Study Session Agenda
City of Council Bluffs, Iowa
October 26, 2020, 3:45 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street

STUDY SESSION AGENDA

A. Jon Burmeister, PFM - Bond Sale Review

B. Mayor's Proclamation: National Lead Poisoning Prevention Week

C. Courtney Harter - Lead Poisoning Prevention Week

D. Paula Hazlewood - Advanced Southwest Iowa Update

E. Review Agenda

Council Agenda, City of Council Bluffs, Iowa
Regular Meeting October 26, 2020, 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 and tape recordings of these proceedings to be incorporated into the official minutes.

B. Reading, correction and approval of the October 12, 2020 City Council Meeting Minutes.

C. Ordinance 6431

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, and setting a Public Hearing for November 9th, 2020 at 7:00 p.m. by rezoning property legally described as Lots 47 through 50, Belmont Addition, along with the South 1/2 of the vacated east/west alley adjoining, as well as Lots 44 through 46, Belmont Addition, along with the North 1/2 of the vacated east/west alley adjoining, from C-2/Commercial District to R-2/Two-Family Residential District as defined in Chapter 15.09. Location: 1500 and 1506 Avenue 'O' and 1501 Avenue 'P'. ZC-20-011

D. Resolution 20-253

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

E. Mayor's Appointments

Citizen Police Advisory Board

F. August 2020 Financial Reports

G. Claims

4. MAYORS PROCLAMATIONS

A. Lung Cancer Awareness Month

B. Extra Mile Day

5. PUBLIC HEARINGS

A. Ordinance 6426 (Continued from 10-12-20)

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, by rezoning property legally described as Part of Lots 1, 13, 14, 17, and 18 and all of Lots 15 and 16, Block 21, Beer's Subdivision, along with part of the east/west vacated alleys adjacent, from I-1/Light Industrial District to C-2/Commercial District as defined in chapter 15.15. Location: Generally along 1st Avenue, between South 13th Street and South 16th Street, between South 18th Street and South 21st Street, and between South 27th Street and South 28th Street. ZC-20-010

B. Ordinance 6430

Ordinance to amend the zoning map, as adopted by reference in Section 15-02-070, by rezoning a portion of Lot 117, Fox Run Landing, from A-2/Parks, Estates and Agricultural District to R-1/Single Family Residential District as defined in chapter 15.08B.

C. Resolutions 20-246 and 20-247 (Continued from 10-12-20)

Resolutions to dispose of City property legally described as Lot 2, Arbor Creek Subdivision. Location: Northwest corner of College Road and Railroad Avenue. OTB-20-010

1) Resolution 20-246 Offer to buy submitted by Midlands Humane Society

2) Resolution 20-247 Offer to buy and RFP submitted by Neal Drickey

D. Resolution 20-254

Resolution directing the sale of $5,115,000 (Subject to Adjustment per Terms of Offering) General Obligation Bonds, Series 2020B.

E. Resolution 20-255

Resolution approving the plans and specifications for the Central Fire Station ADA Improvement Project. Project #BM21-04

F. Resolution 20-256

Resolution granting Final Plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4. Location: Lying north of property commonly known as 5003 Council Pointe Road. SUB-20-004

6. ORDINANCES ON 3RD READING

A. Ordinance 6425

Ordinances to amend Title 2 – Revenue and Finance Chapter 2.08.050 - Fees and charges authorized in Title 5 – Sewers.

7. RESOLUTIONS

A. Resolution 20-257

A Resolution to adopt the current Schedule of Fees for 2020, Version 1, dated 10-26-20.

B. Resolution 20-258

Resolution approving the use of 2020 Community Development Block Grant-COVID 19 (CDBG-CV) funds and directing the Mayor to submit the 2019 Amendment 3 to the Annual Plan to the City of Omaha and the U.S. Department of Housing and Urban Development.

C. Resolution 20-259

Resolution approving the use of 2021 Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program Funds and directing the Mayor to submit the 2021 Annual Plan to the City of Omaha and the U.S. Department of Housing and Urban Development.

D. Resolution 20-260

Resolution to award contract to Duininck for the Dodge Riverside Golf Course Irrigation Improvement Project, Phase II.

E. Resolution 20-261

Resolution authorizing the Mayor to execute Iowa Department of Transportation Agreement No. 2020-6-092 in connection with the I-29/I-480 Interstate Improvements.

F. Resolution 20-262

Resolution authorizing the Mayor to execute the Amendment to Purchase Agreement with Opus Development Company, L.L.C.

8. APPLICATIONS FOR PERMITS AND CANCELLATIONS

A. Liquor Licenses

1. Casey's General Store #2096, 2301 S 24th Street
2. Hard Luck Saloon, 626 16th Avenue
3. Iowa Western Community College, 2700 College Road
4. Moes Mart #3, 154 Bennett Avenue (NEW)
5. Moes Mart #4, 2024 5th Avenue (NEW)

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
October 12, 2020

CALL TO ORDER

Mayor Walsh called the meeting to order on Monday October 12, 2020 at 7:00 p.m.
Council Member present: Chad Hannan, Melissa Head, Roger Sandau and Mike Wolf.
Council Member present via phone: Joe Disalvo
Staff present: Brandon Garrett, Matt Mardesen, Richard Wade and Jodi Quakenbush.

CONSENT AGENDA

Approval of Agenda and tape recordings of these proceedings to be incorporated into the official minutes.
Reading, correction and approval of the September 28, 2020 City Council Meeting Minutes.
Ordinance 6430

Ordinance to amend the zoning map, as adopted by reference in Section 15-02-070 and setting a public hearing for October 26, 2020 at 7:00 p.m., by rezoning a portion of Lot 117, Fox Run Landing, from A-2/Parks, Estates and Agricultural District to R-1/Single Family Residential District as defined in chapter 15.08B.

Resolution 20-242

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY20.

Resolution 20-243

Resolution accepting the work of MMC Mechanical Contractor, Inc., as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the UP Museum Boiler and Chiller Replacement Project. Project #BM-20-04

Resolution 20-244

Resolution setting a public hearing for October 26, 2020 at 7:00 p.m., on the plans, specifications, form of contract, and cost estimate for the Central Fire Station ADA Improvement Project.

Claims

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

PUBLIC HEARINGS

Ordinance 6425

Ordinances to amend Title 2 – Revenue and Finance Chapter 2.08.050 - Fees and charges authorized in Title 5 – Sewers.

Chad Hannan and Roger Sandau moved and seconded approval of Second consideration of Ordinance 6425. Third consideration will be held October 25, 2020 at 7:00 p.m. Unanimous, 5-0 vote.

Ordinance 6426

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, by rezoning property legally described as Part of Lots 1, 13, 14, 17, and 18 and all of Lots 15 and 16, Block 21, Beer's Subdivision, along with part of the east/west vacated alleys adjacent, from I-1/Light Industrial District to C-2/Commercial District as defined in chapter 15.15. Location: Generally along 1st Avenue, between South 13th Street and South 16th Street, between South 18th Street and South 21st Street, and between South 27th Street and South 28th Street. ZC-20-010

Heard from Brandon Garrett

Roger Sandau and Melissa Head moved and seconded approval of Motion to Continue Public Hearing for Ordinance 6426 to October 26, 2020 at 7:00 p.m. Unanimous, 5-0 vote.

Ordinance 6427

Ordinance to amend Title 15; Zoning of the Municipal Code by repealing Chapter 15.32 "CDO/Corridor Design Overlay" and creating Chapter 15.32A "West Broadway Corridor Design Overlay" and appending said Chapter 15.32A "West Broadway Corridor Design Overlay" to an area of the City of Council Bluffs that is geographically bounded on the north by the north right-of-way line of Avenue 'A'; on the south by the south right-of-way line of 2nd Avenue; on the east by the west right-of-way line of South 13th Street and on the west by the east right-of-way line of Interstate 29/480. ZT-20-004

Melissa Head and Mike Wolf moved and seconded approval of Second Consideration of Ordinance 6427. Unanimous, 5-0 vote.

Melissa Head and Mike Wolf moved and seconded approval of Motion to waive 3rd consideration. Ordinance passes to law. Unanimous, 5-0 vote.

Resolution 20-245

Resolution granting final plat approval of a three-lot minor subdivision to be known as Pollard Games Addition. Location: North of 34th Avenue, West of the South Expressway, and East of South 11th Street. SUB-20-009

Chad Hannan and Mike Wolf moved and seconded approval of Resolution 20-245. Unanimous, 5-0 vote.

Resolutions 20-246 and 20-247

Resolutions to dispose of City property legally described as Lot 2, Arbor Creek Subdivision. Location: Northwest corner of College Road and Railroad Avenue. OTB-20-010

1) Resolution 20-246 Offer to buy submitted by Midlands Humane Society

2) Resolution 20-247 Offer to buy and RFP submitted by Neal Drickey

Heard from:
Alex Gum, 19394 Perry Road, Rick Stone, 125 Forest Glen Drive, Ron Wolf, 536 College Road, Clint Brunow, 16935 State Orchard Road, Joe (last name and address inaudible), Leslie Southard, 19682 Deer Run Lane and Mark, Westergard, 10909 Mill Valley Road, Omaha.

Melissa Head and Mike Wolf moved and seconded approval of Motion to Approve Resolution 20-246, Wolf seconded for discussion. , 0-0 vote.

Roger Sandau and Chad Hannan moved and seconded approval of Motion to Continue Public Hearing for Resolution 20-246 and 20-247 to October 26, 2020 at 7:00 pm. Unanimous, 5-0 vote.

ORDINANCES ON 2ND READING

Ordinance 6428

An Ordinance to amend Title 8, Public Safety and Morals of the 2015 Municipal Code of Council Bluffs, Iowa, by repealing existing Chapter 8.58 "Police Reserve Unit".

Roger Sandau and Melissa Head moved and seconded approval of Second Consideration of Ordinance 6428. Unanimous, 5-0 vote.

Chad Hannan and Melissa Head moved and seconded approval of Motion to waive Third Consideration. Ordinance passes to law. Unanimous, 5-0 vote.

Ordinance 6429

Ordinance to amend Chapter 4.20 "Animal Control" of the Municipal Code of Council Bluffs, Iowa, by amending Sections 4.20.082, 4.20.084, 4.20.088, 4.20.120 and 4.20.132; and creating Section 4.20.083 “Potentially Dangerous Dog Designation."

Roger Sandau and Mike Wolf moved and seconded approval of Second Consideration of Ordinance 6429. Unanimous, 5-0 vote.

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

RESOLUTIONS

Resolution 20-218 Amended

Resolution to vacate and dispose of Michigan Avenue right of way abutting Lots 39 through 52, Raymona Subdivision.

Mike Wolf and Melissa Head moved and seconded approval of Amended Resolution 20-218. Unanimous, 5-0 vote.

Resolution 20-248

Resolution Officially designating the City Council meeting dates for the City of Council Bluffs during the 2021 calendar year.

Melissa Head and Joe Disalvo moved and seconded approval of Resolution 20-248. Unanimous, 5-0 vote.

Resolution 20-249

Resolution to amend the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan), by reclassifying properties generally along 1st Ave, between South 13th St and South 16th St, between South 18th St and South 21st St, and between South 27th St and South 28th St, more specifically described in the Council packet, from Light Industrial to Multifamily/Mixed-Use. CP-20-001

Mike Wolf and Melissa Head moved and seconded approval of Resolution 20-249. Unanimous, 5-0 vote.

Resolution 20-250

Resolution directing the advertisement for sale of $5,115,000 (dollar amount subject to change) General Obligation Bonds, Series 2020B, and approving electronic bidding procedures and Official Statement.

Chad Hannan and Mike Wolf moved and seconded approval of Resolution 20-250. Unanimous, 5-0 vote.

Resolution 20-251

Resolution authorizing the city clerk to certify assessments against properties to the Pottawattamie County Treasurer for unreimbursed costs incurred by the city for the abatement of weeds and the removal of solid waste nuisances upon properties and directing them to be collected in the same manner as a property tax.

Roger Sandau and Melissa Head moved and seconded approval of Resolution 20-251. Unanimous, 5-0 vote.

Resolution 20-252

Resolution authorizing the City to submit an U.S. Environmental Protection Agency (EPA) Brownfields Cleanup Grant. Location: 813 22nd Avenue.

Mike Wolf and Melissa Head moved and seconded approval of Resolution 20-252. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor Licenses: 1) Casey's General Store #3050, 510 23rd Avenue, 2) Mega Saver, 3540 W Broadway

Veterans Day Parade

Chad Hannan and Roger Sandau moved and seconded approval of Applications for permits and cancellations, 7A 1-2 & 7B. Unanimous, 5-0 vote.

ADJOURNMENT

Mayor Walsh adjourned the meeting at 7:58 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: Community Development
Case/Project No.: ZC-20-011
Submitted by: Moises Monrroy, Planner

Ordinance 6431
ITEM 3.C.

Council Action: 10/26/2020

Description

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, and setting a Public Hearing for November 9th, 2020 at 7:00 p.m. by rezoning property legally described as Lots 47 through 50, Belmont Addition, along with the South 1/2 of the vacated east/west alley adjoining, as well as Lots 44 through 46, Belmont Addition, along with the North 1/2 of the vacated east/west alley adjoining, from C-2/Commercial District to R-2/Two-Family Residential District as defined in Chapter 15.09. Location: 1500 and 1506 Avenue 'O' and 1501 Avenue 'P'. ZC-20-011

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Case #ZC-20-011 Staff Report	Other	10/16/2020
Attachment A - Case Map	Map	10/16/2020
Public Hearing Notice	Other	10/16/2020
Ordinance 6431	Ordinance	10/20/2020

City Council Communication

Department: Community Development CASE # ZC-20-011 Applicant/Property Owner: Caren C. Taylo 1401 Avenue 'E' Council Bluffs, IA 51501	Ordinance No. _____	City Council 1st Consideration: 10/26/2020 2nd Consideration: 11/09/2020 3rd Consideration: 11/23/2020 Planning Commission: 10/13/2020

Subject/Title

Request: Public hearing on the request of Caren C. Taylo to rezone property legally described as Lots 47 through 50, Belmont Addition, along with the South ½ of the vacated east/west alley adjoining, City of Council Bluffs, Pottawattamie County, Iowa from C-2/Commercial District to R-2/Two-Family Residential District. The Community Development Department has expanded the request to include the neighboring property to the north, addressed at 1501 Avenue 'P' and legally described as Lots 44 through 46, Belmont Addition, along with the North ½ of the vacated east/west alley adjoining, City of Council Bluffs, Pottawattamie County, Iowa, for zoning consistency purposes.

Location: 1500 and 1506 Avenue 'O' and 1501 Avenue 'P'

Background

The Community Development Department has received an application from Caren C. Taylo to rezone property legally described as Lots 47 through 50, Belmont Addition, along with the South ½ of the vacated east/west alley adjoining, City of Council Bluffs, Pottawattamie County, Iowa from C-2/Commercial District to R-2/Two-Family Residential District. The Community Development Department has expanded the request to include the neighboring property to the north, addressed at 1501 Avenue 'P' and legally described as Lots 44 through 46, Belmont Addition, along with the North ½ of the vacated east/west alley adjoining, City of Council Bluffs, Pottawattamie County, Iowa, for zoning consistency purposes.

All three subject properties are each developed with a detached single-family dwelling. Since a 'single family dwelling, detached' is not a permitted use in the C-2/Commercial District, it is deemed a legal nonconforming use. The purpose of this request is to bring said residential uses into conformance with the Zoning Ordinance and facilitate the sale of these properties.

Land Use and Zoning

The following zoning and land uses surround the subject properties:

- North: Undeveloped land and a Chicago Central and Pacific Railroad rail line, which are zoned C-2/Commercial District.
- South: Undeveloped land that is zoned C-2/Commercial District and a homeless shelter that is zoned I-2/General Industrial District
- East: A Chicago Central and Pacific Railroad railyard, which is zoned I-2/General Industrial District.
- West: An adult entertainment establishment that is zoned C-2/Commercial District.

The future land use plan of the Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject properties as Local Commercial.

Public notices were mailed to all property owners within 200 feet of the request. The Community Development Department has not received any comments as of the date of this report.
All City Departments and local utilities were notified of the proposed rezoning. The following comments were received:

- The Permits and Inspections Division stated they have no comments on the request.
- The Public Works Department stated they have no comments on the request.
- The Fire Department stated they have no comments on the request.
- Mid-American Energy Company stated they have no conflicts with the request.
- Cox Communications stated they have existing network on the Mid-American poles located between the subject properties.

The following attachments are included with the case staff report:

- Attachment A: Location/Zoning Map

Discussion

1. All three parcels of land proposed to be rezoned exceed the minimum lot size requirements of the C-2/Commercial District and the R-2/Two-Family Residential District.
2. If the subject properties are rezoned to the R-2 District, the current residential uses would be brought into conformance with the Zoning Ordinance.
3. A 'single-family dwelling, detached' is not permitted use in the C-2 District. As per Section 15.01.050 of the Council Bluffs Municipal Code (Zoning Ordinance), "if property is used in a manner that was a lawful use on or before the effective date of this ordinance, and this ordinance no longer classifies that use as either a permitted or conditional use in the zoning district in which it is located, that use shall be deemed a legal nonconforming use." As such, the single-family dwellings located on the subject properties are deemed legal nonconforming uses and are subject to the provisions established in Chapter 15.26, Nonconformities, of the Council Bluffs Municipal Code (Zoning Ordinance).
4. As per Section 15.26.050 of the Council Bluffs Municipal Code (Zoning Ordinance), "any legal nonconforming residential use of a structure may be enlarged to the extent that an otherwise conforming residential use of a structure could be enlarged under the zoning regulations of the most restricted residential district in which such residential use of a structure would be permitted as a principal use." Therefore, the residential structures located on the properties proposed to be rezoned are currently subject to the site development regulations of the R-1/Single-Family Residential District.
5. Since the site development regulations in the R-1 and R-2 Districts are virtually identical, proposed rezoning will not resolve any nonconformities relative to the existing residential structures (i.e., lot coverage, setbacks and height).
6. As per Section 15.26.030(E) of the Council Bluffs Municipal Code (Zoning Ordinance), "when a structure containing a nonconforming use is damaged to an extent of fifty (50) percent or less of the replacement cost, the structure shall be allowed to continue if actual construction to repair it is commenced within six months of the date the damage was incurred, and the work is carried on diligently to completion within one year of this commencement." On the other hand, if the damage constitutes more than 50% of the replacement cost of said structure, then only uses classified as permitted or conditional in the underlying zoning district shall be allowed to occur at the site where said structure was located. Therefore, if the existing single-family structures on each of the subject properties were to be destroyed by more than 50% of the replacement cost, another single-family structure could not be rebuilt in its place. The proposed rezoning to the R-2 District would allow the current residential uses to continue to exist even if the damage to the structures constitutes more than 50% of the replacement cost.

7. The Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject properties as Local Commercial, which is intended for uses oriented primarily towards good and services that meet the demand of Council Bluffs residents, such as grocery stores, pharmacies, banks, auto services and small offices, and may be oriented as individual development on smaller lots. The C-2 District is generally consistent with the Local Commercial classification. Conversely, the R-2 District and the current residential uses are not compatible with the intention of the Local Commercial classification.
8. Surrounding land uses include a railroad yard to the north and to the east and an adult entertainment establishment to the west. The Community Development Department determines that the proposed rezoning is incompatible with the land uses and development patterns in the vicinity.
9. There has been no proposals or interest for residential development in this area of Council Bluffs that would indicate a rezoning to a residential district is needed.
10. 'Adult entertainment' is classified as a conditional use in the C-2 District. However, adult entertainment activities were permitted by right in the C-2 District prior to 1999. As per Section 15.01.050(B) of the Council Bluffs Municipal Code (Zoning Ordinance), "if property is used in a manner that was classified as a permitted use prior to the effective date of this ordinance, and that use is classified as a conditional use by this ordinance, that use shall be deemed a lawful conditional use." Thus, the adult entertainment establishment abutting the subject properties, Lipstix Adult Entertainment Club, is considered a legal conditional use. If proposed rezoning to the R-2 District is approved, said adult entertainment establishment would become a legal nonconforming use as adult entertainment activities are not permitted within 300 feet of any residential district, as per Section 15.15.060(A) of the Council Bluffs Municipal Code (Zoning Ordinance).
11. Due to the proximity restrictions established for adult entertainment activities in Section 15.15.060(A) of the Council Bluffs Municipal Code (Zoning Ordinance), there is a limited number of locations where adult entertainment establishments can operate in Council Bluffs. If proposed rezoning is approved, this limited number of locations would be further reduced.
12. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-2 District.

Recommendation

The Community Development Department recommends denial of the request of Caren C. Taylo to rezone property legally described as Lots 47 through 50, Belmont Addition, along with the South ½ of the vacated east/west alley adjoining, City of Council Bluffs, Pottawattamie County, Iowa, and to rezone property legally described as Lots 44 through 46, Belmont Addition, along with the North ½ of the vacated east/west alley adjoining, City of Council Bluffs, Pottawattamie County, Iowa, from C-2/Commercial District to R-2/Two-Family Residential District, based on the reasons stated above.

Public Hearing

Staff speakers for the request:

1. Moises Monrroy, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
2. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

1. Parker Smith, 1600 5th Avenue, Council Bluffs, IA 51501
2. Wayne Konfrst, 1501 Avenue P, Council Bluffs, IA 51501

Speakers against: None

Planning Commission Recommendation

The Planning Commission recommended denial of the request of Caren C. Taylo to rezone property legally described as Lots 47 through 50, Belmont Addition, along with the South ½ of the vacated east/west alley adjoining, City of Council Bluffs, Pottawattamie County, Iowa, and to rezone property legally described as Lots 44 through 46, Belmont Addition, along with the North ½ of the vacated east/west alley adjoining, City of Council Bluffs, Pottawattamie County, Iowa, from C-2/Commercial District to R-2/Two-Family Residential District, based on the reasons stated above.

VOTE: AYE 10 NAY 0 ABSTAIN 0 ABSENT 1 VACANT 0 Motion: Carried

Attachments

Attachment A: Location/Zoning Map

Prepared by: Moises Monrroy, Planner, Community Development Department

Attachment A

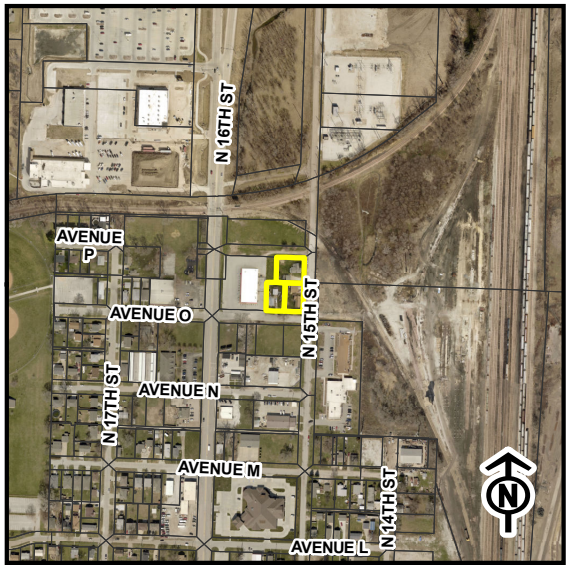
CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION
CASES #ZC-20-011 LOCATION/ZONING MAP

Legend

Subject Properties

0 30 60

1 Inch = 63 Feet



Last Amended: 9/14/2020

Council Bluffs Community Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 890-5350

DISCLAIMER

This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressely denies any and all responsibilities for errors, if any, in the information contained on this mapof the misuse of the same by the user or anyone else. The user should verify the accuracy of information/data contained on this map before using it. The City assumes no legal responsibility for the information contained on this map.

NOTICE OF PUBLIC HEARING
ON INTENT TO VACATE CITY PROPERTY

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request of Caren C. Taylo to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Lots 44 through 50, Belmont Addition, along with the North ½ of the vacated east/west alley adjoining Lots 44 through 46 and the South ½ of said alley adjoining Lots 47 through 50, City of Council Bluffs, Pottawattamie County, Iowa from C-2/Commercial District to R-2/Two-Family Residential District, as defined in Chapter 15.09 of the Municipal Code of Council Bluffs, Iowa.

You are further notified that the public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 9th day of November, 2020 in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

_____

Jodi Quakenbush, City Clerk

ORDINANCE NO. 6431

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS LOTS 47 THROUGH 50, BELMONT ADDITION, ALONG WITH THE SOUTH ½ OF THE VACATED EAST/WEST ALLEY ADJOINING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, AS WELL AS LOTS 44 THROUGH 46, BELMONT ADDITION, ALONG WITH THE NORTH ½ OF THE VACATED EAST/WEST ALLEY ADJOINING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA FROM C-2/COMMERCIAL DISTRICT TO R-2/TWO-FAMILY RESIDENTIAL DISTRICT AS DEFINED IN CHAPTER 15.09 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.

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

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone property legally described as Lots 47 through 50, Belmont Addition, along with the South ½ of the vacated east/west alley adjoining, City of Council Bluffs, Pottawattamie County, Iowa, as well as Lots 44 through 46, Belmont Addition, along with the North ½ of the vacated east/west alley adjoining, City of Council Bluffs, Pottawattamie County, Iowa, City of Council Bluffs, Pottawattamie County, Iowa, from C-2/Commercial District to R-2/Two-Family Residential District as defined in Chapter 15.09 of the Municipal Code of Council Bluffs, Iowa.

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.

ADOPTED
AND November 9, 2020.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 10/26/20
Second Consideration: 11/09/20
Public Hearing: 11/09/20
Third Consideration: _____

Council Communication

Department: Finance
Case/Project No.:
Submitted by: Lynn Rutledge

Resolution 20-253
ITEM 3.D.

Council Action: 10/26/2020

Description

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

Background/Discussion

Effective April 17, 2019, the Administrative Code for the State of Iowa was changed as it relates to interfund transfers. The Code now requires all interfund transfers must be approved by Council resolution. A fund transfer resolution must be completed for all transfers between funds and must include the purpose for the transfer, the name of the fund from which the transfer is originating, the name of the fund into which the transfer is to be received and the dollar amount of the transfer.

This resolution is brought forward for approval of FY21 actual interfund transfers to date.

Recommendation

Approve this resolution

ATTACHMENTS:

Description	Type	Upload Date
Fund Transfer FY21 YTD Actuals	Other	10/20/2020
Resolution 20-253	Resolution	10/20/2020

Fund Transfers
Council Meeting: 10/26/20

Transfer From		Transfer To				
Fund Category	**Fund Name**	**Fund Category**	**Fund Name**	**Amount**	**Purpose**	**Effective FY**
General	General	Capital Projects	Capital Projects	10,740	Final transfer of revenue from Parks and Rec operating budget to Proj R2004 Netting & Shades at Rec	FY21
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	894,722	Final Funding for CIP PW19-12 S 1st St Neighborhood Rehab Phase IX	FY21

Resolution 20-253

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

WHEREAS, the Administrative Code for the State of Iowa, Section 545-2, was revised as it relates to interfund transfers, effective April 17, 2019.

WHEREAS, the Administrative Code now requires all interfund transfers must be approved by Council resolution. A fund transfer resolution must be completed for all transfers between funds and must include the purpose for the transfer, the name of the fund from which the transfer is originating, the name of the fund into which the transfer is to be received, and the dollar amount of the transfer.

Now, therefore, be it resolved by the City Council of the City of Council Bluffs, Iowa:

That the transfers identified are hereby approved and City Finance is authorized, empowered and directed to make the necessary transfers of said dollars between funds.

Adopted and Approved: October 26, 2020

_____
Matthew J. Walsh, Mayor

_____
Jodi Quakenbush, City Clerk

Council Communication

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

Mayor's Appointments
ITEM 3.E.

Council Action: 10/26/2020

Description

Citizen Police Advisory Board

Background/Discussion

With City Council concurrence, I would like to make the following appointment/reappointments:

CITIZEN POLICE ADVISORY BOARD

Reappoint the following with term expiring 10/27/2026:

Carol Jacobsen
423 Houston Ave

Greg Andersen II
14 Euclid Ave

Appoint the following with term expiring 10/27/2026:

Roderick James
33 S Linden Ave

Recommendation

City of Council Bluffs

Receipts by Fund
For the Month of August FY21

General Fund	2,021,502.27
Special Revenue	1,667,798.12
Debt Service	0.00
Capital Project	2,327,124.92
Enterprise	1,495,258.20
Total Receipts	**7,511,683.51**

Expenditures by Fund
For the Month of August FY21

General Fund	5,410,699.43
Special Revenue	810,524.86
Debt Service	300.00
Capital Project	3,330,598.42
Enterprise	814,286.70
Total Expenditures	**10,366,409.41**

Transfer from City Operating Accounts	
to Mid America Center	90,000.00
to Dodge Riverside	0.00
to RE Parking Garage	14,000.00
Total Transfers	**104,000.00**

CITY OF COUNCIL BLUFFS
EXPENDITURES
AUGUST FY21
($'S)

VENDOR	AMOUNT	BUSINESS PURPOSE
AAA RENTS & EVENTS SERVICES	$458.09	DODGE OPERATING EXPENSE
ABM	$2,037.50	JANITORIAL SERVICE
ACCO UNLIMITED CORP	$1,485.48	SUPPLIES
ACUSHNET COMPANY	$1,944.88	DODGE OPERATING EXPENSE
ADIDAS AMERICA INC	$2,524.27	DODGE OPERATING EXPENSE
ADVANCED DATA PROCESSING, INC	$7,765.03	AMBULANCE BILLING FEE
AGRILAND F S INC	$51,362.83	SUPPLIES
AGRIVISION EQUIPMENT GROUP	$1,160.67	EQUIPMENT/PARTS
AHLERS & COONEY P.C	$24.00	LEGAL SERVICES
ALEGENT CREIGHTON HEALTH	$1,156.03	PROFESSIONAL SVCS
ALUMITANK INCORPORATED	$1,354.93	EQUIPMENT/PARTS
ALZHEIMERS ASSOCIATION	$503.13	REFUND
AMBER KENNEDY	$200.00	REFUND
AMERICAN BOTTLING COMPANY	$925.50	SUPPLIES
AMERICAN MESSAGING SERVICES LLC	$14.26	TELEPHONE
AMERICAN NATIONAL BANK	$18,614.50	PROPERTY ACQUISITION/FEES
AMERITAS LIFE INS CORP	$32.35	DODGE OPERATING EXPENSE
ANB SERVICE CHARGE	$95.45	RE PARKING GARAGE EXPENSE
ANTHONY KRAUTH	$250.00	REFUND
AQUA-CHEM INCORPORATED	$280.00	SUPPLIES
ARNOLD MOTOR SUPPLY, LLP	$7,395.46	EQUIPMENT/PARTS
ARROW TOWING	$1,490.00	TOWING/STORAGE/AUCTION
ASKEW, MARJORIE E	$162.00	REFUND
AUDITOR OF STATE	$850.00	AUDIT
AXON ENTERPRISE INC	$8,874.90	TRAINING
B & K MECHANICAL CONTRACTORS LLC	$11,381.09	REPAIRS & MAINTENANCE
BAKER & TAYLOR INC	$8,685.17	BOOKS/PERIODICALS/SUB
BERT GURNEY & ASSOCIATES INC	$134.00	EQUIPMENT/PARTS
BGNE INC.	$344.34	SUPPLIES
BILL'S WATER CONDITIONING	$100.00	SUPPLIES
BLACK HILLS UTILITY HOLDINGS, INC.	$3,376.80	NATURAL GAS
BLUFFS ELECTRIC INC	$5,681.52	ELECTRICAL REPAIR
BLUFFS PAVING & UTILITY INC	$158,041.57	CONSTRUCTION
BLUFFS TAXI & COURIER	$447.25	TRANSIT SERVICES
BOBCAT OF OMAHA	$8,521.06	EQUIPMENT/PARTS
BOFA	$2.26	MAC OPERATING EXPENSE
BOMGAARS SUPPLY INC	$683.91	SUPPLIES
BOUND TO STAY BOUND BOOKS INC	$594.82	BOOKS/PERIODICALS/SUB
BRIANNE JOHNSON	$200.00	REFUND
BROOMERS INC	$450.00	RE PARKING GARAGE EXPENSE
BRYAN PREGON	$2,212.50	PROFESSIONAL SVCS
BUCK'S INC.	$275.90	VEHICLE WASH
C & J INDUSTRIAL SUPPLY	$418.00	JANITORIAL SERVICE
CABANA COFFEE	$34.17	MAC OPERATING EXPENSE
CALLAWAY	$869.03	DODGE OPERATING EXPENSE
CANON SOLUTIONS AMERICA INC	$195.25	COPY/PRINTER MAINTANCE

CARLEY CONSTRUCTION LLC	$271,088.69	CONSTRUCTION
CARROLL DISTRIBUTING & CONSTRUCTION SUPPLY	$4,681.58	EQUIPMENT/PARTS
CARTTRAC LLC	$4,600.00	DODGE OPERATING EXPENSE
CENGAGE LEARNING INC	$268.72	BOOKS/PERIODICALS/SUB
CENTER POINT LARGE PRINT	$339.63	BOOKS/PERIODICALS/SUB
CENTRAL STATES WIRE PRODUCTS INC	$3,680.30	BALER WIRE
CENTURYLINK	$619.56	TELEPHONE
CERTIFIED PROPERTY MANAGEMENT INC	$719.00	LEASE
CFI TIRE SERVICE	$2,668.00	TIRE REPLACEMENT/REPAIR
CHAMPLIN TIRE RECYCLING INC	$3,705.00	TIRE DISPOSAL
CHERICE MAHAL	$2,385.80	PROFESSIONAL SVCS
CHILD SUPPORT SERVICES DIVISION	$514.32	PAYROLL RELATED
CITIZENS BANK NA	$989.57	LOAN PAYMENTS
CITY OF COUNCIL BLUFFS	$4,017.80	DODGE OPERATING EXPENSE
CITY OF COUNCIL BLUFFS-DEPENDENT	$5,047.94	PAYROLL RELATED
CITY OF COUNCIL BLUFFS-FLEX	$8,279.28	PAYROLL RELATED
CITY TREASURER	$2,090.09	DODGE OPERATING EXPENSE
CLEAR TITLE & ABSTRACT LLC	$174,446.15	PROFESSIONAL SVCS
CLEVELAND GOLF/SRIXON	$364.50	DODGE OPERATING EXPENSE
CLIFTON A ANDERSON	$38.79	REIMB EMPLOYEE EXPENSE
COLLECTION SERVICES CENTER	$7,975.10	PAYROLL RELATED
COMPASS UTILITY LLC	$112,050.99	CONSTRUCTION
CONCRETE HOLDINGS OMAHA, INC	$411.00	STREET MAINTENANCE SUPLS
CONTINENTAL FIRE SPRINKLER CO	$402.21	PROFESSIONAL SVCS
CONTROL SERVICES INC	$375.00	REPAIRS & MAINTENANCE
CORNHUSKER INTERNATIONAL TRUCKS	$7,795.77	EQUIPMENT/PARTS
COUNCIL BLUFFS CHAMBER OF COMMERCE	$340.00	CONTRACT AGREEMENT
COUNCIL BLUFFS CONVENTION & VISITORS BUREAU	$176,800.00	CONTRIBUTIONS
COUNCIL BLUFFS LEASED HOUSING ASSOCIATES	$3,360.00	CONTRACT AGREEMENT
COUNCIL BLUFFS ONLINE LLC	$35.00	INTERNET
COUNCIL BLUFFS WATER WORKS	$22,809.55	WATER
COUNCIL BLUFFS WINSUPPLY	$11,097.52	SUPPLIES
COX BUSINESS SERVICES	$273.74	RE PARKING GARAGE EXPENSE
COX COMMUNICATION INC	$21,272.53	PHONE/INTERNET SVC
CREDIT MANAGEMENT, LP	$231.20	COLLECTION FEE
CSI/SSP INC	$391.48	PRINTING/BINDING
CUBIC CORPORATION AND SUBSIDIARIES	$139,150.00	HARDWARE/SOFTWARE
D & D CONSTRUCTION SERVICES INC	$4,051.77	CONSTRUCTION
D & K PRODUCTS	$345.00	SUPPLIES
D&K PRODUCTS	$6,144.65	DODGE OPERATING EXPENSE
D. PUTNAM ENTERPRISES LLC	$15.00	SUPPLIES
DAILY NONPAREIL	$3,231.35	ADVERTISEMENT
DALES TRASH SERVICE INC	$3,830.00	RENTAL EXPS
DALTON PREGON	$819.00	PROFESSIONAL SVCS
DAVID OR FAYE SCHNEIDER	$425.00	REFUND
DAVID W WOODY	$89.90	SUPPLIES
DAVIS EQUIPMENT CORPORATION	$133.49	EQUIPMENT/PARTS
DEAN DAIRY CORPORATE LLC	$481.61	SUPPLIES
DELASCO	$250.00	REFUND
DELL MARKETING L P	$5,592.08	HARDWARE/SOFTWARE
DEX MEDIA, INC.	$48.21	ADVERTISEMENT
DICK DEAN SERVICE INC.	$279.80	REPAIRS & MAINTENANCE

DMG INC	$9,700.00	ELECTRICAL REPAIR
DODGE BANK & CR CARD FEES	$3,308.61	DODGE OPERATING EXPENSE
DODGE RIVERSIDE PAYROLL	$52,526.24	DODGE OPERATING EXPENSE
DOLL	$364.55	MAC OPERATING EXPENSE
DOLL DISTRIBUTING LLC	$5,621.55	DODGE OPERATING EXPENSE
DON SCHMIDT	$160.00	DODGE OPERATING EXPENSE
DONALD W MATHEWS	$1,731.84	VEHICLE REPAIR
DP MANAGEMENT LLC	$64,640.40	MOWING/GROUNDS MAINT
DRIVER PLUMBING LTD.	$630.00	REPAIRS & MAINTENANCE
DULTMEIER SALES LLC	$358.50	SUPPLIES
DXP ENTERPRISES INC	$133.32	EQUIPMENT/PARTS
ECHO GROUP	$488.13	SUPPLIES
EDWARD JAMES BREWSTER JR	$210.00	PROFESSIONAL SVCS
EDWARDS CHEVROLET-CADILLAC INC	$6,132.91	EQUIPMENT/PARTS
EFTPS	$560,701.20	PAYROLL RELATED
EHRHART GRIFFIN & ASSOCIATES INC	$18,832.35	CONSULTANT
ELANA GRACE ZALAR	$517.50	PROFESSIONAL SVCS
ELAVON INC	$7,686.47	FEES
ELBA E CERA	$90.00	PROFESSIONAL SVCS
EMPLOYERS MUTUAL CASUALTY COMPANY	$84,956.98	INSURANCE
ENCYCLOPEDIA BRITANNICA INC	$1,900.00	SUBSCRIPTION
ENTERPRISE FM TRUST	$699.88	RENTAL EXPS
ERRIN GUNDERSON	$2,931.85	MOWING/GROUNDS MAINT
ESO SOLUTIONS INC	$4,089.10	HARDWARE/SOFTWARE
EXCHANGE BANK LEASING DIV	$8,766.41	DODGE OPERATING EXPENSE
FACTORY MOTOR PARTS	$1,237.93	EQUIPMENT/PARTS
FASTENAL COMPANY	$60.27	SUPPLIES
FED EX	$8.70	DODGE OPERATING EXPENSE
FELD FIRE	$33,314.00	EQUIPMENT/PARTS
FIREGUARD INC	$2,137.12	RE PARKING GARAGE EXPENSE
FIRESPRING PRINT INC	$183.37	PRINTING/BINDING
FIRST NATIONAL BANK PCARDS	$2,466.51	DODGE OPERATING EXPENSE
FLEET US LLC	$3,888.00	SUPPLIES
FORCE EQUIPMENT	$592.72	EQUIPMENT/PARTS
FREDA C VONESCHEN	$165.00	REPAIRS & MAINTENANCE
GALLS PARENT HOLDING, LLC	$600.81	EQUIPMENT/PARTS
GENIE PEST CONTROL	$35.00	DODGE OPERATING EXPENSE
GENIE SERVICES LLC	$145.00	PEST CONTROL
GFSI LLC	$1,512.22	DODGE OPERATING EXPENSE
GM DODGE CHARITABLE TRUST	$459.44	DODGE TRUST REIMBURSEMENT
GREAT AMERICA FINANCIAL SERVICE	$160.12	DODGE OPERATING EXPENSE
GRP & ASSOCIATES	$234.00	SUPPLIES
HARCROS CHEMICALS INC	$2,750.00	SUPPLIES
HAWKEYE TRUCK EQUIPMENT	$150.00	EQUIPMENT/PARTS
HAWKINS CONSTRUCTION COMPANY	$1,986,707.92	CONSTRUCTION
HDR ENGINEERING INC	$73,991.77	PROFESSIONAL SVCS
HEARTLAND CO-OP	$407.00	FUEL
HEARTLAND DOCUMENT SERVICES INC.	$1,204.00	JANITORIAL SERVICE
HEARTLAND TIRES & TREADS INC	$2,504.05	TIRE REPLACEMENT/REPAIR
HEARTLAND TOXICOLOGY	$485.00	PROFESSIONAL SVCS
HENDERSON PRODUCTS, INC	$47.54	EQUIPMENT/PARTS
HENNINGSEN CONSTRUCTION INC	$2,776.29	CONSTRUCTION
HGM ASSOCIATES INC	$189,944.55	CONSULTANT

HISTORICAL GENERAL DODGE HOUSE FOUNDATION INC	$18,750.00	QUARTERLY CONTRACT PAYMENT
HOLT WOODWORKING INC	$3,782.00	REPAIRS & MAINTENANCE
HUBER CHEVROLET CO INC	$199.75	EQUIPMENT/PARTS
I-80 LIQUOR & TOBACCO	$1,315.22	DODGE OPERATING EXPENSE
ICMA RETIREMENT TRUST - 457	$13,736.48	PAYROLL RELATED
IDAHO HOUSING AND FINANCE ASSOCIATION	$2,331.16	LOAN PAYMENTS
IMPACT7G INC	$8,100.00	PROFESSIONAL SVCS
INFOSAFE SHREDDING LLC	$75.00	PROFESSIONAL SVCS
INLAND TRUCK PARTS COMPANY INC	$151.75	EQUIPMENT/PARTS
INTERNATIONAL CODE COUNCIL INC.	$265.00	SUPPLIES
IOWA DEPARTMENT OF REVENUE	$552.85	PAYROLL RELATED
IOWA DEPT OF REVENUE	$124,387.00	PAYROLL RELATED
IOWA DEPT OF REVENUE	$882.00	MAC OPERATING EXPENSE
IOWA LAW ENFORCEMENT ACADEMY	$6,875.00	TRAINING
IOWA PARK & RECREATION ASSOCIATION	$680.00	TICKET SALES
IOWA PRISON INDUSTRIES	$1,095.00	SUPPLIES
IOWA WASTE SERVICES HOLDINGS INC	$59,358.49	SOLID WASTE DISPOSAL
IPERS	$302,243.52	PAYROLL RELATED
IPFS CORPORATION	$453.68	DODGE OPERATING EXPENSE
J&M GOLF	$824.00	DODGE OPERATING EXPENSE
JAMES PALMER	$350.00	PROFESSIONAL SVCS
JASON OURADO	$31.80	DODGE OPERATING EXPENSE
JEFFREY T KOUBA	$186.70	PROFESSIONAL SVCS
JEFFS CAR WASH	$100.00	BUSINESS ASSISTANCE PROGRAM
JEO CONSULTING GROUP INC	$9,510.75	CONSULTANT
JEREMY C NOEL	$32.09	REIMB EMPLOYEE EXPENSE
JERRY KENNEDY	$600.00	RENTAL EXPS
JIM THROMBLY	$190.00	DODGE OPERATING EXPENSE
JONES AUTOMOTIVE	$2,852.66	EQUIPMENT/PARTS
JOSHUA T PORTER	$840.00	MAC OPERATING EXPENSE
JS GRANT LLC	$5,000.00	PROPERTY ACQUISITION
KALYN WETTENGEL	$24.67	REIMB EMPLOYEE EXPENSE
KAY H TURNER	$515.00	HARDWARE/SOFTWARE
KAYS CUSTOMS LLC	$2,077.00	SERVICE LABOR
KELLY SUPPLY COMPANY	$944.75	EQUIPMENT/PARTS
KELTEK, INCORPORATED	$12,085.60	EQUIPMENT/PARTS
KONICA MINOLTA BUSINESS SOLUTIONS USA	$812.00	LEASE
KRIHA FLUID POWER COMPANY INC.	$210.14	EQUIPMENT/PARTS
KRONOS INCORPORATED	$2,360.00	HARDWARE/SOFTWARE
KYLE W PEARSON	$100.00	REIMB EMPLOYEE EXPENSE
LANDSCAPES GOLF MANAGEMENT LLC	$10,902.22	DODGE OPERATING EXPENSE
LANOHA NURSERIES INC	$2,940.00	RE PARKING GARAGE EXPENSE
LAWSON PRODUCTS INC	$1,504.43	SUPPLIES
LEAGUE OF HUMAN DIGNITY INC	$9,428.71	PROFESSIONAL SVCS
LINCOLN NATIONAL LIFE INS	$120.21	DODGE OPERATING EXPENSE
LOCKTON CO, LLC - KC SERIES	$3,610.00	DODGE OPERATING EXPENSE
LORENZO, NICOLAS FRANCISCO	$65.69	REFUND
LORETTA GOESCHEL	$73.61	REIMB EMPLOYEE EXPENSE
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	$3,920.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	$280.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	$4,400.00	PAYROLL RELATED

LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	$1,250.00	PAYROLL RELATED
LYMAN RICHEY CORPORATION	$22,088.00	STREET MAINTENANCE SUPLS
M & R WELDING	$55.00	WELDING SUPPLIES/SERVICE
MACONN ENTERPRISES LLC	$9,211.80	MOWING/GROUNDS MAINT
MACQUEEN EQUIPMENT, INC.	$3,943.26	EQUIPMENT/PARTS
MARCO HOLDINGS, LLC	$7,871.91	COPY/PRINTER MAINTANCE
MARTIN RESOURCE MANAGEMENT	$162.80	SUPPLIES
MAX I WALKER UNIFORM & APPAREL	$762.92	UNIFORMS
MCMULLEN FORD INC	$248.49	EQUIPMENT/PARTS
MENARD INC.	$4,846.42	SUPPLIES
METOLIUS LLC	$1,340.00	DODGE OPERATING EXPENSE
MFPRSI	$475,410.36	PAYROLL RELATED
MICHAEL L SELVES	$8,673.75	HARDWARE/SOFTWARE
MICHAEL O'BRADOVICH	$2,400.00	PROFESSIONAL SVCS
MICHAEL TODD AND COMPANY INC	$249.72	EQUIPMENT/PARTS
MID STATES BANK	$61.72	MAC OPERATING EXPENSE
MID-AMERICA CLEANING SYSTEMS INC	$1,630.79	EQUIPMENT/PARTS
MIDAMERICAN ENERGY CO	$1,265.63	RE PARKING GARAGE EXPENSE
MIDAMERICAN ENERGY COMPANY	$145,396.54	ELECTRICITY
MIDLANDS HUMANE SOCIETY	$10,328.17	CONTRACT AGREEMENT
MIDLANDS PRINTING & BUSINESS FORMS	$1,944.40	PRINTING/BINDING
MIDSTATES BANK, NA	$294.54	BANK SERVICES
MIDWEST BOX COMPANY	$185.00	SUPPLIES
MIDWEST DISTRIBUTING CORPORATION	$555.00	LEASE
MIDWEST LABORATORIES INC	$905.00	PROFESSIONAL SVCS
MIDWEST MEDICAL & SAFETY INC	$53.50	MEDICAL SUPPLIES
MIDWEST NETTING SOLUTIONS	$10,739.68	PROFESSIONAL SVCS
MIDWEST RESEARCH & SETTLEMENT SERVICES, INC.	$500.00	PROFESSIONAL SVCS
MIDWEST TAPE, LLC	$5,435.14	DVD/AUDIO/CD
MIDWEST TURF & IRRIGATION	$1,255.97	EQUIPMENT/PARTS
MOBOTREX INC	$2,280.20	STREET MAINTENANCE SUPLS
MORRIS EXCAVATING CO INC	$1,181.45	CONTRACT AGREEMENT
MUNICIPAL PIPE TOOL CO LLC	$311.75	EQUIPMENT/PARTS
MUTUAL OF OMAHA	$32.95	DODGE OPERATING EXPENSE
MYRON WILDER	$2,452.50	PROFESSIONAL SVCS
NAPA AUTO PARTS	$3,281.07	EQUIPMENT/PARTS
NATIONAL CONCRETE CUTTING INC	$1,332.06	REPAIRS & MAINTENANCE
NATIONWIDE RETIREMENT SOLUTIONS INC	$65,484.74	PAYROLL RELATED
NEBRASKA AIR FILTER INC	$1,715.59	SUPPLIES
NEBRASKA CHILD SUPPORT PAYMENT CTR	$496.62	PAYROLL RELATED
NEBRASKA METHODIST HEALTH SYSTEM INC	$200.00	CONSULTANT
NEBRASKA SALT & GRAIN CO	$10,274.80	STREET MAINTENANCE SUPLS
NEXT PHASE ENVIRONMENTAL	$82,746.15	MOWING/GROUNDS MAINT
NMC INC.	$819.75	EQUIPMENT/PARTS
NODDLE DEVELOPMENT CO	$4,061.92	RE PARKING GARAGE EXPENSE
O KEEFE ELEVATOR CO INC	$184.04	RE PARKING GARAGE EXPENSE
OCLC INC	$1,255.86	SUBSCRIPTION
O'KEEFE ELEVATOR COMPANY INC	$1,197.00	PROFESSIONAL SVCS
OMAHA DOOR & WINDOW CO INC	$2,209.84	REPAIRS & MAINTENANCE
OMAHA PNEUMATIC EQUIPMENT COMPANY	$133.75	SUPPLIES
OMAHA TRUCK CENTER COMPANY INC.	$575.50	EQUIPMENT/PARTS
OMNI ENGINEERING	$98,489.09	STREET MAINTENANCE SUPLS
O'REILLY AUTOMOTIVE INC	$38.19	EQUIPMENT/PARTS

OVERDRIVE INC	$11,439.40	BOOKS/PERIODICALS/SUB
PARAMOUNT LINEN & UNIFORMS	$163.68	DODGE OPERATING EXPENSE
PASSPORT LABS INC	$1,087.75	PARKING FEES
PAYROLL	$1,993,111.40	CITY EMPLOYEE PAYROLL
PAYROLL	$36,623.93	MAC OPERATING EXPENSE
PEPSI BEVERAGES CO	$2,220.31	DODGE OPERATING EXPENSE
PHILL NEWTON	$250.00	REFUND
PITNEY BOWES INC.	$2,950.00	POSTAGE & PRINTING
POLYDYNE INC	$20,460.00	SUPPLIES
POTTAWATTAMIE COUNTY SHERIFF	$6,205.00	INMATE COST
POTTAWATTAMIE COUNTY TREASURER	$34,827.19	SOFTWARE MAINTENANCE/FEES
PREMIER GLAZERS	$657.90	MAC OPERATING EXPENSE
PREMIER GLAZER'S BEVS	$2,270.20	DODGE OPERATING EXPENSE
PRESTIGE FLAG	$384.15	DODGE OPERATING EXPENSE
PRIME COMMUNICATIONS INC	$1,244.13	HARDWARE/SOFTWARE
PROPERTY ACQUISITION & RELOCATION SERVICES INC	$1,725.00	PROFESSIONAL SVCS
RASMUSSEN MECHANICAL SERVICES INC	$711.00	EQUIPMENT/PARTS
RECORDED BOOKS LLC	$237.47	DVD/AUDIO/CD
REGENTS OF THE UNIVERSITY OF MINNESOTA	$798.00	SUPPLIES
RELIANT TRANSPORTATION INC	$921.24	STREET MAINTENANCE SUPLS
RESOURCE RENTAL CENTER INC	$175.00	RENTAL EXPS
RICOH USA INC	$48.84	LEASE
RLKM INC	$1,002.21	REPAIRS & MAINTENANCE
ROSANNA M THURMAN	$5,160.00	CONSULTANT
ROSE EQUIPMENT, LLC	$127.07	EQUIPMENT/PARTS
RTG BUILDING SERVICES INC	$10,502.00	JANITORIAL SERVICE
RUETER & ZENOR CO	$7,820.48	EQUIPMENT/PARTS
RYAN ROBERT ADKINS	$5,434.60	MOWING/GROUNDS MAINT
SAFETY KLEEN SYSTEMS, INC	$150.00	SERVICE LABOR
SALES TAX	$11,914.00	DODGE OPERATING EXPENSE
SAVANT CORPORATION	$73.00	EQUIPMENT/PARTS
SHERWIN WILLIAMS	$64.61	SUPPLIES
SIMPLY GROUP II LLC	$10,511.87	HARDWARE/SOFTWARE
SIRSI CORPORATION	$6,212.50	HARDWARE/SOFTWARE
SJ ELECTRO SYSTEMS INC	$91,148.47	EQUIPMENT/PARTS
SMARTWAVE TECHNOLOGIES LLC	$200,000.00	HARDWARE/SOFTWARE
SNYDER & ASSOCIATES INC	$144,283.93	CONSULTANT
SOLARWINDS INC	$6,609.00	HARDWARE/SOFTWARE
SOUTHWEST IOWA PLANNING COUNCIL	$23,791.92	TRANSIT SERVICES
SPRINT SOLUTIONS INC	$59.10	CELL PHONE
ST PETERS CATHOLIC CHURCH	$75.00	CONSULTANT
STATE LIBRARY OF IOWA	$62.00	SUBSCRIPTION
STERN OIL CO INC	$513.94	SUPPLIES
STEVEN J ANDREWS	$1,050.00	REFUND
STUDIO 15 COMMERCIAL INTERIORS INC	$83,495.01	PROFESSIONAL SVCS
SUPERIOR INDUSTRIAL EQUIPMENT, LLC	$1,989.00	EQUIPMENT/PARTS
SWAGIT PRODUCTIONS LLC	$2,750.00	PROFESSIONAL SVCS
SYSCO - LINCOLN	$3,187.25	DODGE OPERATING EXPENSE
TECH INC	$497.90	SUPPLIES
TED'S MOWER SALES & SERVICE INC	$161.27	EQUIPMENT/PARTS
TERESA J NOONAN SOLE MBR	$660.00	HARDWARE/SOFTWARE
THE DAVEY TREE EXPERT COMPANY	$7,822.50	TREE WORK
THE RETROFIT COMPANIES INC	$3,065.50	SERVICE LABOR

THE SCHEMMER ASSOCIATES INC	$3,277.50	CONSULTANT
THERMAL SERVICES	$1,529.45	REPAIRS & MAINTENANCE
THOMAS RYAN	$4.49	REIMB EMPLOYEE EXPENSE
TOYNE INC	$3,234.53	EQUIPMENT/PARTS
TREASURER STATE OF IOWA/SALES TAX	$7,764.00	SALES TAX
TRINITY LOGISTICS CORP	$1,080.50	EQUIPMENT/PARTS
TRU PRO CONSTRUCTION INC	$67,725.00	CONSTRUCTION
TRUCK EQUIPMENT INC	$42,574.00	EQUIPMENT/PARTS
TWO RIVERS INSURANCE COMPANY, INC.	$902,227.97	EMPLOYEE INSURANCE
U.S. VENTURE, INC.	$630.46	EQUIPMENT/PARTS
ULINE	$73.70	SUPPLIES
UMB BANK N.A.	$300.00	BOND PAYMENT
UMR	$829.44	DODGE OPERATING EXPENSE
UNION BANK & TRUST/OMNIFY	$3.50	DODGE OPERATING EXPENSE
UNION BANK & TRUST/OMNIFY	$2.00	DODGE OPERATING EXPENSE
UNITED PARCEL SERVICE	$48.67	FREIGHT/POSTAGE
UNITYPOINT CLINIC	$126.00	CONSULTANT
UNIVERSITY OF IOWA	$110.00	PROFESSIONAL SVCS
US BANK	$85,247.50	CREDIT CARD PURCHASES
VALLEY CORPORATION	$53,664.76	CONSTRUCTION
VANDER HAAG'S INCORPORATED	$197.22	EQUIPMENT/PARTS
VEENSTRA & KIMM INC	$1,119.58	PROFESSIONAL SVCS
VERIDIAN CREDIT UNION	$2,693.76	PROPERTY ACQUISITION
VERIZON WIRELESS SERVICES LLC	$5,525.24	CELL PHONE
VERMEER SALES & SERVICE INC	$207.20	EQUIPMENT/PARTS
VOGEL TRAFFIC SERVICES INC	$249.90	EQUIPMENT/PARTS
VOICE & DATA SYSTEMS INC	$228.00	TELEPHONE
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	$7,990.00	PAYROLL RELATED
W.W. GRAINGER, INC.	$2,154.96	EQUIPMENT/PARTS
WASTE CONNECTIONS OF IOWA	$305,411.24	HOUSEHOLD TRASH
WASTE CONNECTIONS OF IOWA	$222.50	DODGE OPERATING EXPENSE
WATER ENGINEERING INC	$254.57	MOWING/GROUNDS MAINT
WAYNE PETERSON	$1,382.80	MOWING/GROUNDS MAINT
WEST PUBLISHING CORPORATION	$716.33	SUBSCRIPTION
WESTERN ENGINEERING COMPANY INC	$781.00	CONSTRUCTION
WINDSTREAM CORPORATION	$2,500.00	TELEPHONE
YAMAHA MOTOR FINANCE	$652.24	DODGE OPERATING EXPENSE
YMCA OF GREATER OMAHA	$540.00	DUES/MEMBERSHIP
ZIMCO SUPPLY CO	$5,992.73	DODGE OPERATING EXPENSE
ZIMCO SUPPLY COMPANY	$6,476.00	SUPPLIES
TOTAL	**$10,366,409.41**	

CITY OF COUNCIL BLUFFS
EXPENDITURES
AUGUST FY21
($'S)

VENDOR	AMOUNT	BUSINESS PURPOSE
PAYROLL	$1,993,111.40	CITY EMPLOYEE PAYROLL
HAWKINS CONSTRUCTION COMPANY	$1,986,707.92	CONSTRUCTION
TWO RIVERS INSURANCE COMPANY, INC.	$902,227.97	EMPLOYEE INSURANCE
EFTPS	$560,701.20	PAYROLL RELATED
MFPRSI	$475,410.36	PAYROLL RELATED
WASTE CONNECTIONS OF IOWA	$305,411.24	HOUSEHOLD TRASH
IPERS	$302,243.52	PAYROLL RELATED
CARLEY CONSTRUCTION LLC	$271,088.69	CONSTRUCTION
SMARTWAVE TECHNOLOGIES LLC	$200,000.00	HARDWARE/SOFTWARE
HGM ASSOCIATES INC	$189,944.55	CONSULTANT
COUNCIL BLUFFS CONVENTION & VISITORS BUREAU	$176,800.00	CONTRIBUTIONS
CLEAR TITLE & ABSTRACT LLC	$174,446.15	PROFESSIONAL SVCS
BLUFFS PAVING & UTILITY INC	$158,041.57	CONSTRUCTION
MIDAMERICAN ENERGY COMPANY	$145,396.54	ELECTRICITY
SNYDER & ASSOCIATES INC	$144,283.93	CONSULTANT
CUBIC CORPORATION AND SUBSIDIARIES	$139,150.00	HARDWARE/SOFTWARE
IOWA DEPT OF REVENUE	$124,387.00	PAYROLL RELATED
COMPASS UTILITY LLC	$112,050.99	CONSTRUCTION
OMNI ENGINEERING	$98,489.09	STREET MAINTENANCE SUPLS
SJ ELECTRO SYSTEMS INC	$91,148.47	EQUIPMENT/PARTS
US BANK	$85,247.50	CREDIT CARD PURCHASES
EMPLOYERS MUTUAL CASUALTY COMPANY	$84,956.98	INSURANCE
STUDIO 15 COMMERCIAL INTERIORS INC	$83,495.01	PROFESSIONAL SVCS
NEXT PHASE ENVIRONMENTAL	$82,746.15	MOWING/GROUNDS MAINT
HDR ENGINEERING INC	$73,991.77	PROFESSIONAL SVCS
TRU PRO CONSTRUCTION INC	$67,725.00	CONSTRUCTION
NATIONWIDE RETIREMENT SOLUTIONS INC	$65,484.74	PAYROLL RELATED
DP MANAGEMENT LLC	$64,640.40	MOWING/GROUNDS MAINT
IOWA WASTE SERVICES HOLDINGS INC	$59,358.49	SOLID WASTE DISPOSAL
VALLEY CORPORATION	$53,664.76	CONSTRUCTION
DODGE RIVERSIDE PAYROLL	$52,526.24	DODGE OPERATING EXPENSE
AGRILAND F S INC	$51,362.83	SUPPLIES
TRUCK EQUIPMENT INC	$42,574.00	EQUIPMENT/PARTS
PAYROLL	$36,623.93	MAC OPERATING EXPENSE
POTTAWATTAMIE COUNTY TREASURER	$34,827.19	SOFTWARE MAINTENANCE/FEES
FELD FIRE	$33,314.00	EQUIPMENT/PARTS
SOUTHWEST IOWA PLANNING COUNCIL	$23,791.92	TRANSIT SERVICES
COUNCIL BLUFFS WATER WORKS	$22,809.55	WATER
LYMAN RICHEY CORPORATION	$22,088.00	STREET MAINTENANCE SUPLS
COX COMMUNICATION INC	$21,272.53	PHONE/INTERNET SVC
POLYDYNE INC	$20,460.00	SUPPLIES
EHRHART GRIFFIN & ASSOCIATES INC	$18,832.35	CONSULTANT
HISTORICAL GENERAL DODGE HOUSE FOUNDATION INC	$18,750.00	QUARTERLY CONTRACT PAYMENT
AMERICAN NATIONAL BANK	$18,614.50	PROPERTY ACQUISITION/FEES

ICMA RETIREMENT TRUST - 457	$13,736.48	PAYROLL RELATED
KELTEK, INCORPORATED	$12,085.60	EQUIPMENT/PARTS
SALES TAX	$11,914.00	DODGE OPERATING EXPENSE
OVERDRIVE INC	$11,439.40	BOOKS/PERIODICALS/SUB
B & K MECHANICAL CONTRACTORS LLC	$11,381.09	REPAIRS & MAINTENANCE
COUNCIL BLUFFS WINSUPPLY	$11,097.52	SUPPLIES
LANDSCAPES GOLF MANAGEMENT LLC	$10,902.22	DODGE OPERATING EXPENSE
MIDWEST NETTING SOLUTIONS	$10,739.68	PROFESSIONAL SVCS
SIMPLY GROUP II LLC	$10,511.87	HARDWARE/SOFTWARE
RTG BUILDING SERVICES INC	$10,502.00	JANITORIAL SERVICE
MIDLANDS HUMANE SOCIETY	$10,328.17	CONTRACT AGREEMENT
NEBRASKA SALT & GRAIN CO	$10,274.80	STREET MAINTENANCE SUPLS
DMG INC	$9,700.00	ELECTRICAL REPAIR
JEO CONSULTING GROUP INC	$9,510.75	CONSULTANT
LEAGUE OF HUMAN DIGNITY INC	$9,428.71	PROFESSIONAL SVCS
MACONN ENTERPRISES LLC	$9,211.80	MOWING/GROUNDS MAINT
AXON ENTERPRISE INC	$8,874.90	TRAINING
EXCHANGE BANK LEASING DIV	$8,766.41	DODGE OPERATING EXPENSE
BAKER & TAYLOR INC	$8,685.17	BOOKS/PERIODICALS/SUB
MICHAEL L SELVES	$8,673.75	HARDWARE/SOFTWARE
BOBCAT OF OMAHA	$8,521.06	EQUIPMENT/PARTS
CITY OF COUNCIL BLUFFS-FLEX	$8,279.28	PAYROLL RELATED
IMPACT7G INC	$8,100.00	PROFESSIONAL SVCS
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	$7,990.00	PAYROLL RELATED
COLLECTION SERVICES CENTER	$7,975.10	PAYROLL RELATED
MARCO HOLDINGS, LLC	$7,871.91	COPY/PRINTER MAINTANCE
THE DAVEY TREE EXPERT COMPANY	$7,822.50	TREE WORK
RUETER & ZENOR CO	$7,820.48	EQUIPMENT/PARTS
CORNHUSKER INTERNATIONAL TRUCKS	$7,795.77	EQUIPMENT/PARTS
ADVANCED DATA PROCESSING, INC	$7,765.03	AMBULANCE BILLING FEE
TREASURER STATE OF IOWA/SALES TAX	$7,764.00	SALES TAX
ELAVON INC	$7,686.47	FEES
ARNOLD MOTOR SUPPLY, LLP	$7,395.46	EQUIPMENT/PARTS
IOWA LAW ENFORCEMENT ACADEMY	$6,875.00	TRAINING
SOLARWINDS INC	$6,609.00	HARDWARE/SOFTWARE
ZIMCO SUPPLY COMPANY	$6,476.00	SUPPLIES
SIRSI CORPORATION	$6,212.50	HARDWARE/SOFTWARE
POTTAWATTAMIE COUNTY SHERIFF	$6,205.00	INMATE COST
D&K PRODUCTS	$6,144.65	DODGE OPERATING EXPENSE
EDWARDS CHEVROLET-CADILLAC INC	$6,132.91	EQUIPMENT/PARTS
ZIMCO SUPPLY CO	$5,992.73	DODGE OPERATING EXPENSE
BLUFFS ELECTRIC INC	$5,681.52	ELECTRICAL REPAIR
DOLL DISTRIBUTING LLC	$5,621.55	DODGE OPERATING EXPENSE
DELL MARKETING L P	$5,592.08	HARDWARE/SOFTWARE
VERIZON WIRELESS SERVICES LLC	$5,525.24	CELL PHONE
MIDWEST TAPE, LLC	$5,435.14	DVD/AUDIO/CD
RYAN ROBERT ADKINS	$5,434.60	MOWING/GROUNDS MAINT
ROSANNA M THURMAN	$5,160.00	CONSULTANT
CITY OF COUNCIL BLUFFS-DEPENDENT	$5,047.94	PAYROLL RELATED
JS GRANT LLC	$5,000.00	PROPERTY ACQUISITION
MENARD INC.	$4,846.42	SUPPLIES
CARROLL DISTRIBUTING & CONSTRUCTION SUPPLY	$4,681.58	EQUIPMENT/PARTS
CARTTRAC LLC	$4,600.00	DODGE OPERATING EXPENSE

LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	$4,400.00	PAYROLL RELATED
ESO SOLUTIONS INC	$4,089.10	HARDWARE/SOFTWARE
NODDLE DEVELOPMENT CO	$4,061.92	RE PARKING GARAGE EXPENSE
D & D CONSTRUCTION SERVICES INC	$4,051.77	CONSTRUCTION
CITY OF COUNCIL BLUFFS	$4,017.80	DODGE OPERATING EXPENSE
MACQUEEN EQUIPMENT, INC.	$3,943.26	EQUIPMENT/PARTS
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	$3,920.00	PAYROLL RELATED
FLEET US LLC	$3,888.00	SUPPLIES
DALES TRASH SERVICE INC	$3,830.00	RENTAL EXPS
HOLT WOODWORKING INC	$3,782.00	REPAIRS & MAINTENANCE
CHAMPLIN TIRE RECYCLING INC	$3,705.00	TIRE DISPOSAL
CENTRAL STATES WIRE PRODUCTS INC	$3,680.30	BALER WIRE
LOCKTON CO, LLC - KC SERIES	$3,610.00	DODGE OPERATING EXPENSE
BLACK HILLS UTILITY HOLDINGS, INC.	$3,376.80	NATURAL GAS
COUNCIL BLUFFS LEASED HOUSING ASSOCIATES	$3,360.00	CONTRACT AGREEMENT
DODGE BANK & CR CARD FEES	$3,308.61	DODGE OPERATING EXPENSE
NAPA AUTO PARTS	$3,281.07	EQUIPMENT/PARTS
THE SCHEMMER ASSOCIATES INC	$3,277.50	CONSULTANT
TOYNE INC	$3,234.53	EQUIPMENT/PARTS
DAILY NONPAREIL	$3,231.35	ADVERTISEMENT
SYSCO - LINCOLN	$3,187.25	DODGE OPERATING EXPENSE
THE RETROFIT COMPANIES INC	$3,065.50	SERVICE LABOR
PITNEY BOWES INC.	$2,950.00	POSTAGE & PRINTING
LANOHA NURSERIES INC	$2,940.00	RE PARKING GARAGE EXPENSE
ERRIN GUNDERSON	$2,931.85	MOWING/GROUNDS MAINT
JONES AUTOMOTIVE	$2,852.66	EQUIPMENT/PARTS
HENNINGSEN CONSTRUCTION INC	$2,776.29	CONSTRUCTION
HARCROS CHEMICALS INC	$2,750.00	SUPPLIES
SWAGIT PRODUCTIONS LLC	$2,750.00	PROFESSIONAL SVCS
VERIDIAN CREDIT UNION	$2,693.76	PROPERTY ACQUISITION
CFI TIRE SERVICE	$2,668.00	TIRE REPLACEMENT/REPAIR
ADIDAS AMERICA INC	$2,524.27	DODGE OPERATING EXPENSE
HEARTLAND TIRES & TREADS INC	$2,504.05	TIRE REPLACEMENT/REPAIR
WINDSTREAM CORPORATION	$2,500.00	TELEPHONE
FIRST NATIONAL BANK PCARDS	$2,466.51	DODGE OPERATING EXPENSE
MYRON WILDER	$2,452.50	PROFESSIONAL SVCS
MICHAEL O'BRADOVICH	$2,400.00	PROFESSIONAL SVCS
CHERICE MAHAL	$2,385.80	PROFESSIONAL SVCS
KRONOS INCORPORATED	$2,360.00	HARDWARE/SOFTWARE
IDAHO HOUSING AND FINANCE ASSOCIATION	$2,331.16	LOAN PAYMENTS
MOBOTREX INC	$2,280.20	STREET MAINTENANCE SUPLS
PREMIER GLAZER'S BEVS	$2,270.20	DODGE OPERATING EXPENSE
PEPSI BEVERAGES CO	$2,220.31	DODGE OPERATING EXPENSE
BRYAN PREGON	$2,212.50	PROFESSIONAL SVCS
OMAHA DOOR & WINDOW CO INC	$2,209.84	REPAIRS & MAINTENANCE
W.W. GRAINGER, INC.	$2,154.96	EQUIPMENT/PARTS
FIREGUARD INC	$2,137.12	RE PARKING GARAGE EXPENSE
CITY TREASURER	$2,090.09	DODGE OPERATING EXPENSE
KAYS CUSTOMS LLC	$2,077.00	SERVICE LABOR
ABM	$2,037.50	JANITORIAL SERVICE
SUPERIOR INDUSTRIAL EQUIPMENT, LLC	$1,989.00	EQUIPMENT/PARTS
ACUSHNET COMPANY	$1,944.88	DODGE OPERATING EXPENSE

MIDLANDS PRINTING & BUSINESS FORMS	$1,944.40	PRINTING/BINDING
ENCYCLOPEDIA BRITANNICA INC	$1,900.00	SUBSCRIPTION
DONALD W MATHEWS	$1,731.84	VEHICLE REPAIR
PROPERTY ACQUISITION & RELOCATION SERVICES INC	$1,725.00	PROFESSIONAL SVCS
NEBRASKA AIR FILTER INC	$1,715.59	SUPPLIES
MID-AMERICA CLEANING SYSTEMS INC	$1,630.79	EQUIPMENT/PARTS
THERMAL SERVICES	$1,529.45	REPAIRS & MAINTENANCE
GFSI LLC	$1,512.22	DODGE OPERATING EXPENSE
LAWSON PRODUCTS INC	$1,504.43	SUPPLIES
ARROW TOWING	$1,490.00	TOWING/STORAGE/AUCTION
ACCO UNLIMITED CORP	$1,485.48	SUPPLIES
WAYNE PETERSON	$1,382.80	MOWING/GROUNDS MAINT
ALUMITANK INCORPORATED	$1,354.93	EQUIPMENT/PARTS
METOLIUS LLC	$1,340.00	DODGE OPERATING EXPENSE
NATIONAL CONCRETE CUTTING INC	$1,332.06	REPAIRS & MAINTENANCE
I-80 LIQUOR & TOBACCO	$1,315.22	DODGE OPERATING EXPENSE
MIDAMERICAN ENERGY CO	$1,265.63	RE PARKING GARAGE EXPENSE
MIDWEST TURF & IRRIGATION	$1,255.97	EQUIPMENT/PARTS
OCLC INC	$1,255.86	SUBSCRIPTION
LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	$1,250.00	PAYROLL RELATED
PRIME COMMUNICATIONS INC	$1,244.13	HARDWARE/SOFTWARE
FACTORY MOTOR PARTS	$1,237.93	EQUIPMENT/PARTS
HEARTLAND DOCUMENT SERVICES INC.	$1,204.00	JANITORIAL SERVICE
O'KEEFE ELEVATOR COMPANY INC	$1,197.00	PROFESSIONAL SVCS
MORRIS EXCAVATING CO INC	$1,181.45	CONTRACT AGREEMENT
AGRIVISION EQUIPMENT GROUP	$1,160.67	EQUIPMENT/PARTS
ALEGENT CREIGHTON HEALTH	$1,156.03	PROFESSIONAL SVCS
VEENSTRA & KIMM INC	$1,119.58	PROFESSIONAL SVCS
IOWA PRISON INDUSTRIES	$1,095.00	SUPPLIES
PASSPORT LABS INC	$1,087.75	PARKING FEES
TRINITY LOGISTICS CORP	$1,080.50	EQUIPMENT/PARTS
STEVEN J ANDREWS	$1,050.00	REFUND
RLKM INC	$1,002.21	REPAIRS & MAINTENANCE
CITIZENS BANK NA	$989.57	LOAN PAYMENTS
KELLY SUPPLY COMPANY	$944.75	EQUIPMENT/PARTS
AMERICAN BOTTLING COMPANY	$925.50	SUPPLIES
RELIANT TRANSPORTATION INC	$921.24	STREET MAINTENANCE SUPLS
MIDWEST LABORATORIES INC	$905.00	PROFESSIONAL SVCS
IOWA DEPT OF REVENUE	$882.00	MAC OPERATING EXPENSE
CALLAWAY	$869.03	DODGE OPERATING EXPENSE
AUDITOR OF STATE	$850.00	AUDIT
JOSHUA T PORTER	$840.00	MAC OPERATING EXPENSE
UMR	$829.44	DODGE OPERATING EXPENSE
J&M GOLF	$824.00	DODGE OPERATING EXPENSE
NMC INC.	$819.75	EQUIPMENT/PARTS
DALTON PREGON	$819.00	PROFESSIONAL SVCS
KONICA MINOLTA BUSINESS SOLUTIONS USA	$812.00	LEASE
REGENTS OF THE UNIVERSITY OF MINNESOTA	$798.00	SUPPLIES
WESTERN ENGINEERING COMPANY INC	$781.00	CONSTRUCTION
MAX I WALKER UNIFORM & APPAREL	$762.92	UNIFORMS
CERTIFIED PROPERTY MANAGEMENT INC	$719.00	LEASE
WEST PUBLISHING CORPORATION	$716.33	SUBSCRIPTION
RASMUSSEN MECHANICAL SERVICES INC	$711.00	EQUIPMENT/PARTS

