffs, IA 51503

Parties in Possession of
51201 196th Street
Council Bluffs, IA 51503

RECEIVED
2007-05-28
PM 1:50

Credit Management Services, Inc.
P.O. Box 1512
Grand Island, NE 68802-1512
RE: Iowa District Court in and for Mills County, Case No. SCSC013069, judgment entered November 24, 2015 vs. Sharon Way

Credit Management Services, Inc.
c/o CT Corporation System
400 E. Court Avenue
Des Moines, IA 50309
RE: Iowa District Court in and for Mills County, Case No. SCSC013069, judgment entered November 24, 2015 vs. Sharon Way

Credit Management Services, Inc.
105 N. Wheeler Street
Grand Island, NE 68801
RE: Iowa District Court in and for Mills County, Case No. SCSC013069, judgment entered November 24, 2015 vs. Sharon Way

Webering Law Offices, P.C.
c/o James C. Webering
211 N. Locust Street
Glenwood, IA 51534
RE: Iowa District Court in and for Mills County, Estate of Sharon Way, Deceased, Probate No. ESPR010621

Council Bluffs City Clerk
c/o City Hall
209 Pearl Street
Council Bluffs, IA 51503

Mills County Treasurer
418 E. Sharp Street, #2
Glenwood, IA 51534

Any and all person(s) in possession of the parcel hereinafter described.

All of the heirs, spouses, assignees, grantees, legatees, devisees, and successors in interest both known and unknown, and all unknown claimants claiming to have any recorded or unrecorded right, title, or interest in and to the parcel hereinafter described.

YOU ARE NOTIFIED that on the 20th day of June, 2016, the following described parcel, situated in Mills County, Iowa, to-wit:

A Parcel of land located in the West Half of the Northeast Quarter (W½ NE¼) of Section Eight (8), Township Seventy-three (73) North, Range Forty-three (43) West of the Principal Meridian, Mills County, Iowa, more particularly described

as follows:

Commencing as the NW corner of the NW¼ NE¼ of said Section 8, thence S0°00'E 1209.7 ft along the west line of said NW¼ NE¼ to a point on the centerline of County Road No. L-31, the Point of Beginning, thence N23°43'E 200.0 ft along said centerline, thence N24°01½'E 300.0 ft, along said centerline, thence N23°30'E 300.0 ft along said centerline, thence N28°24½'E 203.0 feet along said centerline, thence S3°16½'E 242.3 ft, thence S7°00½'E 149.3 ft thence S5°09'E 262.9 ft. thence S36°05½'E 99.4 ft, thence S23°50'E 271.0 ft, thence S6°18½'E 121.8 ft. thence N90°00'W 655.9 ft, to a point on the west line of the W½ NE¼ of said Section 8 to a point on the centerline of County Road No. L-31, the Point of Beginning,

PARCEL NO. 03454-001-00-00-000

CERTIFICATE NO. 2016-16072

was sold at tax sale by the Treasurer of Mills County for the then delinquent and unpaid taxes and/or special assessments against the parcel, that a Certificate of Purchase was duly issued by the County Treasurer of Mills County, Iowa, pursuant to said tax sale, which Certificate is now lawfully held and owned by ACC7, LLC AND DUTRAC and that the right of redemption will expire and a deed to the said parcel will be made to ACC7, LLC AND DUTRAC, by the Treasurer of Mills County, Iowa, thereby relinquishing all your rights, title and interest in the above-described parcel unless redemption from said tax sale is made within ninety (90) days from the completed service of this Notice.

Dated this 19th day of April, 20 19.

ACC7, LLC AND DUTRAC

By: 

Nathan D. Runde-AT009759

Of

Clemens, Walters, Conlon

Runde & Hiatt, L.L.P.

2080 Southpark Court

Dubuque, IA 52003

Tel: (563)582-2926

Fax: (563)582-2998

Email: nrunde@cwcmllaw.com

NOTE: Do not contact the purchaser at the tax sale or his attorney in order to arrange for payment of the amounts necessary to redeem this property. The only means by which you may redeem this property is through payment of the amounts due through the Mills County Treasurer, Mills County Courthouse, Glenwood, Iowa, 712/527-4419.

RETURN TO CITY OF COUNCIL BLUFFS, IOWA
ATTN: CITY LEGAL DEPARTMENT
OR CITY CLERK
200 PEARL STREET
COUNCIL BLUFFS, IA 51503

CITY CLAIM NO 19-PW-1991

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT Jeff & Debbie Borden DAY PHONE 402-349-3169 work
ADDRESS 128 East Graham Ave, Apt. 2 DOB 7/2-388-9180 home
DATE & TIME OF LOSS/ACCIDENT On Madison Avenue before Timbercrest
LOCATION OF LOSS/ACCIDENT 3/13/19 at 8:30 am
DESCRIPTION OF LOSS/ACCIDENT see back side

(USE BACK OF FORM, IF NECESSARY)
TOTAL DAMAGES CLAIMED \$ 2404.53
WITNESS(ES) (Name(s), Address(es), Phone No(s)) Jeff Borden

WAS POLICE REPORT FILED ☐ YES ☒ NO

IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO. OF TREATING PHYSICIAN AND FACILITY

HAVE YOU RESUMED NORMAL ACTIVITIES? ☒ YES ☐ NO

IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY

OTHER RELEVANT INFORMATION blown fire, complete strut assembly,
all invoices are attached.

LIST INSURANCE PROVIDER AND COVERAGE: Gade Insurance - full coverage

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IN SUPPORT OF MY CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

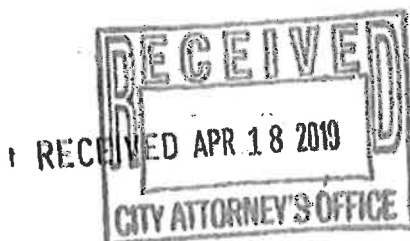
NOTE: IT IS A FRAUDULENT PRACTICE PUNISHABLE BY FINE OR IMPRISONMENT TO KNOWINGLY MAKE A FALSE CLAIM (SECTION 714.8(3) CODE OF IOWA)

DATE 4/14/19

CLAIMANT'S SIGNATURE Jeff Borden
Debbie Borden

CLERK RCVD
18 APR '19

PM2:12



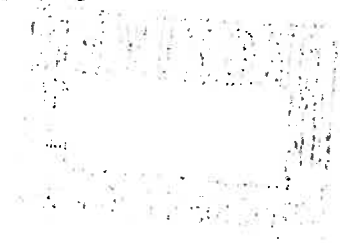
On 3/13/19 at 5:20 am my husband was driving on
Highway Avenue under the speed limit and hit
a large pot hole before Timbercrest. When he hit it,
it blew out the passenger side front tire.
He pulled over and changed it, using the spare
tire. In the meantime another driver hit the
same pot hole and it broke the tire completely
off the car.

My husband went to CFC and replaced the
tire (invoice included).

Our car started making a horrible noise so we took
it to Edwards on 3/21/19. They had to make several
repairs (invoice included). While making those
repairs they found additional damage (invoice
included) which we had done on 4-12-19.

The total for all the damages is \$2404.53. Our
mechanic advised us that the damages on the
drivers side and obviously the passenger side
was all due to the pot hole.

There are pictures included showing the pot hole
(filled with water) and the pot hole partially
repaired. I reported the pot hole on 3/13/19.
The pot hole still has cones around it and
is still only partially repaired.



RETURN TO
CITY OF COUNCIL BLUFFS, IOWA
ATTN: CITY LEGAL DEPARTMENT
OR CITY CLERK
209 PEARL STREET
COUNCIL BLUFFS, IA 51503

CITY CLAIM NO. 19-PW-1990

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT Janelle Clark DAY PHONE (402) 213 8402
ADDRESS 1516 Willis Ave, Council Bluffs, IA 51501 DOB 06-01-87
DATE & TIME OF LOSS/ACCIDENT March 2, 2019
LOCATION OF LOSS/ACCIDENT 11th and H Street
DESCRIPTION OF LOSS/ACCIDENT The pothole damage my rim and tire on my passenger side

(USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED \$ 186.99

WITNESS(ES) (Name(s), Address(es), Phone No(s))

WAS POLICE REPORT FILED ☐ YES ☒ NO

IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO. OF TREATING PHYSICIAN AND FACILITY:

No medical attention needed

HAVE YOU RESUMED NORMAL ACTIVITIES? ☒ YES ☐ NO

IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY OTHER RELEVANT INFORMATION.

I have a invoice of the cost of damage property

LIST INSURANCE PROVIDER AND COVERAGE

Progressive and liability

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IN SUPPORT OF MY CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

NOTE: IT IS A FRAUDULENT PRACTICE PUNISHABLE BY FINE OR IMPRISONMENT TO KNOWINGLY MAKE A FALSE CLAIM (SECTION 714.8(3) CODE OF IOWA)

DATE

4/18/19

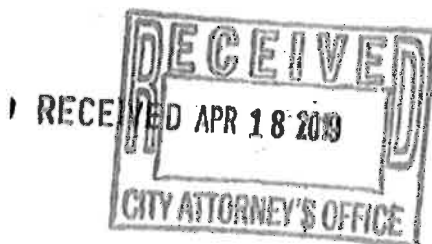
CLAIMANT'S SIGNATURE

[Handwritten Signature]

CLERK RCVD

18 APR 19

PM 2:12



City of Council Bluffs Iowa

Office of the Mayor

Proclamation

- WHEREAS,** Amyotrophic Lateral Sclerosis (ALS), better known as Lou Gehrig's disease, is a progressive neurodegenerative disease that affects nerve cells in the brain and the spinal cord; when the motor neurons die, the ability of the brain to initiate and control muscle movement is lost; with voluntary muscle action progressively affected; and
- WHEREAS,** patients in the later stages of the disease may become totally paralyzed; and on average, those diagnosed with ALS survive two to five years from the time of diagnosis; ALS has no known cause, means of prevention or cure; and
- WHEREAS,** it is known that military veterans are approximately twice as likely to develop ALS as those who have not served in the military; the Department of Veterans Affairs implemented regulations to establish a presumption of service connection for ALS thereby presuming that the development of ALS was incurred or aggravated by a veteran's service in the military; and
- WHEREAS,** a national ALS patient registry, administered by the Centers for Disease Control, is currently identifying cases of ALS in the United States and is the single largest ALS research project ever created; and
- WHEREAS,** The ALS Ice Bucket Challenge has led to heightened awareness of the Association and Lou Gehrig's disease, increased awareness of ALS and the fight against this terrible disease is needed to continue the momentum to find a treatment and a cure; and
- WHEREAS,** The ALS Association is the only national non-profit organization fighting Lou Gehrig's disease on every front. The Association leads the way in research, care services, public education, and public policy – giving help and hope to those facing the disease; the Association's nationwide network of chapters provides comprehensive patient services and support to the ALS community; and
- WHEREAS,** the mission of The ALS Association is to discover treatments and a cure for ALS, and to serve, advocate for, and empower people affected by ALS to live their lives to the fullest.

NOW, THEREFORE, I,

**Matthew J. Walsh, Mayor
of the
City of Council Bluffs, Iowa
do hereby proclaim**

May 2019

As

ALS AWARENESS MONTH

in the City of Council Bluffs, Iowa in honor of all of our citizens who are affected by ALS.



