



**Study Session Agenda  
City of Council Bluffs, Iowa  
June 23, 2025, 3:45 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**STUDY SESSION AGENDA**

- A. Review Agenda

**EXECUTIVE SESSION**

- A. Pending Litigation - Mimi Dobson - Chapter 21.5.1(c)



**Council Agenda, City of Council Bluffs, Iowa  
Regular Meeting June 23, 2025, 7:00 PM  
Council Chambers, 2nd Floor, City Hall  
209 Pearl Street**

**AGENDA**

REVISED: 6/23/2025 AT 12:45 PM TO ADD ITEM 8F

**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 June 9, 2025 City Council meeting minutes.
- C. Resolution 25-158  
Resolution setting a public hearing for 7:00 p.m. on July 14, 2025 for the Hillcrest Avenue Reconstruction, Phase 1. Project # PW24-13
- D. Resolution 25-159  
Resolution accepting the work of Fisher Building Services Inc. as complete and authorizing the release of retainage after 30 days if no claims are filed in connection with the UP Museum Exterior Handrails and Fire Escapes. Project #BM-23-04
- E. Resolution 25-160  
Resolution authorizing transfers between funds under Iowa Code 545-2 for FY25.
- F. Resolution 25-161  
Resolution determining the necessity and setting dates of a consultation and a public hearing on a proposed Grapplers Gate Urban Renewal Plan for a proposed urban renewal area in the City of Council Bluffs. Location: Generally located south of Gleason Avenue and north of Franklin Avenue and east of E. Pierce Street and west of Bennett Avenue. URN-25-005
- G. Resolution 25-166  
Resolution setting the public hearing on July 14 for the Trolley Park Improvements, Project R2606
- H. April 2025 Financial Reports



I. Boards/Commissions

With City Council concurrence, I would like to make the following appointments to the:

J. Claim

**4. PUBLIC HEARINGS**

A. Ordinance 6649

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020, by rezoning a portion Section 34-75-43, more specifically described in the Council packet, from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District, as defined in Chapter 15.08a. Location: 1305 State Orchard Road. ZC-25-002

B. Ordinance 6650

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020, by rezoning part of Section 22-75-43, more specifically described in the Council packet, from A-2/Parks, Estates, and Agricultural District to I-1/Light Industrial District as defined in Chapter 15.20. Location: Undeveloped land lying south of 2025 Hunt Avenue. ZC-25-003

C. Ordinance 6651

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020, by rezoning part of Section 22-75-43, more specifically described in the Council packet, from A-2/Parks, Estates, and Agricultural District to I-1/Light Industrial District as defined in Chapter 15.20. Location: Undeveloped land lying north of 2025 Hunt Avenue. ZC-25-004

D. Resolution 25-162

Resolution granting final plat approval of a two-lot residential estate subdivision to be known as Tweety's Landing, along with a subdivision variance to allow proposed Lot 1, Tweety's Landing to exceed the maximum 3:1 lot depth-to-width ratio, on property described as Parcel 25028, more specifically described in the council packet. Location: 1305 State Orchard Road. SUB-25-004

E. Resolution 25-163

Resolution to dispose of City owned property legally described as the North ½ of vacated 42nd Avenue right-of-way lying between Indian Creek and South 13th Street, abutting legally described as the west 200 feet of the east 1152.38 feet of the SE 1/4 SE 1/4 of Section 11-74-44 lying south of Highway 275 and north of 42nd Avenue, City of Council Bluffs, Pottawattamie County, Iowa.

## **5. ORDINANCES ON 1ST READING**

### **A. Ordinance 6653**

Ordinance to amend Title 1 Administration and Personnel of the 2025 Municipal Code of Council Bluffs, Iowa, by enacting New Chapter 1.80, to be entitled "Council Bluffs Civil Service Commission".

## **6. ORDINANCES ON 2ND READING**

### **A. Ordinance 6652**

Ordinance amending the Amended and Restated Consolidated Urban Revitalization Area – Amendment 1 within the City of Council Bluffs.

## **7. RESOLUTIONS**

### **A. Resolution 25-164**

Resolution amending the City's Investment Policy.

### **B. Resolution 25-165**

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

### **C. Resolution 25-167**

Resolution accepting the bid of Minturn, Inc. for the Southwest Pump Station Trash Rack Rehab. Project #PW25-17

### **D. Resolution 25-168**

Resolution to create a new Assistant Attorney II position within the Legal Department.

### **E. Resolutions 25-169 and 25-170**

Resolution 25-169 granting preliminary plan approval of a 17-lot residential subdivision to be known as Arbor Creek 2nd Addition, legally described as being a replat of Lot 2, Arbor Creek. Location: Undeveloped land lying south of 1020 Railroad Avenue. SUB-25-005

Resolution 25-170 to amend the adopted PR-1/Planned Residential development plan for Arbor Creek 2nd Addition, legally described as being a replat of Lot 2, Arbor Creek Subdivision. PR-25-001(M)

### **F. Resolution 25-171**

Resolution to adopt a P-C/Planned Commercial development plan for a 124-unit extended stay hotel on property legally described as Lot 1, Morris Subdivision, Replat 1. Location: Undeveloped land located between 3501 23rd Avenue and 3320 Mid-America Drive. PC-25-002

G. Resolutions 25-172 and 25-173

Resolution approving Change Order #1 in the amount of \$82,120 for additional soil cleanup and mitigation at the former Reliance Battery factory site.

Resolution approving the amount of \$136,985.21 for disposal fees for contaminated soil at the former Reliance Battery factory site.

H. Resolution 25-174

Corrective Resolution to vacate and dispose of Lindberg Drive Right-of-Way adjacent to the Easterly 80 Feet of Lot 9, Block 1, and the Westerly 30 Feet of Lot 1 and all of Lot 2, Block 3, All in Oak Grove Addition.

**8. APPLICATIONS FOR PERMITS AND CANCELLATIONS**

A. Liquor Licenses

1. Ameristar Casino Council Bluffs LLC, 2200 River Rd
2. Quaker Steak & Lube, 3320 Mid America Dr.
3. Dollar General #1574, 2731 E Kanesville Blvd.

B. Retail Tobacco Permit - Renewals (14)

C. Retail Device Permit - (2) (New permit per SF345)

D. Special Event Application (Fireworks)

Edwards Employee Appreciation Party 7-3-2025

E. Noise Variance

F. Noise Variance (Added 6/23/2025 at 12:45 PM)

**9. OTHER BUSINESS**

**10. CITIZENS REQUEST TO BE HEARD**

**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 June 9, 2025**

### **CALL TO ORDER**

Mayor Walsh called the meeting to Order at 7:00 p.m. on Monday June 9, 2025.

Council Members present: Joe Disalvo, Steve Gorman, Chris Peterson, Roger Sandau and Jill Shudak.

Staff present: Mimi Dobson 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 May 19, 2025 regular City Council meeting and the May 27, 2025 Special City Council Meeting minutes.

Ordinance 6649

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020, and setting a public hearing for June 23, 2025 at 7:00 p.m., by rezoning a portion Section 34-75-43, more specifically described in the Council packet, from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District, as defined in Chapter 15.08a. Location: 1305 State Orchard Road.  
ZC-25-002

Ordinance 6650

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020, and setting a public hearing for June 23, 2025 at 7:00 p.m., by rezoning part of Section 22-75-43, more specifically described in the Council packet, from A-2/Parks, Estates, and Agricultural District to I-1/Light Industrial District as defined in Chapter 15.20. Location: Undeveloped land lying south of 2025 Hunt Avenue.  
ZC-25-003

Ordinance 6651

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020, and setting a public hearing for June 23, 2025 at 7:00 p.m., by rezoning part of Section 22-75-43, more specifically described in the Council packet, from A-2/Parks, Estates, and Agricultural District to I-1/Light Industrial District as defined in Chapter 15.20. Location: Undeveloped land lying north of 2025 Hunt Avenue.  
ZC-25-004

Resolution 25-147

Resolution of intent to dispose of city property legally described as the North ½ of vacated 42nd Avenue right-of-way lying between Indian Creek and South 13th Street, abutting legally described as the west 200 feet of the east 1152.38 feet of the SE 1/4 SE 1/4 of Section 11-74-44 lying south of Highway 275 and north of 42nd Avenue.

Boards/Commissions

Storm Water Advisory Committee, Library Board of Trustees, &  
Board of Water Works Trustees

Right of Redemption and Claims

Jill Shudak and Steve Gorman moved and seconded approval of Consent Agenda. Unanimous, 5-0 vote.

**MAYORS PROCLAMATIONS**

A. NeighborWorks Week

**PUBLIC HEARINGS**

Resolution 25-148

Resolution approving the Amended and Restated Consolidated Urban Revitalization Plan Amendment 2.

Roger Sandau and Steve Gorman moved and seconded approval of Resolution 25-148. Unanimous, 5-0 vote.

Resolution 25-149

Resolution to approve the proposed amendment to the current city budget for the fiscal year ending June 30, 2025.

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-149. Unanimous, 5-0 vote.

**ORDINANCES ON 1ST READING**

Ordinance 6652

Ordinance amending the Amended and Restated Consolidated Urban Revitalization Area – Amendment 1 within the City of Council Bluffs.

Steve Gorman and Roger Sandau moved and seconded approval of First Consideration of Ordinance 6652. Second Consideration to be heard June 23, 2025 at 7:00 p.m. Unanimous, 5-0 vote.

## RESOLUTIONS

### Resolution 25-150

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

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-150. Unanimous, 5-0 vote.

### Resolution 25-151

Resolution to accept property legally described as Lot Three (3), Block One (1) in Hillcrest Addition, that is being donated by the the Board of Waterworks Trustees of Council Bluffs, Iowa.

Steve Gorman and Chris Peterson moved and seconded approval of Resolution 25-151. Unanimous, 5-0 vote.

### Resolution 25-152

Resolution accepting the work of Western Iowa Utilities (Hildreth Landscape Inc.) as complete and authorizing the release of retainage after 30 days if no claims are files in connection with the Kanesville Sanitary Sewer Extension, Phase 1. Project # PW24-21

Joe Disalvo and Steve Gorman moved and seconded approval of Resolution 25-152. Unanimous, 5-0 vote.

### Resolution 25-153

Resolution establishing a Park Maintenance Worker III position to support Parks and Recreation operations.

Jill Shudak and Steve Gorman moved and seconded approval of Resolution 25-153. Unanimous, 5-0 vote.

### Resolution 25-154

Resolution authorizing the Mayor to execute an agreement with Tidewater Transit LLC, a wholly owned subsidiary of Via Transportation, Inc., to provide paratransit services under the City's Special Transit Service.

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-154. Unanimous, 5-0 vote.

Resolution 25-155

Resolution to amend the adopted planned industrial development plan for a new 'data center' on property located in part of Section 21-75-43 and part of Section 28-75-43, more specifically described in the Council packet. Location: Undeveloped land at the southeast corner of the intersection of College Road and East Kanesville Boulevard (U.S. Highway 6.) PI-24-001(M)

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-155. Unanimous, 5-0 vote.

Resolution 25-156

Resolution to adopt a PR-1/Planned Residential Development Plan for a multi-family residential development on property legally described as being part of the SE1/4 NE1/4 of Section 4-74-43. Location: Undeveloped land located at the northwest corner of the intersection of Eastern Hills Drive and Greenview Road. PR-25-002

Heard from: Barbara Schlot, 1525 Berwick Circle; Luara Fox, 1715 Tipton Dr., Motion to Receive and File by Sandau, seconded by Disalvo, Unanimous 5-0 vote; Tom Quigley, 1719 Tipton Drive.

Chris Peterson and Joe Disalvo moved and seconded approval of Motion to Amend Resolution 25-156, to include; No vehicular interconnection between the proposed development and Briarwood Subdivision shall be completed with the project. Passed, 4-1 vote. (Nays: Shudak)  
Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 25-156, as amended. Unanimous, 5-0 vote.

Resolution 25-157

Resolution authorizing a joint application to the Iowa Economic Development Authority (IEDA) for Workforce Housing Tax Incentive Program benefits.

Chris Peterson and Joe Disalvo moved and seconded approval of Resolution 25-157. Unanimous, 5-0 vote.

## **APPLICATIONS FOR PERMITS AND CANCELLATIONS**

Liquor Licenses: 1) Barley's, 114 West Broadway; 2) Big Kel's Pizza & Wings, 40 Arena Way; 3) Caddy Shack, 1426 4th Avenue; 4) Courtyard by Marriott, 2501 Bass Pro Drive; 5) Full Fledged Brewing Company, 40 Arena Way; 6) Main Street Tavern, 519 South Main Street; 7) Mid America Center, 1 Arena Way; 8) Sugar's Restaurant & Lounge, 2725 East Kanesville Boulevard; 9) The Salty Dog Bar and Grill, 2411 South 24th Street, Suite 6  
Retail Tobacco Permit - Renewals (18)  
Retail Device Permit - (3) (New permit per SF345)  
Special Event Application-Annual Lake Manawa Fireworks Display 6-29-2025

Joe Disalvo and Roger Sandau moved and seconded approval of Applications for permits and cancellations, Items 8A 1-9, 8B, 8C & 8D..  
Unanimous, 5-0 vote.

## **CITIZENS REQUEST TO BE HEARD**

Heard from: Jacob, 2645 Avenue L and Penny Farrell, 2623 Avenue L.

## **ADJOURNMENT**

Mayor Walsh Adjourned the meeting at 7:38 p.m.

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

Matthew J. Walsh, Mayor

Attest: Jodi Quakenbush, City Clerk



## Council Communication

Department: Public Works Admin  
Case/Project No.: PW24-13  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 25-158  
ITEM 3.C.

Council Action: 6/23/2025

### Description

Resolution setting a public hearing for 7:00 p.m. on July 14, 2025 for the Hillcrest Avenue Reconstruction, Phase 1. Project # PW24-13

### Background/Discussion

Hillcrest Avenue is a residential street with infrastructure that dates back to the 1970's and is in need of replacement. The pavement on Hillcrest Avenue has an asphalt surface approximately 16 feet wide with no curb and gutter, sidewalk, or storm sewer. The roadway surface is in poor condition and the width of the roadway does not meet current standards.

Phase 1 will reconstruct Hillcrest Avenue from Snyder Avenue north to the dead end and a curb will be added to the north edge of Snyder Avenue from Hillcrest Avenue to Park Circle. The sanitary sewer in Hillcrest Avenue from the dead end to Harmony Street will be rehabilitated with a Cured-in-Place Lining (CIPP).

This project is included in the FY24 CIP and includes a budget of \$850,000 in Local Option Sales Tax funds.

The project schedule is as follows:	Set Public Hearing	June 23, 2025
	Hold Public Hearing	July 14, 2025
	Bid Letting	July 31, 2025
	Award	August 11, 2025
	Construction Start	September 2025

### Recommendation

Approval of this resolution to set the public hearing for the project.

### ATTACHMENTS:

Description	Type	Upload Date
Map	Map	6/11/2025
Notice of Public Hearing	Notice	6/11/2025
Resolution 25-158	Resolution	6/18/2025





PW 24-13 PH I  
HILLCREST AVE.  
RECONSTRUCTION



PROJECT LOCATION

Legend

-  PW 24-13 CURB & GUTTER ONLY
-  PW 24-13



Notice of Public Hearing  
on the  
Plans, Specifications, Form of Contract and Cost Estimate  
for the  
Hillcrest Avenue Reconstruction, Phase I  
Project #PW24-13

A public hearing will be held on July 14, 2025, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract and cost estimate for the Hillcrest Avenue Reconstruction, Phase I project. The project will include construction of 1,832 square yards of concrete pavement, 1,125 lineal feet of sanitary sewer lining, and 285 lineal feet of concrete curb and gutter. At said hearing, any interested person may appear and file objections to such plans and specifications.

By Order of the City Council

of the

City of Council Bluffs, Iowa

Jodi Quakenbush, City Clerk

**RESOLUTION**  
**NO 25-158**

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE  
AND SETTING A PUBLIC HEARING ON THE  
PLANS, SPECIFICATIONS, FORM OF CONTRACT  
AND COST ESTIMATE FOR  
HILLCREST AVENUE RECONSTRUCTION, PHASE I  
PROJECT #PW24-13**

WHEREAS,           the City wishes to make improvements known as  
Hillcrest Avenue Reconstruction, Phase I, within the  
City, as therein described; and

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

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

That the City Clerk is hereby ordered to set a public hearing on the plans, specifications, form of contract and cost estimate for the Hillcrest Avenue Reconstruction, Phase I setting July 14, 2025, at 7:00 p.m. as the date and time of said hearing.

AND BE IT FURTHER RESOLVED

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

ADOPTED  
AND  
APPROVED

June 23, 2025

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

## Council Communication

Department: Public Works Admin  
Case/Project No.: BM23-04  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 25-159  
ITEM 3.D.

Council Action: 6/23/2025

### Description

Resolution accepting the work of Fisher Building Services Inc. as complete and authorizing the release of retainage after 30 days if no claims are filed in connection with the UP Museum Exterior Handrails and Fire Escapes. Project #BM-23-04

### Background/Discussion

The Council Bluffs Carnegie Free Public Library was renovated in 2002 and the Union Pacific Railroad Museum has occupied the building since May of 2003. The guards and handrails on the East side of the building and fire escapes on the West side have been in place since the renovation. Both were showing signs of deterioration in the form of corrosion and peeling paint, and there were sections of handrail that were loose or missing. These items must be maintained in order to provide safe and accessible access, and emergency exiting, from the facility.

This project included repairs to the supports, blasting surfaces to prep for painting, painting, repairs to damaged or missing handrails, and handrail finish restoration.

The repairs will allow for continued use of the building by maintaining access to the facility, and safe exiting during an emergency.

Original Contract Amount	\$157,600.00
Change Orders (0%)	\$0.00
Final Contract Amount	\$157,600.00
Less Previous Payments	\$149,720.00
Retainage Due Contractor	\$7,880.00

The total cost of this project is \$181,400.00 which includes \$23,800.00 for professional services provided by Schemmer Associates. The project was included in the FY23 CIP with funding from GO Bonds.

### Recommendation

Approval of this resolution to accept the work of Fisher Building Services Inc. and release the retainage for the UP Museum Exterior Handrails and Fire Escapes. This project has provided necessary safety repairs for continued use of the building.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 25-159	Resolution	6/18/2025

**RESOLUTION NO. 25-159**

**RESOLUTION ACCEPTING THE WORK OF FISHER  
BUILDING SERVICES INC. FOR THE UP MUSEUM  
EXTERIOR HANDRAILS AND FIRE ESCAPES PROJECT  
AND AUTHORIZING THE FINANCE DIRECTOR TO  
ISSUE A CITY CHECK IN THE AMOUNT OF \$7,880.00  
PROJECT #BM-23-04**

- WHEREAS, the City of Council Bluffs has entered into an agreement with Fisher Building Services Inc. for the UP Museum Exterior Handrails and Fire Escapes project; and
- WHEREAS, said contractor has fully completed the construction of said improvements in accordance with the terms and conditions of said contract and plans and specifications filed with the city clerk; and
- WHEREAS, a request of final payment in the amount of \$7,880.00 to Fisher Building Services Inc. has been submitted to the city council for approval and payment; and
- WHEREAS, final payment is due 30 days after the acceptance of the work; and
- WHEREAS, the city council of the City of Council Bluffs has been advised and does believe that said \$7,880.00 constitutes a valid obligation of the City and should in its best interest be paid.

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

Said improvements are hereby accepted as having been fully completed in accordance with plans and specifications; and

**BE IT FURTHER RESOLVED**

That the finance director is hereby authorized and directed to issue a city check in the amount of \$7,880.00 payable to Fisher Building Services Inc. from budget code S36100-631000; Project #B2304.

**ADOPTED  
AND  
APPROVED**

June 23, 2025

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Matthew J. Walsh, Mayor

**ATTEST:**

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Jodi Quakenbush, City Clerk

## Council Communication

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

Resolution 25-160  
ITEM 3.E.

Council Action: 6/23/2025

### Description

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY25.

### 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. A fund transfer log 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 the FY25 actual interfund transfer to date.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Fund transfers FY25 YTD Actuals	Other	6/13/2025
Resolution 25-160	Resolution	6/18/2025

## Fund Transfers

**Council Meeting: 06/23/25**

Transfer From		Transfer To				
Fund Category	Fund Name	Fund Category	Fund Name	Amount		Effective FY
Special Revenue	Local Options Sales Tax	Non Major Special Revenue	DD-SCK 32	99,905	Funding for levee capital expenditures	2025
Capital Projects	Capital Projects	Debt Service	Debt Service	21,964	Transfer Flood mitigation revenue for 2024A bond payment relates to levee project funding	2025
General	General	TIF	Park Place	1,276	Expense alignment of UR Planning Expenditures to the General Fund	2025
Capital Projects	Capital Projects	General	Parks Maintenance	8,500	Original funding was General Operating. Using 2023 GO Bonds instead for Rubber Surfacing at Eastern Hills Park	2025
Special Revenue	ARPA	General	Expense Projects	235,637	Funding for C2490 Housing Development Project	2025
Special Revenue	ARPA	Capital Projects	Capital Projects	1,115,708	Funding for CIP CD24-06 C2406 East Manawa Development	2025
General	Expense Projects	Special Revenue	CD-Block Grant	1,814	Reimburse admin expenses received in project (Brownfield EPA Cleanup)	2025
General	Gaming	Capital Projects	Capital Projects	22,665	Funding for BM 24-01 MAC Parking Lot Rehab Ph IV	2025
General	Gaming	Capital Projects	Capital Projects	75,000	Funding for BM 25-07 MAC Automated Floor Scubber	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	1,300,479	Funding for PW 22-17 S Expressway Recon Ph I	2025
Enterprise	Sewer Operating	Capital Projects	Capital Projects	26,746	Funding for CD 23-06 Sanitary Sewer Study	2025
Enterprise	Sewer Operating	Capital Projects	Capital Projects	30,986	Funding for PW 24-11 28th St Strom Rehab Ph IV	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	225,901	Funding for PW 24-11 28th St Strom Rehab Ph IV	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	139,534	Funding for PW 24-12 23rd St Sewer Rehab Ph I	2025
Enterprise	Sewer Operating	Capital Projects	Capital Projects	271,364	Funding for PW 24-12 23rd St Sewer Rehab Ph I	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	35,735	Funding for PW 24-17 Pump Station Rehab	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	281,520	Funding for PW 25-09 E Manawa Sewer Rehab Ph XIII	2025
Enterprise	Sewer Operating	Capital Projects	Capital Projects	124,328	Funding for PW 25-09 E Manawa Sewer Rehab Ph XIII	2025



Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	28,687	Funding for PW 25-10 West Graham Reconstruction	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	9,039	Funding for PW 25-12 30th Ave Recon	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	23,110	Funding for PW 25-13 Avenue B Rehab	2025
Enterprise	Sewer Operating	Capital Projects	Capital Projects	22,490	Funding for PW 25-14 Fiber Optic Extension to WPCP	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	27,100	Funding for PW 25-15 Storm Pump Station Rehab	2025
Enterprise	Sewer Operating	Capital Projects	Capital Projects	20,750	Funding for PW 25-17 Pump Station Rehab	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	4,708	Funding for PW 25-18 9th Ave Bridge over Indian Crk	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	545,768	Funding for PW 60001 Program Management	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	21,252	Funding for PW 26-09 E Manawa Sewer Rehab Ph XIV	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	19,875	Funding for PW 26-12 S 23rd St Sewer Rehab Ph II	2025
Special Revenue	Road Use	Capital Projects	Capital Projects	235,974	Funding for PW 26-18 East End Ops Building	2025
General	Expense Projects	Special Revenue	Road Use	7,983	FEMA Disaster 4779 Labor & Equipment Reimbursements	2025
General	Expense Projects	Enterprise	Sewer Operating	416	FEMA Disaster 4779 Labor & Equipment Reimbursements	2025
General	Expense Projects	General	Levee Public Works	66	FEMA Disaster 4779 Labor & Equipment Reimbursements	2025
General	Expense Projects	Non Major Special Revenue	DD-SCK 32	18	FEMA Disaster 4779 Labor & Equipment Reimbursements	2025
General	Expense Projects	Non Major Special Revenue	DD-W LEWIS 35	18	FEMA Disaster 4779 Labor & Equipment Reimbursements	2025
General	Expense Projects	Non Major Special Revenue	DD-MSQ 22	18	FEMA Disaster 4779 Labor & Equipment Reimbursements	2025
Capital Projects	Capital Projects	General	Parks Maintenance	4,975	Original funding was General Operating. Using 2023 GO Bonds instead for Parking Lot repairs at Rec Complex	2025
Special Revenue	ARPA	Capital Projects	Capital Projects	73,471	ARPA funding for CIP PW21-11 Power Drive	2025
Tax Increment Financing (TIF)	Valley View North TIF	General	General	1,997	Transfer TIF revenue for consulting fee reimbursement	2025
Tax Increment Financing (TIF)	New Horizon TIF	General	General	790	Transfer TIF revenue for consulting fee reimbursement	2025
Tax Increment Financing (TIF)	W. Broadway TIF	General	General	345	Transfer TIF revenue for consulting fee reimbursement	2025

Tax Increment Financing (TIF)	Playland Park TIF	General	General	111,771	Transfer TIF revenue for City reimbursement of CAM agreement expenses	2025
Tax Increment Financing (TIF)	Playland Park TIF	General	General	90,740	Transfer TIF revenue for City reimbursement of River's Edge Parking Garage Maintenance	2025
Tax Increment Financing (TIF)	Playland Park TIF	General	General	11,954	Transfer TIF revenue for consulting fee reimbursement	2025
Tax Increment Financing (TIF)	Playland Park TIF	Debt Service	Debt Service	63,756	Transfer TIF revenue for final 2010C bonds - relates to River's Edge project	2025
Tax Increment Financing (TIF)	Playland Park TIF	Capital Projects	Community Development Capital Projects	148,703	Transfer TIF revenue for City reimbursement for River's Edge project 00356	2025
Special Revenue	Employee Benefits Levy	General	General - Employee Benefits	3,279,776	Fund Employee Benefits	2025
Special Revenue	Local Options Sales Tax	Capital Projects	Capital Projects	5,150	Funding for PW 24-13 Hillcrest Reconstruction PhI	2025

## **Resolution 25-160**

Resolution authorizing transfers between funds under Iowa Code 545-2 for FY25

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: June 23, 2025

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Matthew J. Walsh, Mayor

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Jodi Quakenbush, City Clerk

## Council Communication

Department: Community  
Development

Case/Project No.: URN-25-005  
Submitted by: Marianne Collins,  
Housing & Economic Development  
Planner

Resolution 25-161  
ITEM 3.F.