ENTERPRISE FM TRUST	$699.88	RENTAL EXPS
BOMGAARS SUPPLY INC	$683.91	SUPPLIES
IOWA PARK & RECREATION ASSOCIATION	$680.00	TICKET SALES
TERESA J NOONAN SOLE MBR	$660.00	HARDWARE/SOFTWARE
PREMIER GLAZERS	$657.90	MAC OPERATING EXPENSE
YAMAHA MOTOR FINANCE	$652.24	DODGE OPERATING EXPENSE
U.S. VENTURE, INC.	$630.46	EQUIPMENT/PARTS
DRIVER PLUMBING LTD.	$630.00	REPAIRS & MAINTENANCE
CENTURYLINK	$619.56	TELEPHONE
GALLS PARENT HOLDING, LLC	$600.81	EQUIPMENT/PARTS
JERRY KENNEDY	$600.00	RENTAL EXPS
BOUND TO STAY BOUND BOOKS INC	$594.82	BOOKS/PERIODICALS/SUB
FORCE EQUIPMENT	$592.72	EQUIPMENT/PARTS
OMAHA TRUCK CENTER COMPANY INC.	$575.50	EQUIPMENT/PARTS
MIDWEST DISTRIBUTING CORPORATION	$555.00	LEASE
IOWA DEPARTMENT OF REVENUE	$552.85	PAYROLL RELATED
YMCA OF GREATER OMAHA	$540.00	DUES/MEMBERSHIP
ELANA GRACE ZALAR	$517.50	PROFESSIONAL SVCS
KAY H TURNER	$515.00	HARDWARE/SOFTWARE
CHILD SUPPORT SERVICES DIVISION	$514.32	PAYROLL RELATED
STERN OIL CO INC	$513.94	SUPPLIES
ALZHEIMERS ASSOCIATION	$503.13	REFUND
MIDWEST RESEARCH & SETTLEMENT SERVICES, INC.	$500.00	PROFESSIONAL SVCS
TECH INC	$497.90	SUPPLIES
NEBRASKA CHILD SUPPORT PAYMENT CTR	$496.62	PAYROLL RELATED
ECHO GROUP	$488.13	SUPPLIES
HEARTLAND TOXICOLOGY	$485.00	PROFESSIONAL SVCS
DEAN DAIRY CORPORATE LLC	$481.61	SUPPLIES
GM DODGE CHARITABLE TRUST	$459.44	DODGE TRUST REIMBURSEMENT
AAA RENTS & EVENTS SERVICES	$458.09	DODGE OPERATING EXPENSE
IPFS CORPORATION	$453.68	DODGE OPERATING EXPENSE
BROOMERS INC	$450.00	RE PARKING GARAGE EXPENSE
BLUFFS TAXI & COURIER	$447.25	TRANSIT SERVICES
DAVID OR FAYE SCHNEIDER	$425.00	REFUND
C & J INDUSTRIAL SUPPLY	$418.00	JANITORIAL SERVICE
CONCRETE HOLDINGS OMAHA, INC	$411.00	STREET MAINTENANCE SUPLS
HEARTLAND CO-OP	$407.00	FUEL
CONTINENTAL FIRE SPRINKLER CO	$402.21	PROFESSIONAL SVCS
CSI/SSP INC	$391.48	PRINTING/BINDING
PRESTIGE FLAG	$384.15	DODGE OPERATING EXPENSE
CONTROL SERVICES INC	$375.00	REPAIRS & MAINTENANCE
DOLL	$364.55	MAC OPERATING EXPENSE
CLEVELAND GOLF/SRIXON	$364.50	DODGE OPERATING EXPENSE
DULTMEIER SALES LLC	$358.50	SUPPLIES
JAMES PALMER	$350.00	PROFESSIONAL SVCS
D & K PRODUCTS	$345.00	SUPPLIES
BGNE INC.	$344.34	SUPPLIES
COUNCIL BLUFFS CHAMBER OF COMMERCE	$340.00	CONTRACT AGREEMENT
CENTER POINT LARGE PRINT	$339.63	BOOKS/PERIODICALS/SUB
MUNICIPAL PIPE TOOL CO LLC	$311.75	EQUIPMENT/PARTS
UMB BANK N.A.	$300.00	BOND PAYMENT
MIDSTATES BANK, NA	$294.54	BANK SERVICES
AQUA-CHEM INCORPORATED	$280.00	SUPPLIES

LSNB AS TRUSTEE FOR POST EMPLY HLTH PLAN	$280.00	PAYROLL RELATED
DICK DEAN SERVICE INC.	$279.80	REPAIRS & MAINTENANCE
BUCK'S INC.	$275.90	VEHICLE WASH
COX BUSINESS SERVICES	$273.74	RE PARKING GARAGE EXPENSE
CENGAGE LEARNING INC	$268.72	BOOKS/PERIODICALS/SUB
INTERNATIONAL CODE COUNCIL INC.	$265.00	SUPPLIES
WATER ENGINEERING INC	$254.57	MOWING/GROUNDS MAINT
ANTHONY KRAUTH	$250.00	REFUND
DELASCO	$250.00	REFUND
PHILL NEWTON	$250.00	REFUND
VOGEL TRAFFIC SERVICES INC	$249.90	EQUIPMENT/PARTS
MICHAEL TODD AND COMPANY INC	$249.72	EQUIPMENT/PARTS
MCMULLEN FORD INC	$248.49	EQUIPMENT/PARTS
RECORDED BOOKS LLC	$237.47	DVD/AUDIO/CD
GRP & ASSOCIATES	$234.00	SUPPLIES
CREDIT MANAGEMENT, LP	$231.20	COLLECTION FEE
VOICE & DATA SYSTEMS INC	$228.00	TELEPHONE
WASTE CONNECTIONS OF IOWA	$222.50	DODGE OPERATING EXPENSE
KRIHA FLUID POWER COMPANY INC.	$210.14	EQUIPMENT/PARTS
EDWARD JAMES BREWSTER JR	$210.00	PROFESSIONAL SVCS
VERMEER SALES & SERVICE INC	$207.20	EQUIPMENT/PARTS
AMBER KENNEDY	$200.00	REFUND
BRIANNE JOHNSON	$200.00	REFUND
NEBRASKA METHODIST HEALTH SYSTEM INC	$200.00	CONSULTANT
HUBER CHEVROLET CO INC	$199.75	EQUIPMENT/PARTS
VANDER HAAG'S INCORPORATED	$197.22	EQUIPMENT/PARTS
CANON SOLUTIONS AMERICA INC	$195.25	COPY/PRINTER MAINTANCE
JIM THROMBLY	$190.00	DODGE OPERATING EXPENSE
JEFFREY T KOUBA	$186.70	PROFESSIONAL SVCS
MIDWEST BOX COMPANY	$185.00	SUPPLIES
O KEEFE ELEVATOR CO INC	$184.04	RE PARKING GARAGE EXPENSE
FIRESPRING PRINT INC	$183.37	PRINTING/BINDING
RESOURCE RENTAL CENTER INC	$175.00	RENTAL EXPS
FREDA C VONESCHEN	$165.00	REPAIRS & MAINTENANCE
PARAMOUNT LINEN & UNIFORMS	$163.68	DODGE OPERATING EXPENSE
MARTIN RESOURCE MANAGEMENT	$162.80	SUPPLIES
ASKEW, MARJORIE E	$162.00	REFUND
TED'S MOWER SALES & SERVICE INC	$161.27	EQUIPMENT/PARTS
GREAT AMERICA FINANCIAL SERVICE	$160.12	DODGE OPERATING EXPENSE
DON SCHMIDT	$160.00	DODGE OPERATING EXPENSE
INLAND TRUCK PARTS COMPANY INC	$151.75	EQUIPMENT/PARTS
HAWKEYE TRUCK EQUIPMENT	$150.00	EQUIPMENT/PARTS
SAFETY KLEEN SYSTEMS, INC	$150.00	SERVICE LABOR
GENIE SERVICES LLC	$145.00	PEST CONTROL
BERT GURNEY & ASSOCIATES INC	$134.00	EQUIPMENT/PARTS
OMAHA PNEUMATIC EQUIPMENT COMPANY	$133.75	SUPPLIES
DAVIS EQUIPMENT CORPORATION	$133.49	EQUIPMENT/PARTS
DXP ENTERPRISES INC	$133.32	EQUIPMENT/PARTS
ROSE EQUIPMENT, LLC	$127.07	EQUIPMENT/PARTS
UNITYPOINT CLINIC	$126.00	CONSULTANT
LINCOLN NATIONAL LIFE INS	$120.21	DODGE OPERATING EXPENSE
UNIVERSITY OF IOWA	$110.00	PROFESSIONAL SVCS
BILL'S WATER CONDITIONING	$100.00	SUPPLIES

JEFFS CAR WASH		$100.00	BUSINESS ASSISTANCE PROGRAM
KYLE W PEARSON		$100.00	REIMB EMPLOYEE EXPENSE
ANB SERVICE CHARGE		$95.45	RE PARKING GARAGE EXPENSE
ELBA E CERA		$90.00	PROFESSIONAL SVCS
DAVID W WOODY		$89.90	SUPPLIES
INFOSAFE SHREDDING LLC		$75.00	PROFESSIONAL SVCS
ST PETERS CATHOLIC CHURCH		$75.00	CONSULTANT
ULINE		$73.70	SUPPLIES
LORETTA GOESCHEL		$73.61	REIMB EMPLOYEE EXPENSE
SAVANT CORPORATION		$73.00	EQUIPMENT/PARTS
LORENZO, NICOLAS FRANCISCO		$65.69	REFUND
SHERWIN WILLIAMS		$64.61	SUPPLIES
STATE LIBRARY OF IOWA		$62.00	SUBSCRIPTION
MID STATES BANK		$61.72	MAC OPERATING EXPENSE
FASTENAL COMPANY		$60.27	SUPPLIES
SPRINT SOLUTIONS INC		$59.10	CELL PHONE
M & R WELDING		$55.00	WELDING SUPPLIES/SERVICE
MIDWEST MEDICAL & SAFETY INC		$53.50	MEDICAL SUPPLIES
RICOH USA INC		$48.84	LEASE
UNITED PARCEL SERVICE		$48.67	FREIGHT/POSTAGE
DEX MEDIA, INC.		$48.21	ADVERTISEMENT
HENDERSON PRODUCTS, INC		$47.54	EQUIPMENT/PARTS
CLIFTON A ANDERSON		$38.79	REIMB EMPLOYEE EXPENSE
O'REILLY AUTOMOTIVE INC		$38.19	EQUIPMENT/PARTS
COUNCIL BLUFFS ONLINE LLC		$35.00	INTERNET
GENIE PEST CONTROL		$35.00	DODGE OPERATING EXPENSE
CABANA COFFEE		$34.17	MAC OPERATING EXPENSE
MUTUAL OF OMAHA		$32.95	DODGE OPERATING EXPENSE
AMERITAS LIFE INS CORP		$32.35	DODGE OPERATING EXPENSE
JEREMY C NOEL		$32.09	REIMB EMPLOYEE EXPENSE
JASON OURADO		$31.80	DODGE OPERATING EXPENSE
KALYN WETTENGEL		$24.67	REIMB EMPLOYEE EXPENSE
AHLERS & COONEY P.C		$24.00	LEGAL SERVICES
D. PUTNAM ENTERPRISES LLC		$15.00	SUPPLIES
AMERICAN MESSAGING SERVICES LLC		$14.26	TELEPHONE
FED EX		$8.70	DODGE OPERATING EXPENSE
THOMAS RYAN		$4.49	REIMB EMPLOYEE EXPENSE
UNION BANK & TRUST/OMNIFY		$3.50	DODGE OPERATING EXPENSE
BOFA		$2.26	MAC OPERATING EXPENSE
UNION BANK & TRUST/OMNIFY		$2.00	DODGE OPERATING EXPENSE
	TOTAL	**$10,366,409.41**	

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

CITY CLAIM NO. 2020-078433
- Call for service -
20-PK-2084

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: hann flink DAY PHONE:

ADDRESS: uncil bluffs Iowa 51501 DOB:

DATE & TIME OF LOSS/ACCIDENT: 10/11/20, 11:00pm - 12:00pm

LOCATION OF LOSS/ACCIDENT: 23rd Ave 18th Street

DESCRIPTION OF LOSS/ACCIDENT: Storming, City tree fell in the middle of the road; raining so hard couldnt see the tree and crashed in to it.

(USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: $ Unknown.

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:

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:

CLERK RCVD
16 OCT'20
PM2:33

LIST INSURANCE PROVIDER AND 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)

10/16/20
DATE

RECEIVED
10-16-20
CITY ATTORNEY'S OFFICE

hann flink
CLAIMANT'S SIGNATURE

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

CITY CLAIM NO. 20-PW-2083

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Dale Daish II (Father) DAY PHONE: (

ADDRESS: Drive DOB:

DATE & TIME OF LOSS/ACCIDENT: 8-23-2020 Approx - 5pm

LOCATION OF LOSS/ACCIDENT: 1709 Tipton

DESCRIPTION OF LOSS/ACCIDENT: 10 year old boy (Son) hit a severe pthole and lost control of his bike. Severe injury to face and injury to hand, knee and shoulder.
Damage to bike break handles (USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: $ 500.00

WITNESS(ES) (Name(s), Address(es), Phone No(s). Johnas (minor) Friend 10 yrs old

WAS POLICE REPORT FILED ____ YES X NO

IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO. OF TREATING PHYSICIAN AND FACILITY:
Methodist Physitians Clinic Risen Son
1001 Risen Son Blvd Council Bluffs IA 51503
(712) 256-8600 Dr. Brian Gartrell

Medicine
Walgreens
301 Bennett Ave
Council Bluffs, IA
51503
(712) 325-0619

HAVE YOU RESUMED NORMAL ACTIVITIES? X YES ____ NO

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

LIST INSURANCE PROVIDER AND COVERAGE: Blue Cross Blue Shield (Medical)

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)

10-03-2020
DATE

CLAIMANT'S SIGNATURE

RECEIVED
10-6-20
CITY ATTORNEY'S OFFICE

CLERK RCVD
6 OCT'20
PM2:50

Helmet needs Replaced due to impact protection. (Not purchased yet)

Proclamation

WHEREAS, lung cancer is the leading cause of cancer death among men and women in the United States and in Council Bluffs in 2020, accounting for more deaths than colon cancer, breast cancer, and prostate cancer combined; and

WHEREAS, according to the Center for Disease Control and Prevention, there were 463 new lung cancer cases and 299 deaths because of lung cancer between 2013 and 2017 in Pottawattamie County; and

WHEREAS, the 5-year survival rate for localized lung cancer is – 59%, yet only – 17% of lung cancers are diagnosed at this stage; and

WHEREAS, screening for lung cancer for high-risk individuals using low-dose computed tomography can lead to the earlier detection of lung cancer and save lives, reducing the mortality by 20% when compared to screening by chest x-ray in the National Lung Screening Trial and reducing the risk of death at 10 years by 24% in men and 33% in women as demonstrated by another large randomized trial; and

WHEREAS, funding for lung cancer research trails far behind funding for research of many other cancers, and additional research is needed in early diagnosis, screening, and treatment for lung cancer as well as in lung cancer affecting women and lung cancer health disparities; and

WHEREAS, women diagnosed with lung cancer are more likely to be younger and never-smokers, lung cancer incidence and mortality rates in women are rising relative to men, more women die from lung cancer than breast cancer every year and by 2035, it is expected that more women will die from lung cancer than men; and

WHEREAS, organizations working in the Council Bluffs community, such as the American Lung Cancer Screening Initiative and Women's Lung Cancer Forum, are committed to educating about lung cancer screening and working to increase lung cancer screening rates in Iowa.

NOW, THEREFORE, I,

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

November 2020

as

LUNG CANCER AWARENESS MONTH

in the City of Council Bluffs and urge all citizens to recognize the need for research in lung cancer affecting women and lung cancer health disparities, and encourage all citizens, to learn about lung cancer and early detection through lung cancer screening.

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 25th day of March, in the year Two Thousand Twenty.

Matthew J. Walsh

Matthew J. Walsh, Mayor

Proclamation

WHEREAS, Council Bluffs, Iowa is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively "go the extra mile" in personal effort, volunteerism, and service; and

WHEREAS, Council Bluffs, Iowa is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, Council Bluffs, Iowa is a community which chooses to shine a light on and celebrate individuals and organizations within its community who "go the extra mile" in order to make a difference and lift up fellow members of their community; and

WHEREAS, Council Bluffs, Iowa acknowledges the mission of Extra Mile America to create 500 Extra Mile cities in America and is proud to support "Extra Mile Day" on November 1, 2020.

NOW, THEREFORE, I,

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

November 1, 2020

As

"EXTRA MILE DAY"

in the City of Council Bluffs, Iowa and urge each individual in the community to take time on this day to not only "go the extra mile" in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

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 15th day of October, in the year Two Thousand Twenty.

Matthew J. Walsh, Mayor

Council Communication

Department: City Clerk
Case/Project No.: ZC-20-010
Submitted by: Moises Monrroy, Planner

Ordinance 6426 (Continued from 10-12-20)
ITEM 5.A.

Council Action: 10/26/2020

Description

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, by rezoning property legally described as Part of Lots 1, 13, 14, 17, and 18 and all of Lots 15 and 16, Block 21, Beer's Subdivision, along with part of the east/west vacated alleys adjacent, from I-1/Light Industrial District to C-2/Commercial District as defined in chapter 15.15. Location: Generally along 1st Avenue, between South 13th Street and South 16th Street, between South 18th Street and South 21st Street, and between South 27th Street and South 28th Street. ZC-20-010

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
ZC-20-010 Staff Report	Other	9/18/2020
Attachment A - Location and Zoning Map	Map	9/18/2020
Attachment B - Land Uses	Other	9/18/2020
Attachment C - Impact of Proposed Rezoning and Updates	Other	9/18/2020
Attachment D - Legal Descriptions	Other	9/18/2020
Public Hearing Notice	Other	9/18/2020
Ordinance 6426	Ordinance	9/23/2020

City Council Communication

Department: Community Development CASES #ZC-20-010 and #CP-20-001 Applicant/Property Owner: City of Council Bluffs 209 Pearl Street Council Bluffs, IA 51503	Ordinance No. _____ Resolution No. _____	CASE #ZC-20-010 1st Consideration: 09/28/2020 2nd Consideration: 10/12/2020 3rd Consideration: Request to be Waived CASE #CP-20-001 1st Consideration: 10/12/2020 Planning Commission: 9/8/2020

Subject/Title

Request: Combined public hearing on the following requests of the City of Council Bluffs:

1. Rezone properties legally described as Part of Lots 1, 13, 14, 17, and 18 and all of Lots 15 and 16, Block 21, Beer's Subdivision, along with part of the east/west vacated alleys adjacent, more particularly described as follows: Commencing on the Northeast corner of Lots 1, thence South 367.34 feet, thence West 181.25 feet, thence Northeast 398 feet, EXCEPT Indian Creek right-of-way, and thence East to the Point of Beginning; The East 48 feet of Lots 9 and 10 and all of Lots 14 through 20, Block 23, Beer's Subdivision, along with the east/west vacated alley abutting the Northerly line of said Lots 14 through 18, and the North 22 feet of vacated 1st Avenue right-of-way abutting the Southerly line of said Lots 14 through 18; Lots 1 through 6, Block 28, Beer's Subdivision; Lots 1 through 14, Block 29, Beer's Subdivision, along with the east/west vacated alley platted in said Block 29; Lots 1 through 14, Block 30, Beer's Subdivision, along with the east/west vacated alley platted in said Block 30; Lots 1 through 5, Block 1, Everett's Addition; Lots 1 through 5, Block 2, Everett's Addition, along with the West ½ of the vacated portion of South 18th Street right-of-way abutting the Easterly line of said Lot 5; Lots 1 through 5, the West 10 feet of Lot 9, and all of Lot 10, Block 5, Everett's Addition, along with the West ½ of the vacated portion of South 18th Street right-of-way abutting the Easterly line of said Lot 5; Lots 1 through 10, Block 6, Everett's Addition; Lots 3, 5, 7 and 10 through 12, Midland Addition, along with the West ½ of the vacated portion of South 18th Street right-of-way abutting the Easterly line of said Lot 3; Lots 1 through 11, Block 1, Sampson's Addition, along with the east/west vacated alley abutting the Northerly line of said Lots 1 through 11; Lots 1 through 22, Block 2, Sampson's Addition, along with the east/west vacated alley platted in said Block 2; Lots 1 through 3, Block 1, Cochran's Addition, along with the South ½ of the east/west vacated alley abutting the Northerly line of said Lot 1, and the north/south vacated alley abutting the Easterly line of said Lots 1 through 3 and said South ½ of the east/west vacated alley adjoining; Lots 1 through 6, Block 8, Cochran's Addition, along with the north/south vacated alley abutting the Easterly line of said Lots 1 through 6; Lots 9 through 26, Block 2, Twin City Place, along with the east/west vacated alley abutting the Southerly line of said Lots 9 through 17 and the Northerly line of said Lots 18 through 26, City of Council Bluffs, Pottawattamie County, Iowa from I-1/Light Industrial District to C-2/Commercial District; and
2. Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying properties legally described as Lots 1 through 5, Block 1, Everett's Addition; Lots 1 through 10, Block 6, Everett's Addition; the West 149.48 feet of Lot 7, the West 198.49 feet of Lot 8 and all of Lots 9 through 12, Midland Addition; Lots 1 through 11, Block 1, Sampson's Addition, along with the east/west vacated alley abutting the Northerly line of said Lots 1 through 11, and the East 4.5 feet of the vacated north/south alley abutting the Westerly line of said Lot 11; Lots 1 through 22, Block 2, Sampson's Addition, along with the east/west vacated alley platted in said Block 2; Lots 2 and 3, Block 1, Cochran's Addition, along with the north/south vacated alley abutting the Easterly line of said Lots 2 and 3; Lots 1 through 6, Block 8, Cochran's Addition, along with the north/south vacated alley abutting the Easterly line of said Lots 1 through 6, from Light Industrial to Multi-Family/Mixed-Use.

Location: Generally along 1st Avenue, between South 13th Street and South 16th Street, between South 18th Street and South 21st Street, and between South 27th Street and South 28th Street.

Background

The Community Development Department is proposing to rezone properties located along 1st Avenue, legally described in Attachment 'D,' from I-1/Light Industrial District to C-2/Commercial District. The request is part of the ongoing effort to implement the long-range vision of the West Broadway Corridor Plan, which is to create a vibrant urban corridor that supports multi-modal transportation options, mixed-use development, and architecture that enhances the quality of life and attractiveness of the City of Council Bluffs. In this regard, the Community Development Department is also proposing to replace the existing West Broadway Corridor Design Overlay (CDO) standards with Chapter 15.32A, West Broadway Corridor Design Overlay, of the Council Bluffs Municipal Code (Zoning Ordinance) (see Case #ZT-20-004). Proposed Chapter 15.32A will clarify the boundary of the West Broadway CDO and will apply to the area geographically bounded on the north by the north right-of-way line of Avenue 'A'; on the south by the south right-of-way line of 2nd Avenue; on the east by the west right-of-way line of South 13th Street; and on the west by the east right-of-way line of Interstate 29/480. All properties included in this rezoning are located within the proposed boundary of the West Broadway CDO.

There are 29 parcels of land included in the proposed rezoning. The City of Council Bluffs owns four of these parcels (see Attachment 'A'). Other property owners with land included in the request are listed below:

- Pamela M. Bogardus – Bogardus Plumbing Co. (20 South 19th Street)
- Chicago Central and Pacific Railroad – undeveloped land
- Chicago Northwestern Railroad – undeveloped land
- Dennis E. and Diane M. Garrison – residential property (21 South 21st Street)
- GMB Investments LLC – residential property (108 South 15th Street)
- Michael S. May – Council Bluffs Work Staffing (1824 2nd Avenue)
- McIntosh Properties LLC – Iowa Rigger's Loft/Chad & Tracey Construction LLC (110 South 18th Street)
- Lawanya Morgal – residential property (1422 2nd Avenue)
- Richard Rosas – M & R Welding (119 South 28th Street)
- John M. and Beverly A. Roth – commercial storage/contractor shop (29 South 21st Street)
- SHS Properties LLC – Katelman Steel Fabrication, Inc. (2030 2nd Avenue)
- Kathy S. Scott – communication tower/storage yard (2735 1st Avenue)
- Michael L. Scott – Affordable Storage (2714 2nd Avenue)
- Curtis E. Slama – undeveloped land
- Southside Auto Supply Inc. – undeveloped land
- TK3 Enterprises LLC – Creative Auto Solutions/Smart Start Ignition Interlock (20 South 15th Street)
- Valley View-Broadway Stores – Retail Rebel (1801 West Broadway)
- Value Foods LLC – Red Wheel Fundraising (16 South 15th Street)
- Timothy P. and Anna M. Varn – Montang Body Shop (1426 2nd Avenue)
- Verizon Wireless LLC – communication tower (2731 1st Avenue)
- John R. and Brenda L. Way – J & B's Lounge (16 South 19th Street)
- David L. and Karen J. Wilson – Jeff's Body Shop/American Auto Care Inc. (15 South 20th Street)

All property owners included in the request were mailed public notices detailing how the proposed zoning changes will or will not impact the future use(s) of their property. In total, the Community Development Department mailed out approximately 1,200 public notices to all affected property owners within the CDO boundary and those within 200 feet of said boundary which advised them on the proposed rezoning, the proposed updates to the CDO and the construction of the 1st Avenue trail. Thirty-four (34) letters were returned to the Community Development Department office as undeliverable. The Community Development Department hosted

an open house on August 27, 2020 to provide the public an informal opportunity to discuss the above items with Staff; 30-40 people attended the open house. At the time of this report, the Community Development Department has received fifteen (15) phone calls regarding the proposed actions along West Broadway, including the following comments regarding the proposed rezoning:

1. David L. Wilson, owner of property addressed as 15 South 20th Street, contacted the Community Development Department and had general inquiries on the proposed rezoning, updates to the West Broadway CDO and construction of the 1st Avenue trail;
2. John Roth, owner of property addressed as 29 South 21st Street, contacted the Community Development Department and stated that his property is currently used for commercial storage, as well as a contractor shop; and
3. Steve Skol, representing the owner of property addressed as 2030 2nd Avenue, contacted the Community Development and had general inquiries on the proposed rezoning, updates to the West Broadway CDO and construction of the 1st Avenue trail.

All City Departments and local utilities were notified of the proposed rezoning. The following comments were received:

- The Public Works Department stated they have no comments on the requests.
- The Fire Department stated they have no comments on the requests.
- Council Bluffs Water Works stated they have no comments on the requests.
- MidAmerican Energy stated they have no objections to the requests.

<u>Land Use and Zoning</u> – The following zoning and land uses surround the subject properties:

Tract #1 (between South 13th Street and South 16th Street)

North: Commercial properties that are zoned C-2/Commercial District, and Little Broadway right-of-way.
South: The former Public Works building, which is zoned I-1/Light Industrial District, and residential properties that are zoned R-2/Two-Family Residential District.
East: A commercial printing establishment that is zoned I-1/Light Industrial District, and undeveloped land that is zoned I-1/Light Industrial District and A-2/Parks, Estates and Agricultural District.
West: Burger King, a contractor yard and an auto parts store, all of which are zoned C-2/Commercial District, as well as residential properties that are zoned R-2/Two-Family Residential District.

Tract #2 (between South 18th Street and South 21st Street)

North: Commercial properties that are zoned C-2/Commercial District.
South: Residential properties that are zoned R-3/Low Density Multifamily Residential District.
East: A gas station and vacant property (formerly a recycling/can redemption center), both of which are zoned C-2/Commercial District, and residential properties that are zoned R-2/Two-Family Residential District.
West: Cochran Park, which is zoned A-2/Parks, Estates and Agricultural District, and residential properties that are zoned R-3/Low Density Multifamily Residential District.

Tract #3 (between South 27th Street and South 28th Street)

North: Council Bluffs Fire Station No. 2 and vacant property, both of which are zoned C-2/Commercial District.
South: Residential properties that are zoned R-3/Low Density Multifamily Residential District.
East: Commercial properties and vacant city-owned property, all of which are zoned C-2/Commercial District.
West: Undeveloped city-owned property that is zoned R-4/High Density Multifamily Residential District. This parcel of land is the site of the proposed residential development by White Lotus Group.

The future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject properties as Public Park, Transportation/Utility, Low-Density Residential, High-Density Residential, Local Commercial and Light Industrial. The Community Development Department is proposing to amend the future land use plan by reclassifying the properties included in the proposed rezoning that are currently designated as Light Industrial to Multi-Family/Mixed-Use. The purpose of the amendment is to ensure that the future land use plan is consistent with the vision of the West Broadway Corridor Plan. Proposed amendment includes properties addressed as 20 South 19th Street, 15 South 20th Street, 29 South 21st Street and 2030 2nd Avenue.

Discussion

1. Ten (10) out of the twenty-nine (29) parcels included the proposed rezoning do not meet the minimum lot size requirements of the I-1/Light Industrial District, and thus are considered nonconforming lots of record. If request is approved, said parcels will be brought into conformance with the Zoning Ordinance as they exceed minimum lot size requirements of the C-2/Commercial District, with the following exceptions:
   a. A vacant lot owned by GMB Investments LLC. Since this lot is 44 feet in width, as opposed to the required 50 feet in the C-2 District, it will remain as a nonconforming lot of record.
   b. The property addressed as 1422 2nd Avenue and the parcel adjoining, both owned by Lawanya Morgal. Since each lot is 44 feet in width, as opposed to the required 50 feet, they will remain as nonconforming lots of record. The owner has the option to combine both these lots into one parcel of land which conforms to the minimum lot size requirements of the C-2 District as they serve as one premises.
   c. A remnant parcel of land owned by Chicago Northwestern Railroad that contains 125 square feet in area, as opposed to the required 5,000 square feet, and thus is undevelopable.
2. As per Section 15.01.050(C), Uses Rendered Nonconforming, of the Council Bluffs Municipal Code (Zoning Ordinance), "if property is used in a manner that was a lawful use on or before the effective date of this ordinance, and this ordinance no longer classifies that use as either a permitted or conditional use in the zoning district in which it is located, that use shall be deemed a legal nonconforming use." A significant number of current uses included in the request will be rendered nonconforming they are either (1) not 'principal' or 'conditional' uses in the C-2 District or (2) prohibited uses in the West Broadway CDO (see Case #ZT-20-004). Nonconforming uses are controlled by the provisions of Section 15.26.030, Nonconforming Uses, of the Municipal Code (Zoning Ordinance), which states:

   Any legal nonconforming use existing on the effective date of the ordinance codified in this chapter may continue subject to the limitations of this section.

   A. Enlargement of Nonconforming Use. No nonconforming use shall be extended or enlarged to occupy a greater area of land or structure. No additional structure not conforming to the requirements of this title shall be erected in connection with a legal nonconforming use.
   B. Abandonment of Nonconforming Use. If any nonconforming use ceases for a continuous period of more than six months, any subsequent use shall conform to the regulations of this title.
   C. Relocation of Nonconforming Use. No nonconforming use shall be moved in whole or in part to any other location, unless the nonconforming use meets the requirements of this title.
   D. Change of Use. A legal nonconforming use may be changed only as allowed in CBMC 15.02.
   E. Allowance for Repairs. If a structure occupied by a nonconforming use becomes unsafe for use and is declared by an authorized official to be unsafe for use, it shall not thereafter be restored, repaired or rebuilt except in conformity with the regulations of this title. Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by an authorized official. When a structure containing a nonconforming use is damaged to an extent of fifty (50) percent or less of the replacement cost, the structure shall be allowed to continue if actual construction to repair it is commenced within six months of the date the

damage was incurred, and the work is carried on diligently to completion within one year of this commencement.

F. *For purposes of this chapter, the addition of an outdoor area of less than one hundred fifty (150) square feet for purposes of adding an outdoor dining or open air tavern area to a pre-existing liquor license establishment shall not be deemed an enlargement of a pre-existing use.*

A matrix outlining how each property will be affected by the proposed rezoning is included in this report as Attachment 'C.'

Example Scenario #1
If the 'manufacturing, general' establishment at 2030 2nd Avenue (Katelman Steel Fabrication, Inc.) ceases to operate for a period of more than six months, said use cannot be reestablished; only uses listed as 'principal' or 'conditional' in the C-2 District **AND** not expressly prohibited in the West Broadway CDO would be allowed at this site.

Example Scenario #2
If the owner of the 'manufacturing, general' establishment at 2030 2nd Avenue (Katelman Steel Fabrication, Inc.) sells the property, the successor would be allowed to use it for 'manufacturing, general' as long as the new establishment begins operating within six months of Katelman Steel Fabrication, Inc. closing.

3. As per Chapter 5, Land Use Plan, of the Bluffs Tomorrow: 2030 Comprehensive Plan, Multi-Family/Mixed-Use designated areas are intended to be distinct from typical multifamily areas and downtown mixed use area. In the Multi-family/Mixed-Use area, buildings may include ground-floor commercial uses, though not all buildings are anticipated to have commercial components, and the predominant use will be residential.
4. Proposed amendment to the future land use plan will not impact the conforming/nonconforming status of the subject properties.
5. The West Broadway Corridor Plan, adopted in September 2015 as Amendment No. 1 of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan), states that while current zoning districts along West Broadway "do match the existing land uses… they do not represent the future vision for the corridor as a more pedestrian-friendly environment with transit-oriented development." The West Broadway Corridor Plan outlines several recommendations to achieve this vision, including rezoning "industrial properties to accept a mix of uses." The proposed rezoning and amendment to the future land use plan will accomplish the goals and intent of the West Broadway Corridor Plan.

Recommendation

The Community Development Department recommends approval of the requests (1) to rezone properties legally described in Attachment 'D' from I-1/Light Industrial District to C-2/Commercial District and (2) to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying properties legally described as Lots 1 through 5, Block 1, Everett's Addition; Lots 1 through 10, Block 6, Everett's Addition; the West 149.48 feet of Lot 7, the West 198.49 feet of Lot 8 and all of Lots 9 through 12, Midland Addition; Lots 1 through 11, Block 1, Sampson's Addition, along with the east/west vacated alley abutting the Northerly line of said Lots 1 through 11, and the East 4.5 feet of the vacated north/south alley abutting the Westerly line of said Lot 11; Lots 1 through 22, Block 2, Sampson's Addition, along with the east/west vacated alley platted in said Block 2; Lots 2 and 3, Block 1, Cochran's Addition, along with the north/south vacated alley abutting the Easterly line of said Lots 2 and 3; Lots 1 through 6, Block 8, Cochran's Addition, along with the north/south vacated alley abutting the Easterly line of said Lots 1 through 6, from Light Industrial to Multi-Family/Mixed-Use, based on reasons stated above.

Public Hearing

Staff speaker for the request:

1. Moises Monrroy, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
2. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor: None

Speakers against: None

General Public Inquiry:

1. Beverly Roth, 4 Ridge Drive West, Council Bluffs, IA 51503

Planning Commission Recommendation

The Planning Commission recommended approval of the requests (1) to rezone properties legally described in Attachment 'D' from I-1/Light Industrial District to C-2/Commercial District and (2) to amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying properties legally described as Lots 1 through 5, Block 1, Everett's Addition; Lots 1 through 10, Block 6, Everett's Addition; the West 149.48 feet of Lot 7, the West 198.49 feet of Lot 8 and all of Lots 9 through 12, Midland Addition; Lots 1 through 11, Block 1, Sampson's Addition, along with the east/west vacated alley abutting the Northerly line of said Lots 1 through 11, and the East 4.5 feet of the vacated north/south alley abutting the Westerly line of said Lot 11; Lots 1 through 22, Block 2, Sampson's Addition, along with the east/west vacated alley platted in said Block 2; Lots 2 and 3, Block 1, Cochran's Addition, along with the north/south vacated alley abutting the Easterly line of said Lots 2 and 3; Lots 1 through 6, Block 8, Cochran's Addition, along with the north/south vacated alley abutting the Easterly line of said Lots 1 through 6, from Light Industrial to Multi-Family/Mixed-Use, as per staff's recommendation.

VOTE: AYE 10 NAY 0 ABSTAIN 0 ABSENT 1 VACANT 0 Motion: Carried

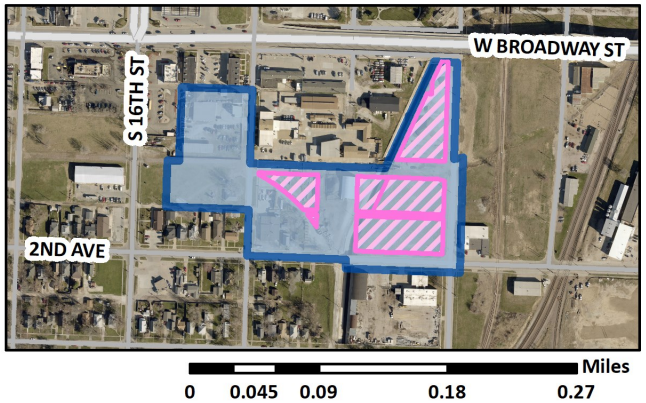
Attachments

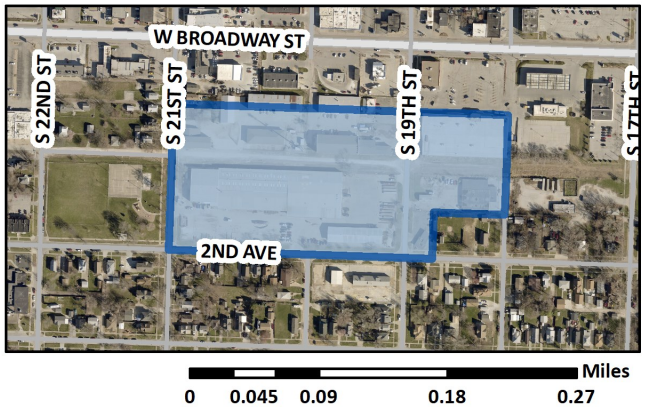
Attachment A: Location/Zoning Map
Attachment B: Land Uses in the I-1 and C-2 Districts
Attachment C: Impact of Proposed Rezoning and Updates to the West Broadway CDO
Attachment D: Legal Description for Properties Included in Proposed Rezoning

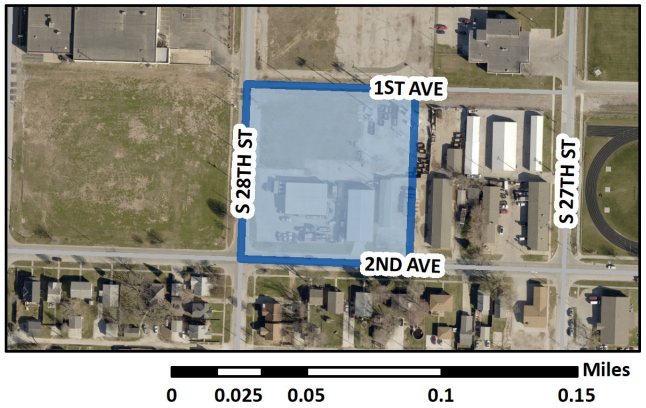
Prepared by: Moises Monrroy, Planner, Community Development Department

Attachment A

Industrial Properties in West Broadway Corridor Design Overlay







Attachment B

Land Uses in the C-2 and I-1 Zoning Districts			
Use	C-2	I-1	CDO
Adult Entertainment	C*		X
Agricultural Sales and Service		P	
Auction (Indoor)		P	
Auction (Outdoor)		P	
Automobile Repair (Major)	C	P	X
Automobile Repair (Minor)	P	P	
Automobile Sales and Rental	C*	P	X
Automobile Service Establishment	P	P	
Building Material, Retail Sales Only	P		X
Building Material, Sale and Storage		P	
Business Professional Office	P	P	
Business Service Establishment	P	P	
Club or Lodge	P		
Commercial Recreation (Indoor)	P		
Commercial Recreation (Outdoor)	P		
Commercial Storage	C	P	X
Consumer Fireworks Sale	P*	P*	
Consumer Service Establishment	P	P	
Contractor Shop	P	P	X
Communications Tower	C		
Cultural Service	P		
Correctional Placement Residences		C	
Day Care Services	C	C	
Detention Facility		C	
Equipment Repair		C	
Equipment Sales or Rental		P	
Financial Service	P	P	

(Continued on next page)

Key

P - Permitted Use

C - Conditional Use (requires approval by Zoning Board of Adjustment)

X - Prohibited Use

* - For additional regulations, see Chapters 15.15 (C-2 District) and 15.20 (I-2 District)

(Continued)

Land Uses in the C-2 and I-1 Zoning Districts			
Use	C-2	I-1	CDO
Funeral Service	P		
General Government Use	P	P	
Government Maintenance Facility		P	
Greenhouse (Commercial)		P	
Hotel/Motel	P	P	
Kennel, Commercial	P	P	
Local Utility Services	P	P	
Manufacturing (Light)	C	P	X
Park and Recreation Services	P		
Parking Lot - Private	P	P	
Parking Lot - Public	P	P	
Pawn Shops	P		
Printing, Binding, and Mail Operation (50,000 square feet or less)	P		
Public Safety Services	P	P	
Religious Assembly	P		
Restaurant	P		
Restaurant (Drive-In/Fast Food)	P		
Retail Shopping Establishment	P	P	
School	P		
Secondhand Store	P		
Small Alcohol Production Facility	P*	P*	
Tattoo Parlor	P		
Tavern	P*	P*	
Truck Service Establishment		C	
Truck Terminal		C	
Veterinary Service	P		
Warehousing and Distribution, Limited	P*	P	X

Key

P - Permitted Use

C - Conditional Use (requires approval by Zoning Board of Adjustment)

X - Prohibited Use

* - For additional regulations, see Chapters 15.15 (C-2 District) and 15.20 (I-2 District)

Attachment C

Impact of Proposed Rezoning and Update to the West Broadway CDO

Owner	Address	Business/Establishment	Current Land Use	Current Land Use Conformity Status	Land Use Conformity Status if Requests are Approved
Chicago Central & Pacific Railroad Company			Vacant/Undeveloped		
Chicago Northwestern Railroad			Vacant/Undeveloped		
Timothy P. and Anna M. Varn	1426 2nd Avenue	Montang Body Shop	Automobile Repair, Major	Conforming	Legal Nonconforming
Lawanya Morgal	1422 2nd Avenue		Dwelling, Single-Family Detached	Legal Nonconforming	Legal Nonconforming
GMB Investments LLC	108 S 15th Street		Dwelling, Single-Family Detached	Legal Nonconforming	Legal Nonconforming
Southside Auto Supply Inc.			Vacant/Undeveloped		
TK3 Enterprises LLC	20 S 15th Street	Creative Auto Solutions/Smart Start Ignition Interlock	Automobile Service Establishment/ Automobile Repair, Minor	Conforming	Conforming
Value Foods LLC	16 S 15th Street	Red Wheel Fundraising	Manufacturing, Light	Conforming	Legal Nonconforming
Valley View-Broadway Stores	1801 W Broadway	Retail Rebel	Retail Shopping Establishment	Conforming	Conforming
McIntosh Properties LLC	110 S 18th Street	Iowa Rigger's Loft/Chad & Tracey Construction LLC	Equipment Repair/Contractor Yard	Lawful Conditional Use/ Legal Nonconforming	Legal Nonconforming
Michael S. May	1824 2nd Avenue	Council Bluffs Work Staffing	Business Service Establishment	Conforming	Conforming
John R. and Brenda L. Way	16 S 19th Street	J & B's Lounge	Tavern	Conforming	Conforming
Pamela M. Bogardus	20 S 19th Street	Bogardus Plumbing Co.	Contractor Shop	Conforming	Legal Nonconforming
David L. and Karen J. Wilson	15 S 20th Street	Jeff's Body Shop/American Auto Care, Inc.	Automobile Repair, Major	Conforming	Legal Nonconforming
S H S Properties	2030 2nd Avenue	Katelman Steel Fabrication Inc.	Manufacturing, General	Legal Nonconforming	Legal Nonconforming
John M. and Beverly A. Roth	29 S 21st Street		Commercial Storage/Contractor Shop/Communtication Tower[TO]	Conforming	Legal Nonconforming/Legal Nonconforming/Conforming
Dennis E. and Diane M. Garrison	21 S 21st Street		Dwelling, Single-Family Detached	Legal Nonconforming	Legal Nonconforming
Verizon Wireless LLC	2731 1st Avenue		Communication Tower[TO]	Conforming	Conforming
Kathy S. Scott	2735 1st Avenue		Communication Tower[CUP]/Storage Yard	Lawful Conditional Use/Legal Nonconforming	Lawful Conditional Use/Legal Nonconforming
Curtis E. Slama			Vacant/Undeveloped		
Michael L. Scott	2714 2nd Avenue	Affordable Storage	Commercial Storage[CUP]	Lawful Conditional Use	Lawful Conditional Use
Richard Rosas	119 S 28th Street	M & R Welding	Manufacturing, General	Legal Nonconforming	Legal Nonconforming

[TO]Existing communication tower approved through the City's former Tower Overlay ordinance

[CUP]A conditional use permit was granted by the Zoning Board of Adjustment for the current use

Part of Lots 1, 13, 14, 17, and 18 and all of Lots 15 and 16, Block 21, Beer's Subdivision, along with part of the east/west vacated alleys adjacent, more particularly described as follows: Commencing on the Northeast corner of Lots 1, thence South 367.34 feet, thence West 181.25 feet, thence Northeast 398 feet, EXCEPT Indian Creek right-of-way, and thence East to the Point of Beginning; The East 48 feet of Lots 9 and 10 and all of Lots 14 through 20, Block 23, Beer's Subdivision, along with the east/west vacated alley abutting the Northerly line of said Lots 14 through 18, and the North 22 feet of vacated 1st Avenue right-of-way abutting the Southerly line of said Lots 14 through 18; Lots 1 through 6, Block 28, Beer's Subdivision; Lots 1 through 14, Block 29, Beer's Subdivision, along with the east/west vacated alley platted in said Block 29; Lots 1 through 14, Block 30, Beer's Subdivision, along with the east/west vacated alley platted in said Block 30.

Lots 1 through 5, Block 1, Everett's Addition; Lots 1 through 5, Block 2, Everett's Addition, along with the West ½ of the vacated portion of South 18th Street right-of-way abutting the Easterly line of said Lot 5; Lots 1 through 5, the West 10 feet of Lot 9, and all of Lot 10, Block 5, Everett's Addition, along with the West ½ of the vacated portion of South 18th Street right-of-way abutting the Easterly line of said Lot 5; Lots 1 through 10, Block 6, Everett's Addition; Lots 3, 5, 7 and 10 through 12, Midland Addition, along with the West ½ of the vacated portion of South 18th Street right-of-way abutting the Easterly line of said Lot 3; Lots 1 through 11, Block 1, Sampson's Addition, along with the east/west vacated alley abutting the Northerly line of said Lots 1 through 11; Lots 1 through 22, Block 2, Sampson's Addition, along with the east/west vacated alley platted in said Block 2; Lots 1 through 3, Block 1, Cochran's Addition, along with the South ½ of the east/west vacated alley abutting the Northerly line of said Lot 1, and the north/south vacated alley abutting the Easterly line of said Lots 1 through 3 and said South ½ of the east/west vacated alley adjoining; Lots 1 through 6, Block 8, Cochran's Addition, along with the north/south vacated alley abutting the Easterly line of said Lots 1 through 6.

Lots 9 through 26, Block 2, Twin City Place, along with the east/west vacated alley abutting the Southerly line of said Lots 9 through 17 and the Northerly line of said Lots 18 through 26.

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request the City of Council Bluffs to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning properties legally described as part of Lots 1, 13, 14, 17, and 18 and all of Lots 15 and 16, Block 21, Beer's Subdivision, along with part of the east/west vacated alleys adjacent, being more particularly described as follows: Commencing on the Northeast corner of Lots 1, thence South 367.34 feet, thence West 181.25 feet, thence Northeast 398 feet, EXCEPT Indian Creek right-of-way, and thence East to the Point of Beginning; the East 48 feet of Lots 9 and 10 and all of Lots 14 through 20, Block 23, Beer's Subdivision, along with the east/west vacated alley abutting the Northerly line of said Lots 14 through 18, and the North 22 feet of vacated 1st Avenue right-of-way abutting the Southerly line of said Lots 14 through 18; Lots 1 through 6, Block 28, Beer's Subdivision; Lots 1 through 14, Block 29, Beer's Subdivision, along with the east/west vacated alley platted in said Block 29; Lots 1 through 14, Block 30, Beer's Subdivision, along with the east/west vacated alley platted in said Block 30; Lots 1 through 5, Block 1, Everett's Addition; Lots 1 through 5, Block 2, Everett's Addition, along with the West ½ of the vacated portion of South 18th Street right-of-way abutting the Easterly line of said Lot 5; Lots 1 through 5, the West 10 feet of Lot 9, and all of Lot 10, Block 5, Everett's Addition, along with the West ½ of the vacated portion of South 18th Street right-of-way abutting the Easterly line of said Lot 5; Lots 1 through 10, Block 6, Everett's Addition; Lots 3, 5, 7 and 10 through 12, Midland Addition, along with the West ½ of the vacated portion of South 18th Street right-of-way abutting the Easterly line of said Lot 3; Lots 1 through 11, Block 1, Sampson's Addition, along with the east/west vacated alley abutting the Northerly line of said Lots 1 through 11; Lots 1 through 22, Block 2, Sampson's Addition, along with the east/west vacated alley platted in said Block 2; Lots 1 through 3, Block 1, Cochran's Addition, along with the South ½ of the east/west vacated alley abutting the Northerly line of said Lot 1, and the north/south vacated alley abutting the Easterly line of said Lots 1 through 3 and said South ½ of the east/west vacated alley adjoining; Lots 1 through 6, Block 8, Cochran's Addition, along with the north/south vacated alley abutting the Easterly line of said Lots 1 through 6; Lots 9 through 26, Block 2, Twin City Place, along with the east/west vacated alley abutting the Southerly line of said Lots 9 through 17 and the Northerly line of said Lots 18 through 26, City of Council Bluffs, Pottawattamie County, Iowa from I-1/Light Industrial District to C-2/Commercial District as defined in Chapter 15.15 of the Municipal Code of Council Bluffs, Iowa.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 12th day of October, 2020 in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

_____

Jodi Quakenbush, City Clerk

ORDINANCE NO. 6426

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS PART OF LOTS 1, 13, 14, 17, AND 18 AND ALL OF LOTS 15 AND 16, BLOCK 21, BEER'S SUBDIVISION, ALONG WITH PART OF THE EAST/WEST VACATED ALLEYS ADJACENT, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA FROM I-1/LIGHT INDUSTRIAL DISTRICT TO C-2/COMMERCIAL DISTRICT AS DEFINED IN CHAPTER 15.15 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.

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

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone property Part of Lots 1, 13, 14, 17, and 18 and all of Lots 15 and 16, Block 21, Beer's Subdivision, along with part of the east/west vacated alleys adjacent, more particularly described as follows: Commencing on the Northeast corner of Lots 1, thence South 367.34 feet, thence West 181.25 feet, thence Northeast 398 feet, EXCEPT Indian Creek right-of-way, and thence East to the Point of Beginning; The East 48 feet of Lots 9 and 10 and all of Lots 14 through 20, Block 23, Beer's Subdivision, along with the east/west vacated alley abutting the Northerly line of said Lots 14 through 18, and the North 22 feet of vacated 1st Avenue right-of-way abutting the Southerly line of said Lots 14 through 18; Lots 1 through 6, Block 28, Beer's Subdivision; Lots 1 through 14, Block 29, Beer's Subdivision, along with the east/west vacated alley platted in said Block 29; Lots 1 through 14, Block 30, Beer's Subdivision, along with the east/west vacated alley platted in said Block 30; Lots 1 through 5, Block 1, Everett's Addition; Lots 1 through 5, Block 2, Everett's Addition, along with the West ½ of the vacated portion of South 18th Street right-of-way abutting the Easterly line of said Lot 5; Lots 1 through 5, the West 10 feet of Lot 9, and all of Lot 10, Block 5, Everett's Addition, along with the West ½ of the vacated portion of South 18th Street right-of-way abutting the Easterly line of said Lot 5; Lots 1 through 10, Block 6, Everett's Addition; Lots 3, 5, 7 and 10 through 12, Midland Addition, along with the West ½ of the vacated portion of South 18th Street right-of-way abutting the Easterly line of said Lot 3; Lots 1 through 11, Block 1, Sampson's Addition, along with the east/west vacated alley abutting the Northerly line of said Lots 1 through 11; Lots 1 through 22, Block 2, Sampson's Addition, along with the east/west vacated alley platted in said Block 2; Lots 1 through 3, Block 1, Cochran's Addition, along with the South ½ of the east/west vacated alley abutting the Northerly line of said Lot 1, and the north/south vacated alley abutting the Easterly line of said Lots 1 through 3 and said South ½ of the east/west vacated alley adjoining; Lots 1 through 6, Block 8, Cochran's Addition, along with the north/south vacated alley abutting the Easterly line of said Lots 1 through 6; Lots 9 through 26, Block 2, Twin City Place, along with the east/west vacated alley abutting the Southerly line of said Lots 9 through 17 and the Northerly line of said Lots 18 through 26, City of Council Bluffs, Pottawattamie County, Iowa from I-1/Light Industrial District to C-2/Commercial District as defined in Chapter 15.10 of the Municipal Code of Council Bluffs, Iowa.

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.

ADOPTED
AND October 12, 2020.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 9-28-20
Second Consideration: 10-12-20
Public Hearing: 10-12-20
Third Consideration: Request to waive

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Christopher Gibbons, Planning Coordinator

Ordinance 6430
ITEM 5.B.

Council Action: 10/26/2020

Description

Ordinance to amend the zoning map, as adopted by reference in Section 15-02-070, by rezoning a portion of Lot 117, Fox Run Landing, from A-2/Parks, Estates and Agricultural District to R-1/Single Family Residential District as defined in chapter 15.08B.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Other	10/20/2020
Application	Other	9/30/2020
Letter of Intent	Other	9/30/2020
Attachment D	Other	10/20/2020
Attachment E	Other	10/20/2020
Ordinance 6430	Resolution	10/6/2020

City Council Communication (Reconsideration)

Department: Community Development CASES # SUB-20-004 and ZC-20-005 Applicants: Western Iowa Land Development, LLC c/o Bob McCarthy and John Jerkovich PO Box 683 Avoca, IA 51521 Authier Properties, LLC c/o Jerry Authier 1808 Skyline Drive Elkhorn, NE 68022 Grant and Cheryl Wakefield 3511 California Street Omaha, NE 68131 Engineer/Surveyor: HGM Associates, Inc. David Forsythe 640 5th Avenue Council Bluffs, IA 51501	Resolution No. _____ Ordinance No. _____	CASE #ZC-20-005 1st Consideration: 10/12/2020 2nd Consideration: 10/26/2020 3rd Consideration: Request to be waived CASE #SUB-20-004 Public Hearing: 10/26/2020 Planning Commission: 6/9/2020

Subject/Title

Request: Combined public hearing on the requests of Authier Properties, LLC and Grant and Cheryl Wakefield for final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as a being a replat of a portion of Lot 117, Fox Run Landing as shown on Attachment 'D; **AND** to rezone said Fox Run Landing Replat 4, as well as property legally described as beginning at the northeast corner of Lot 103 in said Fox Run Landing; thence on the north line of said lot 103, North 64 degrees 28 minutes 04 seconds West, 125.00 feet to a point on the easterly right-of-way line of Council Pointe Road, said point also being on a non-tangent curve, concave westerly to which point a radial line bears South 64 degrees 28 minutes 04 seconds East, 435.00 feet; thence on said easterly right-of-way line and northerly on said curve through a central angle of 11 degrees 56 minutes 35 seconds, 90.67 feet; thence South 63 degrees 55 minutes 07 seconds East, 13.10 feet to the beginning of a curve, concave southwesterly having a radius of 45.00 feet; thence southeasterly on said curve through a central angle of 37 degrees 06 minutes 45 seconds, 29.15 feet; thence south 26 degrees 48 minutes 22, seconds East, 99.84 feet; thence south 12 degrees 24 minutes 25 seconds East, 24.75 feet to the point of beginning, all said property being located in the City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District. **Location**: Lying north of property commonly known as 5003 Council Pointe Road.

***This is a request by all owners of Fox Run Golf Course for City Council to reconsider CASES #ZC-20-005 and #SUB-20-004. In August 2020, City Council voted to take no action on these cases at the request of Mr. Grant Wakefield, who is co-owner of said golf course. The ownership group has resolved their business matters involving these two cases and is now seeking approval from City Council. The location of

the rezoning and subdivision are the same as previously shown; however the size of the lots has decreased which has resulted in a new legal description for the subdivision and rezoning***.

Background

The Community Development Department has received an application from Authier Properties, LLC and Grant and Cheryl Wakefield, for final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa and being more fully described on Attachment 'D'. The Community Development Department also received an application from Authier Properties, LLC and Grant and Cheryl Wakefield, to rezone said Fox Run Landing Replat 4, as well as property legally described as a parcel of land being a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa, and being more fully described on Attachment 'E'.

CASE #SUB-20-004

The proposed residential subdivision is comprised of 24,000 square feet (0.551 acres), more or less, of land and consists of two lots. This parcel of land is currently part of the Fox Run Golf Course and is zoned A-2/Parks, Estates and Agricultural District; however, an application to rezone the proposed subdivision to the R-1/Single-Family Residential District has been filed along with the final plat (see Case #ZC-20-005 below). The applicant is proposing to construct a detached single-family dwelling on each lot that will be consistent with City zoning and Fox Run Landing restrictive covenants. Both lots will remain under the ownership of Authier Properties, LLC.

Comments

1. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Subdivision and Zoning Ordinances.
2. Both lots measure 100 feet by 120 feet (12,000 sq. ft.) and exceed the minimum lot size requirements of the R-1 District.
3. All residential dwellings and accessory structures shall comply with the development standards stated in Section 15.08B, R-1/Single-Family Residential District, Site Development Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).
4. Proposed Lots 1 and 2 have direct access to Council Pointe Road.
5. Both lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.).
6. All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
7. Sidewalk installation along the frontage of each proposed lot shall be completed prior to issuance of a Certificate of Occupancy for each residence.
8. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.
9. The Public Works Department provided the following comments:
   a. Lot 2 will need to have access restricted for the driveway to the south 50 feet due to the traffic calming device located within Council Pointe Road just to the north of said lot; and
   b. Storm sewer drainage easement "A" shown shall be extended to the rear lot lines for both Lot 1 and Lot 2 to accommodate the existing drainage path from the golf course and grades within this easement shall not be adjusted.
10. The Fire Department stated they have no comments on this request.
11. Council Bluffs Water Works stated they have no comments on this request.

The following technical corrections shall be made to the final plat prior to being executed by the City:

1. Place a note on the plat that reads as follows: "Vehicular access to Lot 2 shall be restricted to the south 50 feet due to the traffic calming device within Council Pointe Road just to the north of said lot."

CASE #ZC-20-005

The owner of the Fox Run Golf Course, Authier Properties, LLC, is requesting to rezone the proposed subdivision from the A-2/Parks, Estates and Agricultural District to the R-1/Single-Family Residential District for zoning consistency purposes. Additionally, the applicant is selling a portion of the golf course (see Attachment 'E') to Curtis W. and Diane M. Crouch. Mr. and Mrs. Crouch own property adjoining said portion of the golf course, which is addressed as 5003 Council Pointe Road and legally described as Lot 103, Fox Run Landing. Ownership will be transferred via a lot line adjustment. This parcel of land is included in this rezoning request to ensure the property at 5003 Council Pointe Road is not split-zoned when said parcel is incorporated into it.

Land Use and Zoning – The following zoning and land uses surround the subject properties:

North: Part of the Fox Run Golf Course, which is zoned A-2/Parks, Estates and Agricultural District; an assisted living facility that is zoned A-P/Administrative-Professional District; and vacant land zoned A-2, A-P and C-2/Commercial District.

South: Residential properties that are zoned R-1/Single-Family Residential District and part of the Fox Run Golf Course, which is zoned A-2/Parks, Estates and Agricultural District.

East: Part of Fox Run Golf Course, which is zoned A-2/Parks, Estates and Agricultural District.

West: Vacant land zoned A-2/Parks, Estates and Agricultural District and residential properties that are zoned R-1/Single-Family Residential District.

The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject properties as Public Park, under the section of Public Land Uses.

Public notices were mailed to all property owners within 200 feet of the request. The Community Development Department has not received any correspondence relative to the proposed rezoning request as of the date of this report.

All City Departments and local utilities were notified of the proposed rezoning. The following comments were received:

- The Public Works Department stated they have no comments on this request.
- The Fire Department stated they have no comments on this request.
- Council Bluffs Water Works stated they have no comments on this request.

Discussion

1. Although a 'single-family dwelling, detached' is a permitted use in the A-2/Parks, Estates and Agricultural District, proposed rezoning to the R-1/Single-Family Residential District will ensure single-family dwellings proposed to be constructed on Lots 1 and 2, Fox Run Landing Replat 4, will be compatible with the residential development in the Fox Run Landing neighborhood.
2. The property located at 5003 Council Pointe Road is currently zoned R-1/Single-Family Residential District. The portion of the golf course to be incorporated into this property is proposed to be rezoned to the R-1 District to avoid a split-zoned parcel of land.
3. Proposed Lots 1 and 2, Fox Landing Replat 4 meet the minimum lot size requirements of the R-1 District. The property at 5003 Council Pointe Road also meets the minimum lot size requirements of the R-1 District and will therefore meet said size requirements once the adjoining parcel proposed to be rezoned is incorporated into it.
4. Since the subject parcels of land are currently undeveloped, proposed rezoning will not affect their conformity with the Zoning Ordinance. The detached single-family dwellings proposed to be constructed on Lots 1 and 2, Fox Run Landing Replat 4, as well as any accessory structures, shall comply with the

development standards stated in Section 15.08B, R-1/Single-Family Residential District, Site Development Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).

5. The dwelling at 5003 Council Pointe Road currently conforms to the R-1 District development standards. If lot line adjustment is approved, the frontage of this property would increase to 172.78 feet, which would increase the required side yard setback to 17.3 feet. Using GIS data, it is estimated that the existing dwelling is located approximately 18.4 feet from the south property line, which exceeds the new side yard setback requirement.
6. The Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject properties as Public Park, under the Section of Public Land Uses. Single-family housing is generally not consistent with this land designation. However, further residential development is anticipated throughout the Fox Run Golf Course. The proposed detached single-family dwellings are consistent with the development activity occurring in this area of the City.
7. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-1 District.
8. A sidewalk shall be installed along the frontage of the parcel of land to be incorporated into 5003 Council Pointe Road prior to the approval of the lot line adjustment.
9. Approval of the proposed rezoning shall be contingent on the Fox Run Landing Replat 4 final plat being executed by the City, as well as on the approval of the lot line adjustment at 5003 Council Pointe Road.

Recommendation

The Community Development Department recommends the following:

1. Final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa and being more fully described on Attachment 'D', subject to the following conditions:
   a. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
   b. Prior to executing the final plat, any corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat; and
   c. The final plat shall conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
   d. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and
   e. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling on each lot, at no cost to the City; and
   f. The developer shall provide a copy of any recorded covenants and/or private restrictions associated with this subdivision to the City, or place a note on the final plat indicating none will be recorded.

2. Approval of the request to rezone Fox Run Landing Replat 4, as well as property legally described as being a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa, as shown on Attachment 'E'. from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District, based on the reasons stated above and subject to the approval of the Fox Run Landing Replat 4 final plat and the lot line adjustment at 5003 Council Pointe Road.

Public Hearing

Staff speaker for the request:

1. Moises Monrroy, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

1. John Jerkovich, 535 West Broadway Suite 100, Council Bluffs, IA 51503
2. Jerry Authier, 1808 Skyline Drive, Elkhorn, NE 68022

Speakers against: None

Planning Commission Recommendation

The Planning Commission recommended the following:

1. Final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa and being more fully described on Attachment 'D', subject to the following conditions:
   a. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
   b. Prior to executing the final plat, any corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat; and
   c. The final plat shall conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
   d. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and
   e. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling on each lot, at no cost to the City; and
   f. The developer shall provide a copy of any recorded covenants and/or private restrictions associated with this subdivision to the City, or place a note on the final plat indicating none will be recorded.

3. Approval to rezone Fox Run Landing Replat 4, as well as property legally described as being a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa, as shown on Attachments 'E' from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District, based on the reasons stated above and subject to the approval of the Fox Run Landing Replat 4 final plat and the lot line adjustment at 5003 Council Pointe Road.

VOTE: AYE 9 NAY 0 ABSTAIN 2 ABSENT 0 VACANT 0 Motion: Carried

Attachments

Attachment A: Location/zoning map
Attachment B: Application submittal
Attachment C: Letter of intent
Attachment D: Fox Run Landing Replat 4 revised final plat layout
Attachment E: Rezoning exhibits

Prepared by: Moises Monrroy, Planner, Community Development Department

City of Council Bluffs, Iowa
209 Pearl Street
Council Bluffs, Iowa 51503
Phone: 712-328-4629 Fax: 712-328-4915

REZONING APPLICATION

A. General information

1. Applicant:
   Name: Authier Properties, LLC by: Jerry and Karen Authier - AND - Grant and Cheryl Wakefield
   Address: 1808 Skyline Drive
   City/State/Zip: Elkhorn, NE 68022
   Phone/Fax/E-Mail Address: 402.669.8573 (Jerry) / 712.209.4746 (Grant)
   Status: Property Owner X Legal Option Holder ____ Contract Purchaser ____ Auth Agent ____

2. Property Owner: (If not the same as applicant above)
   Name: ____
   Address: ____
   City/State/Zip: ____
   Phone/Fax/E-Mail Address: ____

3. Represented by:
   Name: Self Representation and John H. Jerkovich of Heartland Properties, Inc
   Address: 535 W. Broadway, Suite 100
   City/State/Zip: Council Bluffs, IA 51503
   Phone/Fax/E-Mail Address: 712.388.2212
   Status: Property Owner X Legal Option Holder ____ Contract Purchaser ____ Auth Agent X

- An application may be filed only by the owner(s) of the property or by a person authorized by the owner. Proof of that authorization must accompany the application.
- If more than one property owner is involved, please attach additional names and addresses to this application.
- I certify that the information presented with this application is true and correct to the best of my knowledge.

Signature	Print Name	Address
	Grant Wakefield Cheryl Wakefield	3511 California St Omaha 68131
	Jerry Authier	1808 Skyline Dr Elkhorn, NE
Signature	Print Name Karen Authier	Address

Please note that your application will not be accepted or there may be a delay in processing by the Community Development Department if any of the required information or materials are missing or improperly presented. In order to ensure that a complete application is provided and to avoid unnecessary delays in processing, please submit all required materials, i.e. signed application, fees, exhibits and/or site plans, special studies if applicable. If you have any questions regarding this application or required materials, please contact the Community Development Department at (712) 328-4629 between 8:00 a.m. and noon or between 1:00 p.m and 5:00 p.m., Monday through Friday.

B. Project Information:

1. Address or location of proposed rezoning: Council Pointe Road (North of house #5003)
   Legal Description: (attach survey if necessary) See attached.
2. Land Area: 0.73 (acres)
3. Current Zoning Designation: A-2
4. Requested Zoning Designation: R-1
5. Current Land Use: Golf Course
6. Proposed Land Use: Single-Family Residential
7. Reason(s) for Rezoning Request: Development of lots.
8. Attach Legal Description of Property and Survey (if requested).
9. Attach list of Property Owners/Contract Purchasers located within 200 feet of requested rezoning. This list must include owner's name, property address, billing address and legal description.
10. Attach site plan and/or other documents that illustrate this request.
11. Include nonrefundable filing fee: $200.
    Please make check made payable to the Council Bluffs City Clerk.

For Office Use Only

Case Number: _____

Planning Commission: _____
Published: _____
Action: _____

Date Complete Application Received: _____

City Council: _____
Published: _____

Action: _____

Future Land Use Designation (Comprehensive Plan) _____
Land Use Designation amendment needed: _____

Associated Case Numbers: _____

Check Number/Amount: _____

Other Comment(s): _____

City of Council Bluffs, Iowa
209 Pearl Street
Council Bluffs, Iowa 51503
Phone: 712-328-4629 Fax: 712-328-4915

SUBDIVISION APPLICATION
( ) PRELIMINARY PLAN*
(X) FINAL PLAT
( ) MAJOR SUBDIVISION
(x) MINOR SUBDIVISION*
( ) REPLAT *

*A pre-application meeting is required prior to submittal

A. General information

1. Applicant:
   Name: Western Iowa Land Development, LLC c/o John Jerkovich & Bob McCarthy
   Address: PO Box 683
   City/State/Zip: Avoca, IA 51521
   Phone/Fax/E-Mail Address: 712.325.0445
   Status: Property Owner _____ Legal Option Holder ____ Contract Purchaser ____ Auth Agent _x_

2. Property Owner: (If not the same as applicant above)
   Name: Authier Properties, LLC by Jerry and Karen Authier - AND - Grant and Cheryl Wakefield
   Address: 1808 Skyline Drive
   City/State/Zip: Elkhorn, NE 68022
   Phone/Fax/E-Mail Address: 402.669.8573 (Jerry) / 712.209.4746 (Grant)

3. Engineer/Surveyor or Architect:
   Name: HGM Associates, Inc Contact: David Forsythe
   Address: 640 5th Avenue
   City/State/Zip: Council Bluffs, IA 51501
   Phone/Fax/E-Mail Address: 712.323.0530

- An application may be filed only by the owner(s) of the property or by a person authorized by the owner. Proof of that authorization must accompany the application.
- If more than one property owner is involved, please attach additional names and addresses to this application.
- I certify that the information presented with this application is true and correct to the best of my knowledge.

Signature | Print Name: Grant Wakefield / Cheryl Wakefield | Address: 3511 California St Omaha 68131

Signature | Print Name: Jerry Authier / Karen Authier | Address: 1808 Skyline Dr. Elkhorn Ne 68022

Please note that your application will not be accepted or there may be a delay in processing by the Community Development Department if any of the required information or materials are missing or improperly presented. In order to ensure that a complete application is provided and to avoid unnecessary delays in processing, please submit all required materials, i.e. signed application, fees, exhibits and/or site plans, special studies if applicable. If you have any questions regarding this application or required materials, please contact the Community Development Department at (712) 328-4629 between 8:00 a.m. and noon or between 1:00 p.m and 5:00 p.m., Monday through Friday.

B. Project Information: See Subdivision - Title 14 of the Municipal Code for specific requirements

1. Subdivision Name: Fox Run Landing Replat Four
2. Address or location of proposed subdivision: Council Pointe Road (North of house #5003)
3. Legal Description: (attach survey if necessary) See attached.
4. Land Area: 0.73 (acres)
5. Zoning: Current: A-2 Proposed: R-1
6. Land Use: Current: Golf Course Proposed: Single-Family Residential
7. Attach Letter of Intent describing specifically the improvements proposed to serve the subdivision and any variances being sought and the related hardship.
8. Legal Description of Property and Survey on platting document.
9. 10 signed and sealed copies, one reduced copy no larger than 8½" X 11" or 8½" X 14" and a pdf file.
10. After City Council action and incorporation of all changes to final plat documents, return a minimum of 4 mylars, 4 bond copies and 1 reduced copy to the Community Development Department. All copies shall be signed by the owner(s) signed and sealed by the surveyor.
11. Attach site plan and/or other documents that illustrate this request.
12. Include nonrefundable filing fee with check made payable to Council Bluffs City Clerk.
    a. Preliminary Plan: $250 + $5.00 per lot
    b. Variance with Preliminary Plan: $200 per variance
    c. Final Plat - Major Subdivision: $250
    d. Final Plat – Minor Subdivision/Replat: $250 + $5.00 per lot

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For Office Use Only

Case Number: _____

Planning Commission: _____
Published: _____
Action: _____

Date Complete Application Received: _____

City Council: _____
Public Hearing Final Plat: _____
Action: _____

Associated Case Numbers: _____

Check Number/Amount: _____

Other Comment(s): _____

LETTER OF UNDERSTANDING

September 15, 2020

Council Bluffs Community Development
c/o Christopher Gibbons
209 Pearl Street
Council Bluffs, IA 51503

Re: Rezoning Application and Subdivision Application – Council Pointe Road at Fox Run

To Whom It May Concern:

It is hereby understood and agreed to by Grant and Cheryl Wakefield and Authier Properties, LLC by Jerry and Karen Authier that we are in agreement and elect to move forward with the attached rezoning application and subdivision application.

In advance, thank you for your consideration.

Sincerely,

Grant Wakefield

Cheryl Wakefield

Jerry Authier

Karen Authier

Secured Promissory Note

$900,000.00 March 1, 2020

WHEREAS, Jerry L. Authier and Karen J. Authier (herein called "Holders") are loaning funds to Grant Wakefield and Cheryl Wakefield, jointly (herein called "Borrowers") in connection with the Borrower's purchase of certain member's ownership interest in Authier Properties, LLC from the Holders; and

WHEREAS, the terms and conditions of Holder's loan to Borrowers are as set forth in this Note.

NOW, THEREFORE, for value received and in consideration of the foregoing and the promises made herein, the undersigned, Grant Wakefield and Cheryl Wakefield, jointly as "Borrowers" promise to pay to Jerry L. Authier and Karen J. Authier as "Holders", at such place as Holder from time to time shall designate, the principal sum of Nine Hundred Thousand & No/100 Dollars ($900,000.00), with interest beginning on March 1, 2020 on the unpaid principal balance at the interest rate of 5.00% per annum on the following terms and conditions:

1. **Principal Payments**. Commencing on April 1, 2020, and on the first day of each month thereafter until March 1, 2030, Borrowers agree to make a payment of principal in the amount of Three Thousand Seven Hundred Fifty & 00/100's Dollars ($3,750.00) and then on April 1, 2030 to make a final principal payment of all amounts still due and owing under this Note. THE FINAL PRINCIPAL PAYMENT ON APRIL 1, 2030 OF $450,000.00 IS A BALLOON PAYMENT. See Amortization Schedule attached to this Note as Schedule A.

2. **Interest Payments.** Interest payments are due and payable on an annual basis commencing with the first interest payment being on March 1, 2021. The interest payment amount will be based on the accrued interest on the outstanding principal balance of the promissory note from time to time from the period of the last interest payment made by the borrowers to the time of interest payment. Interest calculation will be based on the interest rate stated in this secured promissory note and the number of days the principal balance is outstanding during a 365-day annual basis.

3. **Prepayment**. Borrowers may prepay all or any portion of this Note at any time without penalty. All pre-payments on this Note shall first be applied to accrued annual interest for the current year, with any remaining amount being applied to the principal of this Note.

4. **Maturity Date and Final Payment**. All principal and interest remaining outstanding as of April 1, 2030 (the "Maturity Date") shall be paid in the form of a final principal and interest payment of all amounts still due and owing under this Note as of that date.

5. **Default**. An event of default (a "Default") under this Note shall occur upon any of the following events: (i) if any payment required by the terms hereof, or by the terms of any other documents evidencing or securing this Note (the "Purchase Agreement Documents"), is not paid when due, (ii) if Borrowers, without Holder's prior written consent, sells or otherwise pledges, transfers or disposes of any legal or equitable interest in the member's ownership interest in Authier Properties, LLC held as collateral for this Note, or (iii) if any other default occurs under this Note or under any Purchase Agreement Documents. Upon a Default, the remaining balance of unpaid principal and interest owing on this Note shall be waived. If Default occurs prior to March

08/14/2020 15:18 Gary Gard (FAX)402 393 0220 P.001/003

1, 2023, all previously purchased membership units will be forfeited and returned to Holders. If Default occurs on or after March 1, 2023, Holders, shall have the right in their sole discretion, but not the obligation, to redeem any membership units held by Borrowers at the time of default for a sum equivalent to the purchase price of $3,750.00 per unit.

6. **Governing Law**. This Note shall be interpreted, construed and enforced according to the laws of the State of Nebraska.

7. **Maximum Rate of Interest**. Borrower does not intend to pay nor does Holders intend to charge, accept or collect any interest greater than the highest legal rate of interest that may be charged under applicable law. Should the acceleration of this Note or any charges made hereunder result in the computation of interest which would cause this Note to violate any such law, any and all such excess shall be and the same is hereby waived by Holders, and any and all such excess shall be credited by Holders to the balance due on this Note.