**IN WITNESS WHEREOF, I have hereunto
set my hand and caused the official seal of the
City of Council Bluffs, Iowa to be affixed this
6th day of May, in the year Two Thousand
Nineteen.**


Matthew J. Walsh, Mayor

City of Council Bluffs Iowa

Office of the Mayor

Proclamation

WHEREAS, in Iowa there are hundreds of children and youth in foster care being provided with a safe and stable home, with the compassion and nurture of a foster family; and

WHEREAS, there is no task more important than ensuring all Iowa children grow up healthy and safe; and

WHEREAS, foster, kinship, and adoptive families, who open their hearts and homes to children during times of crisis, play a vital role in helping families heal and reconnect thereby launching Iowa youth into successful adulthood; and

WHEREAS, foster families work hard to ensure children remain in their communities and schools, resulting in a continual need for more foster families in counties across Iowa; and

WHEREAS, all young people in or leaving foster care deserve to have a permanent, meaningful connection to caring adults who become a supportive and lasting presence in their lives; and

WHEREAS, the Iowa Department of Human Services and LSI Foster Care and Adoption, and numerous individuals and organizations work to increase public awareness of the needs of children in foster care, as well as the dedicated and valuable contributions of foster parents.

NOW, THEREFORE, I,

**Matthew J. Walsh, Mayor
of the
City of Council Bluffs, Iowa
do hereby proclaim**

May 2019

as

NATIONAL FOSTER CARE MONTH

in the city of Council Bluffs, Iowa, and urge all Iowans to help children in foster care build their brightest futures.



**IN WITNESS WHEREOF, I have hereunto
set my hand and caused the official seal of the
City of Council Bluffs, Iowa to be affixed this
6th day of May, in the year Two Thousand
Nineteen.**


Matthew J. Walsh, Mayor

Council Communication

Department: Finance
Case/Project No.:
Submitted by: Kathryn Knott

Resolution 19-110
ITEM 5.A.

Council Action: 5/6/2019

Description

Resolution to approve a proposed amendment to the current City budget for the fiscal year ending June 30, 2019.

Background/Discussion

The City of Council Bluffs is proposing an amendment to the City of Council Bluffs Budget for the fiscal year ending June 30, 2019.

The proposed budget amendment increases revenue by \$6,754,654 and increases expenditures by \$5,904,354 resulting in favorably to revenue of \$850,300. The changes are primarily due to the receipt of revenue and expenditures for the data center construction in the City and estimated costs which may be incurred by the City for the flood event.

Recommendation

Approve the resolution.

ATTACHMENTS:

Description	Type	Upload Date
Budget Amendment	Resolution	4/24/2019
Resolution 19-110	Resolution	5/1/2019

**NOTICE OF PUBLIC HEARING
AMENDMENT OF FY2018-2019 CITY BUDGET**

The City Council of Council Bluffs in POTTAWATTAMIE County, Iowa
will meet at Council Chambers, City Hall, 209 Pearl St., Council Bluffs, IA
at 7:00 pm on 5/6/2019
(hour) (Date)

,for the purpose of amending the current budget of the city for the fiscal year ending June 30, 2019
(year)
by changing estimates of revenue and expenditure appropriations in the following functions for the reasons given.
Additional detail is available at the city clerk's office showing revenues and expenditures by fund type and by activity.

		Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
<u>Revenues & Other Financing Sources</u>				
Taxes Levied on Property	1	46,787,000	-1,800,000	44,987,000
Less: Uncollected Property Taxes-Levy Year	2	0		0
Net Current Property Taxes	3	46,787,000	-1,800,000	44,987,000
Delinquent Property Taxes	4	0		0
TIF Revenues	5	4,176,848		4,176,848
Other City Taxes	6	21,033,273	750,000	21,783,273
Licenses & Permits	7	1,621,650	3,000,000	4,621,650
Use of Money and Property	8	962,355	400,000	1,362,355
Intergovernmental	9	32,089,650	283,300	32,372,950
Charges for Services	10	20,649,048		20,649,048
Special Assessments	11	166,000		166,000
Miscellaneous	12	2,472,400	1,200,000	3,672,400
Other Financing Sources	13	25,000		25,000
Transfers In	14	27,331,857	2,921,354	30,253,211
Total Revenues and Other Sources	15	157,315,081	6,754,654	164,069,735
<u>Expenditures & Other Financing Uses</u>				
Public Safety	16	34,284,127	370,000	34,654,127
Public Works	17	9,549,124	1,269,000	10,818,124
Health and Social Services	18	152,137		152,137
Culture and Recreation	19	12,971,497		12,971,497
Community and Economic Development	20	5,758,794		5,758,794
General Government	21	13,861,236	3,344,000	17,205,236
Debt Service	22	10,527,678		10,527,678
Capital Projects	23	42,468,675	-2,000,000	40,468,675
Total Government Activities Expenditures	24	129,573,268	2,983,000	132,556,268
Business Type / Enterprises	25	16,173,192		16,173,192
Total Gov Activities & Business Expenditures	26	145,746,460	2,983,000	148,729,460
Transfers Out	27	27,331,857	2,921,354	30,253,211
Total Expenditures/Transfers Out	28	173,078,317	5,904,354	178,982,671
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out Fiscal Year	29	-15,763,236	850,300	-14,912,936
Beginning Fund Balance July 1	30	224,879,209		224,879,209
Ending Fund Balance June 30	31	209,115,973	850,300	209,966,273

Explanation of increases or decreases in revenue estimates, appropriations, or available cash:

There will be no increase in tax levies to be paid in the current fiscal year named above related to the proposed budget amendment. Any increase in expenditures set out above will be met from the increased non-property tax revenues and cash balances not budgeted or considered in this current budget.

RESOLUTION NO. 19-110

A RESOLUTION AMENDING THE CITY BUDGET FOR THE FISCAL YEAR ENING JUNE 30, 2019

- WHEREAS, the city of Council Bluffs proposed an amendment to the City of Council Bluff's budget for the fiscal year ending June 30, 2019; and
- WHEREAS, the city obtained public comment on the proposed amendment at the required public hearing held in the City Council Chambers on Monday, May 6, 2019 at 7:00 PM; and
- WHEREAS, notice of the proposed budget amendment was published in the Council Bluffs Daily Nonpareil on April 26, 2019 with notice sufficiently in advance of the public hearing; and

NOW, THEREFORE, BE IT RESOLVED BY THE
CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the City of Council Bluffs hereby approves an amendment to the budget for the fiscal year ending June 30, 2019 as detailed in the published Public Notice and directs the Finance Department to make the proper filings with State and County officials.

ADOPTED
AND
APPROVED:

May 6, 2019

Matthew J. Walsh,

Mayor

Jodi Quakenbush,

City Clerk

STATE OF IOWA)
COUNTY OF) ss
POTTAWATTAMIE)

On this _____ day of _____, 2019, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Notary Public in and for the said State

Council Communication

Department: Public Works Admin
Case/Project No.:
Submitted by: Matthew Cox, Public
Works Director

Resolution 19-111
ITEM 5.B.

Council Action: 5/6/2019

Description

Resolution authorizing the Mayor and City Clerk to execute an easement in connection with the installation of electric facilities by BNSF Railway Company.

Background/Discussion

BNSF Railway Company has installed an underground electric service line to provide power to their railroad switch facilities.

A property previously owned by CBEC Railway and part of a railroad right-of-way was given to the City as a condition of the CBIS Railroad Consolidation Agreement. The subject parcel is adjacent to the BNSF right-of-way and located between the rail facilities and the electric facilities owned by MidAmerican Energy. The easement has been prepared based on the actual as-built location of the underground power conduits.

The perpetual, non-exclusive electric easement allows BNSF Railway Company to construct, place, operate, maintain, alter, renew, improve and remove electrical lines above, below, and on the surface of the premises.

The easement is located in a strip of land 20 feet in width being a portion of the Southwest Quarter of the Northeast Quarter, Section 07, Township 74 North, Range 43 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa.

The easement area is 1,610 Square Feet (0.037 Acres). An exhibit is attached detailing the location and legal description of the easement.

Iowa DOT has agreed to compensate the City in the amount of \$2,000 in exchange for granting the easement to BNSF.

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Easement	Agreement	4/25/2019
Easement location	Map	4/25/2019
Resolution 19-111	Resolution	5/1/2019

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the **CITY OF COUNCIL BLUFFS, GRANTOR**, for Ten and No/100 Dollars (\$10.00), and other valuable considerations, to it paid by **BNSF RAILWAY COMPANY**, a Delaware corporation, whose address for purposes of this instrument is 2301 Lou Menk Drive, GOB-3W, Fort Worth, Texas 76131-2830, its successors and assigns, collectively referred to herein as **GRANTEE**, and the promises of the Grantee hereinafter specified, does hereby grant, sale, convey and forever warrant unto the Grantee, subject to the terms and conditions hereinafter set forth, a perpetual **NON-EXCLUSIVE EASEMENT** to have to and to hold for purposes of construction, place, operate, maintain, alter, renew, improve and remove electrical lines above, below and on the surface of the premises situated in Pottawattamie County, State of Iowa, as described in **Exhibit "A"** attached hereto and made a part hereof. A print showing the type, size, and location of the area described in Exhibit A, is marked as **Exhibit "B"**, attached hereto and made a part hereof.

The foregoing easement is made subject to and upon the following express conditions:

1. The Grantor, on behalf of itself, or its successors and assigns, may grant additional uses within the easement area that do not interfere with the uses of the property by the Grantee. The Grantor on behalf of itself, its successors and assigns, covenants and agrees that these additional uses shall in no way impede or deny the access granted herein.
2. Grantee shall have the right, but not the obligation, to remove all trees, brush and other vegetation from the above-described easement. In addition to and not in limitation of the foregoing, Grantee shall have the right, but not the obligation, to use, maintain, repair and improve (by the application of gravel or other surfacing material) that certain roadway situated on the premises.
3. This easement shall be binding upon and inure to the benefit of the heirs, executors, administrators, assigns and successors of Grantor and Grantee.
4. Grantee shall make no excavation or change in grade without prior consultation with Grantor. All proposed changes will need to comply with prevailing USACE requirements for excavation within the levee critical area.

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereunto belonging to Grantee for its use and enjoyment for the purposes aforesaid and for no other purpose whatsoever subject to the terms and conditions hereinbefore stated.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be signed by its authorized officer on the _____ day of _____, 20____.

GRANTOR:

a, _____

By: _____

Name: _____

Title: _____

Date: _____

STATE OF _____)
)ss.
COUNTY OF _____)

This instrument was acknowledged before me on the _____ day of _____, 20____, by (name of person acknowledged if an individual). [[Or if by a corporation]]] _____ (name of person), _____ (title of person) of _____, a(n) _____ (state of incorporation), on behalf of said _____ (corporation if a corporation).

WITNESS my hand and notarial seal on this _____ day of _____, 20____.