Council Action: 6/23/2025

### Description

Resolution determining the necessity and setting dates of a consultation and a public hearing on a proposed Grapplers Gate Urban Renewal Plan for a proposed urban renewal area in the City of Council Bluffs. Location: Generally located south of Gleason Avenue and north of Franklin Avenue and east of E. Pierce Street and west of Bennett Avenue. URN-25-005

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	6/13/2025
Attachment 1 – Grapplers Gate Urban Renewal Area Plan	Other	6/13/2025
Attachment 2 - Legal Description	Legal Description	6/13/2025
Notice of Public Hearing	Notice	6/13/2025
Resolution 25-161	Resolution	6/18/2025

## Council Communication

Department: Community Development  Case/Project No.: URN-25-005	Ordinance No.:  Resolution No.: 25-	City Council: 6-23-2025 Planning Commission: 7-8-2025 P.H. and First Reading: 7-28-2025
<b>Subject/Title</b>		
Proposed creation of the Grapplers Gate Urban Renewal Plan		
<b>Location</b>		
Generally located south of Gleason Avenue and north of Franklin Avenue and east of E. Pierce Street and west of Bennett Avenue		
<b>Background/Discussion</b>		
<p><u>Background</u></p> <p>A developer has approached the City about developing a vacant parcel of land included in the proposed Grapplers Gate Urban Renewal Area for housing. The developer is proposing to construct 15 single family housing units. It has been determined the proposed area meets the definition of “economic development area.” This determination is based on Chapter 403.17 of the Iowa Code.</p> <p>In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. Assistance in the form of an urban renewal project area, conforming to the Section 403 of Iowa Code, is necessary to acquire land; improve regulatory control; improve public infrastructure and facilities; and to allow for private development of vacant land.</p> <p><u>Discussion</u></p> <p>The first step in creating the Grapplers Gate Urban Renewal Project Area is the adoption of a resolution of necessity. This resolution will cause several actions. These actions include directing staff to create the urban renewal plan, establishing a date for consultation with other taxing jurisdictions, setting a date for City Council public hearing and other appropriate legal notices. A resolution, which calls for these activities, has been prepared and is attached for your review and consideration. This resolution establishes the following timeframe:</p> <div style="margin-left: 40px;"> <p>07-07-2025      Consultation meeting to be held with other taxing jurisdictions</p> <p>07-28-2025      City Council public hearing on the proposed urban renewal plan</p> </div> <p>Iowa statutes require the City Planning Commission to review the plan for conformity to the comprehensive plan and to forward a recommendation to City Council prior to the public hearing. An urban renewal plan conforming to the requirements of Chapter 403 of the Iowa Code has been prepared and is attached for your review.</p> <p>The Grapplers Gate Urban Renewal Area is being designated as an economic development area that is appropriate for the promotion of economic development of new low and moderate income (LMI) housing and the provision of public improvements related to housing and residential development conforming to Chapter 403.17 of the Iowa Code. Designation is necessary to assist and promote local commercial enterprises to strengthen and revitalize the economy. Tax Increment Financing (TIF) will be utilized to provide assistance to the developer for the infrastructure costs that will be incurred.</p>		
<b>Staff Recommendation</b>		
The Community Development Department recommends adopting the resolution of necessity directing staff to amend the Plan, set the dates for a consultation and public hearing on the Grapplers Gate Urban Renewal Plan and Area.		
<b>Attachments</b>		
Attachment 1 – Grapplers Gate Urban Renewal Area Plan Attachment 2 - Legal Description		

## Council Communication

### Attachment 3 – Resolution of Necessity

Prepared by: Marianne Collins, Housing & Economic Development Planner  
Submitted by: Courtney Harter, Director of Community Development

**GRAPPLERS GATE  
URBAN RENEWAL PLAN**

**for the**

**GRAPPLERS GATE  
URBAN RENEWAL AREA**

**CITY OF COUNCIL BLUFFS, IOWA**

**July 2025**

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- I. ELIGIBLE URBAN RENEWAL PROJECTS
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- O. STATE AND LOCAL REQUIREMENTS
- P. URBAN RENEWAL PLAN AMENDMENTS
- Q. EFFECTIVE PERIOD
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## ***EXHIBITS***

- A. LEGAL DESCRIPTION OF URBAN RENEWAL AREA
- B. MAP OF URBAN RENEWAL AREA



**GRAPPLERS GATE URBAN RENEWAL PLAN  
for the  
GRAPPLERS GATE URBAN RENEWAL AREA**

**CITY OF COUNCIL BLUFFS, IOWA**

**A. INTRODUCTION**

The Grapplers Gate Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Grapplers Gate Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials promote economic development in the City of Council Bluffs, Iowa (“City”). The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new housing and residential development as defined in the *Code of Iowa* Section 403.17(12).

In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the *Code of Iowa*, as amended.

**B. DESCRIPTION OF THE URBAN RENEWAL AREA**

The Urban Renewal Area is described in Exhibit A. A map of the Urban Renewal Area is included in Exhibit B. The City reserves the right to modify the boundaries of the Area at some future date.

The property included in the Urban Renewal Area has never previously been subject to the division of revenue under Iowa Code 403.19 for a residential urban renewal project.

**C. AREA DESIGNATION**

With the adoption of this Plan, the City designates this Urban Renewal Area as an economic development area that is appropriate for the provision of public improvements related to housing and residential development.

**D. BASE VALUE**

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) ordinance is adopted to establish a TIF district in the Area, and debt related to the Area is certified to the County Auditor, the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt related to the Area, in accordance with Iowa Code Section 403.19.

**E. DEVELOPMENT PLAN**

The City has a general plan for the physical development of the City as a whole outlined in the Bluffs Tomorrow: 2030 Comprehensive Plan, adopted in 2014 and amended in 2015. The goals and objectives of the Urban Renewal Plan, including the urban renewal projects identified herein, are in conformity with the City’s Bluffs Tomorrow: 2030 Comprehensive Plan.

This Urban Renewal Plan does not in any way replace the City's current land use planning or zoning regulation process.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in this Plan. As the Area continues to develop, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

## **F. RESIDENTIAL DEVELOPMENT**

The City's objective for the Urban Renewal Area is to promote new housing and residential development. The City realizes that the availability of housing is an important component of attracting new business and industry, responding to new development, and retaining existing businesses.

In anticipation of expected economic development, the City has taken the position of supporting the creation of new housing opportunities, including increasing the number of lots available for the construction of new houses. Providing incentives to developers may ease the cost of extending necessary infrastructure and other factors that can make residential development more risky and less profitable.

When a City utilizes tax increment financing to support the construction/installation of public improvements related to residential development, the City must also provide assistance to LMI families related to housing as part of the project, consistent with the requirements of Iowa Code Section 403.22. LMI families are those whose incomes do not exceed 80% of the median county income, for the county that the project is located within. Unless a reduction is approved by the Iowa Economic Development Authority, the amount of LMI assistance for a project must be at least equal to the percentage of LMI families living in that county. For a project located in Pottawattamie County, the percentage of LMI families is currently 44.70%.

The requirement to provide assistance for LMI housing may be met by one, or a combination, of the following options:

1. Providing that at least 44.70% of the units constructed in the Urban Renewal Area are occupied by residents and/or families whose incomes are at or below 80% of the median county income;
2. Setting aside an amount equal to 44.70% of the reimbursed project costs for LMI housing activities anywhere in the City; and
3. Ensuring that 44.70% of the houses constructed within the Area are priced at amounts affordable to LMI families.

If funds are set aside, as opposed to constructing a sufficient percentage of LMI housing in the Area, the assistance for low and moderate income family housing may be provided anywhere within the City. The type of assistance provided must benefit LMI residents and/or families and

may include, but is not limited to:

1. Construction of LMI affordable housing.
2. Owner/renter-occupied housing rehabilitation for LMI residents and/or families.
3. Grants, credits or other direct assistance for LMI residents and/or families.
4. Homeownership assistance for LMI residents and/or families.
5. Tenant-based rental assistance for LMI residents and/or families.
6. Down payment assistance for LMI residents and/or families.
7. Mortgage interest buy-down assistance for LMI residents and/or families.
8. Under appropriate circumstances, the construction of public improvements that benefit LMI residents and/or families.

#### **G. PLAN OBJECTIVES**

Renewal activities are designed to provide opportunities, incentives, and sites for new residential development within the Urban Renewal Area. More specific objectives for the development, redevelopment and rehabilitation within the Urban Renewal Area are as follows:

1. To increase the availability of housing opportunities, which may in turn attract and retain local industries and commercial enterprises that will strengthen and revitalize the economy of the State of Iowa and the City of Council Bluffs.
2. To stimulate, through public action and commitment, private investment in new housing and residential development.
3. To plan for and provide sufficient land for residential development in a manner that is efficient from the standpoint of providing municipal services.
4. To help finance the cost of constructing street, water, sanitary sewer, storm water drainage, public utilities, street lighting, and other public improvements in support of new housing development.
5. To provide a more marketable and attractive investment climate.
6. To improve the housing conditions and housing opportunities, including for LMI income families and/or individuals.
7. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.

## **H. TYPES OF RENEWAL ACTIVITIES**

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curbs and gutters, water infrastructure, sanitary sewer infrastructure, public utilities, or other facilities in connection with urban renewal projects.
3. To finance programs that will directly benefit housing conditions and promote the availability of housing in the community.
4. To make loans, forgivable loans, grants, tax rebate payments, or other types of economic development grants or incentives to private developers or local development organizations to incentivize the development of housing within the Area, on such terms as may be determined by the City Council.
5. To borrow money and to provide security therefor.
6. To acquire or dispose of property.
7. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
8. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.
9. To undertake the demolition and clearance of existing development.
10. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
11. To use tax increment financing for a number of objectives, including, but not limited to, achieving a more marketable and competitive land offering price and providing for necessary physical improvements and infrastructure.
12. To use tax increment to provide LMI housing assistance.
13. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

## **I. ELIGIBLE URBAN RENEWAL PROJECTS**

Although certain project activities may occur over a period of years, the Eligible Urban Renewal Projects under this Urban Renewal Plan include:

**1. Development Agreement with OER LLC:** The City expects to consider a development agreement with OER LLC (or a related entity) (“the “Developer”) for Developer’s construction of public infrastructure improvements and private housing units on land within the Urban Renewal Area. As part of the project, the Developer would be required to complete certain infrastructure improvements needed to prepare the property for the development of housing units and cause the construction of at least fifteen (15) housing units. The infrastructure improvements constructed by the Developer would be dedicated to the City following completion, at no cost to the City. These improvements are expected to include the construction and installation of construction or installation of streets, sanitary sewer, storm sewer, water infrastructure, and related infrastructure to serve the residential development within the Urban Renewal Area, for a total cost of approximately \$800,000. Construction of the infrastructure improvements is anticipated to be completed by December 31, 2026. The development agreement would also provide detailed terms and conditions under which the City may make annual Economic Development Grant payments to the Developer in the amount of up to 100% of the Tax Increment generated by construction of the housing units on the residential lots in the Area remaining each year after any LMI assistance obligations have been satisfied. The Economic Development Grants would terminate upon the earliest of the following: (i) ten (10) grants have been paid to Developer; (ii) the City’s ability to collect tax increment from the Urban Renewal Area has expired; (iii) the maximum aggregate amount of grants have been paid to Developer; or (iv) the Developer’s right to receive grants derived from the housing units in the Area under the agreement is terminated. The total amount of the Economic Development Grant payments shall not exceed the lesser of \$800,000, or the actual costs incurred by the Developer in constructing the infrastructure improvements in the Area.

**2. Planning, engineering fees (for urban renewal plans), attorney fees, other related costs to support the urban renewal project and planning:**

Project	Date	Estimated Cost
Fees and costs	Undetermined	Not to Exceed \$50,000

## **J. FINANCIAL DATA**

1.	Current Constitutional Debt Limit	\$361,381,202
2.	Current outstanding general obligation debt	\$61,320,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes	\$850,000 plus any LMI set aside.

<p>only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately as stated in the next column:</p>	<p>(This amount does not include costs related to financing.)</p>
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## **K. URBAN RENEWAL FINANCING**

The City intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

### A. Tax Increment Financing.

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives, or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

### B. General Obligation Bonds.

Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area and for other urban renewal projects or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City. It may be, the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates, or other incentives to developers or private entities in connection with the urban renewal projects identified in this Plan. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event,

the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

#### **L. PROPERTY ACQUISITION/DISPOSITION**

The City will follow any applicable requirements for the acquisition and disposition of property within the Urban Renewal Area.

#### **M. RELOCATION**

The City does not expect there to be any relocation required as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

#### **N. PROPERTY WITHIN URBAN REVITALIZATION AREA**

The Urban Renewal Area is, or at some future date may be, located within an urban *revitalization* area. No tax abatement incentives in connection with the urban revitalization area will be allowed for development that occurs in the Urban Renewal Area unless expressly authorized by the City Council.

#### **O. STATE AND LOCAL REQUIREMENTS**

All provisions necessary to conform to state and local laws will be complied with by the City and the developer in implementing this Urban Renewal Plan and its supporting documents.

#### **P. URBAN RENEWAL PLAN AMENDMENTS**

This Urban Renewal Plan may be amended from time to time for a variety of reasons, including but not limited to, a change in the Area, to add or change land use controls and regulations, to modify goals or types of renewal activities, to add or change urban renewal projects, or to amend property acquisition and disposition provisions. The City Council may amend this Plan in accordance with applicable state law.

#### **Q. EFFECTIVE PERIOD**

This Urban Renewal Plan will become effective upon its adoption by the City Council and will remain in effect as a Plan until it is repealed by the City Council.

With respect to property included within the Urban Renewal Area, which is also included in an ordinance which designates that property as a tax increment district (TIF district) and is designated based on an economic development finding, to provide or to assist in the provision of public

improvements related to housing and residential development, the use of incremental property tax revenues or the “division of revenue,” as those words are used in Chapter 403 of the *Code of Iowa*, is limited to ten (10) years beginning with the second fiscal year following the year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property within the Urban Renewal Area.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness, or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

#### **R. SEVERABILITY CLAUSE**

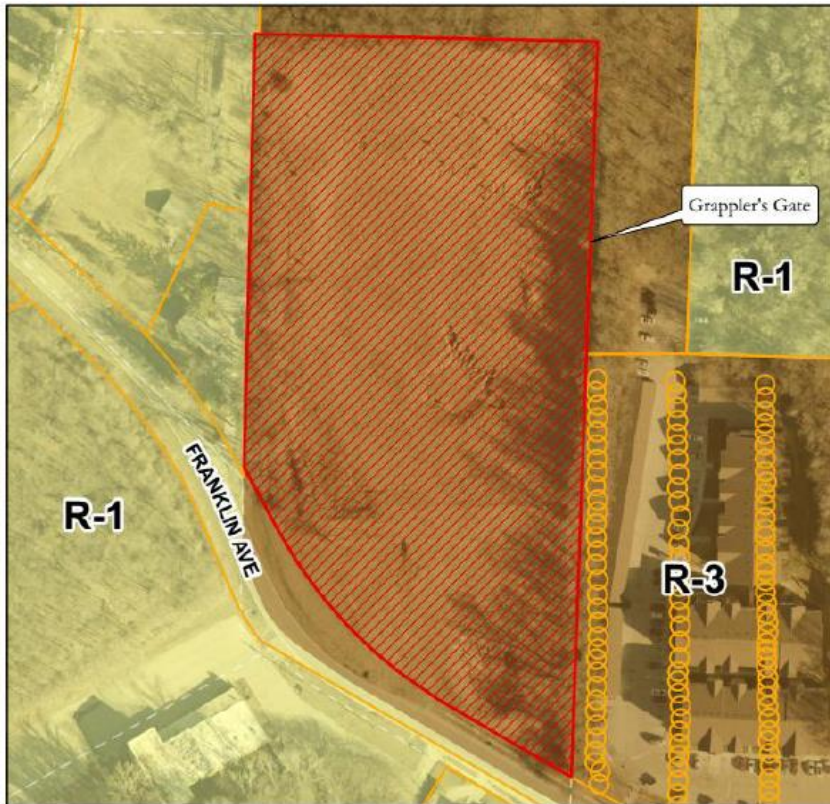
If any part of the Plan is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the Plan as a whole, or any part of the Plan not determined to be invalid or unconstitutional.



EXHIBIT A  
LEGAL DESCRIPTION OF URBAN RENEWAL AREA

Lot 4, Auditor's Subdivision of the SE 1/4 NE 1/4 of Section 31, Township 75, Range 43, Council Bluffs, Pottawattamie County, Iowa, except the following: A portion of Lot 4 of Auditor's Subdivision of the SE 1/4 NE 1/4 of Section 31, Township 75 North, Range 43 West of the 5th P.M. Pottawattamie County, Iowa, being more particularly described as follows: Commence at the point of intersection of the East line of said Lot 4, and the Northerly right-of-way line of Franklin Avenue (March, 2010), said point lying 440.2 feet West and 103.9 feet North of the East 1/4 or said Section 31; thence N 58°58'46" W along said Northerly right-of-way line of Franklin Avenue, a distance of 154.86 feet to the point of beginning; thence continue N 58°58'46" W along said Northerly right-of-way line, a distance of 111.50 feet to a point of curvature; thence Northwesterly along said Northerly right-of-way line being curved to the right and having a radius of 192.00 feet and a central angle of 39°25'37", an arc distance of 132.12 feet (Chord 129.53', chord bearing N 39°15'59" W) to a point of reverse curvature; thence Northwesterly along said Northerly right-of-way line being curved to the left and having a radius of 699.48 feet and a central angle of 7°03'58", an arc distance of 86.26 feet (Chord 86.21', chord bearing N 23°05'12" W) to a point on the West line of aforesaid Lot 4; thence N 02°01'54" E along said West line, a distance of 10.42 feet to a point on a curve; thence Southeasterly along a curve to the right having a radius of 743.67 feet and a central angle of 2°42'17", an arc distance of 35.10 feet (Chord= 35°10', chord bearing= S 28°50'52" E) to a point of tangency; thence S 27°29'44" E, a distance of 28.83 feet to a point of curvature; thence Southeasterly along a curve to the left having a radius of 480.09 feet and a central angle of 31°48'02", an arc distance of 266.46 feet (Chord bearing S 43°23'45" E) to the point of beginning. Containing 3439 square feet, more or less.

## MAP OF URBAN RENEWAL AREA



4919-5618-7979-2\10342-213

**LEGAL DESCRIPTION**

Lot 4, Auditor's Subdivision of the SE 1/4 NE 1/4 of Section 31, Township 75, Range 43, Council Bluffs, Pottawattamie County, Iowa, except the following: A portion of Lot 4 of Auditor's Subdivision of the SE 1/4 NE 1/4 of Section 31, Township 75 North, Range 43 West of the 5th P.M. Pottawattamie County, Iowa, being more particularly described as follows: Commence at the point of intersection of the East line of said Lot 4, and the Northerly right-of-way line of Franklin Avenue (March, 2010), said point lying 440.2 feet West and 103.9 feet North of the East 1/4 or said Section 31; thence N 58°58'46" W along said Northerly right-of-way line of Franklin Avenue, a distance of 154.86 feet to the point of beginning; thence continue N 58°58'46" W along said Northerly right-of-way line, a distance of 111.50 feet to a point of curvature; thence Northwesterly along said Northerly right-of-way line being curved to the right and having a radius of 192.00 feet and a central angle of 39°25'37", an arc distance of 132.12 feet (Chord= 129.53', chord bearing= N 39°15'59" W) to a point of reverse curvature; thence Northwesterly along said Northerly right-of-way line being curved to the left and having a radius of 699.48 feet and a central angle of 7°03'58", an arc distance of 86.26 feet (Chord= 86.21', chord bearing= N 23°05'12" W) to a point on the West line of aforesaid Lot 4; thence N 02°01'54" E along said West line, a distance of 10.42 feet to a point on a curve; thence Southeasterly along a curve to the right having a radius of 743.67 feet and a central angle of 2°42'17", an arc distance of 35.10 feet (Chord= 35°10', chord bearing= S 28°50'52" E) to a point of tangency; thence S 27°29'44" E, a distance of 28.83 feet to a point of curvature; thence Southeasterly along a curve to the left having a radius of 480.09 feet and a central angle of 31°48'02", an arc distance of 266.46 feet (Chord bearing = S 43°23'45" E) to the point of beginning. Containing 3439 square feet, more or less.

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL  
OF A PROPOSED GRAPPLERS GATE URBAN RENEWAL  
PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE  
CITY OF COUNCIL BLUFFS, STATE OF IOWA

The City Council of the City of Council Bluffs, State of Iowa, will hold a public hearing before itself at its meeting which commences at 7:00 P.M. on July 28, 2025 in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, to consider adoption of a proposed Grapplers Gate Urban Renewal Plan (the "Plan") concerning a proposed Urban Renewal Area in the City of Council Bluffs, State of Iowa.

The Grapplers Gate Urban Renewal Plan is proposed to contain the land legally described as follows:

Lot 4, Auditor's Subdivision of the SE 1/4 NE 1/4 of Section 31, Township 75, Range 43, Council Bluffs, Pottawattamie County, Iowa, except the following: A portion of Lot 4 of Auditor's Subdivision of the SE 1/4 NE 1/4 of Section 31, Township 75 North, Range 43 West of the 5th P.M. Pottawattamie County, Iowa, being more particularly described as follows: Commence at the point of intersection of the East line of said Lot 4, and the Northerly right-of-way line of Franklin Avenue (March, 2010), said point lying 440.2 feet West and 103.9 feet North of the East 1/4 or said Section 31; thence N 58°58'46" W along said Northerly right-of-way line of Franklin Avenue, a distance of 154.86 feet to the point of beginning; thence continue N 58°58'46" W along said Northerly right-of-way line, a distance of 111.50 feet to a point of curvature; thence Northwesterly along said Northerly right-of-way line being curved to the right and having a radius of 192.00 feet and a central angle of 39°25'37", an arc distance of 132.12 feet (Chord 129.53', chord bearing N 39°15'59" W) to a point of reverse curvature; thence Northwesterly along said Northerly right-of-way line being curved to the left and having a radius of 699.48 feet and a central angle of 7°03'58", an arc distance of 86.26 feet (Chord 86.21', chord bearing N 23°05'12" W) to a point on the West line of aforesaid Lot 4; thence N 02°01'54" E along said West line, a distance of 10.42 feet to a point on a curve; thence Southeasterly along a curve to the right having a radius of 743.67 feet and a central angle of 2°42'17", an arc distance of 35.10 feet (Chord= 35°10', chord bearing= S 28°50'52" E) to a point of tangency; thence S 27°29'44" E, a distance of 28.83 feet to a point of curvature; thence Southeasterly along a curve to the left having a radius of 480.09 feet and a central angle of 31°48'02", an arc distance of 266.46 feet (Chord bearing S 43°23'45" E) to the point of beginning. Containing 3439 square feet, more or less.

A copy of the Plan is on file for public inspection in the office of the City Clerk, City Hall, City of Council Bluffs, Iowa.

The City of Council Bluffs, State of Iowa is the local public agency which, if such Plan is approved, shall undertake the urban renewal activities described in such Plan.

The general scope of the urban renewal activities under consideration in the Plan is to stimulate, through public involvement and commitment, private investment in residential development in the Urban Renewal Area through various public purpose and special financing activities outlined in the Plan. To accomplish the objectives of the Plan, and to encourage the further economic development of the Urban Renewal Area, the Plan provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A, Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The City also may acquire and make land available for development or redevelopment by private enterprise as authorized by law. The Plan provides that the City may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Plan initially proposes no specific public infrastructure or site improvements to be undertaken by the City, and provides that the Plan may be amended from time to time.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 403.5, Code of Iowa.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

**Resolution 25-161**

**ITEM TO INCLUDE ON AGENDA**

**CITY OF COUNCIL BLUFFS, IOWA**

June 23, 2025

7:00 P.M.

Grapplers Gate Urban Renewal Plan

- Resolution determining the necessity and setting dates of a consultation and a public hearing on a proposed Grapplers Gate Urban Renewal Plan for a proposed Urban Renewal Area in the City of Council Bluffs, State of Iowa.

**IMPORTANT INFORMATION**

1. The above agenda items should be included, along with any other agenda items, in the meeting agenda. The agenda should be 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 body holding the meeting. If no such office exists, the notice must be posted at the building in which the meeting is to be held.
2. If you do not now have a bulletin board designated as above mentioned, designate one and establish a uniform policy of posting your notices of meeting and tentative agenda.
3. Notice and tentative agenda must be posted at least 24 hours prior to the commencement of the meeting.

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

June 23, 2025

The City Council of the City of Council Bluffs, State of Iowa, met in regular 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 Walsh, in the chair, and the following named Council Members:

\_\_\_\_\_

Absent: \_\_\_\_\_

Vacant: \_\_\_\_\_

\* \* \* \* \*

Council Member \_\_\_\_\_ then introduced the following proposed Resolution entitled "RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED GRAPPLERS GATE URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY OF COUNCIL BLUFFS, STATE OF IOWA", and moved that the same be adopted. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called, and the vote was:

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION NO. 25-161

RESOLUTION DETERMINING THE NECESSITY AND  
SETTING DATES OF A CONSULTATION AND A PUBLIC  
HEARING ON A PROPOSED GRAPPLERS GATE URBAN  
RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL  
AREA IN THE CITY OF COUNCIL BLUFFS, STATE OF IOWA

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the City; and

WHEREAS, this Council has caused there to be prepared a proposed Grapplers Gate Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Grapplers Gate Urban Renewal Area ("Area" or "Urban Renewal Area"), which proposed Plan is attached hereto as Exhibit 1 and which is incorporated herein by reference; and

WHEREAS, the purpose of the Plan is to form the Grapplers Gate Urban Renewal Area suitable for residential economic development and to include a list of proposed projects to be undertaken within the Urban Renewal Area, and a copy of the Plan has been placed on file for public inspection in the office of the City Clerk; and

WHEREAS, the property proposed to be included in the Urban Renewal Area is legally described in the Plan and this Council has reasonable cause to believe that the Area described in the Plan satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole prior to Council approval of such Plan, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Council within thirty (30) days of its receipt of such proposed Urban Renewal Plan; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Urban Renewal Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, Code of Iowa, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Urban Renewal Plan subsequent to notice thereof by publication in a newspaper



having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Plan and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

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

Section 1. That the consultation on the proposed Urban Renewal Plan required by Section 403.5(2), Code of Iowa, as amended, shall be held on June 30, 2025, in the Community Development Office, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 10:00 A.M., and the Director of Community Development, or her delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2), Code of Iowa.

Section 2. That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, along with a copy of this Resolution and the proposed Urban Renewal Plan, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE  
CITY OF COUNCIL BLUFFS, STATE OF IOWA AND ALL  
AFFECTED TAXING ENTITIES CONCERNING THE  
PROPOSED GRAPPLERS GATE URBAN RENEWAL PLAN  
FOR THE CITY OF COUNCIL BLUFFS, STATE OF IOWA

The City of Council Bluffs, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, as amended, commencing at 10:00 A.M. on June 30, 2025, in the Community Development Office, City Hall, 209 Pearl Street, Council Bluffs, Iowa concerning a proposed Grapplers Gate Urban Renewal Plan for the proposed Grapplers Gate Urban Renewal Area, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Plan.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Director of Community Development, or her delegate, as the designated representative of the City of Council Bluffs, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Grapplers Gate Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 403.5, Code of Iowa, as amended.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

Section 3. That a public hearing shall be held on the proposed Urban Renewal Plan before the City Council at its meeting which commences at 7:00 P.M. on July 28, 2025, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa.