8. **Miscellaneous**.

(a) All amounts payable under this Note are payable in lawful money of the United States.

(b) In this Note, the singular shall include the plural.

(c) Borrowers shall be jointly and severally liable with respect to the obligations hereunder and under the Purchase Agreement Documents.

(d) Whenever used herein, the terms "Borrower" and "Holder" shall be deemed to include their respective heirs, personal representatives, successors and assigns.

9. **Collateral**. This Note is secured by a Borrowers member ownership interest purchase from Holders and described in the Purchase Agreement Documents and Amended and Revised Operating Agreement duly executed by both parties.

[Remainder of page intentionally left blank. Signature page follows.]

08/14/2020 15:19 Gary Gard (FAX)402 393 0220 P.002/003

IN WITNESS WHEREOF, the undersigned Borrower has executed and delivered this Secured Promissory Note effective as of the first date above written.

BORROWERS:

Grant B. Wakefield

State of Nebraska – General Notary
BEVERLY J. HILBURN
My Commission Expires
July 21, 2021

Beverley J. Hilburn

Cheryl L. Wakefield

State of Nebraska – General Notary
BEVERLY J. HILBURN
My Commission Expires
July 21, 2021

Beverley J. Hilburn

Acknowledged By:

HOLDERS:

Jerry L. Authier

State of Nebraska – General Notary
BEVERLY J. HILBURN
My Commission Expires
July 21, 2021

Beverley J. Hilburn

Karen J. Authier

State of Nebraska – General Notary
BEVERLY J. HILBURN
My Commission Expires
July 21, 2021

Beverley J. Hilburn

08/14/2020 15:19 Gary Gard (FAX)402 393 0220 P.003/003

Attachment A

RECORDER'S INDEX
LOT: 117
BLOCK:
SUBDIVISION: FOX RUN LANDING
ALIQUOT PART:
SECTION
SECTION: /TOWNSHIP: / RANGE:
CITY: COUNCIL BLUFFS
COUNTY: POTTAWATTAMIE
PROPRIETOR: AUTHIER PROPERTIES LLC
REQUESTED BY: WESTERN IOWA LAND DEVELOPMENT LLC
DATE OF FIELD SURVEY: JANUARY 23, 2020

FINAL PLAT OF
FOX RUN LANDING REPLAT FOUR

BEING A REPLAT OF A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

PREPARED BY: DAVID E. FORSYTHE, P.L.S., HGM ASSOCIATES INC., 640 5TH AVENUE, COUNCIL BLUFFS, IOWA 51501 (712)323-0530

NOTE:

A 5.00 FOOT WIDE PERMANENT EASEMENT ON EACH SIDE OF ALL SIDE LOT LINES, A 10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL FRONT LOT LINES, AND A 5.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL REAR LOT LINES, ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

CITY COUNCIL

APPROVED BY MAYOR: THE HONORABLE MATTHEW J. WALSH DATE

ATTESTED TO BY:

CITY CLERK: JODI QUAKENBUSH DATE

COMMUNITY DEVELOPMENT DIRECTOR: BRANDON GARRETT DATE

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

I, THE TREASURER OF POTTAWATTAMIE COUNTY, IOWA, HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN FOX RUN LANDING REPLAT FOUR, IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

TREASURER OF POTTAWATTAMIE COUNTY, IOWA: LEA A. VOSS DATE

WE HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL GUIDELINES. WE HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTTAWATTAMIE COUNTY RECORDER CONTEMPORANEOUSLY WITH THE FILING OF THE FINAL PLAT;

A. ALL PRIVATE RESTRICTIONS AND/OR COVENANTS WILL BE A PART OF THE SUBJECT DEVELOPMENT.

B. CERTIFIED RESOLUTION OF EACH GOVERNING BODY APPROVING THE SUBDIVISION OR WAIVING THE RIGHT TO REVIEW.

DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS THAT AUTHIER PROPERTIES L.L.C., BEING THE SOLE OWNER OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED AS LOTS 1 AND 2, INCLUSIVE. SAID PROPERTY TO BE KNOWN AS FOX RUN LANDING REPLAT FOUR.

AS PART OF THIS PLATTING, AUTHIER PROPERTIES L.L.C DOES HEREBY GRANT TO CITY OF COUNCIL BLUFFS, A MUNICIPAL CORPORATION OF THE STATE OF IOWA, AND ITS AGENTS, CONTRACTORS AND ASSIGNS, A PERMANENT NONEXCLUSIVE STORM SEWER AND DRAINAGE EASEMENT FOR CONSTRUCTING, RECONSTRUCTING, REPAIRING, ENLARGING AND MAINTAINING STORM SEWERS TOGETHER WITH NECESSARY APPURTENANCES THERETO IN LOT 1 AND LOT 2 AS SHOWN ON THE THE DRAWING WHICH IS PART OF THIS DOCUMENT. THIS EASEMENT SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

A. ERECTION OF STRUCTURES PROHIBITED: GRANTOR SHALL NOT ERECT ANY STRUCTURE OVER OR WITHIN THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.

B. CHANGE OF GRADE PROHIBITED: GRANTOR SHALL NOT CHANGE THE GRADE, ELEVATION, OR CONTOUR OF ANY PART OF THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.

C. RIGHT OF ACCESS: CITY SHALL HAVE THE RIGHT OF ACCESS TO THE EASEMENT AREA AND HAVE ALL RIGHT OF INGRESS AND EGRESS REASONABLY NECESSARY FOR THE USE AND ENJOYMENT OF THE EASEMENT AREA AS HEREIN DESCRIBED.

D. REMOVAL AND REPLACEMENT: THE COST OF REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT AREA, NECESSITATED BY THE EXERCISE OF THE RIGHTS UNDER THIS EASEMENT, SHALL BE BORNE BY THE GRANTOR OR THEIR SUCCESSORS OR ASSIGNS.

E. SURFACE RESTORATION: CITY'S LIABILITY TO RESTORE THE SURFACE WITHIN THE EASEMENT AREA SHALL BE LIMITED ONLY TO GRADING AND SEEDING, AND REPLACEMENT OF GRANTORS SURFACED ROADWAY.

F. DUTY TO REPAIR: CITY AGREES THAT ANY DRAIN TILE, DRIVE OR ACCESS WAY, FENCE, OR YARD OR OTHER IMPROVEMENTS OUTSIDE OF THE EASEMENT AREA WHICH MAY BE DAMAGED AS A RESULT OF ANY ENTRY MADE THROUGH AN EXERCISE OF THE CITY'S RIGHT OF ACCESS SHALL BE REPAIRED AT NO EXPENSE TO GRANTOR.

G. EASEMENT RUNS WITH LAND: THIS EASEMENT SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE BINDING ON GRANTOR AND ON GRANTOR'S SUCCESSORS AND ASSIGNS.

H. GRANTOR RESERVATION: GRANTOR RESERVES THE RIGHT TO USE THE EASEMENT AREA FOR OTHER PURPOSES PROVIDED HOWEVER THESE PURPOSES SHALL NOT INTERFERE WITH GRANTEES USE OF THE EASEMENT AREA UNDER THE RIGHTS OF THIS AGREEMENT.

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A REPLAT OF A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 103 IN SAID FOX RUN LANDING, SAID NORTHWESTERLY CORNER BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNCIL POINTE ROAD AND ON A NON-TANGENT CURVE, CONCAVE WESTERLY TO WHICH POINT A RADIAL LINE BEARS SOUTH 64 DEGREES 28 MINUTES 04 SECONDS EAST, 435.00 FEET;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSE:
1) NORTHERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 23 DEGREES 36 MINUTES 09 SECONDS, 179.19 FEET TO THE POINT OF BEGINNING;
2) CONTINUING ON SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 01 DEGREE 55 MINUTES 48 SECONDS EAST, 200.00 FEET;

THENCE SOUTH 88 DEGREES 04 MINUTES 12 SECONDS EAST, 120.00 FEET;

THENCE SOUTH 01 DEGREE 55 MINUTES 48 SECONDS WEST, 200.00 FEET;

THENCE NORTH 88 DEGREES 04 MINUTES 12 SECONDS WEST, 120.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 24,000 SQUARE FEET (0.551 ACRE). MORE OR LESS.

IN WITNESS THEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE AUTHIER PROPERTIES L.L.C PROPERTY AS CONTAINED HEREIN ON THIS

_____DAY OF_____, 2020.

BY: _____ BY: _____

GRANT WAKEFIELD
1/3 OWNER

CHERYL WAKEFIELD
1/3 OWNER

STATE OF IOWA)
) SS.
COUNTY OF POTTAWATTAMIE)

ON THIS _____ DAY OF_____, 2020, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED GRANT WAKEFIELD AND CHERYL WAKEFIELD, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY THEY COMBINED OWN 2/3 OF AUTHIER PROPERTIES L.L.C, THAT NO SEAL HAS BEEN PROCURED BY THE SAID LIMITED LIABILITY COMPANY, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF THE SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF OWNERSHIP AND THAT SAID GRANT WAKEFIELD AND CHERYL WAKEFIELD ACKNOWLEDGED THE EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY BY IT VOLUNTARILY EXECUTED.

NOTARY PUBLIC IN AND FOR SAID STATE

MY COMMISSION EXPIRES _____

IN WITNESS THEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE AUTHIER PROPERTIES L.L.C PROPERTY AS CONTAINED HEREIN ON THIS

_____DAY OF_____, 2020.

BY: _____ BY: _____

JERRY L. AUTHIER
1/6 OWNER

KAREN J. AUTHIER
1/6 OWNER

STATE OF IOWA)
) SS.
COUNTY OF POTTAWATTAMIE)

ON THIS _____ DAY OF_____, 2020, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED JERRY L. AUTHIER AND KAREN J. AUTHIER, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY THEY COMBINED OWN 1/3 OF AUTHIER PROPERTIES L.L.C, THAT NO SEAL HAS BEEN PROCURED BY THE SAID LIMITED LIABILITY COMPANY, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF THE SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF OWNERSHIP AND THAT SAID JERRY L. AUTHIER AND KAREN J. AUTHIER ACKNOWLEDGED THE EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY BY IT VOLUNTARILY EXECUTED.

NOTARY PUBLIC IN AND FOR SAID STATE

MY COMMISSION EXPIRES _____

PROFESSIONAL LAND SURVEYOR
DAVID E. FORSYTHE
25604
IOWA

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.

SEPTEMBER 29, 2020
DAVID E. FORSYTHE DATE

LICENSE NUMBER 25604

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2020.

PAGES OR SHEETS COVERED BY THIS SEAL:
SHEET 1 OF 2 SHEET 2 OF 2

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ENGINEERING ARCHITECTURE SURVEYING
council bluffs omaha

revision	date
2020-07-23 REVISED LAYOUT	
2020-09-10 REVISED SIGNATURES	
2020-09-28 REVISED LAYOUT	

DEF drawn
DEF designed
DEF approved
MAR. '20 date

project FOX RUN LANDING REPLAT FOUR
REPLAT PORTION LOT 117, FOX RUN LANDING, COUNCIL BLUFFS, IA

client WESTERN IOWA LAND DEVELOPMENT, L.L.C.
P.O. BOX 683, AVOCA, IOWA 51521

sheet FINAL PLAT

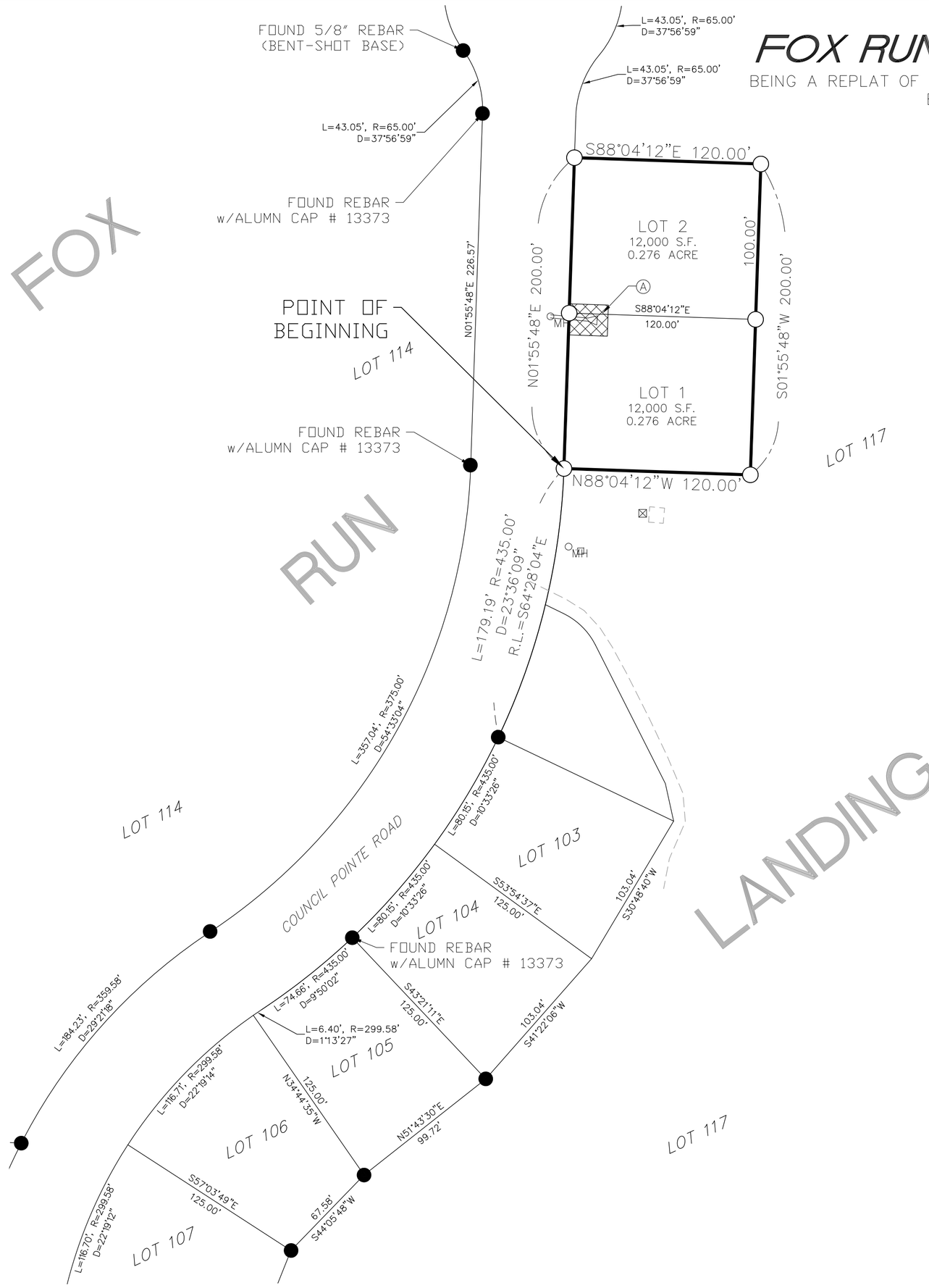
project no. 102420

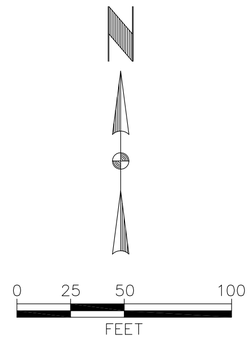
sheet 1 OF 2

fb: hgm: 102420 S:\Survey\Drafting\102420_MILD-Fox Run Lot 117\Engineering\Dwgs\Survey\102420_SUBDIVISION PLAT.dwg

FINAL PLAT OF
FOX RUN LANDING REPLAT FOUR

BEING A REPLAT OF A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

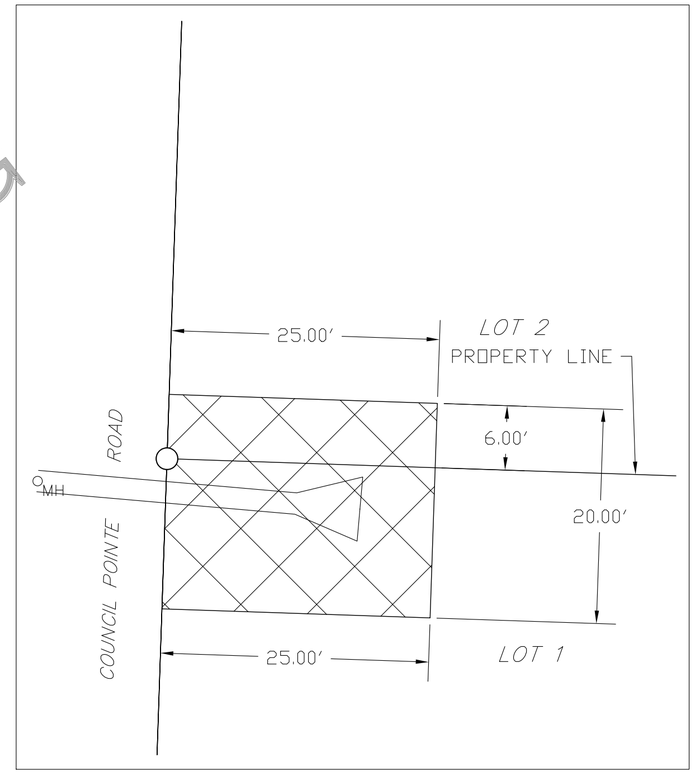




LEGEND

- ● – FOUND 5/8" REBAR UNLESS NOTED ON DRAWING
- ○ – SET 5/8" REBAR WITH ALUMN. CAP MARKED "HGM ASSOC. PLS 25604"

Ⓐ STORM SEWER AND DRAINAGE EASEMENT. (SEE DETAIL BELOW)



STORM SEWER AND DRAINAGE EASEMENT DETAIL

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ENGINEERING ARCHITECTURE SURVEYING
council bluffs omaha

revision	date
2020-07-23 REVISED LAYOUT	
2020-09-10 REVISED SIGNATURES	
2020-09-29 REVISED LAYOUT	

DEF drawn
DEF designed
DEF approved
MAR. '20 date

project FOX RUN LANDING REPLAT FOUR
REPLAT PORTION LOT 117, FOX RUN LANDING, COUNCIL BLUFFS, IA

client WESTERN IOWA LAND DEVELOPMENT, L.L.C.
P.O. BOX 683, AVOCA, IOWA 51521

sheet FINAL PLAT

project no. 102420

sheet 2 OF 2

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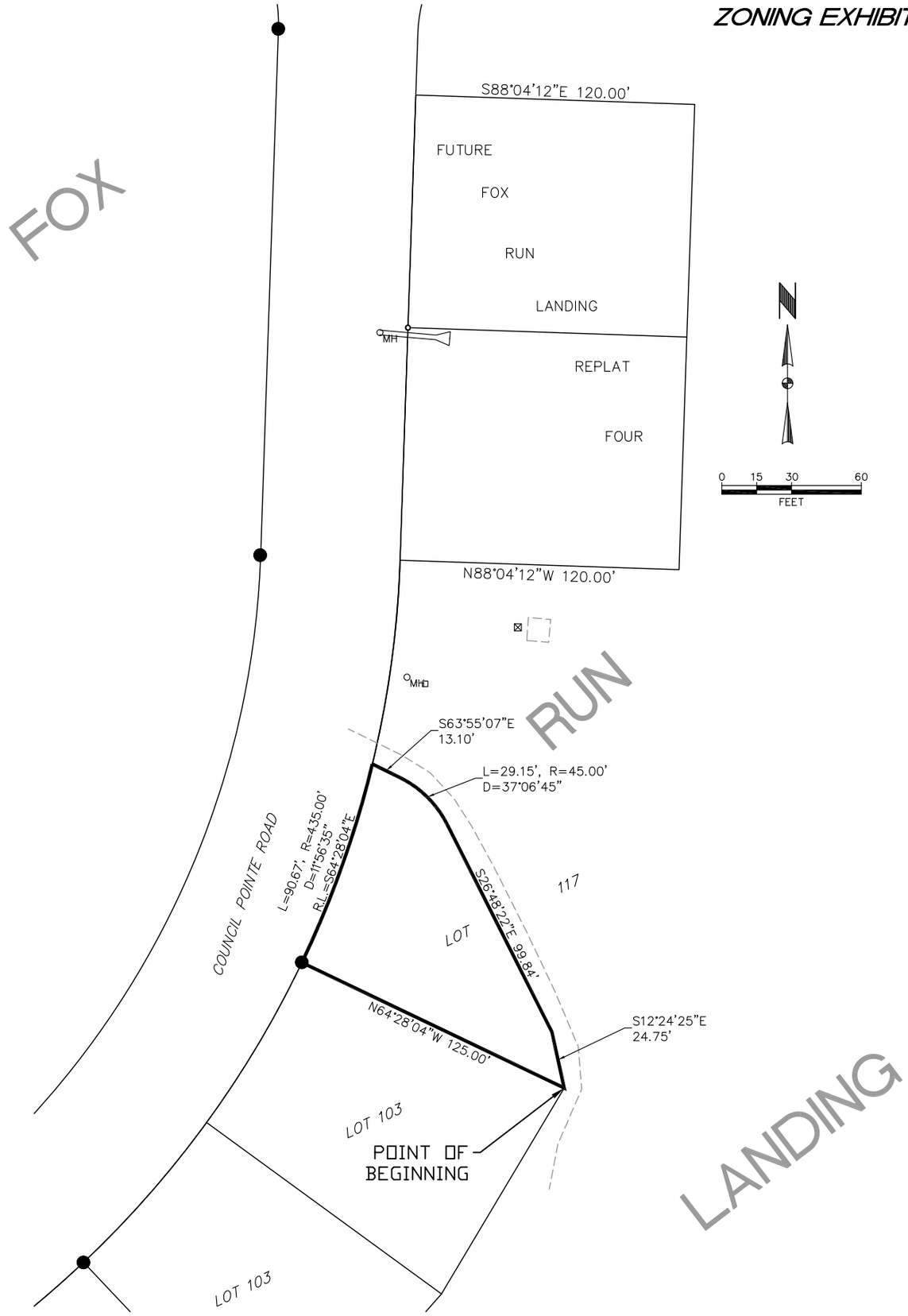
ZONING EXHIBIT A



LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 103 IN SAID FOX RUN LANDING; THENCE ON THE NORTH LINE OF SAID LOT 103, NORTH 64 DEGREES 28 MINUTES 04 SECONDS WEST, 125.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNCIL POINTE ROAD, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE WESTERLY TO WHICH POINT A RADIAL LINE BEARS SOUTH 64 DEGREES 28 MINUTES 04 SECONDS EAST, 435.00 FEET; THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE AND NORTHERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 11 DEGREES 56 MINUTES 35 SECONDS, 90.67 FEET; THENCE SOUTH 63 DEGREES 55 MINUTES 07 SECONDS EAST, 13.10 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 45.00 FEET; THENCE SOUTHEASTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 37 DEGREES 06 MINUTES 45 SECONDS, 29.15 FEET; THENCE SOUTH 26 DEGREES 48 MINUTES 22 SECONDS EAST, 99.84 FEET; THENCE SOUTH 12 DEGREES 24 MINUTES 25 SECONDS EAST, 24.75 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 7,065 SQUARE FEET (0.162 ACRE), MORE OR LESS.

REVISED 2020-09-29
REVISED 2020-07-24

project no. 102420
date MAY'20
sheet 1 OF 1

project FOX RUN LANDING
client WESTERN IOWA LAND DEVELOPMENT, L.L.C.
sheet ZONING EXHIBIT A

DEF drawn
DEF designed
DEF approved

hgm ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs omaha

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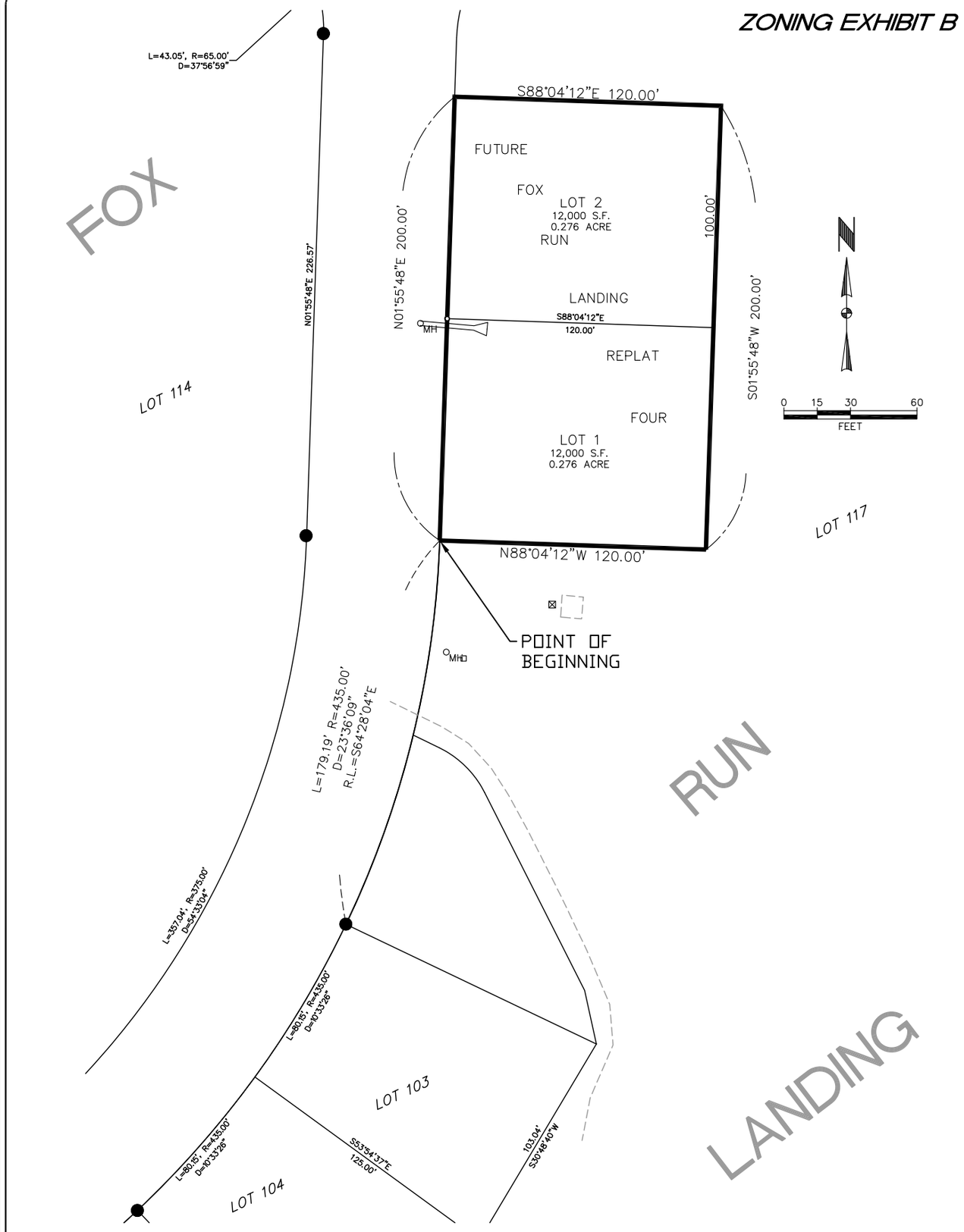
ZONING EXHIBIT B



LEGAL DESCRIPTION

A PARCEL OF LAND BEING A REPLAT OF A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 103 IN SAID FOX RUN LANDING, SAID NORTHWESTERLY CORNER BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNCIL POINTE ROAD AND ON A NON-TANGENT CURVE, CONCAVE WESTERLY TO WHICH POINT A RADIAL LINE BEARS SOUTH 64 DEGREES 28 MINUTES 04 SECONDS EAST, 435.00 FEET; THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSE: 1) NORTHERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 23 DEGREES 36 MINUTES 09 SECONDS, 179.19 FEET TO THE POINT OF BEGINNING; 2) CONTINUING ON SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 01 DEGREE 55 MINUTES 48 SECONDS EAST, 200.00 FEET; THENCE SOUTH 88 DEGREES 04 MINUTES 12 SECONDS EAST, 120.00 FEET; THENCE SOUTH 01 DEGREE 55 MINUTES 48 SECONDS WEST, 200.00 FEET; THENCE NORTH 88 DEGREES 04 MINUTES 12 SECONDS WEST, 120.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 24,000 SQUARE FEET (0.551 ACRE). MORE OR LESS.

REVISED 2020-09-29
REVISED 2020-07-24

project no. 102420 date MAY'20 sheet 1 OF 1	project FOX RUN LANDING client WESTERN IOWA LAND DEVELOPMENT, L.L.C. sheet ZONING EXHIBIT B	DEF drawn DEF designed DEF approved	hgm ASSOCIATES INC. ENGINEERING ARCHITECTURE SURVEYING council bluffs omaha

ORDINANCE NO. 6430

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, FROM A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT TO R-1/SINGLE-FAMILY RESIDENTIAL DISTRICT AS DEFINED IN CHAPTER 15.08B OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.

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

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone a portion of Lot 117, Fox Run Landing from A-2/Parks, Estates, and Agricultural District to R-1/Single-Family Residential District, with said area being more particularly described as follows: Commencing at the northwesterly corner of Lot 103, Fox Run Landing, said northwesterly corner being on the easterly right-of-way line of Council Pointe Road and on a non-tangent curve, concave westerly to which point a radial line bears South 64 degrees 28 minutes 04 seconds East, 435.00 feet; thence on said easterly right-of-way line the following two (2) courses: 1) Northerly on said curve through a central angle of 23 degrees 36 minutes 09 seconds, 179.19 feet to the point of beginning; 2) continuing on said easterly right-of-way line, North 01 Degree 55 minutes 48 seconds East, 200.00 Feet; thence South 88 degrees 04 minutes 12 seconds West, 120.00 feet to the point of beginning; **AND** rezoning a separate portion of Lot 117, Fox Run Landing being more particularly described as: beginning at the northeast corner of lot 103 in said Fox Run Landing; thence on the north line of said lot 103, North 64 degrees 28 minutes 04 seconds West, 125.00 feet to a point on the easterly right-of-way line of Council Pointe Road, said point also being on a non-tangent curve, concave westerly to which point a radial line bears South 64 degrees 28 minutes 04 seconds East, 435.00 feet; thence on said easterly right-of-way line and northerly on said curve through a central angle of 11 degrees 56 minutes 35 seconds, 90.67 feet; thence South 63 degrees 55 minutes 07 seconds East, 13.10 feet to the beginning of a curve, concave southwesterly having a radius of 45.00 feet; thence southeasterly on said curve through a central angle of 37 degrees 06 minutes 45 seconds, 29.15 feet; thence south 26 degrees 48 minutes 22, seconds East, 99.84 feet; thence south 12 degrees 24 minutes 25 seconds East, 24.75 feet to the point of beginning, all said property being located in the City of Council Bluffs, Pottawattamie County, Iowa.

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 and upon approval of Final Plat for Fox Run Landing Replat 4 and the lot line adjustment at 5003 Council Pointe Road.

ADOPTED
AND October 26, 2020.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 10-12-20
Second Consideration: 10-26-20
Public Hearing: 10-26-20
Third Consideration:

Council Communication

Department: City Clerk
Case/Project No.: OTB-20-010
Submitted by: Chris Meeks, Planner

Resolutions 20-246 and 20-247
(Continued from 10-12-20)
ITEM 5.C.

Council Action: 10/26/2020

Description

Resolutions to dispose of City property legally described as Lot 2, Arbor Creek Subdivision. Location: Northwest corner of College Road and Railroad Avenue. OTB-20-010

1) Resolution 20-246 Offer to buy submitted by Midlands Humane Society
2) Resolution 20-247 Offer to buy and RFP submitted by Neal Drickey

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
OTB-20-010 Staff Report	Other	10/2/2020
Attachment A - Location Map	Map	10/2/2020
Attachment B - Letter of Intent	Letter	10/2/2020
Attachment C - Site Plan	Other	10/2/2020
Attachment D - Memo prepared by Brandon Garrett	Other	10/2/2020
Resolution 20-246	Resolution	10/6/2020
Staff Report OTB-20-015	Other	10/5/2020
Attachment A - OTB-20-015	Other	10/5/2020
Dickey RFP OTB-20-015	Other	10/5/2020
Resolution 20-247	Resolution	10/6/2020

Council Communication

Department: Community Development CASE #OTB-20-010 Applicant: Midlands Humane Society 1020 Railroad Avenue, Suite A Council Bluffs, IA 51503 Representatives: Nikki Cruickshank Alex Gum	Resolution to Dispose No. _____	Public Hearing: 10-12-2020

Subject/Title

Request of the Midlands Humane Society, represented by Nikki Cruickshank and Alex Gum, to purchase property legally described as Lot 2, Arbor Creek, City of Council Bluffs, Pottawattamie County, Iowa. The property is generally located at the Northwest corner of College Road and Railroad Avenue.

Background/Discussion

The City has received an offer to purchase the property described above. The property is classified as "transitional preserve" and "buildable". The applicant gained City Council approval to move forward with the offer to purchase the property at the June 8, 2020 City Council Meeting. The applicant wishes to acquire the property to provide space for future expansion of the humane society building and other amenities. According to the adopted policy of April 23, 2018, the property should be priced at the most recent assessed or appraised value, with an appraisal from JLL Valuation and Advisory Services valuing the subject property at $188,745.00. The applicant has submitted an $18,874.50 down payment to purchase the property.

The initial offer to purchase the subject property by the Midlands Humane Society was reviewed by the City Council on November 26, 2018, at which time no action was taken and the offer was tabled with the request that the Midlands Humane Society compile a site plan showing how the land would be used and an approximate timeline of when the expansions would take place. On June 8, 2020, representatives of the Midlands Humane Society met before the City Council at the afternoon Study Session and presented their site plan and timeline. The City Council saw the proposal as adequate to move forward with the request. The full application to purchase the property was submitted to the Community Development Department on June 19, 2020.

As a nonprofit organization, the Midlands Humane Society would pay no property taxes on the subject parcel if it were to be sold to them. Staff considers the property to be suitable for residential development, which would generate property taxes.

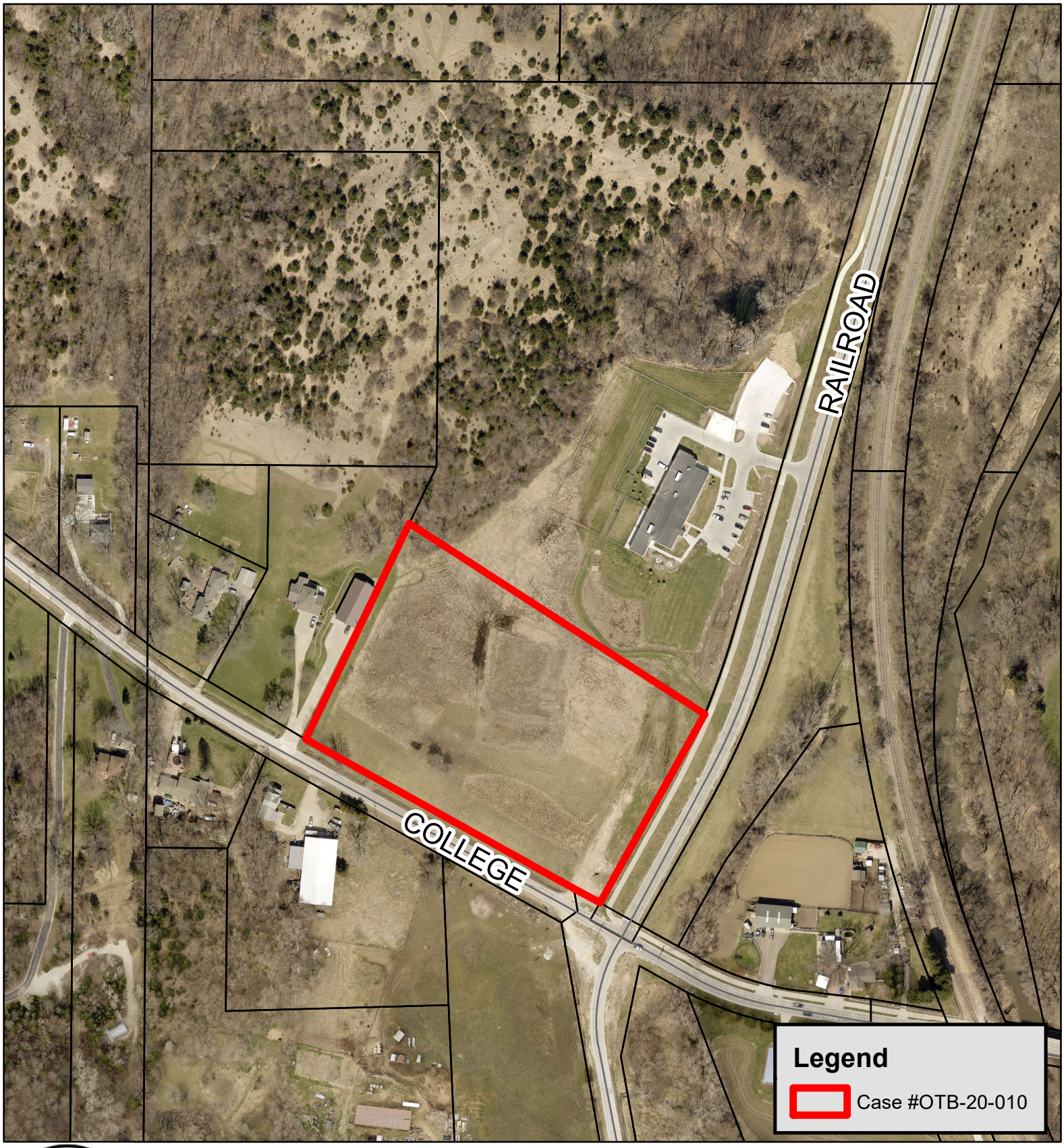
The Information Technology Department indicated that there is City Fiber infrastructure underneath the trail that runs along Railroad Avenue. The Public Works Department confirmed that over $2 million in infrastructure improvements and site work on and around the subject property has been completed with the goal of promoting future development and generating property tax. The Community Development Department acknowledges that the site's proximity to two public streets, access to infrastructure (e.g. water, sewer, gas, electricity), location on an existing bus route, location within walking distance from a school, walking distance to commercial uses, and being adjacent to a bike path makes it well suited for a variety of residential development types.

Attached for review is a location map of the subject property; a Letter of Intent which was submitted by the Midlands Humane Society; a conceptual site plan which shows the Midlands Humane Society's long term goals for the subject property (the approximate timeline of the development is described in the Letter of Intent);

and a memo from Brandon Garrett that was submitted to the City Council on November 19, 2018, which details the infrastructure and development costs the City has incurred on the subject property, as well as supplemental information regarding future development on the property (originally submitted with a previously reviewed development proposal).
Recommendation The Community Development Department recommends denial of the request to dispose of the City property legally described as described as Lot 2, Arbor Creek, City of Council Bluffs, Pottawattamie County, Iowa to Midlands Humane Society.
Attachment A: Location map **Attachment B:** Midlands Humane Society Letter of Intent **Attachment C:** Midlands Humane Society Conceptual Site Plan **Attachment D:** November 19, 2018 Memo prepared by Brandon Garrett regarding future development on Lot 2, Arbor Creek
Prepared By: Chris Meeks, Planner, Community Development Department

Attachment A

CASE #OTB-20-010



100 50 0 100 200 Feet

N
W E
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Attachment B

To: City of Council Bluffs

From: Alex Gum, Chair – Midlands Humane Society Board of Directors, Nikki Cruickshank Executive Director

Date: June 18, 2020

Re: MHS Offer to Purchase Land and Expansion Plan

In the first five years of operation we have seen tremendous growth, including double the number of adoptions and triple the number of pets re-united with their families. We are now able to provide a limited youth program, diverse volunteer opportunities, and have established long lasting partnerships with neighboring Humane Societies, Rescues, Veterinarians, and other animal welfare groups. Through our partnership with Iowa Western Community College we can offer a hands-on experience for the Veterinary Technician students. For the last two years we have employed a grant-funded Director of Animal Behavior who prepares animals for adoption, assists with placement during and after the adoption process, and provides behavior rehabilitation for special-needs pets.

While we are thrilled with how the community has embraced our programs through these first few years of growth, we have already recognized the looming need for expansion. Before the facility was constructed several important spaces were eliminated from the original plans to get MHS operational. In our strategic planning sessions in 2016, the board of directors set a five-year goal to expand and formed an expansion committee to identify, design, and price this plan in preparation for a future capital campaign. The committee has the land south of MHS identified for use in this expansion plan.

The following are features left out of the original design plus other areas identified since opening.

1. Surgery Suite to treat animals in-house, including spay and neuter procedures.
2. Community/Training room for public education, youth programs, volunteer activities and on-site community events.
3. Retail space to sell supplies to new adopters and other relevant items which creates another revenue stream for operations.
4. Private room for surrenders and owner requested euthanasia so individuals and families can grieve outside the public's view.
5. Storage for the vast array of necessary supplies and to store the massive amounts of donated food and items that are frequently received.
6. Employee and Volunteer break area to provide a central place for people to rest, converse and bond.
7. Enlarging the Kevin Bills Dog Park, which without being actively promoted, already sells as many annual memberships as its size can safely accommodate.
8. Additional animal adoptions, holding, and isolation areas.
9. Expanded enclosed green space areas for off-leash exercise, training and behavior work with shelter animals.

The first phase of the expansion plan will involve moving the existing dog park to make room for additional development behind the current building. The new dog park will include over 2 acres of fenced-in areas spanning from the current land onto the additional 6 acre parcel. Additional parking would be added right away while other amenities such as a community pavilion and restrooms could be added later. With a larger park area, we will be able to safely allow more members and actively promote this amenity to community. The existing dog park fencing will be repurposed for additional shelter play and adoption meet and greet areas. The project budget for phase 1 is as follows:

Phase One - Acquire Land and Relocate Dog Park

Acquire land	
Purchase price (est. at appraised value)	188,000
Ancillary costs associated with real estate purchase (est. 5%)	9,400
Land total	197,400
Construct additional parking lot (26 spaces)	
Pavement and markings	46,049
Sidewalk	13,469
Subgrade Preparation	1,664
Engineering Fees	4,418
5% Contingency for bio swale, landscaping, city permit, handicapped sign, seeding and erosion matting, etc.	3,280
Parking Lot Total	68,880
Dog Park	
Estimate for engineering fees, drainage adjustments and soil preparation	75,000
Fencing and gates	37,300
Security gate entrance, including electrical	6,821
Water to park	3,313
5% Contingency to move existing signage, landscaping and misc.	6,122
Dog Park Total	128,556
Total - Phase One	**394,836**

Thanks to several generous bequests, the MHS board of directors has the funds to cover phase 1 and plans to begin the project as soon as a purchase agreement for the land is in place. During phase one, MHS will develop and launch a capital campaign to assist in funding for the remaining phases. Project timeline is estimated at 12-18 months.

Please note that, when projecting costs and timelines, there is uncertainty relating to land preparation that cannot be ascertained without expending funds for soil analysis, civil engineering work, etc. From a fiduciary standpoint, MHS does not consider it appropriate to spend donor dollars on such work until a purchase agreement for the land is in place.

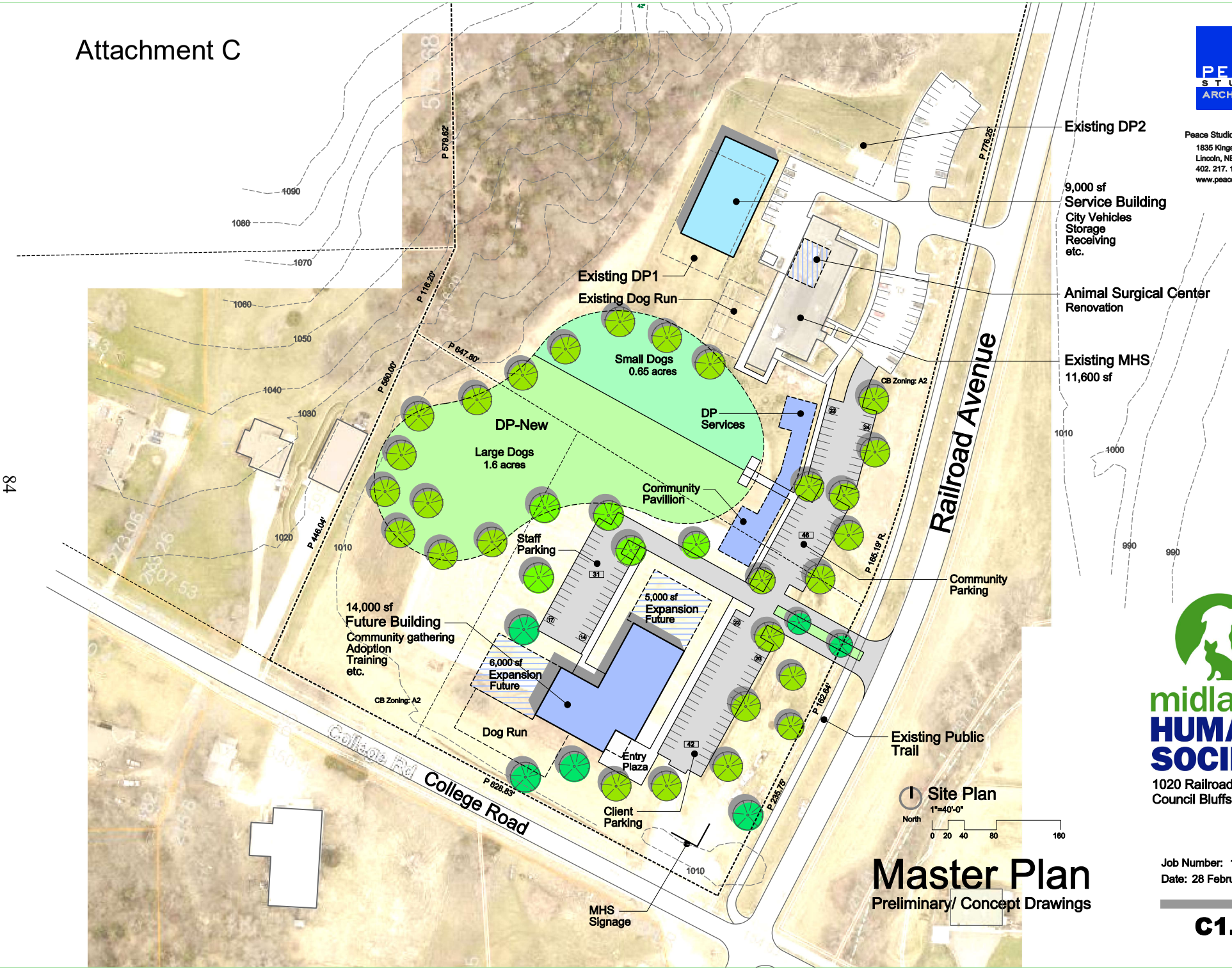
The second phase will include a new 3,750 sq ft metal building with six parking bays including three designated for Animal Control and one for isolated animal drop off. This building would be located behind the current building (to the west) and would replace the use of the existing garage area. An additional 960 sq ft of climate-controlled storage will allow for better management of food and animal supplies as well as free up existing areas currently utilized for storage. The expansion committee designed the building with cooperation from Council Bluffs and Pottawattamie County Animal Control to optimize the interaction with MHS and animal control services. We have identified the costs and are allocating funds to be available after the dog park has been relocated. Project timeline for the new metal building is estimated to be 12-18 months with a projected cost of $420,968, which includes a professional estimate of $350,807 for the building and surrounding pavement plus a 10% contingency of $70,161.

Once the new metal building is complete the third phase will begin which involves renovation of the existing garage space to create an Animal Surgery area that will be utilized for spay and neuter as well as other required surgeries. This will allow MHS to shorten the time an animal can be made available for adoption as well as save on expenses currently used for animal transportation. Additional opportunities would be available for IWCC as well as other area veterinary colleges for experience in shelter medicine. We have already secured donations targeted for this expansion as well as identified grants to support the development and operation of an in-house veterinary service. We are still working on the total costs of this renovation but believe $250,000, which includes construction, equipment and other start-up costs, is a reasonable estimate. MHS already has a restricted donation of approximately $100,000 for this phase. We expect a project timeline of 12-18 months.

The fourth phase of expansion will involve the need for an additional 14,000 sq ft building to allow for community gatherings, indoor training, and expanded adoption areas. This phase is likely 10 years out but without this land we would have to consider relocating or possibly a second site which would create logistic and resource overhead issues. Utilizing the construction budget of the original facility, high level costs have been estimated at $4,065,067 and the project would require 2-3 years of focused campaign funding.

The attached project plan shows how the land would be utilized to allow MHS to provide industry leading animal sheltering services as well as amenities aimed at educating and engaging the community. MHS is and will continue to be a family destination that will attract residents of all ages who can connect and give back through their love for animals.

Attachment C



PEACE STUDIO ARCHITECTS

Peace Studio Architects, Inc.
1835 Kings Hwy, Suite B
Lincoln, NE 68502
402. 217. 1830
www.peacestudioarch.com

midlands HUMANE SOCIETY
1020 Railroad Avenue
Council Bluffs, IA 51503

Master Plan

Preliminary/ Concept Drawings

Job Number: 19040.mhs
Date: 28 February 2020

C1.1

Attachment D

Memorandum

To:	City Council
From:	Brandon Garrett, AICP, Community Development Director BG
Cc:	Mayor Walsh and Jodi Quakenbush, City Clerk
Date:	November 19, 2018
Re:	Lot 2, Arbor Creek

The following supplemental information is provided regarding the property located at Lot 2, Arbor Creek and associated development proposals.

Planning and Zoning

Comprehensive Plan

The Comprehensive Plan's future land use map (see Exhibit A) shows Lot 2, Arbor Creek as "Rural Residential/Agriculture", the same future land use designation for the ground developed for St. Patrick's Church, Presbyterian Home, a future townhome development, and Immanuel Pathways all nearby at Valley View Drive and College Road. The Parks & Recreation Framework Plan in the Comprehensive Plan (see Exhibit B) does not show a future park in this vicinity. Council Bluffs is under increasing pressure for residential development. This quarter of the city around Iowa Western Community College has undergone significant development since the Bluffs Tomorrow Plan was adopted in 2014. Generally speaking, it is more difficult to predict future land uses in undeveloped areas and market forces often play a major role in determining what the City supports. While the Comprehensive Plan is not a regulatory document, the City should strive to amend the future land use map to reflect larger incremental changes.

Spot Zoning

The proposed change does not meet the definition of spot zoning. A classic case of spot zoning would be a much different use wedged between similar uses—for example, zoning a small lot for Industrial within a residential block in an older neighborhood. In this case, the proposal is for roughly six acres and proposes to zone to a residential district adjacent to other residential districts. It is at the corner of two collector-style streets and has the capacity for much higher density. See attached memo regarding spot zoning cases in Iowa (see Exhibit C).

A-2 Zoning

A-2 is an agricultural type of zoning that is a default for areas that have not developed. Several City parks and other City-owned parcels are zoned A-2 for lack of a "Public" zoning district. Iowa Western Community College is zoned A-2. Sometimes the City will proactively rezone land to A-2 as a placeholder for future parks or development such as in the Mid City area near the West Broadway Viaduct. In this case, there was no need to change the zoning from A-2 in the past because it was a combination of undeveloped land and publicly owned property. "Animal Shelters", as defined in the zoning code are only allowed in A-2 zoning.

Density

The proposed project includes 60 multi-family dwelling units (10 units per acre). Originally, the developers had hoped for a second phase, but the land request was reduced to align with the lease parcel for Midlands Humane Society. By zoning, the six acres could have yielded 135 dwelling units (22.5 units per acre), but the request was for substantially fewer units. The "PR" Overlay proposed would secure the number of units at 60. For reference, a typical low density single-family detached area in the West End is roughly 7.5 units per acre; not much less than the proposal.

Other 5+ Acre R-3 or R-4 Zoned Sites Available

GIS was utilized to identify sites that were 5 acres or larger, vacant, and zoned R-3 or R-4. The Zimmerman proposal was for 6 acres and R-3, but this search was more broadly-inclusive. 19 properties were identified that met the criteria (see Exhibit D). However, upon closer examination of these sites, many have obstacles to development including terrain, utilities, access, forestation, or have already been approved for development. Zero properties discovered were zoned R-4. Six of the 19 properties are only partially zoned R-3 and would therefore require additional zoning action.

Infrastructure and Site Preparation

Water Service

Resolution 13-236 (see Exhibit E) states that the City, Midlands Humane Society, and Council Bluffs Water Works equally shared the cost of extending the water main in the amount of $476,484 ($158,828 City's share). Ultimately, the City paid slightly less ($158,250) when the work was completed (see Exhibit F). The resolution states that the water main will "...service the Midlands Humane Society and any future City developments at that location." (see Exhibit E)

Additional Infrastructure

Sanitary sewer, storm sewer, paving, a traffic signal, right-of-way, and other general costs are attributed to developing this area (see Exhibit G). These are costs associated with extending Railroad Avenue and utilities between E. Kanesville Blvd. and College Road to make the ground developable for the Midlands Humane Society building and additional future development to the south—specifically, a new police headquarters building. A different site for the police headquarters was ultimately chosen, but the site was preserved by the City for future development since it had all necessary infrastructure.

Exhibit G:

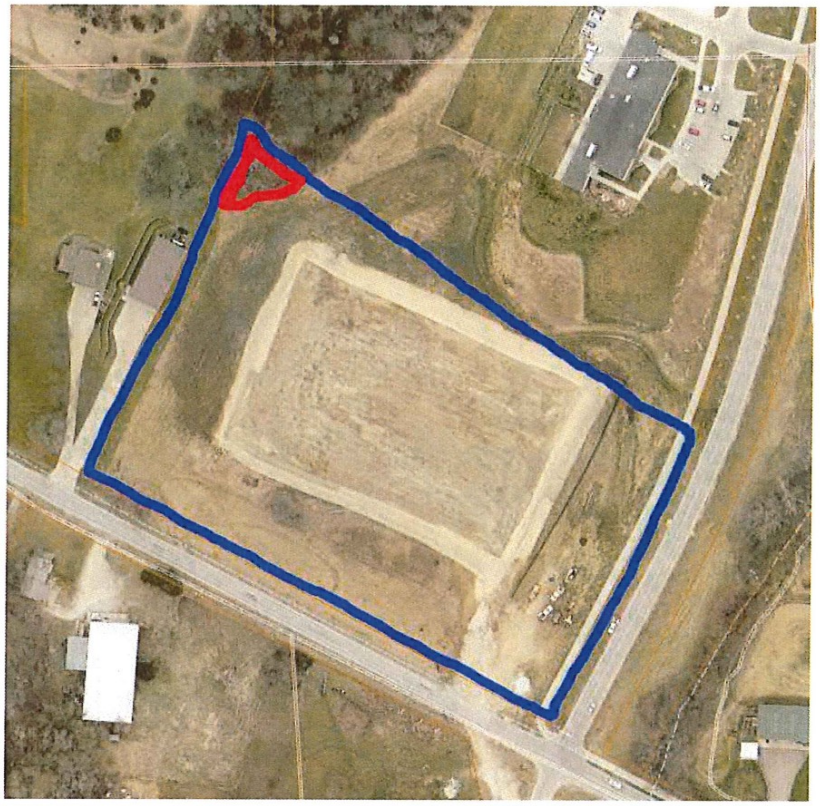
Infrastructure and Site Preparation Costs	
Grading and Fill	$ 234,882.00
Water Service	$ 158,250.00
Sanitary Sewer	$ 105,159.63
Storm Sewer	$ 658,040.99
Pavement: Road and Bike Trail	$ 1,097,003.31
Traffic Signal	$ 189,871.41
Right-of-Way	$ 852,000.00
General Costs and Construction Engineering for Road and Infrastructure	$ 662,265.02
TOTAL CITY COSTS	**$ 3,957,472.36**

Grading and Fill

A developer representing another project calculated the site at what is now Lot 2, Arbor Creek needed 2-3' of fill dirt to raise it out of the floodplain. Months later, it was determined that the site of the new police headquarters had excess dirt that would have to be removed at additional expense. Rather than discard this resource, the City coordinated the relocation of the dirt to be utilized as fill at Lot 2, Arbor Creek in order to make the site more developable and marketable. The relocation of the dirt and stabilization was coordinated by Public Works and was carried out properly. The cost of moving this resource to the site from the police headquarters was $234,882 in 2017.

Any future development of the site will regrade it to accommodate their design. Any development will have to be engineered to follow all applicable grading and stormwater drainage requirements for retention etc. The proposed development did not plan to impact or grade any Loess Hills slopes; the development site is relatively flat (see Exhibit H).

Exhibit H



Red area above is a portion of Loess Hill slope. This area is not proposed for grading.

Bus Route

The site is served by the Blue bus route (see Exhibit I).

City Financial Support of the Midlands Humane Society

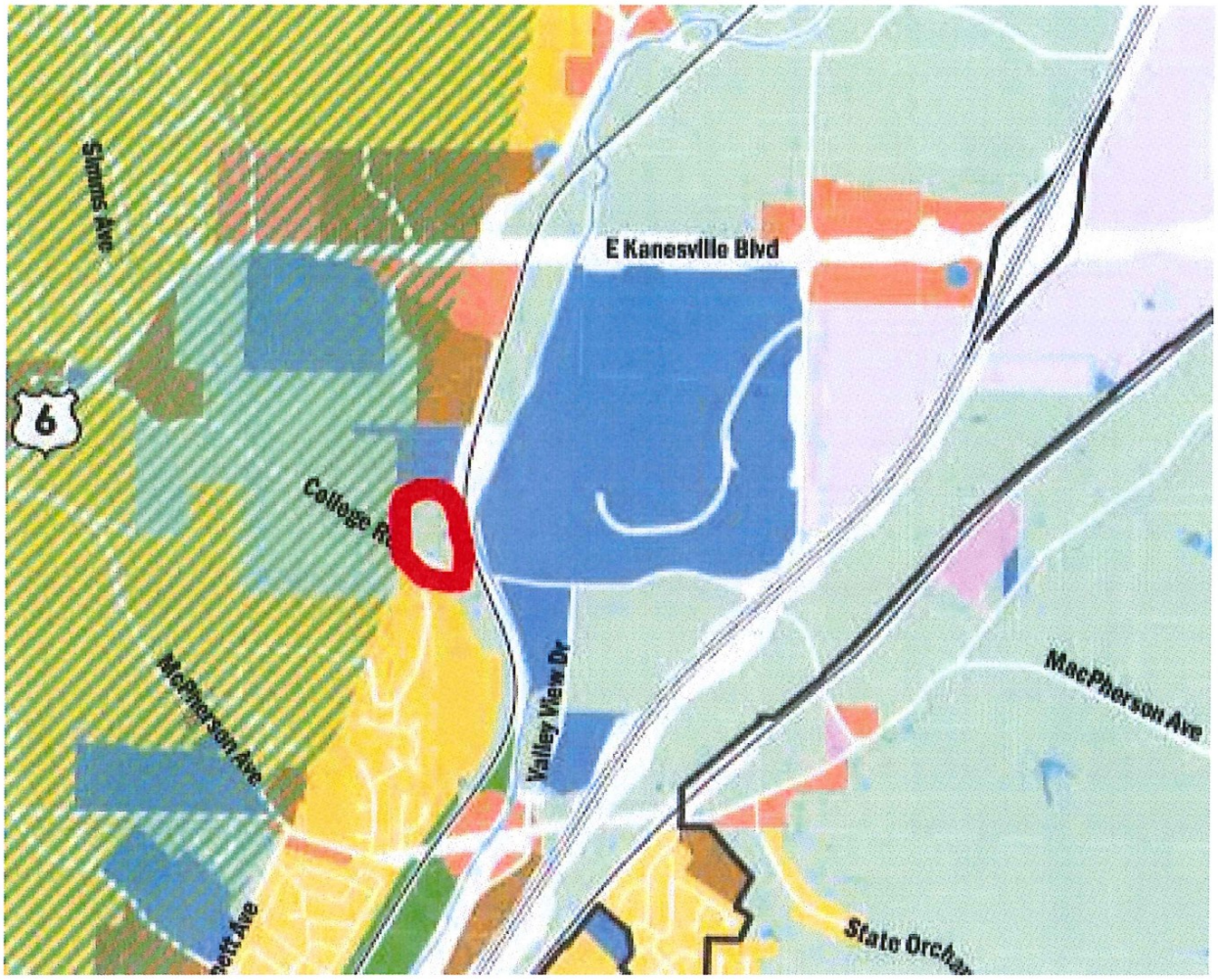
The City made six payments in 2014 totaling $1,500,000 to the Midlands Humane Society for construction of the facility (see Exhibit J). The City paid HGM Associates $26,977 for design work related to the project in 2014 (see Exhibit J). In addition, from FY2015 to FY2018, the City made payments of $259,845 (see Exhibit K). The City recently increased its contributions to the Midlands Humane Society from $1.25 to $2.00 per capita. This payment is calculated at 61,938 x $2 (totaling $123,876 per year). As of 11/09/18, the City has paid the Midlands Humane Society $41,312.68 for FY2019 (see Exhibit K). From FY2014 to date, the City has spent $1,828,134.68 in support of Midlands Humane Society (excluding infrastructure costs). The City owns the building and Midlands Humane Society leases the space for $1 per year as part of a 99-year lease agreement. The City's Animal Control Division of the Community Development Department is located in the building and pays no additional rent above the City's per capita contribution.

Estimated Local Property Taxes

Midlands Humane Society: $0/year

Current Zimmerman Proposal (60 dwelling units): $61,844/year (see Exhibit L)

EXHIBIT "A"



Land Use Legend

Residential

- Rural Residential/Agriculture
- Low-Density Residential
- Medium-Density Residential
- High-Density Residential
- Multi-family/Mixed-use

Commercial

- Local Commercial
- Regional Commercial
- Downtown/Mixed-use

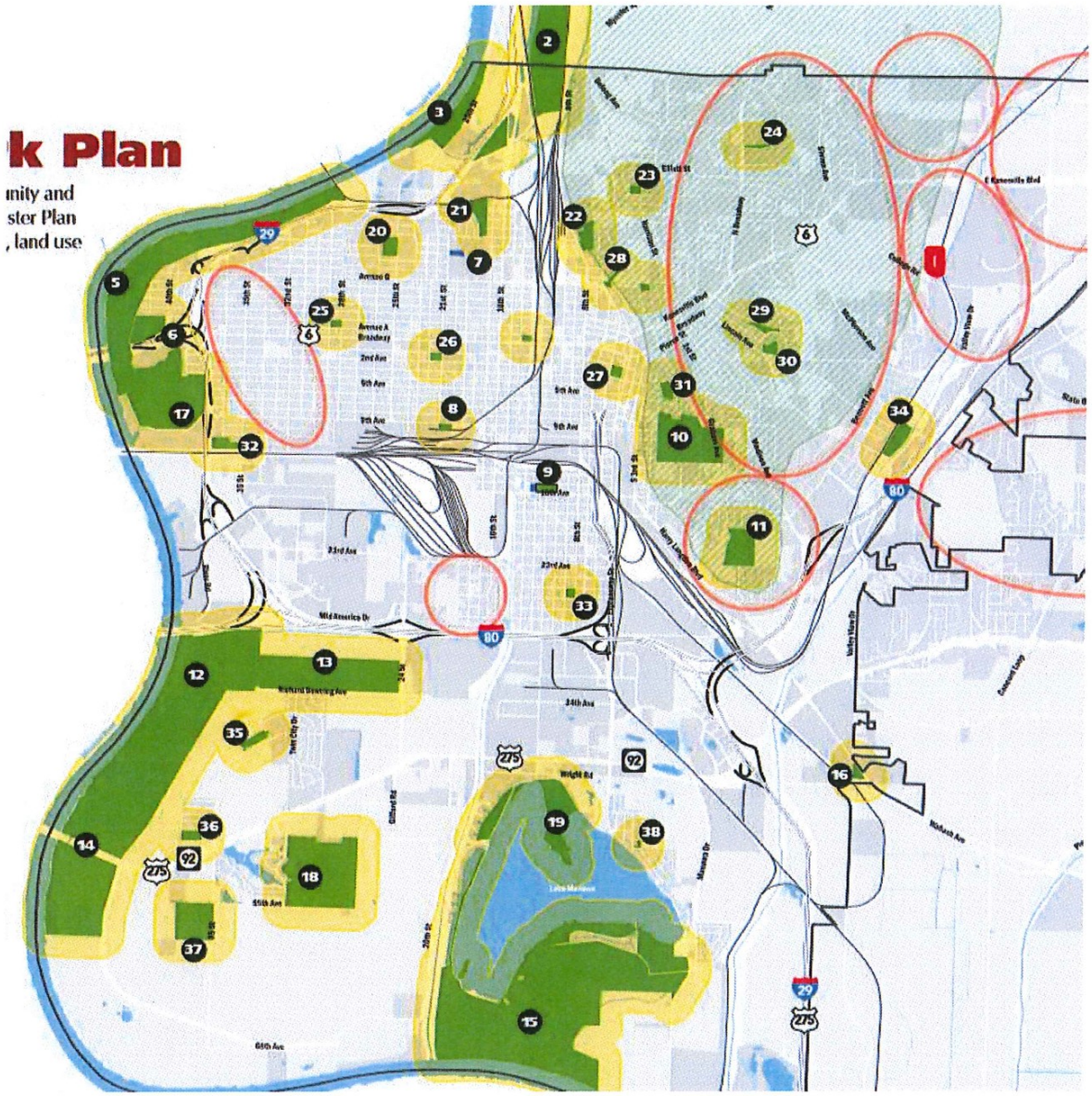
Industrial

- Office/Industrial
- Light Industrial
- Heavy Industrial

Public Land Uses

- Natural Areas
- Public Park
- Public/Semi-public
- Transportation/Utility
- Loess Hills Preservation Area

EXHIBIT "B"



Open Space Legend

- Loess Hills Preservation Area
- Lakes
- Rivers and Creeks
- Pedestrian Priority Zone
- Underserved Areas (as identified in Park Master Plan)
- Existing Developed/Urbanized Footprint
- Rural/Undeveloped

EXHIBIT "C"

CITY OF COUNCIL BLUFFS

INTER-OFFICE MEMO

TO: Honorable Thomas P. Hanafan, Mayor
and Members of the City Council

FROM: Legal Department

DATE: January 10, 1991

RE: Spot Zoning

The Council has requested information about and examples of "spot zoning". Spot zoning results when a rezoning creates a small island of property with use restrictions different from those imposed on the surrounding property. Spot zoning is not necessarily illegal. Iowa courts look at several factors to determine whether spot zoning is reasonable and valid, including the following.

a. the size of the spot rezoned
b. the prior use of the rezoned tract
c. the tract's suitability for various uses
d. the uses of the surrounding property

In general, where a court can find that a city or county had a reasonable basis for rezoning a particular tract to serve the public welfare, rather than solely for private gain, spot zoning will be upheld. The public welfare is promoted by zoning that encourages efficient urban development, lessens congestion on streets, prevents overcrowding, increases or stabilizes property values and the tax base, and conforms to the comprehensive plan.

Some examples from Iowa cases are illustrative.

Illegal Spot Zoning

1. An ordinance rezoned one corner of an interstate intersection to light industrial. The other corners remained agricultural districts. This rezoning was illegal spot zoning because the evidence showed that all four corners were used similarly before the rezoning, and each corner was equally adaptable to a light industrial use. There was no public benefit in choosing one corner over the others. Keppy v. Ehlers, 115 NW2d 198 (Iowa 1962).

2. An ordinance rezoned one lot in the middle of a block surrounded by single-family dwellings. The property in question was a large home near Drake University; the owners wanted to convert it to a sorority house. At the time of the requested rezoning, however, it had always been used as a single-family dwelling. The court found that there was no rational basis to distinguish this property from the others in the block, since all shared the same prior use and were equally suited for the proposed rezoning. Hermann v. City of Des Moines, 97 NW2d 893 (Iowa 1959).

EXHIBIT "C" (continued)

Legal Spot Zoning

1. Agricultural land was rezoned to allow a hog-slaughtering plant. The land around the rezoned tract remained agricultural. This rezoning was valid because, unlike the surrounding land, the rezoned parcel was not prime agricultural land and was near a road, river and railroad tracks.

In this case, the public benefits (adding manufacturing to a troubled agriculture-based economy, increasing tax revenues, and creating jobs) were consistent with the goals of the comprehensive plan. The rezoning was not solely for private gain. Montgomery v. Bremer County Board of Supervisors, 299 NW2d 687 (Iowa 1980).

2. An undeveloped two-acre tract of single-family residential district was rezoned to a neighborhood shopping district. Because the tract was at the corner of a busy intersection, it was not well suited for a home, but was uniquely appropriate for a neighborhood shopping center. Once again, the benefits to the public (providing needed shopping in a rapidly growing residential area) were in accord with the goals of the comprehensive plan. Jaffe v. City of Davenport, 179 NW2d 554 (Iowa 1970).

3. A four-story, 16-room structure was rezoned from single-family to multiple-family. The rest of the neighborhood remained single-family. This rezoning was legal. The building had been used as a medical clinic, rooming house and nursing home and had little appeal as a single-family dwelling. Rezoning would have little or no impact on the value of surrounding properties, and would not otherwise burden them. There is public benefit in eliminating nonconformities. Keller v. City of Council Bluffs, 66 NW2d 113 (Iowa 1954).

To summarize, illegal spot zoning benefits a particular owner at the expense of the public good and is inconsistent with the goals of the comprehensive land use plan.

Respectfully submitted,

Kathleen A. Kilnoski
KATHLEEN A. KILNOSKI
Assistant City Attorney

KAK/jk

EXHIBIT "D"

Undeveloped Parcels over 5 acres Zoned Appropriately for Multifamily Development in the City of Council Bluffs

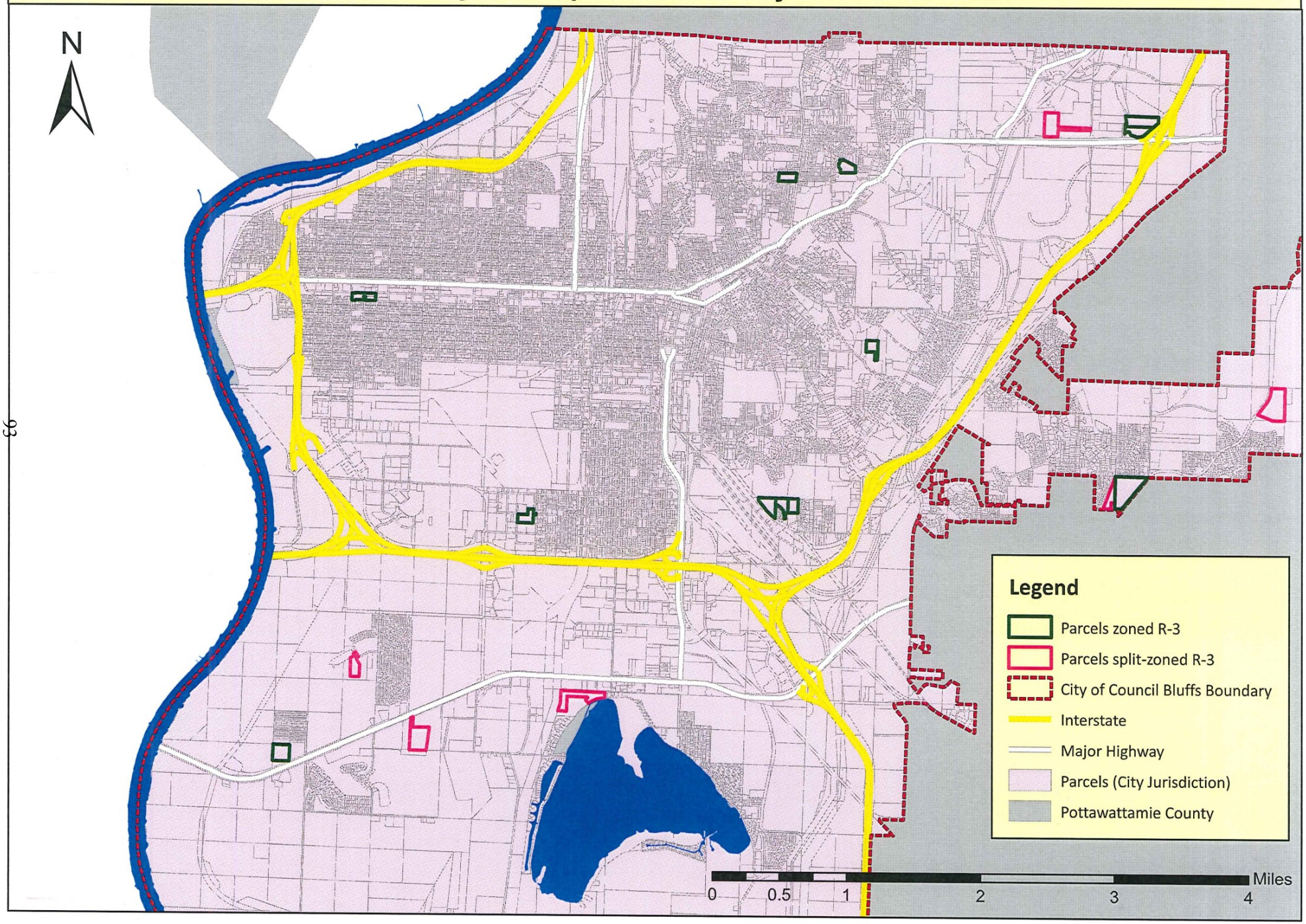


EXHIBIT "E"

Council Communication

Department: Health Department Case/Project No.: N/A	Ordinance No.: Resolution No.: 13-236	City Council: September 9, 2013 First Reading: N/A Second Reading: N/A Third Reading: N/A Public Hearing: N/A

Subject/Title

Midlands Humane Society Project – Water Main Extension Agreement

Location

Running from Indian Hills Road to Railroad Avenue

Background/Discussion

Background

The City owns approximately 28.88 acres of property along College Road and Railroad Avenue. The Midlands Humane Society and the City has been working diligently over the past several years to develop and construct a new humane society and associated dog park on approximately 7 acres of said property.

Discussion

Since there is no water at this location, a water main extension must be brought in from the top of Indian Hills Road. This will service the Midlands Humane Society and any other future City developments at that location. At the September 9th City Council meeting, a public hearing will be held to approve the plans, specifications and form of contract for the water main extension portion of the project At this same meeting, we are also asking for approval of the Water Works agreement detailed below.

A water main extension agreement has been prepared by the Water Works that details the roles and responsibilities of each participant. The Water Works estimates the cost for improvements will be $476,484.00; 1/3 of the cost will be incurred by the City, 1/3 by Midlands Humane Society and 1/3 by the Council Bluffs Water Works. The cost to the City will be funded through existing fund balances. This includes the installation of approximately 1,750 linear feet of eight inch ductile iron pipe and 810 linear feet of twelve inch ductile iron and all necessary fire hydrants and other appurtenances.

Staff Recommendation

The Council Bluffs Health Department recommends that City Council adopt the resolution authorizing the Mayor to execute an agreement with the Council Bluffs Water Works for a water main extension in conjunction with the Midlands Humane Society Project.