Notary Public

My Commission Expires: _____

Easement Exhibits:

Exhibit A: Legal Description
Exhibit B: Plat

EXHIBIT "A"

LEGAL DESCRIPTION

A STRIP OF LAND 20 FEET IN WIDTH BEING A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), SECTION 07, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5th PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 07;

THENCE ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 07, NORTH 88 DEGREES 35 MINUTES 09 SECONDS WEST, 1944.66 FEET TO A POINT WHERE THE EAST LINE OF BNSF RAIL ROAD RIGHT-OF-WAY INTERSECTS THE SAID SOUTH LINE OF THE NORTHEAST QUARTER;

THENCE ALONG SAID EAST LINE, NORTH 06 DEGREES 49 MINUTES 48 SECONDS WEST, 112.93 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EAST LINE, NORTH 06 DEGREES 49 MINUTES 48 SECONDS WEST, 22.28 FEET;

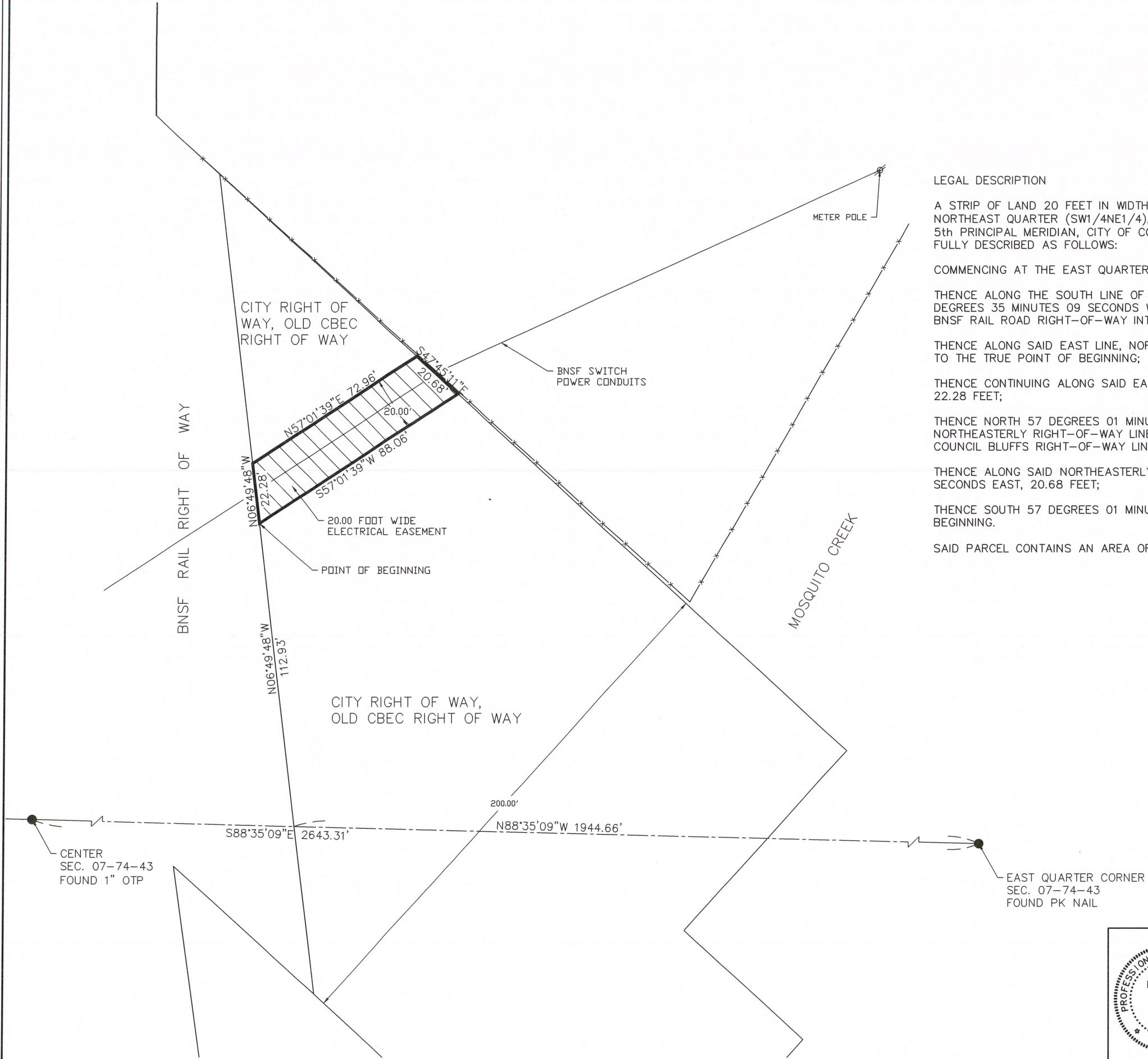
THENCE NORTH 57 DEGREES 01 MINUTE 39 SECONDS EAST, 72.96 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE OLD CBEC RAILWAY LINE, WHICH IS NOW THE CITY OF COUNCIL BLUFFS RIGHT-OF-WAY LINE;

THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE SOUTH 47 DEGREES 45 MINUTES 11 SECONDS EAST, 20.68 FEET;

THENCE SOUTH 57 DEGREES 01 MINUTE 39 SECONDS WEST, 88.06 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 1,610 SQUARE FEET (0.037 ACRE) MORE OR LESS.

to: 190513 S:\Survey\Drafting\190513 BNSF SWITCH EASEMENT\Engineering\Draw\Survey



LEGAL DESCRIPTION

A STRIP OF LAND 20 FEET IN WIDTH BEING A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4), SECTION 07, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5th PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 07;

THENCE ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 07, NORTH 88 DEGREES 35 MINUTES 09 SECONDS WEST, 1944.66 FEET TO A POINT WHERE THE EAST LINE OF BNSF RAIL ROAD RIGHT-OF-WAY INTERSECTS THE SAID SOUTH LINE OF THE NORTHEAST QUARTER;

THENCE ALONG SAID EAST LINE, NORTH 06 DEGREES 49 MINUTES 48 SECONDS WEST, 112.93 FEET TO THE TRUE POINT OF BEGINNING;

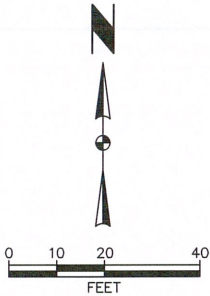
THENCE CONTINUING ALONG SAID EAST LINE, NORTH 06 DEGREES 49 MINUTES 48 SECONDS WEST, 22.28 FEET;

THENCE NORTH 57 DEGREES 01 MINUTE 39 SECONDS EAST, 72.96 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE OLD CBEC RAILWAY LINE, WHICH IS NOW THE CITY OF COUNCIL BLUFFS RIGHT-OF-WAY LINE;

THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE SOUTH 47 DEGREES 45 MINUTES 11 SECONDS EAST, 20.68 FEET;

THENCE SOUTH 57 DEGREES 01 MINUTE 39 SECONDS WEST, 88.06 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 1,610 SQUARE FEET (0.037 ACRE) MORE OR LESS.



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Melvin G. Samples AUGUST 16, 2017
MELVIN G. SAMPLES DATE
LICENSE NUMBER 10569
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2018
PAGES OR SHEETS COVERED BY THIS SEAL:
SHEET 1 OF 1

this drawing is being made available by hgm associates inc. for the purpose of providing information in accordance with hgm associates inc. agreement for professional services. hgm associates inc. assumes no liability for any use of this drawing for any purpose except in accordance with the terms of the above agreement.

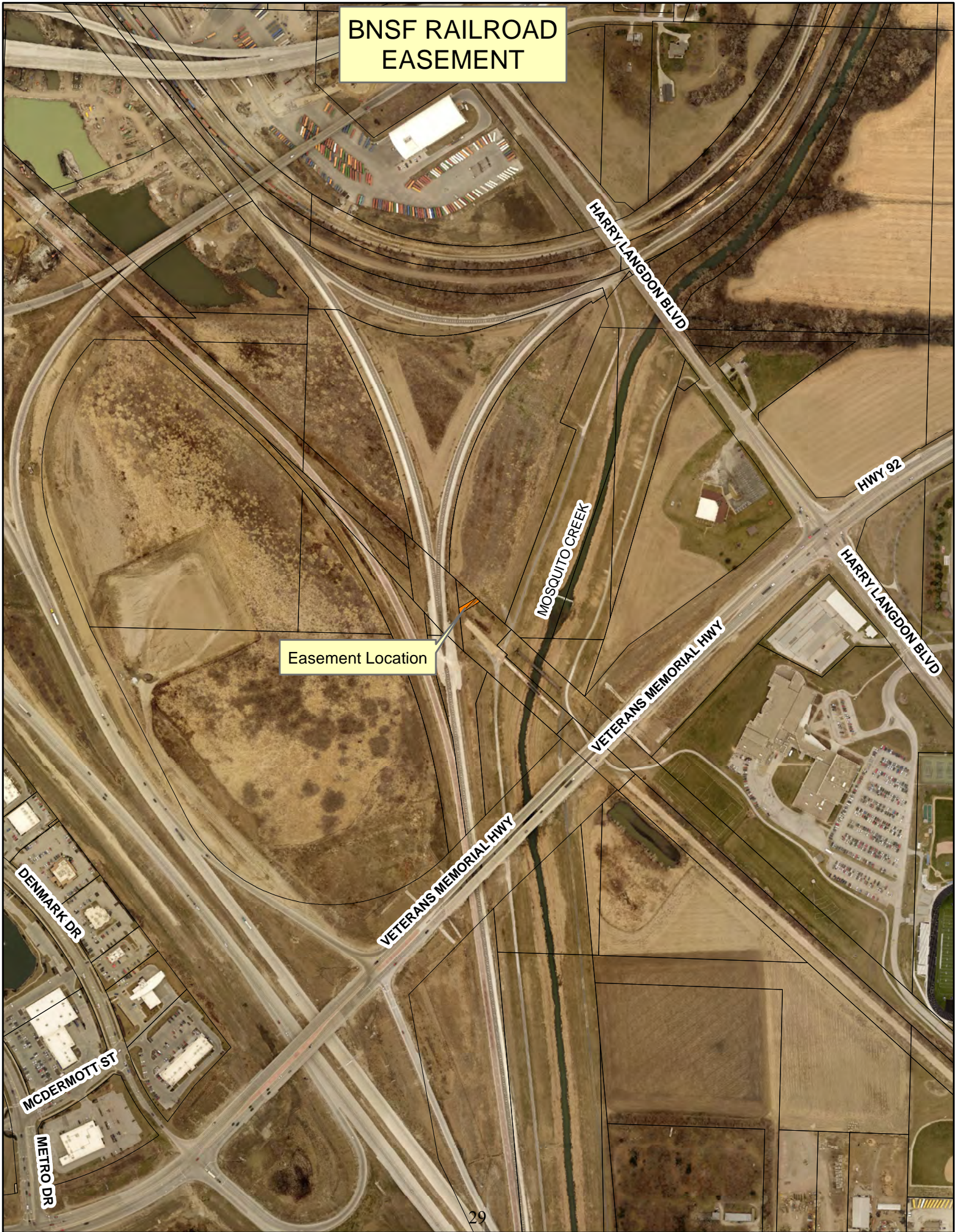
hgm
ASSOCIATES INC.
640 FIFTH AVENUE COUNCIL BLUFFS, IOWA
PHONE: (712) 323-0530

NSE	drawn	date
NSE	designed	
MGS	approved	
AUG 17	date	revision

project BNSF RAIL WAY
BNSF ELECTRICAL EASEMENT
client IOWA DEPARTMENT OF TRANSPORTATION
sheet EASEMENT EXHIBIT

project no.
190513
sheet
1 OF 1

BNSF RAILROAD
EASEMENT



RESOLUTION
NO 19-111

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO EXECUTE AN EASEMENT
IN CONNECTION WITH THE INSTALLATION OF
ELECTRIC FACILITIES
BY BNSF RAILWAY COMPANY**

WHEREAS, BNSF Railway Company wishes to acquire an easement for railroad electric facilities within the city, as therein described; and

WHEREAS, BNSF Railway Company has submitted an easement for said improvements and the acquisition documents are on file in the office of the City Clerk; and

WHEREAS, a Notice of Public Hearing was published as required by law, and a public hearing was held on May 6, 2019; and

WHEREAS, the city council deems approval of said acquisition agreement to be in the best interest of the City of Council Bluffs.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

That the Mayor and City Clerk are hereby authorized and directed to execute an easement in connection with the installation of electric facilities by BNSF Railway Company.