Section 4. That the City Clerk is authorized and directed to publish notice of this public hearing in The Daily Nonpareil, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL  
OF A PROPOSED GRAPPLERS GATE URBAN RENEWAL  
PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE  
CITY OF COUNCIL BLUFFS, STATE OF IOWA

The City Council of the City of Council Bluffs, State of Iowa, will hold a public hearing before itself at its meeting which commences at 7:00 P.M. on July 28, 2025 in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, to consider adoption of a proposed Grapplers Gate Urban Renewal Plan (the "Plan") concerning a proposed Urban Renewal Area in the City of Council Bluffs, State of Iowa.

The Grapplers Gate Urban Renewal Plan is proposed to contain the land legally described as follows:

Lot 4, Auditor's Subdivision of the SE 1/4 NE 1/4 of Section 31, Township 75, Range 43, Council Bluffs, Pottawattamie County, Iowa, except the following: A portion of Lot 4 of Auditor's Subdivision of the SE 1/4 NE 1/4 of Section 31, Township 75 North, Range 43 West of the 5th P.M. Pottawattamie County, Iowa, being more particularly described as follows: Commence at the point of intersection of the East line of said Lot 4, and the Northerly right-of-way line of Franklin Avenue (March, 2010), said point lying 440.2 feet West and 103.9 feet North of the East 1/4 or said Section 31; thence N 58°58'46" W along said Northerly right-of-way line of Franklin Avenue, a distance of 154.86 feet to the point of beginning; thence continue N 58°58'46" W along said Northerly right-of-way line, a distance of 111.50 feet to a point of curvature; thence Northwesterly along said Northerly right-of-way line being curved to the right and having a radius of 192.00 feet and a central angle of 39°25'37", an arc distance of 132.12 feet (Chord 129.53', chord bearing N 39°15'59" W) to a point of reverse curvature; thence Northwesterly along said Northerly right-of-way line being curved to the left and having a radius of 699.48 feet and a central angle of 7°03'58", an arc distance of 86.26 feet (Chord 86.21', chord bearing N 23°05'12" W) to a point on the West line of aforesaid Lot 4; thence N 02°01'54" E along said West line, a distance of 10.42 feet to a point on a curve; thence Southeasterly along a curve to the right having a radius of 743.67 feet and a central angle of 2°42'17", an arc distance of 35.10 feet (Chord= 35°10', chord bearing= S 28°50'52" E) to a point of tangency; thence S 27°29'44" E, a distance of 28.83 feet to a point of curvature; thence Southeasterly along a curve to the left having a radius of 480.09 feet and a central angle of 31°48'02", an arc distance of 266.46 feet (Chord bearing S 43°23'45" E) to the point of beginning. Containing 3439 square feet, more or less.

A copy of the Plan is on file for public inspection in the office of the City Clerk, City Hall, City of Council Bluffs, Iowa.

The City of Council Bluffs, State of Iowa is the local public agency which, if such Plan is approved, shall undertake the urban renewal activities described in such Plan.

The general scope of the urban renewal activities under consideration in the Plan is to stimulate, through public involvement and commitment, private investment in residential development in the Urban Renewal Area through various public purpose and special financing activities outlined in the Plan. To accomplish the objectives of the Plan, and to encourage the further economic development of the Urban Renewal Area, the Plan provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A, Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The City also may acquire and make land available for development or redevelopment by private enterprise as authorized by law. The Plan provides that the City may issue bonds or use available funds for purposes allowed by the Plan and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Plan initially proposes no specific public infrastructure or site improvements to be undertaken by the City, and provides that the Plan may be amended from time to time.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 403.5, Code of Iowa.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

Section 5. That the proposed Urban Renewal Plan, attached hereto as Exhibit 1, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Urban Renewal Plan referred to in the notices for purposes of such consultation and hearing and that a copy of the Plan shall be placed on file in the office of the City Clerk.

Section 6. That the proposed Urban Renewal Plan be submitted to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

PASSED AND APPROVED this 23<sup>rd</sup> day of June, 2025.

---

Mayor

ATTEST:

---

City Clerk

Label the Plan as Exhibit 1 (with all exhibits) and attach it to this Resolution.

ATTACH THE PLAN LABELED AS  
EXHIBIT 1 HERE

# 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 24<sup>th</sup> day of June , 2025.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)



## Council Communication

Department: Parks and Recreation  
Case/Project No.: Trolley Park  
Improvements, Project 2602  
Submitted by: Vincent Martorello

Resolution 25-166  
ITEM 3.G.

Council Action: 6/23/2025

### Description

Resolution setting the public hearing on July 14 for the Trolley Park Improvements, Project R2606

### Background/Discussion

The City Council approved \$261,000.00 for improvements to Trolley Park Playground Improvements in the FY 26 CIP. The existing rubber safety surface is deteriorating and needs to be replaced. The project scope also includes adding two stand-alone pieces of play equipment.

The opinion of probable cost has been updated and the estimated for the project, including construction and design fees is \$259,097.45 and is within the approved project budget

### Recommendation

Approve setting the public hearing on July 14, 2025 for the Trolley Park Playground Improvements, Project 2606

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 25-166	Resolution	6/18/2025

**RESOLUTION**  
**NO 25-166**

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE  
AND SETTING A PUBLIC HEARING FOR THE  
TROLLEY PARK PLAYGROUND IMPROVEMENTS, PROJECT R2606**

- WHEREAS, the City Council approved \$261,000.00 for improvements to Trolley Park Playground Improvements in the FY 26 CIP; and
- WHEREAS, the improvement include replacing the rubber safety surface, adding two stand-alone pieces of play equipment, improving the storm water drainage from the playground, and adding a security light; and
- WHEREAS, the opinion of probable cost has been updated and the estimated for the project, including construction and design fees is \$259,097.45 and is within the approved project budget.

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

That the City Clerk is hereby ordered to set a public hearing for Trolley Park Playground Improvements, R26-06 setting July 14, 2025, at 7:00 p.m. as the date and time of said hearing.

ADOPTED  
AND  
APPROVED

June 23, 2025

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

## Council Communication

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

April 2025 Financial Reports  
ITEM 3.H.

Council Action: 6/23/2025

### Description

### Background/Discussion

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
April 2025 Expenditures	Other	6/12/2025
April 2025 Receipts & Expenditures by Fund	Other	6/12/2025

**CITY OF COUNCIL BLUFFS**  
**AP EXPENDITURES**  
**APRIL 2025**  
**(\$'S)**

VENDOR	AMOUNT	DESCRIPTION
A RAYMOND PLUMBING	\$1,800.00	REPAIRS & MAINTENANCE
ABC ELECTRIC INC.	\$4,448.60	REPAIRS & MAINTENANCE
ABLE LOCKSMITHS	\$446.25	PROFESSIONAL SVCS
ACTION TARGET	\$61,821.29	EQUIPMENT/PARTS
ACUSHNET COMPANY	\$4,292.94	DODGE OPERATING EXPENSE
ADVANCE SOUTHWEST IOWA	\$40,625.00	PROFESSIONAL SVCS
AFTERMATH COLLISION CENTER	\$2,848.80	REPAIRS & MAINTENANCE
AGRIVISION EQUIPMENT GROUP	\$1,318.18	EQUIPMENT/PARTS
AHLERS & COONEY P.C	\$1,611.50	LEGAL SERVICES
AK BROWN ENTERPRISES LLC	\$49,200.00	EQUIPMENT/PARTS
AKSARBEN FENCE & GATE LLC	\$9,310.00	SERVICE LABOR
ALAN'S ENTERPRISES LTD	\$602.09	SUPPLIES
ALEGENT CREIGHTON HEALTH	\$2,000.00	PROFESSIONAL SVCS
ALEX AIR APPARATUS 2 LLC	\$7,590.00	EQUIPMENT/PARTS
ALL COPY PRODUCTS INC	\$903.15	LEASE
ALL MAKES OFFICE EQUIPMENT COMPANY	\$1,718.46	SUPPLIES
ALL TRAFFIC DATA LLC	\$1,450.00	EQUIPMENT/PARTS
ALLIED OIL & TIRE COMPANY	\$1,325.70	SUPPLIES
AMBULANCE REFUNDS	\$863.79	REFUND
AMERICAN EQUIPMENT HOLDINGS LLC	\$284.00	PROFESSIONAL SVCS
AMERICAN MESSAGING SERVICES LLC	\$16.27	PHONE/INTERNET SVC
AMERICAN NATIONAL BANK	\$65.00	BANK SERVICES
AMERITAS LIFE INS CORP	\$39.48	DODGE OPERATING EXPENSE
AMEX	\$241.22	MAC OPERATING EXPENSE
ANCHOR ROOFING & LANDSCAPING LLC	\$6,276.00	REPAIRS & MAINTENANCE
ANDRE J VANDER VELDE	\$400.00	CONTRACT AGREEMENT
ANDREA PAGE	\$4,560.00	REFUND
ANN HANIGAN KOTZ	\$50.00	PUBLIC EVENTS
ARNOLD MOTOR SUPPLY, LLP	\$6,058.62	EQUIPMENT/PARTS
ARR ROOFING, LLC	\$280.00	REPAIRS & MAINTENANCE
ARROW TOWING	\$8,012.50	TOWING/STORAGE/AUCTION
ASSOCIATION OF CERTIFIED FRAUD EXAMINERS	\$500.00	TRAINING
B & K MECHANICAL CONTRACTORS LLC	\$335.00	REPAIRS & MAINTENANCE
B G PETERSON COMPANY	\$19,926.00	SUPPLIES
BAKER & TAYLOR INC	\$6,788.44	BOOKS/PERIODICALS/SUB
BALL HORTICULTURAL COMPANY	\$16,728.59	EQUIPMENT/PARTS
BARBARA RASMUSSEN	\$146.00	REFUND
BARNHART CRANE & RIGGING	\$428.00	EQUIPMENT/PARTS
BATES ROOFING LLC	\$4,806.19	REPAIRS & MAINTENANCE
BGNE INC.	\$521.18	SUPPLIES
BH MEDIA GROUP INC.	\$1,472.21	ADVERTISEMENT
BILL KEENAN'S GLASS STATION	\$709.62	REPAIRS & MAINTENANCE
BILL'S WATER CONDITIONING INC	\$159.00	SUPPLIES
BLACK HILLS UTILITY HOLDINGS, INC.	\$27,706.21	NATURAL GAS
BLACKBURN MANUFACTURING COMPANY	\$549.65	SUPPLIES
BLUFFS ELECTRIC INC	\$1,582.00	ELECTRICAL REPAIR
BOA	\$78.59	MAC OPERATING EXPENSE
BOMGAARS SUPPLY INC	\$636.95	SUPPLIES
BOO, INC.	\$741.95	EQUIPMENT/PARTS
BOUND TO STAY BOUND BOOKS INC	\$386.86	BOOKS/PERIODICALS/SUB
BREACHING TECHNOLOGIES LLC	\$6,111.97	EQUIPMENT/PARTS
BUILDING CRAFTS INC	\$312,474.00	CONSTRUCTION
BURTON PLUMBING	\$13,677.00	PLUMBING NEW OR REPAIR

C & J INDUSTRIAL SUPPLY	\$824.00	JANITORIAL SERVICE
CAESARS ENTERTAINMENT	\$167,927.50	MAC OPERATING EXPENSE
CANON SOLUTIONS AMERICA INC	\$282.24	COPY/PRINTER MAINTANCE
CAROLINA SOFTWARE INC	\$750.00	HARDWARE/SOFTWARE
CAROLYN ASHMAN	\$40.00	REFUND
CARROLL DISTRIBUTING & CONSTRUCTION SUPPLY	\$9,095.14	EQUIPMENT/PARTS
CELLEBRITE USA INC	\$3,780.82	HARDWARE/SOFTWARE
CENGAGE LEARNING INC	\$211.96	BOOKS/PERIODICALS/SUB
CENTER POINT LARGE PRINT	\$292.44	BOOKS/PERIODICALS/SUB
CENTURYLINK	\$1,515.88	PHONE/INTERNET SVC
CERTIFIED POWER INC	\$422.05	EQUIPMENT/PARTS
CERTIFIED TRANSMISSION	\$9,357.00	REPAIRS & MAINTENANCE
CFI TIRE SERVICE	\$267.00	TIRE REPLACEMENT/REPAIR
CHAMPLIN TIRE RECYCLING INC	\$5,292.00	TIRE DISPOSAL
CHRISTINA DIAZ GONZALEZ	\$3,920.00	PUBLIC EVENTS
CHRISTINE D ANDERSON	\$34.30	REIMB EMPLOYEE EXPENSE
CHRONOGOLF BY LIGHTSPEED	\$212.93	DODGE OPERATING EXPENSE
CITY OF COUNCIL BLUFFS-DEPENDENT	\$3,723.66	PAYROLL RELATED
CITY OF COUNCIL BLUFFS-FLEX	\$10,732.48	PAYROLL RELATED
CITY TREASURER	\$7,314.23	DODGE OPERATING EXPENSE
CLERK OF THE DISTRICT COURT	\$382.83	PAYROLL RELATED
COLLECTION SERVICES CENTER	\$6,831.02	PAYROLL RELATED
COLUMN SOFTWARE PBC	\$93.36	LEGAL SERVICES
COMMUNITY SUPPORTS NETWORK	\$63.00	REFUND
COMPASS UTILITY LLC	\$177,124.62	CONSTRUCTION
CONFLUENCE INC	\$1,065.00	CONSULTANT
CONSOLIDATED ELECTRICAL DISTR, INC	\$9,036.60	SUPPLIES
CORNHUSKER INTERNATIONAL TRUCKS	\$4,436.15	EQUIPMENT/PARTS
CORRPRO COMPANIES, INC.	\$8,590.19	REPAIRS & MAINTENANCE
COUNCIL BLUFFS AIRPORT AUTHORITY	\$293,444.22	AIRPORT AUTH TAX
COUNCIL BLUFFS CONVENTION & VISITORS BUREAU	\$218,790.00	CONTRIBUTIONS
COUNCIL BLUFFS WATER WORKS	\$10,165.63	WATER
COUNCIL BLUFFS WINSUPPLY	\$199.63	SUPPLIES
COX BUSINESS	\$726.31	DODGE OPERATING EXPENSE
COX BUSINESS SERVICES	\$327.22	RIVERS EDGE GARAGE EXPENSE
COX COMMUNICATION INC	\$15,542.18	PHONE/INTERNET SVC
CUBIC CORPORATION AND SUBSIDIARIES	\$22,050.00	HARDWARE/SOFTWARE
D & K PRODUCTS	\$4,376.00	SUPPLIES
DAKOTA SUPPLY GROUP	\$3,150.00	EQUIPMENT/PARTS
DALES TRASH SERVICE INC	\$1,233.00	RENTAL EXPS
DAN BECKMANN	\$1,710.75	JANITORIAL SERVICE
DANIEL BETTMANN	\$102.48	REIMB EMPLOYEE EXPENSE
DANY REYES	\$400.00	PROFESSIONAL SVCS
DATA POWER TECHNOLOGY LLC	\$360.00	REPAIRS & MAINTENANCE
DATASHIELD CORPORATION	\$209.00	SERVICE LABOR
DAVID HAZELWOOD	\$1,855.45	REFUND
DAVID W WOODY	\$204.36	SUPPLIES
DIGITECH COMPUTER LLC	\$25,914.53	AMBULANCE BILLING FEE
DMG INC	\$10,005.81	ELECTRICAL REPAIR
DODGE BANK & CR CARD FEES	\$3,154.54	DODGE OPERATING EXPENSE
DODGE RIVERSIDE PAYROLL	\$54,549.44	DODGE OPERATING EXPENSE
DODGE RIVERSIDE SALES TAX	\$2,548.34	DODGE OPERATING EXPENSE
DOLL DISTRIBUTING LLC	\$4,404.05	DODGE OPERATING EXPENSE
DOLL DISTRIBUTION	\$1,053.38	MAC OPERATING EXPENSE
DONALD OR ELEANOR RICE	\$42.00	REFUND
DONALD W MATHEWS	\$3,363.83	VEHICLE REPAIR
DPS LLC	\$2,928.32	CONTRACT AGREEMENT
DRIVER SEWER & WATER INC	\$940.00	CONTRACT AGREEMENT
DULTMEIER SALES LLC	\$123.06	SUPPLIES

DXP ENTERPRISES INC	\$89.28	EQUIPMENT/PARTS
EAGLE TIRE DISTRIBUTORS	\$1,124.00	TIRE REPLACEMENT/REPAIR
ECHO GROUP	\$2,079.43	SUPPLIES
ECO-STORAGE INVESTMENTS INC	\$54,172.00	SOLID WASTE DISPOSAL
EDUCATIONAL SERVICE UNIT #3	\$50.00	PUBLIC EVENTS
EDWARDS CHEVROLET-CADILLAC INC	\$1,755.83	EQUIPMENT/PARTS
EFTPS	\$627,144.69	PAYROLL RELATED
EGAN SUPPLY CO	\$75,000.00	EQUIPMENT/PARTS
EHRHART GRIFFIN & ASSOCIATES INC	\$23,533.20	CONSULTANT
ELAVON INC	\$2,626.85	FEES
ELECTRONIC TECHNOLOGY INC	\$6,799.95	EQUIPMENT/PARTS
ELM USA INC	\$79.95	SUPPLIES
EMPLOYEE CITY PAYROLL	\$2,380,904.36	CITY PAYROLL
EMPLOYERS MUTUAL CASUALTY COMPANY	\$122,564.83	INSURANCE
ENNIS-FLINT, INC.	\$34,809.50	SUPPLIES
ERIC ALLEN OR KELLY ALLEN	\$42.00	REFUND
ERIN M MCCARTNEY	\$394.00	PAYROLL RELATED
EXCHANGE BANK LEASING DIV	\$12,645.14	DODGE OPERATING EXPENSE
FACTORY MOTOR PARTS	\$1,551.41	EQUIPMENT/PARTS
FED EX	\$21.24	DODGE OPERATING EXPENSE
FELD FIRE	\$176.40	EQUIPMENT/PARTS
FINTECH	\$20.00	DODGE OPERATING EXPENSE
FIRESRING PRINT INC	\$710.19	PRINTING/BINDING
FIRST NATIONAL BANK P CARDS	\$1,269.73	DODGE OPERATING EXPENSE
FLORES GUSTAVO SONIA LUNA ARREDONDO	\$126.00	REFUND
FORTE PAYMENT SYSTEMS INC	\$3,276.47	EQUIPMENT/PARTS
FOSTERS INC	\$2,196.00	EQUIPMENT/PARTS
FRASER STRYKER PC LLO	\$80,167.50	LEGAL SERVICES
FUSION BOILER WORKS, INC.	\$1,390.00	REPAIRS & MAINTENANCE
G & T SERVICES	\$60.00	RENTAL EXPS
GENIE SERVICES LLC	\$480.00	PEST CONTROL
GERMANIA SEED COMPANY	\$2,982.78	SUPPLIES
GILBERT GIBREAL	\$20.00	REFUND
GLOBAL PAYMENTS DIRECT, INC	\$8,955.27	CREDIT CARD CHGS
GM DODGE CHARITABLE TRUST	\$789.55	DODGE TRUST REIMBURSEMENT
GRANICUS LLC	\$44,142.57	SUBSCRIPTION
GREAT AMERICA FINANCIAL SERV	\$64.64	DODGE OPERATING EXPENSE
GREAT PLAINS COMMUNICATIONS HOLDINGS LLC	\$5,556.00	PHONE/INTERNET SVC
GREAT PLAINS UNIFORMS	\$5,740.71	UNIFORMS
GREATER OMAHA REFRIGERATION	\$335.00	SERVICE LABOR
GREENORBIT INC	\$20,737.00	HARDWARE/SOFTWARE
GRP & ASSOCIATES	\$87.00	SUPPLIES
H32 DESIGN AND DEVELOPMENT LLC	\$8,736.15	EQUIPMENT/PARTS
HARMS OIL COMPANY	\$12,659.19	FUEL
HAROLD GASPARD	\$238.21	LEGAL CLAIM
HDR ENGINEERING INC	\$34,587.88	PROFESSIONAL SVCS
HEARTLAND CO-OP	\$367.22	FUEL
HEARTLAND TIRES & TREADS INC	\$685.86	TIRE REPLACEMENT/REPAIR
HEARTLAND TOXICOLOGY	\$170.00	PROFESSIONAL SVCS
HERITAGE LANDSCAPE SUPPLY GROUP INC	\$1,479.83	SUPPLIES
HGM ASSOCIATES INC	\$78,802.05	CONSULTANT
HILDRETH LANDSCAPE INC	\$3,500.00	REPAIRS & MAINTENANCE
HTM SALES INC	\$570.00	EQUIPMENT/PARTS
HUBWISE TECHNOLOGY INC	\$318.86	RIVERS EDGE GARAGE EXPENSE
HUFFMAN ENGINEERING INC	\$6,561.70	CONSTRUCTION
HUNTER PAINTING INC	\$4,315.00	REPAIRS & MAINTENANCE
HY VEE, INC.	\$5,977.72	PROPERTY ACQUISITION
I-80 LIQUOR	\$2,367.56	DODGE OPERATING EXPENSE
ICMA RETIREMENT TRUST - 457	\$11,828.00	PAYROLL RELATED

IN LAW FENCING & MORE LLC	\$19,158.70	REPAIRS & MAINTENANCE
INDEPENDENT DOOR INC	\$10,770.00	REPAIRS & MAINTENANCE
INSIGHT PUBLIC SECTOR INC	\$84,548.75	HARDWARE/SOFTWARE
IOWA ASSOCIATION OF PROFESSIONAL FIRE CHIEFS	\$200.00	DUES/MEMBERSHIP
IOWA COMMUNICATIONS NETWORK	\$300.00	PHONE/INTERNET SVC
IOWA DEPARTMENT OF HUMAN SERVICES	\$51,347.43	AMBULANCE BILLING FEE
IOWA DEPARTMENT OF REVENUE	\$50,704.52	MAC OPERATING EXPENSE
IOWA DEPT OF INSPECTIONS & APPEALS	\$135.00	TRAINING
IOWA DEPT OF REVENUE	\$102,473.00	PAYROLL RELATED
IOWA LEAGUE OF CITIES	\$25.00	FEES
IOWA PRISON INDUSTRIES	\$2,588.08	SUPPLIES
IOWA TOTAL CARE	\$2,910.08	REFUND
IOWA WASTE SERVICES HOLDINGS INC	\$36,118.62	SOLID WASTE DISPOSAL
IPERS	\$251,914.96	PAYROLL RELATED
IPFS CORPORATION	\$567.86	DODGE OPERATING EXPENSE
JACK HYTREK CONSTRUCTION	\$950.00	CONSTRUCTION
JACQUELINE VEST	\$253.92	LEGAL CLAIM
JAMES MARGOLIS	\$200.00	PUBLIC EVENTS
JAMES PALMER	\$415.00	PROFESSIONAL SVCS
JEFF KRIST	\$146.72	REIMB EMPLOYEE EXPENSE
JEFF WILKINSON	\$66.60	REFUND
JEFF'S WASH & GLO LTD	\$1,344.00	REPAIRS & MAINTENANCE
JEO CONSULTING GROUP INC	\$116,515.71	CONSULTANT
JIM HAWK TRUCK TRAILERS INC.	\$322.65	EQUIPMENT/PARTS
JODI R QUAKENBUSH	\$114.80	REIMB EMPLOYEE EXPENSE
JOHN A JARVEY	\$1,300.00	ATTORNEY FEES
JOHN J MORGAN COMPANY	\$525.43	EQUIPMENT/PARTS
JOHNSON CONTROLS INC.	\$346.41	EQUIPMENT/PARTS
JONES AUTOMOTIVE	\$592.54	EQUIPMENT/PARTS
JORIE L SCHEELE	\$1,108.00	PROFESSIONAL SVCS
JOSEPH MICHAEL STARITA	\$250.00	PUBLIC EVENTS
JULIANNE M JOHNSON	\$23.10	REIMB EMPLOYEE EXPENSE
KAY H TURNER	\$295.00	HARDWARE/SOFTWARE
KAYS CUSTOMS LLC	\$750.00	SERVICE LABOR
KELLY SUPPLY COMPANY	\$2,853.00	EQUIPMENT/PARTS
KENBROOKE ROOFING INC.	\$349.83	CONSTRUCTION
KIESLER POLICE SUPPLY INC	\$2,830.80	SUPPLIES
KINGHORN HORTICULTURAL	\$1,932.80	RIVERS EDGE GARAGE EXPENSE
KLASS LAW FIRM LLP	\$2,769.88	CONTRACT AGREEMENT
KRISTINE L SINCLAIR	\$75.00	LIBRARY PERFORMANCES
LANDSCAPES GOLF MANAGEMENT	\$11,834.48	DODGE OPERATING EXPENSE
LANG DIESEL INC.	\$227.53	EQUIPMENT/PARTS
LAWSON PRODUCTS INC	\$2,105.24	SUPPLIES
LEADERSHIP COUNCIL BLUFFS	\$50.00	DUES/MEMBERSHIP
LORETTA GOESCHEL	\$38.50	REIMB EMPLOYEE EXPENSE
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$5,255.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$340.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$4,750.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$5,591.81	PAYROLL RELATED
LYMAN RICHEY SAND & GRAVEL	\$1,550.47	DODGE OPERATING EXPENSE
LYMAN RICHEY SAND & GRAVEL COMPANY	\$48,848.50	STREET MAINTENANCE SUPPLS
LYNCH DALLAS, P.C.	\$7,873.50	ATTORNEY FEES
MACQUEEN EQUIPMENT, LLC	\$9,536.66	EQUIPMENT/PARTS
MARCO HOLDINGS, LLC	\$9,417.83	COPY/PRINTER MAINTANCE
MARSHALL MILLER	\$225.00	REPAIRS & MAINTENANCE
MARTIN RESOURCE MANAGEMENT	\$324.00	SUPPLIES
MAX I WALKER UNIFORM & APPAREL	\$2,555.61	UNIFORMS
MCCLURE ENGINEERING CO	\$33,404.50	ENGINEERING
MCMULLEN FORD INC	\$1,301.75	EQUIPMENT/PARTS