EXHIBIT "F"

City of Council Bluffs

Proj 00503 Midlands Humane Society and Water Main Extension

$'s

Expense		
Payments to CB Water Works for Water Main	158,250	
Payments to Midlands Humane Society for Construction	1,500,000	see detail
Payments to HGM Associates	26,977	
Total Expense	**1,685,227**	

Funding sources: General Obligation Bond, Gaming and General Fund

EXHIBIT "I"

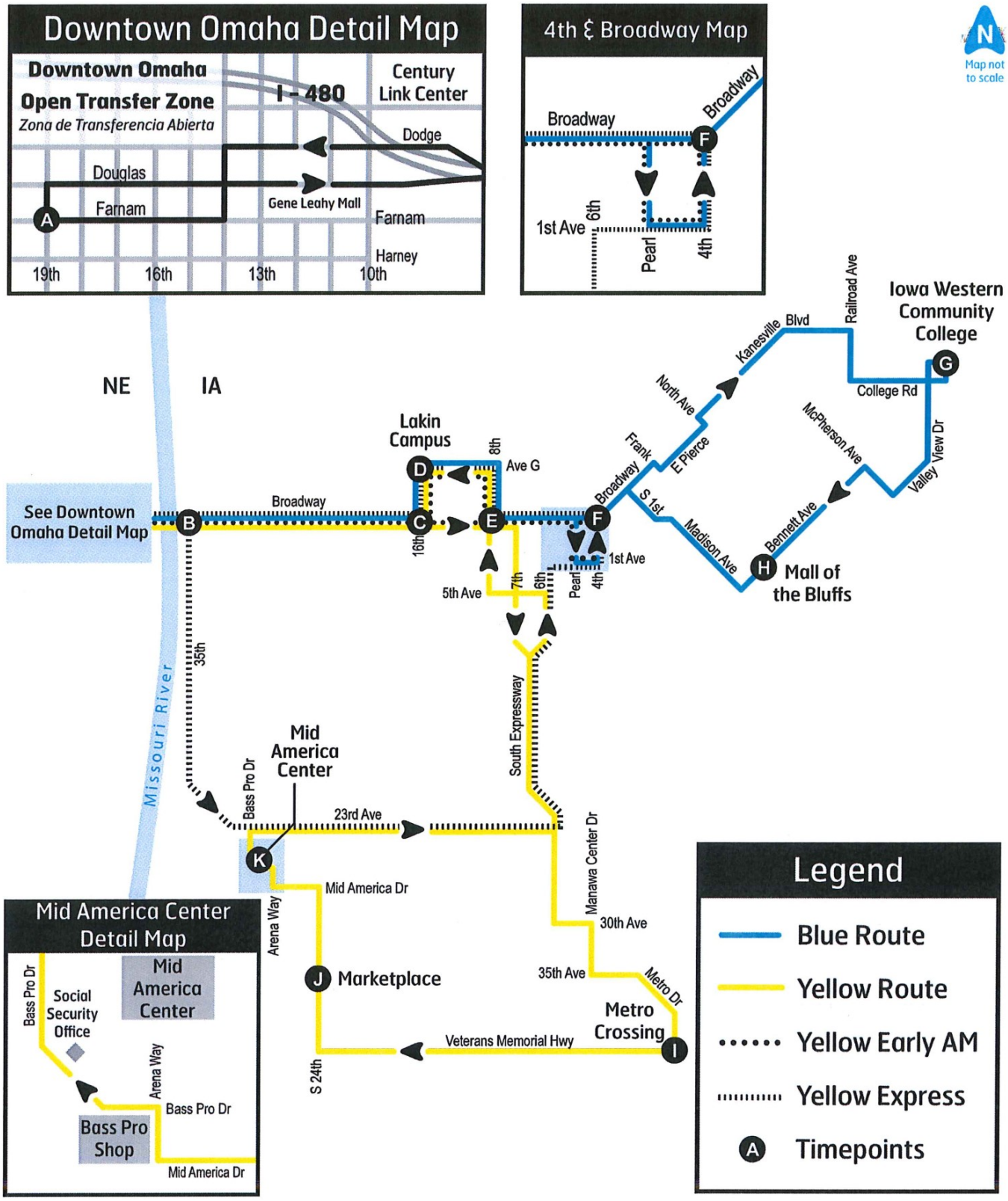

Downtown Omaha Detail Map
Downtown Omaha
Open Transfer Zone
Zona de Transferencia Abierta
I - 480
Century Link Center
Dodge
Douglas
Farnam
Gene Leahy Mall
Farnam
Harney
19th
16th
13th
10th
4th & Broadway Map
Broadway
Broadway
1st Ave
6th
Pearl
4th
Map not to scale
NE
IA
Missouri River
See Downtown Omaha Detail Map
Lakin Campus
8th
Ave G
Broadway
16th
5th Ave
7th
6th
Pearl
4th
1st Ave
Frank
Broadway
E Pierce
North Ave
Kanesville Blvd
Railroad Ave
Iowa Western Community College
College Rd
McPherson Ave
View Dr
Valley
S 1st
Madison Ave
Bennett Ave
Mall of the Bluffs
35th
South Expressway
Mid America Center
Bass Pro Dr
23rd Ave
Mid America Dr
Arena Way
Manawa Center Dr
30th Ave
35th Ave
Metro Dr
Metro Crossing
Marketplace
Veterans Memorial Hwy
S 24th
Mid America Center Detail Map
Bass Pro Dr
Social Security Office
Mid America Center
Arena Way
Bass Pro Dr
Bass Pro Shop
Mid America Dr
Legend
Blue Route
Yellow Route
Yellow Early AM
Yellow Express
Timepoints

EXHIBIT "J"

Project Construction payments to Midlands Humane Society
Other Capital Improvements - $1,500,000.00

Vendor	Descriptiion	CK Amt	Ck No	Ck Date
Midlands Humane Society	Reimb Anderson Construction/BVH	305,608.76	CK#6375	1/31/2014
Midlands Humane Society	Animal Shelter Construction	240,655.53	213820	7/8/2014
Midlands Humane Society	Animal Shelter Construction	295,047.05	213820	7/8/2014
Midlands Humane Society	Animal Shelter Construction	140,290.61	7136	9/15/2014
Midlands Humane Society	Animal Shelter Construction	231,774.54	7137	9/15/2014
Midlands Humane Society	Construction Pymt #6	286,623.51	7292	10/31/2014
		1,500,000.00		

EXHIBIT "K"

City of Council Bluffs

Payments to Midlands Humane Society FY15 to FY19 year-to-date
As of 11/14/2018

FY19 Payments to Midlands Humane Society as of 11/15/2018

Check #	Warrant	Amount
37,525	11/09/18	10,328.17
37,057	10/03/18	10,328.17
36,770	09/05/18	10,328.17
36,447	08/08/18	10,328.17
		41,312.68

FY18 Payments to Midland Humane Society

Inv No	Inv Date	Warrant	Ck #	Amt	
6111	05/31/2018	06/27/18	35981	6,455.10	
5824	04/30/2018	05/23/18	35559	6,455.10	
5467	03/31/2018	04/11/18	35072	6,455.10	
5055	02/28/2018	03/07/18	34691	6,455.10	
4783	01/31/2018	02/07/18	34408	6,455.10	
4499	12/31/2017	01/10/18	34107	6,455.10	
4130	11/30/2017	12/06/17	33740	6,455.10	
3895	10/31/2017	11/08/17	33436	6,455.10	
3679	09/30/2017	10/11/17	33054	6,455.10	
3613	09/21/2017	09/26/17	32893	891.00	Garage Door Repair
3428	08/31/2017	09/05/17	32655	6,455.10	
3144	07/31/2017	08/08/17	32346	6,455.10	
2858	06/30/2017	07/11/17	31962	6,455.10	
				78,352.20	

FY17 Payments to Midland Humane Society

Inv No	Inv Date	Warrant	Ck #	Amt
2613	05/31/2017	06/27/17	31807	6,455.10
2343	04/30/2017	06/27/17	31807	6,455.10
2059	03/31/2017	04/11/17	30932	6,455.10
1851	02/28/2017	04/11/17	30932	6,455.10
021017	02/10/2017	02/21/17	30457	750.00
1747	01/31/2017	04/11/17	30932	6,455.10
1660	12/31/2016	01/24/17	30196	6,455.10
1597	11/30/2016	12/06/16	29741	6,455.10
1543	10/31/2016	11/01/16	29390	6,455.10
1498	09/30/2016	10/18/16	29250	6,455.10
83116	08/31/2016	09/20/16	28958	6,455.10
73116	07/31/2016	08/09/16	28505	6,455.10
63016	07/18/2016	07/26/16	28352	6,455.10
				78,211.20

FY16 Payments to Midland Humane Society

Inv No	Inv Date	Warrant	Ck #	Amt
53116	05/31/2016	06/14/16	27901	6,455.10
43016	04/30/2016	05/17/16	27584	6,455.10
33116	04/05/2016	04/05/16	27142	6,455.10
22916	02/29/2016	03/08/16	26865	6,455.10
13116	01/31/2016	02/16/16	26706	6,455.10
123115	12/31/2015	02/16/16	26706	6,455.10
NOV-2015	11/30/2015	12/29/15	26304	6,455.10
OCT-2015	10/31/2015	12/29/15	26304	6,455.10
093015	09/30/2015	11/10/15	25911	6,455.10
AUGUST-2015	08/31/2015	12/29/15	26304	6,455.10
073115	07/31/2015	08/25/15	25204	6,455.10
				71,006.10

FY15 Payments to Midland Humane Society

Inv No	Inv Date	Warrant	Ck #	Amt	
053115	05/31/2015	06/23/15	268	6,455.10	
043015	04/30/2015	06/23/15	268	6,455.10	
033115	03/31/2015	05/26/15	220055	6,455.10	
022815	02/28/2015	03/03/15	218434	6,455.10	
100	01/31/2015	02/03/15	217949	6,455.10	
c5f412783b	10/31/2014	8142	7292	286,623.51	included on construction payments schedule
BVH#12078-5	07/31/2014	8071	7137	231,774.54	included on construction payments schedule
				550,673.55	

EXHIBIT "L"

Apt. Name	Address	# of units	Mkt units	LIHTC units	Assessed Value	Taxes Paid	Taxes per unit			Mill rate
Prime Square Apartments	822 South Main Street	80	24	56	$ 3,322,000	$ 117,678	$ 1,471	highest		45.35326
			30%							
Beacon Place Apartments	2400 South 19th Street	40	0	40	$ 1,301,000	$ 50,656	$ 1,266			45.35326
Thornbury Way	1951 Nash Blvd.	30	0	30	$ 636,900	$ 28,100	$ 937		Mid Average	45.35326
									$ 1,030.73	
Salisbury Court	1835 Nash Blvd.	18	0	18	$ 404,500	$ 16,004	$ 889			45.35326
Sherwood Place Apartments	2331 Sherwood Drive	32	0	32	$ 849,800	$ 21,014	$ 657	lowest		45.35326
OVERALL AVERAGES FOR FIVE DEVELOPMENTS ABOVE		40	4.8	35.2	$ 1,302,840	$ 46,690	$ 1,043.97			
Valley Ridge Apartments (Zimmerman Proposal)		60	10	50		$ 61,844	$ 1,030.73			

Return to: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503 - Phone: (712) 890-5261
Prepared by: Community Development Dept., Council Bluffs, IA 51503 – Phone: (712) 890-5350

RESOLUTION NO. 20-246

A RESOLUTION TO DISPOSE OF CITY PROPERTY LEGALLY DESCRIBED LOT 2, ARBOR CREEK SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

WHEREAS, the City has previously expressed its intent to dispose of City owned property legally described as Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, a public hearing has been held in this matter on October 12, 2020 at 7:00 p.m.

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

That the Mayor and City Clerk be and are hereby authorized, empowered and directed to execute a quit claim deed conveying the City's interest in the above-described property as follows:

Midlands Humane Society, and all successors in interest: legally described as Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That the purchase price be $188,745.00, with the remaining balance beyond the submitted $18,874.50 down payment due at closing. Closing and the property closing must occur within 60 days of the date of approval.

BE IT FURTHER RESOLVED

The applicant shall sign an agreement to combine the subject properties under one parcel number, and to not sell the subject properties separately without prior City approval; and

BE IT FURTHER RESOLVED

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder.

ADOPTED
AND
APPROVED: October 12, 2020.

_____
Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk

Council Communication

Department: Community Development CASE # OTB-20-015 Applicant: Neal Drickey 2023 S 181 Circle Omaha, NE 68130	Resolution of Intent No. _____ Resolution to Dispose No. _____	Public Hearing: 10-12-2020

Subject/Title

Resolution to dispose of City property legally described as Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa to Neal Drickey. The property is generally located at the Northwest corner of College Road and Railroad Avenue.

Background/Discussion

In July, City Council directed Community Development staff to release a Request for Proposals (RFP) for the property generally located at the corner of College Road and Railroad Highway as an alternative plan to the offer to buy submitted by the Midlands Humane Society (MHS) (OTB-20-010).

The City received one response to the RFP published. Neal Drickey and his development team submitted a proposal for two alternatives with 34 and 36 housing units respectively. Both options are projected to increase the taxable value to over $7 million. Each option will have a combination of attached single family row houses and single family units with the row houses marketed to households at or below 80% of the median family income. Estimated sales prices range from $160,000 for the row houses to $245,000 for the detached single family units. The total project cost is approximately $7.4 to $7.6 million.

Drickey is requesting the City create an Urban Renewal Plan and Area and a tax increment financing (TIF) district for the parcel. The request for TIF is 50% of the eligible tax for ten (10) years. This totals approximately $1.6 million, which would pay for the cost of infrastructure. A change of zone to R-2 and a Planned Residential Overlay would also be required.

As stated in the MHS offer, the property is classified as “transitional preserve” and “buildable”. The Information Technology Department indicated that there is City Fiber infrastructure underneath the trail that runs along Railroad Avenue. The Public Works Department confirmed that over $2 million in infrastructure improvements and site work on and around the subject property has been completed with the goal of promoting future development and generating property tax. The Community Development Department acknowledges that the site’s proximity to two public streets, access to infrastructure (e.g. water, sewer, gas, electricity), location on an existing bus route, location within walking distance from a school, walking distance to commercial uses, and being adjacent to a bike path makes it well suited for a variety of residential development types.

Recommendation

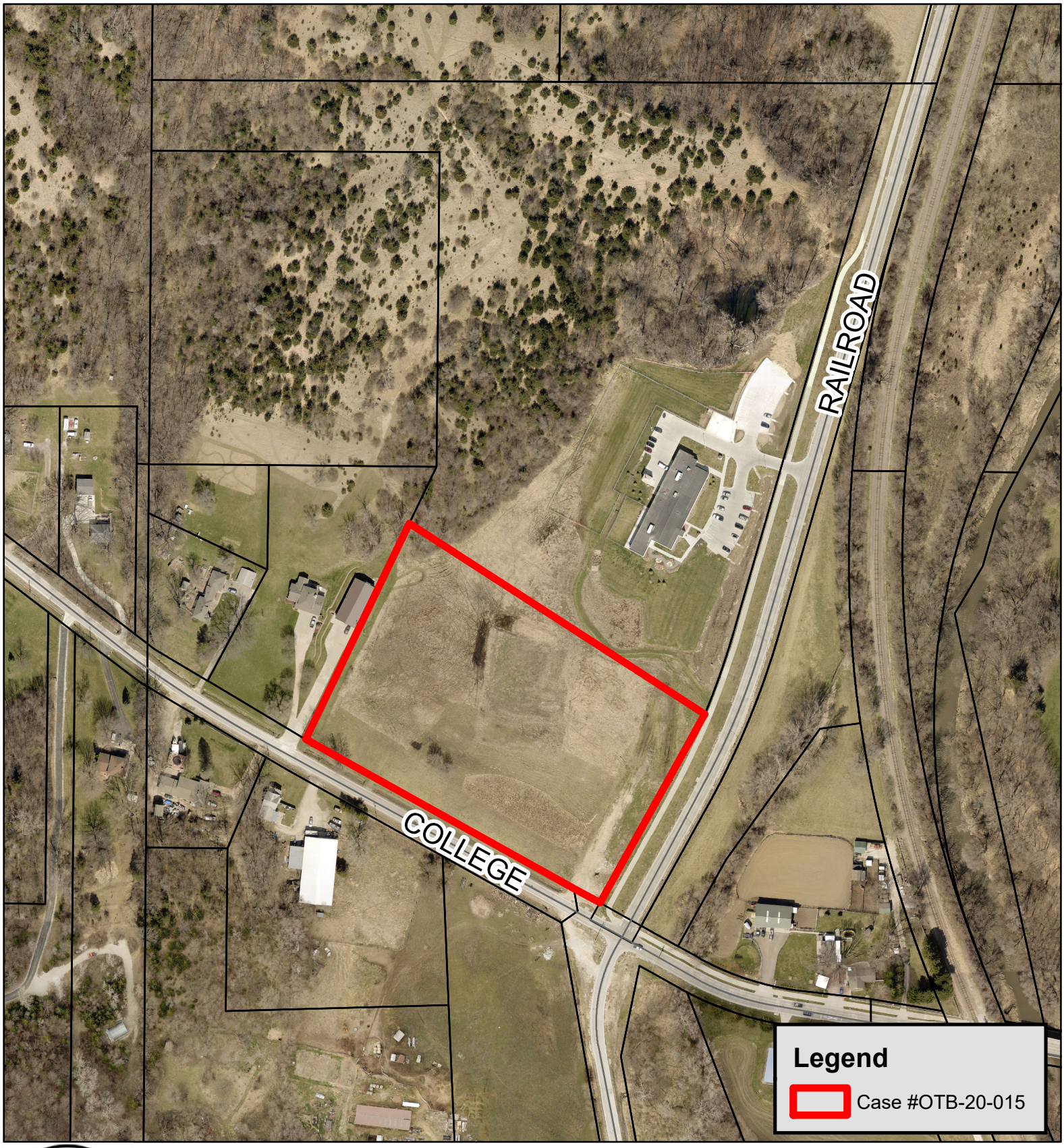
The Community Development Department recommends the disposal of the property legally Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa to Neal Drickey for the purchase price of $200,000.

Attachment A: Location map
Attachment B: Drickey Development Proposal

Prepared By: Courtney Harter, Housing & Economic Development Manager

Attachment A

CASE #OTB-20-015



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RESPONSE TO PROPOSAL
City of Council Bluffs

Redevelopment Project
College Rd & Railroad Ave.

Presented by

Neal Drickey

Created 09/17/2020

Attachment B

Attachment E
Proposal Cover Page

Project Information

Project Name College and Railroad

Organization Information

Name of Developer Neal Drickey

Mailing Address 2023 S 181 Circle Omaha Ne 68130

Contact Person Neal Drickey

Telephone 402-598-7270 Fax _____

Email Address ndrickey@yahoo.com

Employer Identification Number Entity will be formed if awarded this project MBE/WBE Owned? NO

DUNS Number_____

Partners

Type	Name and Address	Contact Person
Project Development		
Architectural Firm		
Engineering Firm	E&A	Mark Westergard
Lender	Prelimemary approval by Premier Bank	Josh Berry
Other (specify)		
Other (specify)		

Project Plan / Summary

- Options of development ideas to meet the demands of the city and community needs.
  - Option A – 34 Total units (12 Row House, 19 Ranch Home mix of 2 and 3 car garage, 3-2 Story Home).
  - Option B – 36 Total units (12 Row House, 16 Ranch Home mix of 2 and 3 car garage, 8-2 Story Home).
- Options of finishes for units to meet all levels of homeownership.

REAR ELEVATION
SCALE:1/4" = 1'-0"

FRONT ELEVATION
SCALE:1/4" = 1'-0"

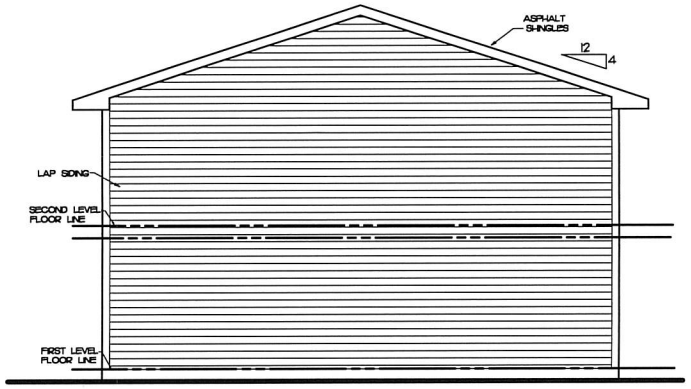
DUNTON DRAFTING
407-297-6968
REVISED PLANS

DESIGNER IS NOT AN ARCHITECT OR ENGINEER. SITE COTTAGES MAY NOT PROVIDE A CANOPY WHICH MAY BE REQUIRED BY YOUR CONSTRUCTION TOUR SPECIFIC SITE. CONSULT YOUR CONSTRUCTION PROFESSIONAL FOR ADDITIONAL REQUIREMENTS OF THESE PLANS FOR YOUR SPECIFIC SITE.

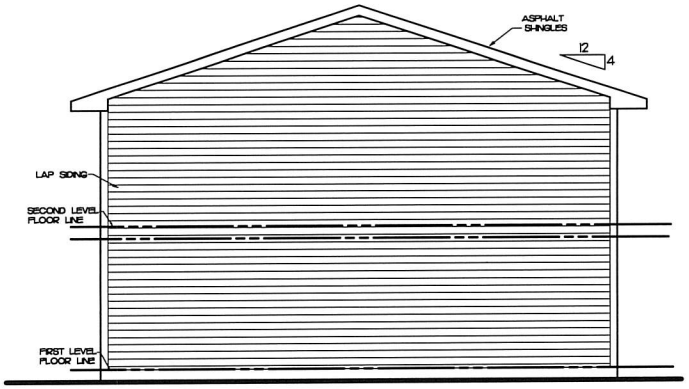
JPR ENTERPRISES

TDK & ASSOCIATES
Residential Design Services
407-297-6968

OF



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"

CLIENTON Overhiser
402-597-6966

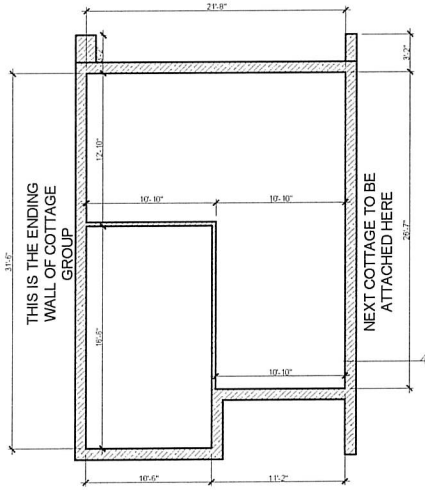
DESIGNER IS NOT AN ARCHITECT OR ENGINEER. SITE CONDITIONS MAY VARY. PROPER CARE MUST BE EXERCISED IN THE USE OF THESE PLANS. YOUR PERSONAL BUILDER & / OR CONSTRUCTION MANAGER SHOULD REVIEW & ADJUST THE DETAILS OF THESE PLANS FOR YOUR SPECIFIC SITE.

JPR ENTERPRISES

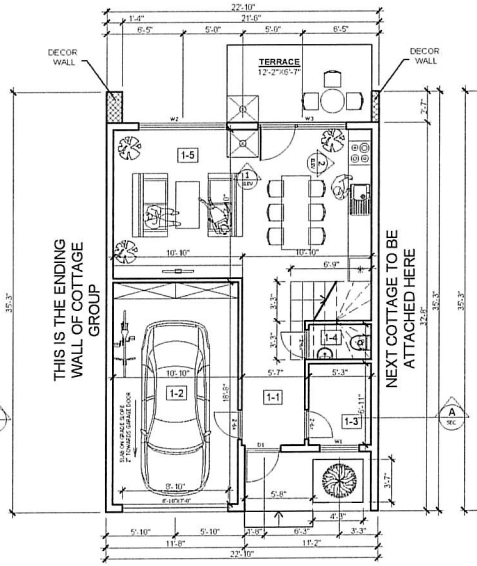
TDPK & Associates
Residential Design Services
402-597-6966

OF

Row House

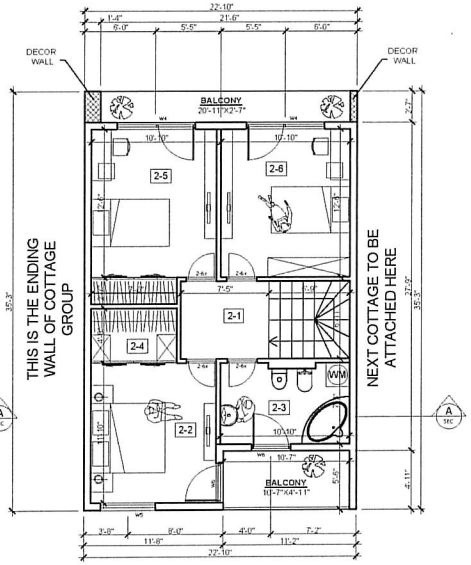


FOUNDATION PLAN
SCALE 1/4" = 1'-0"



MAIN LEVEL :		
NO.	NAME	SQ.F.
1-1	HALL	69
1-2	GARAGE	196
1-3	WARDROBE	36
1-4	BATH	15
1-5	GREAT ROOM / KITCHEN / DINING	273
	TOTAL	589

ENTRY LEVEL FLOOR PLAN
SCALE 1/4" = 1'-0"

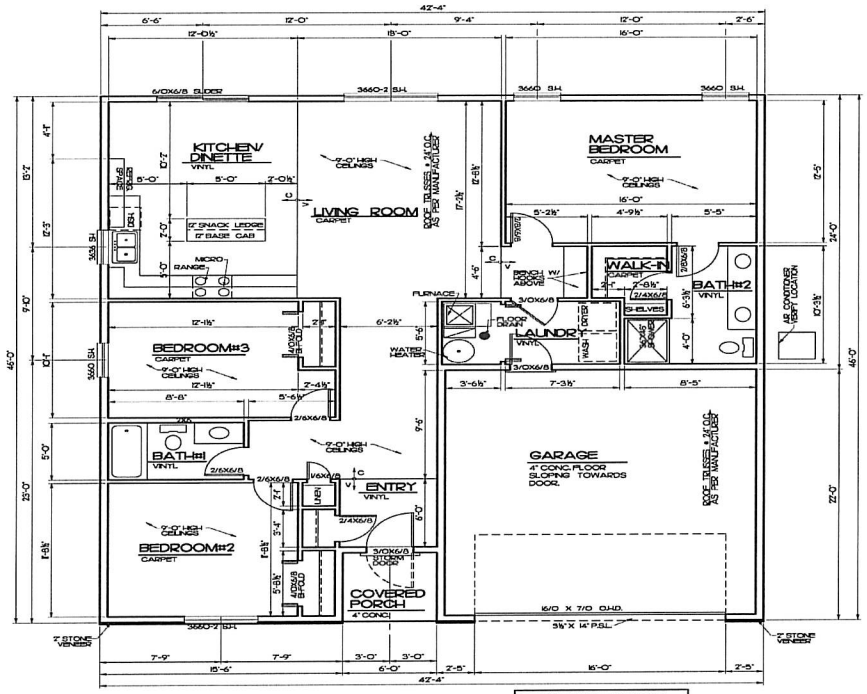


UPPER LEVEL :		
NO.	NAME	SQ.F.
2-1	HALL	48
2-2	MASTER BEDROOM	123
2-3	BATH	74
2-4	WARDROBE	34
2-5	BEDROOM	146
2-6	BEDROOM	134
	TOTAL	559

UPPER LEVEL FLOOR PLAN
SCALE 1/4" = 1'-0"

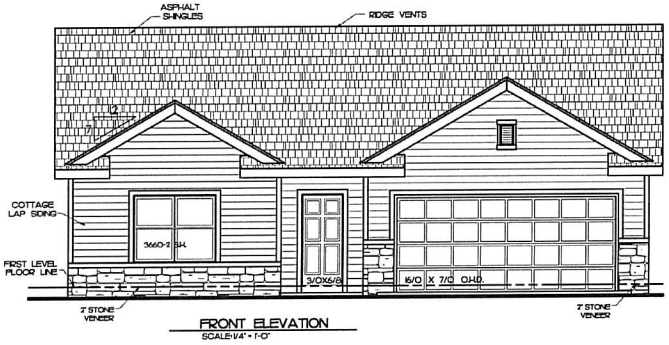
Layla 2/3 Car Garage

FRONT ELEVATION
SCALE: 1/4" = 1'-0"

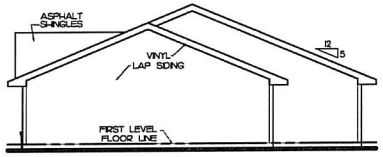


FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

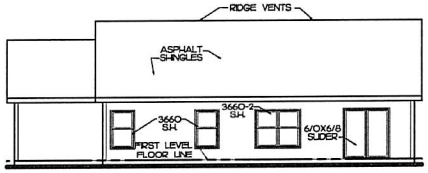
FIRST FLOOR - 1462 SQ.FT.
GARAGE - 450 SQ.FT.



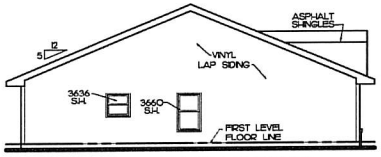
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"

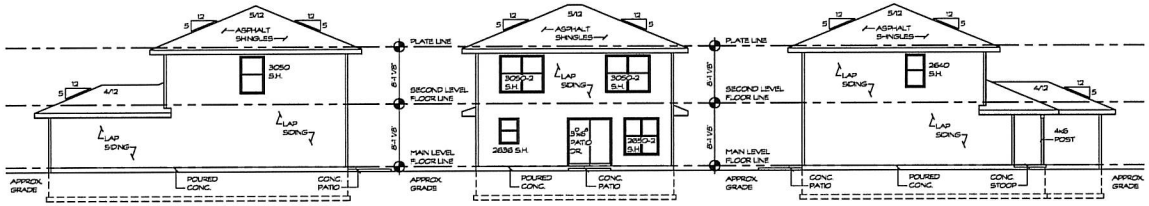


REAR ELEVATION
SCALE: 1/8" = 1'-0"



LEFT SIDE ELEVATION
SCALE: 1/8" = 1'-0"

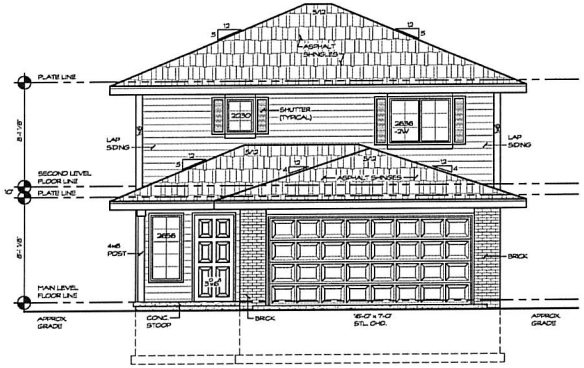
Stern 2 Story



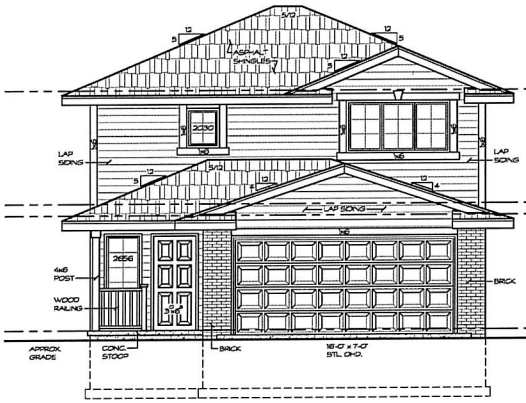
1 RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"

2 REAR ELEVATION
SCALE: 1/8" = 1'-0"

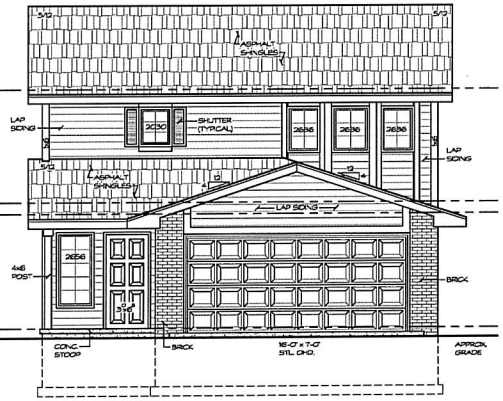
3 LEFT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



2 "OPTION A" FRONT ELEVATION
SCALE: 1/4" = 1'-0"



4 "OPTION B" FRONT ELEVATION
SCALE: 1/4" = 1'-0"



5 "OPTION C" FRONT ELEVATION
SCALE: 1/4" = 1'-0"

Developer Resume

- Completed Projects –
  - Gethsemane Gardens Development in Lake Manawa.
    - 25 Homes built in last 2 years and brought to certificate of occupancy without partnership or borrowed money.
    - Development increased taxable value of property over $5,000,000
  - Indian Hills Storage Redevelopment
    - Purchased and redeveloped former nursing home into a 65,000sqft climate controlled indoor storage complex. Creating jobs, increasing taxable value of property over 300% and meeting community needs for more storage options.
- Current Projects –
  - Golden Hills Phase 2 in Crescent Iowa
    - Bringing 29 new homes to Crescent increasing taxable value over $9,000,000 while utilizing similar TIF agreement.

Neal Drickey

- 25 Years Excavation, Site Prep, Heavy Equipment Operation
- 25 Years Utilities Installation
- 20 Years Pipeline Work
  Projects Completed Around U.S.
  Iowa, Nebraska, Kansas, Minnesota, Wisconsin, Missouri, Oklahoma, Texas

JPR Enterprises / Joe Raymond

- 25 Years Custom Home Builder, Up To 2.5 Million
- Extensive Home Remodeling Throughout the Metro
- Commercial Buildouts
  River Front Tower, Rustic Cuts, Indian Hills Storage
- Primary Residential of most of Gethsemane Gardens

Clint Brunow, Realtor - Heartland Properties

- 24 Years' Experience in Listing/Selling Hundreds of Homes
- Involvement from Inception to Completion of Gethsemane Gardens House Construction

Lamson Dugan & Murray LLP

- Legal Council

E & A Consulting Group

- Mark Westergard, Engineer

Gethsemane Gardens Development

Indian Hills Storage

Project Timeline

- Engineering and Planning Fall 2020
- Lot Development – Winter/Spring 2021
- Phase 1 Home Build – Spring/ Summer 2021
- Phase 1 Home Sales – Winter 2022
- Phase 2 Home Build – Winter/ Spring 2022
- Phase 2 Home Sales – Fall 2020 / Winter 2023
- Phase 3 Home Build – Winter / Spring 2023
- Phase 3 Completion – Fall 2023/ Winter 2024

PREMIERBANK

EXPECT MORE

September 14, 2020

To Whom It May Concern:

My name is Josh Berry and I am a Vice President of Premier Bank in Omaha, Nebraska. I have been Neal's banker for more than five years. It is my experience that Neal has the financial wherewithal and knowledge necessary to complete the College Road and Railroad Avenue project. Over the years, Neal and I have worked together of several projects that were successfully completed.

With questions, please contact me directly at the phone number or email address listed below.

Vice President

Josh Berry

Vice President

Commercial Lending

16802 Burke Street

Omaha, NE 68118

Phone: 402.715.4692

Cell: 402.917.0111

jberry@premierbankne.com

16802 Burke Street | Omaha, NE 68118 | 402-558-8000 | fax 402 715 4695 | www.premierbankne.com

Member FDIC

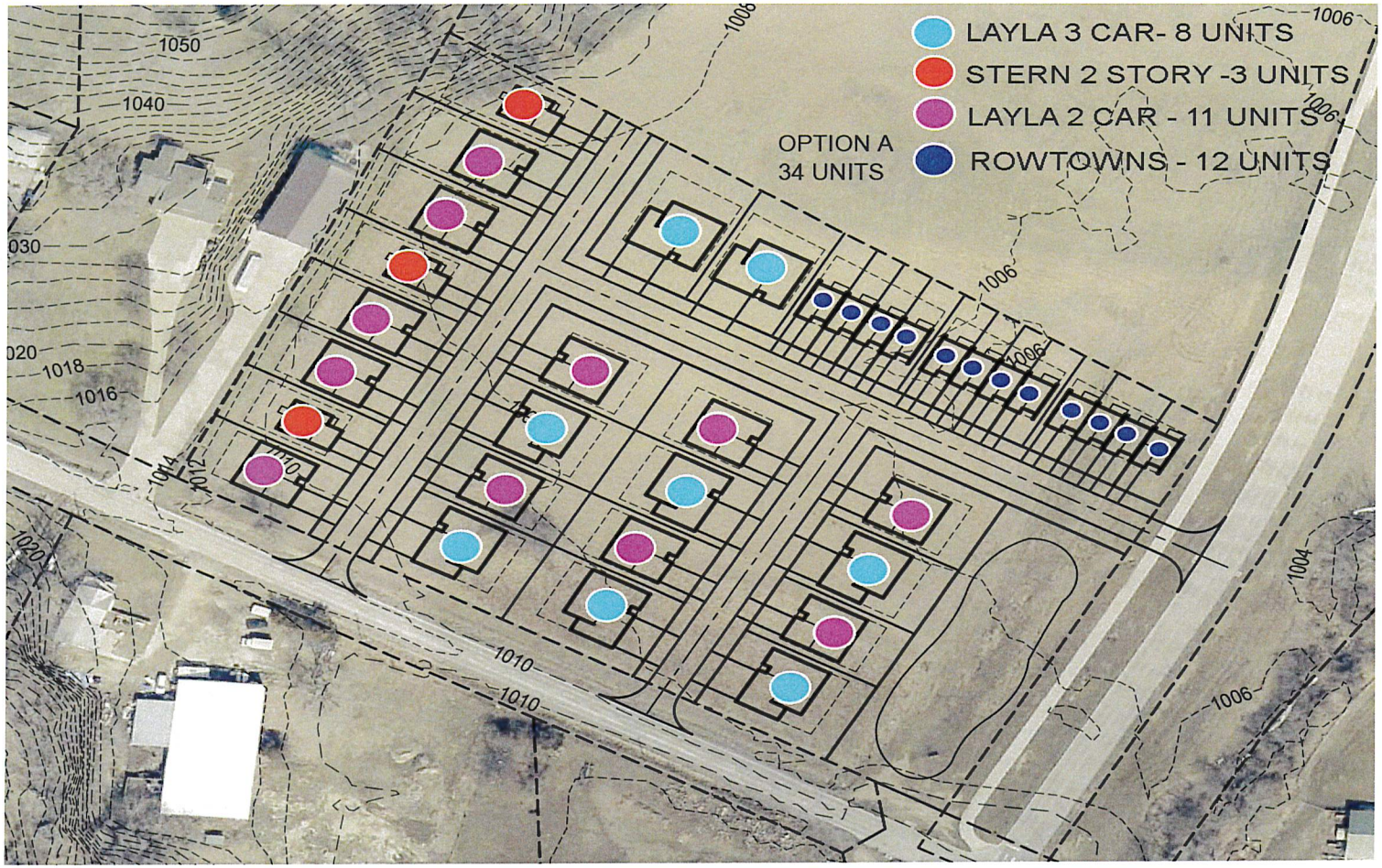
Requested City Based Incentives

- TIF
  - Developer will receive tax incremental financing assistance from the City of Council Bluffs for this project. City will pay developer 50% the projects annual tax revenue increase for a period of 10 years. The payments will begin the year following project completion (See TIF Worksheet for estimated annual payments)

- Developer will fund project privately and will pay $200,000 to city for purchase of the current property.

- Down payment assistance through Neighbor Works Home Solutions for Row Houses.

Option A


LAYLA 3 CAR- 8 UNITS
STERN 2 STORY -3 UNITS
LAYLA 2 CAR - 11 UNITS
ROWTOWNS - 12 UNITS
OPTION A
34 UNITS
1050
1040
1030
1020
1018
1016
1014
1012
1010
1006
1004

Option A – Pro Forma without TIF

Pro Forma Option A						
Item	# of Units		Total		Per Unit	% of total
			Lot Development			
Sanitary Sewer		$	175,400	$	5,159	17%
Paving Interior		$	233,467	$	6,867	22%
Water Distribution		$	137,650	$	4,049	13%
Underground electrical		$	66,400	$	1,953	6%
Storm Sewer		$	51,150	$	1,504	5%
Grading		$	103,900	$	3,056	10%
Land Purchase		$	200,000	$	5,882	19%
Fees		$	72,500	$	2,132	7%
Total		**$**	**1,040,467**	**$**	**30,602**	
			Home			
Layla 2 Car	8	$	1,536,000	$	192,000	25%
Layla 3 Car	11	$	2,200,000	$	200,000	36%
Stern 2 Story	3	$	573,075	$	191,025	9%
Row House	12	$	1,802,220	$	150,185	29%
Total	**34**	**$**	**6,111,295**			
			Home Sales			
Layla 2 Car	8	$	1,960,000	$	245,000	26%
Layla 3 Car	11	$	2,915,000	$	265,000	39%
Stern 2 Story	3	$	630,000	$	210,000	8%
Row House	12	$	1,919,988	$	159,999	26%
Total	**34**	**$**	**7,424,988**			
			Soft Cost			
Project Develop / Overhead		$	715,176	$	21,035	10%
Financing Expense		$	457,603	$	13,459	6%
Sales Expense		$	556,874	$	16,379	7.5%
Total		**$**	**1,729,653**	**$**	**50,872**	
Project Loss		**$**	**(1,456,427)**	**$**	**(42,836)**	

Option A – Lot Development Est

E & A CONSULTING GROUP
10909 MILL VALLEY ROAD, OMAHA, NE 68154

PHONE: (402) 895-4700
FAX: (402) 895-3599

SUMMARY OF ESTIMATED CONSTRUCTION COSTS

PROJECT :	COLLEGE RD & RAILROAD AVE,	ZONING:	RESIDENTIAL
DEVELOPER:	NEAL DRICKEY	JURISDICTION:	COUNCIL BLUFFS, IA
JOB NO.	2020.240.001	LOTS	34
ESTIMATED BY:	WESTERGARD	DATE:	September 9, 2020

COLLEGE RD. & RAILROAD AVE. - OPTION "A"

ITEM	CONSTRCT.		PER LOT			
SANITARY SEWER	175,400		$5,159			
PAVING INTERIOR	233,467		$6,867			
WATER DISTRIBUTION	137,650		$4,049			
UNDERGROUND ELECTRICAL	66,400		$1,953			
STORM SEWER	51,150		$1,504			
GRADING & EROSION CONTROL	103,900		$3,056			
LAND ACQUISITION	180,000		$5,294			
FEES	72,500		$2,132			
TOTALS	**$1,020,467**		**$30,014**			

Notes:

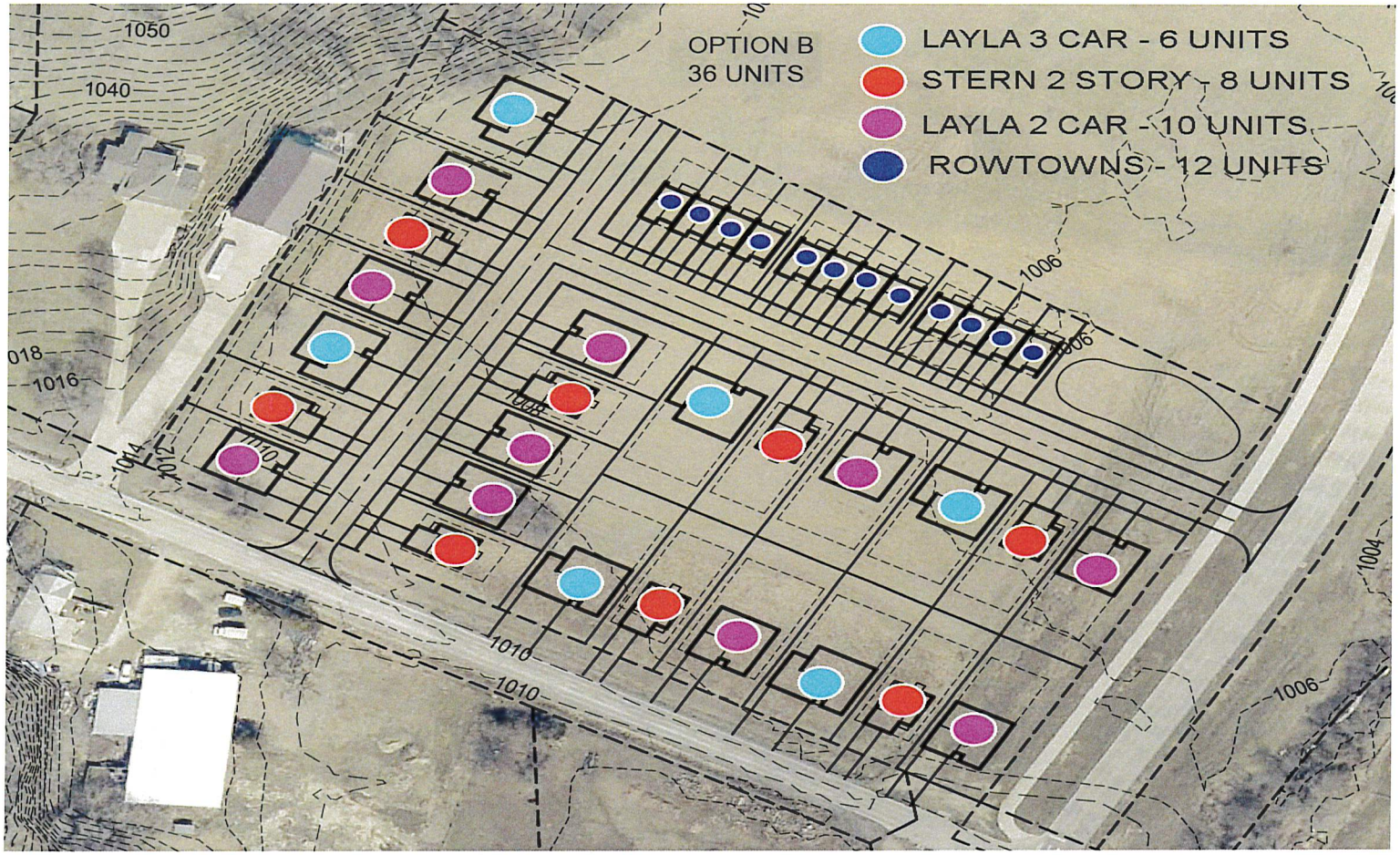
Assumed no sewer, capital facility, park fees would be due on development.
Assumed existing detention basin was sized for both Phase I and Phase II. Phase II flows do go to existing basin via existing storm sewer.
No costs were included for gas or cable TV/internet.
Assumed dirt available on site is sufficient to raise entire site above flood plain elevation. No haul in dirt is in estimate.
Connection to the existing sanitary sewer is on College Road just west of Railroad Avenue
Connection to the existing storm sewer is on Railroad Avenue at the approximate location of the proposed street

Option A TIF Worksheet

Developers' Estimate Worksheet

1)	Date Of preparation	9/15/2020			
2)	Assessed Taxable Valuation of Property per agreement	$ 200,000.00			
3)	Base Taxable Valuation of Property estimated at trigger	$ 7,365,000.00		Number of lots	34
4)	Incremental Taxable Valuation of Property (2 minus 3)	$ 7,165,000.00		Estimated Assessed Value	216,600.00
5)	Current City fiscal year consolidated property tax levy rate for purposed of calculating Incremental Property Tax Revenues (the "Adjusted Levy Rate)	45.10	Based on 2019 Levy. Future levy unknown	Year 2021 Roll Back	55.07%
6)	The TIF value (4) factored by the Adjusted Levy Rate (5)	$ 332,161.50			
7)	TIF Estimate (6) x 50%= Developers Estimate	$ 166,080.75	(per year TIF payment after fully sold)		

Option B


OPTION B
36 UNITS
LAYLA 3 CAR - 6 UNITS
STERN 2 STORY - 8 UNITS
LAYLA 2 CAR - 10 UNITS
ROWTOWNS - 12 UNITS
1050
1040
1018
1016
1014
1012
1010
1008
1006
1004

Option B – Pro Forma without TIF

Item	# of Units	Pro Forma Option B Total	Per Unit	% of total
		Lot Development		
Sanitary Sewer		$ 159,950	$ 4,443	17%
Paving Interior		$ 181,417	$ 5,039	19%
Water Distribution		$ 122,950	$ 3,415	13%
Underground electrical		$ 69,400	$ 1,928	7%
Storm Sewer		$ 36,750	$ 1,021	4%
Grading		$ 103,900	$ 2,886	11%
Land Purchase		$ 200,000	$ 5,555	21%
Fees		$ 72,500	$ 2,014	8%
Total		**$ 946,867**	**$ 26,301**	
		Home		
Layla 2 Car	10	$ 1,920,000	$ 192,000	30%
Layla 3 Car	6	$ 1,200,000	$ 200,000	19%
Stern 2 Story	8	$ 1,528,200	$ 191,025	24%
Row House	12	$ 1,802,220	$ 150,185	28%
Total	**36**	**$ 6,450,420**		
		Home Sales		
Layla 2 Car	10	$ 2,450,000	$ 245,000	32%
Layla 3 Car	6	$ 1,590,000	$ 265,000	21%
Stern 2 Story	8	$ 1,680,000	$ 210,000	22%
Row House	12	$ 1,919,988	$ 159,999	25%
Total	**36**	**$ 7,639,988**		
		Soft Cost		
Project Develop / Overhead		$ 739,729	$ 20,548	10%
Financing Expense		$ 512,789	$ 14,244	7%
Sales Expense		$ 572,999	$ 15,917	7.5%
Total		**$ 1,825,517**	**$ 50,709**	
Project Loss		**$ (1,582,816)**	**$ (43,967)**	

Option B – Lot Development Est

E & A CONSULTING GROUP
10909 MILL VALLEY ROAD, OMAHA, NE 68154

PHONE: (402) 895-4700
FAX: (402) 895-3599

SUMMARY OF ESTIMATED CONSTRUCTION COSTS

PROJECT :	COLLEGE RD & RAILROAD AVE,	ZONING:	RESIDENTIAL
DEVELOPER:	NEAL DRICKEY	JURISDICTION:	COUNCIL BLUFFS, IA
JOB NO.	2020.240.001	LOTS	36
ESTIMATED BY:	WESTERGARD	DATE:	September 9, 2020

COLLEGE RD. & RAILROAD AVE. - OPTION "B"

ITEM	CONSTRCT.		PER LOT			
SANITARY SEWER	159,950		$4,443			
PAVING INTERIOR	181,417		$5,039			
WATER DISTRIBUTION	122,950		$3,415			
UNDERGROUND ELECTRICAL	69,400		$1,928			
STORM SEWER	36,750		$1,021			
GRADING & EROSION CONTROL	103,900		$2,886			
LAND ACQUISITION	180,000		$5,000			
FEES	72,500		$2,014			
TOTALS	**$926,867**		**$25,746**			

Notes:

Assumed no sewer, capital facility, park fees would be due on development.
Assumed existing detention basin was sized for both Phase I and Phase II. Phase II flows do go to existing basin via existing storm sewer.
No costs were included for gas or cable TV/internet.
Assumed dirt available on site is sufficient to raise entire site above flood plain elevation. No haul in dirt is in estimate.
Connection to the existing sanitary sewer is on College Road just west of Railroad Avenue
Connection to the existing storm sewer is on Railroad Avenue at the approximate location of the proposed street

Option B TIF Worksheet

Developers' Estimate Worksheet

1)	Date Of preparation	9/15/2020			
2)	Assessed Taxable Valuation of Property per agreement	$ 200,000.00			
3)	Base Taxable Valuation of Property estimated at trigger	$ 7,640,000.00		Number of lots	34
4)	Incremental Taxable Valuation of Property (2 minus 3)	$ 7,440,000.00		Estimated Assessed Value	216,600.00
5)	Current City fiscal year consolidated property tax levy rate for purposed of calculating Incremental Property Tax Revenues (the "Adjusted Levy Rate)	45.10	Based on 2019 Levy. Future levy unknown	Year 2021 Roll Back	55.07%
6)	The TIF value (4) factored by the Adjusted Levy Rate (5)	$ 344,564.00			
7)	TIF Estimate (6) x 50%= Developers Estimate	$ 172,282.00	(per year TIF payment after fully sold)		

Return to: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503 - Phone: (712) 890-5261
Prepared by: Community Development Dept., Council Bluffs, IA 51503 – Phone: (712) 890-5350

RESOLUTION NO. 20-247

A RESOLUTION TO DISPOSE OF CITY PROPERTY LEGALLY DESCRIBED LOT 2, ARBOR CREEK SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

WHEREAS, the City has previously expressed its intent to dispose of City owned property legally described as Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, a public hearing has been held in this matter on October 12, 2020 at 7:00 p.m.

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

That the Mayor and City Clerk be and are hereby authorized, empowered and directed to execute a quit claim deed conveying the City's interest in the above-described property as follows:

Neal Drickey, and all successors in interest: legally described as Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That the purchase price be $200,000.00. Closing and the property closing must occur within 120 days. The Buyer shall be required to enter a development agreement that will be approved by City Council.

BE IT FURTHER RESOLVED

The applicant shall sign an agreement to combine the subject properties under one parcel number, and to not sell the subject properties separately without prior City approval; and

BE IT FURTHER RESOLVED

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder.

ADOPTED
AND
APPROVED: October 12, 2020.

_____
Matthew J. Walsh Mayor

ATTEST: _____
Jodi Quakenbush City Clerk

Council Communication

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

Resolution 20-254
ITEM 5.D.

Council Action: 10/26/2020

Description

Resolution directing the sale of $5,115,000 (Subject to Adjustment per Terms of Offering) General Obligation Bonds, Series 2020B.

Background/Discussion

On Monday October 26, 2020 at 10:00 o'clock A.M. the City of Council Bluffs will receive bids for the competitive sale of up to $5,115,000 (dollar amount subject to change) in General Obligation Bonds Series 2020B. The bids will be received and opened in the offices of the City's Municipal Advisor, PFM Financial Advisors, LLC and City Hall. PFM and the Director of Finance will tally and analyze the bids to determine the best offer in terms of purchase price, true interest rate and net interest cost. That information, along with all other bids will be forwarded to the City of Council Bluffs Finance Office. The Director of Finance will use that information to complete the resolution framework attached and recommend the sale of the Bonds to the lowest responsible bid. The Finance Office will then forward the necessary information to the City's Bond Counsel, who will prepare a resolution for consideration at the November 9, 2020 regular meeting of the City Council, finalizing and officially authorizing the sale of the bonds on the terms detailed in the lowest responsible bid.

Recommendation

The resolution be approved.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 20-254	Resolution	10/20/2020

RESOLUTION 20-254

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

$5,115,000 (Subject to Adjustment per Terms of Offering) General Obligation Bonds, Series 2020B

- Receipt of bids.
- Resolution directing sale.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

October 26, 2020

The Director of Finance of the City of Council Bluffs, State of Iowa, met at City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 10:00 A.M., on the above date, to open sealed bids received, access electronic bids and to refer the sale of the Bonds to the best and most favorable bidder for cash, subject to approval by the City Council at 7:00 P.M. on the above date.

The following persons were present:

_____

_____

_____

* * * * * * * *

This being the time and place for the opening of bids for the sale of $5,115,000 (Subject to Adjustment per Terms of Offering) General Obligation Bonds, Series 2020B, the meeting was opened for the receipt of bids for the Bonds. The following actions were taken:

1. Sealed bids were filed and listed in the minutes while unopened, as follows:

Name & Address of Bidders:

(Attach List of Bidders)

2. The Director of Finance then declared the time for filing of sealed bids to be closed and that the sealed bids be opened. The sealed bids were opened and announced.

3. Electronic bids received were accessed and announced as follows:

Name & Address of Bidders:

(Attach List of Bidders)

4. The best bid was determined to be as follows:

Name & Address of Bidder: _____

True Interest Rate (as-bid): _____%

Net Interest Cost (as-bid): $_____

In consultation with PFM Financial Advisors LLC, the City considered the adjustment of the aggregate principal amount of the Bonds and each scheduled maturity thereof in accordance with the Terms of Offering and the following actions were taken:

Final Par Amount as adjusted: $_____

Purchase Price as adjusted: $_____

All bids were then referred to the Council for action.

October 26, 2020

The City Council of the City of Council Bluffs, State of Iowa, met in _____ session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7:00 P.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

_____

Absent: _____

Vacant: _____

* * * * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION DIRECTING SALE OF $5,115,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION BONDS, SERIES 2020B," and moved its adoption. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

_____

NAYS: _____

Whereupon, the Mayor declared the following Resolution duly adopted:

Resolution 20-254

RESOLUTION DIRECTING SALE OF $5,115,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION BONDS, SERIES 2020B

WHEREAS, bids have been received for the Bonds described as follows and the best bid received (with permitted adjustments, if any) is determined to be the following:

$5,115,000 (SUBJECT TO ADJUSTMENT PER TERMS OF OFFERING) GENERAL OBLIGATION BONDS, SERIES 2020B

Bidder: _____ of _____

The terms of award:

Final Par Amount as adjusted: $_____

Purchase Price as adjusted: $ _____

True Interest Rate: _____%

Net Interest Cost: $_____

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

Section 1. That the bid for the Bonds as above set out is hereby determined to be the best and most favorable bid received and, the Bonds are hereby awarded as described above.

Section 2. That the statement of information for Bond bidders and the form of contract for the sale of the Bonds are hereby approved and the Mayor and Clerk are authorized to execute the same on behalf of the City.

Section 3. That the notice of the sale of the Bonds heretofore given and all acts of the Clerk done in furtherance of the sale of the Bonds are hereby ratified and approved.

PASSED AND APPROVED this 26th day of October, 2020.

_____
Mayor

ATTEST:

_____
City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

I, the undersigned City Clerk of the City of Council Bluffs, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2020.

_____
City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

01777442-1\10342-157

Council Communication

Department: Public Works Admin
Case/Project No.: BM21-04
Submitted by: Jeremy Noel, Public Works Operations Manager

Resolution 20-255
ITEM 5.E.

Council Action: 10/26/2020

Description

Resolution approving the plans and specifications for the Central Fire Station ADA Improvement Project. Project #BM21-04

Background/Discussion

The Community Development Department moved to City Hall in March of 2020. The Fire Department's Administrative Staff along with the Fire Marshall's Office moved into the former Community Development Department's space which is not ADA accessible.

This project will provide a corridor that begins at the front entrance of the Central Fire Station on the east side of the building. This hallway will pass through the building and open into the new Fire Administration offices thus eliminating the ADA accessibility issues.

The estimated cost of this project is $72,565. The project was included in the FY21 CIP with funding from the General Fund.

The project schedule is as follows:

Hold Public Hearing	October 26, 2020
Bid Letting	November 17, 2020
Award	December 14, 2020
Construction End	March 31, 2021

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 20-255	Resolution	10/20/2020

R E S O L U T I O N
NO 20-255

RESOLUTION APPROVING THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
CENTRAL FIRE STATION ADA IMPROVEMENT PROJECT
PROJECT #BM21-04

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the City Clerk of the City of Council Bluffs, Iowa, for the Central Fire Station ADA Improvement Project; and

WHEREAS, a Notice of Public Hearing was published as required by law, and a public hearing was held on October 26, 2020.

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

That the plans, specifications, form of contract, and cost estimate are hereby approved for the Central Fire Station ADA Improvement Project.

ADOPTED
AND
APPROVED October 26, 2020

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.: SUB-20-004
Submitted by: Moises Monrroy, Planner

Resolution 20-256
ITEM 5.F.

Council Action: 10/26/2020

Description

Resolution granting Final Plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4. Location: Lying north of property commonly known as 5003 Council Pointe Road. SUB-20-004

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Case #SUB-20-004 Staff Report	Other	10/16/2020
Attachment A - Location and Zoning Map	Map	10/16/2020
Attachment B - Application submittal	Other	10/16/2020
Attachment C - Letter of Intent	Letter	10/16/2020
Attachment D - Revised Final Plat layout	Other	10/16/2020
Attachment E - Rezoning exhibits	Other	10/16/2020
Resolution 20-256	Resolution	10/20/2020

City Council Communication (Reconsideration)

Department: Community Development CASES # SUB-20-004 and ZC-20-005 Applicants: Western Iowa Land Development, LLC c/o Bob McCarthy and John Jerkovich PO Box 683 Avoca, IA 51521 Authier Properties, LLC c/o Jerry Authier 1808 Skyline Drive Elkhorn, NE 68022 Grant and Cheryl Wakefield 3511 California Street Omaha, NE 68131 Engineer/Surveyor: HGM Associates, Inc. David Forsythe 640 5th Avenue Council Bluffs, IA 51501	Resolution No. _____ Ordinance No. _____	CASE #ZC-20-005 1st Consideration: 10/12/2020 2nd Consideration: 10/26/2020 3rd Consideration: Request to be waived CASE #SUB-20-004 Public Hearing: 10/26/2020 Planning Commission: 6/9/2020

Subject/Title

Request: Combined public hearing on the requests of Authier Properties, LLC and Grant and Cheryl Wakefield for final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as a being a replat of a portion of Lot 117, Fox Run Landing as shown on Attachment 'D; **AND** to rezone said Fox Run Landing Replat 4, as well as property legally described as beginning at the northeast corner of Lot 103 in said Fox Run Landing; thence on the north line of said lot 103, North 64 degrees 28 minutes 04 seconds West, 125.00 feet to a point on the easterly right-of-way line of Council Pointe Road, said point also being on a non-tangent curve, concave westerly to which point a radial line bears South 64 degrees 28 minutes 04 seconds East, 435.00 feet; thence on said easterly right-of-way line and northerly on said curve through a central angle of 11 degrees 56 minutes 35 seconds, 90.67 feet; thence South 63 degrees 55 minutes 07 seconds East, 13.10 feet to the beginning of a curve, concave southwesterly having a radius of 45.00 feet; thence southeasterly on said curve through a central angle of 37 degrees 06 minutes 45 seconds, 29.15 feet; thence south 26 degrees 48 minutes 22, seconds East, 99.84 feet; thence south 12 degrees 24 minutes 25 seconds East, 24.75 feet to the point of beginning, all said property being located in the City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District. **Location**: Lying north of property commonly known as 5003 Council Pointe Road.

***This is a request by all owners of Fox Run Golf Course for City Council to reconsider CASES #ZC-20-005 and #SUB-20-004. In August 2020, City Council voted to take no action on these cases at the request of Mr. Grant Wakefield, who is co-owner of said golf course. The ownership group has resolved their business matters involving these two cases and is now seeking approval from City Council. The location of

the rezoning and subdivision are the same as previously shown; however the size of the lots has decreased which has resulted in a new legal description for the subdivision and rezoning***.

Background

The Community Development Department has received an application from Authier Properties, LLC and Grant and Cheryl Wakefield, for final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa and being more fully described on Attachment 'D'. The Community Development Department also received an application from Authier Properties, LLC and Grant and Cheryl Wakefield, to rezone said Fox Run Landing Replat 4, as well as property legally described as a parcel of land being a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa, and being more fully described on Attachment 'E'.

CASE #SUB-20-004

The proposed residential subdivision is comprised of 24,000 square feet (0.551 acres), more or less, of land and consists of two lots. This parcel of land is currently part of the Fox Run Golf Course and is zoned A-2/Parks, Estates and Agricultural District; however, an application to rezone the proposed subdivision to the R-1/Single-Family Residential District has been filed along with the final plat (see Case #ZC-20-005 below). The applicant is proposing to construct a detached single-family dwelling on each lot that will be consistent with City zoning and Fox Run Landing restrictive covenants. Both lots will remain under the ownership of Authier Properties, LLC.

Comments

1. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Subdivision and Zoning Ordinances.
2. Both lots measure 100 feet by 120 feet (12,000 sq. ft.) and exceed the minimum lot size requirements of the R-1 District.
3. All residential dwellings and accessory structures shall comply with the development standards stated in Section 15.08B, R-1/Single-Family Residential District, Site Development Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).
4. Proposed Lots 1 and 2 have direct access to Council Pointe Road.
5. Both lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.).
6. All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
7. Sidewalk installation along the frontage of each proposed lot shall be completed prior to issuance of a Certificate of Occupancy for each residence.
8. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.
9. The Public Works Department provided the following comments:
   a. Lot 2 will need to have access restricted for the driveway to the south 50 feet due to the traffic calming device located within Council Pointe Road just to the north of said lot; and
   b. Storm sewer drainage easement "A" shown shall be extended to the rear lot lines for both Lot 1 and Lot 2 to accommodate the existing drainage path from the golf course and grades within this easement shall not be adjusted.
10. The Fire Department stated they have no comments on this request.
11. Council Bluffs Water Works stated they have no comments on this request.

The following technical corrections shall be made to the final plat prior to being executed by the City:

1. Place a note on the plat that reads as follows: "Vehicular access to Lot 2 shall be restricted to the south 50 feet due to the traffic calming device within Council Pointe Road just to the north of said lot."

CASE #ZC-20-005

The owner of the Fox Run Golf Course, Authier Properties, LLC, is requesting to rezone the proposed subdivision from the A-2/Parks, Estates and Agricultural District to the R-1/Single-Family Residential District for zoning consistency purposes. Additionally, the applicant is selling a portion of the golf course (see Attachment 'E') to Curtis W. and Diane M. Crouch. Mr. and Mrs. Crouch own property adjoining said portion of the golf course, which is addressed as 5003 Council Pointe Road and legally described as Lot 103, Fox Run Landing. Ownership will be transferred via a lot line adjustment. This parcel of land is included in this rezoning request to ensure the property at 5003 Council Pointe Road is not split-zoned when said parcel is incorporated into it.

Land Use and Zoning – The following zoning and land uses surround the subject properties:

North: Part of the Fox Run Golf Course, which is zoned A-2/Parks, Estates and Agricultural District; an assisted living facility that is zoned A-P/Administrative-Professional District; and vacant land zoned A-2, A-P and C-2/Commercial District.

South: Residential properties that are zoned R-1/Single-Family Residential District and part of the Fox Run Golf Course, which is zoned A-2/Parks, Estates and Agricultural District.

East: Part of Fox Run Golf Course, which is zoned A-2/Parks, Estates and Agricultural District.

West: Vacant land zoned A-2/Parks, Estates and Agricultural District and residential properties that are zoned R-1/Single-Family Residential District.

The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject properties as Public Park, under the section of Public Land Uses.

Public notices were mailed to all property owners within 200 feet of the request. The Community Development Department has not received any correspondence relative to the proposed rezoning request as of the date of this report.

All City Departments and local utilities were notified of the proposed rezoning. The following comments were received:

- The Public Works Department stated they have no comments on this request.
- The Fire Department stated they have no comments on this request.
- Council Bluffs Water Works stated they have no comments on this request.

Discussion

1. Although a 'single-family dwelling, detached' is a permitted use in the A-2/Parks, Estates and Agricultural District, proposed rezoning to the R-1/Single-Family Residential District will ensure single-family dwellings proposed to be constructed on Lots 1 and 2, Fox Run Landing Replat 4, will be compatible with the residential development in the Fox Run Landing neighborhood.
2. The property located at 5003 Council Pointe Road is currently zoned R-1/Single-Family Residential District. The portion of the golf course to be incorporated into this property is proposed to be rezoned to the R-1 District to avoid a split-zoned parcel of land.
3. Proposed Lots 1 and 2, Fox Landing Replat 4 meet the minimum lot size requirements of the R-1 District. The property at 5003 Council Pointe Road also meets the minimum lot size requirements of the R-1 District and will therefore meet said size requirements once the adjoining parcel proposed to be rezoned is incorporated into it.
4. Since the subject parcels of land are currently undeveloped, proposed rezoning will not affect their conformity with the Zoning Ordinance. The detached single-family dwellings proposed to be constructed on Lots 1 and 2, Fox Run Landing Replat 4, as well as any accessory structures, shall comply with the

development standards stated in Section 15.08B, R-1/Single-Family Residential District, Site Development Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).

5. The dwelling at 5003 Council Pointe Road currently conforms to the R-1 District development standards. If lot line adjustment is approved, the frontage of this property would increase to 172.78 feet, which would increase the required side yard setback to 17.3 feet. Using GIS data, it is estimated that the existing dwelling is located approximately 18.4 feet from the south property line, which exceeds the new side yard setback requirement.
6. The Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject properties as Public Park, under the Section of Public Land Uses. Single-family housing is generally not consistent with this land designation. However, further residential development is anticipated throughout the Fox Run Golf Course. The proposed detached single-family dwellings are consistent with the development activity occurring in this area of the City.
7. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-1 District.
8. A sidewalk shall be installed along the frontage of the parcel of land to be incorporated into 5003 Council Pointe Road prior to the approval of the lot line adjustment.
9. Approval of the proposed rezoning shall be contingent on the Fox Run Landing Replat 4 final plat being executed by the City, as well as on the approval of the lot line adjustment at 5003 Council Pointe Road.

Recommendation

The Community Development Department recommends the following:

1. Final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa and being more fully described on Attachment 'D', subject to the following conditions:
   a. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
   b. Prior to executing the final plat, any corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat; and
   c. The final plat shall conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
   d. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and
   e. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling on each lot, at no cost to the City; and
   f. The developer shall provide a copy of any recorded covenants and/or private restrictions associated with this subdivision to the City, or place a note on the final plat indicating none will be recorded.

2. Approval of the request to rezone Fox Run Landing Replat 4, as well as property legally described as being a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa, as shown on Attachment 'E'. from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District, based on the reasons stated above and subject to the approval of the Fox Run Landing Replat 4 final plat and the lot line adjustment at 5003 Council Pointe Road.

Public Hearing

Staff speaker for the request:

1. Moises Monrroy, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

1. John Jerkovich, 535 West Broadway Suite 100, Council Bluffs, IA 51503
2. Jerry Authier, 1808 Skyline Drive, Elkhorn, NE 68022

Speakers against: None

Planning Commission Recommendation

The Planning Commission recommended the following:

1. Final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa and being more fully described on Attachment 'D', subject to the following conditions:
   a. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and
   b. Prior to executing the final plat, any corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat; and
   c. The final plat shall conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and
   d. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and
   e. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling on each lot, at no cost to the City; and
   f. The developer shall provide a copy of any recorded covenants and/or private restrictions associated with this subdivision to the City, or place a note on the final plat indicating none will be recorded.

3. Approval to rezone Fox Run Landing Replat 4, as well as property legally described as being a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa, as shown on Attachments 'E' from A-2/Parks, Estates and Agricultural District to R-1/Single-Family Residential District, based on the reasons stated above and subject to the approval of the Fox Run Landing Replat 4 final plat and the lot line adjustment at 5003 Council Pointe Road.

VOTE: AYE 9 NAY 0 ABSTAIN 2 ABSENT 0 VACANT 0 Motion: Carried

Attachments

Attachment A: Location/zoning map
Attachment B: Application submittal
Attachment C: Letter of intent
Attachment D: Fox Run Landing Replat 4 revised final plat layout
Attachment E: Rezoning exhibits

Prepared by: Moises Monrroy, Planner, Community Development Department

ATTACHMENT A

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #ZC-20-005 AND #SUB-20-004 LOCATION/ZONING MAP

Legend

- Fox Run Landing Replat 4
- Parcel of land to be incorporated into 5003 Council Pointe Road

0 37.5 75

1 Inch = 75 Feet

N

Last Amended: 5/15/20

Council Bluffs Community Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 890-5350

DISCLAIMER
This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressely denies any and all responsibilities for errors, if any, in the information contained on this mapof the misuse of the same by the user or anyone else. The user should verify the accuracy of information/data contained on this map before using it. The City assumes no legal responsibility for the information contained on this map.

Attachment B

City of Council Bluffs, Iowa
209 Pearl Street
Council Bluffs, Iowa 51503
Phone: 712-328-4629 Fax: 712-328-4915

REZONING APPLICATION

A. General information

1. Applicant:
   Name: Authier Properties, LLC by: Jerry and Karen Authier - AND - Grant and Cheryl Wakefield
   Address: 1808 Skyline Drive
   City/State/Zip: Elkhorn, NE 68022
   Phone/Fax/E-Mail Address: 402.669.8573 (Jerry) / 712.209.4746 (Grant)
   Status: Property Owner X Legal Option Holder ____ Contract Purchaser ____ Auth Agent ____

2. Property Owner: (If not the same as applicant above)
   Name: ____
   Address: ____
   City/State/Zip: ____
   Phone/Fax/E-Mail Address: ____

3. Represented by:
   Name: Self Representation and John H. Jerkovich of Heartland Properties, Inc
   Address: 535 W. Broadway, Suite 100
   City/State/Zip: Council Bluffs, IA 51503
   Phone/Fax/E-Mail Address: 712.388.2212
   Status: Property Owner X Legal Option Holder ____ Contract Purchaser ____ Auth Agent X

- An application may be filed only by the owner(s) of the property or by a person authorized by the owner. Proof of that authorization must accompany the application.
- If more than one property owner is involved, please attach additional names and addresses to this application.
- I certify that the information presented with this application is true and correct to the best of my knowledge.

Signature	Print Name	Address
	Grant Wakefield Cheryl Wakefield	3511 California St Omaha 68131
	Jerry Authier	1808 Skyline Dr Elkhorn, NE
Signature	Print Name Karen Authier	Address

Please note that your application will not be accepted or there may be a delay in processing by the Community Development Department if any of the required information or materials are missing or improperly presented. In order to ensure that a complete application is provided and to avoid unnecessary delays in processing, please submit all required materials, i.e. signed application, fees, exhibits and/or site plans, special studies if applicable. If you have any questions regarding this application or required materials, please contact the Community Development Department at (712) 328-4629 between 8:00 a.m. and noon or between 1:00 p.m and 5:00 p.m., Monday through Friday.

B. Project Information:

1. Address or location of proposed rezoning: Council Pointe Road (North of house #5003)
   Legal Description: (attach survey if necessary) See attached.
2. Land Area: 0.73 (acres)
3. Current Zoning Designation: A-2
4. Requested Zoning Designation: R-1
5. Current Land Use: Golf Course
6. Proposed Land Use: Single-Family Residential
7. Reason(s) for Rezoning Request: Development of lots.
8. Attach Legal Description of Property and Survey (if requested).
9. Attach list of Property Owners/Contract Purchasers located within 200 feet of requested rezoning. This list must include owner's name, property address, billing address and legal description.
10. Attach site plan and/or other documents that illustrate this request.
11. Include nonrefundable filing fee: $200.
    Please make check made payable to the Council Bluffs City Clerk.

For Office Use Only

Case Number: _____

Planning Commission: _____
Published: _____
Action: _____

Date Complete Application Received: _____

City Council: _____
Published: _____

Action: _____

Future Land Use Designation (Comprehensive Plan) _____
Land Use Designation amendment needed: _____

Associated Case Numbers: _____

Check Number/Amount: _____

Other Comment(s): _____

City of Council Bluffs, Iowa
209 Pearl Street
Council Bluffs, Iowa 51503
Phone: 712-328-4629 Fax: 712-328-4915

SUBDIVISION APPLICATION
( ) PRELIMINARY PLAN*
(X) FINAL PLAT
( ) MAJOR SUBDIVISION
(x) MINOR SUBDIVISION*
( ) REPLAT *

*A pre-application meeting is required prior to submittal

A. General information

1. Applicant:
   Name: Western Iowa Land Development, LLC c/o John Jerkovich & Bob McCarthy
   Address: PO Box 683
   City/State/Zip: Avoca, IA 51521
   Phone/Fax/E-Mail Address: 712.325.0445
   Status: Property Owner _____ Legal Option Holder ____ Contract Purchaser ____ Auth Agent _x_

2. Property Owner: (If not the same as applicant above)
   Name: Authier Properties, LLC by Jerry and Karen Authier - AND - Grant and Cheryl Wakefield
   Address: 1808 Skyline Drive
   City/State/Zip: Elkhorn, NE 68022
   Phone/Fax/E-Mail Address: 402.669.8573 (Jerry) / 712.209.4746 (Grant)

3. Engineer/Surveyor or Architect:
   Name: HGM Associates, Inc Contact: David Forsythe
   Address: 640 5th Avenue
   City/State/Zip: Council Bluffs, IA 51501
   Phone/Fax/E-Mail Address: 712.323.0530

- An application may be filed only by the owner(s) of the property or by a person authorized by the owner. Proof of that authorization must accompany the application.
- If more than one property owner is involved, please attach additional names and addresses to this application.
- I certify that the information presented with this application is true and correct to the best of my knowledge.