ADOPTED
AND
APPROVED

May 6, 2019

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Pat Miller, Public
Works Operations Director

Ordinance 6384
ITEM 6.A.

Council Action: 5/6/2019

Description

Ordinance to amend Title 9 Traffic, Chapter 9.88 Speed Regulations of the 2015 Municipal Code of Council Bluffs, Iowa, by amending Section 9.88.080 Schedule of posted streets.

Background/Discussion

Changes proposed to Title 9 will update street names and speed limits of posted streets as recommended by the city's traffic division.

The change to Eastern Hills Drive reflects the roadway being completed to Highway 6.

Changes to Franklin Avenue and Greenview Road are due to the city annexation of the Whispering Oaks subdivision.

Changes to Lincoln Avenue to replace Park Lane with Gleason Avenue (Park Lane is no longer an existing street).

A segment was added for Lincoln Avenue from Franklin Avenue to Gleason Avenue at 25 mph. This segment was mistakenly listed as part of Franklin Avenue from Lincoln Avenue to Bennett Avenue.

Changes to McPherson Avenue combine two segments of the same street that have the same speed limit.

Recommendation

Approval of the ordinance changes.

ATTACHMENTS:

Description	Type	Upload Date
Schedule of posted streets redlined	Other	4/11/2019
Ordinance 6384	Ordinance	4/17/2019

9.88.080 - Schedule of posted streets.

The speed limits set forth opposite the street named in the schedule of posted streets constituting a portion of this section are the maximum lawful speeds at which motor vehicles and motorcycles shall be operated thereon. The speed limits being established are at the recommendation of the city's traffic engineer, based upon engineering studies conducted in connection therewith.

Name of Streets	From	To	Speed Limit
Bennett Avenue	Madison Avenue	McPherson Avenue	35 mph
Big Lake Park Road	North 8th Street	North 16th Street	25 mph
Bluff Street	9th Avenue	Pierce Street	25 mph
College Road (east)	East Kanesville Blvd.	Valley View Drive	35 mph
College Road (west)	East Kanesville Blvd.	Valley View Drive	25 mph
Comanche Street	Piute Street	Navajo Street	25 mph
DeLong Avenue	North 8th Street	Marshall Avenue	25 mph
East Broadway	South 1st Street	Kimball Street	25 mph
East Kanesville Blvd.	Ridge Street	College Road (west)	40 mph
East Kanesville Blvd.	College Road (west)	Railroad Hwy.	45 mph
East Kanesville Blvd.	Railroad Hwy.	East city limits	55 mph
East Manawa Drive	250' North of Wallace Avenue	South Shore Drive	35 mph
East Manawa Drive	2,900' South of Hwy. 275/92	250' North of Wallace Avenue	45 mph
East Pierce Street	North Avenue	McPherson Avenue	35 mph
East Pierce Street	South 1st Street	North Avenue	30 mph
Eastern Hills Drive	State Orchard Road	US Hwy 6	35 mph
Elliot Street	North Broadway	Marshall Avenue	25 mph
Franklin Avenue	Lincoln Avenue	Bennett Avenue	25 mph
Franklin Avenue	Valley View Drive	Stevens Road	40 mph
Franklin Avenue	Stevens Road	Greenview Road	40 mph
Gifford Road	South 24th Street	5,600' South of 24th Street	25 mph
Gifford Road	5,600' South of 24th Street	6401 Gifford Road (Water Works Plant)	45 mph
Gifford Road	6401 Gifford Road (Water Works Plant)	South 35th Street	25 mph
Greenview Road	Valley View Drive	Franklin Avenue	35 mph
Harrison Street	East Kanesville Blvd.	Morgan Street	30 mph
Harry Langdon Blvd.	16th Avenue	2,500' South of 16th Avenue	35 mph
Harry Langdon Blvd.	1,500' South of 16th Avenue	Hwy. 275/92	40 mph
Harry Langdon Blvd.	Hwy. 92	South East city limits	35 mph
Indian Hills Road	McPherson Avenue	College Road	25 mph

Lew Ross Road	15th Street	11th Street	35 mph
Lincoln Avenue	Gleason Avenue	East Pierce	25 mph
Lincoln Avenue	Franklin Avenue	Gleason Avenue	25 mph
Madison Avenue	South 1st Street	Palmer Avenue	30 mph
Madison Avenue	Palmer Avenue	Bennett Avenue	35 mph
Main Street	West Kanesville Blvd.	16th Avenue	25 mph
Mall Drive	Bennett Avenue	Valley View Drive	30 mph
McPherson Avenue	East Pierce Street	East city limits	35 mph
Mid America Drive	23rd Avenue	29th Avenue	35 mph
Nash Blvd.	North 16th Street	North 24th Street	40 mph
Nash Blvd.	North 24th Street	North 25th Street	30 mph
Navajo Street	Comanche Street	Shore Acres Road	25 mph
Navajo Street	Shore Acres Road	Power Plant	35 mph
Nebraska Avenue	South 35th Street	23rd Avenue	25 mph
Nebraska Avenue	South 35th Street	River Road	35 mph
North Broadway	East Kanesville Blvd.	North city limits	35 mph*
Pearl Street	West Broadway	7th Avenue	25 mph
Piute Street	US Hwy. 275/IA Hwy. 92	Comanche Street	35 mph
Railroad Avenue	East Kanesville Blvd.	College Road	35 mph
Railroad Hwy.	East Kanesville Blvd.	North city limits	45 mph
Richard Downing Avenue	South 24th Street	West to end	35 mph
River Road	North Park Entrance	Nebraska Avenue	35 mph
Simms Avenue	East Kanesville Blvd.	Spencer Avenue	30 mph
South Avenue	Harry Langdon Blvd.	Harry Langdon Blvd.	30 mph
South Expressway	1,000' south of 6th Avenue	Interstate 80	45 mph
South Expressway	6th Avenue	1,000' south of 6th Avenue	35 mph
South Expressway	Interstate 80	US Hwy. 275/IA Hwy. 92	35 mph
Twin City Drive	US Hwy. 275/IA Hwy. 92	Richard Downing Avenue	25 mph
Valley View Drive	2,300' north of Hwy. 92	McPherson Avenue	35 mph
Valley View Drive	2,300' north of Hwy. 92	Hwy. 92	40 mph
Valley View Drive	McPherson Avenue	College Road	35 mph
West Broadway	8th Street	36th Street	35 mph
West Broadway	Kanesville West Link	South 1st Street	25 mph
West Kanesville Blvd.	8th Street	Ridge Street	35 mph
West Pierce Street	South 1st Street	Bluff Street	30 mph

Woodbury Avenue	Harry Langdon Blvd.	2,000' east to curve	30 mph
Woodbury Avenue	Madison Avenue	2,500' south to curve	35 mph
State and Federal Highways			
IA Hwy. 92	Harry Langdon Blvd.	East city limits	50 mph
US Hwy. 275/IA Hwy. 92	Harry Langdon Blvd.	1,365' east of South Expressway	50 mph
US Hwy. 275/IA Hwy. 92	1,365' east of South Expressway	365' east of South 15th Street	40 mph
US Hwy. 275/IA Hwy. 92	365' east of South 15th Street	West city limits	50 mph
Interstates			
Interstate 29	South city limits	North city limits	55 mph
Interstate 80	East city limits	Valley View Drive	65 mph
Interstate 80	Valley View Drive	West city limits	55 mph
Interstate 480	36th Street	West city limits	50 mph
Minor Streets with Modified Speed Limits			
Aztec Street	Huron Circle	Huron Circle	15 mph
Black Hawk Street	Huron Circle	Huron Circle	15 mph
Huron Circle (entire length)	Osage Street	Osage Street	15 mph
North Shore Drive	Comanche Street	Apache Street	15 mph
Osage Street	Huron Circle	Huron Circle	15 mph
Pickard Lane	Navajo Street	Navajo Street	15 mph
Shore Acres Road	Navajo Street	Navajo Street	15 mph
Victor Street	Pickard Lane	Black Hawk Street	15 mph
Lettered Avenues			
Avenue "A"	North 16th Street	North 37th Street	30 mph
Avenue "B"	North 8th Street	North 37th Street	30 mph
Avenue "G"	North 16th Street	North 35th Street	30 mph
Numbered Avenues and Streets			
Second Avenue	South 16th Street	South 37th Street	30 mph
Fifth Avenue	South Main Street	South 35th Street	30 mph
Ninth Avenue	South 3rd Street	South 37th Street	30 mph
16th Avenue	South 8th Street	South 16th Street	30 mph
23rd Avenue	South Expressway	29th Avenue	35 mph
23rd Avenue	South Expressway	South 13th Street	30 mph
23rd Avenue	South 13th Street	24th Street	35 mph
23rd Avenue	24th Street	Nebraska Avenue	40 mph
29th Avenue	33rd Street	1,840' east of MAC Blvd.	35 mph
32nd Avenue	South Expressway	South 11th Street	30 mph

32nd Avenue	South Expressway	Manawa Centre Drive	25 mph
34th Avenue	South 21st Street	South 24th Street	25 mph
34th Avenue	South Expressway	South 11th Street	35 mph
35th Avenue	South Expressway	Metro Drive	25 mph
North 8th Street	Parkwild Drive	Big Lake Road	35 mph
North 16th Street (Northbound)	Big Lake Road	Interstate 29	55 mph
North 16th Street (Southbound)	Interstate 29	Big Lake Road	45 mph
North 16th Street	Big Lake Road	Avenue "P"	45 mph
North 16th Street	Avenue "P"	Avenue "G"	40 mph
North 16th Street	Avenue "G"	West Broadway	35 mph*
North 25th Street Extension	North 25th Street	North city limits	35 mph
North 35th Street	West Broadway	Avenue "I"	30 mph
South 1st Street	Pierce Street	Madison Avenue	30 mph
South 3rd Street	9th Avenue	16th Avenue	35 mph
South 6th Street	7th Avenue	West Broadway	25 mph
South 7th Street	16th Avenue	West Broadway	25 mph
South 7th Street	16th Avenue	23rd Avenue	30 mph
South 7th Street	23rd Avenue	29th Avenue	25 mph
South 11th Street	US Hwy. 275/IA Hwy. 92	32nd Avenue	35 mph
South 16th Street	West Broadway	16th Avenue	30 mph
South 16th Street	16th Avenue	23rd Avenue	45 mph
South 19th Street	US Hwy. 275/IA Hwy. 92	Gifford Road	25 mph
South 24th Street	US Hwy. 275/IA Hwy. 92	Interstate 29/I-80	40 mph
South 24th Street	Interstate 80	23rd Avenue	35 mph
South 35th Street	14th Avenue	West Broadway	30 mph
South 35th Street	14th Avenue	Nebraska Avenue	40 mph
South 35th Street	John Street	US Hwy. 275/IA Hwy. 92	25 mph
South 35th Street	Gifford Road	Veteran's Memorial Highway	45 mph

* 25 mph in school zones during school hours and when children are present.