MECHANICAL SALES INC.	\$5,496.00	SUPPLIES
MELLEN & ASSOCIATES INC	\$372.37	EQUIPMENT/PARTS
MENARD INC.	\$885.81	SUPPLIES
METOLIUS LLC	\$919.00	DODGE OPERATING EXPENSE
METRO WASTE AUTHORITY	\$23,155.43	SERVICE LABOR
MFPRSI	\$543,707.84	PAYROLL RELATED
MICHAEL O'BRADOVICH	\$1,800.00	LEGAL SERVICES
MICHAEL TODD AND COMPANY INC	\$1,305.80	EQUIPMENT/PARTS
MID AMERICAN ENERGY CO	\$884.03	RIVERS EDGE GARAGE EXPENSE
MID AMERICAN SIGNAL INC	\$1,273.00	EQUIPMENT/PARTS
MIDAMERICAN ENERGY COMPANY	\$99,851.05	ELECTRICITY
MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACT AGREEMENT
MIDLANDS PRINTING & BUSINESS FORMS	\$16,386.76	PRINTING/BINDING
MIDWEST DCM INC	\$3,715.00	RIVERS EDGE GARAGE EXPENSE
MIDWEST MEDICAL & SAFETY INC	\$214.70	MEDICAL SERVICES
MIDWEST TAPE, LLC	\$7,030.38	DVD/AUDIO/CD
MIDWEST TITLE INC	\$63.00	REFUND
MIDWEST TURF & IRRIGATION	\$3,706.97	EQUIPMENT/PARTS
MIDWEST TURF & IRRIGATION	\$1,122.15	DODGE OPERATING EXPENSE
MIDWEST WHEEL COMPANIES	\$303.48	EQUIPMENT/PARTS
MILES MOBILE STORAGE LLC	\$220.00	RENTAL EXPS
MIRANDA ADAMS	\$146,124.38	LEGAL CLAIM
MOLINA HEALTHCARE OF IOWA	\$229.91	REFUND
MOORE'S SERVICE INCORPORATED	\$17,410.00	SERVICE LABOR
MURPHY TRACTOR & EQUIPMENT CO CORP	\$2,382.14	EQUIPMENT/PARTS
NAPA AUTO PARTS	\$3,864.49	EQUIPMENT/PARTS
NATIONAL CONCRETE CUTTING INC	\$1,392.38	REPAIRS & MAINTENANCE
NATIONWIDE RETIREMENT SOLUTIONS INC	\$80,358.54	PAYROLL RELATED
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$1,325.56	PAYROLL RELATED
NEBRASKA GOLF AND TURF	\$802.63	DODGE OPERATING EXPENSE
NEBRASKA IOWA SUPPLY CO INC	\$7,026.50	FUEL
NEBRASKA TEXTILE AND SUPPLY	\$176.50	DODGE OPERATING EXPENSE
NICE CLEAN HOME SERVICES INC	\$0.00	JANITORIAL SERVICE
NITV FEDERAL SERVICES LLC	\$11,995.00	HARDWARE/SOFTWARE
NMC INC.	\$1,082.10	EQUIPMENT/PARTS
NODDLE DEVELOPMENT CO	\$2,875.00	RIVERS EDGE GARAGE EXPENSE
NODDLE DEVELOPMENT CO	\$1,000.00	RIVERS EDGE GARAGE EXPENSE
NODDLE DEVELOPMENT COMPANY	\$3,804.87	CONSULTANT
NODDLE SERVICES LLC	\$1,739.55	RIVERS EDGE GARAGE EXPENSE
NOTEIFY INC	\$5,000.00	DODGE OPERATING EXPENSE
NUCO PUMP SALES & SERVICE	\$80.25	DODGE OPERATING EXPENSE
ODEYS INC	\$774.00	EQUIPMENT/PARTS
OMAHA DOOR & WINDOW CO INC	\$385.36	REPAIRS & MAINTENANCE
OMAHA MAGAZINE LTD	\$2,604.00	ADVERTISEMENT
OMAHA THEATER COMPANY	\$200.00	LIBRARY PERFORMANCES
OMAHA TRUCK CENTER COMPANY INC.	\$1,807.61	EQUIPMENT/PARTS
OMNI ENGINEERING	\$8,669.09	STREET MAINTENANCE SUPLS
ONE SOURCE THE BACKGROUND CHECK COMPANY	\$463.00	CONSULTANT
O'REILLY AUTOMOTIVE INC	\$24.99	EQUIPMENT/PARTS
OVERDRIVE INC	\$1,128.92	BOOKS/PERIODICALS/SUB
PACE PATHWAYS IOWA	\$10.56	REFUND
PATRICK G BARTOS	\$29,100.00	CONSTRUCTION
PAYROLL	\$131,435.68	MAC OPERATING EXPENSE
PEPSI BEVERAGES CO	\$1,463.26	DODGE OPERATING EXPENSE
PER MAR SECURITY & RESEARCH CORP	\$529.68	ALARM SECURITY
PETERSON CONTRACTORS INC	\$290,918.00	CONSTRUCTION
PHYSICIANS CLINIC INC	\$9,662.00	CONSULTANT
PITNEY BOWES GLOBAL FINANCIAL LLC	\$718.83	POSTAGE & PRINTING
PITNEY BOWES INC.	\$3,006.25	POSTAGE & PRINTING



POLYDYNE INC	\$25,740.00	SUPPLIES
POTTAWATTAMIE COUNTY HOUSING TRUST FUND, INC.	\$50,000.00	REIMBURSEMENT
POTTAWATTAMIE COUNTY SHERIFF	\$12,580.00	INMATE COST
POTTERS INDUSTRIES LLC	\$11,300.00	STREET MAINTENANCE SUPLS
PREMIER GLAZERS	\$275.36	MAC OPERATING EXPENSE
PREMIER GLAZER'S BEVS	\$1,825.20	DODGE OPERATING EXPENSE
PRINCIPAL	\$539.21	DODGE OPERATING EXPENSE
PROFESSIONAL TITLE	\$20.00	REFUND
PURITAN MANUFACTURING INCORPORATED	\$230.00	SUPPLIES
RAPIDSCALE INC	\$1,754.95	SUBSCRIPTION
RASMUSSEN MECHANICAL SERVICES INC	\$2,819.45	EQUIPMENT/PARTS
RDG PLANNING & DESIGN	\$5,170.00	REFUND
RDO TRUCK CENTER CO	\$543.95	EQUIPMENT/PARTS
RED OAK PUBLICATION LLC	\$31.56	ADVERTISEMENT
RELIANCE STANDARD LIFE INSURANCE CO	\$24,168.67	PAYROLL RELATED
RICHARD HARRISON	\$60,000.00	PUBLIC EVENTS
RIEKES EQUIPMENT COMPANY	\$862.65	EQUIPMENT/PARTS
RIVERS EDGE BANK FEES	\$50.60	RIVERS EDGE GARAGE EXPENSE
ROBERT PRACHT	\$1,425.00	PROFESSIONAL SVCS
RODNEY JOHNSON	\$9,166.66	SERVICE LABOR
ROSE HOLDING, INC.	\$1,605.05	EQUIPMENT/PARTS
ROTELLAS ITALIAN BAKERY	\$259.32	DODGE OPERATING EXPENSE
RTG BUILDING SERVICES INC	\$9,411.60	JANITORIAL SERVICE
SANDAU BROS SIGN CO INC	\$820.00	SUPPLIES
SAPP BROTHERS INC	\$415.88	FUEL
SARAH ALLEN	\$5.60	REIMB EMPLOYEE EXPENSE
SARAH GIRRES	\$400.00	PUBLIC EVENTS
SCALES SALES & SERVICE LLC	\$259.61	EQUIPMENT/PARTS
SCHINDLER ELEVATOR CORPORATION	\$415.88	REPAIRS & MAINTENANCE
SECURITY EQUIPMENT INCORPORATED	\$4,818.66	ALARM SECURITY
SELECTIVE INSURANCE CO	\$12,950.00	DODGE OPERATING EXPENSE
SHERWIN WILLIAMS	\$1,150.40	SUPPLIES
SIEMENS INDUSTRY INC	\$2,423.13	EQUIPMENT/PARTS
SJ ELECTRO SYSTEMS INC	\$29,617.79	EQUIPMENT/PARTS
SMA ENTERPRISES INC.	\$122.28	EQUIPMENT/PARTS
SMARTWAVE TECHNOLOGIES LLC	\$1,216.50	HARDWARE/SOFTWARE
SNYDER & ASSOCIATES INC	\$1,346.00	CONSULTANT
SOUTH 6TH STREET LLC	\$18,750.00	CONSTRUCTION
SOUTHWEST IOWA NARCOTICS	\$21,821.20	FEES
SOUTHWEST IOWA PLANNING COUNCIL	\$32,415.83	TRANSIT SERVICES
SPRINGO LLC	\$1,200.00	SERVICE LABOR
STANEK FIRE PROTECTION	\$224.00	SAFETY EQUIP & MAINTENANCE
STEPP MANUFACTURING CO INC	\$60.72	EQUIPMENT/PARTS
STERN OIL CO INC	\$724.12	SUPPLIES
STRYKER SALES CORPORATION	\$698.00	EQUIPMENT/PARTS
STUDIO 15 COMMERCIAL INTERIORS INC	\$118,997.50	PROFESSIONAL SVCS
SUNOCO LP	\$23,393.22	FUEL
SUSAN CARUSO	\$265.00	REFUND
SUSPENSION SHOP INC	\$1,108.32	EQUIPMENT/PARTS
SYSCO LINCOLN	\$3,005.65	DODGE OPERATING EXPENSE
T HALL ABC INC	\$64.00	SUPPLIES
TAYLOR PLASTICS LLC	\$350.00	REPAIRS & MAINTENANCE
TED'S MOWER SALES & SERVICE INC	\$32.13	EQUIPMENT/PARTS
TG TECHNICAL SERVICES LLC	\$1,461.75	REPAIRS & MAINTENANCE
THE ABY MANUFACTURING GROUP INC	\$718.90	SUPPLIES
THE DAVEY TREE EXPERT COMPANY	\$36,650.00	TREE WORK
THE DOLLYWOOD FOUNDATION	\$4,180.15	BOOKS/PERIODICALS/SUB
THE QUIPU GROUP LLC	\$2,600.00	HARDWARE/SOFTWARE
THE RETROFIT COMPANIES INC	\$3,476.92	SERVICE LABOR

THE TORO COMPANY	\$175.96	DODGE OPERATING EXPENSE
THERESA DEWITT	\$37.10	REIMB EMPLOYEE EXPENSE
THERMAL SERVICES	\$493.00	REPAIRS & MAINTENANCE
THERMO KING CHRISTENSEN	\$345.32	SUPPLIES
THRYV, INC.	\$51.70	ADVERTISEMENT
TIREHUB, LLC	\$213.99	EQUIPMENT/PARTS
TK ELEVATOR CORPORATION	\$1,310.31	PROFESSIONAL SVCS
TK ELEVATOR CORPORATION	\$667.46	RIVERS EDGE GARAGE EXPENSE
TOYNE INC	\$10,681.97	EQUIPMENT/PARTS
TRANSIT AUTHORITY OF THE CITY OF OMAHA	\$112,241.00	BUS SERVICE
TREASURER STATE OF IOWA/SALES TAX	\$77,026.75	SALES TAX
TREEHOUSE PHASE I LLC	\$109,389.68	GRANT REIMBURSEMENT
TRU PRO CONSTRUCTION INC	\$42,075.00	CONSTRUCTION
TRUCK EQUIPMENT INC	\$34,242.00	EQUIPMENT/PARTS
TURNER MORGAN	\$5,130.00	PROFESSIONAL SVCS
TWO RIVERS INSURANCE COMPANY, INC.	\$1,179,282.58	EMPLOYEE INSURANCE
TYLER TECHNOLOGIES INC	\$2,660.00	HARDWARE/SOFTWARE
U.S. VENTURE, INC.	\$4,510.24	EQUIPMENT/PARTS
UKG KRONOS SYSTEMS	\$2,120.00	HARDWARE/SOFTWARE
ULINE	\$731.85	SUPPLIES
UMR	\$1,584.18	DODGE OPERATING EXPENSE
UNDERGROUND LOCATION COMPANY	\$776.70	PROFESSIONAL SVCS
UNITED PARCEL SERVICE	\$57.48	FREIGHT/POSTAGE
UNITED UTILITIES & EXCAVATION LLC	\$52,877.00	CONSTRUCTION
UPTOWN STAFFING INC	\$337.50	CONTRACT AGREEMENT
US BANK	\$108,581.98	CREDIT CARD PURCHASES
US CHEMICAL STORAGE LLC	\$6,438.00	EQUIPMENT/PARTS
VALLEY CORPORATION	\$745,619.50	CONSTRUCTION
VANITY GRIFFIN	\$294.00	REFUND
VEENSTRA & KIMM INC	\$7,640.00	PROFESSIONAL SVCS
VENTILATION SERVICES OF CENTRAL IOWA LLC	\$1,401.15	REPAIRS & MAINTENANCE
VERIZON WIRELESS SERVICES LLC	\$8,448.24	CELL PHONE
VERMEER SALES & SERVICE INC	\$505.41	EQUIPMENT/PARTS
VERTIV CORPORATION	\$459.90	REPAIRS & MAINTENANCE
VOGEL TRAFFIC SERVICES INC	\$669.91	EQUIPMENT/PARTS
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	\$12,474.00	PAYROLL RELATED
W.W. GRAINGER, INC.	\$2,933.98	EQUIPMENT/PARTS
WASTE CONNECTIONS OF IOWA	\$275,695.54	HOUSEHOLD TRASH
WASTE CONNECTIONS OF IOWA	\$272.18	DODGE OPERATING EXPENSE
WASTE CONNECTIONS OF NEBRASKA INC	\$3,251.39	SOLID WASTE DISPOSAL
WATER ENGINEERING INC	\$300.03	MOWING/GROUNDS MAINT
WELLS FARGO FINANCIAL LEASING INC	\$364.00	LEASE
WEST BROADWAY CLINIC P C	\$330.00	MEDICAL SERVICES
WEST PUBLISHING CORPORATION	\$1,275.00	SUBSCRIPTION
WESTERN ENGINEERING COMPANY INC	\$2,012.75	CONSTRUCTION
WHCC OF OMAHA, INC.	\$76.35	EQUIPMENT/PARTS
WHOLERSCAPE	\$94.00	REFUND
WILLIAM E CARPENTER JR	\$54.60	REIMB EMPLOYEE EXPENSE
YMCA OF GREATER OMAHA	\$480.00	DUES/MEMBERSHIP
ZIMCO SUPPLY CO	\$512.60	DODGE OPERATING EXPENSE
ZIMCO SUPPLY COMPANY	\$2,875.00	SUPPLIES
TOTAL	\$11,213,904.07	

**City of Council Bluffs**

**Receipts by Fund  
For the Month of April FY25**

General Fund	23,071,723.31
Special Revenue	3,015,872.19
Debt Service	3,614,960.44
Capital Project	801,561.66
Enterprise	1,970,522.21
<b>Total Receipts</b>	<b><u>32,474,639.81</u></b>

**Expenditures by Fund  
For the Month of April FY25**

General Fund	7,453,425.24
Special Revenue	664,459.33
Debt Service	0.00
Capital Project	2,124,518.88
Enterprise	971,500.62
<b>Total Expenditures</b>	<b><u>11,213,904.07</u></b>

**Transfer from City Operating Accounts  
For the Month of April FY25**

to Mid America Center	0.00
to Dodge Riverside	0.00
to RE Parking Garage	14,000.00
<b>Total Transfers</b>	<b><u>14,000.00</u></b>

## Council Communication

Department: Mayor  
Case/Project No.:  
Boards/Commissions  
Submitted by: Matt Walsh

Boards/Commissions  
ITEM 3.I.

Council Action: 6/23/2025

### Description

With City Council concurrence, I would like to make the following appointments to the:

### Background/Discussion

Civil Service Commission, Planning Commission, Police/Citizen Advisory Board and Municipal Housing Agency.

### Recommendation

Appoint the following to the Civil Service Commission with term expiring 04/06/2029:

*Rod James*  
*33 S Linden Ave*

Appoint the following to the Planning Commission with term expiring 04/01/2030:

*Jordan Dew*  
*105 Gleason Ave*

Appoint the following to the Police/Citizen Advisory Board with term expiring 10/27/2031:

*Regan Tinglehoff*  
*102 Huron Cir*

Reappoint the following to the Municipal Housing Agency with term expiring 07/31/2026:

*David Nelson*  
*12861 Traceview Loop*

*Denise Parker*  
*311 Wendy Heights*

Reappoint the following to the Municipal Housing Agency with term expiring 07/31/2027:

*Paula Hazelwood*  
*22704 Beverly Hills Lane*

Appoint the following to the Municipal Housing Agency with term expiring 07/31/2027:

*Kim Smith*  
*317 Wildwood*

CITY CLAIM NO. 25-PW-2298

RETURN TO:

CITY OF COUNCIL BLUFFS, IOWA

ATTN: CITY LEGAL DEPARTMENT

OR CITY CLERK

209 PEARL STREET

COUNCIL BLUFFS, IA 51503

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Kenneth W Lange

DUTY PHONE: [REDACTED]

ADDRESS: [REDACTED]

DOB: [REDACTED]

DATE & TIME OF LOSS/ACCIDENT: 12:30 pm June 5<sup>th</sup>, 2025

LOCATION OF LOSS/ACCIDENT: East Manawa Dr./parallel to National Concrete Cutting, southbound lane

DESCRIPTION OF LOSS/ACCIDENT: As I was travelling south on E Manawa Dr to my home on Redtail Rd, a blu/white short dump truck pulled out from National Concrete Cutting and headed north on E Manawa Dr. As the truck passed in the other direction by me, the back tire threw up a rock from the road and struck the lower left side of my windshield. I immediately contacted National Concrete Cutting, (712) 325-1125, personally and the manager told me that it was one of their trucks but the rock on the road came from the work area across E Manawa Dr. They gave me a number to PCI, (319)345-2713. I called them and they said it wasn't one of their trucks that caused the damage, so they wouldn't help me. I was told that this project on E Manawa Dr is a city project, so I called Public Works. I called my insurance company, it will be covered except for my deductible, which is \$500.00. There are no signs posted that make drivers aware there may be hazards or that there is a major construction project happening in the area next to E Manawa Dr. The ongoing project which has numerous large sized side dumper trucks hauling dirt into the site. When these trucks leave the site, they track the rock, gravel and dirt out onto E Manawa Dr. This causes hazardous road conditions, in my opinion. Thank you for your time and attention.

TOTAL DAMAGES CLAIMED: \$500.00

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

WAS POLICE REPORT FILED   YES X NO

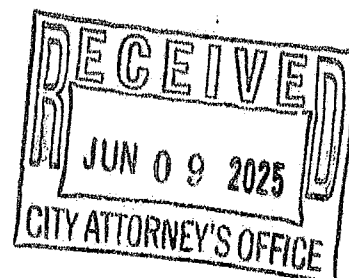
IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO.  
OF TREATING PHYSICIAN AND FACILITY:

HAVE YOU RESUMED NORMAL ACTIVITIES?   X YES    NO

CLERK

DATE

TIME



## Council Communication

Department: City Clerk  
Case/Project No.: ZC-25-002  
Submitted by: Christopher N.  
Gibbons, AICP, Planning Manager

Ordinance 6649  
ITEM 4.A.

Council Action: 6/23/2025

### Description

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020, by rezoning a portion Section 34-75-43, more specifically described in the Council packet, from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District, as defined in Chapter 15.08a. Location: 1305 State Orchard Road. ZC-25-002

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	5/30/2025
Attachment A: Proposed Tweedy's Landing Final Plat	Other	5/30/2025
Attachment B: Location/zoning map	Map	5/30/2025
Notice of Public Hearing	Notice	5/30/2025
Ordinance 6649	Ordinance	6/4/2025

## City Council Communication

<p>Department: Community Development</p> <p>CASES #SUB-25-004 and #ZC-25-002</p> <p>Applicant/Property Owner: Patrick and Rhonda Cunningham 1305 State Orchard Road Council Bluffs, IA 51503</p> <p>Engineer/Surveyor: Jeffrey D. Dimon, PLS HGM Associates Inc. 640 5<sup>th</sup> Avenue Council Bluffs, IA 51501</p>	<p>Ordinance No. _____</p> <p>Resolution No. _____</p>	<p><u>City Council</u></p> <p>CASE #ZC-25-002 1<sup>st</sup> Consideration: 6/9/2025 2<sup>nd</sup> Consideration: 6/23/2025 3<sup>rd</sup> Consideration: 7/14/2025</p> <p>CASE #SUB-25-004: 6/23/2025</p> <p>Planning Commission: 5/13/2025</p>
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### Subject/Title

**Request:** Combined public hearings on the request of Patrick and Rhonda Cunningham for final plat approval of a two-lot residential estate subdivision to be known as Tweety's Landing, along with a subdivision variance to allow proposed Lot 1, Tweety's Landing to exceed the maximum 3:1 lot depth-to-width ratio, on property legally described Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa and to rezone said property from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estate District.

**Location:** 1305 State Orchard Road, Council Bluffs, Iowa 51503

### Background

The Community Development Department has received applications from Patrick and Rhonda Cunningham for the following requests:

1. Case #SUB-25-004: Final plat approval of a two-lot residential subdivision to be known as Tweety's Landing, legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa. The applicant is also requesting a subdivision variance to allow proposed Lot 1 to exceed the maximum 3:1 lot depth-to-width ratio; and
2. Case #ZC-25-002: Rezone properties legally described above from A-2/Parks, Estates and Agricultural District to R-1E/Single-Family Residential Estates District.

The applicant owns property at 1305 State Orchard Road and the undeveloped agricultural parcel adjacent (Parcel #754334300017). The purpose of the above subdivision request is to combine their landholdings and create two lots of record. Proposed Lot 1 (37.786 acres) will contain the existing single-family dwelling, associated accessory structures, and agricultural land. Proposed Lot 2 (1.007 acres) will be developed with a detached single-family residential dwelling for the applicants son. All properties in this request are zoned A-2/Parks, Estates and Agricultural District, which allows a single-family detached dwelling as a principal use. The minimum lot size in an A-2 District is three acres. The proposed rezoning from A-2 to R-1E will allow for the creation of proposed Lot 2, as the minimum lot size for the R-1E District is one acre.

**CASE #SUB-25-004**

The proposed Tweedy's Landing subdivision contains 39.14 acres, more or less, of land that will be subdivided into two residential estate lots and includes the dedication of 0.348 acres for State Orchard Road right-of-way. Proposed Lot 1 (37.786 acres) will contain the existing single-family dwelling, associated accessory structures, and agricultural land. Proposed Lot 2 (1.007 acres) will be developed with a detached single-family residential dwelling for the applicants son. All lots will have direct frontage onto State Orchard Road; however, proposed Lot 2 will be accessed by a 20-foot-wide shared easement. The proposed final plat is included as Attachment 'A.'

**Comments**

- A. The proposed subdivision is consistent with the purpose and intent of Title 14: Subdivisions of the Council Bluffs Municipal Code. The applicant has submitted a request to rezone proposed Lots 1 and 2, Tweedy's Subdivision (see Case #ZC-25-002) from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District to ensure the proposed subdivision is consistent with Title 15: Zoning of the Council Bluffs Municipal Code.
- B. All proposed lots comply with minimum one acre R-1E/Single-Family Residential Estates District lot size requirements, as stated below:
  - 1. Proposed Lot 1 contains 37.786 acres of land (more/less); and
  - 2. Proposed Lot 2 contains 1.007 acres of land (more/less).

The minimum lot dimension requirements for property zoned R-1E District are 125' wide (measured at the building setback line) and 200' deep. Proposed Lot 1 will measure 660.23' wide by 2631.37' deep, which exceeds the maximum 3:1 lot depth-to-width ratio as stated in Section 14.14.020 *Lot Layout* of the Council Bluffs Subdivision Ordinance. As such, the applicants have requested a subdivision variance from the Council Bluffs City Council as part of the approval of their proposed Tweedy's Landing final plat. Section 14.11.040(A) of the Council Bluffs Subdivision Ordinance states: "*Where it can be shown that due to special conditions, a literal enforcement of this ordinance will result in an unnecessary hardship, the City shall the power to vary such regulation so that substantial justice will be accomplished, provided that such variance would:*

- 1. *Not be in contrary to the public interest;*
- 2. *Be in the best interest of the City;*
- 3. *Be within the spirit and intent of this title;*
- 4. *Not be detrimental to the future residents in and near the proposed subdivision;*
- 5. *Be consistent with the City's comprehensive plan."*

The Community Development Department has reviewed the applicant's variance request and recommends approval for the following reasons:

- i. The proposed subdivision is designed to be compatible with existing development in the surrounding area and is being laid out in such a manner to allow for further subdivision/development activity in the future. The subdivision variance is not anticipated to be detrimental to residents in and/or adjacent to the subdivision.
- ii. Proposed Lot 1, Tweedy's Landing is comprised of two existing lots of record that are being combined together to create a larger 37.7 acre tract of land. The applicants have to combine the two lots together as part of this final plat effort in order to avoid creating a landlocked parcel. This requirement causes proposed Lot 1 to exceed the maximum 3:1 lot depth-to-width ratio and thus a variance is necessary.



- iii. Proposed Lot 2 will be developed with a new single-family residential dwelling and proposed Lot 1 will continue to be utilized by the applicants as their primary residence. The size and shape of Lot 1 allows for further subdivision action(s) to occur in order to facilitate additional housing opportunities in the City.
  - iv. The Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) encourages housing diversity in order to meet the needs of the community and ensure the long-term stability of residential neighborhoods. The proposed subdivision final plat is consistent with this policy and is in the best interest of the City as it will increase access and diversify housing options in Council Bluffs.
- C. All development on the proposed lots shall comply with the site development standards listed in Section 15.08A.050, *Site Development Regulations*, for the R-1E District. The applicant shall provide documentation to the City's Community Development Department that shows the existing residential dwelling on proposed Lot 1 will have conforming R-1E District setbacks, prior to the final plat being executed by the City and recorded with the Pottawattamie County Recorder's Office.
- D. No new public streets are proposed within this subdivision as both lots in the subdivision have direct frontage onto State Orchard Road. A 20-foot-wide access easement is proposed over the existing driveway on Lot 1 and is intended to provide shared access to proposed Lot 2.
- E. All driveways and off-street parking areas within the proposed subdivision shall be hard-surfaced paved and designed in accordance with the standards stated in Section 15.23, *Off-Street Parking, Loading and Unloading*, of the Council Bluffs Municipal Code (Zoning Ordinance). The existing residential dwelling on Lot 1, Tweety's Landing has a gravel driveway that connects into State Orchard Road, which does not conform to current City hard-surface pavement standards. This driveway can remain in its current condition until such time development activity on the subject property requires the gravel driveway to be updated to current City standards, as stated in said Section 15.23 of the Council Bluffs Zoning Ordinance.
- F. The proposed Tweety's Landing subdivision is located along a northerly section of State Orchard Road, which does not have sanitary sewer, but has water, electric, and gas utilities available. The purpose of the proposed R-1E zoning designation is to allow for septic systems and on-site water wells to be utilized in areas of the City in which access to utilities is not readily available. Both lots within the proposed subdivision will be connected to public water and will utilize on-site septic systems, as sanitary sewer is located more than 200 feet away from the existing residential dwelling on proposed Lot 1 and is not available at all to proposed Lot 2.
- G. 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.
- H. The following existing easements are recorded on the subject property and are shown on the proposed final plat:
- 1. A 30-foot-wide storm sewer easement along the southwesterly/southerly portion of Lot 1, as recorded in Book 102, Page 44908.
  - 2. A 40-foot-wide sanitary sewer easement that bisects proposed Lot 1, as recorded in Book 106, Page 06391.
- I. The proposed final plat also includes the dedication of a 33' x 659.04' (0.348 acres) tract of land to the City of Council Bluffs for State Orchard Road right-of-way.
- J. The subject property is not located within a designated flood zone, as per FEMA FIRM Map Panel 19155C0581F, dated 4/16/2013.
- K. The following technical correction shall be made to the final plat prior to it being executed by the City of Council Bluffs:
- 1. The standard dedication of public easements shall appear on the final plat as stated below:  
*A perpetual easement is reserved for storm drainage and the installation and maintenance of utilities 5 feet wide along each side of interior lot lines and 10 feet in width along all front and rear lot lines:*

**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, provided however grantor shall have the right to place and maintain a surfaced roadway over and within the Easement Area.