Signature | Print Name: Grant Wakefield / Cheryl Wakefield | Address: 3511 California St Omaha 68131

Signature | Print Name: Jerry Authier / Karen Authier | Address: 1808 Skyline Dr. Elkhorn Ne 68022

Please note that your application will not be accepted or there may be a delay in processing by the Community Development Department if any of the required information or materials are missing or improperly presented. In order to ensure that a complete application is provided and to avoid unnecessary delays in processing, please submit all required materials, i.e. signed application, fees, exhibits and/or site plans, special studies if applicable. If you have any questions regarding this application or required materials, please contact the Community Development Department at (712) 328-4629 between 8:00 a.m. and noon or between 1:00 p.m and 5:00 p.m., Monday through Friday.

B. Project Information: See Subdivision - Title 14 of the Municipal Code for specific requirements

1. Subdivision Name: Fox Run Landing Replat Four
2. Address or location of proposed subdivision: Council Pointe Road (North of house #5003)
3. Legal Description: (attach survey if necessary) See attached.
4. Land Area: 0.73 (acres)
5. Zoning: Current: A-2 Proposed: R-1
6. Land Use: Current: Golf Course Proposed: Single-Family Residential
7. Attach Letter of Intent describing specifically the improvements proposed to serve the subdivision and any variances being sought and the related hardship.
8. Legal Description of Property and Survey on platting document.
9. 10 signed and sealed copies, one reduced copy no larger than 8½" X 11" or 8½" X 14" and a pdf file.
10. After City Council action and incorporation of all changes to final plat documents, return a minimum of 4 mylars, 4 bond copies and 1 reduced copy to the Community Development Department. All copies shall be signed by the owner(s) signed and sealed by the surveyor.
11. Attach site plan and/or other documents that illustrate this request.
12. Include nonrefundable filing fee with check made payable to Council Bluffs City Clerk.
    a. Preliminary Plan: $250 + $5.00 per lot
    b. Variance with Preliminary Plan: $200 per variance
    c. Final Plat - Major Subdivision: $250
    d. Final Plat – Minor Subdivision/Replat: $250 + $5.00 per lot

---

For Office Use Only

Case Number: _____

Planning Commission: _____
Published: _____
Action: _____

Date Complete Application Received: _____

City Council: _____
Public Hearing Final Plat: _____
Action: _____

Associated Case Numbers: _____

Check Number/Amount: _____

Other Comment(s): _____

Attachment C

LETTER OF UNDERSTANDING

September 15, 2020

Council Bluffs Community Development
c/o Christopher Gibbons
209 Pearl Street
Council Bluffs, IA 51503

Re: Rezoning Application and Subdivision Application – Council Pointe Road at Fox Run

To Whom It May Concern:

It is hereby understood and agreed to by Grant and Cheryl Wakefield and Authier Properties, LLC by Jerry and Karen Authier that we are in agreement and elect to move forward with the attached rezoning application and subdivision application.

In advance, thank you for your consideration.

Sincerely,

Grant Wakefield

Cheryl Wakefield

Jerry Authier

Karen Authier

Secured Promissory Note

$900,000.00 March 1, 2020

WHEREAS, Jerry L. Authier and Karen J. Authier (herein called "Holders") are loaning funds to Grant Wakefield and Cheryl Wakefield, jointly (herein called "Borrowers") in connection with the Borrower's purchase of certain member's ownership interest in Authier Properties, LLC from the Holders; and

WHEREAS, the terms and conditions of Holder's loan to Borrowers are as set forth in this Note.

NOW, THEREFORE, for value received and in consideration of the foregoing and the promises made herein, the undersigned, Grant Wakefield and Cheryl Wakefield, jointly as "Borrowers" promise to pay to Jerry L. Authier and Karen J. Authier as "Holders", at such place as Holder from time to time shall designate, the principal sum of Nine Hundred Thousand & No/100 Dollars ($900,000.00), with interest beginning on March 1, 2020 on the unpaid principal balance at the interest rate of 5.00% per annum on the following terms and conditions:

1. **Principal Payments**. Commencing on April 1, 2020, and on the first day of each month thereafter until March 1, 2030, Borrowers agree to make a payment of principal in the amount of Three Thousand Seven Hundred Fifty & 00/100's Dollars ($3,750.00) and then on April 1, 2030 to make a final principal payment of all amounts still due and owing under this Note. THE FINAL PRINCIPAL PAYMENT ON APRIL 1, 2030 OF $450,000.00 IS A BALLOON PAYMENT. See Amortization Schedule attached to this Note as Schedule A.

2. **Interest Payments.** Interest payments are due and payable on an annual basis commencing with the first interest payment being on March 1, 2021. The interest payment amount will be based on the accrued interest on the outstanding principal balance of the promissory note from time to time from the period of the last interest payment made by the borrowers to the time of interest payment. Interest calculation will be based on the interest rate stated in this secured promissory note and the number of days the principal balance is outstanding during a 365-day annual basis.

3. **Prepayment**. Borrowers may prepay all or any portion of this Note at any time without penalty. All pre-payments on this Note shall first be applied to accrued annual interest for the current year, with any remaining amount being applied to the principal of this Note.

4. **Maturity Date and Final Payment**. All principal and interest remaining outstanding as of April 1, 2030 (the "Maturity Date") shall be paid in the form of a final principal and interest payment of all amounts still due and owing under this Note as of that date.

5. **Default**. An event of default (a "Default") under this Note shall occur upon any of the following events: (i) if any payment required by the terms hereof, or by the terms of any other documents evidencing or securing this Note (the "Purchase Agreement Documents"), is not paid when due, (ii) if Borrowers, without Holder's prior written consent, sells or otherwise pledges, transfers or disposes of any legal or equitable interest in the member's ownership interest in Authier Properties, LLC held as collateral for this Note, or (iii) if any other default occurs under this Note or under any Purchase Agreement Documents. Upon a Default, the remaining balance of unpaid principal and interest owing on this Note shall be waived. If Default occurs prior to March

08/14/2020 15:18 Gary Gard (FAX)402 393 0220 P.001/003

1, 2023, all previously purchased membership units will be forfeited and returned to Holders. If Default occurs on or after March 1, 2023, Holders, shall have the right in their sole discretion, but not the obligation, to redeem any membership units held by Borrowers at the time of default for a sum equivalent to the purchase price of $3,750.00 per unit.

6. **Governing Law**. This Note shall be interpreted, construed and enforced according to the laws of the State of Nebraska.

7. **Maximum Rate of Interest**. Borrower does not intend to pay nor does Holders intend to charge, accept or collect any interest greater than the highest legal rate of interest that may be charged under applicable law. Should the acceleration of this Note or any charges made hereunder result in the computation of interest which would cause this Note to violate any such law, any and all such excess shall be and the same is hereby waived by Holders, and any and all such excess shall be credited by Holders to the balance due on this Note.

8. **Miscellaneous**.

(a) All amounts payable under this Note are payable in lawful money of the United States.

(b) In this Note, the singular shall include the plural.

(c) Borrowers shall be jointly and severally liable with respect to the obligations hereunder and under the Purchase Agreement Documents.

(d) Whenever used herein, the terms "Borrower" and "Holder" shall be deemed to include their respective heirs, personal representatives, successors and assigns.

9. **Collateral**. This Note is secured by a Borrowers member ownership interest purchase from Holders and described in the Purchase Agreement Documents and Amended and Revised Operating Agreement duly executed by both parties.

[Remainder of page intentionally left blank. Signature page follows.]

08/14/2020 15:19 Gary Gard (FAX)402 393 0220 P.002/003

IN WITNESS WHEREOF, the undersigned Borrower has executed and delivered this Secured Promissory Note effective as of the first date above written.

BORROWERS:

Grant B. Wakefield

State of Nebraska – General Notary
BEVERLY J. HILBURN
My Commission Expires
July 21, 2021

Beverley J. Hilburn

Cheryl L. Wakefield

State of Nebraska – General Notary
BEVERLY J. HILBURN
My Commission Expires
July 21, 2021

Beverley J. Hilburn

Acknowledged By:

HOLDERS:

Jerry L. Authier

State of Nebraska – General Notary
BEVERLY J. HILBURN
My Commission Expires
July 21, 2021

Beverley J. Hilburn

Karen J. Authier

State of Nebraska – General Notary
BEVERLY J. HILBURN
My Commission Expires
July 21, 2021

Beverley J. Hilburn

08/14/2020 15:19 Gary Gard (FAX)402 393 0220 P.003/003

Attachment D

RECORDER'S INDEX
LOT: 117
BLOCK:
SUBDIVISION: FOX RUN LANDING
ALIQUOT PART:
SECTION
SECTION: /TOWNSHIP: / RANGE:
CITY: COUNCIL BLUFFS
COUNTY: POTTAWATTAMIE
PROPRIETOR: AUTHIER PROPERTIES LLC
REQUESTED BY: WESTERN IOWA LAND DEVELOPMENT LLC
DATE OF FIELD SURVEY: JANUARY 23, 2020

FINAL PLAT OF
FOX RUN LANDING REPLAT FOUR

BEING A REPLAT OF A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

PREPARED BY: DAVID E. FORSYTHE, P.L.S., HGM ASSOCIATES INC., 640 5TH AVENUE, COUNCIL BLUFFS, IOWA 51501 (712)323-0530

NOTE:

A 5.00 FOOT WIDE PERMANENT EASEMENT ON EACH SIDE OF ALL SIDE LOT LINES, A 10.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL FRONT LOT LINES, AND A 5.00 FOOT WIDE PERMANENT EASEMENT ALONG ALL REAR LOT LINES, ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

CITY COUNCIL

APPROVED BY MAYOR: THE HONORABLE MATTHEW J. WALSH DATE

ATTESTED TO BY:

CITY CLERK: JODI QUAKENBUSH DATE

COMMUNITY DEVELOPMENT DIRECTOR: BRANDON GARRETT DATE

CERTIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

I, THE TREASURER OF POTTAWATTAMIE COUNTY, IOWA, HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN FOX RUN LANDING REPLAT FOUR, IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

TREASURER OF POTTAWATTAMIE COUNTY, IOWA: LEA A. VOSS DATE

WE HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL GUIDELINES. WE HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTTAWATTAMIE COUNTY RECORDER CONTEMPORANEOUSLY WITH THE FILING OF THE FINAL PLAT;

A. ALL PRIVATE RESTRICTIONS AND/OR COVENANTS WILL BE A PART OF THE SUBJECT DEVELOPMENT.

B. CERTIFIED RESOLUTION OF EACH GOVERNING BODY APPROVING THE SUBDIVISION OR WAIVING THE RIGHT TO REVIEW.

DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS THAT AUTHIER PROPERTIES L.L.C., BEING THE SOLE OWNER OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED AS LOTS 1 AND 2, INCLUSIVE. SAID PROPERTY TO BE KNOWN AS FOX RUN LANDING REPLAT FOUR.

AS PART OF THIS PLATTING, AUTHIER PROPERTIES L.L.C DOES HEREBY GRANT TO CITY OF COUNCIL BLUFFS, A MUNICIPAL CORPORATION OF THE STATE OF IOWA, AND ITS AGENTS, CONTRACTORS AND ASSIGNS, A PERMANENT NONEXCLUSIVE STORM SEWER AND DRAINAGE EASEMENT FOR CONSTRUCTING, RECONSTRUCTING, REPAIRING, ENLARGING AND MAINTAINING STORM SEWERS TOGETHER WITH NECESSARY APPURTENANCES THERETO IN LOT 1 AND LOT 2 AS SHOWN ON THE THE DRAWING WHICH IS PART OF THIS DOCUMENT. THIS EASEMENT SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

A. ERECTION OF STRUCTURES PROHIBITED: GRANTOR SHALL NOT ERECT ANY STRUCTURE OVER OR WITHIN THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.

B. CHANGE OF GRADE PROHIBITED: GRANTOR SHALL NOT CHANGE THE GRADE, ELEVATION, OR CONTOUR OF ANY PART OF THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.

C. RIGHT OF ACCESS: CITY SHALL HAVE THE RIGHT OF ACCESS TO THE EASEMENT AREA AND HAVE ALL RIGHT OF INGRESS AND EGRESS REASONABLY NECESSARY FOR THE USE AND ENJOYMENT OF THE EASEMENT AREA AS HEREIN DESCRIBED.

D. REMOVAL AND REPLACEMENT: THE COST OF REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT AREA, NECESSITATED BY THE EXERCISE OF THE RIGHTS UNDER THIS EASEMENT, SHALL BE BORNE BY THE GRANTOR OR THEIR SUCCESSORS OR ASSIGNS.

E. SURFACE RESTORATION: CITY'S LIABILITY TO RESTORE THE SURFACE WITHIN THE EASEMENT AREA SHALL BE LIMITED ONLY TO GRADING AND SEEDING, AND REPLACEMENT OF GRANTORS SURFACED ROADWAY.

F. DUTY TO REPAIR: CITY AGREES THAT ANY DRAIN TILE, DRIVE OR ACCESS WAY, FENCE, OR YARD OR OTHER IMPROVEMENTS OUTSIDE OF THE EASEMENT AREA WHICH MAY BE DAMAGED AS A RESULT OF ANY ENTRY MADE THROUGH AN EXERCISE OF THE CITY'S RIGHT OF ACCESS SHALL BE REPAIRED AT NO EXPENSE TO GRANTOR.

G. EASEMENT RUNS WITH LAND: THIS EASEMENT SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE BINDING ON GRANTOR AND ON GRANTOR'S SUCCESSORS AND ASSIGNS.

H. GRANTOR RESERVATION: GRANTOR RESERVES THE RIGHT TO USE THE EASEMENT AREA FOR OTHER PURPOSES PROVIDED HOWEVER THESE PURPOSES SHALL NOT INTERFERE WITH GRANTEES USE OF THE EASEMENT AREA UNDER THE RIGHTS OF THIS AGREEMENT.

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A REPLAT OF A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 103 IN SAID FOX RUN LANDING, SAID NORTHWESTERLY CORNER BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNCIL POINTE ROAD AND ON A NON-TANGENT CURVE, CONCAVE WESTERLY TO WHICH POINT A RADIAL LINE BEARS SOUTH 64 DEGREES 28 MINUTES 04 SECONDS EAST, 435.00 FEET;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSE:
1) NORTHERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 23 DEGREES 36 MINUTES 09 SECONDS, 179.19 FEET TO THE POINT OF BEGINNING;
2) CONTINUING ON SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 01 DEGREE 55 MINUTES 48 SECONDS EAST, 200.00 FEET;

THENCE SOUTH 88 DEGREES 04 MINUTES 12 SECONDS EAST, 120.00 FEET;

THENCE SOUTH 01 DEGREE 55 MINUTES 48 SECONDS WEST, 200.00 FEET;

THENCE NORTH 88 DEGREES 04 MINUTES 12 SECONDS WEST, 120.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 24,000 SQUARE FEET (0.551 ACRE). MORE OR LESS.

IN WITNESS THEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE AUTHIER PROPERTIES L.L.C PROPERTY AS CONTAINED HEREIN ON THIS

_____DAY OF_____ , 2020.

BY: _____ BY: _____

GRANT WAKEFIELD
1/3 OWNER

CHERYL WAKEFIELD
1/3 OWNER

STATE OF IOWA)
) SS.
COUNTY OF POTTAWATTAMIE)

ON THIS _____ DAY OF_____ , 2020, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED GRANT WAKEFIELD AND CHERYL WAKEFIELD, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY THEY COMBINED OWN 2/3 OF AUTHIER PROPERTIES L.L.C, THAT NO SEAL HAS BEEN PROCURED BY THE SAID LIMITED LIABILITY COMPANY, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF THE SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF OWNERSHIP AND THAT SAID GRANT WAKEFIELD AND CHERYL WAKEFIELD ACKNOWLEDGED THE EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY BY IT VOLUNTARILY EXECUTED.

_____
NOTARY PUBLIC IN AND FOR SAID STATE

MY COMMISSION EXPIRES _____

IN WITNESS THEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE AUTHIER PROPERTIES L.L.C PROPERTY AS CONTAINED HEREIN ON THIS

_____DAY OF_____ , 2020.

BY: _____ BY: _____

JERRY L. AUTHIER
1/6 OWNER

KAREN J. AUTHIER
1/6 OWNER

STATE OF IOWA)
) SS.
COUNTY OF POTTAWATTAMIE)

ON THIS _____ DAY OF_____ , 2020, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED JERRY L. AUTHIER AND KAREN J. AUTHIER, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY THEY COMBINED OWN 1/3 OF AUTHIER PROPERTIES L.L.C, THAT NO SEAL HAS BEEN PROCURED BY THE SAID LIMITED LIABILITY COMPANY, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF THE SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF OWNERSHIP AND THAT SAID JERRY L. AUTHIER AND KAREN J. AUTHIER ACKNOWLEDGED THE EXECUTION OF THE INSTRUMENT TO BE THE VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY BY IT VOLUNTARILY EXECUTED.

_____
NOTARY PUBLIC IN AND FOR SAID STATE

MY COMMISSION EXPIRES _____

PROFESSIONAL LAND SURVEYOR
DAVID E. FORSYTHE
25604
IOWA

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.

SEPTEMBER 29, 2020
DAVID E. FORSYTHE DATE

LICENSE NUMBER 25604

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2020.

PAGES OR SHEETS COVERED BY THIS SEAL:
SHEET 1 OF 2 SHEET 2 OF 2

this drawing is being made available for review purposes only. for use on this project in accordance with hgm associates inc. standard of professional services. hgm associates inc. assumes no liability for any use of this drawing or any part thereof except in accordance with the terms of the above agreement.

hgm ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs omaha

date	revision
DEF	2020-07-23 REVISED LAYOUT
DEF	2020-09-10 REVISED SIGNATURES
DEF	2020-09-28 REVISED LAYOUT

drawn DEF
designed DEF
approved
date MAR. '20

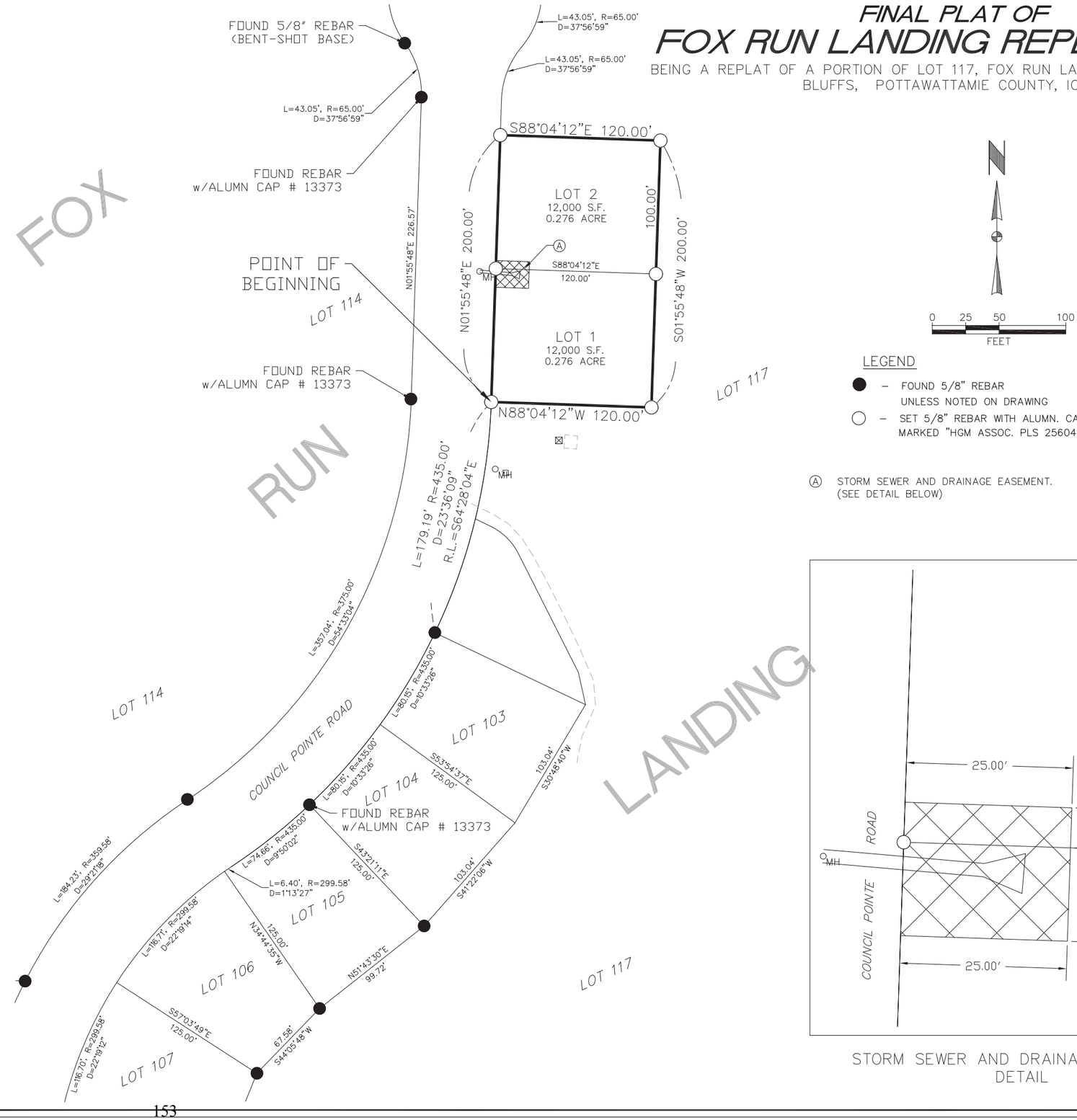
project FOX RUN LANDING REPLAT FOUR
REPLAT PORTION LOT 117, FOX RUN LANDING, COUNCIL BLUFFS, IA
client WESTERN IOWA LAND DEVELOPMENT, L.L.C.
P.O. BOX 683, AVOCA, IOWA 51521
sheet FINAL PLAT

project no. 102420
sheet 1 OF 2

hgm: 102420 S:\Survey\Drafting\102420_WILD-Fox Run Lot 117\Engineering\Dwgs\Survey\102420_SUBDIVISION PLAT.dwg

FINAL PLAT OF
FOX RUN LANDING REPLAT FOUR

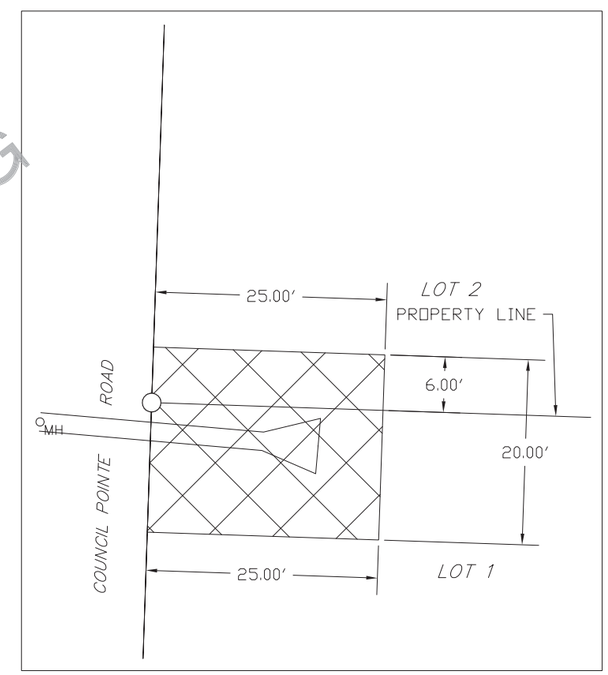
BEING A REPLAT OF A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.



LEGEND

- ● – FOUND 5/8" REBAR UNLESS NOTED ON DRAWING
- ○ – SET 5/8" REBAR WITH ALUMN. CAP MARKED "HGM ASSOC. PLS 25604"

Ⓐ STORM SEWER AND DRAINAGE EASEMENT. (SEE DETAIL BELOW)



STORM SEWER AND DRAINAGE EASEMENT DETAIL

this drawing is being made available for review and discussion for use on this project in accordance with hgm associates inc. standard practice and service. hgm associates inc. assumes no liability for any use of this drawing or any part thereof except in accordance with the terms of the above agreement.

hgm ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs omaha

DEF	drawn	2020-07-23 REVISED LAYOUT
DEF	designed	2020-09-10 REVISED SIGNATURES
DEF	approved	2020-09-29 REVISED LAYOUT
MAR. '20	date	revision / date

project FOX RUN LANDING REPLAT FOUR
REPLAT PORTION LOT 117, FOX RUN LANDING, COUNCIL BLUFFS, IA
client WESTERN IOWA LAND DEVELOPMENT, L.L.C.
P.O. BOX 683, AVOCA, IOWA 51521
sheet FINAL PLAT

project no. 102420
sheet 2 OF 2

fb: hgm: 102420 S:\Survey\Drafting\102420_WILD-Fox Run Lot 117\Engineering\Dwgs\Survey\102420_SUBDIVISION PLAT.dwg

Attachment E

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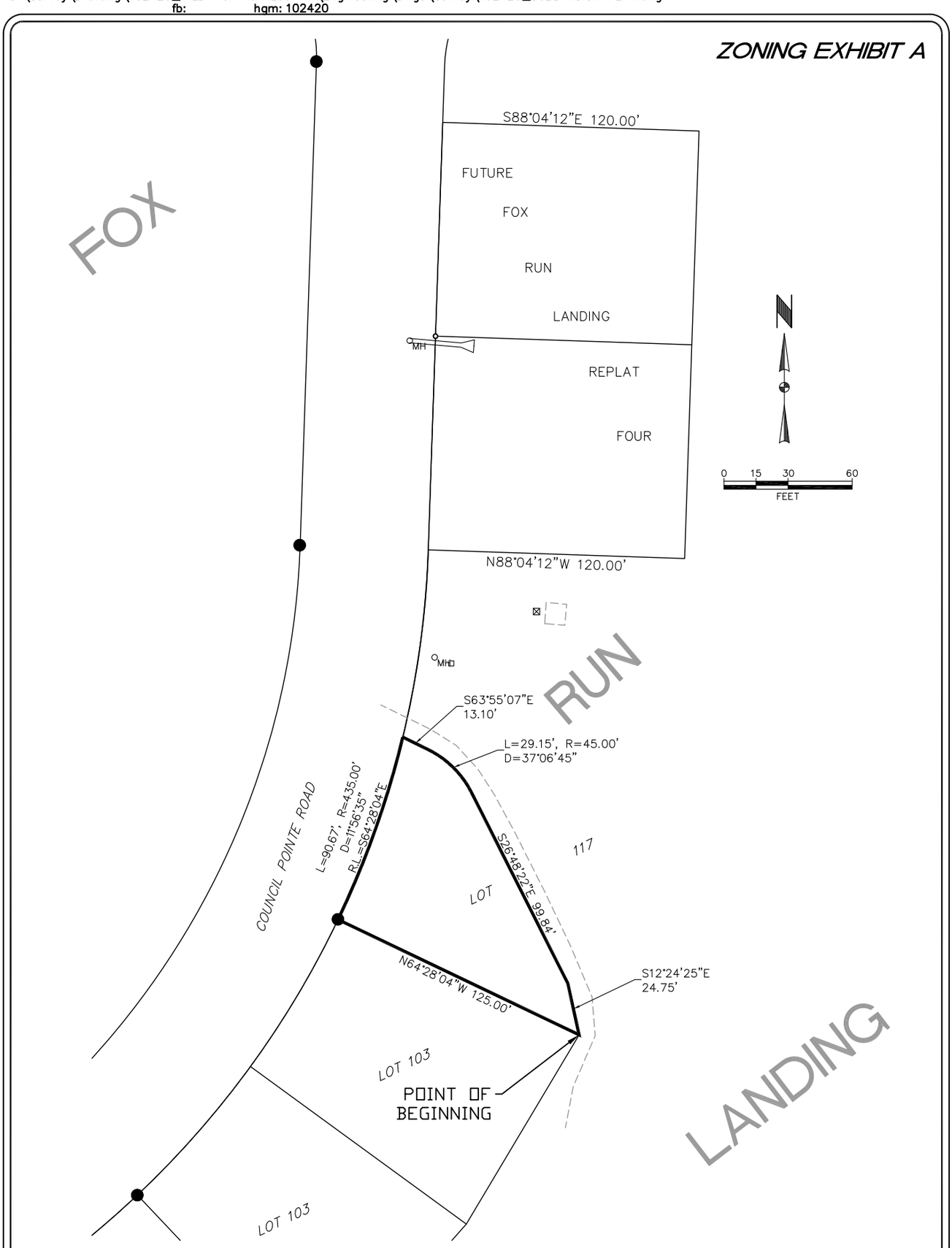
fb: hgm: 102420



LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 117, FOX RUN LANDING, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 103 IN SAID FOX RUN LANDING; THENCE ON THE NORTH LINE OF SAID LOT 103, NORTH 64 DEGREES 28 MINUTES 04 SECONDS WEST, 125.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNCIL POINTE ROAD, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE WESTERLY TO WHICH POINT A RADIAL LINE BEARS SOUTH 64 DEGREES 28 MINUTES 04 SECONDS EAST, 435.00 FEET; THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE AND NORTHERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 11 DEGREES 56 MINUTES 35 SECONDS, 90.67 FEET; THENCE SOUTH 63 DEGREES 55 MINUTES 07 SECONDS EAST, 13.10 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 45.00 FEET; THENCE SOUTHEASTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 37 DEGREES 06 MINUTES 45 SECONDS, 29.15 FEET; THENCE SOUTH 26 DEGREES 48 MINUTES 22 SECONDS EAST, 99.84 FEET; THENCE SOUTH 12 DEGREES 24 MINUTES 25 SECONDS EAST, 24.75 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 7,065 SQUARE FEET (0.162 ACRE), MORE OR LESS.

REVISED 2020-09-29
REVISED 2020-07-24

project no. 102420
date MAY'20
sheet 1 OF 1

project FOX RUN LANDING
client WESTERN IOWA LAND DEVELOPMENT, L.L.C.
sheet ZONING EXHIBIT A

DEF drawn
DEF designed
DEF approved

hgm ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
council bluffs omaha

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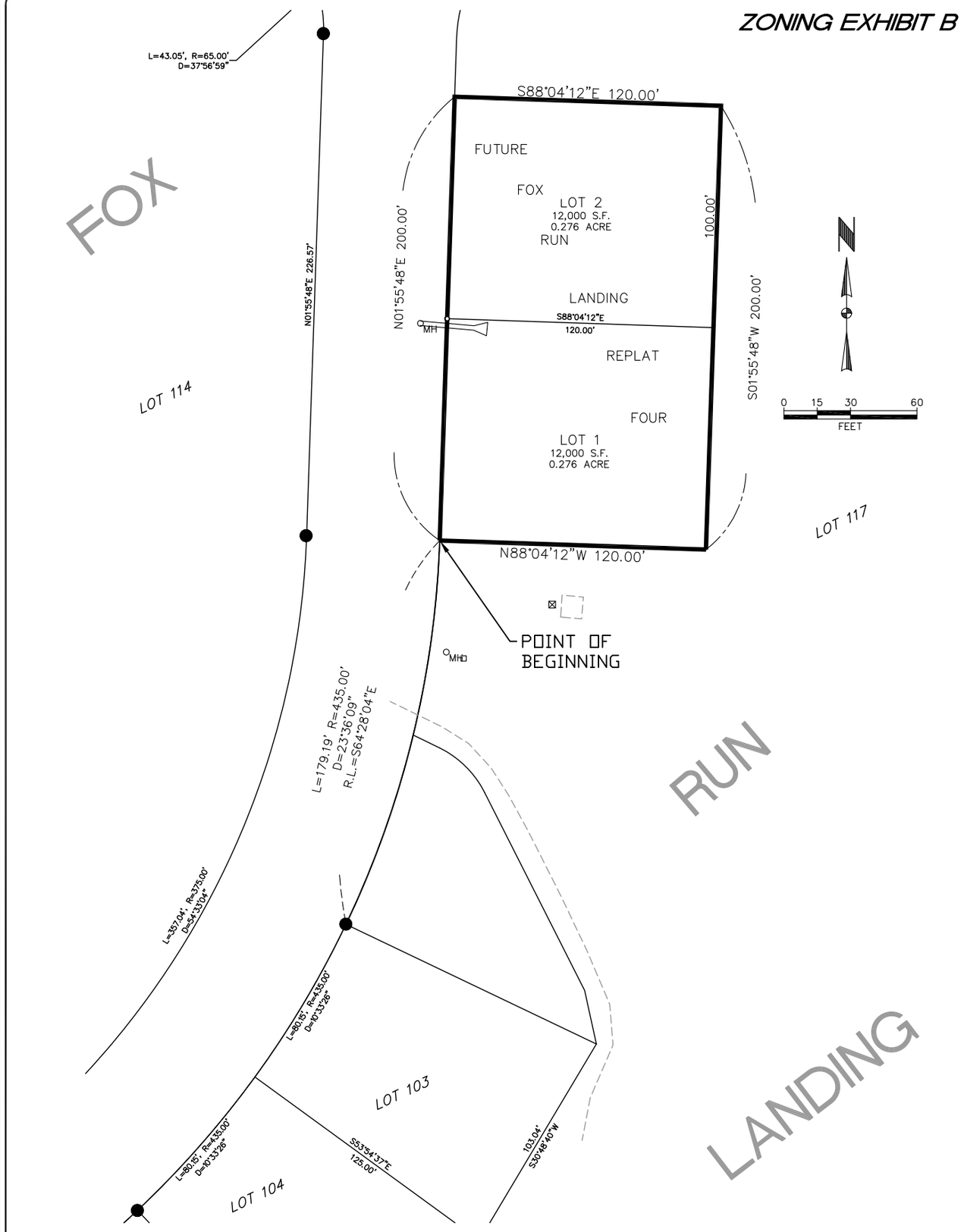
fb: hgm: 102420

ZONING EXHIBIT B



LEGAL DESCRIPTION

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SAID PARCEL CONTAINS AN AREA OF 24,000 SQUARE FEET (0.551 ACRE). MORE OR LESS.

REVISED 2020-09-29
REVISED 2020-07-24

project no. 102420 date MAY'20 sheet 1 OF 1	project FOX RUN LANDING client WESTERN IOWA LAND DEVELOPMENT, L.L.C. sheet ZONING EXHIBIT B	DEF drawn DEF designed DEF approved	hgm ASSOCIATES INC. ENGINEERING ARCHITECTURE SURVEYING council bluffs omaha

RESOLUTION NO. 20-256

A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A TWO-LOT MINOR RESIDENTIAL SUBDIVISION TO BE KNOWN AS FOX RUN LANDING REPLAT 4, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, The Community Development Department has received a request from Authier Properties, LLC and from Grant and Cheryl Wakefield for final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as a being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa and being more fully described on Attachment 'D'; and

WHEREAS, The proposed residential subdivision is currently part of Fox Run Golf Course and is comprised of 24,000 square feet (0.551 acres), more or less, of land and consists of two lots; and

WHEREAS, The following comments have been received:

A. The proposed subdivision is consistent with the purpose and intent of the Council Bluffs Municipal Zoning and Subdivision Ordinances.

B. Both lots measure 100 feet by 120 feet (12,000 sq. ft.) and exceed the minimum lot size requirements of the R-1 District.

C. All residential dwellings and accessory structures shall comply with the development standards stated in Section 15.08B, R-1/Single-Family Residential District, Site Development Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).

D. Proposed Lots 1 and 2 have direct access to Council Pointe Road.

E. Both lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.).

F. All utilities shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.

G. Sidewalk installation along the frontage of each proposed lot shall be completed prior to issuance of a Certificate of Occupancy for each residence.

H. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.

I. The Public Works Department provided the following comments:

1. Lot 2 will need to have access restricted for the driveway to the south 50 feet due to the traffic calming device located within Council Pointe Road just to the north of said lot.

2. Storm sewer drainage easement "A" shown shall be extended to the rear lot lines for both Lot 1 and Lot 2 to accommodate the existing drainage path from the golf course and grades within this easement shall not be adjusted.

J. A note needs to be placed on the plat that reads "Vehicular access to Lot 2 shall be restricted to the south 50 feet due to the traffic calming device within Council Pointe Road just to the north of said lot"; and

WHEREAS, The Community Development Department recommends final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa and being more fully described on Attachment 'D', subject to the following conditions:

A. The final plat shall be recorded within 90 days of City Council approval or the plat shall become null and void unless an extension of has been requested and granted by the Community Development Department Director; and

B. Prior to executing the final plat, any corrections required by the Community Development Department and/or Public Works Department shall be incorporated into the final plat; and

C. The final plat shall conform to all City standards and specifications, the zoning and subdivision ordinances and the Department of Public Works Standards for Public Improvements; and

D. All utilities shall be installed underground. Any cost to remove and/or relocate any utilities shall be the sole expense of the applicant and not the City; and

E. A public sidewalk shall be installed along the frontages of each lot prior to issuance of a Certificate of Occupancy for a dwelling on each lot, at no cost to the City; and

F. The developer shall provide a copy of any recorded covenants and/or private restrictions associated with this subdivision to the City, or place a note on the final plat indicating none will be recorded.

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

That the final plat approval of a two-lot minor residential subdivision to be known as Fox Run Landing Replat 4, legally described as a being a replat of a portion of Lot 117, Fox Run Landing, City of Council Bluffs, Pottawattamie County, Iowa and being more fully described on Attachment 'D', is hereby approved subject to all local, state and federal regulations.

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized and directed to endorse the final plat.

Planning Case No. #SUB-20-004

ADOPTED
AND October 26, 2020.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

Planning Case No. #SUB-20-004

Council Communication

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

Ordinance 6425
ITEM 6.A.

Council Action: 10/26/2020

Description

Ordinances to amend Title 2 – Revenue and Finance Chapter 2.08.050 - Fees and charges authorized in Title 5 – Sewers.

Background/Discussion

The City provides sewer service to residential, commercial and industrial customers both inside and outside of the Council Bluffs City limits. This service consists of the collection, transmission, treatment, and discharge of sewage generated by customers. The City charges sewer rates which are based on the flow volume the customer adds to the system, and in the case of industrial customers, the level of treatment required to meet permit standards.

A rate study for the City's sanitary sewer enterprise fund was completed in June. The study assessed the existing revenues based on the revised rate structure and in an effort to determine whether adjustments are necessary. The study considered ongoing operations and maintenance of the sanitary sewer system as well as anticipated wastewater plant infrastructure upgrades and treatment capacity expansions.

The City's last increase was approved in 2015, which included a phased approach over 5 years and implementation of a more equitable rate structure. The previous raise to rates occurred ten years prior (2005).

The study revealed that sewer rates are still too low. In order to address increases in operation and maintenance costs and the replacement of aging infrastructure, an increase to the sewer rates is recommended.

Council Bluffs remains near the bottom for rates in Iowa.

A summary of the increases are listed below:

1) 5.22.010 (in-town unit rate):
   a. 26% for year 2021, 8% for years 2022-2025
   b. Fee increases match for all volume groupings (no declining rate block)

2) 5.22.010 (out-of-town unit rate):
   a. 26% for year 2021, 8% for years 2022-2025
   b. Fee increases match for all volume groupings (no declining rate block)

3) 5.22.020 (flat rate users): one increase to match in-town residential
   a. 26% increase for year 2021; does not continue to increase past this ($28.80)

4) 5.22.020 (minimum sewer charge):
   a. 46% for year 2021, 5% for years 2022-2025

5) 5.22.050 (administrative fee): unchanged

6) 5.22.060 (in-town industries):
   a. 83% for year 2021, 8% for years 2022-2025

7) 5.22.060 (out-of-town industries): increased to match in-town industrial percentages
   a. 83% for year 2021, 8% for years 2022-2025

8) 5.22.060 Surcharges for BOD, TSS, and Oil & Grease: unchanged
   a. No increase to the loading surcharge on top of the flow rate increase

9) 5.23.020 disposal fees for septic tank: unchanged

Recommendation

Approval of this ordinance.

ATTACHMENTS:

Description	Type	Upload Date
PH Notice	Other	9/24/2020
Redlined ordinance	Ordinance	9/21/2020
Ordinance 6425	Ordinance	9/23/2020

Notice of Public Hearing

for

Amending Title 2 - Revenue and Finance Chapter 2.08 “Schedule of Fees”

Of the 2015 Municipal Code of Council Bluffs, Iowa

By amending Section 2.08.050

A public hearing will be held on October 12, 2020, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, for amending Title 2 - Revenue and Finance Chapter 2.08.050 - Fees and charges authorized in Title 5 - Sewers. At said hearing, any interested person may appear and file objections to such plans.

By Order of the City Council

of the

City of Council Bluffs, Iowa

Jodi Quakenbush, City Clerk

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE 2 REVENUE AND FINANCE, CHAPTER 2.08 "SCHEDULE OF FEES" OF THE ~~2010~~2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 2.08.050.

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

SECTION 1. That Chapter 2.08 "Schedule of Fees" of the ~~2010~~2015 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 2.08.050 to read as follows:

2.08.050 - Fees and charges authorized in Title 5.

Municipal Code Section Authorizing License, Fee or Permit	Description of License, Fee, or Permit	Charge
5.22.010	New service charge, rate or rental, inside the city limits:	
	For the first 15 hundred cubic feet per month	April 1, 2021~~15~~ - $3.60~~2.48~~/100 cubic ft. July 1, 2022~~16~~ - $3.90~~2.86~~/100 cubic ft. July 1, 2023~~17~~ - $4.22~~2.86~~/100 cubic ft. July 1, 2024~~18~~ - $4.57~~2.86~~/100 cubic ft. July 1, 2025~~19~~ - $4.95~~2.86~~/100 cubic ft.

	Next 1,985 hundred cubic feet per month	April 1, 2021 - $3.60/100 cubic ft. July 1, 2022 - $3.90/100 cubic ft. July 1, 2023 - $4.22/100 cubic ft. July 1, 2024 - $4.57/100 cubic ft. July 1, 2025 - $4.95/100 cubic ft.~~March 1, 2015 - $1.76/100 cubic ft.~~ ~~July 1, 2016 - $1.99/100 cubic ft.~~ ~~July 1, 2017 - $2.24/100 cubic ft.~~ ~~July 1, 2018 - $2.53/100 cubic ft.~~ ~~July 1, 2019 - $2.86/100 cubic ft.~~
	Over 2,000 hundred cubic feet per month	April 1, 2021 - $3.60/100 cubic ft. July 1, 2022 - $3.90/100 cubic ft. July 1, 2023 - $4.22/100 cubic ft. July 1, 2024 - $4.57/100 cubic ft. July 1, 2025 - $4.95/100 cubic ft.~~March 1, 2015 - $0.97/100 cubic ft.~~ ~~July 1, 2016 - $1.27/100 cubic ft.~~ ~~July 1, 2017 - $1.67/100 cubic ft.~~ ~~July 1, 2018 - $2.18/100 cubic ft.~~ ~~July 1, 2019 - $2.86/100 cubic ft.~~

	Sewer service charge based upon monthly average	
	For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March.	
	New service charge, rate or rental, outside the city limits:	
	For the first 15 hundred cubic feet per month	April 1, 2021 - $4.48/100 cubic ft. July 1, 2022 - $4.85/100 cubic ft. July 1, 2023 - $5.25/100 cubic ft. July 1, 2024 - $5.69/100 cubic ft. July 1, 2025 - $6.16/100 cubic ft.~~March 1, 2015 - $3.23/100 cubic ft.~~ ~~July 1, 2016 - $3.56/100 cubic ft.~~ ~~July 1, 2017 - $3.56/100 cubic ft.~~ ~~July 1, 2018 - $3.56/100 cubic ft.~~ ~~July 1, 2019 - $3.56/100 cubic ft.~~
	Next 1,985 hundred cubic feet per month	April 1, 2021 - $4.48/100 cubic ft. July 1, 2022 - $4.85/100 cubic ft. July 1, 2023 - $5.25/100 cubic ft.

		July 1, 2024 - $5.69/100 cubic ft. July 1, 2025 - $6.16/100 cubic ft.~~March 1, 2015 - $2.34/100 cubic ft.~~ ~~July 1, 2016 - $2.48/100 cubic ft.~~ ~~July 1, 2017 - $2.80/100 cubic ft.~~ ~~July 1, 2018 - $3.16/100 cubic ft.~~ ~~July 1, 2019 - $3.56/100 cubic ft.~~
	Over 2,000 hundred cubic feet per month	April 1, 2021 - $4.48/100 cubic ft. July 1, 2022 - $4.85/100 cubic ft. July 1, 2023 - $5.25/100 cubic ft. July 1, 2024 - $5.69/100 cubic ft. July 1, 2025 - $6.16/100 cubic ft.~~March 1, 2015 - $1.21/100 cubic ft.~~ ~~July 1, 2016 - $1.58/100 cubic ft.~~ ~~July 1, 2017 - $2.07/100 cubic ft.~~ ~~July 1, 2018 - $2.72/100 cubic ft.~~ ~~July 1, 2019 - $3.56/100 cubic ft.~~
	Sewer service charge based upon monthly average	
	For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely	

	correspond with the months November through March.	
5.22.020	Flat rate sewerage service charge	April 1, 2021 - $28.80/100 cubic ft. July 1, 2022 - $28.80/100 cubic ft. July 1, 2023 - $28.80/100 cubic ft. July 1, 2024 - $28.80/100 cubic ft. July 1, 2025 - $28.80/100 cubic ft.~~March 1, 2015 - $19.83/Residential unit~~ ~~July 1, 2016 - $22.88/Residential unit~~ ~~July 1, 2017 - $22.88/Residential unit~~ ~~July 1, 2018 - $22.88/Residential unit~~ ~~July 1, 2019 - $22.88/Residential unit~~
	Minimum sewerage service charge	April 1, 2021 - $12.50/100 cubic ft. July 1, 2022 - $13.08/100 cubic ft. July 1, 2023 - $13.69/100 cubic ft. July 1, 2024 - $14.33/100 cubic ft. July 1, 2025 - $15.00/100 cubic ft.~~March 1, 2015 - $7.44/Residential unit~~ ~~July 1, 2016 - $8.58/Residential unit~~ ~~July 1, 2017 - $8.58/Residential unit~~ ~~July 1, 2018 - $8.58/Residential unit~~

		~~July 1, 2019 - $8.58/Residential unit~~
5.22.050	Administrative assessment fee for collection of delinquent sewer bills	$50.00
5.22.060	Special rates for users who are defined as significant users under the city's pretreatment program based on concentration of raw flow prior to pretreatment shall be as follows:	
	Flow rate (inside city limits):	April 1, 2021 - $3.20/100 cubic ft. July 1, 2022 - $3.46/100 cubic ft. July 1, 2023 - $3.73/100 cubic ft. July 1, 2024 - $4.03/100 cubic ft. July 1, 2025 - $4.35/100 cubic ft.~~March 1, 2015 - $0.53/100 cubic ft.~~ ~~July 1, 2016 - $0.71/100 cubic ft.~~ ~~July 1, 2017 - $ 0.96/100 cubic ft.~~ ~~July 1, 2018 - $1.30/100 cubic ft.~~ ~~July 1, 2019 - $1.75/100 cubic ft.0.39 per 100 cubic feet~~
	Flow rate (outside city limits) :	April 1, 2021 - $4.52/100 cubic ft. July 1, 2022 - $4.88/100 cubic ft. July 1, 2023 - $5.27/100 cubic ft. July 1, 2024 - $5.69/100 cubic ft.

		July 1, 2025 - $6.14/100 cubic ft.~~March 1, 2015 - $ 0.74/100 cubic ft.~~ ~~July 1, 2016 - $1.00/100 cubic ft.~~ ~~July 1, 2017 - $ 1.35/100 cubic ft.~~ ~~July 1, 2018 - $1.83/100 cubic ft.~~ ~~July 1, 2019 - $2.47/100 cubic ft.~~
	Surcharges(inside city):	
	For biochemical oxygen demand (BOD) over 350 parts per million, by weight	April 1, 2021 - $ .291/100 cubic ft. July 1, 2022 - $ .291/100 cubic ft. July 1, 2023 - $ .291/100 cubic ft. July 1, 2024 - $ .291/100 cubic ft. July 1, 2025 - $ .291/100 cubic ft.~~March 1, 2015 - $ 0.88 per pound~~ ~~July 1, 2016 - $ .118 per pound~~ ~~July 1, 2017 - $ .160 per pound~~ ~~July 1, 2018 - $ .216 per pound~~ ~~July 1, 2019 - $ .291 per pound~~
	For suspended solids over 350 parts per million, by weight	April 1, 2021 - $ .596/100 cubic ft. July 1, 2022 - $ .596/100 cubic ft. July 1, 2023 - $ .596/100 cubic ft. July 1, 2024 - $ .596/100 cubic ft.

		July 1, 2025 - $ .596/100 cubic ft.~~March 1, 2015 - $ .180 per pound~~ ~~July 1, 2016 - $ .242 per pound~~ ~~July 1, 2017 - $ .327 per pound~~ ~~July 1, 2018 - $ .442 per pound~~ ~~July 1, 2019 - $ .596 per pound~~
	For recoverable oil and grease over 100 parts per million, by weight	March 1, 2021 - $ .291/100 cubic ft. July 1, 2022 - $ .291/100 cubic ft. July 1, 2023 - $ .291/100 cubic ft. July 1, 2024 - $ .291/100 cubic ft. July 1, 2025 - $ .291/100 cubic ft.~~March 1, 2015 - $ 0.88 per pound~~ ~~July 1, 2016 - $ .118 per pound~~ ~~July 1, 2017 - $ .160 per pound~~ ~~July 1, 2018 - $ .216 per pound~~ ~~July 1, 2019 - $ .291 per pound~~
	Surcharge (outside city):	
	For biochemical oxygen demand (BOD) over 350 parts per million, by weight	April 1, 2021~~15~~ - $ .375~~113~~ per pound July 1, 2022~~16~~ - $. 375~~152~~ per pound July 1, 2023~~17~~ - $. 375~~206~~ per pound July 1, 2024~~18~~ - $. 375~~278~~ per pound July 1, 2025~~19~~ - $ .375 per pound
	For suspended solids over 350 parts per million, by weight	April 1, 2021~~15~~ - $ .684~~206~~ per pound

		July 1, 2022~~16~~ - $ .684~~278~~ per pound July 1, 2023~~17~~ - $ .684 ~~375~~per pound July 1, 2024~~18~~ - $.~~506~~684 per pound July 1, 2025~~19~~ - $ .684 per pound
	For recoverable oil and grease over 100 parts per million, by weight	April 1, 2021 - $ .375 per pound July 1, 2022 - $. 375 per pound July 1, 2023 - $. 375 per pound July 1, 2024 - $. 375 per pound July 1, 2025 - $ .375 per pound ~~March 1, 2015 - $ 0.113 per pound~~ ~~July 1, 2016 - $ .152 per pound~~ ~~July 1, 2017 - $ .206 per pound~~ ~~July 1, 2018 - $ .278 per pound~~ ~~July 1, 2019 - $ .375 per pound~~
5.23.020	Disposal fees for septic tank refuse	$30.00/1,000 gallons

(Ord. 5825 § 1, 2004).

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

_____

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration:
Second Consideration:
Public Hearing:
Third Consideration:

ORDINANCE NO. 6425

AN ORDINANCE TO AMEND TITLE 2 REVENUE AND FINANCE, CHAPTER 2.08 "SCHEDULE OF FEES" OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 2.08.050.

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

SECTION 1. That Chapter 2.08 "Schedule of Fees" of the 2015 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 2.08.050 to read as follows:

2.08.050 - Fees and charges authorized in Title 5.

Municipal Code Section Authorizing License, Fee or Permit	Description of License, Fee, or Permit	Charge
5.22.010	New service charge, rate or rental, inside the city limits:	
	For the first 15 hundred cubic feet per month	April 1, 2021 - $3.60/100 cubic ft. July 1, 2022 - $3.90/100 cubic ft. July 1, 2023 - $4.22/100 cubic ft. July 1, 2024 - $4.57/100 cubic ft. July 1, 2025 - $4.95/100 cubic ft.

	Next 1,985 hundred cubic feet per month	April 1, 2021 - $3.60/100 cubic ft. July 1, 2022 - $3.90/100 cubic ft. July 1, 2023 - $4.22/100 cubic ft. July 1, 2024 - $4.57/100 cubic ft. July 1, 2025 - $4.95/100 cubic ft.
	Over 2,000 hundred cubic feet per month	April 1, 2021 - $3.60/100 cubic ft. July 1, 2022 - $3.90/100 cubic ft. July 1, 2023 - $4.22/100 cubic ft. July 1, 2024 - $4.57/100 cubic ft. July 1, 2025 - $4.95/100 cubic ft.
	Sewer service charge based upon monthly average	
	For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March.	
	New service charge, rate or rental, outside the city limits:	
	For the first 15 hundred cubic feet per month	April 1, 2021 - $4.48/100 cubic ft. July 1, 2022 - $4.85/100 cubic ft.

		July 1, 2023 - $5.25/100 cubic ft. July 1, 2024 - $5.69/100 cubic ft. July 1, 2025 - $6.16/100 cubic ft.
	Next 1,985 hundred cubic feet per month	April 1, 2021 - $4.48/100 cubic ft. July 1, 2022 - $4.85/100 cubic ft. July 1, 2023 - $5.25/100 cubic ft. July 1, 2024 - $5.69/100 cubic ft. July 1, 2025 - $6.16/100 cubic ft.
	Over 2,000 hundred cubic feet per month	April 1, 2021 - $4.48/100 cubic ft. July 1, 2022 - $4.85/100 cubic ft. July 1, 2023 - $5.25/100 cubic ft. July 1, 2024 - $5.69/100 cubic ft. July 1, 2025 - $6.16/100 cubic ft.
	Sewer service charge based upon monthly average	
	For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March.	

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	Minimum sewerage service charge	April 1, 2021 - $12.50/100 cubic ft. July 1, 2022 - $13.08/100 cubic ft. July 1, 2023 - $13.69/100 cubic ft. July 1, 2024 - $14.33/100 cubic ft. July 1, 2025 - $15.00/100 cubic ft.
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		July 1, 2025 - $4.35/100 cubic ft.
	Flow rate (outside city limits) :	April 1, 2021 - $4.52/100 cubic ft. July 1, 2022 - $4.88/100 cubic ft. July 1, 2023 - $5.27/100 cubic ft. July 1, 2024 - $5.69/100 cubic ft. July 1, 2025 - $6.14/100 cubic ft.
	Surcharges(inside city):	
	For biochemical oxygen demand (BOD) over 350 parts per million, by weight	April 1, 2021 - $ .291/100 cubic ft. July 1, 2022 - $ .291/100 cubic ft. July 1, 2023 - $ .291/100 cubic ft. July 1, 2024 - $ .291/100 cubic ft. July 1, 2025 - $ .291/100 cubic ft.
	For suspended solids over 350 parts per million, by weight	April 1, 2021 - $ .596/100 cubic ft. July 1, 2022 - $ .596/100 cubic ft. July 1, 2023 - $ .596/100 cubic ft. July 1, 2024 - $ .596/100 cubic ft. July 1, 2025 - $ .596/100 cubic ft.
	For recoverable oil and grease over 100 parts per million, by weight	April 1, 2021 - $ .291/100 cubic ft.

		July 1, 2022 - $ .291/100 cubic ft. July 1, 2023 - $ .291/100 cubic ft. July 1, 2024 - $ .291/100 cubic ft. July 1, 2025 - $ .291/100 cubic ft.
	Surcharge (outside city):	
	For biochemical oxygen demand (BOD) over 350 parts per million, by weight	April 1, 2021 - $ .375 per pound July 1, 2022 - $ .375 per pound July 1, 2023 - $ .375 per pound July 1, 2024 - $ .375 per pound July 1, 2025 - $ .375 per pound
	For suspended solids over 350 parts per million, by weight	April 1, 2021 - $ .684 per pound July 1, 2022 - $ .684 per pound July 1, 2023 - $ .684 per pound July 1, 2024 - $ .684 per pound July 1, 2025 - $ .684 per pound
	For recoverable oil and grease over 100 parts per million, by weight	April 1, 2021 - $ .375 per pound July 1, 2022 - $ .375 per pound July 1, 2023 - $ .375 per pound July 1, 2024 - $ .375 per pound July 1, 2025 - $ .375 per pound
5.23.020	Disposal fees for septic tank refuse	$30.00/1,000 gallons

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 October 26, 2020
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 9-28-20
Second Consideration: 10-12-20
Public Hearing: 10-12-20
Third Consideration: 10-26-20

Council Communication

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

Resolution 20-257
ITEM 7.A.

Council Action: 10/26/2020

Description

A Resolution to adopt the current Schedule of Fees for 2020, Version 1, dated 10-26-20.

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Schedule of Fees Redline	Other	10/20/2020
Schedule of Fees Clean	Other	10/20/2020
Resolution 20-257	Resolution	10/20/2020

CITY OF COUNCIL BLUFFS, IOWA

SCHEDULE OF FEES

2020 Version 1
Council Approved 10-26-20

CITY OF COUNCIL BLUFFS – SCHEDULE OF FEES

Chapter 2.08 SCHEDULE OF FEES

2.08.010 Purpose.
The purpose of this chapter is to set forth those fees and charges authorized to be charged by the city pursuant to specific authorization of the city council, as evidenced herein, or as authorized in other chapters of this code. The provisions of this chapter shall constitute authorization for the mayor or his/her designee to charge and collect the fees and charges set forth herein. If a fee or charge is authorized to be made or charged in another chapter of this code, but is not set forth in this chapter, such fee or charge is nonetheless authorized to be made or charged, the same as if it were set forth herein.
(Ord. 5768 § 2 (part), 2003).

2.08.020 Fees set by resolution.
Any fees not specifically set forth in this chapter shall be set and amended by resolution of the city council. The schedule of fees shall be maintained and shall be available for inspection in the office of the city clerk.
(Ord. 5768 § 2 (part), 2003).

2.08.030 Waiver of fees.
The fees contained in the schedule and those authorized by other provisions of this municipal code may be waived by resolution of the city council if it is determined to be in the best interests of the city of Council Bluffs. In addition to this waiver authority of the city council, the mayor may waive parking meter hood fees set out in Section 2.08.060 herein, if he/she determines such a waiver to be in the best interests of the city.
(Ord. 5768 § 2 (part), 2003).
(Ord. No. 6035, § 1, 7-27-2009).

Municipal Code Section	Description of License, Fee, or Permit	Charge

FEES CHARGED BY THE COUNCIL BLUFFS POLICE DEPARTMENT

RANGE FEES - Defensive tactics ~~- Laser Shot~~	
4 hours (1/2 day)	~~60.00~~ 75.00
8 hours (full day)	~~120.00~~ 150.00
Reports	10.00
Supplement Reports	.50 per page
~~Photos~~	~~25.00 + actual processing fee~~
CD/DVD	Disk containing digital photos 30.00
~~VHS~~	~~30.00~~
~~Cassette~~	~~30.00~~
Fingerprints	15.00 + 5.00 extra card
Tow In Ad Fees	35.00
Records Check	10.00
Vault Fees	20.00

Resolution No. 10-47 (2/8/10)

	Special Transit Service	2.50/person/ride

Resolution 12-86

1.52.020	**Fees for Ambulance Services:**	
	Basic Life Support Emergency	525.00
	Advance Life Support (ALS)	600.00
	Advanced Life Support 2	700.00
	Mileage (per loaded mile)	11.00
	ALS – Treat/No Transport	150.00

Resolution No. 09-202 (7/13/09)
Ordinance
No. 5760, Section 2 (part), 2003

3.12.040(b)	**Alarm System Fees:**	
	Registrations – 12 months	25.00
	Late registration – add penalty	25.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
3.12.080	False Alarm Fees	
	Two per year	100.00
	Three or more per year	250.00/each incident
	After 30 days – late fee	50.00

	Public Entertainment:	
3.14.010	Menagerie or circus (or combination) includes street parades	25.00 - 150.00 per day
	Other shows	25.00 per day
	Street exhibition	10.00 per day
	Theatricals	5.00 per performance
	Six performances	18.00
	Twelve performances	24.00
	Twenty-four performances	30.00
	Museum	10.00 per month
	Other exhibitions, concerts or performance by non-C.B. citizens	5.00
3.14.030	Carnivals	Costs – police officer expense 50.00 - 100.00
3.14.050	Temporary structures	50.00 deposit
3.14.060	Temporary structures refund – following inspection	Up to 48.00

Ordinances are from 1925 – 1930

	Adult Entertainment:	
3.15.070	Application and renewal fee – adult entertainment business license	250.00 (nonrefundable)
3.15.130	Escort/Models Permit & renewal	250.00
3.15.120	Permit transfer fee	10.00
	Games and Amusements:	
3.24.010	Shooting gallery license	10.00 per month/50.00 per year (7-3-1882)
3.24.030	Horoscopic views license	5.00 per month (7-3-1882)
3.24.040	Lung testers license	5.00 per month (7-3-1882)
3.24.050	Skill games license	20.00??
3.24.060	Games of chance license	10.00 – one month only
	Rubble Dumps:	
3.31.065	License – original	1,000.00
3.31.095	License – renewal	1,000.00
	Junk, Salvage, Scrap Processing and Storage Yards:	
3.32.170	Up to 5,000 sq. ft. 5,001 – 10,000 sq. ft. 10,001 – 20,000 sq. ft. 20,001 + sq. ft.	50.00 100.00 150.00 200.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
3.32.180	Renewal	Same as original
	Juke Boxes and Amusement Devices:	
3.34.060	Juke boxes	10.00 per machine
	Mechanical amusement devices requiring the deposit of one cent for operation	10.00 per machine
	Mechanical amusement devices requiring the deposit of five cents or more for operation	50.00 per machine
	Application for distributor's license	100.00 per year
3.34.090	Amusement parks (in lieu of license fee)	150.00 per month
	Miniature Golf:	
3.36.030	License fee	100.00 per year
	Motion Picture Theaters:	
3.38.010	License fee – inside fire limits	50.00 per year (500 seats or less) .05 per seat per year (over 500 seats)
3.38.020	License fee – outside fire limits	25.00 per year (500 seats or less) .05 per seat per year (over 500 seats)
3.38.030	License fee – transient businesses	25.00/10 days 2.50 per day after 10 days
	Pawnbrokers:	
3.44.050	License fee	100.00 per year
3.44.110	Bond & license filing fee	.50 each license 1.00 each bond
	Pool & Billiard Halls:	
3.46.010	License fee	25.00 per year (1 table)
		15.00 per year (each add'l table)
	Public Buildings and Halls:	
3.48.010	Public Buildings – license required	100.00 per year
3.48.020	Public hall – license required	100.00 per year
	Secondhand Dealers:	
3.52.050	License fee	100.00 per year
3.52.110	Bond and license filing fee	.50 each license 1.00 each bond
	Street Sales:	
3.58.010	Stands – license required	25.00/3 months 50.00/3-6 months 75.00/6-9 months 100.00/9-12 months

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Transient Merchants:	
3.62.080	License fee	100.00 per person/one week per year 10.00 each additional week per year
	Duplicate license	1.00
	Vehicles for Hire – Taxis:	
3.68.060	Taxicab driver permit	10.00/first year
	Renewal	5.00/year

	Air Pollution Control:	
4.02.020(4)(B)(i)	Prescription Burn Application Fee	200.00
	Tattoo and Body Piercing Regulations:	
4.05.070	Application and renewal	250.00/year

2.08.040 Fees and charges authorized in Title 4.

4.12.020	Administrative fee – assessment of delinquent solid waste bills	10.00
4.12.080	Monitoring/inspection fee – solid waste generated outside Council Bluffs city limits	.50 per ton
4.12.090	Commercial Collection (Annual fee)	$ 40.00/pickups 75.00/packers/ large trucks
4.12.110(a)	Residential Solid Waste Collection and Disposal	$216.00/year
4.12.110(b)	Special Residential Solid Waste Collection and Disposal for applicants whose combined gross household income does not exceed ~~$13,690.00~~ $15,200.00	$108.00/year
4.12.110(c)	Extra bag charge	2.50/bag
	Late fee for nonpayment	$20.00/billing cycle
4.12.160(c)	Administrative fee for delinquent account	$50.00/account
4.12.170	Surcharge on non-secured/non-covered loads	$15.00/each load

Ordinance No. _____ (2010)

	Abandoned and Junk Vehicles:	
4.15.060	Administrative fee – abatement/ removal of junk vehicles	$25.00 per vehicle (plus the actual cost of abatement)
	Weed Nuisances and Solid Waste:	

Municipal Code Section	Description of License, Fee, or Permit	Charge
4.19.020	Abatement of weeds/offensive growths and solid waste (plus actual cost of abatement)	
	Size of lot cut 0-10,000 sq. ft. 10,001 – 20,000 sq. ft. 20,001 – 30,000 sq. ft. 30,001 – 40,000 sq. ft. 40,001 – 43,559 sq. ft. 43,560 – 217,779 sq. ft. 217,800 +	 110.00 145.00 180.00 215.00 250.00 285.00 320.00
	Animal Control Fees:	
4.20.030	**Cruel treatment - Impound fee**	250.00
4.20.050	**Tickets/Fees:** **Animal at Large/Impound** First Occurrence Second Occurrence Third Occurrence Fourth Occurrence Subsequent (add per occurrence) Failure to pay within 30 days of issuance – Fines are doubled	 50.00 60.00 70.00 80.00 10.00 (add up to $100)
4.20.060	**Impoundment fee** **Microchip fee**	40.00 20.00
4.20.070	**Adoption fees** Dogs Cats Other animals Reso. 11-46 2/28/11	 120.00 120.00 Highest offer
4.20.120	**Appeal Bond**	250.00
4.20.132	**Animal Control Appeal – Processing fee**	100.00
4.20.145	**Pet Cremation Fees** Up to 30 pounds 31- 75 pounds 76 pounds or more	 50.00 75.00 100.00
4.20.150	Removal of dead animals from residences After business hours	20.00 40.00
	Unwanted Animals: Brought in for adoption Picked up during business hours* Picked up after business hours* *Transporting animal within city limits only **Humane Disposal of Animals:** Brought in Picked up during business hours*	 0.00 20.00 40.00 0.00 20.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Picked up after business hours*	40.00
4.20.230	**Failure to Have License Fee Tickets**	
	1st Occurrence	50.00
	2nd Occurrence	60.00
	3rd Occurrence	70.00
	4th Occurrence	80.00
	Subsequent Occurrences (add per occurrence)	10.00 (up to $100)
	Failure to pay within 30 days of issuance – Fines are doubled	
4.20.240	**Dog Licenses**:	
	Altered	14.00
	Unaltered	30.00
	Late Penalty	15.00
	Duplicate Tag	5.00
	Cat Licenses	
	Altered	10.00
	Unaltered	22.00
	Late Penalty	15.00
	Duplicate Tag	5.00
	License for dogs or cats 4-6 months old or new to the community, 50% discount after July 1. For any cat or dog that cannot be altered without extraordinary risk of physical complications because of age or health and for which a licensed vet has verified this condition in writing, the license fee will be that of an altered animal.	
4.20.260	**Failure to Display License/Rabies Tag Fee Tickets**	
	1st Occurrence	10.00
	2nd Occurrence	20.00
	3rd Occurrence	30.00
	4th Occurrence	40.00
	Subsequent (add per occurrence)	10.00
	Failure to pay within 30 days of issuance – Fines are doubled	
4.20.274	**Cattery License:**	
	Commercial	50.00
	Non-commercial	30.00
	Kennel License:	
	Commercial	50.00
	Non-commercial	30.00
	Hobby Breeder	30.00
4.20.290	**Farm Animal Permit, per year**	75.00
4.32.146	Permit to construct, alter or extend a private sewage disposal system	150.00
4.33.030	Private well	25.00
4.60.040	Hazardous material response:	
	Manpower	40.00 per hour

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Apparatus (utilized) Apparatus (standby) Ambulance/Rescue Squad Command vehicle/Utility truck Supplies or outside services Mileage (assessed after first 10 miles) Decontamination, repair, replacement, maintenance of equipment, apparatus or supplies Small motor fuels – anti-freeze response	150.00 per hour 100.00 per hour 150.00 per hour 60.00 per hour Market prices plus 15% admin. fee. 6.00 Cost, plus admin. fee 100.00
	Fireworks displays	150.00

2.08.050 Fees and charges authorized in Title 5.

5.22.010	**New service charge, rate or rental, inside the city limits:**	
	~~For the first 15~~ Rate per hundred cubic feet per month	~~$2.86 per 100 cubic feet~~ April 1, 2021 - $3.60/100 cubit ft. July 1, 2022 - $3.90/100 cubic ft. July 1, 2023 - $4.22/100 cubic ft. July 1, 2024 - $4.57/100 cubic ft. July 1, 2025 - $4.95/100 cubic ft.
	~~Next 1,985 hundred cubic feet per month~~	~~July 1, 2017 - $2.24/100 cubic ft.~~ ~~July 1, 2018 - $2.53/100 cubic ft.~~ ~~July 1, 2019 - $2.86/100 cubic ft.~~
	~~Over 2,000 hundred cubic feet per month~~	~~July 1, 2017 - $1.67/100 cubic ft.~~ ~~July 1, 2018 - $2.18/100 cubic ft.~~ ~~July 1, 2019 - $2.86/100 cubic ft.~~
	Sewer service charge based upon monthly average	
	For residential and commercial users whose total metered water usage is less than 200,000 cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March.	
	New service charge, rate or rental, outside the city limits:	
	~~For the first~~ Rate per hundred cubic feet per month	~~$3.56 per 100 cubic feet~~ April 1, 2021 - $4.48/100 cubit ft. July 1, 2022 - $4.85/100 cubic ft. July 1, 2023 - $5.25/100 cubic ft. July 1, 2024 - $5.69/100 cubic ft.