(Ord. 5837, 2005; Ord. 5511 § 1, 2000).

(Ord. No. 6234, § 1, 6-8-2015; Ord. No. 6313, § 1, 11-13-2017).

ORDINANCE NO. 6384

ORDINANCE TO AMEND TITLE 9 TRAFFIC, CHAPTER 9.88 SPEED REGULATIONS OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 9.88.080 - SCHEDULE OF POSTED STREETS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COUNCIL BLUFFS, IOWA

SECTION 1. That Chapter 9.88 “Speed Regulations” of the 2015 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 9.88.080 to read as follows:

9.88.080 - Schedule of posted streets.

The speed limits set forth opposite the street named in the schedule of posted streets constituting a portion of this section are the maximum lawful speeds at which motor vehicles and motorcycles shall be operated thereon. The speed limits being established are at the recommendation of the city's traffic engineer, based upon engineering studies conducted in connection therewith.

Name of Streets	From	To	Speed Limit
Bennett Avenue	Madison Avenue	McPherson Avenue	35 mph
Big Lake Park Road	North 8th Street	North 16th Street	25 mph
Bluff Street	9th Avenue	Pierce Street	25 mph
College Road (east)	East Kanesville Blvd.	Valley View Drive	35 mph
College Road (west)	East Kanesville Blvd.	Valley View Drive	25 mph
Comanche Street	Piute Street	Navajo Street	25 mph
DeLong Avenue	North 8th Street	Marshall Avenue	25 mph
East Broadway	South 1st Street	Kimball Street	25 mph
East Kanesville Blvd.	Ridge Street	College Road (west)	40 mph
East Kanesville Blvd.	College Road (west)	Railroad Hwy.	45 mph
East Kanesville Blvd.	Railroad Hwy.	East city limits	55 mph
East Manawa Drive	250' North of Wallace Avenue	South Shore Drive	35 mph
East Manawa Drive	2,900' South of Hwy. 275/92	250' North of Wallace Avenue	45 mph
East Pierce Street	North Avenue	McPherson Avenue	35 mph
East Pierce Street	South 1st Street	North Avenue	30 mph
Eastern Hills Drive	State Orchard Road	US Hwy 6	35 mph
Elliot Street	North Broadway	Marshall Avenue	25 mph
Franklin Avenue	Lincoln Avenue	Bennett Avenue	25 mph

Franklin Avenue	Valley View Drive	Stevens Road	40 mph
Franklin Avenue	Stevens Road	Greenview Road	40 mph
Gifford Road	South 24th Street	5,600' South of 24th Street	25 mph
Gifford Road	5,600' South of 24th Street	6401 Gifford Road (Water Works Plant)	45 mph
Gifford Road	6401 Gifford Road (Water Works Plant)	South 35th Street	25 mph
Greenview Road	Valley View Drive	Franklin Avenue	35 mph
Harrison Street	East Kanesville Blvd.	Morgan Street	30 mph
Harry Langdon Blvd.	16th Avenue	2,500' South of 16th Avenue	35 mph
Harry Langdon Blvd.	1,500' South of 16th Avenue	Hwy. 275/92	40 mph
Harry Langdon Blvd.	Hwy. 92	South East city limits	35 mph
Indian Hills Road	McPherson Avenue	College Road	25 mph
Lew Ross Road	15th Street	11th Street	35 mph
Lincoln Avenue	Gleason Avenue	East Pierce	25 mph
Lincoln Avenue	Franklin Avenue	Gleason Avenue	25 mph
Madison Avenue	South 1st Street	Palmer Avenue	30 mph
Madison Avenue	Palmer Avenue	Bennett Avenue	35 mph
Main Street	West Kanesville Blvd.	16th Avenue	25 mph
Mall Drive	Bennett Avenue	Valley View Drive	30 mph
McPherson Avenue	East Pierce Street	East city limits	35 mph
Mid America Drive	23rd Avenue	29th Avenue	35 mph
Nash Blvd.	North 16th Street	North 24th Street	40 mph
Nash Blvd.	North 24th Street	North 25th Street	30 mph
Navajo Street	Comanche Street	Shore Acres Road	25 mph
Navajo Street	Shore Acres Road	Power Plant	35 mph
Nebraska Avenue	South 35th Street	23rd Avenue	25 mph
Nebraska Avenue	South 35th Street	River Road	35 mph
North Broadway	East Kanesville Blvd.	North city limits	35 mph*
Pearl Street	West Broadway	7th Avenue	25 mph
Piute Street	US Hwy. 275/IA Hwy. 92	Comanche Street	35 mph
Railroad Avenue	East Kanesville Blvd.	College Road	35 mph
Railroad Hwy.	East Kanesville Blvd.	North city limits	45 mph
Richard Downing Avenue	South 24th Street	West to end	35 mph
River Road	North Park Entrance	Nebraska Avenue	35 mph
Simms Avenue	East Kanesville Blvd.	Spencer Avenue	30 mph
South Avenue	Harry Langdon Blvd.	Harry Langdon Blvd.	30 mph

South Expressway	1,000' south of 6th Avenue	Interstate 80	45 mph
South Expressway	6th Avenue	1,000' south of 6th Avenue	35 mph
South Expressway	Interstate 80	US Hwy. 275/IA Hwy. 92	35 mph
Twin City Drive	US Hwy. 275/IA Hwy. 92	Richard Downing Avenue	25 mph
Valley View Drive	2,300' north of Hwy. 92	McPherson Avenue	35 mph
Valley View Drive	2,300' north of Hwy. 92	Hwy. 92	40 mph
Valley View Drive	McPherson Avenue	College Road	35 mph
West Broadway	8th Street	36th Street	35 mph
West Broadway	Kanesville West Link	South 1st Street	25 mph
West Kanesville Blvd.	8th Street	Ridge Street	35 mph
West Pierce Street	South 1st Street	Bluff Street	30 mph
Woodbury Avenue	Harry Langdon Blvd.	2,000' east to curve	30 mph
Woodbury Avenue	Madison Avenue	2,500' south to curve	35 mph
State and Federal Highways			
IA Hwy. 92	Harry Langdon Blvd.	East city limits	50 mph
US Hwy. 275/IA Hwy. 92	Harry Langdon Blvd.	1,365' east of South Expressway	50 mph
US Hwy. 275/IA Hwy. 92	1,365' east of South Expressway	365' east of South 15th Street	40 mph
US Hwy. 275/IA Hwy. 92	365' east of South 15th Street	West city limits	50 mph
Interstates			
Interstate 29	South city limits	North city limits	55 mph
Interstate 80	East city limits	Valley View Drive	65 mph
Interstate 80	Valley View Drive	West city limits	55 mph
Interstate 480	36th Street	West city limits	50 mph
Minor Streets with Modified Speed Limits			
Aztec Street	Huron Circle	Huron Circle	15 mph
Black Hawk Street	Huron Circle	Huron Circle	15 mph
Huron Circle (entire length)	Osage Street	Osage Street	15 mph
North Shore Drive	Comanche Street	Apache Street	15 mph
Osage Street	Huron Circle	Huron Circle	15 mph
Pickard Lane	Navajo Street	Navajo Street	15 mph
Shore Acres Road	Navajo Street	Navajo Street	15 mph
Victor Street	Pickard Lane	Black Hawk Street	15 mph
Lettered Avenues			
Avenue "A"	North 16th Street	North 37th Street	30 mph
Avenue "B"	North 8th Street	North 37th Street	30 mph
Avenue "G"	North 16th Street	North 35th Street	30 mph

Numbered Avenues and Streets			
Second Avenue	South 16th Street	South 37th Street	30 mph
Fifth Avenue	South Main Street	South 35th Street	30 mph
Ninth Avenue	South 3rd Street	South 37th Street	30 mph
16th Avenue	South 8th Street	South 16th Street	30 mph
23rd Avenue	South Expressway	29th Avenue	35 mph
23rd Avenue	South Expressway	South 13th Street	30 mph
23rd Avenue	South 13th Street	24th Street	35 mph
23rd Avenue	24th Street	Nebraska Avenue	40 mph
29th Avenue	33rd Street	1,840' east of MAC Blvd.	35 mph
32nd Avenue	South Expressway	South 11th Street	30 mph
32nd Avenue	South Expressway	Manawa Centre Drive	25 mph
34th Avenue	South 21st Street	South 24th Street	25 mph
34th Avenue	South Expressway	South 11th Street	35 mph
35th Avenue	South Expressway	Metro Drive	25 mph
North 8th Street	Parkwild Drive	Big Lake Road	35 mph
North 16th Street (Northbound)	Big Lake Road	Interstate 29	55 mph
North 16th Street (Southbound)	Interstate 29	Big Lake Road	45 mph
North 16th Street	Big Lake Road	Avenue "P"	45 mph
North 16th Street	Avenue "P"	Avenue "G"	40 mph
North 16th Street	Avenue "G"	West Broadway	35 mph*
North 25th Street Extension	North 25th Street	North city limits	35 mph
North 35th Street	West Broadway	Avenue "I"	30 mph
South 1st Street	Pierce Street	Madison Avenue	30 mph
South 3rd Street	9th Avenue	16th Avenue	35 mph
South 6th Street	7th Avenue	West Broadway	25 mph
South 7th Street	16th Avenue	West Broadway	25 mph
South 7th Street	16th Avenue	23rd Avenue	30 mph
South 7th Street	23rd Avenue	29th Avenue	25 mph
South 11th Street	US Hwy. 275/IA Hwy. 92	32nd Avenue	35 mph
South 16th Street	West Broadway	16th Avenue	30 mph
South 16th Street	16th Avenue	23rd Avenue	45 mph
South 19th Street	US Hwy. 275/IA Hwy. 92	Gifford Road	25 mph
South 24th Street	US Hwy. 275/IA Hwy. 92	Interstate 29/I-80	40 mph
South 24th Street	Interstate 80	23rd Avenue	35 mph

South 35th Street	14th Avenue	West Broadway	30 mph
South 35th Street	14th Avenue	Nebraska Avenue	40 mph
South 35th Street	John Street	US Hwy. 275/IA Hwy. 92	25 mph
South 35th Street	Gifford Road	Veteran's Memorial Highway	45 mph

* 25 mph in school zones during school hours and when children are present.

(Ord. 5837, 2005; Ord. 5511 § 1, 2000).

(Ord. No. 6234, § 1, 6-8-2015; Ord. No. 6313, § 1, 11-13-2017).

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND
APPROVED

May 6, 2019.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 4-22-19

Second Consideration: 5-6-19

Public Hearing: N/A

Third Consideration: _____

Council Communication

Department: Finance
Case/Project No.:
Submitted by: Kathryn Knott

Resolution 19-112
ITEM 7.A.

Council Action: 5/6/2019

Description

Resolution authorizing and setting the Drainage District annual assessment for Mosquito Creek #22, Sieck #32, and West Lewis #35 for fiscal year 2020.