**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.

**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.

**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.

**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.

**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.

**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.

**CASE #ZC-25-002**

The subject property is zoned A-2/Parks, Estates, and Agricultural District and is surrounded by the following zoning districts and existing land uses:

Direction	Existing Zoning Districts	Existing Land Uses
North	A-2/Parks, Estates, and Agricultural District and R-1E/Single-family Residential Estate District	Single-family residential dwellings and undeveloped land
South	A-2/Parks, Estates and Agricultural District and R-1/Single-family Residential District	Undeveloped land
East	R-1/Single-Family Residential District	Undeveloped land and single-family dwellings
West	A-2/Parks, Estates and Agricultural District and R-1/Single-family Residential District	Undeveloped land and single-family residential dwellings

A location/zoning map is included with this report as Attachment 'B.'

Public notices were mailed to all property owners within 200 feet of the subject property. No comments have been received as of the date of this report.

### Discussion

- A. The subject property is zoned A-2/Parks, Estates and Agricultural District and is proposed to be rezoned to R-1E/Single-Family Residential Estates District to allow for the proposed single-family residential estates development. The subject property is located along State Orchard Road, which does not have sanitary sewer, but has water, electric, and gas utilities available. The purpose of the proposed R-1E zoning designation is to allow for septic systems and on-site water wells to be utilized in areas of the City in which access to utilities is not readily available.
- B. The applicants will retain ownership of proposed Lot 1 and intend to sell proposed Lot 2 to their son, so that he can build a new single-family residential dwelling on the property.
- C. Both lots in Tweedy's Landing comply with minimum R-1E District lot size requirements and are capable of being developed. Proposed Lot 1 has potential to be further subdivided into multiple lots upon the extension of a roadway and/or infrastructure (i.e., sanitary sewer and water).
- D. The future land use map of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Low Density Residential.' Rezoning the subject property from A-2 District to R-1E District would support the goals of the Comprehensive Plan and would be an appropriate zoning designation based on the future land use map.

The rezoning and subdivision requests were routed to all City Departments and local utility providers. The following comments were received:

- A. Council Bluffs Fire Department stated they have no comments regarding the requests.
- B. Council Bluffs Police Department stated they have no comments regarding the requests.
- C. Council Bluffs Public Works Department stated a septic system is allowed for the existing residential dwelling on proposed Lot 1 and for the new dwelling on proposed Lot 2, as sanitary sewer is located more than 200' from either residence.
- D. Council Bluffs Water Works stated they have no comments for the requests.
- E. MidAmerican Energy Company stated they have no conflicts with the requests and the property owners and/or their agents should contact them directly to identify electrical service costs and responsibilities associated with development of the site.

### Recommendation

The Community Development Department recommends the following:

- A. Final plat approval of a two-lot residential subdivision to be known as Tweedy's Landing, legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments above and the conditions below:
  - 1. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Director.
  - 2. 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.
  - 3. All utilities shall be installed underground. Any costs to construct, remove, and/or relocate any utilities shall be the responsibility of the applicant and/or developer, not the City.
  - 4. All applicable permits necessary to meet local, state, and federal requirements shall be the applicants responsibility; and
  - 5. Granting a subdivision variance to allow proposed Lot 1, Tweedy's Landing to exceed the maximum 3:1 lot depth-to-width ratio, as stated in Section 14.14.020 *Lot Layout* of the Council Bluffs Subdivision Ordinance, based on reasons stated above.

- B. Approval of the request to rezone property legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District, subject to the comments stated above.

### **Public Hearing**

Staff speakers for the request:

1. Christopher Gibbons, Planning & Code Compliance Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs IA, 51503

Speakers in favor:

1. Patrick Cunningham, 1305 State Orchard Road, Council Bluffs, IA 515103

Speakers against: None

The Community Development Department recommends the following:

- A. Final plat approval of a two-lot residential subdivision to be known as Tweedy's Landing, legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments above and the conditions below:
  1. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Director.
  2. 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.
  3. All utilities shall be installed underground. Any costs to construct, remove, and/or relocate any utilities shall be the responsibility of the applicant and/or developer, not the City.
  4. All applicable permits necessary to meet local, state, and federal requirements shall be the applicants responsibility; and
  5. Granting a subdivision variance to allow proposed Lot 1, Tweedy's Landing to exceed the maximum 3:1 lot depth-to-width ratio, as stated in Section 14.14.020 *Lot Layout* of the Council Bluffs Subdivision Ordinance, based on reasons stated above.
- B. Approval to rezone property legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District, subject to the comments stated above.

VOTE: AYE – Freund, Knauss, Rater, Rew, Stroebele, VanHouten, and Watson. NAY – None. ABSTAIN – None. ABSENT – Hutcheson. VACANT - Three Motion: Carried.

### **Attachments**

Attachment A: Proposed Tweedy's Landing Final Plat

Attachment B: Location/zoning map

Prepared by: Christopher N. Gibbons, Planning Manager, Community Development Department

for: hgm:102625 S:\Survey\Drafting\T:\Drafting\102625\_Cunningham-1805\_State\_Orchard\Engineering\Drawg\Survey\102625\_Cunningham\_1805\_State\_Orchard.dwg

LOT:  
BLOCK:  
SUBDIVISION:  
ALLOT PART: N1/2 S1/2 SW1/4  
SECTION: 34 / TOWNSHIP: 75 / RANGE: 43  
CITY: COUNCIL BLUFFS  
COUNTY: POTTAWATTAMIE  
PROPRIETOR: PATRICK JOSEPH AND RHONDA LUCILLE CUNNINGHAM  
REQUESTED BY: PATRICK CUNNINGHAM  
DATE OF FIELD SURVEY: APRIL 7, 2025

CITY COUNCIL

COMMUNITY DEVELOPMENT DIRECTOR: COURTNEY HARTER      DATE

A. NO 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

NOTARY PUBLIC IN AND FOR SAID STATE MY COMMISSION EXPIRES \_\_\_\_\_

PROFESSIONAL LAND SURVEYOR  
JEFFREY D.  
DIMON  
29399  
IOWA

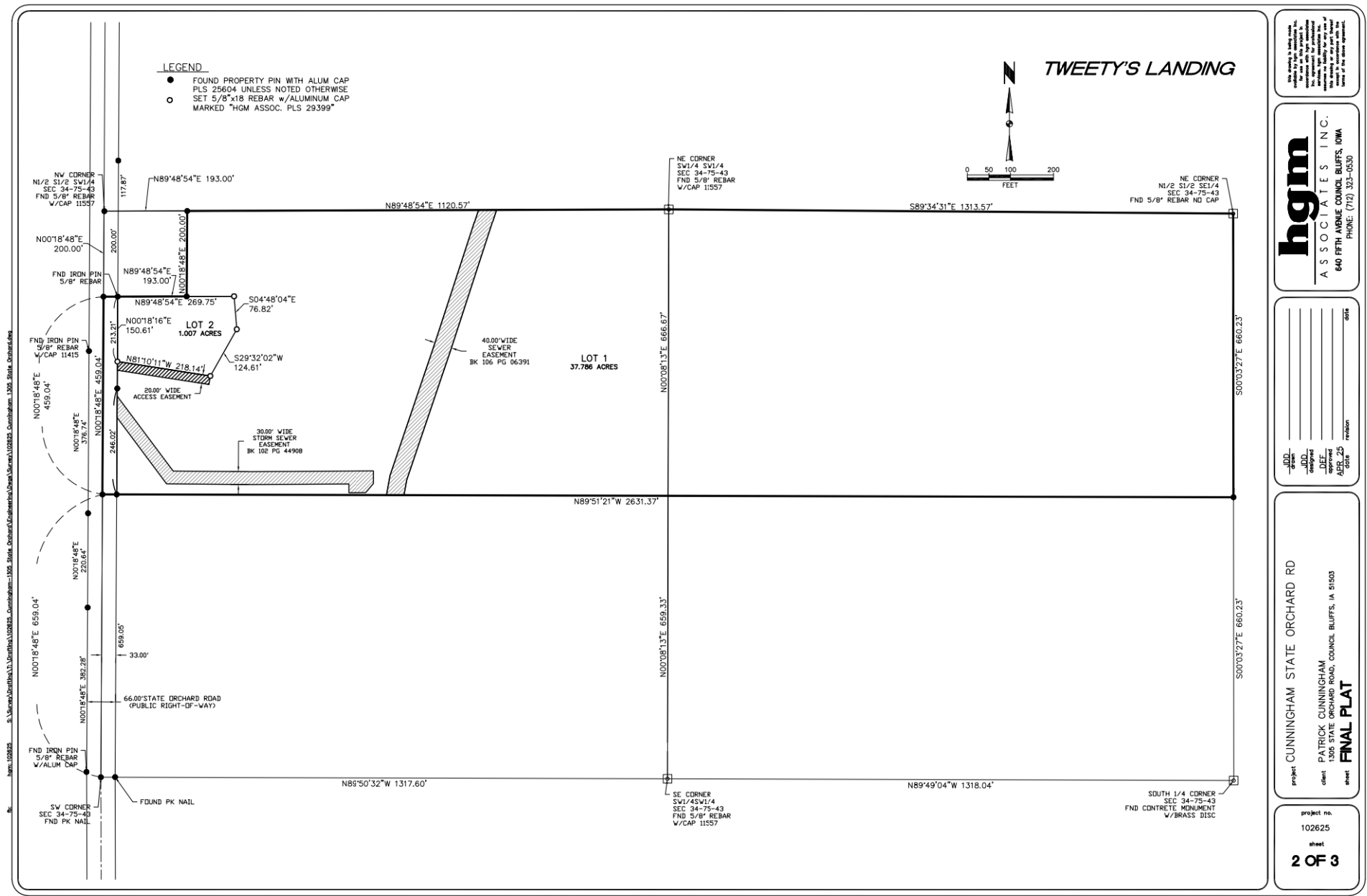
this drafting is being made available by Hym Associates Inc. for use on this project in accordance with Hym Associates Inc. agreement for professional services. Hym Associates Inc. assumes no liability for any use of this drafting or any part thereof except in accordance with the terms of the above agreement.

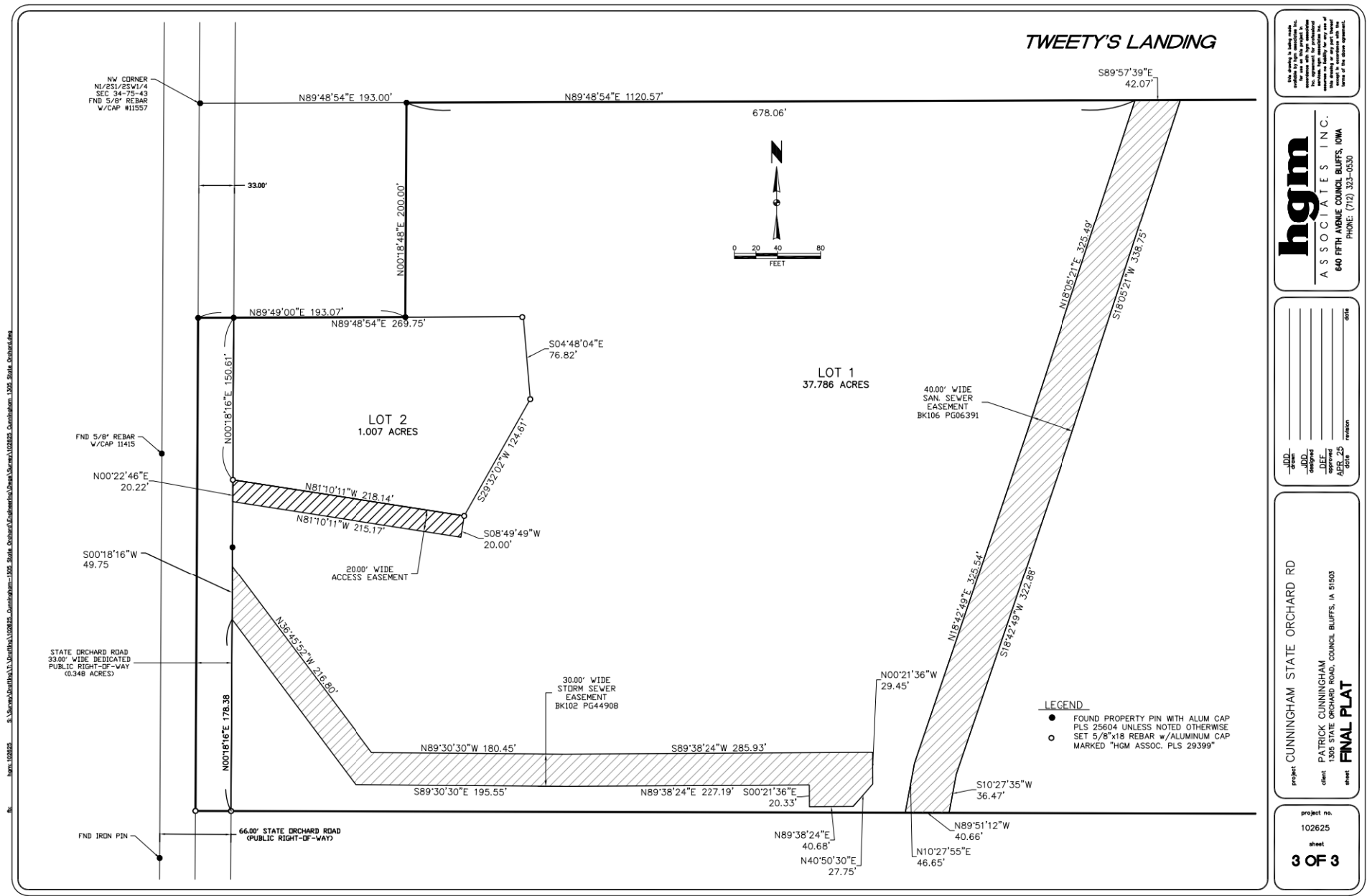
**hgm**  
ASSOCIATES INC.  
640 FIFTH AVENUE COUNCIL BLUFFS, IOWA  
PHONE: (712) 323-0530

JDD \_\_\_\_\_  
drawn \_\_\_\_\_  
JDD \_\_\_\_\_  
designed \_\_\_\_\_  
DEF \_\_\_\_\_  
approved \_\_\_\_\_  
APR 25 \_\_\_\_\_  
date \_\_\_\_\_ revision \_\_\_\_\_

Project CUNNINGHAM STATE ORCHARD RD  
Client PATRICK CUNNINGHAM  
1305 STATE ORCHARD ROAD, COUNCIL BLUFFS, IA 51503  
Sheet **FINAL PLAN**

project no.  
102625  
sheet  
**1 OF 3**







# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #SUB-25-004 AND #ZC-25-002 LOCATION/ZONING MAP

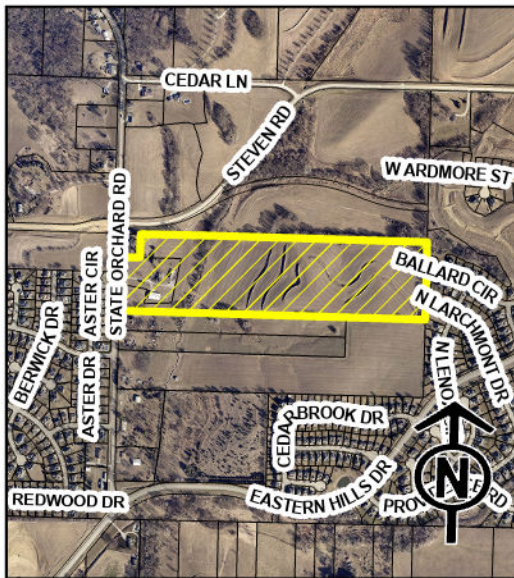
## Attachment B

### Legend

Subject Properties Cases  
#SUB-25-004 and  
#ZC-25-002

0 280 560

1 inch = 412 feet

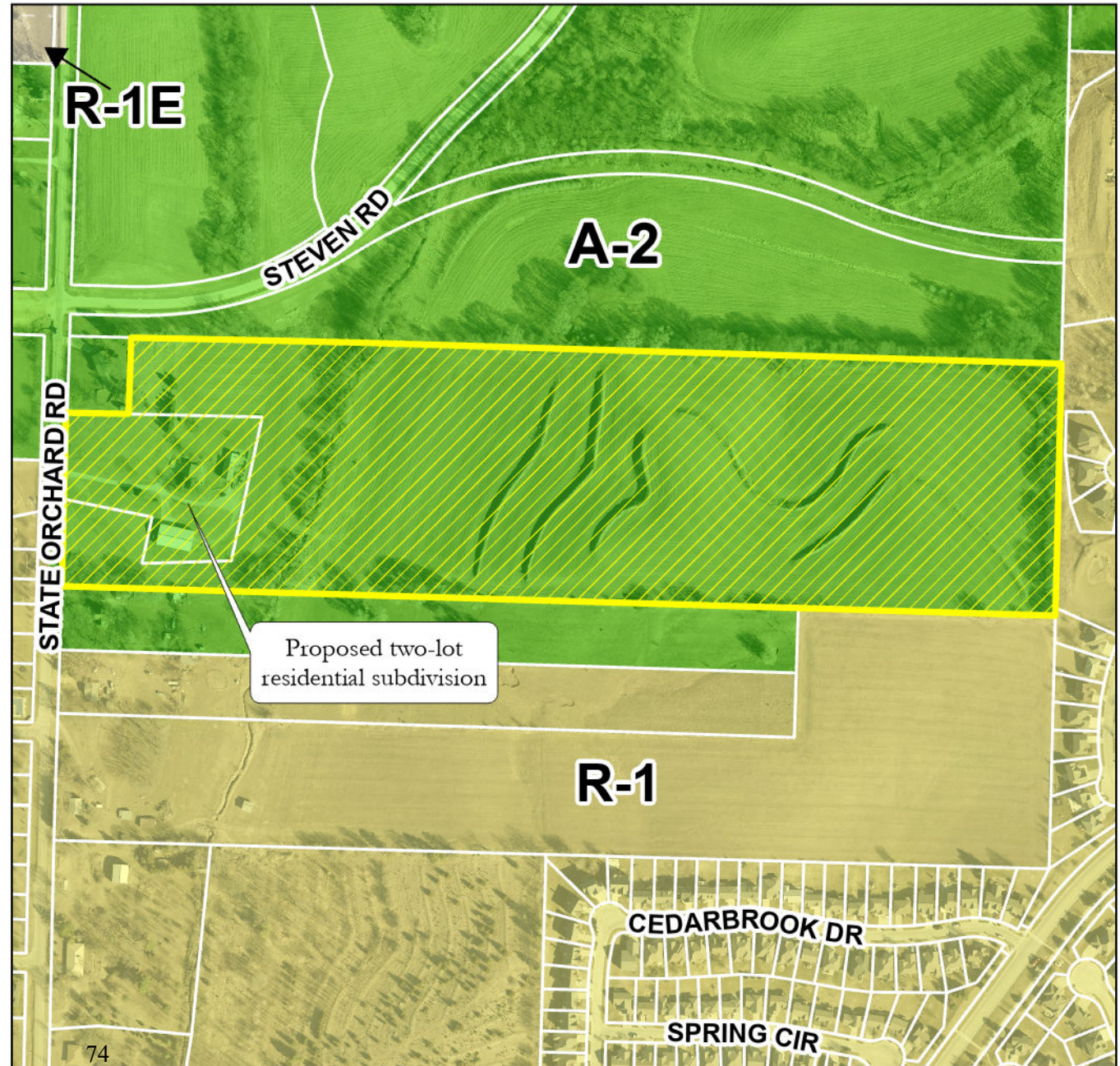


Last Amended: 4/16/2025



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. The City and its employees do not warrant the accuracy of the information contained on this map. 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**

You are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing for June 23, 2025 at 7:00 p.m. in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs at which time all persons interested in this matter will be given an opportunity to be heard on the request of Patrick and Rhonda Cunningham to rezone properties legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estate District.

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Jodi Quakenbush, City Clerk

**ORDINANCE NO. 6649**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.27.020 OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS PARCEL 25028 BEING A PORTION OF NORTH 1/2 OF THE SOUTH 1/2 OF THE SW 1/4 OF SECTION 34-75-43, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, FROM A-2/PARKS, ESTATES, AND AGRICULTURAL DISTRICT TO R-1E/SINGLE-FAMILY RESIDENTIAL ESTATES DISTRICT, AS SET FORTH AND DEFINED IN CHAPTERS 15.08A 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 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning property legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District, as set forth and defined in Chapter 15.08A 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 APPROVED

June 23, 2025.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk

First Consideration: 6-9-25

Second Consideration: 6-23-25

Public Hearing: 6-23-25

Third Consideration: \_\_\_\_\_

## Council Communication

Department: City Clerk  
Case/Project No.: ZC-25-003  
Submitted by: Moises Monrroy,  
Planner

Ordinance 6650  
ITEM 4.B.

Council Action: 6/23/2025

### Description

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020, by rezoning part of Section 22-75-43, more specifically described in the Council packet, from A-2/Parks, Estates, and Agricultural District to I-1/Light Industrial District as defined in Chapter 15.20. Location: Undeveloped land lying south of 2025 Hunt Avenue. ZC-25-003

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	5/30/2025
Attachment A: Location/Zoning Map	Map	5/30/2025
Attachment B: Letter of Intent	Letter	5/30/2025
Attachment C: Conceptual Site Layout	Other	5/30/2025
Notice of Public Hearing	Notice	5/30/2025
Ordinance 6650	Ordinance	6/4/2025

### City Council Communication

Department: Community Development  CASE #ZC-25-003  Applicant/Property Owner: LKM Investments LLC Michael Earl 6214 California Street Omaha, NE 68132	Ordinance No. _____	City Council  1 <sup>st</sup> Consideration: 6/9/2025 2 <sup>nd</sup> Consideration: 6/23/2025 3 <sup>rd</sup> Consideration: Request to be waived by applicant  Planning Commission: 5/13/2025
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#### Subject/Title

**Request:** Public hearing on the request of LKM Investments LLC, represented by Michael Earl, to rezone property legally described as a tract of land located in part of the NE ¼ SW ¼ and in part of the SE ¼ NW ¼, lying east of Hunt Avenue and north of Highway 6, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District.

**Location:** Undeveloped land lying south of 2025 Hunt Avenue

#### Background

The Community Development Department has received two applications from LKM Investments LLC, represented by Michael Earl, for the following requests:

- A. Case #ZC-25-003: Rezone undeveloped property legally described as a tract of land located in part of the NE ¼ SW ¼ and in part of the SE ¼ NW ¼, lying east of Hunt Avenue and north of Highway 6, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District; and
- B. Case #ZC-25-004: Rezone undeveloped property legally described as a tract of land located in part of the SE ¼ NW ¼, except the southerly 344.75 feet thereof, lying east of Hunt Avenue, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District.

The subject property is an undeveloped tract of land lying south of 2025 Hunt Avenue, located in the immediate vicinity of the I-80/U.S. Highway 6 interchange. As noted above, the applicant has also submitted a request to rezone property lying north of 2025 Hunt Avenue (see Case #ZC-25-004). The purpose of these requests is to allow the applicant to develop and/or market both properties for commercial and/or industrial uses. Potential land uses proposed by the applicant include a gas station/convenience store, a truck stop, and a hardware/home improvement store.

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

Direction	Zoning District(s)	Land Uses
North	A-2/Parks, Estates and Agricultural District	Iowa State Patrol
South	A-2/Parks, Estates and Agricultural District	Undeveloped land and U.S. Highway 6
East	A-4/Loess Hills District (County)	Single-family homes
West	P-I/Planned Industrial District	Undeveloped land

The Future Land Use Plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Office/Industrial.'

Property Owner Notification – Public notices were mailed to all property owners within 200 feet of the request. The following comment was received:

- A. Eneh Okoruwa, owner of 21524 Hunt Avenue, contacted the Community Development Department and asked how the proposed rezoning would affect her property. The Community Development Department informed Mrs. Okoruwa that her property was not included in the proposed rezoning. Mrs. Okoruwa stated she was concerned the proposed rezoning to an industrial zoning district would have an adverse impact on the character of the residential properties located outside City limits. Mrs. Okoruwa also expressed concern on the potential noise that could be generated by commercial and/or industrial development that occurs on the subject property.

City Departments and Utilities – All appropriate City departments and utility providers were notified of the proposed planned commercial development plan. The following comments were received:

- A. The Council Bluffs Public Works Department stated that they had no comments on the request.
- B. The Iowa Department of Transportation stated that they had no concerns with the request.
- C. Council Bluffs Water Works stated that there are no water mains to serve the subject property and thus a main extension would be required if the applicant wishes to establish water service to this site.
- D. MidAmerican Energy stated that they have no conflicts with the request. They also stated that the applicant or their agents should contact MidAmerican Energy directly to discuss development plans and project timelines, as well as identify costs and responsibilities associated with the extension of electric service.

#### **Discussion**

- A. The minimum lot area requirement in the I-1/Light Industrial District is 10,000 square feet. The subject property contains 5.90 acres (257,027 square feet), more or less, in land area, thus complies with the minimum lot size requirements in the I-1 District.
- B. If the proposed rezoning is approved, any future development that occurs on the subject property shall comply with all site development standards in Chapter 15.20, I-1/Light Industrial District, of the Council Bluffs Municipal Code (Zoning Ordinance).
- C. The applicant has not provided a specific development proposal for the subject property. The proposed rezoning would allow a variety of commercial and industrial uses on the subject property. Potential land uses proposed by the applicant include a gas station/convenience store, a truck stop, and a hardware/home improvement store. A conceptual site layout illustrating how the subject property could be developed as a truck stop is shown on Attachment 'C.'
  - 1. An 'auto service establishment' is defined in Section 15.03.049 of the Council Bluffs Municipal Code (Zoning Ordinance) as "an establishment or place of business engaged in the service of automobiles and related light equipment." A gas station would fall under this definition. 'Auto service establishment' is a principal use in the I-1 District and thus would be allowed on the subject property if the proposed rezoning is approved.
  - 2. A 'retail shopping establishment' is defined in Section 15.03.592 of the Council Bluffs Municipal Code (Zoning Ordinance) as "a store or shop engaged in the sale of commodities or goods to individual consumers for personal use rather than for resale." Hardware stores and home improvement stores would fall under this definition. 'Retail shopping establishment' is a principal use in the I-1 District and thus would be allowed on the subject property if the proposed rezoning is approved.

3. A 'truck service establishment' is defined in Section 15.03.651 of the Council Bluffs Municipal Code (Zoning Ordinance) as "a facility engaged in rendering service specially to trucks and related heavy equipment, including sales of fuel, lubricants, parts and accessories, parking, equipment repair, retail sales, restaurants and lodging." A truck stop would fall under this definition. 'Truck service establishment' is a conditional use in the I-1 District. If the proposed rezoning is approved, a conditional use permit issued by the Zoning Board of Adjustment would be required to allow a truck stop on the subject property.
- D. The Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Office/Industrial,' which includes uses related to low-impact assembly or distribution activities complemented by employment-intensive, administrative, or professional office functions. The proposed rezoning is generally consistent with the 'Office/Industrial' designation. The proposed rezoning would also enable additional development opportunities near the I-80/U.S. Highway 6 interchange.
- E. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are not readily available to service the subject property. The applicant shall coordinate the extension of utilities to service the subject property with each utility provider as needed.