Municipal Code Section	Description of License, Fee, or Permit	Charge
		July 1, 2025 - $6.16/100 cubic ft.
	~~Next 1,985 hundred cubic feet per month~~	~~July 1, 2017 - $2.80/100 cubic ft.~~ ~~July 1, 2018 - $3.16/100 cubic ft.~~ ~~July 1, 2019 - $3.56/100 cubic ft.~~
	~~Over 2,000 hundred cubic feet per month~~	~~July 1, 2017 - $2.07/100 cubic ft.~~ ~~July 1, 2018 - $2.72/100 cubic ft.~~ ~~July 1, 2019 - $3.56/100 cubic ft.~~
	Sewer service charge based upon monthly average	
	For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March.	
5.22.020	Flat rate sewerage service charge per month	~~$22.88/Residential unit~~ April 1, 2021 - $28.80/100 cubit ft. July 1, 2022 - $28.80/100 cubic ft. July 1, 2023 - $28.80/100 cubic ft. July 1, 2024 - $28.80/100 cubic ft. July 1, 2025 - $28.80/100 cubic ft.
	Minimum sewerage service charge per month	~~$8.58/Residential unit~~ April 1, 2021 - $12.50/100 cubit ft. July 1, 2022 - $13.08/100 cubic ft. July 1, 2023 - $13.69/100 cubic ft. July 1, 2024 - $14.33/100 cubic ft. July 1, 2025 - $15.00/100 cubic ft.
5.22.050	Administrative assessment fee for collection of delinquent sewer bills	50.00
5.22.060	Special rates for users who are defined as significant users under the city's pretreatment program based on concentration of raw flow prior to pretreatment shall be as follows:	
	Flow rate (inside city limits):	~~July 1, 2017 - $0.96/100 cubic ft.~~ ~~July 1, 2018 - $1.30/100 cubic ft.~~ ~~July 1, 2019 - $1.75/100 cubic ft.~~ April 1, 2021 - $3.20/100 cubit ft. July 1, 2022 - $3.46/100 cubic ft. July 1, 2023 - $3.73/100 cubic ft. July 1, 2024 - $4.03/100 cubic ft. July 1, 2025 - $4.35/100 cubic ft.
	Flow rate (outside city limits):	~~July 1, 2017 - $1.35/100 cubic ft.~~ ~~July 1, 2018 - $1.83/100 cubic ft.~~ ~~July 1, 2019 - $2.47/100 cubic ft.~~

Municipal Code Section	Description of License, Fee, or Permit	Charge
		April 1, 2021 - $4.52/100 cubit ft. July 1, 2022 - $4.88/100 cubic ft. July 1, 2023 - $5.27/100 cubic ft. July 1, 2024 - $5.69/100 cubic ft. July 1, 2025 - $6.14/100 cubic ft.
	Surcharges (inside city):	
	For biochemical oxygen demand (BOD) over 350 parts per million, by weight	~~July 1, 2017 - $0.160 per pound~~ ~~July 1, 2018 - $0.216 per pound~~ ~~July 1, 2019 - $0.291 per pound~~ April 1, 2021 - $.291 per pound July 1, 2022 - $.291 per pound July 1, 2023 - $.291 per pound July 1, 2024 - $.291 per pound July 1, 2025 - $.291 per pound
	For suspended solids over 350 parts per million, by weight	~~July 1, 2017 - $0.327 per pound~~ ~~July 1, 2018 - $0.442 per pound~~ ~~July 1, 2019 - $0.596 per pound~~ April 1, 2021 - $.596 per pound July 1, 2022 - $.596 per pound July 1, 2023 - $.596 per pound July 1, 2024 - $.596 per pound July 1, 2025 - $.596 per pound
	For recoverable oil and grease over 100 parts per million, by weight	~~July 1, 2017 - $0.160 per pound~~ ~~July 1, 2018 - $0.216 per pound~~ ~~July 1, 2019 - $0.291 per pound~~ April 1, 2021 - $.291 per pound July 1, 2022 - $.291 per pound July 1, 2023 - $.291 per pound July 1, 2024 - $.291 per pound July 1, 2025 - $.291 per pound
	Surcharges (outside city):	
	For biochemical oxygen demand (BOD) over 350 parts per million, by weight	~~July 1, 2017 - $0.206 per pound~~ ~~July 1, 2018 - $0.278 per pound~~ ~~July 1, 2019 - $0.375 per pound~~ April 1, 2021 - $.375 per pound July 1, 2022 - $.375 per pound July 1, 2023 - $.375 per pound July 1, 2024 - $.375 per pound July 1, 2025 - $.375 per pound
	For suspended solids over 350 parts per million, by weight	~~July 1, 2017 - $0.375 per pound~~ ~~July 1, 2018 - $0.506 per pound~~ ~~July 1, 2019 - $0.684 per pound~~ April 1, 2021 - $.684 per pound

Municipal Code Section	Description of License, Fee, or Permit	Charge
		July 1, 2022 - $.684 per pound July 1, 2023 - $.684 per pound July 1, 2024 - $.684 per pound July 1, 2025 - $.684 per pound
	For recoverable oil and grease over 100 parts per million, by weight	~~July 1, 2017 - $0.206 per pound~~ ~~July 1, 2018 - $0.278 per pound~~ ~~July 1, 2019 - $0.375 per pound~~ April 1, 2021 - $.375 per pound July 1, 2022 - $.375 per pound July 1, 2023 - $.375 per pound July 1, 2024 - $.375 per pound July 1, 2025 - $.375 per pound
~~5.22.070~~	~~Surcharge rates for users not eligible for special rates contained in 5.22.060:~~	—
—	~~For biochemical oxygen demand (BOD) over 350 parts per million, by weight~~	~~0.1346 per pound~~
—	~~For suspended solids over 350 parts per million, by weight~~	~~0.2743 per pound~~
—	~~For recoverable oil and grease over 100 parts per million, by weight~~	~~0.1080 per pound~~
5.23.020	Disposal fees for septic tank refuse	$30.00/1,000 gallons

(Ord. 5825 § 1, 2004). (Ord. 6228, 2015). (Ord. 6425, 2020)

	Post-Construction Stormwater Control Fee Structure	
6.20	**All Development – Review Fee**	500.00
	Residential <10 acres Minimum Fee Maximum Fee Disturbed Acre Fee	 650.00 2,000 150.00/acre
	Residential >10 acres Minimum Fee Maximum Fee Disturbed Acre Fee	 2,500 7,500 200/acre
	Commercial/Industrial/Mixed Use Minimum Fee Maximum Fee Disturbed Acre Fee	 1,000 7,500 500/acre
Resolution 12-341	**Re-Development** Minimum Maximum Disturbed Acre Fee	 1,000 5,000 500/acre

2.08.060 Fees and charges authorized in Title 9.

Municipal Code Section	Description of License, Fee, or Permit	Charge
9.08.180	Prohibited parking violation	15.00
	After 30 days	20.00
9.36.030	Parking meter fees	
	1/2 hour meters	0.75 per hour
	1-2 hour meters	0.50 per hour
	10 hour meters	0.25 per hour
9.32.120	Leased Parking in Municipal Lots: Scott Street lot, Beno Lot @ Kanesville & Main, Vine Street Lot	25.00/month
9.36.090	Parking meter hood fee	5.00 per day per hood
9.36.120	Overtime parking violation	15.00
	After 30 days	20.00

2.08.070 Parks and Recreation fees and charges.

~~**Dodge Riverside Golf Course (All fees include tax)**~~	—
~~*Weekday Rates (Per Person)*~~	—
~~18 holes with cart~~	~~$35.00~~
~~18 holes walking~~	~~23.00~~
~~9 holes with cart~~	~~25.00~~
~~9 holes walking~~	~~16.00~~
~~18 holes with cart (senior)~~	~~24.00~~
~~18 holes walking (senior)~~	~~16.00~~
~~9 holes with cart (senior)~~	~~19.00~~
~~9 holes walking (senior)~~	~~13.00~~
~~18 holes walking (junior)~~	~~13.00~~
~~9 holes walking (junior)~~	~~9.00~~
~~9 holes with cart (league)~~	~~24.00~~
~~9 holes walking (league)~~	~~16.00~~
~~18 holes with cart (outing) (Merchandise fee)~~	~~33.00~~
~~9 holes with cart (outing) (Merchandise fee)~~	~~23.00~~
~~*Weekend Rates (Per Person)*~~	—
~~18 holes with cart~~	~~41.00~~
~~18 holes walking~~	~~29.00~~
~~9 holes with cart~~	~~28.00~~

Municipal Code Section	Description of License, Fee, or Permit	Charge
	~~9 holes walking~~	~~18.00~~
	~~18 holes with cart (outing) (Merchandise fee)~~	~~39.00~~
	~~9 holes with cart (outing) (Merchandise fee)~~	~~27.00~~

~~**Senior Weekday Passes (Individual)**~~	
~~18 hole pass walking (good for no more than 18 holes per day)~~	~~550.00~~
~~18 holes pass with cart~~	~~720.00~~
~~9 hole pass walking (good for no more than 18 holes per day)~~	~~355.00~~
~~9 holes pass with cart~~	~~485.00~~

~~Passes valid Monday – Friday, not valid on weekends, holidays, or for leagues or outing.~~
~~Tee times subject to availability.~~
~~10% discount on Pro Shop Merchandise (not valid on sale items)~~
~~10% off food at Caddy's Riverside Grille (not valid on daily specials)~~

~~**Corporate Memberships (Annual)**~~	
~~Masters Package~~	~~3150.00~~
~~w/Granite Tee Sign Ad Panel~~	~~3550.00~~
~~US Open Package~~	~~1625.00~~
~~w/Granite Tee Sign Ad Panel~~	~~2125.00~~
~~PGA Package~~	~~825.00~~
~~w/Granite Tee Sign Ad Panel~~	~~1475.00~~
~~Tee Sign Ad Panel Only (full color, text, and logo)~~	~~750.00~~

~~**Discount Cards** (Buy 10 Rounds, Get 1 Round Free)~~	
~~Junior (walking) Monday – Friday only~~	~~130.00~~
~~Senior (walking) Monday – Friday only~~	~~160.00~~
~~Senior (cart) Monday – Friday only~~	~~240.00~~
~~Adult (walk) Monday – Friday only~~	~~230.00~~
~~Adult (cart) Monday – Friday only~~	~~350.00~~
~~Weekend & Holidays (walk)~~	~~290.00~~
~~Weekend & Holidays (cart)~~	~~410.00~~

~~Seniors are considered to be fifty-five (55) years of age or older.~~
~~Juniors are considered to be seventeen (17) years of age or younger.~~
~~Carts are required for all outings.~~
~~Holiday rates are the same as weekend rates.~~
~~Senior and junior rates are not available on weekends or holidays.~~

~~* Special rates may be offered based upon weather, course conditions, or time of year. Examples include, but are not limited to, fall rates, afternoon rates, twilight rates, and are subject to Parks and Recreation Director approval.~~

~~Published outing fee will be thirty-nine dollars ($39.00) per person, including cart, for outings with thirty-two (32) or more on weekends, and thirty-three dollars ($33.00) on weekdays. Outings less than thirty-two (32) will be the normal green fee rate. The published outing fee will be negotiable based upon size, time of day, time of year, or day of week, subject to Parks and Recreation Director approval.~~

~~**Westwood Park Golf Course (All fees include tax)**~~	~~—~~
~~Weekday and Weekend Rates (Per Person)~~	~~—~~
~~18 holes walking~~	~~11.00~~
~~9 holes walking~~	~~8.00~~
~~18 holes walking (senior)~~	~~9.00~~
~~9 holes walking (senior)~~	~~6.00~~
~~18 holes walking (junior)~~	~~9.00~~
~~9 holes walking (junior)~~	~~6.00~~

~~Seniors are considered to be fifty-five (55) years of age or older.~~
~~Juniors are considered to be seventeen (17) years of age or younger.~~
~~There are no motorized carts at Westwood.~~
~~Senior and junior rates are available on weekends or holidays.~~
~~Juniors who are fourteen (14) and under can play for free when accompanied by a paying adult.~~

~~**Dodge Park/Westwood - Summer Junior Pass**~~	~~1 child~~	~~2 children~~	~~3 or more~~
~~Westwood Golf Course Only~~	~~60.00~~	~~100.00~~	~~125.00~~
~~Dodge and Westwood G.C.~~	~~125.00~~	~~190.00~~	~~225.00~~

~~Juniors are considered to be seventeen (17) years of age or under or still in high school.~~
~~Passes good from June 1 - August 31.~~
~~Passes not good on weekends or holidays and only one round per day per course.~~

Outdoor Water Park Fees (All fees include tax)	Resolution 12-342
Pirate Cove Water Park	
Admission without slide	4.00
Admission with slide	5.00
10 Swim Punch Card (slide)	40.00
10 Swim Punch Card (w/o slide)	30.00
Individual Season Pass	75.00
Season Pass (five or less)	200.00
Additional family member	75.00
Family night-per person	2.00
Swim Lessons:	25.00
Pool Rental (up to 30 people)	200.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
Katelman Water Park		
Admission		4.00
10 Swim Punch Card		30.00
Individual Season Pass		75.00
Season Pass (five or less)		200.00
Additional family member		75.00
Family night--per person		2.00
Swim lessons		25.00
Pool Rental (up to 30 people)		175.00
~~**Municipal Indoor Swimming Pool/YMCA**~~		
~~Swim lessons (per session)~~	~~Member~~	~~Non-Member~~
~~Summer--5 week~~	~~22.00~~	~~38.00~~
~~Summer--6 week~~	~~26.00~~	~~45.00~~
~~Day classes~~	~~34.00~~	~~61.00~~
~~**Swim passes 3 months**~~		
~~Adult~~		~~75.00~~
~~Senior adult~~		~~55.00~~
~~Family~~		~~140.00~~
~~Day pass~~		~~--~~
~~Youth~~		~~3.00~~
~~Adult~~		~~7.00~~
~~Family~~		~~10.00~~
Adult Softball (Team Fee)		
Single game league		325.00
Fall league		200.00
Instructional Youth Baseball and Softball (Individual Fee)		
Tee Ball, Co-Ed, and Girls Infield Machine Pitch		35.00 (30.00 if they have shirts from previous sport)
Youth Fast Pitch and Baseball		
~~Junior fast pitch~~		~~35.00/player~~
~~Senior fast pitch~~		~~35.00/player~~
10 and under		35.00/player
12 and under		35.00/player

Municipal Code Section	Description of License, Fee, or Permit	Charge
14 and under		35.00/player
Non-CBRC Field Rental Fees		
Baseball and softball fields		50.00/field/day (no team fees)
Lights		30.00/day
Council Bluffs Recreation Complex Rental Fees		
Baseball/Softball		
Fields #1--6, 10		70.00/day
Fields #7, 8, 9		75.00/day
Adult use (out of high school)		
Baseball/Softball Fields		80.00/day
Baseball/Softball Fields #1-10		
Single game, non-league, non-repeating use only		30.00
Baseball/Softball--Lights		
Fields 1--4		30.00/day
Fields 5--6		20.00/day
Fields 7--10		60.00/day
Tournament Fee		
1-5 Fields/day		325.00/day
6+ Fields/day		650.00/day
Baseball/Softball Fee for Premium Usage Dates (CWS dates)		$5000 Lump Sum
Soccer Fields		
U12 13/14		75.00/field/day
U10		50.00/field/day
U8		40.00/field/day
U6		30.00/field/day
Soccer Team Fee		15.00/team
Tournament Soccer Fee		500.00
Field Reconfiguration Fee		500.00
CBYSA Game Fee		15.00/game
WIYS Game Fee		40.00/game
Practice Permits		
For parks and recreation league teams, fees are:		
1/2 soccer field, baseball field, tennis court		5.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
Entire soccer field		8.00
For non-parks and recreation league teams, fees are:		
1/2 soccer field, baseball field, tennis court		10.00
Entire soccer field		15.00
~~**Tennis Tournaments**~~		~~—~~
~~Adult singles~~		~~20.00~~
~~Adult doubles~~		~~24.00~~
~~Junior singles~~		~~15.00~~
~~Junior doubles~~		~~20.00~~
Jr. Tennis Lessons	1 Child	2 or more children in family
1 session (4 weeks)	44.00	40.00/child
2 sessions (8 weeks)	80.00	70.00/child/session
Fall session (4 weeks)	20.00	
~~**Adult Indoor Volleyball**~~		~~180.00~~
~~**Adult Sand Volleyball**~~		~~65.00/team~~
~~**Youth Sand Volleyball**~~		~~32.00/person~~
Bayliss Park Rental Fees		
Park (nonperformance area) with or without electricity		50.00/2 hours
Performance area		100.00/2 hours
Performance area with sound system		150.00/2 hours
Refundable deposit for performance area rental (includes microphone & stand)		100.00

* In addition to these fees, for some events the Director of Parks and Recreation shall collect a security deposit along with the permit fees to cover any negative impact an event may have on the park or its improvements. Proof of insurance may be required if deemed appropriate by the director.

Tom Hanafan River's Edge Park Rental Fees			
Rental Fees	**2 Hr. Rate**	**½ Day Rate**	**All Day Rate**
Great Lawn	50.00	200.00	300.00
Beachfront	100.00	400.00	700.00
Amphitheater	150.00	600.00	1,000.00
Entire Park	300.00	1,200.00	2,000.00
Other Fees (Direct, in park costs to be charged)			
City Stage		200.00 plus staff time	
Additional Portable Restrooms		Direct contractor cost based on number and length of use	

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Fencing for Small Beer Garden	400.00
	Fencing for Large Beer Garden	1,000.00
	Additional Fencing	1.25 per foot installed and removed
	City Labor	Hourly cost assessed for non-park staff
	Electrical Power	200 if electrical distribution unit(s) are required
	Other Fees	Depending upon use

The *Use Policy for Tom Hanafan River's Edge Park* outlines the rental policies and specific allocation of the above park fees.

10.02.070	Administrative fee for enforcing and overseeing the removal of solid waste and other nuisances as set forth in Section 1.97.030(11), in addition to actual documented costs	110.00
10.20.120	Abandon sewer lateral	
	Address: For new structures	50.00
	Banner	25.00
	Driveway Residential* Commercial/Industrial* *If work involves the roadway, such as saw cutting or milling, add $10.00 to the fee	 50.00 90.00
	Excavation: Behind back of curb* *If work involves sidewalk *If work involves driveway approach In roadway – each location *Bore, Tunnel, or Trench - Conduit for cable *Construct Structure, Junction Box, or New Pole for Conduit	 75.00 Add 25.00 Add 25.00 150.00 0.20 / LF 250.00 ea.
	Sidewalk	40.00
	Small Wireless Facilities: Annual Attachment fee for City owned poles Permit Application – up to five installations* *If more than five	 150.00 ea. 500.00 Add 50.00 ea.
	Truck: Oversize dimensions or overweight One time trip Annual Commercial vehicle or tractor in residential area	 25.00 250.00 50.00
	Miscellaneous work in right-of-way License to occupy Communications License Agreement	45.00 100.00 1000.00/annual
10.44.020	Moving contractor (new & renewal)	100.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
10.44.040	Moving permit fee – 100% of the permit fee charges for the estimated cost of new building or structure of similar construction for both locations Moving permit fee – Type "J" buildings	 150.00
12.03.010	Aerosol products – to store level 2 or 3 products in excess of 500 lbs.	20.00
	Outside tire storage – to store tires outside in excess of 1,000 cubic feet	25.00
	Flammable or combustible liquid pipeline – to repair or modify a pipeline	25.00
	To line an underground fuel tank – Installation fees For each tank: 0 – 6,000 gallons 6,001 – 20,000 gallons 20,001 – 50,000 gallons 50,001 – 200,000 gallons 200,001 – 1,000,000 gallons 1,000,001 gallons ore more	 25.00 40.00 75.00 100.00 150.00 275.00
	Removal of underground storage tanks Each additional tank on same site	30.00 15.00
	Storage of flammable liquids, compressed and liquefied gas systems: 1,000 – 3,000 gallons 3,001 – 30,000 gallons 30,001 – 60,000 gallons 60,001 – 100,000 gallons 100,001 – 300,000 gallons 300,001 gallons or more	 25.00 30.00 60.00 75.00 125.00 225.00
	Retail dealers in flammable liquids, combustible/explosive materials or public garages: Acetylene torch or propane torch: Over 10 pounds Each addition Pedestalator or outlet service pump Each addition Ammunition – to store or sell small arms ammunition Calcium carbide – to store over 100 pounds Chemicals – to store over 250 gallons of hazardous chemicals	 15.00 5.00 10.00 3.00 15.00 15.00 25.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Dry cleaners – to operate	40.00
	Laundromats – to operate	40.00
	Finishing shop, including painting, spraying, and dipping, storing more than 5 gallons of flammable finish - to operate	40.00
	Public garages – including car washes to operate/per bay	10.00
	Oil dealers – to operate	15.00
	Paint dealers – to operate	30.00
	To operate and maintain a refrigeration system containing more than 20 pounds of refrigerant	15.00
	Lumber yards – to operate	100.00
	Tent sales – to operate	35.00
	Grain elevators to operate	160.00
	Fireworks Display (per day)	150.00

13.01.030	Temporary License – Fee (temporary)	150.00 (one year)
13.03.030	**Board of Appeals**	
	Administrative filing fee per appeal	50.00
13.07.100	General Contractor – biennial – Class A	150.00
	Building Contractor – biennial – Class B	150.00
	Residential Contractor – biennial – Class C	100.00
	Class D & E	100.00
	Moving Contractor – biennial	100.00
	Sign Contractor – biennial	100.00
	Siding – biennial (Residential)	100.00
	Window – biennial (Residential)	100.00
	Retaining Walls – biennial (Residential)	100.00
	Grading - biennial	100.00
	One Job License	
	General Contractor – per job – Class A	1,000.00
	Building Contractor – per job – Class B	500.00
	Residential Contractor – per job – Class C	400.00
	Class D & E	150.00
	ONE JOB LICENSE – per job	150.00
	Certificate Fee	
	The fee for inspection and a certificate of occupancy for a change in group occupancy/use (if not part of a current active building permit).	150.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
13.07.120	Penalty for late renewals	20.00 per month for a maximum of three months
13.07.175	Landlord Registration – work done in rental units	100.00/two year period
13.08.100	**Building Permit Fees:** Total valuations:	
	$1.00 - $500.00	$23.50
	501.00 to 2,000.00	$23.50 for the first $500 + $3.05 for each additional $100.00 or fraction thereof, to an including $2,000.00
	2,001.00 - 25,000.00	$69.25 for the first $2,000 plus $14.00 for each additional $1,000 or fraction thereof, to and including $25,000.00
	25,001.00 – 50,000.00	$391.75 for the first $25,000 plus $10.10 for each additional $1,000 or fraction thereof, to and including $50,000.00
	50,001.00 – 100,000.00	$643.75 for the first $50,000 plus $7.00 for each additional $1,000 or fraction thereof, to and including $100,000.00
	100,001.00 – 500,000.00	$993.75 for the first $100,000 plus $5.60 for each additional $1,000 or fraction thereof, to and including $500,000.00
	500,001.00 – 1,000.000.00	$3233.75 for the first $500,000 plus $4.75 for each additional $1,000 or fraction thereof to an including $1,000,000.00
	1,000,000.00 and up	$5,608.75 for the first $1,000,000.00 plus $3.65

Municipal Code Section	Description of License, Fee, or Permit	Charge
		for each additional $1,000 or fraction thereof
	Fees (One and Two Family Dwellings and accessory structures only):	
	Roofing-Siding-Window Replacement (Combo)	75.00
	Any combination of Two Replacement	50.00
	Replacement of any one of the three	30.00
	Fences over 6 feet (Includes Electric Fences)	Based on valuation
	Retaining wall	Based on valuation
13.08.370	**Sign permit fees** – signage area	
	Per square foot	1.00
13.09.070	**Building Other Inspections and Fees:**	
	Inspections outside normal business hours per hour (minimum charge 2.5 hours)	123.00/hour
	Re-inspection fees assessed under provisions of Section 13.01.305.8, per Inspection	123.00/hour
	Inspections for which no fee is specifically indicated (minimum charge one hour)	123.00/hour
	Additional plan review required by changes, additions, or revisions (minimum charge one hour)	123.00/hour
	For use of outside consultants for plan review and inspections	Actual Costs*
	*Or the total hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
13.09.070	**Mechanical Code Permit Fees:**	
	Permit issuance fee	23.50
	For the issuing of each supplemental permit for which the original permit has not expired, been cancelled, or finaled	7.50
	Unit Fee Schedule:	
	(Note: The following do not include permit-issuing fee)	
	Furnace & Heat Pumps –	
	For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW)	14.80
	For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW)	18.20
	For the installation or relocation of each floor furnace, including vent	14.80
	For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater	14.80

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Appliance Vents –	
	For the installation, relocation, or replacement of each appliance vent installed and not included in an appliance permit	7.25
	Repairs or Additions –	
	For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	13.70
	Boilers, compressors, Absorption Systems and Air Conditioning –	
	For the installation or relocation of each boiler or compressor up to and including 3 ton horsepower (10.6 kW), or each absorption system to and including 100,000 Btu/h (29.3 kW)	14.70
	For the installation or relocation of each boiler or compressor over 3 ton horsepower (10.6 kW) to and including 15 ton horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW)	27.15
	For the installation or relocation of each boiler or compressor over 15 ton horsepower (52.7 kW) to and including 30 ton horsepower (105.5 kW), or each absorption system of 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/(293.1 kW)	37.25
	For the installation or relocation of each boiler or compressor over 30 ton horsepower (105.5 kW) to and including 50 ton horsepower (176 kW), or each absorption system of 1,000,000 Btu/h (291.1 kW) to and including 1,750,000 Btu/h (512.9 kW)	55.45
	For the installation or relocation of each boiler or compressor over 50 ton horsepower (176 kW) or each absorption system over 1,750,000 Btu/h (512.9 kW)	92.65
	Air Handlers –	
	For each air-handling unit up to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto *(Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code)*	10.65
	For each air-handling unit over 10,000 cfm (4719 L/s)	18.10
	Evaporative Coolers –	
	For each evaporative cooler other than portable type	10.65
	Ventilation and Exhaust –	
	For each ventilation fan connected to a single duct	7.25
	For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	10.65
	For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood	10.65
	Incinerators –	
	For the installation or relocation of each domestic-type incinerator	18.20

Municipal Code Section	Description of License, Fee, or Permit	Charge
	For the installation or relocation of each commercial or industrial-type incinerator	14.50
	Miscellaneous –	
	For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which the fee is listed in the table	10.65
	Mechanical Other Inspections and Fees:	
	Inspections outside normal business hours per hour (minimum charge 2.5 hours)	123.00
	Re-inspection fees assessed under provision of Section 305.8, per Inspection	123.00
	Inspections for which no fee is specifically indicated per hour (minimum charge one hour)	123.00
	Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)	123.00
	Mechanical Permit Fees (Industrial and Large Commercial with Valuation of $5,000,000 or more):	
	For the issuance of each mechanical permit	23.50
	For the issuing of each supplemental permit for which the original permit has not expired, been cancelled, or finaled	7.50
	System Fee Schedule:	
	Steam or Hydronic Heating System sized by million Btu/hour (MBH)	2.86
	Radiant Floor Heating System sized by million Btu/hour (MBH)	3.81
	Chilled Beam Cooling System sized by million Btu/hour (MBH)	2.86
	Underfloor Air Distribution System sized by cubic feet per minute (CFM)	0.03
	Geothermal Well System sized by each (EA)	28.60
	Variable Refrigerant Flow System sized by million Btu/hour (MBH)	14.30
	Process Fluid System (Air, Natural Gas, Vacuum, DI Water, RO Water, Nitrogen, Medical Gas) sized by square footage (SF)	2.86
	Fuel Oil and Gas Dispensing System or Standby System sized by gallon capacity (GAL)	14.30
	Refrigerant System for Commercial Kitchen Coolers and Freezers sized by million Btu/hour (MBH)	14.30
	Vehicle Exhaust System sized by million Btu/hour (MBH)	0.14
	Welding Exhaust System sized by million Btu/hour (MBH)	0.14
	Industrial Dust Collector System sized by million Btu/hour (MBH)	0.03
	Unit Fee Schedule:	
	(Note: The following do not include permit issuing fee)	
	Chiller (water-cooled, air-cooled, absorption) sized by tons (Tons)	2.86

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Cooling Tower (natural draft, mechanical draft) sized by tons (Tons)	2.86
	Unitary Evaporative Cooler sized by tons (Tons)	2.86
	Packaged AC Unit/Heat Pump with Integral Gas Furnace sized by tons (Tons)	5.72
	Ductless Split AC Unit/Heat Pump sized by tons (Tons)	5.72
	Ducted Split DX AC Unit/Heat Pump without Forced Air Furnace sized by tons (Tons)	7.15
	Computer Room AC Unit Water-Cooled sized by tons (Tons) CRAH	7.15
	Computer Room AC Unit Refrigerant Cooled (remote condenser) sized by tons (Tons) CRAC	14.30
	Gas or Fuel Oil Fired Boiler (Water or Steam) sized by million Btu/hour (MBH)	0.57
	Electric Boiler sized by kilowatts (kW) sized by million Btu/hour (MBH)	0.57
	Gas-Fired or Infrared Unit Heater sized by million Btu/hour (MBH)	0.36
	Electric Unit Heater and Electric Radiators sized by million Btu/hour (MBH)	0.36
	Steam Humidifier sized by square footage (SF)	0.29
	Central Station or Built-Up Air Handling Unit sized by cubic feet per minute (CFM)	0.10
	Terminal Unit (VAV, CV, PIU, WSHP, etc.) sized by each (EA)	28.60
	Fan Coil Unit sized by each (EA)	28.60
	Commercial Kitchen Hood sized by each (EA)	28.60
	Commercial Kitchen Hood Make-up Unit sized by each (EA)	57.20
	Exhaust Fans with Ductwork sized by each (EA)	57.20
	Exhaust Fans without Ductwork sized by each (EA)	28.60
	Outdoor Air Supply Fan sized by each (EA)	28.60
	Smoke Control and Refrigerant Exhaust Fan sized by each (EA)	57.20
	Exhaust Hood (non-laboratory) sized by each (EA)	57.20
	Laboratory Fume Hood Cabinet sized by each (EA)	57.20
	Miscellaneous – For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which the fee is listed in the table sized by each (EA)	143.00
	Mechanical Other Inspections and Fees:	
	Inspections outside of normal business hours per hour (minimum charge 2.5 hours)	286.00*
	Re-inspection fees assessed under provisions of Section 305.8, per Inspection	286.00*
	Inspections for which no fee is specifically indicated per hour (minimum charge one hour)	286.00*

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour) *Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	286.00*
13.12.060	**Plumbing Code Permit Fees:**	
	For the issuance of each plumbing permit	23.50
	For the issuing each supplemental permit for which the original permit has not expired, been cancelled, or finaled	7.50
	Unit Fee Schedule:	
	(Note: the following do not include permit-issuing fee)	
	Fixtures and Vents –	
	For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage, piping, and backflow protection thereof)	9.80
	For repair or alteration of drainage or vent piping, each fixture	4.75
	Sewers, Disposal Systems and Interceptors:	
	For each building sewer and water service and each trailer park sewer and water service	24.65
	For each cesspool	37.25
	For each private sewage disposal system	74.50
	For each industrial waste pretreatment interceptor, including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps	19.90
	Rainwater systems – per drain	9.80
	Water Piping and Water Heaters –	
	For installation, alteration, or repair of water piping or water-treating equipment, or both, each	4.75
	For each water heater, including vent	12.30
	For vents only, see **Mechanical Permit Fees**	
	Gas Piping Systems –	
	For each piping system of one to five outlets	6.15
	For each additional outlet over five, each	1.20
	Lawn Sprinklers, Vacuum Breakers and Backflow Protection Devices –	
	For each lawn sprinkler system on any one meter, including backflow protection devices thereof	14.80
	For atmospheric-type vacuum breakers or backflow protection devices not included in **Fixtures and Vents**:	
	1 to 5 devices	12.30
	Over 5 devices, each	2.25
	For each backflow-protection device other than atmospheric-type vacuum breakers:	

Municipal Code Section	Description of License, Fee, or Permit	Charge
	2 inches (50.8 mm) and smaller	12.30
	Over 2 inches (50.8 mm)	24.65
	Swimming Pools –	
	For each swimming pool or spa (in ground):	
	Public pool	91.25
	Public spa	60.75
	Private pool	60.75
	Private spa	30.25
	Miscellaneous –	
	For each appliance or piece of equipment regulated by the Plumbing Code but not classed in other appliance categories, or for which no other fee is listed in this code	9.80
	Plumbing Other Inspections and Fees:	
	Inspections outside normal business hours per hour (minimum charge 2.5 hours)	123.00
	Re-inspection fees assessed under provisions of Section 305.8, per Inspection	123.00
	Inspections for which no fee is specifically indicated per hour (minimum charge one hour)	123.00
	Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)	123.00
	Plumbing Permit Fees (Industrial and Large Commercial with Valuation of $5,000,000 or more):	
	For the issuance of each plumbing permit	23.50
	For the issuing of each supplemental permit for which the original permit has not expired, been cancelled, or finaled	7.50
	System Fee Schedule:	
	Domestic Supply Piping System sized by peak gallons per minute (GPM)	2.86
	Domestic Drain Piping System sized by peak gallons per minute (GPM)	2.86
	Stormwater Piping System sized by peak gallons per minute (GPM)	2.86
	Reverse Osmosis/Deionized Water System sized by peak gallons per minute (GPM)	5.72
	Pool Filtration System sized by peak gallons per minute (GPM)	5.72
	Process Vacuum System sized by horsepower of vacuum pump (HP)	28.60
	Solar Water Heating System sized by number of solar panels (EA)	14.30
	Rain Water System sized by capacity of system in gallons (GAL)	2.86
	Gas Piping System sized by million Btu/hour (MBH)	2.86
	Irrigation System sized by number of sprinkler heads (EA)	5.72

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Unit Fee Schedule:	
	(Note: The following do not include permit issuing fee)	
	Fixtures and Vents –	
	For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection thereof) sized by each (EA)	5.72
	For repair or alterations of drainage or vent piping, each fixture (EA)	5.72
	Sewers, Disposal Systems and Interceptors –	
	For each cesspool sized by each (EA)	286.00
	For each private sewage disposal system sized by each (EA)	286.00
	For each industrial waste pretreatment interceptor, including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps sized by each (EA)	286.00
	Water Heaters –	
	Potable Water Heat Exchanger sized by gallon per minute (GPM)	1.43
	Commercial Gas-Fired Water Heater sized by tank capacity in gallons (GAL)	1.43
	Commercial Electric Water Heater sized by tank capacity in gallons (GAL)	1.43
	Residential Gas-Fired Water Heater sized by tank capacity in gallons (GAL)	1.43
	Residential Electric Water Heater sized by tank capacity in gallons (GAL)	1.43
	Instantaneous, Point of Use, Electric Water Heater sized by gallon per minute (GPM)	1.43
	Backflow Preventer sized by each (EA)	5.72
	Domestic Water Booster Pump sized by horsepower of pump (HP)	57.20
	Gray Water Lift Station sized by horsepower of pump(s) (HP)	11.44
	Sewage Ejector Pump sized by horsepower of pump(s) (HP)	11.44
	Sump Pumps sized by horsepower of pump(s) (HP)	11.44
	Process Air Compressor sized by horsepower of motor(s) (HP)	11.44
	Water Softener sized by gallon per minute (GPM)	11.44
	Swimming Pools –	28.60
	Public Pool sized by capacity in gallons (GAL)	
	Public Spa sized by capacity in gallons (GAL)	0.01
	Private Pool sized by capacity in gallons (GAL)	0.06
	Private Spa sized by capacity in gallons (GAL)	0.01
	Miscellaneous –	0.11
	For each appliance or piece of equipment regulated by the Plumbing Code but not classed in other appliance categories, or for which the fee is listed in this code sized by each piece of equipment (EA)	

Municipal Code Section	Description of License, Fee, or Permit	Charge
		14.30
	Plumbing Other Inspections and Fees:	
	Inspections outside of normal business hours per hour (minimum charge 2.5 hours)	286.00*
	Re-inspection fees assessed under provisions of Section 305.8, per Inspection	286.00*
	Inspections for which no fee is specifically indicated per hour (minimum charge one hour)	286.00*
	Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)	286.00*
13.16.120	**Electrical Code Permit Fees**:	
	For the issuance of each electrical permit	23.50
	For the issuing of each supplemental permit for which the original permit has not expired, been cancelled, or finaled	7.50
	System Fee Schedule:	
	(Note: the following do not include permit issuing fee)	
	<u>New Residential Buildings</u> –	
	The following fees shall include all wiring and electrical equipment or on each building, or other electrical equipment on the same premises constructed at the same time.	
	Multifamily. For new multifamily buildings (apartments and condominiums) having three or more dwelling units, constructed at the same time, not including the area of garages, carports and accessory building, per square foot (0.09m²)	0.050
	Single – and two-family. For new single – and two-family residential buildings constructed at the same time and not including the area of garages, carports, and accessory buildings, per square foot (0.09m²)	0.056
	For other types of residential occupancies and for alterations, additions, and modifications to existing residential buildings, use the Unit Fee Schedule	
	<u>Private Swimming Pools</u> –	
	For new private, in-ground swimming pools for single-family and multifamily occupancies, including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool, each pool	49.50
	<u>Carnivals and Circuses</u> –	
	Carnivals, Circuses, or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays, and attractions.	
	For electrical generators and electrically driven rides, each	23.50
	For mechanically driven rides and walk-through attractions or displays having electrical lighting, each	

Municipal Code Section	Description of License, Fee, or Permit	Charge
	For a system of area and booth lighting, each	7.25
	For permanently installed rides, booths, displays, and attractions, use the Unit Fee Schedule	7.25
	Temporary Power Service –	
	For a temporary service pole or pedestal, including all pole or pedestal-mounted receptacle outlets and appurtenances, each	
	For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative lights, Christmas tree sales lots, fireworks stands, etc., each	23.50
		12.50
	Unit Fee Schedule:	
	(Note: the following do not include permit-issuing fee)	
	Receptacle, Switch and Lighting Outlets –	
	For receptacle, switch, light or other outlets at which current is used or controlled, except services, feeders, and meters:	
	First 20 fixtures, each	
	Additional fixtures, each	1.10
	(Note: For multioutlet assemblies, each 5 feet (1524 mm) or fraction thereof may be considered as one outlet)	0.73
	Lighting Fixtures –	
	For lighting fixtures, sockets or other lamp-holding devices:	
	First 20 fixtures, each	
	Additional fixtures, each	1.10
	For pole or platform-mounted lighting fixtures, each	0.73
	For theatrical-type lighting fixtures or assemblies, each	1.10
	Residential Appliances –	1.10
	For fixed residential appliances or receptacles outlets for same, including wall-mounted electrical ovens; counter-mounted cooking tops; electric ranges; self-contained room, console, or through-wall air conditions; space heaters; food waste grinders; dishwashers; washing machines; water heaters; clothes dryers; or other motor-operated appliances not exceeding 1 horsepower (HP) (746 W) in rating, each	
	(Note: For other types of air-conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus)	4.75
	Nonresidential Appliances –	
	For nonresidential appliances and self-contained factory-wired nonresidential appliances not exceeding 1 horsepower (HP), kilowatt (kW), or kilovolt-ampere (kVA) in rating, including medical and dental devices; food, beverage, and ice cream cabinets; illuminated show cases; drinking fountains; vending machines; laundry machines; or other similar types equipment, each	
	(Note: For other types of air-conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus)	4.75
	Power Apparatus –	

Municipal Code Section	Description of License, Fee, or Permit	Charge
	For motors, generators, transformers, rectifiers, synchronous converters, capacitators, industrial heating, air conditioners and heat pumps, cooking or baking equipment and other apparatus, as follows:	
	Rating in horsepower (HP), kilowatts (kW), kilovolt-amperes (kVA) or kilovolt-amperes-reactive (kVAR):	
	Up to and including 1, each	4.75
	Over 1 and not over 10, each	12.30
	Over 10 and not over 50, each	24.60
	Over 50 and not over 100, each	49.50
	Over 100, each	74.50
	(Note:	
	1. *For equipment or appliances having more than one motor, transformer, heater, etc. the sum of the combined ratings may be used.*	
	2. *These fees include all switches, circuit breakers, contactors, thermostats, relays, and other directly related control equipment.)*	
	Busways –	
	For trolley and plug-in-type busways, each 100 feet (30 480 mm) or fraction thereof	7.25
	(Note: An additional fee is required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in-type busways) A fee is not required for portable tools.	
	Sign, Outline Lighting and Marquees –	
	For signs, outline lighting systems or marquees supplied from one branch circuit, each	24.60
	For additional branch circuits within the same sign, outline lighting system or marquee, each	4.75
	Services –	
	For services of 600 volts or less and not over 200 amperes in rating, each charge	30.50
	For services of 600 volts or less and over 200 amperes to 1,000 amperes, each	62.15
	For services over 600 volts or over 1,000 amperes in rating, each	124.50
	Miscellaneous Electrical Apparatus Conduits and Conductors -	
	For electrical apparatus, conduits, and conductors for which a permit is required but for which no fee is herein set forth	18.20
	(Note: this fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, busways, signs or other equipment)	
	Electrical Other Inspections and Fees:	
	Inspections outside normal business hours per hour (minimum charge 2.5 hours)	123.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Re-inspection fees assessed under provisions of Section 305.8, per Inspection	123.00
	Inspections for which no fee is specifically indicated per hour (minimum charge one hour)	123.00
	Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)	123.00
	Electrical Permit Fees (Industrial and Large Commercial with Valuation of $5,000,000 or more):	
	For the issuance of each electrical permit	23.50
	For the issuing of each supplemental permit for which the original permit has not expired, been canceled, or finaled	7.50
	System Fee Schedule:	
	Ventilation Equipment sized by horsepower (HP)	9.53
	Heating Equipment sized by kilowatts (kW)	11.44
	Pumps (P) sized by horsepower (HP)	8.17
	Variable Air Volume Devices (VAV) sized by kilowatts (kW)	7.15
	Emergency Electrical System Generators sized by kilowatts (kW)	1.14
	Equipment Grounding Inspection sized by exothermic or mechanical terminations	0.03
	Building Lightning Protection Inspection sized by exothermic or mechanical terminations	0.03
	Temporary Power Service	286.00
	For a temporary service pole or pedestal, including all pole or pedestal-mounted receptacle outlets and appurtenances, sized by amps (AMPS)	
	For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative lights, Christmas tree sales lots, fireworks, etc., sized by amps (AMPS)	
	Unit Fee Schedule:	
	(Note: The following do not include permit issuing fees)	
	120 volt Outlets sized by amps (AMPS)	0.76
	Light Fixtures sized by wattage	0.05
	Transformers sized by kilovolt-amps (kVA)	0.76
	Motor Control Centers sized by amps (AMPS)	0.95
	Sub-panels sized by amps (AMPS)	0.57
	Industrial Appliances/Devices/Machinery –	
	For fixed Appliances/Devices/Machinery sized by kilowatts (kW)	1.14
	Busways –	
	For trolley and plug-in-type busways, sized by amps (AMPS)	1.43

Municipal Code Section	Description of License, Fee, or Permit	Charge
	(Note: An additional fee is required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in-type busways. A fee is not required for portable tools.)	
	Signs, Outline Lighting and Marquees –	19.07
	For signs, outline lighting systems or marquees sized by amps (AMPS)	0.95
	Services –	
	Meter Loop & Service sized by kilowatts (kW)	
	Miscellaneous Apparatus, Conduits, and Conductors –	
	For electrical Apparatus, conduits, and conductors for which a permit is required by for which no fee is herein set forth, sized by circuit amps (AMPS)	14.30
	(Note: the fee is not applicable when a fee is paid for one or more service, outlets, fixtures, appliances, power apparatus, busways, signs, or other equipment.)	
	Electrical Other Inspections and Fees:	
	Inspections outside of normal business hours per hour (minimum charge 2.5 hours)	286.00*
	Re-inspection fees assessed under provisions of Section 13.01.305.8, per Inspection	286.00*
	Inspections for which no fee is specifically indicated per hour (minimum charge one hour)	286.00*
	Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)	286.00*
	*Or the hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
13.17.210	License/registration: biennial	
	Electrical Contractor – active	150.00
	Electrical Contractor – inactive	70.00
	Honorary (retired) Contractor	20.00
	Journeyman Electrical	50.00
	Temporary Journeyman (for 4 months – renewal same)	50.00
	Honorary (retired) Journeyman	10.00
	Residential Wireman	50.00
	Maintenance Electrician	50.00
	Apprentice Electrician	20.00
13.18.050	Factory Built Structures	
	Set down fee	20.00
	Penalty (set down without permit)	40.00
13.18.070	Electrical hook-up fee	20.00
13.18.080	Plumbing hook-up fee	20.00
13.18.085	Mechanical hook-up fee	20.00
13.18.090	Utility hook-up fee	20.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
13.33.050(K)	**Grading and Excavation Permit Fees**	
	Less than 50 cubic yards	40.00
	50 cubic yards or more/per CY*	
	On-site only	0.05
	Hauled outside city limits	0.10
	Hauled from outside city limits to site	0.15
	Hauled from one site within city limits	0.10
	*Permit issuance fee	25.00

14.03.060	Text amendment to subdivision ordinance	~~150.00~~ 500.00
14.05.030	Application for property line adjustment	~~100.00~~ 200.00
14.06.030	Application for parcel split	200.00
14.07.010	Application for re-subdivision	~~250.00~~ 300.00 + $5.00 per lot
14.08.030	Application for minor subdivision (final plat)	~~250.00~~ 300.00 + $5.00 per lot
14.09.020	Application for major subdivision (final plat)	~~250.00~~ 300.00
14.10.020	Application for cluster subdivision (final plat)	~~250.00~~ 300.00
14.11.020	Application for preliminary subdivision review	~~250.00~~ 500.00 + $5.00 per lot
14.11.060	Preliminary plan variance request	~~200.00~~ 250.00/variance
14.12.060	Review final construction plans-minimum	200.00 + $10.00 per lot??
15.02.060	Zoning change	~~200.00~~ 300.00
	Conditional use	~~200.00~~ 300.00
	Development plan review	~~400.00~~ 500.00 + $10.00 per acre
	Appeal of administrative decision	~~200.00~~ 300.00
	Text amendment to zoning ordinance	~~150.00~~ 500.00
	Urban revitalization application	500.00 + $15.00 per $100,000 in value/maximum $1,500.00
	Zoning variance application	~~200.00~~ 300.00
	Comprehensive plan amendment	~~200.~~00 400.00
	Temporary Use Permit	150.00
	Zoning Compliance/verification letters	50.00
	Enterprise Zone Application Business and Developer Applications	$750.00 plus $50.00 per $100,000 valuation over $500,000. $1,250 maximum
	Residential Projects	$500.00 plus $20.00 per unit. $1,000 maximum

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Application for any amendments	$250.00
	Street, alley and public property vacation	~~100.00~~ 200.00
	Acquisition of Alley property: 0-300 square feet 301 – 5,000 square feet Over 5,000 square feet	 75.00 0.15 per square ft. 0.50 per square ft
	Acquisition of street property: 0-300 square feet 301 – 5,000 square feet Over 5,000 square feet	 75.00 0.15 per square ft. 0.50 per square ft.
15.23.025	Parking lot of 10 stalls or less Parking lot greater than 10 stalls	0.00 1.00 per stall not to exceed $200.00 maximum
16.09.020	Historic preservation ~~design review~~ - Certificate of Appropriateness	~~25.00~~ 100.00
	Historic Preservation – Local landmark/historic district review	300.00
17.09.020	**Rental Registration Fee (Annual)** a. Single Family Dwelling b. Two Family Dwelling – Duplex c. Multi Family Dwelling d. Late fee for Non-Registration e. Fee for Non-Registration of rental unit (per unit)(institution of this fee will place dwelling or dwelling unit on a one year inspection cycle for three years) f. Single Family Dwelling fee for Non-Registration (per year for three years) g. Duplex fee for Non-Registration (per year) h. Multi Family (per year)	 35.00 70.00 25.00 and 17.50 per unit 25.00 per month per dwelling unit 1,000.00 200.00 400.00 200.00 and 50.00 per unit
	*(d.) 25.00 cap	
	*(f., g., h.) will apply for a three year period if no violations are found in a three year cycle	
17.09.030	**Rental Housing Re-Inspection Fee** 1st Re-Inspection 2nd Re-Inspection 3rd and Subsequent Re-Inspection No Show fee for missing a scheduled inspection Inspection fee for three year cycle for Non-Registered houses	 50.00 per inspection 100.00 per inspection 100.00 per inspection 100.00 100.00 per inspection
17.11.050	Housing Board of Appeals Filing Fee	50.00

CITY OF COUNCIL BLUFFS, IOWA

SCHEDULE OF FEES

2020 Version 1
Council Approved 10-26-20

CITY OF COUNCIL BLUFFS – SCHEDULE OF FEES

Chapter 2.08 SCHEDULE OF FEES

2.08.010 Purpose.
The purpose of this chapter is to set forth those fees and charges authorized to be charged by the city pursuant to specific authorization of the city council, as evidenced herein, or as authorized in other chapters of this code. The provisions of this chapter shall constitute authorization for the mayor or his/her designee to charge and collect the fees and charges set forth herein. If a fee or charge is authorized to be made or charged in another chapter of this code, but is not set forth in this chapter, such fee or charge is nonetheless authorized to be made or charged, the same as if it were set forth herein.
(Ord. 5768 § 2 (part), 2003).

2.08.020 Fees set by resolution.
Any fees not specifically set forth in this chapter shall be set and amended by resolution of the city council. The schedule of fees shall be maintained and shall be available for inspection in the office of the city clerk.
(Ord. 5768 § 2 (part), 2003).

2.08.030 Waiver of fees.
The fees contained in the schedule and those authorized by other provisions of this municipal code may be waived by resolution of the city council if it is determined to be in the best interests of the city of Council Bluffs. In addition to this waiver authority of the city council, the mayor may waive parking meter hood fees set out in Section 2.08.060 herein, if he/she determines such a waiver to be in the best interests of the city.
(Ord. 5768 § 2 (part), 2003).
(Ord. No. 6035, § 1, 7-27-2009).

FEES CHARGED BY THE COUNCIL BLUFFS POLICE DEPARTMENT

RANGE FEES - Defensive tactics	
4 hours (1/2 day)	75.00
8 hours (full day)	150.00
Reports	10.00
Supplement Reports	.50 per page
CD/DVD	Disk containing digital photos 30.00
Fingerprints	15.00 + 5.00 extra card
Tow In Ad Fees	35.00
Records Check	10.00
Vault Fees	20.00

Resolution No. 10-47 (2/8/10)

	Special Transit Service	2.50/person/ride

Resolution 12-86

1.52.020	**Fees for Ambulance Services:**	
	Basic Life Support Emergency	525.00
	Advance Life Support (ALS)	600.00
	Advanced Life Support 2	700.00
	Mileage (per loaded mile)	11.00
	ALS – Treat/No Transport	150.00

Resolution No. 09-202 (7/13/09)
Ordinance
No. 5760, Section 2 (part), 2003

3.12.040(b)	**Alarm System Fees:**	
	Registrations – 12 months	25.00
	Late registration – add penalty	25.00
3.12.080	False Alarm Fees	
	Two per year	100.00
	Three or more per year	250.00/each incident
	After 30 days – late fee	50.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Public Entertainment:	
3.14.010	Menagerie or circus (or combination) includes street parades	25.00 - 150.00 per day
	Other shows	25.00 per day
	Street exhibition	10.00 per day
	Theatricals	5.00 per performance
	Six performances	18.00
	Twelve performances	24.00
	Twenty-four performances	30.00
	Museum	10.00 per month
	Other exhibitions, concerts or performance by non-C.B. citizens	5.00
3.14.030	Carnivals	Costs – police officer expense 50.00 - 100.00
3.14.050	Temporary structures	50.00 deposit
3.14.060	Temporary structures refund – following inspection	Up to 48.00

Ordinances are from 1925 – 1930

	Adult Entertainment:	
3.15.070	Application and renewal fee – adult entertainment business license	250.00 (nonrefundable)
3.15.130	Escort/Models Permit & renewal	250.00
3.15.120	Permit transfer fee	10.00
	Games and Amusements:	
3.24.010	Shooting gallery license	10.00 per month/50.00 per year (7-3-1882)
3.24.030	Horoscopic views license	5.00 per month (7-3-1882)
3.24.040	Lung testers license	5.00 per month (7-3-1882)
3.24.050	Skill games license	20.00??
3.24.060	Games of chance license	10.00 – one month only
	Rubble Dumps:	
3.31.065	License – original	1,000.00
3.31.095	License – renewal	1,000.00
	Junk, Salvage, Scrap Processing and Storage Yards:	
3.32.170	Up to 5,000 sq. ft. 5,001 – 10,000 sq. ft. 10,001 – 20,000 sq. ft. 20,001 + sq. ft.	50.00 100.00 150.00 200.00
3.32.180	Renewal	Same as original
	Juke Boxes and Amusement Devices:	
3.34.060	Juke boxes	10.00 per machine
	Mechanical amusement devices requiring the deposit of one cent for operation	10.00 per machine

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Mechanical amusement devices requiring the deposit of five cents or more for operation	50.00 per machine
	Application for distributor's license	100.00 per year
3.34.090	Amusement parks (in lieu of license fee)	150.00 per month
	Miniature Golf:	
3.36.030	License fee	100.00 per year
	Motion Picture Theaters:	
3.38.010	License fee – inside fire limits	50.00 per year (500 seats or less) .05 per seat per year (over 500 seats)
3.38.020	License fee – outside fire limits	25.00 per year (500 seats or less) .05 per seat per year (over 500 seats)
3.38.030	License fee – transient businesses	25.00/10 days 2.50 per day after 10 days
	Pawnbrokers:	
3.44.050	License fee	100.00 per year
3.44.110	Bond & license filing fee	.50 each license 1.00 each bond
	Pool & Billiard Halls:	
3.46.010	License fee	25.00 per year (1 table)
		15.00 per year (each add'l table)
	Public Buildings and Halls:	
3.48.010	Public Buildings – license required	100.00 per year
3.48.020	Public hall – license required	100.00 per year
	Secondhand Dealers:	
3.52.050	License fee	100.00 per year
3.52.110	Bond and license filing fee	.50 each license 1.00 each bond
	Street Sales:	
3.58.010	Stands – license required	25.00/3 months 50.00/3-6 months 75.00/6-9 months 100.00/9-12 months
	Transient Merchants:	
3.62.080	License fee	100.00 per person/one week per year 10.00 each additional week per year
	Duplicate license	1.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Vehicles for Hire – Taxis:	
3.68.060	Taxicab driver permit	10.00/first year
	Renewal	5.00/year

	Air Pollution Control:	
4.02.020(4)(B)(i)	Prescription Burn Application Fee	200.00
	Tattoo and Body Piercing Regulations:	
4.05.070	Application and renewal	250.00/year

2.08.040 Fees and charges authorized in Title 4.

4.12.020	Administrative fee – assessment of delinquent solid waste bills	10.00
4.12.080	Monitoring/inspection fee – solid waste generated outside Council Bluffs city limits	.50 per ton
4.12.090	Commercial Collection (Annual fee)	$ 40.00/pickups 75.00/packers/ large trucks
4.12.110(a)	Residential Solid Waste Collection and Disposal	$216.00/year
4.12.110(b)	Special Residential Solid Waste Collection and Disposal for applicants whose combined gross household income does not exceed $15,200.00	$108.00/year
4.12.110(c)	Extra bag charge	2.50/bag
	Late fee for nonpayment	$20.00/billing cycle
4.12.160(c)	Administrative fee for delinquent account	$50.00/account
4.12.170	Surcharge on non-secured/non-covered loads	$15.00/each load

Ordinance No. _____ (2010)

	Abandoned and Junk Vehicles:	
4.15.060	Administrative fee – abatement/ removal of junk vehicles	$25.00 per vehicle (plus the actual cost of abatement)
	Weed Nuisances and Solid Waste:	
4.19.020	Abatement of weeds/offensive growths and solid waste (plus actual cost of abatement)	
	Size of lot cut 0-10,000 sq. ft. 10,001 – 20,000 sq. ft. 20,001 – 30,000 sq. ft.	 110.00 145.00 180.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
	30,001 – 40,000 sq. ft. 40,001 – 43,559 sq. ft. 43,560 – 217,779 sq. ft. 217,800 +	215.00 250.00 285.00 320.00
	Animal Control Fees:	
4.20.030	**Cruel treatment - Impound fee**	250.00
4.20.050	**Tickets/Fees:** **Animal at Large/Impound** First Occurrence Second Occurrence Third Occurrence Fourth Occurrence Subsequent (add per occurrence) Failure to pay within 30 days of issuance – Fines are doubled	 50.00 60.00 70.00 80.00 10.00 (add up to $100)
4.20.060	**Impoundment fee** **Microchip fee**	40.00 20.00
4.20.070	**Adoption fees** Dogs Cats Other animals Reso. 11-46 2/28/11	 120.00 120.00 Highest offer
4.20.120	**Appeal Bond**	250.00
4.20.132	**Animal Control Appeal – Processing fee**	100.00
4.20.145	**Pet Cremation Fees** Up to 30 pounds 31- 75 pounds 76 pounds or more	 50.00 75.00 100.00
4.20.150	Removal of dead animals from residences After business hours	20.00 40.00
	Unwanted Animals: Brought in for adoption Picked up during business hours* Picked up after business hours* *Transporting animal within city limits only **Humane Disposal of Animals:** Brought in Picked up during business hours* Picked up after business hours*	 0.00 20.00 40.00 0.00 20.00 40.00
4.20.230	**Failure to Have License Fee Tickets** 1st Occurrence 2nd Occurrence 3rd Occurrence 4th Occurrence	 50.00 60.00 70.00 80.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Subsequent Occurrences (add per occurrence) Failure to pay within 30 days of issuance – Fines are doubled	10.00 (up to $100)
4.20.240	**Dog Licenses**: Altered Unaltered Late Penalty Duplicate Tag **Cat Licenses** Altered Unaltered Late Penalty Duplicate Tag License for dogs or cats 4-6 months old or new to the community, 50% discount after July 1. For any cat or dog that cannot be altered without extraordinary risk of physical complications because of age or health and for which a licensed vet has verified this condition in writing, the license fee will be that of an altered animal.	 14.00 30.00 15.00 5.00 10.00 22.00 15.00 5.00
4.20.260	**Failure to Display License/Rabies Tag Fee Tickets** 1st Occurrence 2nd Occurrence 3rd Occurrence 4th Occurrence Subsequent (add per occurrence) Failure to pay within 30 days of issuance – Fines are doubled	 10.00 20.00 30.00 40.00 10.00
4.20.274	**Cattery License:** Commercial Non-commercial	 50.00 30.00
	Kennel License: Commercial Non-commercial **Hobby Breeder**	 50.00 30.00 30.00
4.20.290	**Farm Animal Permit, per year**	75.00
4.32.146	Permit to construct, alter or extend a private sewage disposal system	150.00
4.33.030	Private well	25.00
4.60.040	Hazardous material response: Manpower Apparatus (utilized) Apparatus (standby) Ambulance/Rescue Squad Command vehicle/Utility truck Supplies or outside services	 40.00 per hour 150.00 per hour 100.00 per hour 150.00 per hour 60.00 per hour Market prices plus 15% admin. fee.

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Mileage (assessed after first 10 miles) Decontamination, repair, replacement, maintenance of equipment, apparatus or supplies Small motor fuels – anti-freeze response	 6.00 Cost, plus admin. fee 100.00
	Fireworks displays	150.00

2.08.050 Fees and charges authorized in Title 5.

5.22.010	**New service charge, rate or rental, inside the city limits:**	
	Rate per hundred cubic feet per month	April 1, 2021 - $3.60/100 cubit ft. July 1, 2022 - $3.90/100 cubic ft. July 1, 2023 - $4.22/100 cubic ft. July 1, 2024 - $4.57/100 cubic ft. July 1, 2025 - $4.95/100 cubic ft.
	Sewer service charge based upon monthly average	
	For residential and commercial users whose total metered water usage is less than 200,000 cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March.	
	New service charge, rate or rental, outside the city limits:	
	Rate per hundred cubic feet per month	April 1, 2021 - $4.48/100 cubit ft. July 1, 2022 - $4.85/100 cubic ft. July 1, 2023 - $5.25/100 cubic ft. July 1, 2024 - $5.69/100 cubic ft. July 1, 2025 - $6.16/100 cubic ft.
	Sewer service charge based upon monthly average	
	For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March.	
5.22.020	Flat rate sewerage service charge per month	April 1, 2021 - $28.80/100 cubit ft. July 1, 2022 - $28.80/100 cubic ft. July 1, 2023 - $28.80/100 cubic ft. July 1, 2024 - $28.80/100 cubic ft. July 1, 2025 - $28.80/100 cubic ft.

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Minimum sewerage service charge per month	April 1, 2021 - $12.50/100 cubit ft. July 1, 2022 - $13.08/100 cubic ft. July 1, 2023 - $13.69/100 cubic ft. July 1, 2024 - $14.33/100 cubic ft. July 1, 2025 - $15.00/100 cubic ft.
5.22.050	Administrative assessment fee for collection of delinquent sewer bills	50.00
5.22.060	Special rates for users who are defined as significant users under the city's pretreatment program based on concentration of raw flow prior to pretreatment shall be as follows:	
	Flow rate (inside city limits):	April 1, 2021 - $3.20/100 cubit ft. July 1, 2022 - $3.46/100 cubic ft. July 1, 2023 - $3.73/100 cubic ft. July 1, 2024 - $4.03/100 cubic ft. July 1, 2025 - $4.35/100 cubic ft.
	Flow rate (outside city limits):	April 1, 2021 - $4.52/100 cubit ft. July 1, 2022 - $4.88/100 cubic ft. July 1, 2023 - $5.27/100 cubic ft. July 1, 2024 - $5.69/100 cubic ft. July 1, 2025 - $6.14/100 cubic ft.
	Surcharges (inside city):	
	For biochemical oxygen demand (BOD) over 350 parts per million, by weight	April 1, 2021 - $.291 per pound July 1, 2022 - $.291 per pound July 1, 2023 - $.291 per pound July 1, 2024 - $.291 per pound July 1, 2025 - $.291 per pound
	For suspended solids over 350 parts per million, by weight	April 1, 2021 - $.596 per pound July 1, 2022 - $.596 per pound July 1, 2023 - $.596 per pound July 1, 2024 - $.596 per pound July 1, 2025 - $.596 per pound
	For recoverable oil and grease over 100 parts per million, by weight	April 1, 2021 - $.291 per pound July 1, 2022 - $.291 per pound July 1, 2023 - $.291 per pound July 1, 2024 - $.291 per pound July 1, 2025 - $.291 per pound

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Surcharges (outside city):	
	For biochemical oxygen demand (BOD) over 350 parts per million, by weight	April 1, 2021 - $.375 per pound July 1, 2022 - $.375 per pound July 1, 2023 - $.375 per pound July 1, 2024 - $.375 per pound July 1, 2025 - $.375 per pound
	For suspended solids over 350 parts per million, by weight	April 1, 2021 - $.684 per pound July 1, 2022 - $.684 per pound July 1, 2023 - $.684 per pound July 1, 2024 - $.684 per pound July 1, 2025 - $.684 per pound
	For recoverable oil and grease over 100 parts per million, by weight	April 1, 2021 - $.375 per pound July 1, 2022 - $.375 per pound July 1, 2023 - $.375 per pound July 1, 2024 - $.375 per pound July 1, 2025 - $.375 per pound
5.23.020	Disposal fees for septic tank refuse	$30.00/1,000 gallons

(Ord. 5825 § 1, 2004). (Ord. 6228, 2015). (Ord. 6425, 2020)

	Post-Construction Stormwater Control Fee Structure	
6.20	**All Development – Review Fee**	500.00
	Residential <10 acres Minimum Fee Maximum Fee Disturbed Acre Fee	 650.00 2,000 150.00/acre
	Residential >10 acres Minimum Fee Maximum Fee Disturbed Acre Fee	 2,500 7,500 200/acre
	Commercial/Industrial/Mixed Use Minimum Fee Maximum Fee Disturbed Acre Fee	 1,000 7,500 500/acre
Resolution 12-341	**Re-Development** Minimum Maximum Disturbed Acre Fee	 1,000 5,000 500/acre

Municipal Code Section	Description of License, Fee, or Permit	Charge

2.08.060 Fees and charges authorized in Title 9.

9.08.180	Prohibited parking violation	15.00
	After 30 days	20.00
9.36.030	Parking meter fees	
	1/2 hour meters	0.75 per hour
	1-2 hour meters	0.50 per hour
	10 hour meters	0.25 per hour
9.32.120	Leased Parking in Municipal Lots: Scott Street lot, Beno Lot @ Kanesville & Main, Vine Street Lot	25.00/month
9.36.090	Parking meter hood fee	5.00 per day per hood
9.36.120	Overtime parking violation	15.00
	After 30 days	20.00

2.08.070 Parks and Recreation fees and charges.

Outdoor Water Park Fees (All fees include tax)	Resolution 12-342
Pirate Cove Water Park	
Admission without slide	4.00
Admission with slide	5.00
10 Swim Punch Card (slide)	40.00
10 Swim Punch Card (w/o slide)	30.00
Individual Season Pass	75.00
Season Pass (five or less)	200.00
Additional family member	75.00
Family night-per person	2.00
Swim Lessons:	25.00
Pool Rental (up to 30 people)	200.00
Katelman Water Park	
Admission	4.00
10 Swim Punch Card	30.00
Individual Season Pass	75.00
Season Pass (five or less)	200.00
Additional family member	75.00
Family night--per person	2.00
Swim lessons	25.00
Pool Rental (up to 30 people)	175.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
Adult Softball (Team Fee)		
Single game league		325.00
Fall league		200.00
Instructional Youth Baseball and Softball (Individual Fee)		
Tee Ball, Co-Ed, and Girls Infield Machine Pitch		35.00 (30.00 if they have shirts from previous sport)
Youth Fast Pitch and Baseball		
10 and under		35.00/player
12 and under		35.00/player
14 and under		35.00/player
Non-CBRC Field Rental Fees		
Baseball and softball fields		50.00/field/day (no team fees)
Lights		30.00/day
Council Bluffs Recreation Complex Rental Fees		
Baseball/Softball		
Fields #1--6, 10		70.00/day
Fields #7, 8, 9		75.00/day
Adult use (out of high school)		
Baseball/Softball Fields		80.00/day
Baseball/Softball Fields #1-10		
Single game, non-league, non-repeating use only		30.00
Baseball/Softball--Lights		
Fields 1--4		30.00/day
Fields 5--6		20.00/day
Fields 7--10		60.00/day
Tournament Fee		
1-5 Fields/day		325.00/day
6+ Fields/day		650.00/day
Baseball/Softball Fee for Premium Usage Dates (CWS dates)		$5000 Lump Sum
Soccer Fields		
U12 13/14		75.00/field/day
U10		50.00/field/day

Municipal Code Section	Description of License, Fee, or Permit	Charge
U8		40.00/field/day
U6		30.00/field/day
Soccer Team Fee		15.00/team
Tournament Soccer Fee		500.00
Field Reconfiguration Fee		500.00
CBYSA Game Fee		15.00/game
WIYS Game Fee		40.00/game
Practice Permits		
For parks and recreation league teams, fees are:		
1/2 soccer field, baseball field, tennis court		5.00
Entire soccer field		8.00
For non-parks and recreation league teams, fees are:		
1/2 soccer field, baseball field, tennis court		10.00
Entire soccer field		15.00
Jr. Tennis Lessons	1 Child	2 or more children in family
1 session (4 weeks)	44.00	40.00/child
2 sessions (8 weeks)	80.00	70.00/child/session
Fall session (4 weeks)	20.00	
Bayliss Park Rental Fees		
Park (nonperformance area) with or without electricity		50.00/2 hours
Performance area		100.00/2 hours
Performance area with sound system		150.00/2 hours
Refundable deposit for performance area rental (includes microphone & stand)		100.00

* In addition to these fees, for some events the Director of Parks and Recreation shall collect a security deposit along with the permit fees to cover any negative impact an event may have on the park or its improvements. Proof of insurance may be required if deemed appropriate by the director.

Tom Hanafan River's Edge Park Rental Fees			
Rental Fees	**2 Hr. Rate**	**½ Day Rate**	**All Day Rate**
Great Lawn	50.00	200.00	300.00
Beachfront	100.00	400.00	700.00
Amphitheater	150.00	600.00	1,000.00
Entire Park	300.00	1,200.00	2,000.00
Other Fees (Direct, in park costs to be charged)			
City Stage		200.00 plus staff time	

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Additional Portable Restrooms	Direct contractor cost based on number and length of use
	Fencing for Small Beer Garden	400.00
	Fencing for Large Beer Garden	1,000.00
	Additional Fencing	1.25 per foot installed and removed
	City Labor	Hourly cost assessed for non-park staff
	Electrical Power	200 if electrical distribution unit(s) are required
	Other Fees	Depending upon use

The *Use Policy for Tom Hanafan River's Edge Park* outlines the rental policies and specific allocation of the above park fees.

10.02.070	Administrative fee for enforcing and overseeing the removal of solid waste and other nuisances as set forth in Section 1.97.030(11), in addition to actual documented costs	110.00
10.20.120	Abandon sewer lateral	
	Address: For new structures	50.00
	Banner	25.00
	Driveway Residential* Commercial/Industrial* *If work involves the roadway, such as saw cutting or milling, add $10.00 to the fee	 50.00 90.00
	Excavation: Behind back of curb* *If work involves sidewalk *If work involves driveway approach In roadway – each location *Bore, Tunnel, or Trench - Conduit for cable *Construct Structure, Junction Box, or New Pole for Conduit	 75.00 Add 25.00 Add 25.00 150.00 0.20 / LF 250.00 ea.
	Sidewalk	40.00
	Small Wireless Facilities: Annual Attachment fee for City owned poles Permit Application – up to five installations* *If more than five	 150.00 ea. 500.00 Add 50.00 ea.
	Truck: Oversize dimensions or overweight One time trip Annual Commercial vehicle or tractor in residential area	 25.00 250.00 50.00
	Miscellaneous work in right-of-way License to occupy Communications License Agreement	45.00 100.00 1000.00/annual

Municipal Code Section	Description of License, Fee, or Permit	Charge
10.44.020	Moving contractor (new & renewal)	100.00
10.44.040	Moving permit fee – 100% of the permit fee charges for the estimated cost of new building or structure of similar construction for both locations Moving permit fee – Type "J" buildings	 150.00
12.03.010	Aerosol products – to store level 2 or 3 products in excess of 500 lbs.	20.00
	Outside tire storage – to store tires outside in excess of 1,000 cubic feet	25.00
	Flammable or combustible liquid pipeline – to repair or modify a pipeline	25.00
	To line an underground fuel tank – Installation fees For each tank: 0 – 6,000 gallons 6,001 – 20,000 gallons 20,001 – 50,000 gallons 50,001 – 200,000 gallons 200,001 – 1,000,000 gallons 1,000,001 gallons ore more	 25.00 40.00 75.00 100.00 150.00 275.00
	Removal of underground storage tanks Each additional tank on same site	30.00 15.00
	Storage of flammable liquids, compressed and liquefied gas systems: 1,000 – 3,000 gallons 3,001 – 30,000 gallons 30,001 – 60,000 gallons 60,001 – 100,000 gallons 100,001 – 300,000 gallons 300,001 gallons or more	 25.00 30.00 60.00 75.00 125.00 225.00
	Retail dealers in flammable liquids, combustible/explosive materials or public garages: Acetylene torch or propane torch: Over 10 pounds Each addition Pedestalator or outlet service pump Each addition Ammunition – to store or sell small arms ammunition Calcium carbide – to store over 100 pounds Chemicals – to store over 250 gallons of hazardous chemicals	 15.00 5.00 10.00 3.00 15.00 15.00 25.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Dry cleaners – to operate	40.00
	Laundromats – to operate	40.00
	Finishing shop, including painting, spraying, and dipping, storing more than 5 gallons of flammable finish - to operate	40.00
	Public garages – including car washes to operate/per bay	10.00
	Oil dealers – to operate	15.00
	Paint dealers – to operate	30.00
	To operate and maintain a refrigeration system containing more than 20 pounds of refrigerant	15.00
	Lumber yards – to operate	100.00
	Tent sales – to operate	35.00
	Grain elevators to operate	160.00
	Fireworks Display (per day)	150.00

13.01.030	Temporary License – Fee (temporary)	150.00 (one year)
13.03.030	**Board of Appeals**	
	Administrative filing fee per appeal	50.00
13.07.100	General Contractor – biennial – Class A	150.00
	Building Contractor – biennial – Class B	150.00
	Residential Contractor – biennial – Class C	100.00
	Class D & E	100.00
	Moving Contractor – biennial	100.00
	Sign Contractor – biennial	100.00
	Siding – biennial (Residential)	100.00
	Window – biennial (Residential)	100.00
	Retaining Walls – biennial (Residential)	100.00
	Grading - biennial	100.00
	One Job License	
	General Contractor – per job – Class A	1,000.00
	Building Contractor – per job – Class B	500.00
	Residential Contractor – per job – Class C	400.00
	Class D & E	150.00
	ONE JOB LICENSE – per job	150.00
	Certificate Fee	
	The fee for inspection and a certificate of occupancy for a change in group occupancy/use (if not part of a current active building permit).	150.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
13.07.120	Penalty for late renewals	20.00 per month for a maximum of three months
13.07.175	Landlord Registration – work done in rental units	100.00/two year period
13.08.100	**Building Permit Fees:** Total valuations:	
	$1.00 - $500.00	$23.50
	501.00 to 2,000.00	$23.50 for the first $500 + $3.05 for each additional $100.00 or fraction thereof, to an including $2,000.00
	2,001.00 - 25,000.00	$69.25 for the first $2,000 plus $14.00 for each additional $1,000 or fraction thereof, to and including $25,000.00
	25,001.00 – 50,000.00	$391.75 for the first $25,000 plus $10.10 for each additional $1,000 or fraction thereof, to and including $50,000.00
	50,001.00 – 100,000.00	$643.75 for the first $50,000 plus $7.00 for each additional $1,000 or fraction thereof, to and including $100,000.00
	100,001.00 – 500,000.00	$993.75 for the first $100,000 plus $5.60 for each additional $1,000 or fraction thereof, to and including $500,000.00
	500,001.00 – 1,000.000.00	$3233.75 for the first $500,000 plus $4.75 for each additional $1,000 or fraction thereof to an including $1,000,000.00
	1,000,000.00 and up	

Municipal Code Section	Description of License, Fee, or Permit	Charge
		$5,608.75 for the first $1,000,000.00 plus $3.65 for each additional $1,000 or fraction thereof
	Fees (One and Two Family Dwellings and accessory structures only):	
	Roofing-Siding-Window Replacement (Combo)	
	Any combination of Two Replacement	75.00
	Replacement of any one of the three	50.00
	Fences over 6 feet (Includes Electric Fences)	30.00
	Retaining wall	Based on valuation
		Based on valuation
13.08.370	**Sign permit fees** – signage area	
	Per square foot	1.00
13.09.070	**Building Other Inspections and Fees:**	
	Inspections outside normal business hours per hour (minimum charge 2.5 hours)	123.00/hour
	Re-inspection fees assessed under provisions of Section 13.01.305.8, per Inspection	123.00/hour
	Inspections for which no fee is specifically indicated (minimum charge one hour)	123.00/hour
	Additional plan review required by changes, additions, or revisions (minimum charge one hour)	123.00/hour
	For use of outside consultants for plan review and inspections	Actual Costs*
	*Or the total hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
13.09.070	**Mechanical Code Permit Fees:**	
	Permit issuance fee	23.50
	For the issuing of each supplemental permit for which the original permit has not expired, been cancelled, or finaled	7.50
	Unit Fee Schedule:	
	(Note: The following do not include permit-issuing fee)	
	<u>Furnace & Heat Pumps</u> –	
	For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW)	14.80
	For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW)	18.20
	For the installation or relocation of each floor furnace, including vent	14.80

Municipal Code Section	Description of License, Fee, or Permit	Charge
	For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater	14.80
	Appliance Vents –	
	For the installation, relocation, or replacement of each appliance vent installed and not included in an appliance permit	7.25
	Repairs or Additions –	
	For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	13.70
	Boilers, compressors, Absorption Systems and Air Conditioning –	
	For the installation or relocation of each boiler or compressor up to and including 3 ton horsepower (10.6 kW), or each absorption system to and including 100,000 Btu/h (29.3 kW)	14.70
	For the installation or relocation of each boiler or compressor over 3 ton horsepower (10.6 kW) to and including 15 ton horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW)	27.15
	For the installation or relocation of each boiler or compressor over 15 ton horsepower (52.7 kW) to and including 30 ton horsepower (105.5 kW), or each absorption system of 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/(293.1 kW)	37.25
	For the installation or relocation of each boiler or compressor over 30 ton horsepower (105.5 kW) to and including 50 ton horsepower (176 kW), or each absorption system of 1,000,000 Btu/h (291.1 kW) to and including 1,750,000 Btu/h (512.9 kW)	55.45
	For the installation or relocation of each boiler or compressor over 50 ton horsepower (176 kW) or each absorption system over 1,750,000 Btu/h (512.9 kW)	92.65
	Air Handlers –	
	For each air-handling unit up to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto *(Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code)*	10.65
	For each air-handling unit over 10,000 cfm (4719 L/s)	18.10
	Evaporative Coolers –	
	For each evaporative cooler other than portable type	10.65
	Ventilation and Exhaust –	
	For each ventilation fan connected to a single duct	7.25
	For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	10.65
	For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood	10.65
	Incinerators –	

Municipal Code Section	Description of License, Fee, or Permit	Charge
	For the installation or relocation of each domestic-type incinerator	18.20
	For the installation or relocation of each commercial or industrial-type incinerator	14.50
	Miscellaneous –	
	For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which the fee is listed in the table	10.65
	Mechanical Other Inspections and Fees:	
	Inspections outside normal business hours per hour (minimum charge 2.5 hours)	123.00
	Re-inspection fees assessed under provision of Section 305.8, per Inspection	123.00
	Inspections for which no fee is specifically indicated per hour (minimum charge one hour)	123.00
	Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)	123.00
	Mechanical Permit Fees (Industrial and Large Commercial with Valuation of $5,000,000 or more):	
	For the issuance of each mechanical permit	23.50
	For the issuing of each supplemental permit for which the original permit has not expired, been cancelled, or finaled	7.50
	System Fee Schedule:	
	Steam or Hydronic Heating System sized by million Btu/hour (MBH)	2.86
	Radiant Floor Heating System sized by million Btu/hour (MBH)	3.81
	Chilled Beam Cooling System sized by million Btu/hour (MBH)	2.86
	Underfloor Air Distribution System sized by cubic feet per minute (CFM)	0.03
	Geothermal Well System sized by each (EA)	28.60
	Variable Refrigerant Flow System sized by million Btu/hour (MBH)	14.30
	Process Fluid System (Air, Natural Gas, Vacuum, DI Water, RO Water, Nitrogen, Medical Gas) sized by square footage (SF)	2.86
	Fuel Oil and Gas Dispensing System or Standby System sized by gallon capacity (GAL)	14.30
	Refrigerant System for Commercial Kitchen Coolers and Freezers sized by million Btu/hour (MBH)	14.30
	Vehicle Exhaust System sized by million Btu/hour (MBH)	0.14
	Welding Exhaust System sized by million Btu/hour (MBH)	0.14
	Industrial Dust Collector System sized by million Btu/hour (MBH)	0.03
	Unit Fee Schedule:	
	(Note: The following do not include permit issuing fee)	

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Chiller (water-cooled, air-cooled, absorption) sized by tons (Tons)	2.86
	Cooling Tower (natural draft, mechanical draft) sized by tons (Tons)	2.86
	Unitary Evaporative Cooler sized by tons (Tons)	2.86
	Packaged AC Unit/Heat Pump with Integral Gas Furnace sized by tons (Tons)	5.72
	Ductless Split AC Unit/Heat Pump sized by tons (Tons)	5.72
	Ducted Split DX AC Unit/Heat Pump without Forced Air Furnace sized by tons (Tons)	7.15
	Computer Room AC Unit Water-Cooled sized by tons (Tons) CRAH	7.15
	Computer Room AC Unit Refrigerant Cooled (remote condenser) sized by tons (Tons) CRAC	14.30
	Gas or Fuel Oil Fired Boiler (Water or Steam) sized by million Btu/hour (MBH)	0.57
	Electric Boiler sized by kilowatts (kW) sized by million Btu/hour (MBH)	0.57
	Gas-Fired or Infrared Unit Heater sized by million Btu/hour (MBH)	0.36
	Electric Unit Heater and Electric Radiators sized by million Btu/hour (MBH)	0.36
	Steam Humidifier sized by square footage (SF)	0.29
	Central Station or Built-Up Air Handling Unit sized by cubic feet per minute (CFM)	0.10
	Terminal Unit (VAV, CV, PIU, WSHP, etc.) sized by each (EA)	28.60
	Fan Coil Unit sized by each (EA)	28.60
	Commercial Kitchen Hood sized by each (EA)	28.60
	Commercial Kitchen Hood Make-up Unit sized by each (EA)	57.20
	Exhaust Fans with Ductwork sized by each (EA)	57.20
	Exhaust Fans without Ductwork sized by each (EA)	28.60
	Outdoor Air Supply Fan sized by each (EA)	28.60
	Smoke Control and Refrigerant Exhaust Fan sized by each (EA)	57.20
	Exhaust Hood (non-laboratory) sized by each (EA)	57.20
	Laboratory Fume Hood Cabinet sized by each (EA)	57.20
	<u>Miscellaneous</u> – For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which the fee is listed in the table sized by each (EA)	143.00
	Mechanical Other Inspections and Fees:	
	Inspections outside of normal business hours per hour (minimum charge 2.5 hours)	286.00*
	Re-inspection fees assessed under provisions of Section 305.8, per Inspection	286.00*
	Inspections for which no fee is specifically indicated per hour (minimum charge one hour)	286.00*