Background/Discussion

The City of Council Bluffs has authority over the following drainage districts to provide maintenance and establish a special assessment to procure funds to pay the costs and expenses for general upkeep and maintenance within the drainage districts and to create a sinking fund. The City is required to certify the assessments for Fiscal Year 2020 with Pottawattamie County prior to May 31, 2019.

Recommendation

Approve the Resolution.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 19-112	Resolution	5/1/2019

RESOLUTION NO. 19-112

A RESOLUTION AUTHORIZING AND SETTING THE DRAINAGE DISTRICT ANNUAL ASSESSMENT FOR MOSQUITO CREEK #22, SIECK #32, AND WEST LEWIS #35 FOR FISCAL YEAR 2020.

WHEREAS, the City of Council Bluffs has authority over the drainage districts to provide maintenance of such district for the public benefit, and conducive to the public health, convenience, and welfare, and

WHEREAS, as the governing body of said district, it is necessary to establish the annual assessment to be levied on all tracts of land, lots, public roads, and railways contained within the boundaries of said districts to procure funds to pay the costs and expenses of general upkeep and maintenance, and to create a sinking fund, and

WHEREAS, the current indebtedness of Mosquito Creek #22 is \$71,250, Sieck #32 is \$36,321, and West Lewis #35 is \$63,743 as of May 6, 2019, and payable to the City of Council Bluffs in one installment for year 2020 paid in full prior to September 30, 2019 without interest.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

Council approval of the resolution setting the annual assessment for Mosquito Creek #22, Sieck #32, West Lewis #35, and authorizing the Finance Director to certify the annual assessments with the Pottawattamie County Auditor.

ADOPTED
AND
APPROVED:

May 6, 2019

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

STATE OF IOWA)
COUNTY OF)ss
POTTAWATTAMIE)

On this _____ day of _____, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Notary Public in and for said State

Council Communication

Department: Human Resources
Case/Project No.:
Submitted by: Matt Cox and Jon
Finnegan

Resolution 19-113
ITEM 7.B.

Council Action: 5/6/2019

Description

Resolution to abolish a part-time fleet maintenance laborer position.

Background/Discussion

The employee in the position resigned 6 months ago, and we have not filled the position. We did not budget for the position in the upcoming year, but need to formally remove it from our authorized strength report.

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 19-113	Resolution	5/1/2019

RESOLUTION 19-113

A RESOLUTION MAKING CHANGES TO THE POSITIONS ASSIGNED TO THE PUBLIC
WORKS DEPARTMENT

- WHEREAS, A thorough evaluation of existing resources and department needs has been conducted by the Director of Public Works; and
- WHEREAS, This evaluation showed a need to abolish one (1) part-time position assigned to the Public Works Department; and
- WHEREAS, Changes will have an impact on the authorized strength of the City; and
- WHEREAS, Said changes are deemed to be in the best interest of the City of Council Bluffs, Iowa:

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

That the following position changes are hereby adopted and approved effective the dates listed below:

Abolish 1 part-time Fleet Maintenance Laborer position effective immediately.

Adopted
and
Approved

May 6, 2019

MATTHEW WALSH, MAYOR

JODI QUAKENBUSH, CITY CLERK

Council Communication

Department: Human Resources
Case/Project No.:
Submitted by: Jon Finnegan

Resolution 19-114
ITEM 7.C.

Council Action: 5/6/2019

Description

Resolution to set the non-union wage increase for FY20.

Background/Discussion

The City has budgeted for a 2.5% non-union wage increase. The four unions' increases for FY20 are:

Police: 2.5%

Fire: 2.5%

CWA: 1.5%

AFSCME: 2.3%

The City is proposing a non-union wage increase of 2.5% for the Police Supervisory pay scale, which is consistent with the Police union employees; a wage increase of 2.5% for the Fire Supervisory pay scale, which is consistent with the Fire union employees; and a wage increase of 2.3% for the other non-union pay scale, which is consistent with the most recent union wage increase, AFSCME. The CWA increase is lower because the union negotiated a lower increase to obtain a multi-year contract.

Recommendation

Approval of the resolution.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 19-114	Resolution	5/1/2019

RESOLUTION 19-114

A RESOLUTION APPROVING WAGE INCREASES
FOR GENERAL NON-UNION EMPLOYEES

WHEREAS, there are employees of the City of Council Bluffs, Iowa who do not bargain collectively with the City regarding wage and benefits; and

WHEREAS, it is in the best interest of the City of Council Bluffs to ensure the equitable treatment of all employees; and

WHEREAS, approval of this wage adjustment is considered to be consistent with the best interest of the City,

NOW, THEREFORE, BE IT RESOLVED

BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA:

That a 2.5% across the board increase be applied to the Police Supervisory pay schedule on July 1, 2019.

That a 2.5% across the board increase be applied to Fire Supervisory pay schedule on July 1, 2019.

That a 2.3% across the board increase be applied to all other general non-union employees pay schedule on July 1, 2019.

ADOPTED AND APPROVED

May 6, 2019

Matthew Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

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

Resolution 19-115
ITEM 7.D.

Council Action: 5/6/2019

Description

Resolution waiving the City of Council Bluffs review of Parcel number 7443 17 176 006 otherwise identified as 13667 192nd Street. And authorizing an agreement for the future voluntary annexation.

Background/Discussion

Resolution waiving the City of Council Bluffs' review of property located at 13667 192nd St. and deferring to Pottawattamie County for the appropriateness of said potential subdivision with County ordinances to be utilized. An annexation agreement to be prepared with the following stipulations;

1. The Owner shall submit to the City a petition for voluntary annexation to take place no sooner than January 1, 2024. The subdivision plat shall reflect that all parcels generated by any future subdivision of the Subject Parcel shall be subject to the petition for voluntary annexation. Owner shall also be obligated at the time of transfer of any such parcel to include in the transfer documents the requirement of all subsequent Owners to commit to said voluntary annexation under the same terms and conditions set out in this agreement.

2. Owner also agree that, if and when the City extends sanitary sewer lines to service within 200 feet of said property, it shall connect to same within a reasonable amount of time. Owner further agrees to so bind any subsequent purchaser of any parcels generated by the subdivision of the Subject Parcel.

Armstrong Investments LLC purchased a property at 13667 192nd Street on 09/12/2017. This is a 30.06 acre tract located outside of the city limits - however, is located within the 2 mile area in which the city of Council Bluffs had a jurisdictional agreement with Pottawattamie County. It is questionable if this agreement is applicable to this parcel at this time.

Mr. Armstrong met with Rose Brown after purchasing the property and was directed to Matt Wyant - Director of the Pottawattamie County Planning Department.

Mr. Armstrong worked with the County and a rise grant application was prepared in order to assist the county and developer in paving 192nd Street, this application was submitted to the Council Bluffs City Council on 11/26/2018. Due to State requirements for the High Quality Jobs incentive this application had to be re-written and was placed on the Council Bluffs City Council Agenda on 12/17/2018 however, no action was taken by Council at request of applicant.

Mr. Armstrong requested a meeting with me (Council Member White) to discuss this issue. We met, along with Paula Hazelwood, Executive Director for Advance Southwest Iowa, on March 21st. Mr. Armstrong relayed to me that he has been trying to get this industrial subdivision off of the ground for over 2 years and would like to move forward.

I met with Brandon Garret, Matt Cox, Matt Wyant and Paula Hazelwood on 04/23/19. Both Brandon and Matt Cox agree that, barring a future large user wanting to locate in this area, there are no plans to extend water or sewer to this property in the foreseeable future. The location of this property is not favorable for development due to elevation, flooding, etc.

Based on the above conversations, along with Mr. Armstrong's willingness to future voluntary annexation, the improbability of water and sewer being extended to the site in the foreseeable future and the prohibitive costs of improving 192nd street to city standards, I believe that waiving city review under the two mile agreement would be appropriate and reasonable. By waiving this requirement Mr. Armstrong would be able to proceed with his development which is estimated at 7-10 million dollars in capital improvements.

Recommendation

ATTACHMENTS:

Description

Resolution 19-115

Type

Resolution

Upload Date

5/2/2019

RESOLUTION 19-115

**RESOLUTION WAIVING THE CITY OF COUNCIL BLUFFS REVIEW OF
PARCEL NUMBER 7443 17 176 006 OTHERWISE IDENTIFIED AS 13667 192ND
STREET. AND AUTHORIZING AN AGREEMENT FOR THE FUTURE
VOLUNTARY ANNEXATION TO INCLUDE THE FOLLOWING;**

- 1. The Owner shall submit to the City a petition for voluntary annexation to take place no sooner than January 1, 2024. The subdivision plat shall reflect that all parcels generated by any future subdivision of the Subject Parcel shall be subject to the petition for voluntary annexation. Owner shall also be obligated at the time of transfer of any such parcel to include in the transfer documents the requirement of all subsequent Owners to commit to said voluntary annexation under the same terms and conditions set out in this agreement.**
- 2. Owner also agrees that, if and when the City extends sanitary sewer lines to service this area, it shall connect to same within a reasonable amount of time. Owner further agrees to so bind any subsequent purchaser of any parcels generated by the subdivision of the Subject Parcel.**

WHEREAS, Pursuant to the two-mile limit area policy agreement entered between Pottawattamie County and the City of Council Bluffs, the city will defer to the county for the appropriateness of certain subdivisions; and

WHEREAS, two-mile policy agreement between the City and County is of questionable applicability to this parcel at this time; and

WHEREAS, The owner of said parcel is requesting that the city waive review on a proposed subdivision of same and that any annexation of the parcel be deferred for 5 years; and

WHEREAS, It is the opinion of the City Council that it is appropriate and reasonable for City of Council Bluffs to waive review and prepare an agreement for future voluntary annexation with the property owner.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL OF THE
THE CITY OF COUNCIL BLUFFS, IOWA**

That the Mayor is hereby authorized to waive review of the property at 13667 192nd street and the Agreement for Future Voluntary Annexation be prepared for 13667 192nd Street Council Bluffs, Iowa.

PASSED AND APPROVED:

May 6, 2019

Matthew J. Walsh, Mayor

Jodi Quakenbush, City Clerk

Council Communication

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

Liquor Licenses - New
ITEM 8.A.

Council Action: 5/6/2019

Description

1. Casey's General Store #3201, 701 32nd Avenue
2. Fifty-One 501 Grill 'n Bar, 4104 Rivers Edge

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Liquor Licenses - New	Other	4/30/2019

State of Iowa
ALCOHOLIC
BEVERAGES DIVISIONHome
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POLICE	<i>cal</i>	Local Amt	_____
FIRE	<i>A</i>	Endorsed	_____
BUILDING	<i>JS</i>	Issued	_____
ZONING	<i>CS</i>	Expires	_____
		Council	_____

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Applicant LE_V_85658, CASEY'S GENERAL STORE #3201, 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.