#### **Recommendation**

The Community Development Department recommends approval of the request to rezone property legally described as a tract of land located in part of the NE ¼ SW ¼ and in part of the SE ¼ NW ¼, lying east of Hunt Avenue and north of Highway 6, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District, based to 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

Speakers in favor:

1. Michael Earl, LKM Investments, LLC, 6214 California Street, Omaha, NE 68132

Speakers against: None

The City Planning Commission recommended approval of the request to rezone property legally described as a tract of land located in part of the NE ¼ SW ¼ and in part of the SE ¼ NW ¼, lying east of Hunt Avenue and north of Highway 6, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District, based to the reasons stated above.

VOTE: AYE – Freund, Knauss, Rater, Rew, Stroebele, VanHouten, and Watson. NAY – None. ABSTAIN – None. ABSENT – Hutcheson. VACANT - Three Motion: Carried.

#### **Attachments**

Attachment A: Location/Zoning Map  
Attachment B: Letter of Intent  
Attachment C: Conceptual Site Layout

Prepared by: Moises Monrroy, Planner, Community Development Department

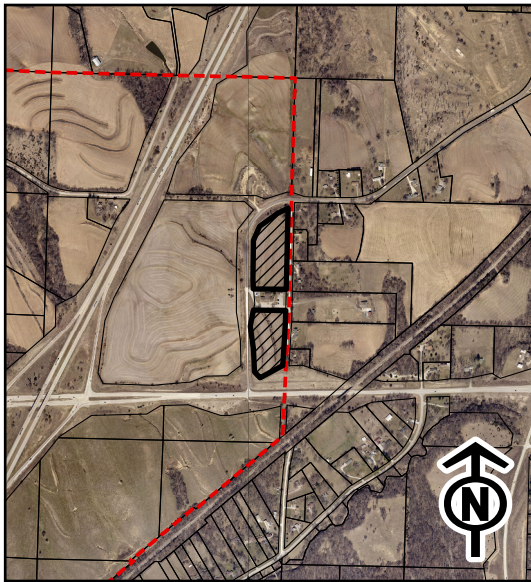


# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #ZC-25-003 & #ZC-25-004 LOCATION/ZONING MAP

## Legend

-  Subject Properties
-  Council Bluffs City Limits

0 195 390  
1 inch = 292 feet



Last Amended: 4/17/25



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 expressly denies any and all responsibility for errors, if any, in the information contained on this map of the nature 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'

May 1, 2025

Sent- Via email-[cgibbons@councilbluffs-ia.gov](mailto:cgibbons@councilbluffs-ia.gov)

Mr. Christopher N. Gibbons, AICP  
Planning and Code Compliance Manger  
Community Development Department  
209 Pearl Street  
Council Bluffs, IA 51503

**RE: Letter of Intent- use and purpose for rezoning  
Parcel #754322326001 and Parcel #754322100007  
Pottawattamie County, Council Bluffs, IA 51503**

Mr. Gibbons,

Thank you for your call last week. This Letter of Intent shall describe the purpose and reason for the Rezoning/Comprehensive Plan Amendment Applications submitted previously.

LKM Investments ETAL submitted said Applications with the intent of developing and/or selling the two parcels referenced above to various type users allowed within the Council Bluffs Light Industrial Zoning Code. More specifically, Parcel #754322326001, as referenced in the survey attached to the Application as Parcel 1, it is the applicant's intent to sell said parcel to one or two users that will benefit from exposure to Hwy 6. The users that are being targeted are C-store and Truckstop that would use the entire parcel. Alternatively, industrial type owner/users with a showroom or retail component who would benefit from the exposure to Hwy 6. Examples are- hardware stores, supply stores, home improvement stores.

Parcel #754322100007, as referenced in the survey attached to the Application as Parcel 2, it is our intent to sell or develop said parcel. We believe the highest and best uses for this parcel will vary from multiple flex-industrial type users who would want the ability for outside storage to mini-storage use. Given the size of this parcel, we expect multiple buildings that may require the parcel to be subdivided in the future.

We are in the process of creating concept plans to be added to both applications. Unfortunately, they will not be ready until sometime next week.

Please contact me with any questions or comments.



Sincerely,

A handwritten signature in black ink that reads "Michael P. Earl". The signature is written in a cursive style with a large, stylized 'M' and 'E'.

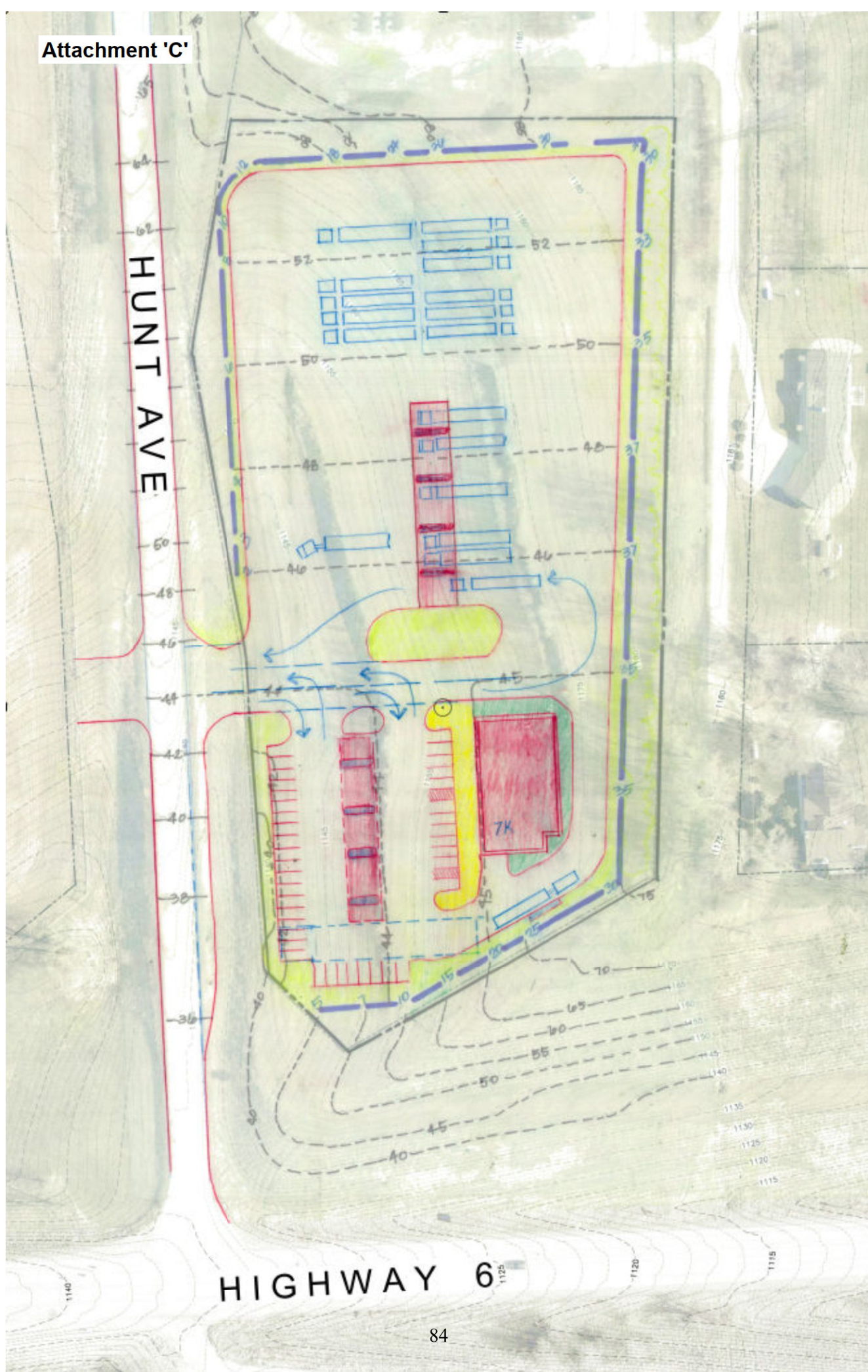
Michael P. Earl

LKM Investments ETAL

CC:

Moises Monrroy, Planner, Community Development Department-[mmonrroy@councilbluffs-ia.gov](mailto:mmonrroy@councilbluffs-ia.gov)

Greg Mahloch, d.b.a GAM4 Holdings LLC- [Mahloch8@aol.com](mailto:Mahloch8@aol.com)



## **NOTICE OF PUBLIC HEARING**

You are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing for June 23, 2025 at 7:00 p.m. in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs at which time all persons interested in this matter will be given an opportunity to be heard on the request of LKM Investments LLC to rezone property legally described as a tract of land located in part of the NE ¼ SW ¼ and in part of the SE ¼ NW ¼, lying east of Hunt Avenue and north of Highway 6, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District.

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Jodi Quakenbush, City Clerk

**ORDINANCE NO. 6650**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.27.020 OF THE 2025 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS A TRACT OF LAND LOCATED IN PART OF THE NE ¼ SW ¼ AND IN PART OF THE SE ¼ NW ¼, LYING EAST OF HUNT AVENUE AND NORTH OF HIGHWAY 6, ALL IN SECTION 22-75-43, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA FROM A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT TO I-1/LIGHT INDUSTRIAL DISTRICT AND DEFINED IN CHAPTER 15.20 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 2025 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning property legally described as a tract of land located in part of the legally described as a tract of land located in part of the NE ¼ SW ¼ and in part of the SE ¼ NW ¼, lying east of Hunt Avenue and north of Highway 6, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District, as set forth and defined in Chapter 15.20 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 APPROVED

June 23, 2025.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk

First Consideration: 6-9-25

Second Consideration: 6-23-25

Public Hearing: 6-23-25

Third Consideration: \_\_\_\_\_

## Council Communication

Department: City Clerk  
Case/Project No.: ZC-25-004  
Submitted by: Moises Monrroy,  
Planner

Ordinance 6651  
ITEM 4.C.

Council Action: 6/23/2025

### Description

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020, by rezoning part of Section 22-75-43, more specifically described in the Council packet, from A-2/Parks, Estates, and Agricultural District to I-1/Light Industrial District as defined in Chapter 15.20. Location: Undeveloped land lying north of 2025 Hunt Avenue. ZC-25-004

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	5/30/2025
Attachment A: Location/Zoning Map	Map	5/30/2025
Attachment B: Letter of Intent	Letter	5/30/2025
Attachment C: Conceptual Site Layout	Other	5/30/2025
Notice of Public Hearing	Notice	5/30/2025
Ordinance 6651	Ordinance	6/4/2025

### City Council Communication

Department: Community Development  CASE #ZC-25-004  Applicant/Property Owner: LKM Investments LLC Michael Earl 6214 California Street Omaha, NE 68132	Ordinance No. _____	<u>City Council</u>  1 <sup>st</sup> Consideration: 6/9/2025 2 <sup>nd</sup> Consideration: 6/23/2025 3 <sup>rd</sup> Consideration: Request to be waived by applicant  Planning Commission: 5/13/2025
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#### Subject/Title

**Request:** Public hearing on the request of LKM Investments LLC, represented by Michael Earl, to rezone property legally described as a tract of land located in part of the SE ¼ NW ¼, except the southerly 344.75 feet thereof, lying east of Hunt Avenue, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District.

**Location:** Undeveloped land lying north of 2025 Hunt Avenue

#### Background

The Community Development Department has received two applications from LKM Investments LLC, represented by Michael Earl, for the following requests:

- A. Case #ZC-25-003: Rezone undeveloped property legally described as a tract of land located in part of the NE ¼ SW ¼ and in part of the SE ¼ NW ¼, lying east of Hunt Avenue and north of Highway 6, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District; and
- B. Case #ZC-25-004: Rezone undeveloped property legally described as a tract of land located in part of the SE ¼ NW ¼, except the southerly 344.75 feet thereof, lying east of Hunt Avenue, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District.

The subject property is an undeveloped tract of land lying north of 2025 Hunt Avenue, located in the immediate vicinity of the I-80/U.S. Highway 6 interchange. As noted above, the applicant has also submitted a request to rezone property lying south of 2025 Hunt Avenue (see Case #ZC-25-003). The purpose of these requests is to allow the applicant to develop and/or market both properties for commercial and/or industrial uses. The applicant has not provided a specific development proposal for the subject property, but has indicated the subject property could be developed with multiple flex-industrial type users.

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

Direction	Zoning District(s)	Land Uses
North	A-2/Parks, Estates and Agricultural District	Undeveloped land
South	A-2/Parks, Estates and Agricultural District	Iowa State Patrol
East	A-4/Loess Hills District (County)	Single-family homes
West	P-I/Planned Industrial District	Undeveloped land

The Future Land Use Plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Office/Industrial.'

Property Owner Notification – Public notices were mailed to all property owners within 200 feet of the request. The following comment was received:

- A. Eneh Okoruwa, owner of 21524 Hunt Avenue, contacted the Community Development Department and asked how the proposed rezoning would affect her property. The Community Development Department informed Mrs. Okoruwa that her property was not included in the proposed rezoning. Mrs. Okoruwa stated she was concerned the proposed rezoning to an industrial zoning district would have an adverse impact on the character of the residential properties located outside City limits. Mrs. Okoruwa also expressed concern on the potential noise that could be generated by commercial and/or industrial development that occurs on the subject property.

City Departments and Utilities – All appropriate City departments and utility providers were notified of the proposed planned commercial development plan. The following comments were received:

- A. The Council Bluffs Public Works Department stated that they had no comments on the request.
- B. The Iowa Department of Transportation stated that they had no concerns with the request.
- C. Council Bluffs Water Works stated that there are no water mains to serve the subject property and thus a main extension would be required if the applicant wishes to establish water service to this site.
- D. MidAmerican Energy stated that they have no conflicts with the request. They also stated that the applicant or their agents should contact MidAmerican Energy directly to discuss development plans and project timelines, as well as identify costs and responsibilities associated with the extension of electric service.

#### **Discussion**

- A. The minimum lot area requirement in the I-1/Light Industrial District is 10,000 square feet. The subject property contains 7.06 acres (307,626 square feet), more or less, in land area, thus complies with the minimum lot size requirements in the I-1 District.
- B. If the proposed rezoning is approved, all future development that occurs on the subject property shall comply with the site development standards in Chapter 15.20, I-1/Light Industrial District, of the Council Bluffs Municipal Code (Zoning Ordinance).
- C. The applicant has not provided a specific development proposal for the subject property. The proposed rezoning would allow a variety of commercial and industrial uses on the subject property. The applicant has indicated the subject property could be developed with multiple flex-industrial type users. A conceptual site layout illustrating how the subject property could be developed with a 50,000-square foot warehouse building is shown on Attachment 'C.'
  - 1. If the proposed rezoning is approved, all future development that occurs on the subject property shall comply with the land use regulations in Chapter 15.20, I-1/Light Industrial District, of the Council Bluffs Municipal Code (Zoning Ordinance).
  - 2. Outdoor storage of materials and/or equipment is a component of land uses such as contractor yards and storage yards. Said land uses are not allowed in the I-1 District. If the proposed rezoning is approved, all materials and equipment associated with any of the business(es) that operate on the subject property shall be stored within an enclosed structure.
- D. The Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Office/Industrial,' which includes uses related to low-impact assembly or distribution activities complemented by employment-intensive, administrative, or professional office functions. The proposed rezoning is generally consistent with the

‘Office/Industrial’ designation. The proposed rezoning would also enable additional development opportunities near the I-80/U.S. Highway 6 interchange.

- E. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are not readily available to service the subject property. The applicant shall coordinate the extension of utilities to service the subject property with each utility provider as needed.

#### **Recommendation**

The Community Development Department recommends approval of the request to rezone property legally described as a tract of land located in part of the SE ¼ NW ¼, except the southerly 344.75 feet thereof, lying east of Hunt Avenue, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District, based to 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

Speakers in favor:

1. Michael Earl, LKM Investments, LLC, 6214 California Street, Omaha, NE 68132

Speakers against: None

The City Planning Commission recommended approval of the request to rezone property legally described as a tract of land located in part of the SE ¼ NW ¼, except the southerly 344.75 feet thereof, lying east of Hunt Avenue, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District, based to the reasons stated above.

VOTE: AYE – Freund, Knauss, Rater, Rew, Stroebele, VanHouten, and Watson. NAY – None. ABSTAIN – None. ABSENT – Hutcheson. VACANT - Three Motion: Carried.

#### **Attachments**

Attachment A: Location/Zoning Map  
Attachment B: Letter of Intent  
Attachment C: Conceptual Site Layout

Prepared by: Moises Monrroy, Planner, Community Development Department

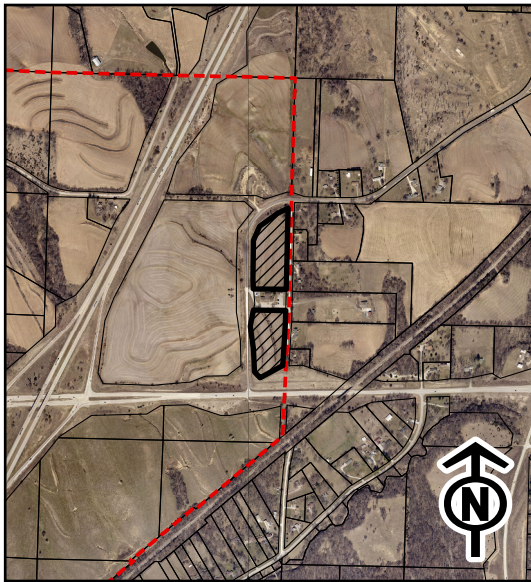


# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #ZC-25-003 & #ZC-25-004 LOCATION/ZONING MAP

## Legend

-  Subject Properties
-  Council Bluffs City Limits

0 195 390  
1 inch = 292 feet



Last Amended: 4/17/25



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

**DISCLAIMER**  
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## Attachment 'B'

May 1, 2025

Sent- Via email-[cgibbons@councilbluffs-ia.gov](mailto:cgibbons@councilbluffs-ia.gov)

Mr. Christopher N. Gibbons, AICP  
Planning and Code Compliance Manger  
Community Development Department  
209 Pearl Street  
Council Bluffs, IA 51503

**RE: Letter of Intent- use and purpose for rezoning  
Parcel #754322326001 and Parcel #754322100007  
Pottawattamie County, Council Bluffs, IA 51503**

Mr. Gibbons,

Thank you for your call last week. This Letter of Intent shall describe the purpose and reason for the Rezoning/Comprehensive Plan Amendment Applications submitted previously.

LKM Investments ETAL submitted said Applications with the intent of developing and/or selling the two parcels referenced above to various type users allowed within the Council Bluffs Light Industrial Zoning Code. More specifically, Parcel #754322326001, as referenced in the survey attached to the Application as Parcel 1, it is the applicant's intent to sell said parcel to one or two users that will benefit from exposure to Hwy 6. The users that are being targeted are C-store and Truckstop that would use the entire parcel. Alternatively, industrial type owner/users with a showroom or retail component who would benefit from the exposure to Hwy 6. Examples are- hardware stores, supply stores, home improvement stores.

Parcel #754322100007, as referenced in the survey attached to the Application as Parcel 2, it is our intent to sell or develop said parcel. We believe the highest and best uses for this parcel will vary from multiple flex-industrial type users who would want the ability for outside storage to mini-storage use. Given the size of this parcel, we expect multiple buildings that may require the parcel to be subdivided in the future.

We are in the process of creating concept plans to be added to both applications. Unfortunately, they will not be ready until sometime next week.

Please contact me with any questions or comments.

Sincerely,

A handwritten signature in black ink that reads "Michael P. Earl". The signature is written in a cursive style with a large, stylized 'M' and 'E'.

Michael P. Earl

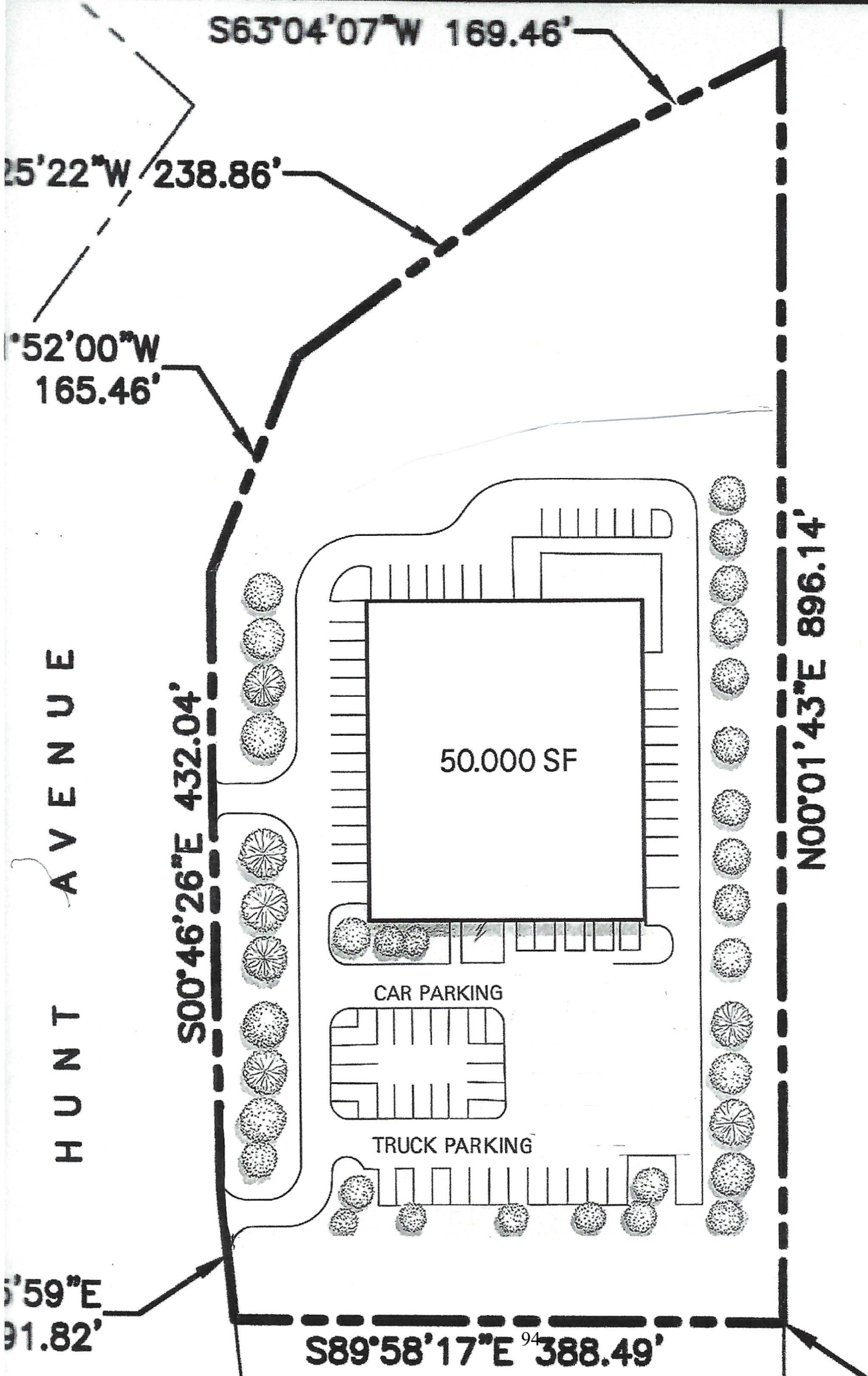
LKM Investments ETAL

CC:

Moises Monrroy, Planner, Community Development Department-[mmonrroy@councilbluffs-ia.gov](mailto:mmonrroy@councilbluffs-ia.gov)

Greg Mahloch, d.b.a GAM4 Holdings LLC- [Mahloch8@aol.com](mailto:Mahloch8@aol.com)

PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION 22-75-43



## **NOTICE OF PUBLIC HEARING**

You are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing for June 23, 2025 at 7:00 p.m. in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs at which time all persons interested in this matter will be given an opportunity to be heard on the request of LKM Investments LLC to rezone property legally described as a tract of land located in part of the SE ¼ NW ¼, except the southerly 344.75 feet thereof, lying east of Hunt Avenue, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District.

---

Jodi Quakenbush, City Clerk

**ORDINANCE NO. 6651**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.27.020 OF THE 2025 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS A TRACT OF LAND LOCATED IN PART OF THE SE ¼ NW ¼, EXCEPT THE SOUTHERLY 344.75 FEET THEREOF, LYING EAST OF HUNT AVENUE, ALL IN SECTION 22-75-43, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA FROM A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT TO I-1/LIGHT INDUSTRIAL DISTRICT AND DEFINED IN CHAPTER 15.20 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 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning property legally described as a tract of land located in part of the SE ¼ NW ¼, except the southerly 344.75 feet thereof, lying east of Hunt Avenue, all in Section 22-75-43, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates and Agricultural District to I-1/Light Industrial District, as set forth and defined in Chapter 15.20 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 APPROVED

June 23, 2025.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk

First Consideration: 6-9-25

Second Consideration: 6-23-25

Public Hearing: 6-23-25

Third Consideration: \_\_\_\_\_

## Council Communication

Department: Community  
Development  
Case/Project No.: SUB-25-004  
Submitted by: Christopher N.  
Gibbons, Planning Manager

Resolution 25-162  
ITEM 4.D.

Council Action: 6/23/2025

### Description

Resolution granting final plat approval of a two-lot residential estate subdivision to be known as Tweedy's Landing, along with a subdivision variance to allow proposed Lot 1, Tweedy's Landing to exceed the maximum 3:1 lot depth-to-width ratio, on property described as Parcel 25028, more specifically described in the council packet. Location: 1305 State Orchard Road. SUB-25-004

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	6/13/2025
Attachment A: Proposed Tweedy's Landing Final Plat	Other	6/13/2025
Attachment B: Location/zoning map	Map	6/13/2025
Resolution 25-162	Resolution	6/18/2025

## City Council Communication

Department: Community Development  CASES #SUB-25-004 and #ZC-25-002  Applicant/Property Owner: Patrick and Rhonda Cunningham 1305 State Orchard Road Council Bluffs, IA 51503  Engineer/Surveyor: Jeffrey D. Dimon, PLS HGM Associates Inc. 640 5 <sup>th</sup> Avenue Council Bluffs, IA 51501	Ordinance No. _____  Resolution No. _____	<u>City Council</u>  CASE #ZC-25-002 1 <sup>st</sup> Consideration: 6/9/2025 2 <sup>nd</sup> Consideration: 6/23/2025 3 <sup>rd</sup> Consideration: 7/14/2025  CASE #SUB-25-004: 6/23/2025  Planning Commission: 5/13/2025
<b>Subject/Title</b>		
<p><b>Request:</b> Combined public hearings on the request of Patrick and Rhonda Cunningham for final plat approval of a two-lot residential estate subdivision to be known as Tweety’s Landing, along with a subdivision variance to allow proposed Lot 1, Tweety’s Landing to exceed the maximum 3:1 lot depth-to-width ratio, on property legally described Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa and to rezone said property from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estate District.</p> <p><b>Location:</b> 1305 State Orchard Road, Council Bluffs, Iowa 51503</p>		
<b>Background</b>		
<p>The Community Development Department has received applications from Patrick and Rhonda Cunningham for the following requests:</p> <ol style="list-style-type: none"> <li>1. <u>Case #SUB-25-004</u>: Final plat approval of a two-lot residential subdivision to be known as Tweety’s Landing, legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa. The applicant is also requesting a subdivision variance to allow proposed Lot 1 to exceed the maximum 3:1 lot depth-to-width ratio; and</li> <li>2. <u>Case #ZC-25-002</u>: Rezone properties legally described above from A-2/Parks, Estates and Agricultural District to R-1E/Single-Family Residential Estates District.</li> </ol> <p>The applicant owns property at 1305 State Orchard Road and the undeveloped agricultural parcel adjacent (Parcel #754334300017). The purpose of the above subdivision request is to combine their landholdings and create two lots of record. Proposed Lot 1 (37.786 acres) will contain the existing single-family dwelling, associated accessory structures, and agricultural land. Proposed Lot 2 (1.007 acres) will be developed with a detached single-family residential dwelling for the applicants son. All properties in this request are zoned A-2/Parks, Estates and Agricultural District, which allows a single-family detached dwelling as a principal use. The minimum lot size in an A-2 District is three acres. The proposed rezoning from A-2 to R-1E will allow for the creation of proposed Lot 2, as the minimum lot size for the R-1E District is one acre.</p>		



**CASE #SUB-25-004**

The proposed Tweedy's Landing subdivision contains 39.14 acres, more or less, of land that will be subdivided into two residential estate lots and includes the dedication of 0.348 acres for State Orchard Road right-of-way. Proposed Lot 1 (37.786 acres) will contain the existing single-family dwelling, associated accessory structures, and agricultural land. Proposed Lot 2 (1.007 acres) will be developed with a detached single-family residential dwelling for the applicants son. All lots will have direct frontage onto State Orchard Road; however, proposed Lot 2 will be accessed by a 20-foot-wide shared easement. The proposed final plat is included as Attachment 'A.'