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour) *Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	286.00*
13.12.060	**Plumbing Code Permit Fees:** For the issuance of each plumbing permit For the issuing each supplemental permit for which the original permit has not expired, been cancelled, or finaled **Unit Fee Schedule:** *(Note: the following do not include permit-issuing fee)* **<u>Fixtures and Vents</u>** – For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage, piping, and backflow protection thereof) For repair or alteration of drainage or vent piping, each fixture **<u>Sewers, Disposal Systems and Interceptors:</u>** For each building sewer and water service and each trailer park sewer and water service For each cesspool For each private sewage disposal system For each industrial waste pretreatment interceptor, including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps Rainwater systems – per drain **<u>Water Piping and Water Heaters</u>** – For installation, alteration, or repair of water piping or water-treating equipment, or both, each For each water heater, including vent For vents only, see **Mechanical Permit Fees** **<u>Gas Piping Systems</u>** – For each piping system of one to five outlets For each additional outlet over five, each **<u>Lawn Sprinklers, Vacuum Breakers and Backflow Protection Devices</u>** – For each lawn sprinkler system on any one meter, including backflow protection devices thereof For atmospheric-type vacuum breakers or backflow protection devices not included in **Fixtures and Vents**: 1 to 5 devices Over 5 devices, each For each backflow-protection device other than atmospheric-type vacuum breakers:	 23.50 7.50 9.80 4.75 24.65 37.25 74.50 19.90 9.80 4.75 12.30 6.15 1.20 14.80 12.30 2.25

Municipal Code Section	Description of License, Fee, or Permit	Charge
	2 inches (50.8 mm) and smaller	12.30
	Over 2 inches (50.8 mm)	24.65
	Swimming Pools –	
	For each swimming pool or spa (in ground):	
	Public pool	91.25
	Public spa	60.75
	Private pool	60.75
	Private spa	30.25
	Miscellaneous –	
	For each appliance or piece of equipment regulated by the Plumbing Code but not classed in other appliance categories, or for which no other fee is listed in this code	9.80
	Plumbing Other Inspections and Fees:	
	Inspections outside normal business hours per hour (minimum charge 2.5 hours)	123.00
	Re-inspection fees assessed under provisions of Section 305.8, per Inspection	123.00
	Inspections for which no fee is specifically indicated per hour (minimum charge one hour)	123.00
	Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)	123.00
	Plumbing Permit Fees (Industrial and Large Commercial with Valuation of $5,000,000 or more):	23.50
	For the issuance of each plumbing permit	
	For the issuing of each supplemental permit for which the original permit has not expired, been cancelled, or finaled	7.50
	System Fee Schedule:	
	Domestic Supply Piping System sized by peak gallons per minute (GPM)	2.86
	Domestic Drain Piping System sized by peak gallons per minute (GPM)	2.86
	Stormwater Piping System sized by peak gallons per minute (GPM)	2.86
	Reverse Osmosis/Deionized Water System sized by peak gallons per minute (GPM)	5.72
	Pool Filtration System sized by peak gallons per minute (GPM)	5.72
	Process Vacuum System sized by horsepower of vacuum pump (HP)	28.60
	Solar Water Heating System sized by number of solar panels (EA)	14.30
	Rain Water System sized by capacity of system in gallons (GAL)	2.86
	Gas Piping System sized by million Btu/hour (MBH)	2.86
	Irrigation System sized by number of sprinkler heads (EA)	5.72

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Unit Fee Schedule:	
	(Note: The following do not include permit issuing fee)	
	Fixtures and Vents –	
	For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection thereof) sized by each (EA)	5.72
	For repair or alterations of drainage or vent piping, each fixture (EA)	5.72
	Sewers, Disposal Systems and Interceptors –	
	For each cesspool sized by each (EA)	286.00
	For each private sewage disposal system sized by each (EA)	286.00
	For each industrial waste pretreatment interceptor, including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps sized by each (EA)	286.00
	Water Heaters –	
	Potable Water Heat Exchanger sized by gallon per minute (GPM)	1.43
	Commercial Gas-Fired Water Heater sized by tank capacity in gallons (GAL)	1.43
	Commercial Electric Water Heater sized by tank capacity in gallons (GAL)	1.43
	Residential Gas-Fired Water Heater sized by tank capacity in gallons (GAL)	1.43
	Residential Electric Water Heater sized by tank capacity in gallons (GAL)	1.43
	Instantaneous, Point of Use, Electric Water Heater sized by gallon per minute (GPM)	1.43
	Backflow Preventer sized by each (EA)	5.72
	Domestic Water Booster Pump sized by horsepower of pump (HP)	57.20
	Gray Water Lift Station sized by horsepower of pump(s) (HP)	11.44
	Sewage Ejector Pump sized by horsepower of pump(s) (HP)	11.44
	Sump Pumps sized by horsepower of pump(s) (HP)	11.44
	Process Air Compressor sized by horsepower of motor(s) (HP)	11.44
	Water Softener sized by gallon per minute (GPM)	11.44
	Swimming Pools –	28.60
	Public Pool sized by capacity in gallons (GAL)	
	Public Spa sized by capacity in gallons (GAL)	0.01
	Private Pool sized by capacity in gallons (GAL)	0.06
	Private Spa sized by capacity in gallons (GAL)	0.01
	Miscellaneous –	0.11
	For each appliance or piece of equipment regulated by the Plumbing Code but not classed in other appliance categories, or for which the fee is listed in this code sized by each piece of equipment (EA)	

Municipal Code Section	Description of License, Fee, or Permit	Charge
		14.30
	Plumbing Other Inspections and Fees: Inspections outside of normal business hours per hour (minimum charge 2.5 hours) Re-inspection fees assessed under provisions of Section 305.8, per Inspection Inspections for which no fee is specifically indicated per hour (minimum charge one hour) Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)	 286.00* 286.00* 286.00* 286.00*
13.16.120	**Electrical Code Permit Fees**: For the issuance of each electrical permit For the issuing of each supplemental permit for which the original permit has not expired, been cancelled, or finaled **System Fee Schedule:** (*Note: the following do not include permit issuing fee)* **<u>New Residential Buildings</u>** – The following fees shall include all wiring and electrical equipment or on each building, or other electrical equipment on the same premises constructed at the same time. **Multifamily.** For new multifamily buildings (apartments and condominiums) having three or more dwelling units, constructed at the same time, not including the area of garages, carports and accessory building, per square foot (0.09m²**)** **Single – and two-family.** For new single – and two-family residential buildings constructed at the same time and not including the area of garages, carports, and accessory buildings, per square foot (0.09m²) *For other types of residential occupancies and for alterations, additions, and modifications to existing residential buildings, use the Unit Fee Schedule* **<u>Private Swimming Pools</u>** – For new private, in-ground swimming pools for single-family and multifamily occupancies, including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool, each pool **<u>Carnivals and Circuses</u>** – Carnivals, Circuses, or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays, and attractions. For electrical generators and electrically driven rides, each For mechanically driven rides and walk-through attractions or displays having electrical lighting, each	 23.50 7.50 0.050 0.056 49.50 23.50

Municipal Code Section	Description of License, Fee, or Permit	Charge
	For a system of area and booth lighting, each	7.25
	For permanently installed rides, booths, displays, and attractions, use the Unit Fee Schedule	7.25
	<u>Temporary Power Service</u> –	
	For a temporary service pole or pedestal, including all pole or pedestal-mounted receptacle outlets and appurtenances, each	
	For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative lights, Christmas tree sales lots, fireworks stands, etc., each	23.50
		12.50
	Unit Fee Schedule:	
	(Note: the following do not include permit-issuing fee)	
	<u>Receptacle, Switch and Lighting Outlets</u> –	
	For receptacle, switch, light or other outlets at which current is used or controlled, except services, feeders, and meters:	
	First 20 fixtures, each	
	Additional fixtures, each	1.10
	(Note: For multioutlet assemblies, each 5 feet (1524 mm) or fraction thereof may be considered as one outlet)	0.73
	<u>Lighting Fixtures</u> –	
	For lighting fixtures, sockets or other lamp-holding devices:	
	First 20 fixtures, each	
	Additional fixtures, each	1.10
	For pole or platform-mounted lighting fixtures, each	0.73
	For theatrical-type lighting fixtures or assemblies, each	1.10
	<u>Residential Appliances</u> –	1.10
	For fixed residential appliances or receptacles outlets for same, including wall-mounted electrical ovens; counter-mounted cooking tops; electric ranges; self-contained room, console, or through-wall air conditions; space heaters; food waste grinders; dishwashers; washing machines; water heaters; clothes dryers; or other motor-operated appliances not exceeding 1 horsepower (HP) (746 W) in rating, each	
	(Note: For other types of air-conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus)	4.75
	<u>Nonresidential Appliances</u> –	
	For nonresidential appliances and self-contained factory-wired nonresidential appliances not exceeding 1 horsepower (HP), kilowatt (kW), or kilovolt-ampere (kVA) in rating, including medical and dental devices; food, beverage, and ice cream cabinets; illuminated show cases; drinking fountains; vending machines; laundry machines; or other similar types equipment, each	
	(Note: For other types of air-conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus)	4.75
	<u>Power Apparatus</u> –	

Municipal Code Section	Description of License, Fee, or Permit	Charge
	For motors, generators, transformers, rectifiers, synchronous converters, capacitators, industrial heating, air conditioners and heat pumps, cooking or baking equipment and other apparatus, as follows:	
	Rating in horsepower (HP), kilowatts (kW), kilovolt-amperes (kVA) or kilovolt-amperes-reactive (kVAR):	
	Up to and including 1, each	4.75
	Over 1 and not over 10, each	12.30
	Over 10 and not over 50, each	24.60
	Over 50 and not over 100, each	49.50
	Over 100, each	74.50
	(Note:	
	1. For equipment or appliances having more than one motor, transformer, heater, etc. the sum of the combined ratings may be used.	
	2. These fees include all switches, circuit breakers, contactors, thermostats, relays, and other directly related control equipment.)	
	Busways –	
	For trolley and plug-in-type busways, each 100 feet (30 480 mm) or fraction thereof	
	(Note: An additional fee is required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in-type busways) A fee is not required for portable tools.	7.25
	Sign, Outline Lighting and Marquees –	
	For signs, outline lighting systems or marquees supplied from one branch circuit, each	24.60
	For additional branch circuits within the same sign, outline lighting system or marquee, each	4.75
	Services –	
	For services of 600 volts or less and not over 200 amperes in rating, each charge	30.50
	For services of 600 volts or less and over 200 amperes to 1,000 amperes, each	62.15
	For services over 600 volts or over 1,000 amperes in rating, each	124.50
	Miscellaneous Electrical Apparatus Conduits and Conductors -	
	For electrical apparatus, conduits, and conductors for which a permit is required but for which no fee is herein set forth	18.20
	(Note: this fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, busways, signs or other equipment)	
	Electrical Other Inspections and Fees:	
	Inspections outside normal business hours per hour (minimum charge 2.5 hours)	123.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
	Re-inspection fees assessed under provisions of Section 305.8, per Inspection	123.00
	Inspections for which no fee is specifically indicated per hour (minimum charge one hour)	123.00
	Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)	123.00
	Electrical Permit Fees (Industrial and Large Commercial with Valuation of $5,000,000 or more):	
	For the issuance of each electrical permit	23.50
	For the issuing of each supplemental permit for which the original permit has not expired, been canceled, or finaled	7.50
	System Fee Schedule:	
	Ventilation Equipment sized by horsepower (HP)	9.53
	Heating Equipment sized by kilowatts (kW)	11.44
	Pumps (P) sized by horsepower (HP)	8.17
	Variable Air Volume Devices (VAV) sized by kilowatts (kW)	7.15
	Emergency Electrical System Generators sized by kilowatts (kW)	1.14
	Equipment Grounding Inspection sized by exothermic or mechanical terminations	0.03
	Building Lightning Protection Inspection sized by exothermic or mechanical terminations	0.03
	Temporary Power Service	286.00
	For a temporary service pole or pedestal, including all pole or pedestal-mounted receptacle outlets and appurtenances, sized by amps (AMPS)	
	For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative lights, Christmas tree sales lots, fireworks, etc., sized by amps (AMPS)	
	Unit Fee Schedule:	
	(Note: The following do not include permit issuing fees)	
	120 volt Outlets sized by amps (AMPS)	0.76
	Light Fixtures sized by wattage	0.05
	Transformers sized by kilovolt-amps (kVA)	0.76
	Motor Control Centers sized by amps (AMPS)	0.95
	Sub-panels sized by amps (AMPS)	0.57
	<u>Industrial Appliances/Devices/Machinery</u> –	
	For fixed Appliances/Devices/Machinery sized by kilowatts (kW)	1.14
	<u>Busways</u> –	
	For trolley and plug-in-type busways, sized by amps (AMPS)	1.43

Municipal Code Section	Description of License, Fee, or Permit	Charge
	(Note: An additional fee is required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in-type busways. A fee is not required for portable tools.)	
	Signs, Outline Lighting and Marquees –	19.07
	For signs, outline lighting systems or marquees sized by amps (AMPS)	0.95
	Services –	
	Meter Loop & Service sized by kilowatts (kW)	
	Miscellaneous Apparatus, Conduits, and Conductors – For electrical Apparatus, conduits, and conductors for which a permit is required by for which no fee is herein set forth, sized by circuit amps (AMPS)	14.30
	(Note: the fee is not applicable when a fee is paid for one or more service, outlets, fixtures, appliances, power apparatus, busways, signs, or other equipment.)	
	Electrical Other Inspections and Fees:	
	Inspections outside of normal business hours per hour (minimum charge 2.5 hours)	286.00*
	Re-inspection fees assessed under provisions of Section 13.01.305.8, per Inspection	286.00*
	Inspections for which no fee is specifically indicated per hour (minimum charge one hour)	286.00*
	Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)	286.00*
	*Or the hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
13.17.210	License/registration: biennial	
	Electrical Contractor – active	150.00
	Electrical Contractor – inactive	70.00
	Honorary (retired) Contractor	20.00
	Journeyman Electrical	50.00
	Temporary Journeyman (for 4 months – renewal same)	50.00
	Honorary (retired) Journeyman	10.00
	Residential Wireman	50.00
	Maintenance Electrician	50.00
	Apprentice Electrician	20.00
13.18.050	Factory Built Structures	
	Set down fee	20.00
	Penalty (set down without permit)	40.00
13.18.070	Electrical hook-up fee	20.00
13.18.080	Plumbing hook-up fee	20.00
13.18.085	Mechanical hook-up fee	20.00
13.18.090	Utility hook-up fee	20.00

Municipal Code Section	Description of License, Fee, or Permit	Charge
13.33.050(K)	**Grading and Excavation Permit Fees**	
	Less than 50 cubic yards	40.00
	50 cubic yards or more/per CY*	
	On-site only	0.05
	Hauled outside city limits	0.10
	Hauled from outside city limits to site	0.15
	Hauled from one site within city limits	0.10
	*Permit issuance fee	25.00

14.03.060	Text amendment to subdivision ordinance	500.00
14.05.030	Application for property line adjustment	200.00
14.06.030	Application for parcel split	200.00
14.07.010	Application for re-subdivision	300.00 + $5.00 per lot
14.08.030	Application for minor subdivision (final plat)	300.00 + $5.00 per lot
14.09.020	Application for major subdivision (final plat)	300.00
14.10.020	Application for cluster subdivision (final plat)	300.00
14.11.020	Application for preliminary subdivision review	500.00 + $5.00 per lot
14.11.060	Preliminary plan variance request	250.00/variance
14.12.060	Review final construction plans-minimum	200.00 + $10.00 per lot??
15.02.060	Zoning change	300.00
	Conditional use	300.00
	Development plan review	500.00 + $10.00 per acre
	Appeal of administrative decision	300.00
	Text amendment to zoning ordinance	500.00
	Urban revitalization application	500.00 + $15.00 per $100,000 in value/maximum $1,500.00
	Zoning variance application	300.00
	Comprehensive plan amendment	400.00
	Temporary Use Permit	150.00
	Zoning Compliance/verification letters	50.00
	Enterprise Zone Application Business and Developer Applications	$750.00 plus $50.00 per $100,000 valuation over $500,000. $1,250 maximum
	Residential Projects	$500.00 plus $20.00 per unit. $1,000 maximum
	Application for any amendments	$250.00
	Street, alley and public property vacation	200.00
	Acquisition of Alley property:	

Municipal Code Section	Description of License, Fee, or Permit	Charge
	0-300 square feet 301 – 5,000 square feet Over 5,000 square feet	75.00 0.15 per square ft. 0.50 per square ft
	Acquisition of street property: 0-300 square feet 301 – 5,000 square feet Over 5,000 square feet	 75.00 0.15 per square ft. 0.50 per square ft.
15.23.025	Parking lot of 10 stalls or less Parking lot greater than 10 stalls	0.00 1.00 per stall not to exceed $200.00 maximum
16.09.020	Historic preservation - Certificate of Appropriateness	100.00
	Historic Preservation – Local landmark/historic district review	300.00
17.09.020	**Rental Registration Fee (Annual)** a. Single Family Dwelling b. Two Family Dwelling – Duplex c. Multi Family Dwelling d. Late fee for Non-Registration e. Fee for Non-Registration of rental unit (per unit)(institution of this fee will place dwelling or dwelling unit on a one year inspection cycle for three years) f. Single Family Dwelling fee for Non-Registration (per year for three years) g. Duplex fee for Non-Registration (per year) h. Multi Family (per year)	 35.00 70.00 25.00 and 17.50 per unit 25.00 per month per dwelling unit 1,000.00 200.00 400.00 200.00 and 50.00 per unit
	*(d.) 25.00 cap	
	*(f., g., h.) will apply for a three year period if no violations are found in a three year cycle	
17.09.030	**Rental Housing Re-Inspection Fee** 1st Re-Inspection 2nd Re-Inspection 3rd and Subsequent Re-Inspection No Show fee for missing a scheduled inspection Inspection fee for three year cycle for Non-Registered houses	 50.00 per inspection 100.00 per inspection 100.00 per inspection 100.00 100.00 per inspection
17.11.050	Housing Board of Appeals Filing Fee	50.00

Resolution 20-257

A Resolution to adopt the current Schedule of Fees for 2020, Version 1, dated 10-26-20.

WHEREAS, Update of the Schedule of Fees; and

WHEREAS, the City Clerk's office will maintain and update the Schedule of fees and will submit at a minimum an annual update; and

WHEREAS, it would be in the best interest of the City to adopt the current Schedule of Fees.

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

That the Schedule of Fees attached hereto and entitled Schedule of Fees 2020, Version 1, dated 10-26-20, is hereby adopted and approved, and a copy shall be maintained and available for inspection in the City Clerk's office.

ADOPTED
AND
APPROVED October 26, 2020

_____
Matthew J. Walsh, Mayor

_____
Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.:
Submitted by: Courtney Harter, Housing & Economic Development Manager

Resolution 20-258
ITEM 7.B.

Council Action: 10/26/2020

Description

Resolution approving the use of 2020 Community Development Block Grant-COVID 19 (CDBG-CV) funds and directing the Mayor to submit the 2019 Amendment 3 to the Annual Plan to the City of Omaha and the U.S. Department of Housing and Urban Development.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Other	10/15/2020
Attachment A - Amended Budget	Other	10/15/2020
Resolution 20-258	Resolution	10/20/2020

Council Communication

Department: Community Development	Resolution No.: 20 -	City Council: October 26, 2020

Subject/Title

2019 Amendment #3 to the Annual Plan for Community Development Block (CDBG) funds.

Background/Discussion

Background

The City of Council Bluffs is an entitlement community under the Community Development Block Grant (CDBG) program, which results in annual funding from the U.S. Department of Housing and Urban Development (HUD). In order to receive these funds, the City is required to submit to HUD an Annual Plan, which was already submitted and approved by Council. In May 2020, the City of Council Bluffs received addition funding due to coronavirus (COVID-19) as part of its entitlement grant; therefore, this amendment to the Annual Plan is required. In September, a second allocation of CDBG-CV entitlement dollars was awarded to the City in the amount of $366,519 as part of the federal government's mission to reduce evictions and foreclosures. The City also received unofficial notification from Iowa Economic Development Authority (IEDA) that it will receive $561,789 from their second CDBG-CV allocation.

The Annual Plan details the City's objectives, revenues, expenditures and other actions. This document is prepared by the Community Development Department with input from the Community Development Advisory Committee (CDAC). In FY2019, the City received approximately $967,313 in CDBG funding. Eligible projects had to meet the following national objectives: benefit to persons of low-to-moderate income, elimination of slum and blight and urgent need. In addition to the 2019 Annual funding, the City of Council Bluffs received $947,359 in CDBG-COVID-19 (CV) and $580,840 from IEDA both to provide immediate funding to prevent, prepare for and respond to the COVID-19. These funds were also allocated to the City through HUD CDBG entitlement designation. The total CDBG program budget is $2,476,461 and includes the following sources of revenue:

2019 Annual CDBG Grant	967,313
CDBG-CV Grant (round 1)	580,840
CDBG-CV Grant (round 2)	366,519
CDBG-CV (IEDA)	561,789
Total	**$2,476,461**

On June 8, 2020, City Council approved Amendment #1 to the 2019 Consolidated and Action Plan to include the following projects for CDBG-CV funding:

1. Food security
2. Direct Financial Assistance
3. Business Assistance

On July 13, 2020, City Council approved Amendment #2 which allocated $275,000 to the extension of the BLink community-wide Wi-Fi network to provide free low bandwidth internet to low-and-moderate income neighborhoods.

Discussion

With the additional CDBG-CV entitlement dollars provided to the City, a third amendment must be processed. Based on the program guidelines, Staff determined the best use of dollars were to increase allocations to the three initial programs: (1) food security; (2) direct financial assistance; and (3) business assistance.

Amendment #3 proposes the following changes to the 2019 CDBG COVID-19 budget:

1. Increase administration allocation from $116,168 to $189,200; 20% of the new total CDBG-CV entitlement amount.
2. Reprogram of the BLink community-wide Wi-Fi from CDBG entitlement to CDBG-CV to ensure the City can spend all its COVID program funding. Reduce allocation amount from $275,000 to $200,000 based on actual costs provided to the City by BLink Consortium.
3. Increase Food Security from $250,000 to $400,000 which will accommodate the need for additional dollars should a new food pantry be constructed as planned.
4. Increase Direct Financial Assistance from $301,461 to $400,000 to assist a larger number of households financially impacted by COVID-19.
5. Increase Business Support from $200,000 to $319,948 to assist a larger number of businesses financially impacted by COVID-19.

Proposed budget is as follows:

COVID-19 Administration	189,200
BLink Broadband Extension	200,000
Food Security	400,000
Direct Financial Assistance	400,000
Business Support	319,948
Total	**$ 1,509,148**

Staff Recommendation

The Community Development Department recommends that City Council adopt a resolution approving the use of the CDBG-CV funds as outlined in the attached budgets; direct the Mayor to submit the 2019 Amendment #3 to the Annual Plan to the City of Omaha and to HUD; and direct the Mayor to execute contracts with HUD for the use of the CDBG-CV funds.

Community Development Advisory Committee

On October 5, 2020, CDAC met to review the CDBG-CV funds and recommend their approval. CDAC recommends the approval of the proposed FY2019 budget allocating CDBG-CV funds to activities as outlined in "Attachment A" and directing the Mayor to submit the 2019 Amendment #3 to the Annual Action Plan to the City of Omaha and the US Department of Housing and Urban Development. Motion carried by unanimous voice vote of those present. VOTE: AYE: Adkins, Mathews, Rowe, Sclott; NAY – None; ABSTAIN –None; ABSENT – Heininger.

SECTION I - 2019 COMMUNITY DEVELOPMENT PROGRAM AND PROJECT EXPENDITURES

Attachment A

Community Development Program	2018 Allocation	2019 Request	Staff CDBG Recommended	Projected Program Income (PI)*	CDAC & Staff CDBG + PI Recommended	Notes & Source of Program Income
Part I - Housing Development						
Housing Rehabilitation						
Home Improvement Program	$ 330,000.00	$ 330,000.00	$ 315,000.00	$ 15,000.00	$ 330,000.00	Admin: $95,600 Emergency Repairs: $25,000 Loan Payments: $15,000 incoming
Lead Hazard Control Rehab	$ -	$ -	$ 170,666.67	$ 800,000.00	$ 970,666.67	Lead Hazard Control CDBG: $512,000/3yrs Grant: $2,300,000/3yrs Landlord Match: $100,000/3yrs
League of Human Dignity	$ 25,000.00	$ 30,000.00	$ 25,000.00		$ 25,000.00	
Infill (NWHS)	$ 120,000.00	$ 150,000.00	$ 150,000.00		$ 150,000.00	
Housing Development						
Habitat for Humanity	$ -	$ 45,000.00	$ 45,000.00		$ 45,000.00	
Subtotal - Housing Development	**$ 475,000.00**	**$ 555,000.00**	**$ 705,666.67**	**$ 815,000.00**	**$ 1,520,666.67**	
Part II - Economic Development						
Subtotal - Economic Development		$ -	$ -	$ -	$ -	
Part III - Public Services/Facilities						
Homeless/Transitional						
MICAH House	$ 33,600.00	$ 50,000.00	$ 37,000.00		$ 37,000.00	
Catholic Charities	$ 8,400.00	$ 20,000.00	$ 11,500.00		$ 11,500.00	
HFS - Heartland Homes	$ 11,550.00	$ 15,000.00	$ 11,550.00		$ 11,550.00	
HFS - PCHO	$ 15,750.00	$ 20,000.00	$ 15,750.00		$ 15,750.00	
New Visions - MOHM's Place	$ 33,600.00	$ 17,000.00	$ 17,000.00		$ 17,000.00	Max 15% of $972,094 = $145,814.10 Current total $157,000
New Visions - Joshua House	$ -	$ 35,000.00	$ 20,000.00		$ 20,000.00	
Public Facilities and Improvements						
HFS - HH and Transitions Renovations	$ 30,000.00	$ 105,000.00	$ 50,000.00		$ 50,000.00	
New Visions - Timothy House Renovation	$ -	$ 50,000.00	$ 50,000.00		$ 50,000.00	
Senior Center - Pool Room Renovation	$ 10,000.00	$ -	$ -		$ -	
MICAH House - Heat Treatment Room	$ 35,000.00	$ -	$ -		$ -	
Housing Counseling						
FHAS	$ 26,000.00	$ 46,000.00	$ 30,000.00		$ 30,000.00	
Subtotal - Public Services/Facilities	**$ 203,900.00**	**$ 358,000.00**	**$ 242,800.00**	**$ -**	**$ 242,800.00**	
Public Services - COVID-19						
COVID-19 Administration	$ -	$ 189,200.00	$ 189,200.00	$ -		
Blink Broadband Extension	$ -	$ 200,000.00	$ 200,000.00			
Food Security	$ -	$ 400,000.00	$ 400,000.00	$ -		No cap on public services for CDBG-CV.
Direct Financial Assistance	$ -	$ 400,000.00	$ 400,000.00	$ -		
Business Support	$ -	$ 319,948.00	$ 319,948.00	$ -		
Subtotal	**$ -**	**$ 1,509,148.00**	**$ 1,509,148.00**	**$ -**	**$ -**	
Part IV - Planning/Administration/Project Supervision						
CD Project Delivery Costs	$ 70,250.00	$ 90,000.00	$ 90,000.00	$ -	$ 90,000.00	
Administration	$ 264,750.00	$ 185,000.00	$ 210,000.00	$ -	$ 210,000.00	
Subtotal - CD Department	**$ 335,000.00**	**$ 275,000.00**	**$ 300,000.00**	**$ -**	**$ 300,000.00**	
Part V - Undesignated						
Undesignated Funds	$ 347,100.00					
Subtotal - Undesignated	**$ 347,100.00**	**$ -**	**$ -**	**$ -**	**$ -**	
Total CD Program	**$ 1,361,000.00**	**$ 2,697,148.00**	**$ 2,757,614.67**	**$ 815,000.00**	**$ 2,063,466.67**	
Community Development Projects						
Neighborhood Development (1st Ave Construction)	$ 100,000.00	$ -	$ -	$ -	$ -	
Neighborhood Development (South 19th Street)	$ -	$ 400,000.00	$ 400,000.00	$ 100,000.00	$ 500,000.00	CIP CD20-02 $100,000
Neighborhood Development (Opportunities)	$ 282,900.00		$ 250,000.00	$ -	$ 250,000.00	
Neighborhood Development (TBD)	$ 250,000.00			$ -	$ -	
Neighborhood Development (South 13th St)	$ 350,000.00		$ 302,892.04	$ -	$ 302,892.04	
Mid-City Cleanup (Slum and Blight)	$ 150,000.00	$ 150,000.00	$ -	$ 50,000.00	$ 50,000.00	Gen Fund CD-20-03 ($50,000)
Mid-City Acquisitions (Storage Units) (Slum and Blight)	$ -	$ 850,000.00	$ 850,000.00	$ -	$ 575,000.00	Acquisition, relocation, demolition (3 yrs slum and blight)
Blighted Program (22nd Ave and S 6th St)	$ -	$ -	$ -	$ -	$ -	
Blighted Program (South End-1218 22nd Ave)	$ 60,000.00	$ -	$ -	$ -	$ -	
Blighted (NWHS)	$ 15,000.00	$ -	$ -	$ -	$ -	
Total CD Projects	**$ 1,207,900.00**	**$ 1,400,000.00**	**$ 1,802,892.04**	**$ 150,000.00**	**$ 1,677,892.04**	
Total CD Program and Projects	**$ 2,568,900.00**	**$ 4,097,148.00**	**$ 4,560,506.71**	**$ 965,000.00**	**$ 3,741,358.71**	

SECTION II - 2017 COMMUNITY DEVELOPMENT PROGRAM AND PROJECT REVENUES

Part I - CDBG Grants and Carryover	**$ Amounts**
CDBG 2019 Entitlement	$ 967,313.00
CDBG COVID-19	947,359.00
IEDA CDBG COVID-19	561,789.00
Obligated Carryover	$ 2,083,045.71
Unobligated Carryover	$ -
Miscellaneous Fees or Refunds	$ 1,000.00
Subtotal - CDBG Grants and Unobligated Income	$ 4,560,506.71

Part II - CDBG Obligated Program Income	**$ Amounts**
Home Improvement Program (Loan Payments)	$ 15,000.00
Mid-City Corridor	$ 50,000.00
Neighborhood Development (South 19th Street)	$ 100,000.00
Lead Hazard Control Rehab	$ 800,000.00
Subtotal - CDBG Obligated Income	**$ 965,000.00**
Total CD Program and Project Income	**$ 5,525,506.71**
	$ 0.00

* Program income includes the following activities: grant funds awarded, loan payments and CIP.

5/22/2020

RESOLUTION NO. 20-258

A RESOLUTION APPROVING THE USE OF 2020 COMMUNITY DEVELOPMENT BLOCK GRANT-COVID 19 (CDBG-CV) FUNDS AND DIRECTING THE MAYOR TO SUBMIT THE 2019 AMENDMENT 3 TO THE ANNUAL PLAN TO THE CITY OF OMAHA AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

WHEREAS, the City of Council Bluffs, an entitlement community, annually receives CDBG funds from HUD; and

WHEREAS, the City of Council Bluffs also receives CDBG-CV funds from HUD as an entitlement community; and

WHEREAS, on September 11, 2020, the City received a second allocation of CDBG-CV funds from HUD; and

WHEREAS, on October 5, 2020, the Community Development Advisory Committee held a public hearing to discuss the additional funding and make recommendations to amend the 2019 Annual Action Plan budget; and

WHEREAS, on October 5, 2020, the Community Development Advisory Committee recommended approval on said funding request; and

WHEREAS, it is the opinion of the City Council that it would be in the best interest of the City to allocate CDBG-CV dollars as outlined in "Attachment A."

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

That the projects listed in Attachment A with the corresponding 2020 CDBG-CV amounts are hereby approved.

BE IT FURTHER RESOLVED

That the Mayor is hereby directed to cause the preparation of a 2019 Amendment #3 to the Annual Plan which outlines the proposed use of funds as required by the U.S. Department of Housing and Urban Development (HUD) and authorized to execute contracts with HUD for the use of the CDBG-CV funds.

ADOPTED
AND
APPROVED: October 26, 2020

_____
Matthew J. Walsh, Mayor

_____
Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.:
Submitted by: Courtney Harter, Housing & Economic Development Manager

Resolution 20-259
ITEM 7.C.

Council Action: 10/26/2020

Description

Resolution approving the use of 2021 Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program Funds and directing the Mayor to submit the 2021 Annual Plan to the City of Omaha and the U.S. Department of Housing and Urban Development.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Other	10/15/2020
Attachment A - CDBG Budget	Other	10/15/2020
Attachment B - HOME Budget	Other	10/15/2020
Resolution 20-259	Resolution	10/20/2020

Council Communication

Department: Community Development	Resolution No.: 20 -	City Council: October 26, 2020

Subject/Title

2021 Annual Plan for Community Development Block (CDBG) funds and HOME Investment Partnership Program (HOME) funds.

Background/Discussion

Background

The City of Council Bluffs is an entitlement community under the Community Development Block Grant (CDBG) program, which results in annual funding from the U.S. Department of Housing and Urban Development (HUD). The City has also entered into a HOME consortium agreement with the City of Omaha, which results in receiving annual funds from the Home Investment Partnership Program (HOME). In order to receive these funds, the City is required to submit to HUD an Annual Plan.

The Annual Plan details the City's objectives, revenues, expenditures and other actions. This document is prepared by the Community Development Department with input from the Community Development Advisory Committee (CDAC). In FY2021, the City anticipates receiving approximately $975,000 in CDBG funding for the period of January 1, 2021 through December 31, 2021. Eligible projects must meet the following national objectives: benefit to persons of low-to-moderate income, elimination of slum and blight and urgent need. The total CDBG program budget is $3,269,994 and includes the following sources of revenue:

2021 CDBG Grant	975,000
Carryover	2,312,528
Misc Fees	2,500
Program Income	2,263,333
Total	**5,553,362**

In FY2021, the City anticipates receiving approximately $200,000 in HOME funding for the period of January 1, 2021 through December 31, 2021. Eligible projects for HOME funding exclusively benefit persons of low-to-moderate income. Funds will be used to support a multi-family housing project to be determined. The City has been saving its HOME dollars since 2017 to ensure funds were available for larger projects that may arise.

Discussion

Of the available funding, a significant amount is recommended for ongoing programs. However, a portion of the available funds were allocated to various projects using a request for proposal (RFP) process. This included advertising the availability of funding in the *The Daily Nonpareil*, posting the availability of funding at the Council Bluffs Public Library and City Hall and notifying others who expressed an interest. Upon the receipt of proposals, public hearings were held and recommendations formulated. The Community Development Department and Community Development Advisory Committee (CDAC) are now recommending the allocation of the 2021 CDBG and HOME program funds. A listing of the programs and projects recommended for 2020 CDBG funds is outlined in "Attachment A" and the 2021 HOME funds is outlined in "Attachment B" for your review.

Upon City Council approval, the Community Development Department will forward the 2021 Annual Plan to the City of Omaha and to HUD.

Staff Recommendation

The Community Development Department recommends that City Council adopt a resolution approving the use of the 2021 CDBG and HOME program funds as outlined in the attached budgets; direct the Mayor to submit the 2021 Annual Plan to the City of Omaha and to HUD; and direct the Mayor to execute contracts with HUD for the use of the CDBG funds and with the City of Omaha for the use of the HOME funds.

Community Development Advisory Committee

On October 5, 2020, CDAC met to review the 2021 CDBG and HOME program funds and recommend their approval. CDAC recommends the following for approval:

1. Allocating 2021 CDBG funds as outlined in "Attachment A;" and authorizing the Mayor to execute the contract with HUD for the use of CDBG funds. VOTE: AYE: Brunow, Mathews, Rowe, Schlott; NAY – None; ABSTAIN –None; ABSENT – Heininger.
2. Allocating the 2021 HOME funds to a new multi-family project proposed by White Lotus Group at 28th and 2nd Avenue as outlined in "Attachment B." VOTE: AYE: Brunow, Mathews, Schlott; NAY – None; ABSTAIN – Rowe; ABSENT – Heininger.
3. Allocating the 2021 HOME funds to a new multi-family project proposed by the 712 Initiative at 530 West Broadway as outlined in "Attachment B" and directing the Mayor to submit a 2021 Annual Plan to Omaha and authorizing the Mayor to execute the contract with City of Omaha for the use of the HOME funds. Motion carried by unanimous voice vote of those present. VOTE: AYE: Brunow, Mathews, Rowe, Schlott; NAY – None; ABSTAIN – None; ABSENT – Heininger.

2021 Community Development Block Grant

Expenditures

HUD Category	2020 Allcation	2020 Activity Balance	2021	Staff Recommendation	CDAC & Staff Recommendation	Projected Income	Total Activity Balance	Notes
Administration								
CD Administration	190,000	-	195,000	195,000	195,000	-	195,000	20% of estimated $975,000 allocation
CD Project Delivery	90,000	-	50,000	50,000	50,000	-	50,000	
Rehab Administration	100,000	-	75,000	75,000	75,000	-	75,000	
Subtotal	**380,000**	**-**	**320,000**	**320,000**	**320,000**	**-**	**320,000**	
Public Services								
MICAH House	37,000	-	50,000	37,000	37,000	-	37,000	
Catholic Charities	11,500	-	20,000	11,500	11,500	-	11,500	Limited to 15% of annual allocation $146,250 with estimated $950,000 allocation.
HFS - Heartland Homes	11,550	-	15,000	11,550	11,550	-	11,550	
HFS - PCHO	15,750	-	20,000	15,750	15,750	-	15,750	
New Visions - MOHM's Place	17,000	-	-	-	-	-	-	
New Visions - Joshua House	20,000	-	35,000	20,000	20,000	-	20,000	
Family Housing Advisory Services	30,000	-	50,000	30,000	30,000	-	30,000	
Subtotal	**142,800**	**-**	**190,000**	**125,800**	**125,800**	**-**	**125,800**	
Public Facilities								
HFS - Iowa Family Works Renovations	-	80,000	-	-	-	-	80,000	
New Visions - Hot Box A/E	28,000	-	-	-	-	-	-	
Catholic Charities - Drainage, Deck and Parking	40,000	-	30,000	30,000	30,000	-	30,000	
Subtotal	**68,000**	**80,000**	**30,000**	**30,000**	**30,000**	**-**	**110,000**	
Housing Development								
A. New Housing Development								
Infil-Down Payment Assistance	126,000	277,980	320,000	320,000	320,000	-	597,980	$300,000 DPA $20,000 project admin
Habitat for Humanity	45,000	49,339	45,000	45,000	45,000	-	94,339	
Blight (NWHS)	15,000	38,723	-	-	-	-	15,000	Site Cleanup for new housing
B. Housing Rehabilitation								
Emergency Repair Program	25,000	-	50,000	50,000	50,000	-	50,000	
Housing Rehabilitation Program	224,400	224,400	250,000	250,000	250,000	30,000	504,400	Loan Payments - $30,000
Lead Hazard Reduction & Healthy Homes	170,666	937,332	170,666	170,666	170,666	766,667	1,874,665	Year 2: Lead Hazard Control CDBG: $512,000/3yrs Grant: $2,300,000/3yrs
League of Human Dignity	-	43,173	15,000	-	-	-	43,173	
Subtotal	**606,066**	**1,570,947**	**850,666**	**835,666**	**835,666**	**796,667**	**3,203,280**	
							-	
Neighborhood Development							-	
South 19th Street	-	400,000	100,000	-	-	250,000	650,000	CDBG '19 - $400,000 CIP CD20-02 - $100,000 CIP CD2021-___ - $150,000
South End Opportunities (Reliance Battery)	400,000	225,110	100,000	100,000	100,000	500,000	825,110	EPA Cleanup Grant
Franklin and Bennett	-	-	1,000,000	1,000,000	1,000,000	-	1,000,000	
Subtotal	**400,000**	**625,110**	**1,200,000**	**1,100,000**	**1,100,000**	**750,000**	**2,475,110**	
Slum & Blight								
Mid-City (Food Pantry)	1,000,000	450,000	-	-	-	100,000	550,000	Gen Fund CD19-02 - $50,000 Gen Fund CD20-03 - $50,000 CDBG '18 - $50,000 CDBG '19 - $250,000 CDBG-CV - 150,000
Blighted Program (22nd Ave and S 6th St)	-	-	-	-	-	-	-	
Blighted Program (South End-1218 22nd Ave)	60,000	-	-	-	-	-	-	
Subtotal	**1,060,000**	**450,000**	**-**	**-**	**-**	**100,000**	**550,000**	
							-	
TOTAL Expenditures	**2,656,866**	**2,726,057**	**2,590,666**	**2,411,466**	**2,411,466**	**1,646,667**	**6,784,190**	

Revenues

CDBG Grants and Carryover	
CDBG 2021 Entitlement	975,000
Obligated Carryover 2014 to 2019	2,312,528
Unobligated Carryover	-
Miscellaneous Fees or Refunds	2,500
Subtotal	**3,290,028**
CDBG Obligated Program Income	
Home Improvement Program (Loan Payments)	30,000
EPA Cleanup Grant (Reliance Battery)	500,000
South 19th Street Neighborhood Development	100,000
Lead Hazard Control Rehab	1,533,333
Mid-City	100,000
Subtotal	**2,263,333**
TOTAL Revenue	**5,553,362**
Remaining Balance	**(1,230,828)**

2021 Home Investment Partnership Program (HOME) - Council Bluffs

Program	Description	Unit Goals	2021 HOME Budget	Low and Moderate Income Benefit	Other Public Funds	Private Funds	Total Project Costs
Multi-Family Housing Development Project	Construction related costs for 1 multi-family housing development project located at 28th and 2nd Avenue	5	$500,000	$500,000	$1,000,000	$15,500,000	$17,000,000
Multi-Family Housing Development Project	Construction related costs for 1 multi-family housing development project located at 530 West Broadway	3	$250,000	$250,000	$350,000	$4,600,000	$5,200,000
TOTAL		**8**	**$750,000**	**$ 750,000**	**$ 1,350,000**	**$ 20,100,000**	**$ 22,200,000**

Revised 10-2-2020

RESOLUTION NO. 20-259

A RESOLUTION APPROVING THE USE OF 2021 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM FUNDS AND DIRECTING THE MAYOR TO SUBMIT THE 2021 ANNUAL PLAN TO THE CITY OF OMAHA AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

WHEREAS, the City of Council Bluffs, an entitlement community, annually receives CDBG funds from HUD; and

WHEREAS, the City of Council Bluffs also receives HOME funds through the Omaha-Council Bluffs HOME Consortium; and

WHEREAS, on August 20, 2020, the Community Development Advisory Committee held a public hearing to obtain the views of citizens on housing and community development needs; and

WHEREAS, the Community Development Department and the Community Development Advisory Committee received requests from the public for CDBG and HOME funding; and

WHEREAS, the Community Development Advisory Committee held an additional public hearing on September 23, 2020 on said funding requests to ensure that citizens have had an opportunity to present project proposals and comments; and

WHEREAS, on October 5, 2020, the Community Development Advisory Committee prepared recommendations on said funding requests; and

WHEREAS, it is the opinion of the City Council that it would be in the best interest of the City to allocate 2021 CDBG funds as outlined in Attachment A and to allocate 2021 HOME funds as outlined in Attachment B.

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

That the projects listed in Attachment A with the corresponding 2021 CDBG amounts are hereby approved; and the projects listed in Attachment B with the corresponding 2021 HOME amounts are hereby approved.

BE IT FURTHER RESOLVED

That the Mayor is hereby directed to cause the preparation of a 2021 Annual Plan which outlines the proposed use of funds as required by the U.S. Department of Housing and Urban Development (HUD) and authorized to execute contracts with HUD for the use of the CDBG funds and with the City of Omaha for the use of the HOME funds.

ADOPTED
AND
APPROVED: October 26, 2020

_____
Matthew J. Walsh, Mayor

_____
Jodi Quakenbush, City Clerk

Council Communication

Department: Parks and Recreation
Case/Project No.: Dodge Riverside Golf Course Irrigation Improvement Project, Phase II
Submitted by: Vincent M Martorello

Resolution 20-260
ITEM 7.D.

Council Action: 10/26/2020

Description

Resolution to award contract to Duininck for the Dodge Riverside Golf Course Irrigation Improvement Project, Phase II.

Background/Discussion

The City Council held a public hearing on September 28, 2020 for Dodge Riverside Golf Course Irrigation Improvement Project, Phase II. The City issued a bid for the improvement project and received three bids. The bid tabulation form is enclosed in your packet. The low bid was from Duininck for $97,904. The bid is within the approved budget for the project.

Recommendation

Approve resolution

ATTACHMENTS:

Description	Type	Upload Date
Bid Tabulation	Resolution	10/15/2020
Resolution 20-260	Resolution	10/20/2020

CITY OF COUNCIL BLUFFS FY21-13 DODGE RIVERSIDE GOLF CLUB IRRIGATION IMPROVEMENT PHASE II
BID TABULATION 10/14/20 AT 10:00 A.M.

Bidder	Total Cost	Bid Bond
Landscapes Unlimited	$ 184,000.00	yes
Duininck	$ 97,904.00	yes
MidAmerica Sports Construction	$ 115,740.00	yes

R E S O L U T I O N
NO 20-260

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT AND AWARD A CONTRACT IN THE AMOUNT OF $97,904.00 TO DUININCK FOR THE DODGE RIVERSIDE GOLF COURSE IRRIGATION IPROVMENT PROJECT, PHASE II.

WHEREAS, the City Council held a public hearing on September 28, 2020 for the Dodge Riverside Golf Course Irrigation Improvement Project, Phase II; and

WHEREAS, the City received three bids to complete the improvement project; and

WHEREAS, Duininck was the low bidder with a bid of $97,904; and

WHEREAS, the city council deems approval of said 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, empowered and directed to execute a contract in the amount of $97,904.00 to Duininck for the Dodge Riverside Golf Course Irrigation Improvement Project, Phase II.

ADOPTED
AND
APPROVED October 26, 2020

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

Council Communication

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

Resolution 20-261
ITEM 7.E.

Council Action: 10/26/2020

Description

Resolution authorizing the Mayor to execute Iowa Department of Transportation Agreement No. 2020-6-092 in connection with the I-29/I-480 Interstate Improvements.

Background/Discussion

This agreement is in reference to Segment 4 of the Iowa DOT's Council Bluffs Interstate System Improvements, including the following project numbers:

IM-029-3(190)53--13-78; IM-029-3(218)53--13-78; IM-029-3(219)53--13-78; IM-029-3(220)53--13-78; IM-029-3(70)53--13-78; IM-029-3(71)54--13-78; IM-029-3(73)54--13-78; IM-029-3(74)54--13-78; IM-029-3(192)54--13-78; IM-029-3(193)54--13-78; IM-029-3(221)54--13-78; IM-029-3(222)54--13-78; IM-480-1(166)0--13-78; and IM-480-1(167)0--13-78.

The agreement includes items related to traffic signals, lighting, fencing, signing, maintenance of right-of-way, designated haul routes, traffic detours, and construction of the I-29/I-480/West Broadway Interchange and Frontage Roads. The project will begin just north of the newly constructed UPRR bridge over I-29 and end east of N. 35th Street along I-29. The project includes reconstruction of 9th Avenue from just east and west of the ramp terminals, construction of new northbound and southbound frontage roads, and reconstruction of West Broadway from just west of 36th Street to the Missouri River Bridge. The new I-29/I-480 interchange will provide access to West Broadway. The project entails grading, paving, bridges, storm sewer, sanitary sewer, lighting, and traffic signals.

The City has existing sanitary sewers that cross the interstate at 6th Avenue and Avenue D. These sanitary sewers were originally constructed with the interstate in the 1960's and are in need of replacement. They will be replaced as part of this project. The City will be responsible to reimburse the DOT for this cost. The cost is estimated to be $687,640. A request for payment will be sent by the DOT after completion of the work. A project was included in the FY17 CIP to account for this expense, FY17-15.

The DOT has agreed to construct modifications to an existing levee outfall structure as part of the improvements to I-29 and I-480. The City will be responsible to reimburse the DOT for this cost. The cost is estimated to be $262,525. The costs will be included with the Levee Certification Program funding.

Recommendation

Approval of this resolution.

ATTACHMENTS:

Description	Type	Upload Date
Agreement	Agreement	10/15/2020
Resolution 20-261	Resolution	10/20/2020

IOWA DEPARTMENT OF TRANSPORTATION
Preconstruction Agreement
For Primary Road Project

County	Pottawattamie
City	Council Bluffs
Project No.	IM-029-3(190)53--13-78 Grade/Pave IM-029-3(218)53—13-78 Signing IM-029-3(219)53—13-78 Signals IM-029-3(220)53—13-78 Lighting IM-029-3(70)53—13-78 Bridge IM-029-3(71)54—13-78 Bridge IM-029-3(73)54—13-78 Bridge IM-029-3(74)54—13-78 Bridge IM-029-3(192)54—13-78 Bridge IM-029-3(193)54—13-78 Bridge IM-029-3(221)54—13-78 Bridge IM-029-3(222)54—13-78 Bridge IM-480-1(166)0—13-78 Bridge IM-480-1(167)0—13-78 Bridge
Iowa DOT Agreement No.	2020-6-092
Staff Action No.	

This Agreement, is entered into by and between the Iowa Department of Transportation, hereinafter designated the "DOT", and Council Bluffs, Iowa, a Local Public Agency, hereafter designated the "LPA" in accordance with Iowa Code Chapters 28E, 306, 306A and 313.4 as applicable;

The DOT proposes to establish or make improvements to Interstate 29 within Pottawattamie County, Iowa; and

The DOT and the LPA are willing to jointly participate in said project, in the manner hereinafter provided; and

The DOT and the LPA previously entered into the following agreement(s) for the above referenced project: Agreement No. 2007-1-016 for right of way acquisition was executed by the DOT and LPA on October 13, 2006 and September 25, 2006 respectively; and

This Agreement reflects the current concept of this project which is subject to modification by mutual agreement between the LPA and the DOT; and

Therefore, it is agreed as follows:

1. Project Information

a. The DOT will design, let, and inspect construction of the following described project in accordance with the project plans and DOT standard specifications:

I-29/I-480/West Broadway Interchange and Frontage Roads in Council Bluffs, IA

As part of the project, the LPA has requested relocation and (or) replacement of existing sanitary sewer pipes within the city all at no cost to the DOT. (See Exhibit A for location). The LPA shall reimburse the DOT for its share of the project costs associated with the sanitary sewer pipe for an amount not to

exceed $859,550. This not-to-exceed amount is based on the estimate as shown in Exhibit B plus 25%. The amount paid by the LPA upon completion of construction and proper billing by the DOT will be determined by the actual quantities in place and the accepted bid at the contract letting.

b. The responsibility for storm sewer maintenance for this improvement will be determined by accessibility to related utility accesses or intakes either inside or outside the controlled access area. Those storm sewers which are totally or partially within the controlled access area shall be maintained by the DOT. Those storm sewers which are totally outside the controlled access area shall be maintained by the LPA.

c. The DOT will bear all costs except those allocated to the LPA under other terms of this Agreement.

2. Levee Related Items

a. The LPA has requested modifications to the existing levee outfall structure at Levee Mile 2.1. DOT agrees to construct the requested modifications as part of the improvements to Interstate 29 and Interstate 480 as follows:
   i. LPA will design and seal requested modifications.
   ii. The work will be added to the DOT project by contract modification.
   iii. The DOT will include the impacted area in the Section 404 permit and NEPA FONSI.
   iv. LPA will be responsible for any other necessary permitting.

b. Existing sand fill stockpile near the drainage ditch on the landside of the existing levee outfall structure at Levee Mile 2.1 will be maintained on-site until completion of requested modifications. The stockpile will then be hauled off-site to a location as designated by the City to allow for construction of temporary and permanent fencing.

c. The DOT will provide the LPA permanent easement for maintenance and operations of the drainage ditch on the landside of the existing levee outfall structure at Levee Mile 2.1 as well as the levee limits beneath Interstate 480. (See Exhibit C).

d. The LPA shall reimburse the DOT for the costs associated with these levee-related improvements, including removal of the existing sand fill stockpile, estimated at $340,000. The amount paid by the LPA upon completion of construction and proper billing by the DOT will be determined by the actual quantities in place and the accepted contract modification.

3. Traffic Control

a. The DOT will temporarily close the highway project area by formal action in accord with Iowa Code section 306.41. Interstate 29 through-traffic will be detoured off of the project. The LPA will authorize the DOT to erect and maintain signs within its jurisdiction, consistent with Part 6 of the "Manual on Uniform Traffic Control Devices", as necessary to direct traffic to and along said detour routes during the construction period. The DOT will also remove said signs when the detour is discontinued. Details will be shown on the traffic control sheet(s) within the project plans.

b. If it becomes necessary to temporarily close LPA side roads during construction, the DOT will furnish and install the required barricades and signing for the closure at project cost and shall remove same upon completion of the project also at no expense or obligation to the LPA. The DOT will work in close cooperation with the LPA and the contractor to accommodate emergency services and local access across the project during construction. Any detours which may be necessary for project related LPA road closures will be the responsibility of the DOT all at no expense or obligation to the LPA.

4. Right of Way and Permits

a. Subject to the provisions hereof, the LPA in accordance with 761 Iowa Administrative Code Chapter 150.3(1)c and 150.4(2) will remove or cause to be removed (within the corporate limits) all encroachments or obstructions in the existing primary highway right of way. The LPA will also prevent the erection and/or placement of any structure or obstruction on said right of way or any additional right of way which is acquired for this project including but not limited to private signs, buildings, pumps, and parking areas.

b. The DOT will be responsible for the coordination of utility facility adjustments for the primary road project.

c. The LPA agrees to relocate all city-owned utilities necessary for construction which are located within the existing street or alley right of way, subject to the approval of and without expense to the DOT and in accordance with 761 Iowa Administrative Code Chapter 150.4(5) and the DOT Utility Accommodation Policy.

d. With the exception of service connections no new or future utility occupancy of project right of way, nor any future relocations of or alterations to existing utilities within said right of way will be permitted or undertaken by the LPA without the prior written approval of the DOT. All work will be performed in accordance with the Utility Accommodation Policy and other applicable requirements of the DOT.

e. The DOT and LPA shall abide by the provisions agreed upon in Agreement number 2007-1-016. See Exhibit D.

5. Construction & Maintenance

a. Upon completion of the project, no changes in the physical features thereof will be undertaken or permitted without the prior written approval of the DOT.

b. Future maintenance of the primary highway within the project area will be carried out in accordance with the terms and conditions contained in 761 Iowa Administrative Code Chapter 150.

c. New traffic signal construction for this project shall be provided under guidelines established in 761 Iowa Administrative Code Chapter 150. The DOT shall construct temporary and (or) permanent traffic signal installations at the following intersections at no cost to the LPA:

- 9th Avenue/SB Frontage Road
- 9th Avenue/NB Frontage Road
- 2nd Avenue/NB Frontage Road
- 2nd Avenue/SB Frontage Road
- W. Broadway/SB Frontage Road
- W. Broadway/NB Frontage Road
- Avenue G/NB Frontage Road
- Avenue G/SB Frontage Road
- W. Broadway WB/40th Street
- W Broadway EB/40th Street
- 35th Street/W. Broadway (New Controller Only)

The LPA shall operate the temporary and permanent signals during construction as part of the city-wide traffic signal system. The DOT shall equip all temporary and (or) permanent traffic signals, with the exception of Avenue G/SB Frontage Road and Avenue G/NB Frontage Road, with the Synchro

Green Adaptive Traffic Signal Control technology. The DOT will provide the LPA with technical support to operate and maintain traffic signal timings and coordination during the construction period.

During construction of the project, it may be necessary for the DOT, the DOT contractor, or the LPA to respond to a traffic signal operation malfunction. In the event of a traffic signal operations issue, the following will outline the roles and responsibilities for responding to and troubleshooting issues that arise:

- LPA – Respond to and diagnose traffic signal operational issue.
    - If issue related to programming of signal controller, MMU, or communications switch, City will correct the issues. If signal controller error is associated with detector issues, City will contact DOT Contractor to correct.
    - If issue related to hardware/construction, City will contact DOT contractor or traffic signal subcontractor to correct issue.
- DOT Contractor - Responsible for intersection hardware, including the equipment within the cabinet.
- LPA - Responsible for cabinet software, including traffic signal controller, signal timings, MMU and communications switch.
- LPA - Responsible for existing fiber cable locates not installed by the project.
- DOT Contractor - Responsible for electrical locates and fiber communications locates installed as part of the project.
- DOT Contractor - Responsible for moving detectors and reprogramming detection zones based on the needs of the project.

The LPA shall accept ownership of and responsibility for future energy and maintenance costs of those traffic signal units which lie within the corporate boundaries.

d. New lighting construction for this project shall be provided under guidelines established in 761 Iowa Administrative Code Chapter 150 and as identified in Exhibit E.

The DOT shall construct lighting along all current and future LPA roads within the project area including the NB Frontage Road, SB Frontage Road, W. Broadway, and 2nd Avenue at no cost to the LPA. Locations of LPA lighting are shown in Exhibit E. Existing median decorative lighting poles along W. Broadway between 35th Street and the NB Frontage Road will be removed, stored and (or) salvaged to a designated LPA site, and (or) reinstalled at designated locations along W. Broadway to accommodate construction. Bridge underdeck lighting installed to light 9th Avenue, Avenue G, and 40th Street shall be owned by the DOT and the DOT will retain responsibilities for future energy and maintenance costs of those underdeck lighting units. Bridge underdeck lighting installed to light 2nd Avenue and W. Broadway shall be owned by the LPA and the LPA will retain responsibilities for future energy and maintenance costs of those underdeck lighting units.

The LPA shall accept ownership of and responsibility for future energy and maintenance costs of those lighting units which lie within the corporate boundaries.

e. The LPA shall accept ownership of and responsibility for future maintenance of the barrier wall along the NB Frontage Road and the SB Frontage Road from 9th Avenue to approximately 3rd Avenue. See Exhibit F.

f. The DOT shall remove the existing split-rail fence and replace with a 6-foot, black-vinyl, chain-link fence within the construction limits west of the SB Frontage Road and along the north side of Harrah's Boulevard at no cost or obligation to the LPA.

g. The DOT shall accept responsibility for maintenance of the pavement markings, up to and including stopbars, along both the NB Frontage Road and SB Frontage Road from 9th Avenue to Avenue G both during and after construction. All other pavement markings, including all cross-walk markings, along LPA-owned streets will be the responsibility of the LPA. See Exhibit G.

h. Ownership and responsibility for signing installed along the future LPA-owned road segment(s) or extension(s) shall be accepted by either LPA or DOT as designated in Exhibits H and I, including sign structures. LPA shall own and maintain sign structures within LPA ROW that are occupied by both LPA and DOT signs.

i. The DOT or LPA shall be solely responsible for on-going maintenance of designated areas as delineated in Exhibit F.

The LPA shall be responsible for snow removal along existing and future open/active sidewalks/trails within the project limits during and after construction. The LPA will also be responsible for street maintenance, including snow removal, of existing and future local street connections during and after construction is complete. These local streets are designated accordingly in Exhibit F.

The DOT shall be responsible for street maintenance, including snow removal, during construction along the NB Frontage Road, SB Frontage Road, and the existing and future W. Broadway alignments from I-480 to the NB Frontage Road. The LPA will be responsible for street maintenance, including snow removal, after construction.

j. During construction of the project it will be necessary for the DOT contractor to use designated haul routes to minimize traffic operation impacts. The DOT will work in close cooperation with the LPA and the contractor to accommodate local access and maintenance on haul routes during construction (see Exhibit J).

i. The DOT will conduct a pre-use survey of the designated haul route to assess condition and potential trouble spots, and if necessary, request a pre-use film of the haul route. An official of the LPA shall be offered the opportunity to be present during the survey.
ii. The DOT will erect haul route signage and other traffic control devices as appropriate.
iii. Upon completion of the project, the LPA shall resume maintenance responsibilities for the haul route.
iv. The DOT will conduct a post-use survey for comparison with the pre-use survey. The post- use survey should be conducted by the same personnel that conducted the pre-use survey.
v. The DOT and the LPA will determine the necessary roadway repairs due to DOT contractor access. The DOT, and/or its contractor, will be responsible to complete any necessary restoration work.

k. During construction of the project it may be necessary for the DOT contractor to detour interstate traffic onto local roadways owned and maintained by the LPA to accommodate various stages of construction. The DOT will work in close cooperation with the LPA and the contractor to accommodate local access and maintenance of traffic detour routes during construction (see Exhibit K).

i. The DOT will conduct a pre-use survey of the designated detour routes to assess condition and potential trouble spots, and if necessary, request a pre-use film of the detour route. An official of the LPA shall be offered the opportunity to be present during the survey.
ii. The DOT will conduct a post-use survey of the designated detour routes for comparison with the pre-use survey. The post-use survey should be conducted by the same personnel that conducted the pre-use survey. The DOT and LPA will jointly determine the necessary repairs based on comparing the pre-use and post-use survey.

iii. A determination will be made as to necessary restoration work due to additional traffic; the costs

associated with the restoration work; and the amount due the LPA as compensation. Reimbursement shall be in accordance with IDOT Policy 600.05.

6. General Provisions

a. If the LPA has completed a Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the FIS is modified, amended or revised in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the modification, amendment or revision to the DOT. If the LPA does not have a detailed Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the LPA does adopt an FIS in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the FIS to the DOT.

b. The LPA will comply with all provisions of the equal employment opportunity requirements prohibiting discrimination and requiring affirmative action to assure equal employment opportunity as required by Iowa Code Chapter 216. No person will, on the grounds of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which State funds are used.

c. It is the intent of both parties that no third party beneficiaries be created by this Agreement.

d. If any section, provision, or part of this Agreement shall be found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional, except to the extent that the original intent of the Agreement cannot be fulfilled.

e. This Agreement, as well as the unaffected provisions of any previous agreement(s), addendum(s), and/or amendment(s); represents the entire Agreement between the LPA and DOT regarding this project. All previously executed agreements will remain in effect except as amended herein. Any subsequent change or modification to the terms of this Agreement will be in the form of a duly executed amendment to this document.

IN WITNESS WHEREOF, each of the parties hereto has executed Agreement No. 2020-6-092 as of the date shown opposite its signature below.

CITY OF COUNCIL BLUFFS:

By: _____ Date_____, 20___.
Title: Mayor

I,_____, certify that I am the Clerk of the City, and that

_____, who signed said Agreement for and on behalf of

the City was duly authorized to execute the same on the ____ day of_____, 20___.

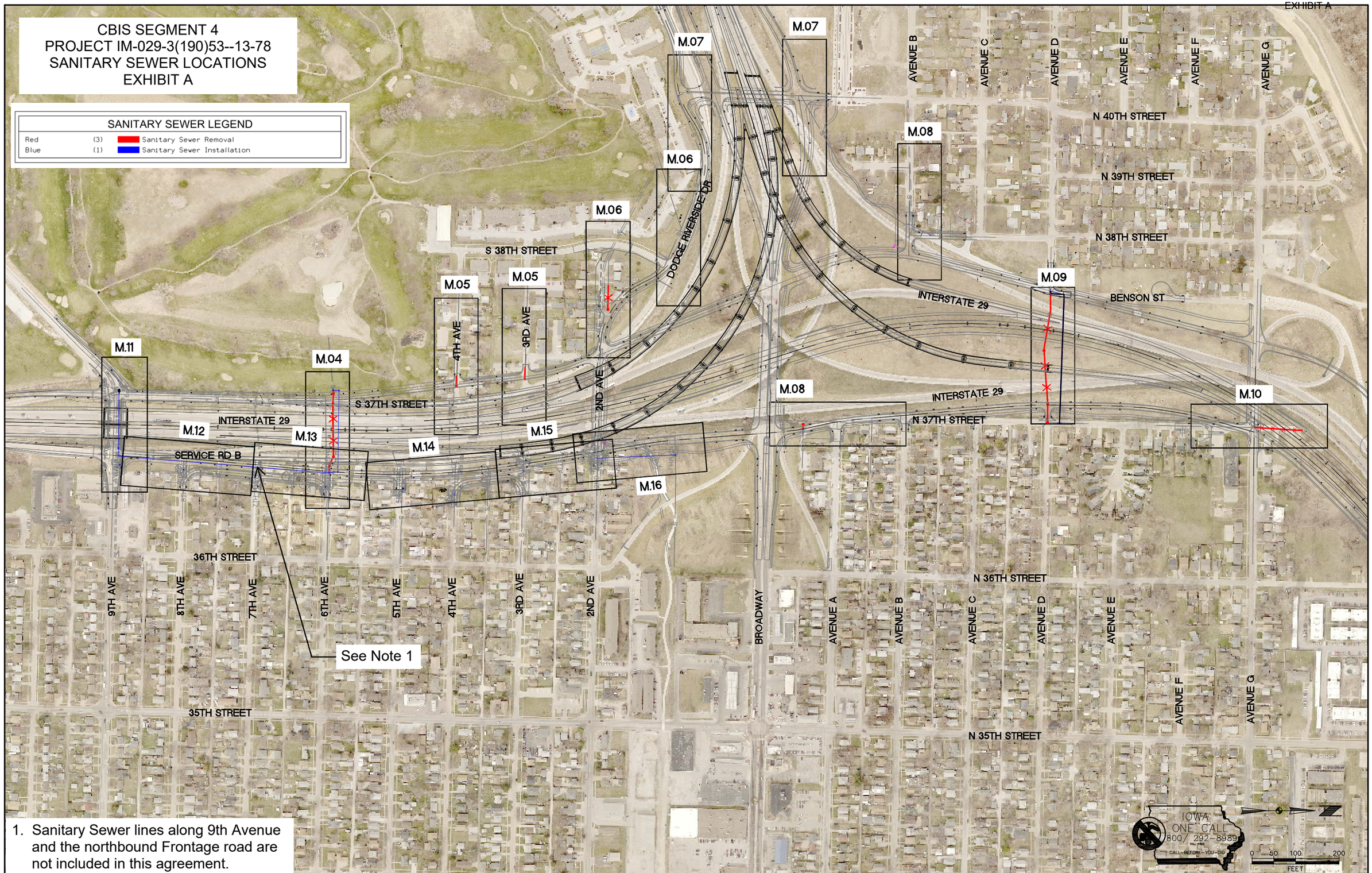
Signed: _____
City Clerk of Council Bluffs, Iowa

IOWA DEPARTMENT OF TRANSPORTATION:

By:_____ Date_____, 2020.
Scott Schram
District Engineer
District 4

EXHIBIT A

CBIS SEGMENT 4
PROJECT IM-029-3(190)53--13-78
SANITARY SEWER LOCATIONS
EXHIBIT A



1. Sanitary Sewer lines along 9th Avenue and the northbound Frontage road are not included in this agreement.

2020-6-092 CouncilBluffs	OFFICE OF DESIGN	* CADD *	PRODUCED	272	STATE OF IOWA		FISCAL YEAR 2020	CITY OF COUNCIL BLUFFS/POTT. COUNTY	PROJECT NUMBER	IM-029-3(190)53--13-78	SHEET NUMBER MSA.02

S:\Blue_Team\Projects\150717 CBIS SEGMENT 4 SEWER RELOCATIONS\Engineering\Dwgs\DOT Project M-Sheets\150717_M SHEETS FINAL.dwg, 5/12/2020 8:07:38 AM, 300 Adobe PDF.pc3

hgm ASSOCIATES INC.

ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST
CBIS SEWER RELOCATIONS
IOWA DEPARTMENT OF TRANSPORTATION
IOWA DOT PROJECT NO. HDP-1642(680)--71-78
CITY OF COUNCIL BLUFFS
CITY PROJECT NO. PW 17-15
HGM Project No. 150717-008
June 9, 2020

ITEM NO.	ITEM CODE	DESCRIPTION	ESTIMATED QUANTITY		UNIT PRICE	TOTAL AMOUNT
0010.	2435-0130148	Manhole, Sanitary Sewer SW-301, 48 Inch	7.00	EA	$5,000.00	$35,000.00
0020.	2435-0140160	Manhole, Storm Sewer SW-401, 60 Inch	4.00	EA	6,000.00	24,000.00
0030.	2435-0600010	Manhole, Adjustment, Minor	20.00	EA	1,000.00	20,000.00
0040.	2435-0600020	Manhole, Adjustment, Major	3.00	EA	2,000.00	6,000.00
0050.	2503-0136536	Storm Sewer Gravity Main with Casing Pipe, Trenched, Reinforced Concrete Pipe (RCP) 3000D (Class IV)	463.00	LF	150.00	69,450.00
0060.	2503-0200036	Remove Storm Sewer Pipe, Less than or Equal to 36 Inches	403.80	LF	15.00	6,057.00
0070.	2504-0144008	Sanitary Sewer Gravity Main with Casing Pipe, Trenchless, Polyvinyl Chloride Pipe (PVC), 8 Inch	520.00	LF	550.00	286,000.00
0080.	2504-0114008	Sanitary Sewer Gravity Main, Trenched, Polyvinyl Chloride Pipe (PVC), 8 Inch	228.90	LF	85.00	19,456.50
0090.	2504-0240036	Remove Sanitary Sewer Pipe Less than or Equal to 36 Inches	271.00	LF	12.00	3,252.00
0100.	2504-0240236	Sanitary Sewer Abandonment Fill and Plug, Less than or Equal to 36 Inches in Diameter	823.40	LF	16.00	13,174.40
0110.	2510-6750600	Removal of Intakes and Utility Accesses	12.00	EA	1,500.00	18,000.00
0120.	2529-5070110	Patches, Full Depth Finish, By Area	522.00	SY	125.00	65,250.00
0130.	2552-0000210	Trench Foundation	150.00	TN	40.00	6,000.00
0140.	2552-0000220	Replacement of Unsuitable Backfill Material	400.00	CY	15.00	6,000.00
0150.	2599-9999010	Bypass Pumping	1.00	LS	10,000.00	10,000.00
0160.	2599-9999010	Dewatering for Sanitary Sewer	1.00	LS	100,000.00	100,000.00
					TOTAL:	**$687,639.90**

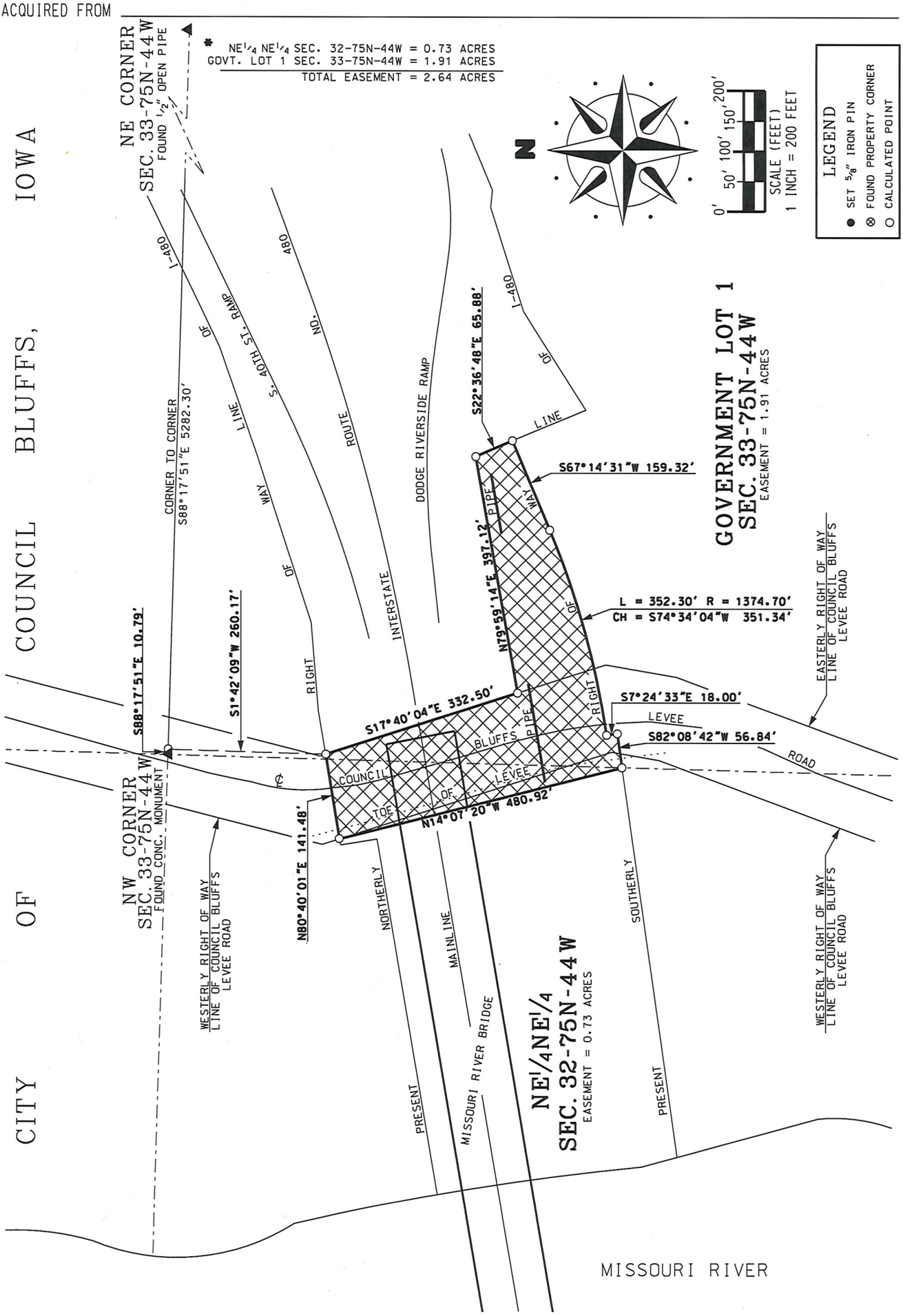
640 FIFTH AVENUE, COUNCIL BLUFFS, IOWA 51501-6427, (712) 323-0530, FAX (712) 323-0779
5022 SOUTH 114th STREET, SUITE 200, OMAHA NEBRASKA 68137-2329, (402) 346-7559, FAX (402) 346-0224

CADD IOWA DISTRICT 4 D.O.T. PRODUCED CLS

IOWA DEPARTMENT OF TRANSPORTATION
EASEMENT PLAT
EXHIBIT "A"

IOWADOT GETTING YOU THERE
EXHIBIT C

COUNTY **POTTAWATTAMIE** STATE CONTROL NO. _____
PROJECT NO. **IMN-29-3(65)54--0E-78** PARCEL NO. _____
SECTION **32, 33** TOWNSHIP **75N** RANGE **44W**
ROW - FEE _____ AC, EASE ***2.64** ACRES, QUIT CLAIM _____ AC
ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ MAIN LINE _____ SIDE
ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ SIDE ROAD _____ SIDE
ACQUIRED FROM _____



THE EASEMENT RIGHT GRANTED TO THE CITY OF COUNCIL BLUFFS, IOWA FOR MAINTAINED LEVEE AND FLOOD CONTROL PURPOSES IS TO LAND DESCRIBED AS FOLLOWS:

A parcel of land located in Government Lot 1 in Section 33, and in the NE¼NE¼ of Section 32, T75N, R44W of the 5th P.M., City of Council Bluffs, Pottawattamie County, Iowa, as shown on Easement Plat Exhibit "A" attached hereto and by reference made a part hereof, said parcel is more particularly described as follows:

Commencing at the NW¼ Corner of Section 33, T75N, R44W of the 5th P.M., City of Council Bluffs, Pottawattamie County, Iowa, thence S88°17'51"E 10.79 feet along the north line of the NW¼ of said Section 33; thence S1°42'09"W 260.17 feet to a point on the present northerly right of way line of Interstate Route No. 480, said point also being on the easterly right of way line of Council Bluffs Levee Road, the Point of Beginning; thence S17°40'04"E 332.50 feet along said easterly right of way line; thence N79°59'14"E 397.12 feet; thence S22°36'48"E 65.88 feet to a point on the present southerly right of way line of Interstate Route No. 480; thence along said present southerly right of way line for the following four (4) courses, S67°14'31"W 159.32 feet; 352.30 feet along a 1374.70 foot radius curve, concave northwesterly and having a chord bearing S74°34'04"W 351.34 feet; S7°24'33"E 18.00 feet; S82°08'42"W 56.84 feet; thence N14°07'20"W 480.92 feet to a point on said present northerly right of way line; thence N80°40'01"E 141.48 feet along said present northerly right of way line to the Point of Beginning, containing 114,983 sq. ft. or 2.64 acres.