- ▶ License
- ▶ Privileges
- ▶ **Applicant**
- ▶ Status Of Business
- ▶ Ownership
- ▶ Criminal History
- ▶ Premises
- ▶ General Premises
- ▶ Applicant Signature
- ▶ Bond Cert
- ▶ Local Endorse
- ▶ History

Corporation Name/Sole Proprietor CASEY'S MARKETING COMPAN` (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s): CASEY'S GENERAL STORE #3201

Address of Premise: 701 32ND AVE

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 366-5453

Cell / Home Phone:

Same Address

Mailing Address: PO BOX 3001

Mailing Address Line 2:

City: ANKENY

State: Iowa

Zip: 50021

Contact Name: JESSICA FISHER, STORE OPERATIONS

Phone: (515) 446-6404

Email Address: JESSICA.FISHER@CASEYS.CC

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Local 515.281.7400

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<input type="checkbox"/> RENEWAL	<input checked="" type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <i>du</i>	Local Amt	
FIRE <i>AF</i>	Endorsed	
BUILDING <i>8</i>	Issued	
ZONING <i>8</i>	Expires	
	Council	

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Applicant LC_V_82948, Fitty-One 501 Grill 'n Bar, Council Bluffs

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- ▶ License
- ▶ Privileges
- ▶ Applicant
- ▶ Status Of Business
- ▶ Ownership
- ▶ Criminal History
- ▶ Violations
- ▶ Premises
- ▶ General Premises
- ▶ Applicant Signature
- ▶ Dram Cert
- ▶ Local Endorse
- ▶ History

Corporation Name/Sole Proprietor: FiftyOne 501 (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):
Name of Business (D/B/A): Fitty-One 501 Grill 'n Bar

Address of Premise: 4104 Rivers Edge

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (402) 517-7955

Cell / Home Phone:

Same Address

Mailing Address: 4054 Ave. B

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51501

Contact Name: Brian Young

Phone: (402) 517-7955

Email Address: fiftyone501gnb@gmail.com

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Local 515.281.7400

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Council Communication

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

Liquor License Renewals
ITEM 8.B.

Council Action: 5/6/2019

Description

1. American Legion Rainbow Post #2, 716 4th Street
2. Big Al's, 2700 2nd Ave
3. Boxer BBQ, 722 Creek Top
4. Courtyard by Marriott, 2501 Bass Pro Drive
5. Family Fare #791, 1801 Valley View Drive
6. Hy-Vee Food Store #1, 2323 W Broadway
7. O Face Bar, 2400 9th Ave
8. Rodeo Saloon & BBQ, 164 W Broadway
9. Spillway Grill and Bar, 1840 Madison Ave
10. StreetSide Lounge, 319 N 16th Street
11. Tobacco Hut #14, 1925 W Broadway

Background/Discussion

Big Al's

01-12-19—At 5:21 pm, Officers were dispatched to the parking lot of Big Al's for shots being fired.

Officers responded, locating a man and woman, who had been involved in a disturbance in the parking lot.

Investigation showed that the female was upset, because she had observed the man hugging another woman inside the bar. The female then went to their residence nearby and retrieved a revolver. She then went back to Big Al's and fired five rounds in the air, while in the bar's parking lot. When the man confronted her, she pointed the gun at him, however, he was able to get the revolver from her. The female was arrested for Intimidation with a dangerous weapon, going armed with intent, aggravated domestic assault and discharging a firearm in the city limits.

01-31-19—At 11:26 pm, Officers were dispatched for man and woman involved in a verbal disturbance outside the bar. The Officers arrived and handled the situation. No reports or arrests were made.

O Face Bar

06-15-19—At 1:45 am, Officers were sent to the O Face Bar for a disturbance inside the bar. It was reported by someone who had left the bar as a result of the disturbance. The disturbance was over when officers arrived. No action was taken.

09-09-18—At 1:42 am, Officers were dispatched to the O Face Bar for a disturbance. A female stated she was outside smoking, when she flicked her cigarette on the ground. A male then grabbed her by the neck and threw her to the ground, thinking she had flicked it at him. The male suspect left prior to the arrival of the police and was not able to be identified.

Rodeo Saloon and BBQ

08-05-18—At 1:40 am, the bouncer from the Rodeo Saloon called 911 to report a large disturbance in front of the bar. Officers arrived and dispersed the crowd. No arrests made.

08-26-18—At 1:46 am, Officers were dispatched to the front of the Rodeo Bar for a large disturbance outside. Officers arrived and dispersed the crowd. No arrests were made.

10-21-18—At 1:00 am, Officers were dispatched to the Rodeo Bar for a disturbance near the front door of the bar. Officers responded and ultimately arrested the man for public intoxication and resisting arrest.

10-29-18—At 1:16 am, Officers were dispatched to the Rodeo Bar for physical disturbance involving four men. The men were gone when the officers arrived.

03-24-19—At 12:25 am, Officers were dispatched to the Rodeo Bar to assist the Fire Department with an unconscious man in the bar. They learned the man had ordered 80 shots of Fireball Whiskey and drank around 15-20 of them himself. While investigating this incident, Officers noticed a female who was also passed out in the back of the bar. The bartender was cited for “serving to an intoxicated person” and a bar report was completed and forwarded to the state.

American Legion, Casey's Store #3201, Boxer BBQ, Courtyard by Marriott, Family Fare, Hy-Vee Store #1, Spillway Bar and Grill, Streetside Lounge and Tobacco Hut #14 had no alcohol related incidents or calls for service this reporting period.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Liquor License Renewals	Other	4/30/2019



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<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>Am</u>	Local Amt _____	
FIRE <u>AP</u>	Endorsed _____	
BUILDING <u>32</u>	Issued _____	
ZONING <u>12</u>	Expires _____	
	Council _____	

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- > Status Of Business
- > Ownership
- > Criminal History
- > Premises
- > General Premises
- > Applicant Signature
- > Dram Cert
- > Local Endorse
- > History

Applicant LA0000203, American Legion Rainbow Post #2, 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.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Rainbow Post #2, American Legior (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): American Legion Rainbow Post #2

Address of Premise: 716 4th Street

Address Line 2: _____

City: Council Bluffs

County: Pottawattamie

Zip: 51503-0000

Business Phone: (712) 325-4874

Cell / Home Phone: (402) 490-0223

☐ Same Address

Mailing Address: 716 4th Street

Mailing Address Line 2: _____

City: Council Bluffs

State: Iowa

Zip: 51503-0000

Contact Name: Sharlene Anderson

Phone: (712) 309-5640

Email Address: rainbowpost2@gmail.com

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Iowa Alcoholic Beverages Division
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Toll Free 866.IowaABD (866.469.2223)
Local 515.281.7400

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Applicant LC0039205, Big Al's, Council Bluffs

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Corporation Name/Sole Proprietor Name/Partnership Name(s): Allen Robinson (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Big Al's

Address of Premise: 2700 2nd ave

Address Line 2: Suite 3 & 4

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 256-7151

Cell / Home Phone:

Same Address

Mailing Address: 2700 2nd ave

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51501

Contact Name: Allen Robinson

Phone: (402) 616-2770

Email Address: allenrobinson@cox.net

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Applicant BW0095793, Boxer BBQ, Council Bluffs

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Corporation Name/Sole Proprietor Name/Partnership Name(s): Boxer Barbeque LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Boxer BBQ

Address of Premise: 722 Creek top

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 325-4227

Cell / Home Phone:

☐ Same Address

Mailing Address: 722 Creek top

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51501

Contact Name: Renae Dieatrick

Phone: (402) 740-1220

Email Address: dieatrickr@gmail.com

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Applicant LB0002151, Courtyard by Marriott, 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.

Corporation Name/Sole Proprietor Name/Partnership Name(s): IRH - Council Bluffs, LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Courtyard by Marriott

Address of Premise: 2501 Bass Pro Drive

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 318-3330

Cell / Home Phone:

Same Address

Mailing Address: 2501 Bass Pro Drive

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51501

Contact Name: John Nagle

Phone: (319) 651-6399

Email Address: nagle@sgrowth.com

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Applicant LE0002190, Family Fare #791, Council Bluffs

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Corporation Name/Sole Proprietor Name/Partnership Name(s): U Save Foods, Inc. (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Family Fare #791

Address of Premise: 1801 Valley View Drive

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 332-4326

Cell / Home Phone:

- Same Address

Mailing Address: 850 76th Street SW

Mailing Address Line 2: Attn: Nancy Kimball

City: Byron Center

Zip: 49315

State: Michigan

Contact Name: Nancy Kimball

Phone: (616) 878-2785

Email Address: nancy.kimball@spartannash.com

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Applicant LE0000866, Hy-Vee Food Store #1, Council Bluffs

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Corporation Name/Sole Proprietor Name/Partnership Name(s): Hy-Vee, Inc. (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Hy-Vee Food Store #1

Address of Premise: 2323 West Broadway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501-0000

Business Phone: (712) 328-9792

Cell / Home Phone:

☐ Same Address

Mailing Address: 5820 Westown Parkway

Mailing Address Line 2:

City: West Des Moines

State: Iowa

Zip: 50266-0000

Contact Name: Kelly Palmer

Phone: (515) 267-2949

Email Address: kpalmer@hy-vee.com

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Applicant LC0038449, O Face Bar, Council Bluffs

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Corporation Name/Sole Proprietor Name/Partnership Name(s): Matt & Karen Inc (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): O Face Bar

Address of Premise: 2400 9th Ave

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 322-9787

Cell / Home Phone: (219) 204-1280

Same Address

Mailing Address: 2400 9th Ave

Mailing Address Line 2:

City: Council Bluffs

Zip: 51501

State: Iowa

Contact Name: Karen Overmeyer

Phone: (219) 204-2922

Email Address: karenovermyer@live.com

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Applicant LC0040049, Rodeo Saloon & BBQ, Council Bluffs

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Corporation Name/Sole Proprietor Name/Partnership Name(s): Rodeo Saloon & BBQ, LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Rodeo Saloon & BBQ

Address of Premise: 164 W Broadway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 256-0510

Cell / Home Phone: (712) 256-9700

Same Address

Mailing Address: 164 W Broadway

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: Frank Hoover

Phone: (402) 813-2710

Email Address: fhoov@yahoo.com

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Applicant LC0035481, Spillway Grill and Bar, Council Bluffs

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Corporation Name/Sole Proprietor Name/Partnership Name(s): Klemco Inc (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Spillway Grill and Bar

Address of Premise: 1840 Madison Ave

Address Line 2: Ste 8,9,10&11

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 322-9261

Cell / Home Phone:

Same Address

Mailing Address: 1840 Madison Ave

Mailing Address Line 2: Ste 8,9,10&11

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: Stephanie Coppock

Phone: (712) 322-9261

Email Address: klemco07@hotmail.com

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Applicant LC0042687, StreetSide Lounge , Council Bluffs

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Corporation Name/Sole Proprietor: Wiclepok LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):

Name of Business (D/B/A): StreetSide Lounge

Address of Premise: 319 N 16th Street

Address Line 2: _____

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (206) 250-2886

Cell / Home Phone: (206) 250-2886

☐ Same Address

Mailing Address: 4606 Northshore Drive

Mailing Address Line 2: _____

City: Council Bluffs

State: Iowa

Zip: 51501

Contact Name: Tina M Kopelciw

Phone: (206) 250-2886

Email Address: Tkopelciw@gmail.com

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Applicant LE0001384, Tobacco Hut #14, Council Bluffs

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Corporation Name/Sole Proprietor: HMJ, INC. (Sole Proprietorship, Partnership, Corporation, etc.)