**Comments**

- A. The proposed subdivision is consistent with the purpose and intent of Title 14: Subdivisions of the Council Bluffs Municipal Code. The applicant has submitted a request to rezone proposed Lots 1 and 2, Tweedy's Subdivision (see Case #ZC-25-002) from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District to ensure the proposed subdivision is consistent with Title 15: Zoning of the Council Bluffs Municipal Code.
- B. All proposed lots comply with minimum one acre R-1E/Single-Family Residential Estates District lot size requirements, as stated below:
  1. Proposed Lot 1 contains 37.786 acres of land (more/less); and
  2. Proposed Lot 2 contains 1.007 acres of land (more/less).

The minimum lot dimension requirements for property zoned R-1E District are 125' wide (measured at the building setback line) and 200' deep. Proposed Lot 1 will measure 660.23' wide by 2631.37' deep, which exceeds the maximum 3:1 lot depth-to-width ratio as stated in Section 14.14.020 *Lot Layout* of the Council Bluffs Subdivision Ordinance. As such, the applicants have requested a subdivision variance from the Council Bluffs City Council as part of the approval of their proposed Tweedy's Landing final plat. Section 14.11.040(A) of the Council Bluffs Subdivision Ordinance states: "*Where it can be shown that due to special conditions, a literal enforcement of this ordinance will result in an unnecessary hardship, the City shall the power to vary such regulation so that substantial justice will be accomplished, provided that such variance would:*

1. *Not be in contrary to the public interest;*
2. *Be in the best interest of the City;*
3. *Be within the spirit and intent of this title;*
4. *Not be detrimental to the future residents in and near the proposed subdivision;*
5. *Be consistent with the City's comprehensive plan."*

The Community Development Department has reviewed the applicant's variance request and recommends approval for the following reasons:

- i. The proposed subdivision is designed to be compatible with existing development in the surrounding area and is being laid out in such a manner to allow for further subdivision/development activity in the future. The subdivision variance is not anticipated to be detrimental to residents in and/or adjacent to the subdivision.
- ii. Proposed Lot 1, Tweedy's Landing is comprised of two existing lots of record that are being combined together to create a larger 37.7 acre tract of land. The applicants have to combine the two lots together as part of this final plat effort in order to avoid creating a landlocked parcel. This requirement causes proposed Lot 1 to exceed the maximum 3:1 lot depth-to-width ratio and thus a variance is necessary.

- iii. Proposed Lot 2 will be developed with a new single-family residential dwelling and proposed Lot 1 will continue to be utilized by the applicants as their primary residence. The size and shape of Lot 1 allows for further subdivision action(s) to occur in order to facilitate additional housing opportunities in the City.
  - iv. The Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) encourages housing diversity in order to meet the needs of the community and ensure the long-term stability of residential neighborhoods. The proposed subdivision final plat is consistent with this policy and is in the best interest of the City as it will increase access and diversify housing options in Council Bluffs.
- C. All development on the proposed lots shall comply with the site development standards listed in Section 15.08A.050, *Site Development Regulations*, for the R-1E District. The applicant shall provide documentation to the City's Community Development Department that shows the existing residential dwelling on proposed Lot 1 will have conforming R-1E District setbacks, prior to the final plat being executed by the City and recorded with the Pottawattamie County Recorder's Office.
- D. No new public streets are proposed within this subdivision as both lots in the subdivision have direct frontage onto State Orchard Road. A 20-foot-wide access easement is proposed over the existing driveway on Lot 1 and is intended to provide shared access to proposed Lot 2.
- E. All driveways and off-street parking areas within the proposed subdivision shall be hard-surfaced paved and designed in accordance with the standards stated in Section 15.23, *Off-Street Parking, Loading and Unloading*, of the Council Bluffs Municipal Code (Zoning Ordinance). The existing residential dwelling on Lot 1, Tweety's Landing has a gravel driveway that connects into State Orchard Road, which does not conform to current City hard-surface pavement standards. This driveway can remain in its current condition until such time development activity on the subject property requires the gravel driveway to be updated to current City standards, as stated in said Section 15.23 of the Council Bluffs Zoning Ordinance.
- F. The proposed Tweety's Landing subdivision is located along a northerly section of State Orchard Road, which does not have sanitary sewer, but has water, electric, and gas utilities available. The purpose of the proposed R-1E zoning designation is to allow for septic systems and on-site water wells to be utilized in areas of the City in which access to utilities is not readily available. Both lots within the proposed subdivision will be connected to public water and will utilize on-site septic systems, as sanitary sewer is located more than 200 feet away from the existing residential dwelling on proposed Lot 1 and is not available at all to proposed Lot 2.
- G. 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.
- H. The following existing easements are recorded on the subject property and are shown on the proposed final plat:
- 1. A 30-foot-wide storm sewer easement along the southwesterly/southerly portion of Lot 1, as recorded in Book 102, Page 44908.
  - 2. A 40-foot-wide sanitary sewer easement that bisects proposed Lot 1, as recorded in Book 106, Page 06391.
- I. The proposed final plat also includes the dedication of a 33' x 659.04' (0.348 acres) tract of land to the City of Council Bluffs for State Orchard Road right-of-way.
- J. The subject property is not located within a designated flood zone, as per FEMA FIRM Map Panel 19155C0581F, dated 4/16/2013.
- K. The following technical correction shall be made to the final plat prior to it being executed by the City of Council Bluffs:
- 1. The standard dedication of public easements shall appear on the final plat as stated below:  
*A perpetual easement is reserved for storm drainage and the installation and maintenance of utilities 5 feet wide along each side of interior lot lines and 10 feet in width along all front and rear lot lines:*

**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, provided however grantor shall have the right to place and maintain a surfaced roadway over and within the Easement Area.

**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.

**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.

**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.

**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.

**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.

**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.

#### **CASE #ZC-25-002**

The subject property is zoned A-2/Parks, Estates, and Agricultural District and is surrounded by the following zoning districts and existing land uses:

Direction	Existing Zoning Districts	Existing Land Uses
North	A-2/Parks, Estates, and Agricultural District and R-1E/Single-family Residential Estate District	Single-family residential dwellings and undeveloped land
South	A-2/Parks, Estates and Agricultural District and R-1/Single-family Residential District	Undeveloped land
East	R-1/Single-Family Residential District	Undeveloped land and single-family dwellings
West	A-2/Parks, Estates and Agricultural District and R-1/Single-family Residential District	Undeveloped land and single-family residential dwellings

A location/zoning map is included with this report as Attachment 'B.'

Public notices were mailed to all property owners within 200 feet of the subject property. No comments have been received as of the date of this report.

### Discussion

- A. The subject property is zoned A-2/Parks, Estates and Agricultural District and is proposed to be rezoned to R-1E/Single-Family Residential Estates District to allow for the proposed single-family residential estates development. The subject property is located along State Orchard Road, which does not have sanitary sewer, but has water, electric, and gas utilities available. The purpose of the proposed R-1E zoning designation is to allow for septic systems and on-site water wells to be utilized in areas of the City in which access to utilities is not readily available.
- B. The applicants will retain ownership of proposed Lot 1 and intend to sell proposed Lot 2 to their son, so that he can build a new single-family residential dwelling on the property.
- C. Both lots in Tweedy's Landing comply with minimum R-1E District lot size requirements and are capable of being developed. Proposed Lot 1 has potential to be further subdivided into multiple lots upon the extension of a roadway and/or infrastructure (i.e., sanitary sewer and water).
- D. The future land use map of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Low Density Residential.' Rezoning the subject property from A-2 District to R-1E District would support the goals of the Comprehensive Plan and would be an appropriate zoning designation based on the future land use map.

The rezoning and subdivision requests were routed to all City Departments and local utility providers. The following comments were received:

- A. Council Bluffs Fire Department stated they have no comments regarding the requests.
- B. Council Bluffs Police Department stated they have no comments regarding the requests.
- C. Council Bluffs Public Works Department stated a septic system is allowed for the existing residential dwelling on proposed Lot 1 and for the new dwelling on proposed Lot 2, as sanitary sewer is located more than 200' from either residence.
- D. Council Bluffs Water Works stated they have no comments for the requests.
- E. MidAmerican Energy Company stated they have no conflicts with the requests and the property owners and/or their agents should contact them directly to identify electrical service costs and responsibilities associated with development of the site.

### Recommendation

The Community Development Department recommends the following:

- A. Final plat approval of a two-lot residential subdivision to be known as Tweedy's Landing, legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments above and the conditions below:
  - 1. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Director.
  - 2. 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.
  - 3. All utilities shall be installed underground. Any costs to construct, remove, and/or relocate any utilities shall be the responsibility of the applicant and/or developer, not the City.
  - 4. All applicable permits necessary to meet local, state, and federal requirements shall be the applicants responsibility; and
  - 5. Granting a subdivision variance to allow proposed Lot 1, Tweedy's Landing to exceed the maximum 3:1 lot depth-to-width ratio, as stated in Section 14.14.020 *Lot Layout* of the Council Bluffs Subdivision Ordinance, based on reasons stated above.

- B. Approval of the request to rezone property legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District, subject to the comments stated above.

### **Public Hearing**

Staff speakers for the request:

1. Christopher Gibbons, Planning & Code Compliance Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs IA, 51503

Speakers in favor:

1. Patrick Cunningham, 1305 State Orchard Road, Council Bluffs, IA 515103

Speakers against: None

The Community Development Department recommends the following:

- A. Final plat approval of a two-lot residential subdivision to be known as Tweedy's Landing, legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments above and the conditions below:
  1. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless and extension has been requested and granted by the Community Development Director.
  2. 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.
  3. All utilities shall be installed underground. Any costs to construct, remove, and/or relocate any utilities shall be the responsibility of the applicant and/or developer, not the City.
  4. All applicable permits necessary to meet local, state, and federal requirements shall be the applicants responsibility; and
  5. Granting a subdivision variance to allow proposed Lot 1, Tweedy's Landing to exceed the maximum 3:1 lot depth-to-width ratio, as stated in Section 14.14.020 *Lot Layout* of the Council Bluffs Subdivision Ordinance, based on reasons stated above.
- B. Approval to rezone property legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from A-2/Parks, Estates, and Agricultural District to R-1E/Single-Family Residential Estates District, subject to the comments stated above.

VOTE: AYE – Freund, Knauss, Rater, Rew, Stroebele, VanHouten, and Watson. NAY – None. ABSTAIN – None. ABSENT – Hutcheson. VACANT - Three Motion: Carried.

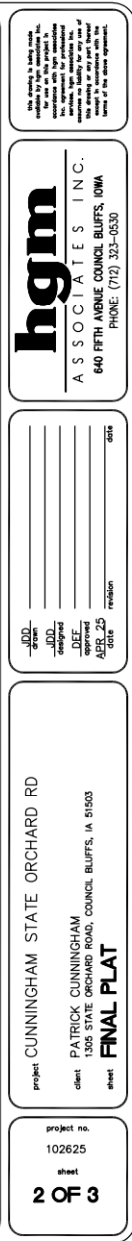
### **Attachments**

Attachment A: Proposed Tweedy's Landing Final Plat

Attachment B: Location/zoning map

Prepared by: Christopher N. Gibbons, Planning Manager, Community Development Department









# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #SUB-25-004 AND #ZC-25-002 LOCATION/ZONING MAP

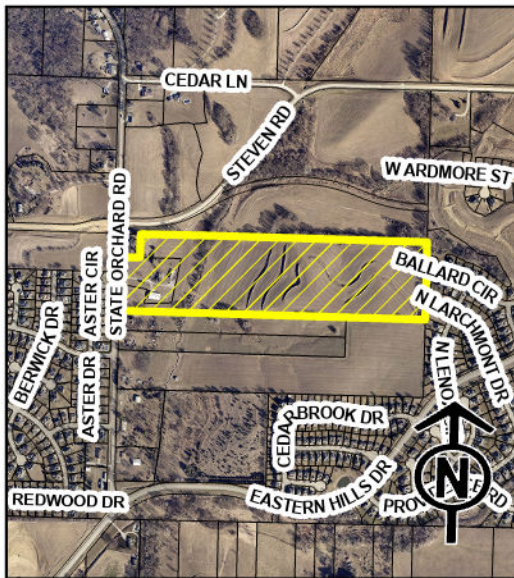
## Attachment B

### Legend

Subject Properties Cases  
#SUB-25-004 and  
#ZC-25-002

0 280 560

1 inch = 412 feet

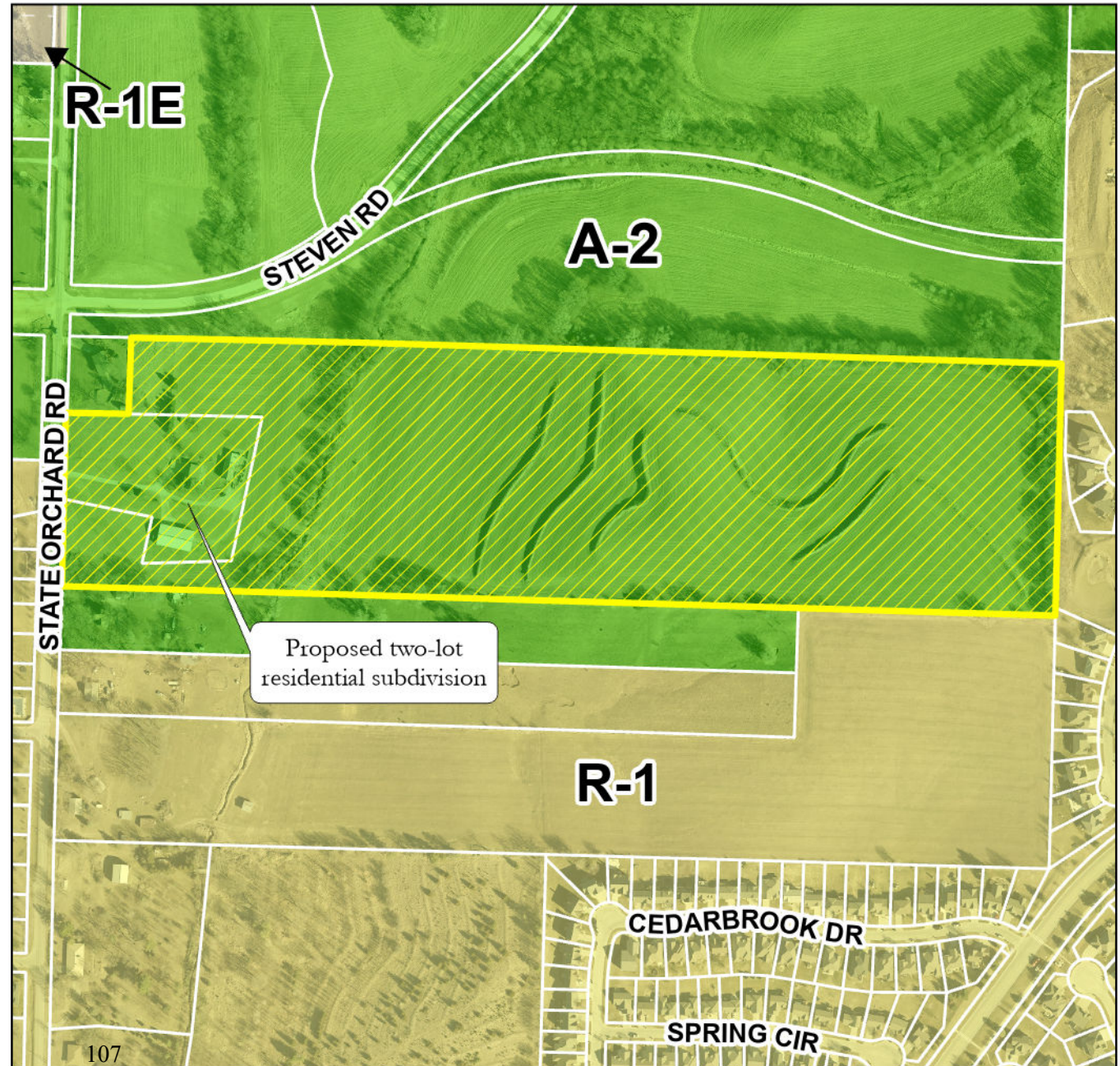


Last Amended: 4/16/2025



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. The City of Council Bluffs hereby certifies that the City is not responsible for any errors or omissions, if any, in the information contained on this map of the nature 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.



**RESOLUTION NO. 25-162**

**A RESOLUTION GRANTING FINAL PLAT APPROVAL OF A TWO-LOT RESIDENTIAL ESTATE SUBDIVISION TO BE KNOWN AS TWEETY’S LANDING, ALONG WITH A SUBDIVISION VARIANCE TO ALLOW PROPOSED LOT 1, TWEETY’S LANDING TO EXCEED THE MAXIMUM 3:1 LOT DEPTH-TO-WIDTH RATIO, ON PROPERTY LEGALLY DESCRIBED PARCEL 25028 BEING A PORTION OF NORTH 1/2 OF THE SOUTH 1/2 OF THE SW 1/4 OF SECTION 34-75-43, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.**

**WHEREAS,** Patrick and Rhonda Cunningham are requesting this final plat approval on land located 1305 State Orchard Road, Council Bluffs, Iowa 51503; and

**WHEREAS,** All comments received are outlined in the attached City Council Communication and its Attachments; and

**WHEREAS,** The Community Development Department recommends final plat approval of a two-lot residential subdivision to be known as Tweety’s Landing, legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, subject to the comments set forth in the attached City Council Communication and the conditions below:

- A. The final plat shall be recorded within 90 days of City Council approval or the plat will become null and void unless an extension has been requested and granted by the Community Development Director.
- B. 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.
- C. All utilities shall be installed underground. Any costs to construct, remove, and/or relocate any utilities shall be the responsibility of the applicant and/or developer, not the City.
- D. All applicable permits necessary to meet local, state, and federal requirements shall be the applicants responsibility; and
- E. Granting a subdivision variance to allow proposed Lot 1, Tweedy’s Landing to exceed the maximum 3:1 lot depth-to-width ratio, as stated in Section 14.14.020 *Lot Layout* of the Council Bluffs Subdivision Ordinance, based on reasons stated in the Council Communication.

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

That the request for final plat approval of a two-lot residential subdivision to be known as Tweety’s Landing, legally described as Parcel 25028 being a portion of North 1/2 of the South 1/2 of the

SW 1/4 of Section 34-75-43, City of Council Bluffs, Pottawattamie County, Iowa, is hereby approved.

**BE IT FURTHER RESOLVED**

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

ADOPTED  
AND  
APPROVED

June 23, 2025.

\_\_\_\_\_  
MATTHEW J. WALSH Mayor

Attest: \_\_\_\_\_  
JODI QUAKENBUSH City Clerk



## Council Communication

Department: Legal  
Case/Project No.:  
Submitted by: Graham Jura

Resolution 25-163  
ITEM 4.E.

Council Action: 6/23/2025

### Description

Resolution to dispose of City owned property legally described as the North ½ of vacated 42nd Avenue right-of-way lying between Indian Creek and South 13th Street, abutting legally described as the west 200 feet of the east 1152.38 feet of the SE 1/4 SE 1/4 of Section 11-74-44 lying south of Highway 275 and north of 42nd Avenue, City of Council Bluffs, Pottawattamie County, Iowa.

### Background/Discussion

The City originally vacated and disposed of city owned property legally described above to G.A.C.H. LLC pursuant to Resolution 20-224 amended on September 28, 2020. Prior to conveyance of the property, G.A.C.H. LLC sold their interest in an adjacent property to Jake Sulley, who now wishes to proceed with purchase of the parcel under the same terms.

### Recommendation

Approval is recommended.

### ATTACHMENTS:

Description	Type	Upload Date
Attachment	Other	6/11/2025
Resolution 25-163	Resolution	6/18/2025



8 5 7 0 7 6 6

Tx:4992402

**2020-15113**

RECORDER MARK BRANDENBURG

POTTAWATTAMIE COUNTY, IA

FILE TIME: 10/14/2020 01:25:58 PM

RECORDING FEE	25.00
AUDITOR FEE	5.00
RMA FEE	1.00
ECM FEE	1.00

R FEES 25<sup>00</sup> RMA \$ 1<sup>00</sup>  
 A FEES 5<sup>00</sup> ECOM \$ 1<sup>00</sup>  
 T TAX\$ \_\_\_\_\_

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

**RESOLUTION NO. 20-224 amended**

**A RESOLUTION TO VACATE AND DISPOSE OF 42<sup>ND</sup> AVENUE RIGHT-OF-WAY LYING BETWEEN INDIAN CREEK AND SOUTH 13<sup>TH</sup> STREET, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.**

**WHEREAS,** The city-owned right-of-way described as follows: 42<sup>nd</sup> Avenue right-of-way lying between Indian Creek and South 13<sup>th</sup> Street, City of Council Bluffs, Pottawattamie County; and

**WHEREAS,** a public meeting was held on this matter on the 14<sup>th</sup> day of September, 2020; and

**WHEREAS,** pursuant to Iowa Code Section 354.23, the City Council declares its intent to dispose of this City right-of-way by conveying and quitclaiming all of its right, title, and interest in it to the abutting property owner(s); and

**WHEREAS,** this conveyance is subject to the reservation of a permanent and perpetual utilities easement of way in favor of the City of Council Bluffs, for the maintenance of any and all utilities equipment presently in place, and for such reconstruction, re-emplacement and repair thereof which said City and its licensees and/or franchise grantees may in the future deem necessary and proper, and for the removal of any improvements emplaced thereon by the grantees, or their successors or assigns, necessitated by the reconstruction, re-emplacement, or repair of such utilities, such removal to be at the sole expense of grantees or their successors or assigns and without cost to the City, its licensees and/or franchise grantees, and without obligation to repair or replace such improvements, and subject to any and all other easements and right-of-way of record and those not of record.

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

That the above-described city right-of-way is hereby conveyed as follows:

North Shore Manawa Holdings LLC and all successors in interest: The South ½ of vacated 42<sup>nd</sup> Avenue right-of-way lying between Indian Creek and South 13<sup>th</sup> Street, abutting property legally described as that part of the NE ¼ NE ¼ of Section 14-74-44 lying south of 42<sup>nd</sup> Avenue and north of the State Park except the East 244.5 feet along with the northerly 1055.66 feet of the NW ¼ NE ¼ lying east of Indian Creek, for the total sum of \$20,124.62.

SML Management LLC and all successors in interest: The North ½ of vacated 42<sup>nd</sup> Avenue right-of-way lying between Indian Creek and South 13<sup>th</sup> Street, abutting legally described as part of the SE ¼ SE ¼ of Section 11-74-44 lying south of Highway 275 and north of 42<sup>nd</sup> Avenue being the west 400.75 feet of the east 952.38 feet, except the road for the total sum of \$3,417.88.

G.A.C.H. LLC and all successors in interest: The North ½ of vacated 42<sup>nd</sup> Avenue right-of-way lying between Indian Creek and South 13<sup>th</sup> Street, abutting legally described as the west 200 feet of the east 1152.38 feet of the SE ¼ SE ¼ of Section 11-74-44 lying south of Highway 275 and north of 42<sup>nd</sup> Avenue, for the total sum of \$1,475.00.

Leach Camper Sales, Inc. and all successors in interest: The North ½ of vacated 42<sup>nd</sup> Avenue right-of-way lying between Indian Creek and South 13<sup>th</sup> Street, abutting legally described as being part of the SW ¼ SE ¼ of Section 11-74-44 lying south of Highway 275, north of 42<sup>nd</sup> Avenue and east of Indian Creek along with that part of the SE ¼ SE ¼ of Section 11-74-44 lying south of Highway 275 and North of 42<sup>nd</sup> Avenue except the east 1152.38 feet, for the total sum of \$12,371.66.

**BE IT FURTHER RESOLVED**

That the Mayor and the City Clerk be and are hereby authorized, empowered and directed to execute a City deed conveying the City's interest in the above-described right-of-way; and

**BE IT FURTHER RESOLVED**

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder according to Iowa Code Section 354.23.


ADOPTED

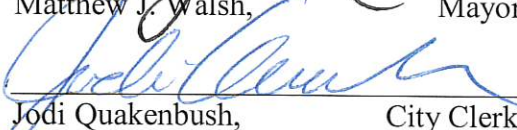
AND

APPROVED:

September 28, 2020.

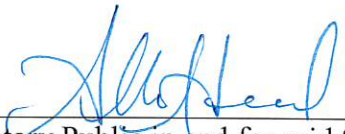
ATTEST:

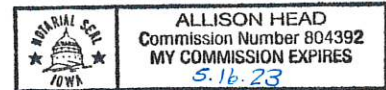
  
Matthew J. Walsh, Mayor

  
Jodi Quakenbush, City Clerk

STATE OF IOWA     )  
COUNTY OF         )ss  
POTTAWATTAMIE)

On this 29<sup>th</sup> day of September, 2020, before me the undersigned, a Notary Public in and for said County and said State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

  
\_\_\_\_\_  
Notary Public in and for said State



### Council Communication

Department: City Clerk  
Case/Project No.: SAV-20-005  
Submitted by: Moises Monrroy, Planner

Resolutions 20-224 amended  
ITEM 8.A.

Council Action: 9/28/2020

#### Description

Resolution 20-224 to vacate and dispose of 42nd Avenue right-of-way lying between Indian Creek and South 13th Street. Location: Immediately South of properties addressed as 1301, 1403, and 1629 Veterans Memorial Highway. SAV-20-005

#### Background/Discussion

It was discovered a wrong entity name was stated in Resolution No. 20-224 (approved 9-14-20) which vacated and dispose of 42nd Avenue right-of-way in association with K.C. Knudson's Lake Manawa redevelopment project. The entity name James L. Moss Jr. is incorrect. It should've read Leach Camper Sales, Inc. and all successors in interest.