POTTAWATTAMIE COUNTY
IMN-29-3(65)54--0E-78

STAFF ACTION: S-2007-0292

RIGHT OF WAY AGREEMENT FOR

CITY STREET RELOCATIONS AND/OR RECONSTRUCTION

County	Pottawattamie
City	Council Bluffs
Project No.	IMN-29-3(65)54--0E--78
Iowa DOT Agreement No.	2007-1-016

1. This Agreement is between the City of Council Bluffs hereinafter designated the "CITY", and the Iowa Department of Transportation, Highway Division, hereinafter designated the "DOT" and in accordance with Iowa Code sections 28E.12 and 306A.7.

2. The CITY hereby agrees that the DOT shall acquire rights of way for the reconstruction of I-29/80/480 in the CITY for:

Segment 1 – On I-80 from Nebraska State Line/East City Limits of Council Bluffs in the Missouri River, east to just west of the west I-29/80 systems interchange.

Segment 2 – On I-80 from just west of the west I-29/80 systems interchange, east to just east of Indian Creek and on I-29 from just north of the Union Pacific Railroad (UPRR) Bridge through the west I-29/80 west systems interchange to just east Indian Creek.

Segment 3 – On I-29/80 from just east of Indian Creek, east to east of Madison Avenue and on I-29 from east of Indian Creek, south on I-29 through the east systems interchange to 1.3 miles south of the Iowa 92/U.S. 275 interchange.

Segment 4 – On I-29 from just north of the UPRR bridge, north through the I-29/480 systems interchange to 1.3 miles north of Avenue G and on I-480 from the Missouri River Bridge, east through the I-29/480 and West Broadway Street systems interchange to just west of 35th Street.

Segment 5 – On I-80 from just east of Madison Avenue interchange, northeast to 1.0 miles north of the U.S. 6 interchange.

3. CITY hereby agrees that said right of way be acquired and paid for by the DOT and said acquisition shall be carried out in the following manner:

   In connection with this project, any real estate and easements necessary for right of way to construct the connection of any city street or alley on a primary highway relocation or reconstruction project, as well as any recreational trail, access road or frontage road rights of way, if any, which are or shall be under the jurisdiction of the CITY, may be acquired by the DOT, for and in the name of the CITY. Where acquired by contract, the CITY shall receive and agrees to accept title from the contract seller. Where condemnation proceedings are necessary, a single joint condemnation proceeding shall be instituted by the DOT to acquire necessary property rights for the CITY and DOT.

4. Also as part of this project, the CITY shall be responsible for providing, without cost to the DOT, any right of way for the project which involves dedicated streets or alleys, and any other city-owned lands, except park land, which are required for the project in accordance with 761 Iowa Administrative Code Chapter 150.2(1) and subject to the condition that the DOT shall reimburse the CITY for the value of improvements situated on such other city-owned lands. The CITY has apprised itself of the value of these lands, and as a portion of their participation in the project, voluntarily agrees to make such lands available without further compensation. The DOT shall be responsible for acquisition of all other right of way.

5. Access rights may be acquired by the DOT along all city street intersections within the project limits. Access rights, if acquired, will be in the name of the State of Iowa. The acquisition of access rights will be in accordance with 761 Iowa Administrative Code Chapter 112.11(8) and the 2002 DOT Access Control regulations.

   If the CITY feels that it is in the best interest of the parties involved to modify the access rights in any way, they may petition the DOT District 4 Engineer to do so.

6. This Agreement may be executed in two counterparts, each of which so executed shall be deemed to be an original and both shall constitute but one and the same instrument.

IN WITNESS WHEREOF, each of the parties hereto has executed Agreement No. 2007-1-016 as of the date shown opposite its signature below:

CITY OF COUNCIL BLUFFS:

By: _____ Date Sept 25, 2006
Title: Mayor

I, Marcia L. Worden, certify that I am the Clerk of the CITY, and that Thomas P. Hanafan, who signed said Agreement for and on behalf of the CITY was duly authorized to execute the same on the 25 day of September, 2006.

Signed Marcia L. Worden
City Clerk of Council Bluffs, Iowa

IOWA DEPARTMENT OF TRANSPORTATION:

By: _____ Date Oct 13, 2006.
John Selmer
District Engineer
District 4

IOWA DOT

CBIS SEGMENT 4
PROJECT IM-029-3(190)53--13-78
LIGHTING
EXHIBIT E

DOT Meter Pedestal	Light Poles	Light Towers	Underdeck Lights
DOT Meter pedestal "AA"	10	None	2
DOT Meter pedestal "CC"	21	None	2
DOT Meter pedestal "EE"	9	None	None
DOT Meter pedestal "GG"	None	1	None
DOT Meter pedestal "II"	None	1	None
DOT Meter pedestal "KK"	16	3	None
DOT Meter pedestal "MM"	11	1	None
DOT Meter pedestal "OO"	2	2	None
DOT Meter pedestal "QQ"	11	1	None
DOT Meter pedestal "SS"	10	None	4
DOT Meter pedestal "TT"	20	None	None
Total:	**110**	**9**	**8**

City Meter Pedestal	Light Poles	Underdeck Lights	Signal Mounted Luminaires	Intersections
City Meter pedestal "BB"	None	None	2	9th Ave/Ramp C
City Meter pedestal "DD"	None	None	3	9th Ave/Ramp B
City Meter pedestal "FF"	7	4	None	-
City Meter pedestal "HH"	5	2	None	-
City Meter pedestal "JJ"	12	4	3	W Broadway/NB Frontage Rd
City Meter pedestal "LL"	3	None	3	40th St/Ramp B
City Meter pedestal "NN"	4	None	6	40th St/Ramp C & W Broadway/SB Frontage Rd
City Meter pedestal "PP"	10	None	None	-
City Meter pedestal "RR"	8	None	None	-
Total:	**49**	**10**	**17**	

LIGHTING LEGEND

Red	(3)	DOT Luminaire
Red	(3)	DOT Underdeck Light
Red	(3)	DOT Light Tower
Red	(3)	DOT Meter
Red	(3)	DOT Handhole
Red	(3)	DOT Cabinet
Red	(3)	DOT Conduit
Green	(2)	City Luminaire
Green	(2)	City Underdeck Light
Green	(2)	City Meter
Green	(2)	City Handhole
Green	(2)	City Cabinet
Green	(2)	City Conduit
		Traffic Signal Pole with Luminaire

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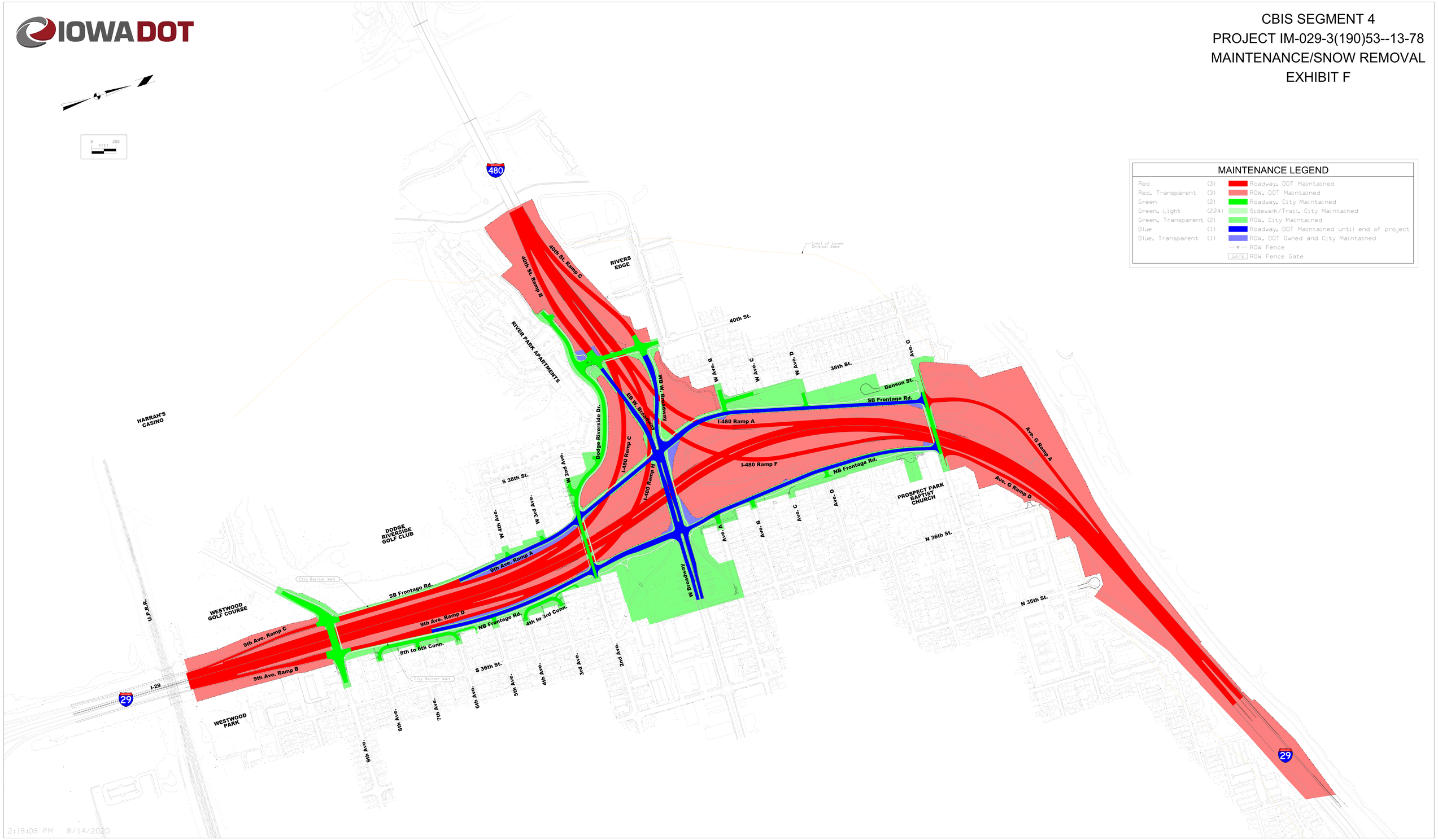
IOWA DOT

CBIS SEGMENT 4
PROJECT IM-029-3(190)53--13-78
MAINTENANCE/SNOW REMOVAL
EXHIBIT F



MAINTENANCE LEGEND

Red	(3)	Roadway, DOT Maintained
Red, Transparent	(3)	ROW, DOT Maintained
Green	(2)	Roadway, City Maintained
Green, Light	(224)	Sidewalk/Trail, City Maintained
Green, Transparent	(2)	ROW, City Maintained
Blue	(1)	Roadway, DOT Maintained until end of project
Blue, Transparent	(1)	ROW, DOT Owned and City Maintained
		ROW Fence
	GATE	ROW Fence Gate

IOWA DOT

CBIS SEGMENT 4
PROJECT IM-029-3(190)53--13-78
PAVEMENT MARKINGS
EXHIBIT G

PAVEMENT MARKINGS LEGEND		
Red	(3)	Pavement Marking, DOT Responsibility
Green	(2)	Pavement Marking, City Responsibility

CBIS SEGMENT 4
PROJECT IM-029-3(190)53--13-78
CITY SIGNING
EXHIBIT H

2:19:21 PM 8/14/2020

IOWA DOT

CBIS SEGMENT 4
PROJECT IM-029-3(190)53--13-78
DOT SIGNING
EXHIBIT I

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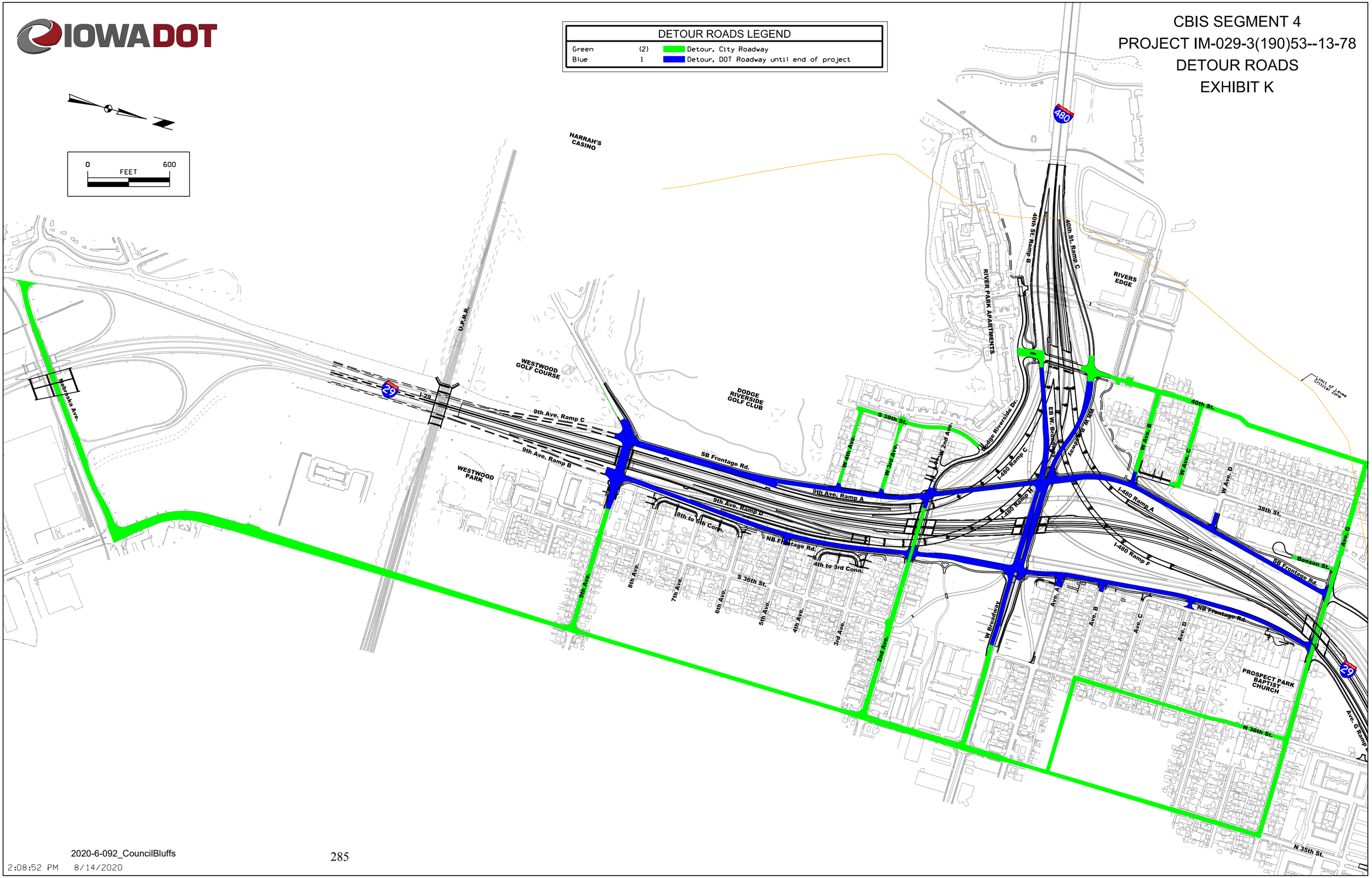
IOWA DOT

CBIS SEGMENT 4
PROJECT IM-029-3(190)53--13-78
HAUL ROUTES
EXHIBIT J

IOWADOT

CBIS SEGMENT 4
PROJECT IM-029-3(190)53--13-78
DETOUR ROADS
EXHIBIT K

DETOUR ROADS LEGEND		
Green	(2)	Detour, City Roadway
Blue	1	Detour, DOT Roadway until end of project



2020-6-092_CouncilBluffs

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R E S O L U T I O N
NO 20-261

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE IOWA DEPARTMENT OF TRANSPORTATION AGREEMENT NO. 2020-6-092 IN CONNECTION WITH I-29/I-480 INTERSTATE IMPROVEMENTS

WHEREAS, the Iowa Department of Transportation wishes to make improvements known as the I-29/I-480 Interstate Improvements, within the city, as therein described; and

WHEREAS, Iowa Department of Transportation has submitted an agreement for said improvements; and

WHEREAS, the city council deems approval of said 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 agreement with Iowa Department of Transportation in connection with I-29/I-480 Interstate Improvements.

ADOPTED
AND
APPROVED October 26, 2020

_____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

Council Communication

Department: Legal
Case/Project No.:
Submitted by: Richard Wade

Resolution 20-262
ITEM 7.F.

Council Action: 10/26/2020

Description

Resolution authorizing the Mayor to execute the Amendment to Purchase Agreement with Opus Development Company, L.L.C.

Background/Discussion

The City entered into a Purchase Agreement with Opus Development Company, L.L.C. on October 28, 2019 (attached hereto). Opus is in the process of completing its due diligence on the property but some of that is subject to review and approval by the Army Corp. of Engineers. They are seeking additional time to avoid penalties under the Agreement so an amendment is needed.

Recommendation

Approval of this Resolution is recommended.

ATTACHMENTS:

Description	Type	Upload Date
Original Purchase Agreement with Opus	Agreement	10/19/2020
Proposed Amendment to Purchase Agreement with Opus	Agreement	10/19/2020
Resolution 20-262	Resolution	10/20/2020

EXECUTION VERSION

PURCHASE AGREEMENT

This Purchase Agreement is made as of October 28, 2019 ("**Effective Date**"), by and between the City of Council Bluffs, Iowa, a municipal corporation ("**Seller**"), and Opus Development Company, L.L.C., a Delaware limited liability company ("**Buyer**").

Buyer desires to purchase certain property owned by Seller, and Seller desires to sell such property to Buyer pursuant to the terms and conditions set forth in this Agreement.

Accordingly, Seller and Buyer agree as follows:

Article 1. DEFINITIONS. The following terms shall have the meanings set forth below:

1.1 Abstract. As defined in Section 5.1.1.

1.2 Agreement. This Agreement, including the following exhibits attached hereto and hereby made a part hereof:

Exhibit A:	Legal Description of the Land
Exhibit B:	Form of Memorandum
Exhibit C:	Leases
Exhibit D:	Levee Maintenance Documents

1.3 Airplane Club Lease. As defined in **Exhibit C**.

1.4 Billboard Lease. As defined in **Exhibit C**.

1.5 Broker. The Lund Company d/b/a Cushman & Wakefield.

1.6 Closing. As defined in Article 2.

1.7 Closing Date. As defined in Article 10.

1.8 Closing Notice. As defined in Article 10.

1.9 Commitment. The title insurance commitment with respect to the Property or a Development Parcel, as applicable, described in Section 5.1.1.

1.10 Development Parcel. All or a portion of the Property identified in the Closing Notice.

1.11 Earnest Money. As defined in Section 3.2.1.

1.12 Executory Period. The period between the Effective Date and a Closing.

1.13 Farm Lease. As defined in **Exhibit C**.

1.14 Hazardous Material. Any substance, chemical, waste or material that is or becomes regulated under applicable law because of its toxicity, infectiousness, radioactivity, explosiveness, ignitability, corrosiveness or reactivity, including asbestos, urea formaldehyde, polychlorinated biphenyls, nuclear fuel or materials, radioactive materials, explosives, known carcinogens, petroleum products and by-products and any substance, chemical, waste or material regulated by any Hazardous Material Law.

1.15 Hazardous Material Laws. Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the Superfund Amendments and Reauthorization Act of 1986, the Resource Conservation and Recovery Act, the Toxic Substances Control Act, as such acts may be amended from time to time, and any other Federal, state, county, municipal, local or other law, statute, code, ordinance, rule or regulation which relates to or deals with human health or the environment in the jurisdiction in which the Property is located.

1.16 Improvements. All buildings, structures, fixtures and improvements located on the Land, if any.

1.17 Inspection Period. As defined in Section 4.1.

1.18 Land. The real property located in the City of Council Bluffs, Pottawattamie County, Iowa, legally described on **Exhibit A** attached hereto, together with all easements, appurtenances and hereditaments thereto.

1.19 Leases. As defined in Section 7.1.3

1.20 Levee Maintenance Documents. Those agreements identified on **Exhibit D** attached hereto.

1.21 Permitted Exceptions. The easements, restrictions, reservations and other matters affecting title to the Property as may be determined to be Permitted Exceptions pursuant to Article 5.

1.22 Property. The Land and the Improvements, collectively, excluding any Development Parcels sold pursuant to this Agreement.

1.23 Purchase Price. The purchase price for a Development Parcel described in Section 3.1.

1.24 Records. All records of Seller relating to the Property, including (a) all records regarding real estate taxes and assessments, (b) all reports and studies (including soil, engineering, geotechnical and environmental reports or tests, including all drafts and letters and other documents which order, describe or limit the scope of such tests, reports or studies), (c) all service contracts, leases, licenses and permits related to the Property, and (d) all originals and copies of surveys regarding the Property.

1.25 Survey. The survey of the Property or a Development Parcel, as applicable, described in Section 5.1.2.

1.26 Title Company. First American Title Insurance Company having an address at 121 South 8th Street, Suite 1250, Minneapolis, MN 55402, Attention: Dani Haag.

1.27 Title Evidence. The Commitment, Survey, and UCC Searches.

1.28 UCC Searches. The UCC searches described in Section 5.1.3.

Article 2. Purchase and Sale; Memorandum; Exclusivity.

2.1 Purchase and Sale. Seller hereby agrees to sell to Buyer, upon and subject to the terms and conditions hereinafter set forth, the Property. The purchase and sale of the Property or Development Parcels shall take place at one or multiple closings (each, a "**Closing**") but not more than four (4) Closings, provided that any Closings shall take place on or before the third anniversary of the Effective Date. If Buyer purchases a Development Parcel that is less than all of the Property, the balance of the Property shall remain subject to this Agreement and Buyer's right to purchase such Property and the remaining Property shall be at least ten (10) acres, have access to a public road, and have the ability to have direct access to current or future sanitary sewer, electric, and gas utility lines.

2.2 Memorandum. A memorandum of this Agreement (the "**Memorandum**"), the form of which is attached hereto as **Exhibit B**, shall be signed by both parties upon the execution of this Agreement and shall be recorded at Buyer's cost in the real estate records in and for Pottawattamie County, Iowa.

2.3 Exclusivity. Seller shall not, during the Executory Period or before the termination of this Agreement, (a) promote the sale of the Property to, or solicit offers to purchase the Property from, other parties or (b) discuss or negotiate with other parties regarding the sale of the Property.

Article 3. Purchase Price.

3.1 Amount. Buyer shall pay to Seller as and for the purchase price for a Development Parcel an amount equal to $0.50 per land square foot. The land square footage of a Development Parcel shall be determined by the Survey.

3.2 Manner of Payment. The Purchase Price for a Development Parcel shall be payable as follows:

3.2.1 (a) For the first Development Parcel that Buyer may purchase pursuant to this Agreement, Twenty-Five Thousand and 00/100 Dollars ($25,000.00) as earnest money ("**Initial Earnest Money**"), to be deposited by Buyer in escrow with Title Company within three business (3) days after the Effective Date and held and disbursed pursuant to the terms of this Agreement.

(b) For any Development Parcel after the Closing of the first Development Parcel, Reset Earnest Money (defined below) to be deposited by Buyer in escrow with Title Company pursuant to Section 4.3 below and held and disbursed pursuant to the terms of this Agreement.

3.2.2 The Additional Earnest Money, if any (together with Initial Earnest Money or any Reset Earnest Money, as applicable, to the extent deposited with and then being held by the Title Company, the "**Earnest Money**"), deposited by Buyer in escrow with Title Company pursuant to Section 4.2 below and held and disbursed pursuant to the terms of this Agreement. For purposes of clarity only, "Earnest Money" does not include any Initial Earnest Money, Reset Earnest Money or Additional Earnest Money that has been credited to a Purchase Price at a previous Closing.

3.2.3 The balance of the Purchase Price in cash or by certified or cashier's check or wire transfer of immediately available funds on the applicable Closing Date.

Article 4. Inspection.

4.1 Inspection Period. Buyer shall have a period of three hundred sixty-five (365) days following the Effective Date (the "**Initial Inspection Period,**" together with, if any, the Additional Inspection Period(s), the "**Inspection Period**"), during which Buyer may inspect the physical and environmental condition of the Property (or portion thereof), the availability of all permits and approvals, the location and availability of utilities and access, existing soil conditions, the impact of governmental requirements and the feasibility of developing the Property (or portion thereof) as proposed by Buyer. Buyer and its affiliates and their respective employees, agents and independent contractors shall have access to the Property at reasonable times and after reasonable notice to Seller. Buyer shall restore any damage to the Property caused by such inspection and shall indemnify and hold Seller harmless from all liabilities incurred by Seller and arising out of any such entry, except that (a) Buyer shall not have any obligation in respect of any Hazardous Materials existing about the Property, and (b) Buyer shall not have any obligation for any loss, cost or damage arising out of Seller's negligence or willful misconduct. The foregoing indemnity shall survive termination of this Agreement. Upon expiration of the then current Inspection Period, the Earnest Money will become non-refundable, except as otherwise set forth in this Agreement. The Earnest Money shall be credited to the Purchase Price at the next occurring Closing. If Buyer elects to terminate the Purchase Agreement during an Inspection Period, the Earnest Money shall be refunded to Buyer.

4.2 Additional Inspection Periods. Buyer may extend the then-current Inspection Period for up to two (2) consecutive periods of one hundred eighty (180) days each (each an "**Additional Inspection Period**"). Each Additional Inspection Period may be extended only by (a) Buyer's deposit with the Title Company of Twenty-Five Thousand and 00/100 Dollars ($25,000.00) ("**Additional Earnest Money**") and (b) Buyer's delivery to Seller of a notice extending the Inspection Period, each of which shall be delivered before the expiration of the then-current Inspection Period. Upon expiration of the then-current Inspection Period, the Earnest Money will become non-refundable, except as otherwise set forth in this Agreement. All Earnest Money shall be credited to the Purchase Price at the next occurring Closing.

4.3 Reset of Inspection Period. Seller acknowledges and agrees that Buyer may purchase portions of the Property at one or more Closings. At each Closing for a Development Parcel that is at least ten (10) acres, the "Initial Inspection Period" shall automatically be amended to mean the period commencing on the Effective Date and expiring three hundred sixty-five (365) days after such Closing, and Buyer shall have the right to exercise two (2) consecutive Additional Inspection Periods as set forth in Section 4.2 above. The Buyer shall deposit Twenty-Five Thousand and 00/100 Dollars ($25,000.00) ("**Reset Earnest Money**") with the Title Company within three (3) business days after any reset of Inspection Period. The Reset Earnest Money shall be refundable during the then-current Inspection Period.

4.4 Delivery Requirements. To the extent not previously delivered by Seller to Buyer, Seller shall deliver to Buyer within five (5) business days after the Effective Date true and complete copies of each of the Records.

Article 5. Title Examination.

5.1 Title Evidence.

5.1.1 Within five (5) business days after the Effective Date, Seller shall deliver the updated abstract for the Property to the Title Company ("**Abstract**"). Buyer shall obtain a commitment to insure title to the Property issued by Title Company. The Commitment shall (a) be an ALTA Commitment (6-17-06) for an ALTA Owner's Policy (6-17-06) in an amount to be determined with provision to increase the policy amount to cover the cost of improvements to be constructed by Buyer, (b) show Seller as owner of the Property, (c) commit to delete all of the so-called "standard exceptions" to coverage and (d) include copies of all documents, instruments and matters shown as exceptions or referenced therein.

5.1.2 Buyer shall obtain a current survey of the Property, prepared and certified by a registered land surveyor, reasonably satisfactory to Buyer, who is licensed in the State of Iowa. The survey shall (a) conform to the "2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys" as adopted in 2016 by the American Land Title Association and the National Society of Professional Surveyors, Inc. (the "**ALTA/NSPS Requirements**"), including optional items 1, 2, 3, 4, 6(b), 7(a), 8, 9, 11, 13, 14, 16, 17, 19 (if applicable), and 20 ($1,000,000) of Table A thereto, and (b) contain a certification to Buyer, Title Company and any other party designated by Buyer in the applicable form as specified by the ALTA/NSPS Requirements.

5.1.3 Buyer shall obtain a report of UCC searches of the Uniform Commercial Code records of the secretary of state, county recorder and any other applicable filing location in the jurisdiction in which the Property is located under the Uniform Commercial Code as adopted therein.

The Title Evidence shall be deemed received by Buyer for purposes of this Section 5.1 only when a Commitment, Survey, and UCC Searches conforming to the foregoing requirements have been received by Buyer.

5.2 Buyer's Objections and Requirements. Buyer shall be allowed fifteen (15) business days after receipt of the last of the Title Evidence for examination thereof and making any objections to the form and/or content of

the same. Any objections not made within said period shall be deemed to be waived by Buyer and shall be Permitted Exceptions. Buyer's objections may include additional requirements with regard to the Title Evidence based upon its initial review of the same, including requiring (a) satisfaction of Title Company's requirement as set forth in the Commitment, (b) deletion of all the so-called "standard exceptions" to coverage, (c) affirmative insurance of any easements appurtenant to the Property, (d) reasonable affirmative title insurance endorsements (including comprehensive, zoning, access, subdivision, contiguity and survey accuracy) with respect to the Property if available in the jurisdiction in which the Property is located, and (e) revisions to the Title Evidence as to any matters reasonably warranting additional investigation, affirmative insurance and/or certification. Buyer shall have the renewed right to object to the Title Evidence as the same may be revised or endorsed from time to time, including but not limited to any revisions to the Title Evidence to limit such Title Evidence to a Development Parcel.

5.3 Correction of Title. Seller shall be allowed fifteen (15) days after the making of Buyer's objections to cure the same and shall diligently proceed and use its best efforts to do so. Pending such cure, the Closing for a Development Parcel shall be postponed to the extent necessary to accommodate such time period; provided however, Seller shall not be allowed any additional time beyond the originally scheduled Closing Date for such Development Parcel to discharge or satisfy any mortgage, judgment or other monetary lien. If such cure is not completed within said fifteen (15) day period, Buyer shall have the option to do any of the following:

5.3.1 Terminate this Agreement and receive a refund of the Earnest Money;

5.3.2 Cure the defect and deduct the cost of curing from the Purchase Price for such Development Parcel at Closing; or

5.3.4 Waive one or more of its objections and proceed to Closing for such Development Parcel.

Article 6. Conditions Precedent.

6.1 Conditions in Favor of Buyer. The obligations of Buyer under this Agreement are contingent upon each of the following:

6.1.1 During the Inspection Period, Buyer shall have determined that it is satisfied with the matters and conditions disclosed by the reports, investigations and tests received or performed by Buyer pursuant to Section 4.1, with its review and analysis of the Title Evidence and the Records, with its governmental approvals needed for its contemplated development, with the lease termination agreement(s) between Seller and any tenant(s) on the Property and with any other condition related to Buyer's contemplated development.

6.1.2 On the Closing Date of a Development Parcel, the Property shall be subdivided such that such Development Parcel has a separate legal description and is a separate tax parcel, subject only to conditions acceptable to Buyer in its sole and absolute discretion.

6.1.3 On the Closing Date of a Development Parcel, Title Company shall be irrevocably committed to issue to Buyer an owner's policy of title insurance pursuant to the Commitment with respect to such Development Parcel and any appurtenant easements designated by Buyer pursuant to Section 5.2 subject only to the Permitted Exceptions and otherwise in a form approved by Buyer pursuant to Sections 5.2 and 5.3.

6.1.4 On the Closing Date of a Development Parcel, each of the representations and warranties of Seller in Section 7.1 shall be true and correct as if the same were made on such Closing Date.

6.1.5 On the Closing Date of a Development Parcel, Seller shall have performed all of the obligations required to be performed by Seller under this Agreement as and when required under this Agreement with respect to such Development Parcel.

If any conditions in this Section 6.1 have not been satisfied on or before the applicable date set forth in this Section 6.1 with respect to each condition, then Buyer may terminate this Agreement with respect to such Development Parcel by notice to Seller on or before the applicable date, subject, however, to Article 14, or revoke the Closing Notice for the applicable Development Parcel (which notice for such Development Parcel or a different Development Parcel may be delivered at a later time), if delivered, such that the rights and obligations of the parties revert back to those that existed before the delivery of the Closing Notice. To the extent that any of the conditions in this Section 6.1 require the satisfaction of Buyer, such satisfaction shall be determined by Buyer in its sole and absolute discretion. The conditions in this Section 6.1 are specifically stated and for the sole benefit of Buyer. Buyer in its discretion may unilaterally waive (conditionally or absolutely) the fulfillment of any one or more of the conditions, or any part thereof, by notice to Seller. Seller shall not take or authorize, directly or indirectly, any action that modifies or changes the circumstances upon which the conditions set forth in this Section 6.1 were deemed satisfied or waived by Buyer without Buyer's consent.

6.2 Conditions in Favor of Seller. The obligations of Seller under this Agreement are contingent upon each of the following:

6.2.1 On the Closing Date with respect to a Development Parcel, each of the representations and warranties of Buyer in Section 7.2 shall be true and correct as if the same were made on such Closing Date.

6.2.2 On the Closing Date with respect to a Development Parcel, Buyer shall have performed all of the obligations required to be performed by Buyer under this Agreement as and when required under this Agreement with respect to such Development Parcel.

If any of the conditions in this Section 6.2 have not been satisfied on or before the applicable date set forth in this Section 6.2 with respect to each condition, then Seller may terminate this Agreement by notice to Buyer on or before the applicable date, subject however to Article 14. The conditions in this Section 6.2 are specifically stated and for the sole benefit of Seller. Seller in its discretion may unilaterally waive any one or more of the conditions, or any part thereof, by notice to Buyer.

6.3 Cooperation. The parties shall cooperate with each other to all reasonable extents in the parties' attempts to satisfy the conditions set forth in Sections 6.1 and 6.2, respectively, including executing such documents as may be reasonable requested by the other in connection therewith (such as environmental worksheets and other documents as may be reasonably requested by the other in connection therewith). Additionally, Seller shall, at the request of Buyer, cooperate and work together with Buyer (including, without limitation, joining in the execution of the materials described in clause (a) below) in connection with: (a) applications, agreements, amendments, approvals and annexation agreements relating to, among other things, zoning, site plan, planned development, subdivision, protective covenants, TIF financing, utility and other development matters to permit the development of the Property (or portion thereof) in accordance with Buyer's proposed development plans, and (b) any requirements of local, state or federal governments, or any agency thereof, any public utility, or the proposed development relating to the proposed development of the Property (or portion thereof), including but not limited to granting reasonably-sized utility, water, sanitary sewer, storm sewer, roadway, drainage, access and other easements in favor of Buyer in form and substance reasonably acceptable to Seller and Buyer. Seller agrees to timely and properly perform and pay all requirements of the covenants, duties and obligations of the owner or developer as are set forth in any development, annexation or other applicable agreement made by and between Seller or any of its predecessors in interest (as developer or owner, as the case may be) and the City of Council Bluffs or Pottawattamie County, Iowa, or other applicable authority or otherwise affecting the Property. Seller agrees to indemnify, defend and hold harmless Buyer and the Property from any and all claims, costs, losses,

damages or expenses (including but not limited to reasonable attorneys' fees) arising out of or alleged to have arisen out of Seller's failure to perform any of said obligations, covenants or duties. The provisions of this Section 6.3 shall survive the Closing of each Development Parcel. Notwithstanding the foregoing, any action by Seller under this Section 6.3 shall be subject to any administrative and legislative approval processes applicable to Seller and to such action.

Article 7. Representations and Warranties.

7.1 Seller's Representations and Warranties. Seller represents and warrants to Buyer as of the date of this Agreement as follows:

7.1.1 Seller has not entered into any contracts for the sale of or option to purchase any of the Property other than this Agreement. Seller has received no notice of and has no knowledge of any rights of first refusal or first offer, options to purchase any of the Property or any other rights or agreements which may delay or prevent this transaction.

7.1.2 There has been no labor or materials of any kind furnished to or for the benefit of the Property for which payment in full has not been made.

7.1.3 No person or entity is entitled to possession of any of the Property, other than Seller and Seller's tenants under the Leases identified on **Exhibit C** attached hereto (the "**Leases**"). The Leases are in full force and effect and neither Seller nor the tenants under their respective Leases are or have been in default under the terms of their respective Leases. Except for amendments and renewals identified on **Exhibit C** attached hereto, there are no amendments or other agreements affecting the Leases. The Farm Lease shall terminate no later than March 1, 2020, and the tenant under the Farm Lease shall not have possession of the Property after March 1, 2020. The Airplane Club Lease and the Billboard Lease shall terminate no later than the Closing Date for the Development Parcel that is affected by such Lease, and the tenants under such Leases shall not have possession of the Property after such Closing Date. At Buyer's direction to do so, Seller will terminate any or all of the Leases before the Closing Date.

7.1.4 The Property has not been classified under any designation under applicable law to obtain a special low ad valorem tax rate or receive either an abatement or deferment of ad valorem taxes which, in such case, will result in any "green acres", catch-up or other deferred ad valorem taxes in order to recover the amounts previously abated or deferred.

7.1.5 Seller has received no notice of and has no knowledge of any pending or proposed special assessments affecting the Property or any proposed or pending public improvements which may give rise to any special assessments affecting the Property.

7.1.6 Seller has received no notice of and has no knowledge of any pending or threatened condemnation or transfer in lieu thereof affecting any of the Property, nor has Seller agreed or committed to dedicate any of the Property.

7.1.7 Seller has received no notice of and has no knowledge of any pending or threatened action which would impair access to and from all adjoining streets, roads and highways.

7.1.8 Seller has received no notice and has no knowledge of any actual or threatened curtailment, cancellation or suspension of any utility (including telephone and communications, electricity, gas, sanitary sewer, storm sewer and water (fire and domestic)).

7.1.9 Seller has received no notice of and has no knowledge that any of the Property or its use or uses are in violation of applicable law or any applicable private restriction applicable to the Property.

7.1.10 Seller has received no notice of and has no knowledge of any action, litigation, investigation or proceeding of any kind pending or threatened against Seller or any of the Property, and Seller knows of no facts which could give rise to any such action, litigation, investigation or proceeding.

7.1.11 Seller has not generated, manufactured, buried, spilled, leaked, discharged, emitted, stored, disposed of, used or released any Hazardous Materials about the Property, and has permitted no other party to do any of the same. Seller at all times has operated its business at the Property in compliance with Hazardous Material Laws and has kept in full force and effect all licenses, permits, and other authorizations required pursuant to any Hazardous Material Law for the lawful and efficient operation of Seller's business at the Property. Seller has received no notice of and has no knowledge (a) that any Hazardous Material are or have ever been generated, manufactured, buried, spilled, leaked, discharged, emitted, stored, disposed of, used or released about the Property, or (b) of any, requests, notices, investigations, demands, administrative proceedings, hearings, litigation or other action proposed, threatened or pending relating to any of the Property and alleging non-compliance with or liability under any Hazardous Material Law, or (c) that any above-ground or underground storage tanks or other containment facilities of any kind containing any Hazardous Materials are or have ever been located about the Property.

7.1.12 There are no leases or possessory rights in favor of any party, service or maintenance contracts, equipment leases or other contracts regarding any of the Property, except for the Leases which shall terminate by the dates prescribed in Section 7.1.3.

7.1.13 Seller has delivered or, within the time frame provided in Section 4.4, shall deliver to Buyer true, correct and complete copies of the Records in Seller's custody and control. Seller does not warrant and shall not be responsible for the accuracy or completeness of any Record not prepared by Seller or an affiliate of Seller or their conclusions or recommendations unless Seller or any affiliate has knowledge that the same are inaccurate, incomplete or misleading in any material respect.

7.1.14 Seller has the full power, capacity and authority to enter into and perform this Agreement and the documents and instruments required to be executed and delivered by Seller pursuant hereto. This Agreement has been duly executed and delivered by Seller and is a valid and binding obligation of Seller enforceable in accordance with its terms. This Agreement and the documents and instruments required to be executed and delivered by Seller pursuant hereto do not and will not conflict with or result in any judgment, order or decree of any court or arbiter to which Seller is a party, or any agreement to which Seller and/or any of the Property is bound or subject.

7.1.15 Seller has not (i) made a general assignment for the benefit of creditors, (ii) filed any involuntary petition in bankruptcy or suffered the filing of any involuntary petition by Seller's creditors, (iii) suffered the appointment of a receiver to take possession of all or substantially all of Seller's assets, (iv) suffered the attachment or other judicial seizure of all, or substantially all, of Seller's assets, (v) admitted in writing its inability to pay its debts as they come due, or (vi) made an offer of settlement, extension or composition to its creditors generally.

7.1.16 Seller is not a "foreign person", "foreign partnership", "foreign trust" or "foreign estate" as those terms are defined in Section 1445 of the Internal Revenue Code.

7.1.17 The Property is subject to certain levee maintenance fees arising from certain documents identified on **Exhibit D** attached hereto. There are no other agreements related to levee maintenance that affect the Property. The share of such fees allocated to the Property shall not exceed 13.1819%, and the share of such fees allocated to a Development Parcel shall be its proportionate share of the Property by acreage. Seller shall provide such evidence or documentation, including any recordable documents, reasonably acceptable to Buyer to confirm such allocation.

The foregoing representations and warranties are express representations and warranties which Buyer shall be entitled to rely on regardless of any investigation or inquiry made by, or any knowledge of, Buyer. Consummation of this Agreement by Buyer with knowledge of any such breach shall not constitute a waiver or release by Buyer of any claims arising out of or in connection with such breach. The foregoing representations and warranties (including as remade pursuant to Section 10.2.4) shall survive the Closings or the earlier termination of this Agreement.

7.2 Buyer's Representations and Warranties. Buyer represents and warrants to Seller as of the date of this Agreement as follows:

7.2.1 Buyer has been duly formed and is in good standing under the laws of the State of Delaware and has the requisite power and authority to enter into and perform this Agreement and the documents and instruments required to be executed and delivered by Buyer pursuant hereto. This Agreement has been duly executed and delivered by Buyer and is a valid and binding obligation of Buyer enforceable in accordance with its terms. This Agreement and the documents and instruments required to be executed and delivered by Buyer pursuant hereto have each been duly authorized by all necessary corporate action on the part of Buyer and that such execution, delivery and performance does and will not conflict with or result in a violation of Buyer's bylaws or any judgment, order or decree of any court or arbiter to which Buyer is a party, or any agreement to which Buyer and/or any of the Property is bound or subject.

7.2.2 Buyer has not (i) made a general assignment for the benefit of creditors, (ii) filed any involuntary petition in bankruptcy or suffered the filing of any involuntary petition by Buyer's creditors, (iii) suffered the appointment of a receiver to take possession of all or substantially all of Buyer's assets, (iv) suffered the attachment or other judicial seizure of all, or substantially all, of Buyer's assets, (v) admitted in writing its inability to pay its debts as they come due, or (vi) made an offer of settlement, extension or composition to its creditors generally.

7.2.3 After the Closing, Buyer shall be responsible for installing and constructing utilities serving any Development Parcels (and the associated costs of such installation and construction) in accordance with Buyer's proposed development plans.

The foregoing representations and warranties are express representations and warranties which Seller shall be entitled to rely on regardless of any investigation or inquiry made by, or any knowledge of, Seller. Consummation of this Agreement by Seller with knowledge of any such breach shall not constitute a waiver or release by Buyer of any claims arising out of or in connection with such breach. The foregoing representations and warranties shall survive the Closings or the earlier termination of this Agreement.

Article 8. Condition of Property at Closing. Seller shall deliver the applicable Development Parcel to Buyer at the Closing for such Development Parcel in a condition consistent with the representation and warranties in Section 7.1, and in any event in the same or better condition than which it existed on the date Buyer delivers its Closing Notice for the applicable Development Parcel.

Article 9. Operation Pending Closing. During the Executory Period, Seller shall (a) not lease, convey or otherwise transfer any of the Property, except for the Leases, (b) not execute any contracts, leases, amendments to the Leases or other agreements regarding any of the Property that are not terminable on thirty (30) days' advance notice, (c) not undertake any improvements or alterations of the Property without the consent of Buyer, and (d) promptly deliver to Buyer a copy of any notice, consent, waiver, request or other communication Seller receives from any public or private entity with respect to any of the Property. Upon receipt of Buyer's direction to terminate one or more of the Leases, Seller shall terminate such Leases such that they are terminated at or before the Closing. Seller shall be responsible for all costs related to the termination of the Leases.

Article 10. Closing.

10.1 Closing Date. The Closing for a Development Parcel shall occur on the date identified in a written notice ("**Closing Notice**") delivered by Buyer to Seller and Title Company at least three (3) business days in advance of the desired closing date, which date shall be a commonly-accepted business day (the "**Closing Date**"). Each such Closing Notice shall also specify (a) the applicable Development Parcel to be purchased, and (b) the Purchase Price for such Development Parcel. Such Closing shall take place at the offices of Title Company or at such other place, date and time as Seller and Buyer may agree.

10.2 Seller's Closing Documents. At each Closing, Seller shall execute, acknowledge (where appropriate), and deliver to Buyer the following, each dated as of the Closing Date and in form and substance reasonably satisfactory to Buyer:

10.2.1 A general warranty deed conveying to Buyer the applicable Development Parcel, subject only to Permitted Exceptions.

10.2.2 An Iowa declaration of value statement in a form required by the Iowa Department of Revenue.

10.2.3 An Iowa groundwater hazard statement in a form required by the Iowa Department of Natural Resources.

10.2.4 A certificate certifying that the representations and warranties contained in Section 7.1 of this Agreement with respect to the applicable Development Parcel are true and correct as of the Closing Date.

10.2.5 An affidavit of Seller regarding liens, judgments, residence, tax liens, bankruptcies, parties in possession, survey and mechanics' or materialmens' liens and other matters affecting title to the applicable Development Parcel and/or as may be reasonably required by Title Company to delete the so-called "standard exceptions" from the title insurance policy described in Section 6.1.3.

10.2.6 A transferor's certification stating that Seller is not a "foreign person", "foreign partnership", "foreign trust" or "foreign estate" as those terms are defined in Section 1445 of the Internal Revenue Code, and containing such additional information as may be required thereunder.

10.2.7 Any appropriate required Federal Income Tax reporting form.

10.2.8 All documents and instruments which (a) Buyer or Title Company may reasonably determine are necessary to transfer the applicable Development Parcel to Buyer subject only to the Permitted Exceptions, (b) Buyer or Title Company may reasonably determine are necessary to evidence the authority of Seller to enter into and perform this Agreement and the documents and instruments required to be executed and delivered by Seller pursuant to this Agreement with respect to such Development Parcel, (c) Title Company may require as a condition to issuing the title insurance policy described in Section 6.1.3 with respect to such Development Parcel, or (d) may be required of Seller under applicable law, including any revenue or tax certificates or statements, or any affidavits, certifications or statements relating to the environmental condition of any of such Development Parcel, the presence (or absence) of wells about such Development Parcel, the presence (or absence) of storage tanks about such Development Parcel, or the extent of compliance of any of such Development Parcel with applicable law.

10.2.9 A settlement statement with respect to such Development Parcel consistent with this Agreement.

10.3 Seller's Additional Closing Deliveries. At Closing, Seller shall cause to be delivered to Buyer all originals of the Records with respect to the applicable Development Parcel in Seller's custody and control, to the extent not previously delivered to Buyer pursuant to Section 4.2.

10.4 Buyer's Closing Deliveries. At Closing, Buyer shall cause to be delivered to Seller:

10.4.1 The portion of the Purchase Price with respect to the applicable Development Parcel payable pursuant to Sections 3.2 as adjusted pursuant to Section 10.6 in cash or by wire transfer of immediately available funds. The Earnest Money with respect to such Development Parcel shall be applied to and credited against the Purchase Price for such Development Parcel and shall be disbursed to Seller by Title Company at the Closing for such Development Parcel.

10.4.2 All documents and instruments, each executed and acknowledged (where appropriate) by Buyer, which (a) Seller or Title Company may reasonably determine are necessary to evidence the authority of Buyer to enter into and perform this Agreement and the documents and instruments required to be executed and delivered by Buyer pursuant to this Agreement with respect to the applicable Development Parcel, or (b) may be required of Buyer under applicable law, including any purchaser's affidavits or revenue or tax certificates or statements.

10.4.3 A settlement statement with respect to the applicable Development Parcel consistent with this Agreement executed by Buyer.

10.5 Closing Escrow. Buyer and/or Seller at their option may deposit the respective Closing deliveries described in Sections 10.2, 10.3 and 10.4 with Title Company with appropriate instructions for recording and disbursement consistent with this Agreement.

10.6 Closing Adjustments. The following adjustments shall be made at Closing:

10.6.1 Seller shall be responsible for and pay the real estate taxes for fiscal years prior to the year of Closing with respect to the applicable Development Parcel. Real estate taxes for fiscal year of Closing with respect to such Development Parcel shall be prorated between Seller and Buyer based on the Closing Date. If the Closing shall occur before the tax rate or assessed value for such fiscal period is determined, the apportionment of taxes shall be upon the basis of the last known taxes payable, but if such taxes are based upon a partial or different assessment of the present property improvements or a changed tax classification as of the date of possession, such proration shall be based on the current tax levy's assessed value, legislative tax rollbacks and real estate tax exemption that will be applicable as shown on the Pottawattamie County Assessor's records on the Closing Date with respect to the applicable Development Parcel. Seller shall pay in full all "green acres", catch-up or other deferred taxes applicable to any of such Development Parcel as of the Closing Date with respect to such Development Parcel.

10.6.2 Rents, sewer, water, utilities and similar costs and expenses applicable to the applicable Development Parcel due and payable in the year of Closing shall be prorated between Seller and Buyer on a daily basis as of the Closing Date based upon a calendar fiscal year, with Seller paying those allocable to the period prior to the Closing Date and Buyer being responsible for those allocable subsequent thereto.

10.6.3 Seller shall pay in full all special assessments (and charges in the nature of or in lieu of such assessments) levied, pending or constituting a lien with respect to the applicable Development Parcel as of the Closing Date for such Development Parcel.

10.6.4 Seller shall pay all transfer tax, if any, regarding the deed for the applicable Development Parcel to be delivered by Seller to Buyer.

10.6.5 Seller shall pay the cost of recording all documents for the applicable Development Parcel other than the deed to be delivered by Seller to Buyer, necessary to place record title to such Development Parcel in Seller in the condition required pursuant to Sections 5.2 and 6.1.3. Buyer will pay the cost

of recording all other documents for the applicable Development Parcel other than the deed to be delivered by Seller to Buyer.

10.6.6 Seller will pay all service charges for and costs to update the Abstract and all fees charged by Title Company for any escrow regarding Buyer's objections to title pursuant to Sections 5.2 and 5.3. Buyer shall pay all costs to prepare the Commitment (other than the cost to update the Abstract), Survey and UCC Searches and all premiums required for the owner's title insurance policy described in Section 6.1.3 with respect to the applicable Development Parcel and for any mortgagee's title insurance policy regarding any mortgage with respect to the applicable Development Parcel given by Buyer in connection with this transaction.

10.6.7 Seller and Buyer shall each pay one half (1/2) of any Closing fee payable to Title Company with respect to this transaction.

10.6.8 Except as provided in Article 14, Seller and Buyer shall each pay its own attorneys' fees incurred in connection with this transaction.

10.6.9 All other adjustments with respect to the applicable Development Parcel shall be made in accordance with the custom and practice of the local market in which the Property is located.

10.6.10 Notwithstanding anything to the contrary in this Agreement, Seller shall pay for any costs to be paid by Buyer under this Section 10.6 in the amount of 1% of the Purchase Price.

If any of the amounts allocated under this Section 10.6 cannot be calculated with complete precision at Closing because the amount or amounts of one or more items included in such calculation are not then known, then such calculation shall be made on the basis of the reasonable estimates of Seller and Buyer, subject to prompt adjustment (by additional payment or refund, as necessary) when the amount of any such item or items become known. Except as otherwise specifically provided in this Agreement, all apportionments under this Section 10.6 shall be made final at Closing with respect to the applicable Development Parcel and there shall be no post-Closing adjustments or other allocations.

10.7 Possession. Seller shall deliver exclusive legal and actual possession of the applicable Development Parcel to Buyer on the Closing Date for such Development Parcel subject only to the Permitted Exceptions.

Article 11. Indemnities.

11.1 Seller's Indemnities. Seller hereby agrees to indemnify and hold Buyer harmless from and against all liabilities incurred by Buyer by reason of any of the following:

11.1.1 The breach of any of the representations and warranties set forth in Section 7.1 (including as remade from time to time pursuant to Section 10.2.4) or any other provision of this Agreement or any instrument delivered pursuant hereto.

11.1.2 The operation and condition of the applicable Development Parcel on or prior to such Development Parcel's Closing.

11.2 Buyer's Indemnities. Buyer hereby agrees to indemnify and hold Seller harmless from and against all liabilities incurred by Seller by reason of any of the following:

11.2.1 The breach of any of the representations and warranties set forth in Section 7.2 or any other provision of this Agreement or any instrument delivered pursuant hereto.

11.2.2 The operation of the applicable Development Parcel following such Development Parcel's Closing.

11.3 Survival. The terms of this Article 11 shall survive termination of this Agreement, provided however the indemnities related to Sections 11.1.1 and 11.2.1 shall survive the Closings or earlier termination of this Agreement.

Article 12. Condemnation. If prior to Closing eminent domain proceedings are commenced against any or all of the Property, Seller shall immediately give notice thereof to Buyer, and Buyer at its option (to be exercised within thirty (30) days after Seller's notice) may either (a) terminate this Agreement and receive a refund of the Earnest Money, or (b) proceed to Closing with respect to the applicable Development Parcel and receive at such Closing either a credit against the Purchase Price with respect to such Development Parcel in the amount of the award, in the case of a completed eminent domain proceeding, or an assignment of all rights in eminent domain, in the case of a pending eminent domain proceeding. Prior to Closing with respect to an applicable Development Parcel, Seller shall not designate counsel, appear in, or otherwise act with respect to any eminent domain proceedings, or commence any repair or restoration resulting therefrom, without the consent of Buyer.

Article 13. Brokers. Buyer and Seller each hereby represent that, except for the Broker, there are no other brokers involved or that have a right to proceeds in this transaction. Buyer shall pay any commissions related to the Closing to the Broker. The commission to the Broker shall not exceed four percent (4%) of the Purchase Price for a Development Parcel. Seller hereby agrees to indemnify and hold Buyer harmless from all loss, cost, liability, damage or expense (including reasonable attorneys' fees at both trial and appellate levels) incurred by Buyer as a result of any claim arising out of the acts of Seller (or others on its behalf) for a commission, finder's fee or similar compensation made by any broker, finder or any party who claims to have dealt with such party (except that Buyer shall have no obligations hereunder with respect to any claim by the Broker). The representations, warranties and indemnity obligations contained in this section shall survive the Closings or the earlier termination of this Agreement.

Article 14. Default. If either party shall default in any of their respective obligations under this Agreement, the other party, by notice to such defaulting party specifying the nature of the default and the date on which this Agreement shall terminate (which date shall be not less than thirty (30) days after the giving of such notice), may terminate this Agreement, and upon such date, unless the default so specified shall have been cured, this Agreement shall terminate. In the case of any default by Buyer, Seller's sole and exclusive remedy shall be termination of this Agreement as provided above and, upon any such termination, the Earnest Money shall be forfeited to Seller as agreed and final liquidated damages. In the case of any default by Seller, upon termination of this Agreement, the Earnest Money shall be returned to Buyer. Buyer also shall have the right to specifically enforce this Agreement or seek damages from Seller, provided that any action therefor is commenced within six (6) months after such right arises. In any action or proceeding to enforce this Agreement or any term hereof, the prevailing party shall be entitled to recover its reasonable costs and attorneys' fees.

Article 15. Termination; Confirmation. Except as expressly provided in this Agreement to the contrary, if this Agreement is terminated with respect to the Property pursuant to the terms hereof, the Earnest Money shall be returned to Buyer and upon such return the respective rights of Seller and Buyer arising out of this Agreement with respect to the Property shall immediately cease. In such event, Buyer agrees to execute, acknowledge, and deliver to Seller within ten (10) days after written request, a termination of this Agreement with respect to the Property in recordable form in order to remove the cloud of this Agreement from the Property, but failure to give such termination shall not affect the termination of this Agreement with respect to the Property.

Article 16. Assignability. Buyer may assign its rights under this Agreement with respect to the Property or an applicable Development Parcel without the consent of Seller and without affecting its rights under this Agreement with respect to any other portion of the Property or Development Parcels, provided that Buyer assigns to an affiliate of Buyer or to a third party with which Buyer or an affiliate of Buyer has contracted to provide construction or development services. Buyer may assign its rights under this Agreement with respect to the Property or a Development Parcel to any other third party with the consent of Seller, which consent shall not be unreasonably withheld, without affecting its rights under this Agreement with respect to any other portion of the Property or Development Parcels.

Article 17. Confidentiality. Seller and Buyer agree to retain the confidentiality of the identity of the other and of the terms of this Agreement, and not to disclose the same to any third party other than their respective affiliates, consultants, lawyers, accountants, potential partners and investors and lenders, and to governmental authorities in connection with Buyer's proposed development of the Property or Development Parcels other than to the extent required by applicable law. Notwithstanding the foregoing, this Agreement shall be subject to Chapter 22 of the Iowa Code.

Article 18. Notices. Any notice, consent, waiver, request or other communication required or provided to be given under this Agreement shall be in writing and shall be sufficiently given and shall be deemed given when delivered personally or when mailed by certified or registered mail, return receipt requested, postage prepaid, or when dispatched by nationally recognized overnight delivery service, in any event, addressed to the party's address as follows:

If to Seller:

City of Council Bluffs, Iowa
Attn: Hon. Matt Walsh, Mayor
209 Pearl Street
Council Bluffs, IA 51503

with copy to:

City of Council Bluffs, Iowa
Attn: Richard Wade, City Attorney
209 Pearl Street
Council Bluffs, IA 51503

If to Buyer:

Opus Development Company, L.L.C.
Attn.: Jason Conway
10350 Bren Road West
Minnetonka, MN 55343

with copies to:

Opus Development Company, L.L.C.
Attn: Legal Department
10350 Bren Road West
Minnetonka, MN 55343

and

Faegre Baker Daniels LLP
Attn: Lica Tomizuka
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402

or to such party at such other address as such party, by ten (10) days' prior written notice given as herein provided, shall designate. Any notice given in any other manner shall be effective only upon receipt by the addressee.

Article 19. Miscellaneous.

19.1 Entire Agreement; Modification. This Agreement embodies the entire agreement and understanding between Seller and Buyer, and supersedes any prior oral or written agreements, relating to this transaction. This Agreement may not be amended, modified or supplemented except in a writing executed by both Seller

and Buyer. No term of this Agreement shall be waived unless done so in writing by the party benefited by such term.

19.2 Survival; No Merger. The terms of this Agreement shall survive and be enforceable after every Closing and shall not be merged therein.

19.3 Governing Law. This Agreement shall be construed under and governed by the laws of the State of Iowa.

19.4 Severability. If any term of this Agreement or any application thereof shall be invalid or unenforceable, the remainder of this Agreement and any other application of such term shall not be affected thereby.

19.5 Time of the Essence; Calculation of Time Periods; Expiration. Time is of the essence under this Agreement. In computing any period of time described in this Agreement, if the last day of the designated period is a Saturday, Sunday, or legal holiday, the period shall run until the next day which is not a Saturday, Sunday, or legal holiday.

19.6 Construction. The rule of strict construction shall not apply to this Agreement. This Agreement shall not be interpreted in favor of or against either Seller or Buyer merely because of their respective efforts in preparing it.

19.7 Captions, Gender, Number and Language of Inclusion. The article and section headings in this Agreement are for convenience of reference only and shall not define, limit or prescribe the scope or intent of any term of this Agreement. As used in this Agreement, the singular shall include the plural and vice versa, and the following words and phrases shall have the following meanings: (i) "including" shall mean "including but not limited to", (ii) "terms" shall mean "terms, provisions, duties, covenants, conditions, representations, warranties and indemnities", (iii) "any of the Property" shall mean "the Property or any part thereof or interest therein or the applicable Development Parcel or any part thereof or interest therein" as the context may require, (iv) "rights" shall mean "rights, duties and obligations", (v) "liabilities" shall mean "liabilities, obligations, damages, fines, penalties, claims, demands, costs, charges, judgments and expenses, including reasonable attorneys' fees", (vi) "incurred by" shall mean "imposed upon or suffered or incurred or paid by or asserted against", (vii) "applicable law" shall mean "all applicable Federal, state, county, municipal, local or other laws, statutes, codes, ordinances, rules and regulations", (viii) "about the Property" shall mean "in, on, under or about the Property or the applicable Development Parcel" as the context may require, (ix) "operation" shall mean "use, non-use, possession, occupancy, condition, operation, maintenance or management", and (x) "this transaction" shall mean "the purchases, sales and related transactions contemplated by this Agreement."

19.8 Binding Effect. This Agreement shall inure to the benefit of and shall bind the respective heirs, executors, administrators, successors and assigns of Seller and Buyer.

19.9 Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be effective upon delivery and, thereafter, shall be deemed to be an original, and all of which shall be taken as one and the same instrument with the same effect as if each party had signed on the same signature page. This Agreement may be transmitted by fax or by electronic mail in portable document format ("pdf") and signatures appearing on faxed instruments and/or electronic mail instruments shall be treated as original signatures. At the request of either party, any electronic or facsimile document is to be re-executed in original form by the parties who executed the electronic or facsimile document.

[Signature Pages Follow]

SIGNATURE PAGE
FOR
PURCHASE AGREEMENT

Buyer has caused this Agreement to be executed and delivered as of the date first above written.

BUYER:

OPUS DEVELOPMENT COMPANY, L.L.C.

By: _____
Name: Philip Cattanach
Its: Vice President, General Manager

Date: 10/28/19

SIGNATURE PAGE
FOR
PURCHASE AGREEMENT

Seller has caused this Agreement to be executed and delivered as of the date first above written.

SELLER:

SELLER

City of Council Bluffs, Iowa,
a municipal corporation

By: _____
Name: Matthew J. Walsh
Its: Mayor

JOINDER OF TITLE COMPANY

The undersigned hereby agrees to act as Title Company under the foregoing Purchase Agreement and to hold and disburse the Earnest Money in accordance with the terms thereof.

FIRST AMERICAN TITLE INSURANCE COMPANY

By: _____

Name: Jonathan Grant

Its: Escrow Officer

Date: 10-28-19

US.123058408.12

EXHIBIT A

LEGAL DESCRIPTION OF THE LAND

Lot 1 in River Road Subdivision, an Official Plat in the City of Council Bluffs, Pottawattamie County, Iowa

EXHIBIT B

FORM OF MEMORANDUM

Prepared by and return to: Matt Hardin, Faegre Baker Daniels LLP, 801 Grand Ave., Fl. 33, Des Moines, IA 50309, 515-447-4730

MEMORANDUM OF PURCHASE RIGHT

THIS MEMORANDUM OF PURCHASE RIGHT (this "**Memorandum**") is made as of _____, 2019, by and between the City of Council Bluffs, Iowa, a municipal corporation ("**Seller**"), and Opus Development Company, L.L.C., a Delaware limited liability company ("**Buyer**").

RECITALS

A. Seller and Buyer are parties to that certain Purchase Agreement dated on or around the date hereof (the "**Agreement**") regarding certain real property legally described on **Exhibit A** attached hereto (the "**Property**").

B. Seller and Buyer desire to execute and record this memorandum to provide notice of the Agreement.

AGREEMENT

1. **Notice**. This Memorandum is executed and is to be recorded to give notice of the Agreement.

2. **Purchase Right.** Pursuant to the Agreement, Seller has granted to Buyer the exclusive right to purchase at one time or in multiple closings, not to exceed four (4) closings, all or portions of the Property upon the terms and conditions more particularly set forth therein.

3. **Termination.** Upon Seller's request, Buyer shall execute and acknowledge a written termination of this Memorandum, in recordable form, upon expiration or earlier termination of the Agreement or consummation of the closing of the Property or last closing of the remaining Property.

4. **Single Instrument.** The Agreement contains other terms, conditions, provisions, covenants, representations and warranties, all of which are hereby incorporated in this Memorandum by reference as though fully set forth herein, and both the Agreement and this Memorandum shall be deemed to constitute a single instrument. A copy of the Agreement is maintained at the offices of Seller and Buyer. Nothing contained herein shall be construed to amend, modify, amplify, interpret or supersede any provision of the Agreement, which shall in all things control.

5. **Counterparts.** This Memorandum may be executed and delivered in counterparts, each of which shall be an original, but together shall constitute one and the same instrument.

6. **Successors and Assigns.** This Memorandum shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

[Signature Pages Follow]

SIGNATURE PAGE
TO
MEMORANDUM OF PURCHASE RIGHT

SELLER

City of Council Bluffs, Iowa,
a municipal corporation

By: _____
Name: Matthew J. Walsh
Its: Mayor

STATE OF IOWA)
) ss.
COUNTY OF POTTAWATTAMIE)

The foregoing was acknowledged before me this 25th day of October, 2019, by Matthew Walsh, the Mayor of the City of Council Bluffs, Iowa, a municipal corporation.

Traci M. Walker
Notary Public

NOTARIAL SEAL IOWA
TRACI M WALKER
Commission Number 729300
My Commission Expires
7-6-22

SIGNATURE PAGE
TO
MEMORANDUM OF PURCHASE RIGHT

BUYER

Opus Development Company, L.L.C.,
a Delaware limited liability company

By: _____
Name: Phillip Cattanach
Its: Vice President, General Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing was acknowledged before me this 28th day of October, 2019, by Phillip Cattanach the Vice President, G.M. of Opus Development Company, L.L.C., a Delaware limited liability company, on behalf of such company.

_____
Notary Public

KRISTI K. ERAGER
Notary Public-Minnesota
My Commission Expires Jan 31, 2020

EXHIBIT A
TO
MEMORANDUM OF PURCHASE RIGHT

LEGAL DESCRIPTION

Lot 1 in River Road Subdivision, an Official Plat in the City of Council Bluffs, Pottawattamie County, Iowa

EXHIBIT C

LEASES

1. Sign Location Lease dated on or around September 26, 2019 (the "**Billboard Lease**") between Seller and The Lamar Companies in the form approved by Buyer

2. Oral farm lease (the "**Farm Lease**") between Seller and Robert Adkins, Jr.

3. Land Lease Contract dated June 1, 2014 (the "**Airplane Club Lease**") between Richard P. Borman & Chas B. Everest Ptr dba DEB Limited Partnership and Twin Cities Eagle Squadron AMA Chapter #3680

EXHIBIT D

LEVEE MAINTENANCE DOCUMENTS

1. Levee Maintenance Agreement and Easement between Farmland Industries, Inc., Council Bluffs Industrial Foundation, Inc., Cargill, Inc., Warren Oil Company, Robert N. Schlott and Barbara Schlott, Thelma J. Schlott as devisee under will of Norman P. Schlott, Eugene R. Severs and Barbara J. Severs, and the City of Council Bluffs, Iowa, dated December 7, 1982 and recorded December 19, 1982 in Book 84, Page 11239 in the records of the Pottawattamie County, Iowa, Recorder.

2. 1982 Levee Maintenance Agreement Updated 2011 Assessment dated February 24, 2012

AMENDMENT TO PURCHASE AGREEMENT

This Amendment to Purchase Agreement (this "**Amendment**") is entered into as of _____, 2020, by and between **THE CITY OF COUNCIL BLUFFS, IOWA**, a municipal corporation ("**Seller**"), and **OPUS DEVELOPMENT COMPANY, L.L.C.**, a Delaware limited liability company ("**Buyer**").

RECITALS

A. Seller and Buyer are parties to that certain Purchase Agreement dated as of October 28, 2019 (the "**Original Agreement**").

B. The Earnest Money (as defined in the Original Agreement) currently will become non-refundable upon expiration of the current Inspection Period.

C. The parties desire to amend the Original Agreement to extend the period during which the Earnest Money is refundable.

AGREEMENT

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Capitalized Terms. All capitalized terms used in this Amendment, to the extent not otherwise expressly defined herein, shall have the same meaning given to such terms in the Original Agreement.

2. Earnest Money. Sections 4.1, 4.2 and 4.3 of the Original Agreement are hereby amended as follows:

(a) Section 4.1: Delete "then current" from the third sentence from the end.
(b) Section 4.2: Delete "then-current" from the second sentence from the end.
(c) Section 4.3: Delete "then-current" from the last sentence from the end.

3. Miscellaneous. Except as modified and amended by this Amendment, the Original Agreement is otherwise unchanged, and Seller and Buyer hereby ratify and affirm the same. All references to the "Agreement" in the Original Agreement are hereby amended to refer to the Original Agreement as amended by this Amendment. In the event of a conflict between the terms of this Amendment and the Original Agreement, this Amendment shall govern and control. This Amendment may be executed in one or more counterparts, and all such executed counterparts, when assembled to include an electronically signed or original or electronically mailed attached signature for each party contemplated to sign this Amendment, shall constitute a complete, fully executed, and single agreement, provided each party shall deliver to the other upon request, original executed pages.

[Signature Pages Follow]

SIGNATURE PAGE
FOR
AMENDMENT TO PURCHASE AGREEMENT

Seller has caused this Amendment to be executed and delivered as of the date first above written.

SELLER:

City of Council Bluffs, Iowa,
a municipal corporation

By: _____
Name: _____
Its: _____

SIGNATURE PAGE
FOR
AMENDMENT TO PURCHASE AGREEMENT

Buyer has caused this Amendment to be executed and delivered as of the date first above written.

BUYER:

OPUS DEVELOPMENT COMPANY, L.L.C.

By: _____
Name: _____
Date: _____ Its: _____

RESOLUTION NO. 20-262

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT TO PURCHASE AGREEMENT WITH OPUS DEVELOPMENT COMPANY, L.L.C.

WHEREAS, the City of Council Bluffs, Iowa, entered into a Purchase Agreement on October 28, 2019 for land legally described as: Lot I in River Road Subdivision, an Official Plat in the City of Council Bluffs, Pottawattamie County, Iowa; and

WHEREAS, the parties wish to modify terms of the original Purchase Agreement to better reflect the current status and to allow an extension of the due diligence period for the buyer; and

WHEREAS, a true and accurate copy of the proposed Amendment to Purchase Agreement is attached hereto and is hereby made a part of this Resolution.

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

That the Mayor of Council Bluffs is hereby authorized to execute the Amendment to Purchase Agreement with Opus Development Company, L.L.C., and to take any other action needed by the City to cause this agreement, and the terms therein.

ADOPTED
AND October 26, 2020.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

Council Communication

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

Liquor Licenses
ITEM 8.A.

Council Action: 10/26/2020

Description

1. Casey's General Store #2096, 2301 S 24th Street
2. Hard Luck Saloon, 626 16th Avenue
3. Iowa Western Community College, 2700 College Road
4. Moes Mart #3, 154 Bennett Avenue (NEW)
5. Moes Mart #4, 2024 5th Avenue (NEW)

Background/Discussion

There were no alcohol related incidents or arrests at any of the listed businesses this licensing period.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Liquor Licenses, 10.26.20	Other	10/20/2020

☒ RENEWAL ☐ NEW ☐ SPECIAL EVENT

POLICE	cm	Local Amt	
FIRE	AF	Endorsed	
BUILDING		Issued	
ZONING	CB	Expires	
		Council	10.26.20

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

Applicant LE0002538, Casey's General Store #2096, 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): Casey's Marketing Company (Sole Proprietorship, Partnership, Corporation, etc.)
Name of Business (D/B/A): Casey's General Store #2096
Address of Premise: 2301 S 24th St
Address Line 2:
City: Council Bluffs
County: Pottawattamie
Zip: 51501
Business Phone: (712) 352-0067 **Cell / Home Phone:**

☐ Same Address
Mailing Address: PO Box 3001
Mailing Address Line 2:
City: Ankeny **State:** Iowa
Zip: 50021

Contact Name: JESSICA FISHER-COMSTOCK, Store Operations
Phone: (515) 446-6404 **Email Address:** JESSICA.FISHER@caseys.com

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Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.IowaABD (866.469.2223)
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POLICE	Cm	Local Amt	
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BUILDING	3C	Issued	
ZONING	CB	Expires	
		Council	10.26.20

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

Applicant LC0038771, Hard Luck Saloon, 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): Hard Luck LLC (Sole Proprietorship, Partnership, Corporation, etc.)
Name of Business (D/B/A): Hard Luck Saloon
Address of Premise: 626 16th Ave
Address Line 2:
City: Council Bluffs
County: Pottawattamie
Zip: 51501
Business Phone: (712) 322-6086
Cell / Home Phone: (712) 355-1958

☐ Same Address
Mailing Address: 626 16th Ave
Mailing Address Line 2:
City: Council Bluffs
State: Iowa
Zip: 51501

Contact Name: Kathy Collier
Phone: (712) 355-1958
Email Address: eablo36@gmail.com

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- Dram Cert
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- History

Applicant LC0032290, Iowa Western Community College, 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): Iowa Western Community College (Sole Proprietorship, Partnership, Corporation, etc.)
Name of Business (D/B/A): Iowa Western Community College
Address of Premise: 2700 College Rd.
Address Line 2:
City: Council Bluffs
County: Pottawattamie
Zip: 51503
Business Phone: (712) 325-3200
Cell / Home Phone:

☐ Same Address
Mailing Address: 2700 College Rd.
Mailing Address Line 2: Food Service
City: Council Bluffs
State: Iowa
Zip: 51503

Contact Name: Amy Partch
Phone: (712) 256-7818
Email Address: apartch@iwcc.edu

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State of Iowa
ALCOHOLIC
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- License
- Privileges
- Applicant
- Status Of Business
- Ownership
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Bond Cert
- Local Endorse
- History

Applicant LE_V_92256, Moes Mart #3, 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): Imperial Reliance LLC (Sole Proprietorship, Partnership, Corporation, etc.)
Name of Business (D/B/A): Moes Mart #3
Address of Premise: 154 Bennett Avenue
Address Line 2:
City: Council Bluffs
County: Pottawattamie
Zip: 51503
Business Phone: (870) 204-7222 **Cell / Home Phone:**

☐ Same Address
Mailing Address: 720 N 108th Court Suite B
Mailing Address Line 2:
City: Omaha **State:** Nebraska
Zip: 68154

Contact Name: Mohammad Sajjad
Phone: (281) 650-9355 **Email Address:** moesmart123@gmail.com

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Council 10.26.20

State of Iowa
ALCOHOLIC
BEVERAGES DIVISION

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

Applicant LE_V_92273, Moes Mart #4, 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): Imperial Reliance LLC (Sole Proprietorship, Partnership, Corporation, etc.)
Name of Business (D/B/A): Moes Mart #4
Address of Premise: 2024 5th Avenue
Address Line 2:
City: Council Bluffs
County: Pottawattamie
Zip: 51501
Business Phone: (870) 204-7222 **Cell / Home Phone:**

☐ Same Address
Mailing Address: 720 N 108th Court Suite B
Mailing Address Line 2:
City: Omaha **State:** Nebraska
Zip: 68154

Contact Name: Mohammad Sajjad
Phone: (281) 650-9355 **Email Address:** moesmart123@gmail.com

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