Name/Partnership Name(s):

Name of Business (D/B/A): Tobacco Hut #14

Address of Premise: 1925 West Broadway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 352-0199

Cell / Home Phone: (402) 321-5593

Same Address

Mailing Address: 1925 West Broadway

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51501

Contact Name: Lori Lawson

Phone: (402) 614-8381

Email Address: tobacohut@yahoo.com

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SEE INSTRUCTIONS ON THE REVERSE SIDE

For period (MM/DD/YYYY) 5 / 7 / 19 through June 30, 19

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA: GreenStar Glass and Goodies
Physical Location Address: 531 Veterans Memorial Highway City: Council Bluffs ZIP: 51501
Mailing Address: 531 Veterans Memorial Highway City: Council Bluffs State: IA ZIP: 51503
Business Phone Number: (712) 314-3268

Legal Ownership Information:

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐
Name of sole proprietor, partnership, corporation, LLC, or LLP: GreenStar Glass and Goodies
Mailing Address: 921 S. 3rd Street City: Council Bluffs State: IA ZIP: 51503
Phone Number: (712) 314-3268 Fax Number: () Email: rossplum@icloud.com

Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐
Types of Products Sold: (Check all that apply)
Cigarettes ☐ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☒

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐
Has vending machine that assembles cigarettes ☐ Other ☒ Glass/Tobacco store

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

SIGNATURE OF OWNER(S), PARTNER(S), OR CORPORATE OFFICIAL(S)

Name (please print): Ross Plum Name (please print): Ryan McCallum
Signature: [Signature] Signature: [Signature]
Date: 4-16-19 Date: 4-16-19

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: \$25.00
- Fill in the date the permit was approved by the council or board: 5.6.19
- Fill in the permit number issued by the city/county: 702913
- Fill in the name of the city or county issuing the permit: Council Bluffs

X NEW

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

Instructions on the reverse side

For period (MM/DD/YYYY) 06 / 30 / 2019 through June 30, 2020

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA Walmart Inc. DBA: Walmart #1965

Physical Location Address 3201 MANAWA CENTRE DR City COUNCIL BLUFFS ZIP 51501

Mailing Address 508 SW 8th St. Dept. 8916 City Bentonville State AR ZIP 72716-0500

Business Phone Number (712) 336-9179

Legal Ownership Information:

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐

Name of sole proprietor, partnership, corporation, LLC, or LLP Walmart Inc.

Mailing Address 508 SW 8th St. City Bentonville State AR ZIP 72716-0500

Phone Number (479)277-4656 Fax Number (479)204-9864 Email cynthia.montero@walmart.com

Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☐

Types of Products Sold: (Check all that apply)

Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐

Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐

Has vending machine that assembles cigarettes ☐ Other ☒ Retail

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) Andrea Lazenby

Signature 

Date 4/23/19

Name (please print) _____

Signature _____

Date _____

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 5.6.19
- Fill in the permit number issued by the city/county: 705414
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

Instructions on the reverse side

For period (MM/DD/YYYY) 06 / 30 / 2019 through June 30, 2020

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA Walmart Inc. DBA: Walmart #3150

Physical Location Address 1800 N. 16TH ST. City COUNCIL BLUFFS ZIP 51501

Mailing Address 508 SW 8th St. Dept. 8916 City Bentonville State AR ZIP 72716-0500

Business Phone Number (712) 352-1067

Legal Ownership Information:

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐

Name of sole proprietor, partnership, corporation, LLC, or LLP Walmart Inc.

Mailing Address 508 SW 8th St. City Bentonville State AR ZIP 72716-0500

Phone Number (479)277-4656 Fax Number (479)204-9864 Email cynthia.montero@walmart.com

Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☐

Types of Products Sold: (Check all that apply)

Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐

Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐

Has vending machine that assembles cigarettes ☐ Other ☒ Retail

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) Andrea Lazenby

Signature 

Date 4/23/19

Name (please print) _____

Signature _____

Date _____

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 5.6.19
- Fill in the permit number issued by the city/county: 705415
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

Instructions on the reverse side

For period (MM/DD/YYYY) 06 / 30 / 2019 through June 30, 2020

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA Sam's West, Inc. DBA: Sam's Club #6472

Physical Location Address 3221 MANAWA CENTRE DRIVE City COUNCIL BLUFFS ZIP 51501

Mailing Address 508 SW 8th St. Dept. 8916 City Bentonville State AR ZIP 72716-0500

Business Phone Number (712) 366-0130

Legal Ownership Information:

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐

Name of sole proprietor, partnership, corporation, LLC, or LLP Sam's West, Inc.

Mailing Address 508 SW 8th St. City Bentonville State AR ZIP 72716-0500

Phone Number (479)277-4656 Fax Number (479)204-9864 Email cynthia.montero@walmart.com

Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☐

Types of Products Sold: (Check all that apply)

Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐

Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐

Has vending machine that assembles cigarettes ☐ Other ☒ Retail

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) Andrea Lazenby

Name (please print) _____

Signature 

Signature _____

Date 9/23/19

Date _____

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 5.6.19
- Fill in the permit number issued by the city/county: 705417
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

Instructions on the reverse side

For period (MM/DD/YYYY) 07 / 01 / 2019 through June 30, 2020

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA Hy-Vee, Inc. DBA Hy-Vee Drug Store
Physical Location Address 757 W Broadway City Council Bluffs ZIP 51501
Mailing Address 5820 Westown Pkwy City West Des Moines State Ia ZIP 50266
Business Phone Number (712) 328-3277

Legal Ownership Information:

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐
Name of sole proprietor, partnership, corporation, LLC, or LLP Hy-Vee, Inc.
Mailing Address 5820 Westown Pkwy City West Des Moines State Iowa ZIP 50266
Phone Number 515-267-2800 Fax Number 515-559-2468 Email smcmahon@hy-vee.com

Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒
Types of Products Sold: (Check all that apply)
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐
Grocery store ☒ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) Jeff Pierce Name (please print) JEFF PIERCE
Signature [Signature] Signature ASS'T TREASURER FINANCIAL REPORTING
Date 4/18/2019 Date _____

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 5.6.19
- Fill in the permit number issued by the city/county: 706303
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

Instructions on the reverse side

For period (MM/DD/YYYY) 07 / 01 / 2019 through June 30, 2020

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA Hy-Vee, Inc. DBA Hy-Vee Food Store #1
Physical Location Address 2323 West Broadway City Council Bluffs ZIP 51501
Mailing Address 5820 Westown Pkwy City West Des Moines State Ia ZIP 50266
Business Phone Number (712) 328-9792

Legal Ownership Information:

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐
Name of sole proprietor, partnership, corporation, LLC, or LLP Hy-Vee, Inc.
Mailing Address 5820 Westown Pkwy City West Des Moines State Iowa ZIP 50266
Phone Number 515-267-2800 Fax Number 515-559-2468 Email smcmahon@hy-vee.com

Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒
Types of Products Sold: (Check all that apply)
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒
Type of Establishment: (Select the option that best describes the establishment)
Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐
Grocery store ☒ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) <u>Jeff Pierce</u>	Name (please print) <u>JEFF PIERCE</u>
Signature <u>[Signature]</u>	Signature <u>ASS'T TREASURER FINANCIAL REPORTING</u>
Date <u>4/18/2019</u>	Date _____

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 5.6.19
- Fill in the permit number issued by the city/county: 706304
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

Instructions on the reverse side

For period (MM/DD/YYYY) 07 / 01 / 2019 through June 30, 2020

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA Hy-Vee, Inc. DBA Hy-Vee Food Store #2
Physical Location Address 1745 Madison Ave City Council Bluffs ZIP 51503
Mailing Address 5820 Westown Pkwy City West Des Moines State Ia ZIP 50266
Business Phone Number (712) 322-9260

Legal Ownership Information:

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐
Name of sole proprietor, partnership, corporation, LLC, or LLP Hy-Vee, Inc.
Mailing Address 5820 Westown Pkwy City West Des Moines State Iowa ZIP 50266
Phone Number 515-267-2800 Fax Number 515-559-2468 Email smcmahon@hy-vee.com

Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐
Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒
Types of Products Sold: (Check all that apply)
Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐
Grocery store ☒ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐
Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) Jeff Pierce Name (please print) JEFF PIERCE
Signature [Signature] Signature ASS'T TREASURER FINANCIAL REPORTING
Date 4/18/2019 Date _____

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 5.6.19
- Fill in the permit number issued by the city/county: 706305
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

Instructions on the reverse side

For period (MM/DD/YYYY) 07 / 01 / 2019 through June 30, 2020

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA Hy-Vee, Inc. DBA Hy-Vee Gas #1

Physical Location Address 21 South 25th Street City Council Bluffs ZIP 51501

Mailing Address 5820 Westown Pkwy City West Des Moines State Ia ZIP 50266

Business Phone Number 712-352-1731

Legal Ownership Information:

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐

Name of sole proprietor, partnership, corporation, LLC, or LLP Hy-Vee, Inc.

Mailing Address 5820 Westown Pkwy City West Des Moines State Iowa ZIP 50266

Phone Number 515-267-2800 Fax Number 515-559-2468 Email smcmahon@hy-vee.com

Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☒

Types of Products Sold: (Check all that apply)

Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☒ Drug store ☐

Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐

Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) Jeff Pierce

Signature 

Date 4/18/2019

Name (please print) JEFF PIERCE
ASS'T TREASURER FINANCIAL REPORTING

Signature _____

Date _____

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 5.6.19
- Fill in the permit number issued by the city/county: 706306
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

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: The 712 Initiative – Celebrate CB
- Name of Event: Celebrate CB
- Contact Name: Clarrissa Newman
- Mailing Address for Contact: 1228 South Main Street, Council Bluffs, Iowa 51503
- Contact Phone Number: 402-510-5433
- Email: clarrissa.newman@lakincampus.org
- Address of Event: Downtown CB
- Estimate of Number of Participants:
 - ☐ 1-50 ☐ 251-500
 - ☐ 51-100 ☐ 501-1,000
 - ☐ 100-150 X > 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* | X Concert |
| <input type="checkbox"/> Fireworks* | <input type="checkbox"/> Neighborhood/Block or Private Party |
| X Parade* | X Other: Childrens Faire |

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

III. Date of Event

- Date Set Up: 5/14/19 Date Taken Down: 5/18/19
- Date Held 5/14/19, 5/16/19 5/18/19 Times Held _____

IV. Brief description of event: Celebrate CB Events: Clean Sweep, Children's Activities, Ag Cookout Parade, Music

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. 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)

X 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

X Request Police Assistance for: Parade

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.

X animals

☐ open fires (other than barbeques)

X portables (porta-potties) – recommendations based on duration/people attending

X 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:
Pony rides, Animals in the Parade, Bayliss Park and Parade Route

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: _____

MAILING ADDRESS: _____

PHONE NUMBER: _____

EMAIL: _____

ORGANIZATION/EVENT: Celebrate CB

EVENT LOCATION: Bayliss Park

EVENT DATE: May 16 and May 18

EVENT TIME: May 16 5:00-7:00 May 18 12:00-4:00

EXPLAIN SOURCE OF NOISE AND SPECIFIC HOURS OF NOISE:

Local Band

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

STREET CLOSURE PERMISSION

We the undersigned residents in the City of Council Bluffs, Iowa, DO NOT object to the closing of the following street for a special event:

Street: _____

Date and Time: _____

Only one name per household and only residents of a property affected by the closure will be considered as legitimate endorsers.

DATE	PRINTED NAME	SIGNATURE	ADDRESS





Parade Staging 2019 (due to PACE construction on S 6th Street)