Amended Resolution showing correct name is highlighted as only amendment to this Resolution.

#### Recommendation





#### **ATTACHMENTS:**

Description	Type	Upload Date
Resolution 20-224 amended	Resolution	9/22/2020



# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #SUB-20-007, #SAV-20-005, #ZC-20-009 AND #PR-20-002 LOCATION/ZONING MAP

## Legend

-  The Landing on Lake Manawa
-  Portion of 42nd Avenue ROW proposed to be vacated
-  Area proposed to be zoned R-1
-  Area proposed to be zoned R-4

0 145 290  
1 Inch = 297 Feet

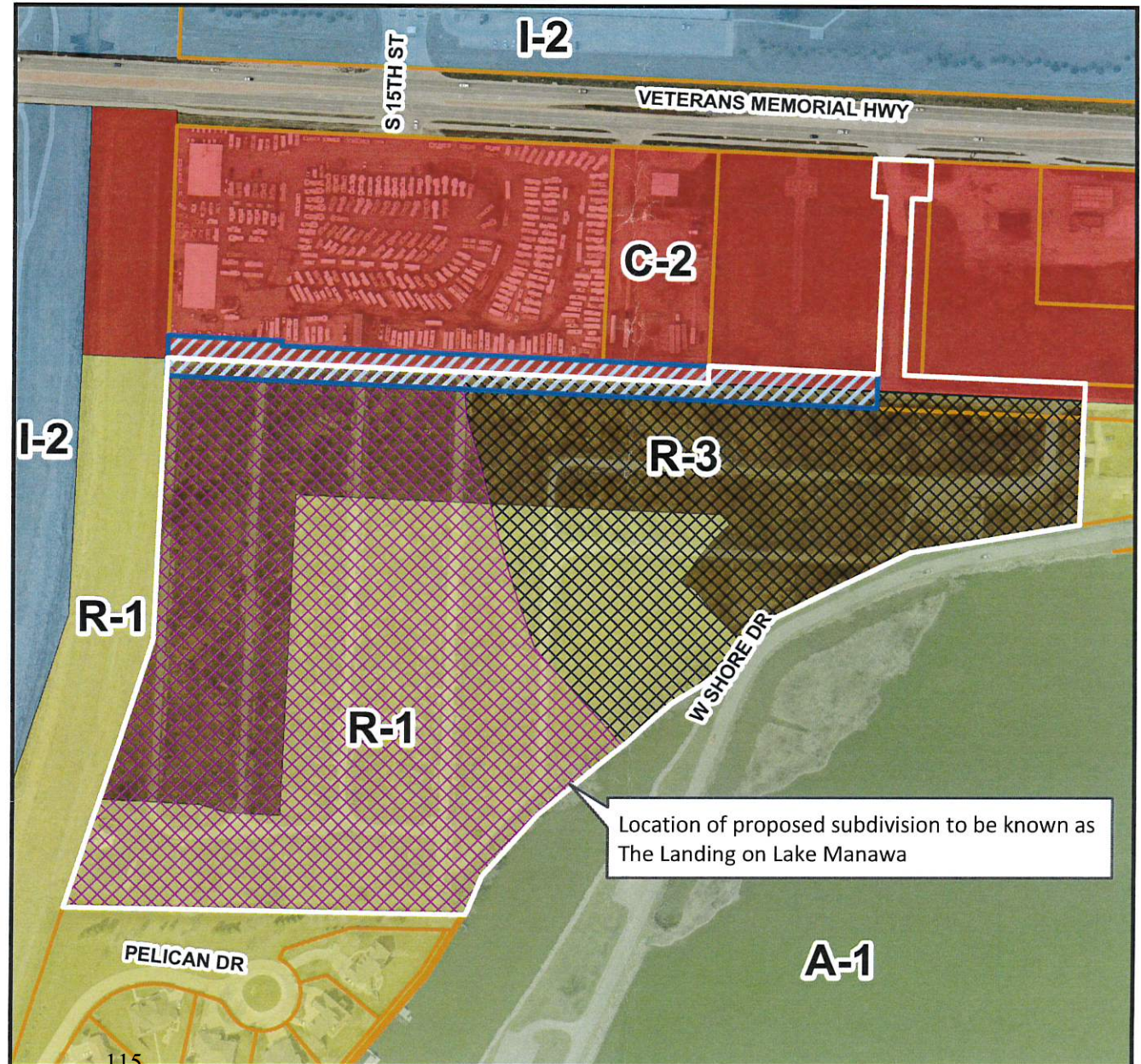


Last Amended: 7/23/2020



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 expressly disclaims any and all responsibility for errors, if any, in the information contained on this map, the reliance of the user 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.





## Proof Of Publication

State of Iowa

Pottawattamie County

### 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 Knudson Companies to vacate and dispose of 42nd Avenue right-of-way lying between Indian Creek and South 13th Street, City of Council Bluffs, Pottawattamie County, 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 14th day of September, 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  
2020(9)6-1 Sunday

I, Tom Schmitt, on my oath do solemnly that I am Publisher of the COUNCIL BLUFFS DAILY NONPAREIL, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper 1 consecutive time(s) as follows:

The First publication thereof began on the 06th day of September, 2020.

Signed in my presence by the said Tom Schmitt and by her sworn to before me this 6th day of September, A.D. 2020.

  
Tom Schmitt  
Daily Nonpareil Publisher

  
Jeannette Johnson  
Notary Public

Filed this 6th day of September, A.D. 2020.

Publication Cost: \$15.60



JEANNETTE JOHNSON  
Commission Number 144856  
MY COMMISSION EXPIRES  
OCTOBER 1, 2020

Customer Number: 1003258

Order Number: 0000170623

**RESOLUTION NO. 25-163**

**A RESOLUTION TO DISPOSE OF CITY PROPERTY LEGALLY DESCRIBED AS THE NORTH ½ OF VACATED 42<sup>ND</sup> AVENUE RIGHT-OF-WAY LYING BETWEEN INDIAN CREEK AND SOUTH 13<sup>TH</sup> STREET, ABUTTING LEGALLY DESCRIBED AS THE WEST 200 FEET OF THE EAST 1152.38 FEET OF THE SE ¼ SE ¼ OF SECTION 11-74-44 LYING SOUTH OF HIGHWAY 275 AND NORTH OF 42<sup>ND</sup> AVENUE, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.**

**WHEREAS,** the City vacated the parcel bearing the legal description above pursuant to Resolution No. 20-224 amended on September 28, 2020, filed in Book 2020 Page 15113, on October 14, 2020, Pottawattamie County Recorder's Office, Pottawattamie County, Iowa; and

**WHEREAS,** such parcel bearing the legal description above was initially directed to be sold to G.A.C.H. LLC and all successors in interest, pursuant to Resolution No. 20-224 amended on September 28, 2020, as such party owned the adjacent land at that time; and

**WHEREAS,** prior to conveyance of the parcel bearing the legal description above by the City, G.A.C.H. LLC has since sold its adjacent property to Jake Sulley; and

**WHEREAS,** a public hearing has been held in this matter on June 23, 2025 at 7 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:

**Jake Sulley:** the North ½ of vacated 42nd Avenue right-of-way lying between Indian Creek and South 13th Street, abutting legally described as the west 200 feet of the east 1152.38 feet of the SE 1/4 SE 1/4 of Section 11-74-44 lying south of Highway 275 and north of 42nd Avenue, City of Council Bluffs, Pottawattamie County, Iowa for the total sum of \$1,475.00.

ADOPTED  
AND  
APPROVED:

June 23, 2025

\_\_\_\_\_  
Matthew J. Walsh Mayor

ATTEST: \_\_\_\_\_  
Jodi Quakenbush City Clerk

## Council Communication

Department: Legal  
Case/Project No.:  
Submitted by: Graham Jura

Ordinance 6653  
ITEM 5.A.

Council Action: 6/23/2025

### Description

Ordinance to amend Title 1 Administration and Personnel of the 2025 Municipal Code of Council Bluffs, Iowa, by enacting New Chapter 1.80, to be entitled "Council Bluffs Civil Service Commission".

### Background/Discussion

On May 19, 2025, the Governor of Iowa signed SF 311, an Act relating to city civil service employees and related procedures under Iowa Code 400. This legislation fundamentally alters civil service procedures, enhances due process protections for employees, eliminates citizen police review boards and creates new legal and financial obligations for cities. Additionally, it requires that cities such as ours establish, by ordinance, the number of civil service commissioners at not less than five but not more than seven.

As we currently have a commission consisting of three members, and do not currently have an ordinance establishing the commission as required in SF 311, this ordinance is designed meet that requirement as well as establish fundamental terms such as qualifications of commissioners, terms of service, and allowing for the Civil Service Commission to create and adopt its own operational rules and regulations in accordance with Iowa Code 400.

### Recommendation

Approval is recommended.

### ATTACHMENTS:

Description	Type	Upload Date
Ordinance 6653	Ordinance	6/18/2025

**ORDINANCE NO. 6653**

**AN ORDINANCE TO AMEND TITLE 1 ADMINISTRATION AND PERSONNEL OF THE 2025 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY ENACTING NEW CHAPTER 1.80, TO BE ENTITLED “COUNCIL BLUFFS CIVIL SERVICE COMMISSION”.**

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

**SECTION 1.** That Title 1 Administration and Personnel of the 2025 Municipal Code of Council Bluffs, Iowa, is hereby amended by enacting new Chapter 1.80 to be entitled “Council Bluffs Civil Service Commission” to read as follows:

**CHAPTER 1.80 – COUNCIL BLUFFS CIVIL SERVICE COMMISSION**

**1.80.010 – Purpose**

**1.80.020 – Commission Created**

**1.80.030 – Appointment, Term and Compensation**

**1.80.040 – Qualifications and Restrictions**

**1.80.050 – Officers, Organization and Records**

**1.80.060 – Rooms and Supplies**

**1.80.070 – Meetings**

**1.80.080 – Rules and Regulations**

**1.80.010 – Purpose**

The purpose of this chapter is to provide for the creation, appointment, powers and duties of a civil service commission in accordance with the requirements of Chapter 400 of Iowa Code.

**1.80.020 – Commission Created**

There is hereby created a civil service commission in accordance with the requirements of Chapter 400 of Iowa Code.

**1.80.030 – Appointment, Term and Compensation**

- A. A civil service commission consisting of not less than five but not more than seven commissioners shall be appointed by the mayor with the approval of the city council.
- B. Each commissioner shall be appointed to hold office for a term of four (4) years. In the event that a vacancy occurs in the membership of the commission by death, resignation or otherwise prior to the normal expiration of the appointee's term, the mayor, with the approval of the city council, shall appoint a person to serve out the remainder of the unexpired term.

- C. All commissioners shall serve without compensation, provided that they may receive reimbursement for necessary travel and other expenses while on official commission business within the limits established in the city administrative policies and budget.

#### **1.80.040 – Qualifications and Restrictions**

- A. Each commissioner shall be a citizen of the State of Iowa, an eligible elector as defined in Chapter 39 of the Iowa Code, and a resident of the city of Council Bluffs prior to their appointment to the commission.
- B. A person, while on the commission, shall not hold or be a candidate for any office of public trust.
- C. Civil service commissioners, with respect to the city in which they are commissioners, shall not do any of the following:
  - 1. Sell, or in any manner become parties, directly or indirectly, to any contract to furnish supplies, material, or labor to the city unless the sale is made or the contract is awarded by competitive bid in writing, publicly invited and opened.
  - 2. Have an interest, direct or indirect, in any contract or job of work or material or the profits thereof or services to be furnished or performed for the city unless the contract or job is awarded by competitive bid in writing, publicly invited and opened.

#### **1.80.050 – Officers, Organization and Records**

- A. The commissioners must choose annually a chairperson and vice chairperson, each to serve a term of one year.
- B. The city clerk, or the city clerk's designee, shall be the clerk of the commission.
- C. The civil service commission shall keep a record of all its meetings and also a complete individual service record of each civil service employee which record shall be permanent and kept up-to-date.
- D. When duly certified by the clerk of the commission copies of all records and entries or papers pertaining to said record shall be admissible in evidence with the same force and effect as the originals.

#### **1.80.060 – Rooms and Supplies**

The council shall provide suitable rooms in which the commission may hold its meetings and supply the commission with all necessary equipment and a qualified shorthand reporter or an electronic voice recording device to enable it to properly perform its duties.

#### **1.80.070 – Meetings**

- A. The Commission shall meet on a monthly basis, however, should there be no official business before the commission at that time there shall be no obligation to meet.
- B. All meetings must be called and held in accordance with Chapter 21 of the Iowa Code.
- C. In the event a commissioner has been absent for three (3) or more consecutive meetings of the commission, without being excused by the chairperson, such absence will be grounds for the commission to recommend to the city council that the position be declared vacant and a replacement appointed.

### **1.80.080 – Rules and Regulations**

The commission may adopt rules and regulations to govern its organizational procedures as may be necessary and which are not in conflict with this code or Chapter 400 of the Iowa Code.

Upon passage of this ordinance by the city council, such ordinance shall take effect on August 16, 2025.

**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

July 14, 2025.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk

First Consideration: 6-23-25

Second Consideration: 7-14-25

Public Hearing: n/a

Third Consideration: \_\_\_\_\_

## Council Communication

Department: City Clerk  
Case/Project No.: URV-25-005  
Submitted by: Marianne Collins,  
Housing & Economic Development  
Planner

Ordinance 6652  
ITEM 6.A.

Council Action: 6/23/2025

### Description

Ordinance amending the Amended and Restated Consolidated Urban Revitalization Area – Amendment 1 within the City of Council Bluffs.

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	5/30/2025
Attachment A – Amended and Restated Consolidated Urban Revitalization Plan - Amendment 2	Other	5/30/2025
Attachment B – Boundary Map for Kanesville Subarea	Map	5/30/2025
Attachment C – Boundary Map for Valley View South Subarea	Map	5/30/2025
Ordinance 6652	Ordinance	6/4/2025



## Council Communication

<p>Department: Community Development</p> <p>Case No.: URV-25-005</p> <p>Submitted by: Housing &amp; Economic Development</p>	<p>Reso No:</p> <p>Ordinance No.:</p>	<p>Resolution of Intent: 05/05/2025</p> <p>Planning Commission: 05/13/2025</p> <p>Public Hearing &amp; First Reading: 06/09/2025</p> <p>Second Reading: 06/23/2025</p> <p>Third Reading: Request to Waive</p>
<p style="text-align: center;"><b>Subject/Title</b></p> <p>Amendment to add two additional subareas, Kanesville Subarea and Valley View South Subarea to the Amended and Restated Consolidated Urban Revitalization Plan-Amendment 1.</p>		
<p style="text-align: center;"><b>Background/Discussion</b></p> <p><u>Background</u></p> <p>Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.</p> <p>Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.</p> <p>Staff has prepared an Amended and Restated Consolidated Urban Revitalization Plan-Amendment 2, including Kanesville Subarea and Valley View South Subarea, in accordance with Chapter 404.2 of the Iowa Code and has scheduled the matter for City Council consideration.</p> <p><u>Discussion</u></p> <p>Iowa Code permits the City to establish urban revitalization areas which satisfy one of the five conditions outlined in Section 404.1. Staff believes this project meets the criteria under 404.1.4. Section 404.1.4 discusses an area which is appropriate as an economic development area as defined in section 403.17. Section 403.17 states an economic development area means an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises..</p> <p>City Council approved the Amended and Restated Consolidated Urban Revitalization Plan April 22, 2024 with Ordinance 6603. The Consolidated Plan included the 17 current Urban Revitalization Area Plans. City Council approved the Amended and Restated Consolidated Urban Revitalization Plan-Amendment 1 October 21, 2024 with Ordinance 6614. The Amendment added the 1<sup>st</sup> Avenue &amp; 17<sup>th</sup> Street Subarea and extended the period of abatement for new construction multi-family housing developments. Community Development is proposing adding two additional Subareas.</p> <p>Two updates are included in the Amended and Restated Consolidated Urban Revitalization Plan - Amendment 2:</p> <ol style="list-style-type: none"> <li>1. Additional Area Added: The City is working with a developer that has plans of adding</li> </ol>		

## Council Communication

commercial buildings. It is located east of interstate 80 and north of highway 6. The area is comprised of 57.43 acres, more or less, of land. If the Kanesville Subarea is approved, the project as proposed could be eligible for full exemption for 3 years or a sliding scale for 10 years from taxation.

2. Additional Area Added: The City is working with a developer that has plans of adding a commercial building. It is located east of Valley View Drive and west of interstate 80 between Franklin Avenue and McPherson Ave. The area is comprised of 2.73 acres, more or less, of land. If the Valley View South Subarea is approved, the project as proposed could be eligible for full exemption for 3 years or a sliding scale for 10 years from taxation.

On May 5, 2025, City Council approved Resolution 25-120, which directed staff to initiate the process of amending the Amended and Restated Consolidated Urban Revitalization Plan-Amendment 1 and Area. This resolution set June 9, 2025 as the date of the public hearing.

This matter was brought before the City Planning Commission at their May 13, 2025 meeting. The Commission found the following: 1) That the proposed Amended and Restated Consolidated Urban Revitalization Plan furthers the goals of the City's *Bluffs Tomorrow: 2030 Plan*, which is the general plan for the development of the City of Council Bluffs; and 2) That the Amended and Restated Consolidated Urban Revitalization Area is an area appropriate for economic development as specified in Section 403.17.

Property owners were notified and no written correspondence was received by the Community Development Department either in support or against the proposed plan. Concurrent with the adoption of an urban revitalization plan, an ordinance establishing the urban revitalization area can be considered. Upon adoption of the area and approval of an ordinance, the City is permitted to grant tax abatement to qualified projects.

### **Staff Recommendation**

The Community Development Department recommends approval of the Amended and Restated Consolidated Urban Revitalization Plan-Amendment 2 and Area and 1<sup>st</sup> consideration of the ordinance.

### **Planning Commission Recommendation**

The Planning Commission recommended approval of the Amended and Restated Consolidated Urban Revitalization Plan-Amendment 2 and Area.

Staff speakers for the request:

1. Courtney Harter, Director Planning & Community Development, City of Council Bluffs

Speakers in favor: None

Speakers in opposition: None

Vote: 6-0-1 (1 absent, 3 vacant)

AYE – Freund, Knauss, Rater, Stroebele, Van Houten and Watson

## Council Communication

NAY – None  
ABSTAIN – Rew  
ABSENT – Hutcheson  
Motion: Carried

### **Attachments**

Attachment A – Amended and Restated Consolidated Urban Revitalization Plan - Amendment 2  
Attachment B – Boundary Map for Kanesville Subarea  
Attachment C – Boundary Map for Valley View South Subarea

Prepared by: Marianne Collins, Housing & Economic Development Planner, Community Development Department  
Submitted by: Courtney Harter, Director Planning & Community Development, Community Development Department

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**AMENDED AND RESTATED  
CONSOLIDATED  
URBAN REVITALIZATION PLAN  
AMENDMENT #2**

**FOR THE**

**CITY OF COUNCIL BLUFFS, IOWA**

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**2024**

**AMENDMENT NO. 2  
TO THE  
AMENDED AND RESTATED  
CONSOLIDATED URBAN REVITALIZATION PLAN  
FOR THE  
CITY OF COUNCIL BLUFFS, IOWA**

**INTRODUCTION AND HISTORY**

The Urban Revitalization Act, Chapter 404 of the *Code of Iowa*, is intended to encourage development, redevelopment, and revitalization within a designated area of a city by authorizing property tax development incentives to the private sector. Qualified real estate within a designated area may be eligible to receive a total or partial exemption from property taxes on improvements for a specified number of years. The primary intent of this act is to provide communities with a long-term increase or stabilization in their tax base by encouraging rehabilitation or new construction which might not otherwise have occurred.

In October 2024, the City Council of the City of Council Bluffs, Iowa (the “City”) adopted the Amended and Restated Consolidated Urban Revitalization Plan (the “Amended and Restated Plan” or “Plan”) Amendment No. 1 to add the 1<sup>st</sup> Avenue and 17<sup>th</sup> Street area to the previously adopted Amended and Restated Consolidated Urban Revitalization Plan. The various revitalization areas that now comprise the subareas of the Revitalization Area, and their corresponding original designating ordinances, are:

- 1<sup>st</sup> Avenue Urban Revitalization Area – Ordinance No. 6177
- 5<sup>th</sup> and West Broadway Urban Revitalization Area – Ordinance No. 6411
- 14<sup>th</sup> Avenue Urban Revitalization Area – Ordinance No. 6412
- 16<sup>th</sup> Avenue Urban Revitalization Area – Ordinance No. 6479
- 21<sup>st</sup> Avenue Urban Revitalization Area – Ordinance No. 6495
- American Games Urban Revitalization Area – Ordinance No. 6476
- Black Squirrel Flats Urban Revitalization Area – Ordinance No. 6532
- Bluffs Northway Urban Revitalization Area – Ordinance No. 6281
- College Road Urban Revitalization Area – Ordinance No. 6310
- Council Pointe Road Urban Revitalization Area – Ordinance No. 6326
- Mid-America Urban Revitalization Area – Ordinance No. 6469
- River Road Urban Revitalization Area – Ordinance No. 6464
- South Pointe Urban Revitalization Area – Ordinance No. 6375
- Valley View Urban Revitalization Area – Ordinance No. 6289
- Veterans Memorial Highway Urban Revitalization Area – Ordinance No. 6409
- Whispering Oaks Urban Revitalization Area – Ordinance No. 6533
- South Expressway Subarea, designated in connection with adoption of the Amended and Restated Plan – Ordinance No. 6603
- 1<sup>st</sup> Avenue and 17<sup>th</sup> Street Subarea, designated in connection with adoption of the Amended and Restated Plan Amendment No. 1 – Ordinance No. 6614

The corresponding legal descriptions that now comprise the subareas of the Amended and Restated Consolidated Urban Revitalization Area are attached as Exhibit A.

#### AMENDMENT TO PLAN – NEW SUBAREA - KANESVILLE

With the adoption of this Amendment No. 2 to the Amended and Restated Consolidated Urban Revitalization Plan (the “Amendment”), the City is designating additional land as a new subarea of the Revitalization Area. The first new subarea is legally described and depicted in Exhibit B, attached hereto and incorporated by this reference. The new subarea will be known as the Kanesville Subarea of the Revitalization Area.

The City is designating the Kanesville Subarea of the Revitalization Area as a revitalization area meeting the criteria of Iowa Code Sections 404.1(4) and Section 404.1(5).

Existing zoning classifications of the property within the Kanesville Subarea is Agricultural. Existing land use within the subarea is consistent with these zoning classifications. New development that remains consistent with the City’s zoning ordinance is proposed for the subarea.

A listing of the names and addresses of the owners of record for the real estate within the Kanesville Subarea, as well as the assessed valuations stated separately for land and buildings for the real estate, as of the date of this Amendment is attached as Exhibit C.

#### AMENDMENT TO PLAN – NEW SUBAREA – VALLEY VIEW SOUTH

With the adoption of this Amendment No. 2 to the Amended and Restated Consolidated Urban Revitalization Plan (the “Amendment”), the City is designating additional land as a new subarea of the Revitalization Area. The second new subarea is legally described and depicted in Exhibit D, attached hereto and incorporated by this reference. The new subarea will be known as the Valley View South Subarea of the Revitalization Area.

The City is designating the Valley View South Subarea of the Revitalization Area as a revitalization area meeting the criteria of Iowa Code Sections 404.1(4) and Section 404.1(5).

Existing zoning classifications of the property within the Valley View South Subarea is Residential with a planned residential overlay. Existing land use within the subarea is consistent with these zoning classifications. New development that remains consistent with the City’s zoning ordinance is proposed for the subarea.

A listing of the names and addresses of the owners of record for the real estate within the Valley View South Subarea, as well as the assessed valuations stated separately for land and buildings for the real estate, as of the date of this Amendment is attached as Exhibit E.

### EFFECTIVE DATE AND SEVERABILITY

This Amendment shall be effective upon the approval of a resolution by the City Council adopting the Amendment.

Applications submitted following the Amendment's effective date shall be eligible to apply only for those exemptions contained in the Amended and Restated Plan, as amended by this Amendment, subject to the terms of the Plan. All previously awarded exemptions shall continue until their expiration.

Except as modified by this Amendment, the provisions of the Amended and Restated Plan are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control. Any subsections of the Amended and Restated Plan not mentioned in this Amendment shall continue to apply to the Plan.

If any part of this Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the Amended and Restated Plan or the Amendment as a whole, or any part of Amended and Restated Plan or the Amendment not determined to be invalid or unconstitutional.

### EXHIBIT A

#### SUBAREAS OF REVITALIZATION AREA – LEGAL DESCRIPTIONS

##### Whispering Oaks Urban Revitalization Area

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 4, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND ALSO TOGETHER WITH PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 5, SAID TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN; ALL LOCATED IN POTTAWATTAMIE COUNTY, COUNCIL BLUFFS, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 5, TOWNSHIP 74N, RANGE 43 WEST; THENCE N1°06'10"E (ASSUMED BEARING), 53.00 FEET TO THE POINT OF BEGINNING; THENCE N88°28'13"W A DISTANCE OF 351.12 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE; THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE OF FOREST GLEN DRIVE ON THE FOLLOWING DESCRIBED COURSES: THENCE N1°20'57"E, A DISTANCE OF 433.34 FEET; THENCE N88°16'18"W, A DISTANCE OF 15.99 FEET;

THENCE N1°31'50"E, A DISTANCE OF 313.54 FEET TO THE SOUTHWEST CORNER OF LOT 106, WHISPERING OAKS; THENCE S88°34'04"E, A DISTANCE OF 56.87 FEET ALONG THE SOUTH LINE OF LOT 106, WHISPERING OAKS TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°28'13"E, A DISTANCE OF 306.04 FEET ALONG THE SOUTH LINE OF LOT 106 & SOUTH LINE OF OUTLOT A, WHISPERING OAKS TO A POINT AT THE INTERSECTION OF THE SOUTH LINE OF OUTLOT A & THE EAST LINE OF A TRACT OF LAND DESCRIBED IN BOOK 2017 PAGE 2889; THENCE S88°15'01"E, A DISTANCE OF 562.24 FEET ALONG THE SOUTH LINE OF OUTLOT A, & LOTS 87-90 WHISPERING OAKS TO THE SOUTHEAST CORNER OF LOT 87 WHISPERING OAKS; THENCE S88°15'01"E, A DISTANCE OF 714.76 FEET; THENCE S88°15'01"E, A DISTANCE OF 17.46, TO THE WEST RIGHT OF WAY LINE OF FRANKLIN AVENUE; THENCE S1°43'39"W, A DISTANCE OF 747.00 FEET ALONG SAID WEST RIGHT-OF-WAY LINE OF FRANKLIN AVENUE; THENCE N88°15'01"W DISTANCE OF 1,086.30 FEET TO THE EAST LINE OF A PARCEL BOOK 87, PAGE 22729; THENCE N01°06'10"E ALONG SAID EAST LINE OF SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE NORTHEAST CORNER OF SAID PARCEL BOOK 87, PAGE 22729; THENCE N88°15'01"W ALONG THE NORTH LINE OF SAID PARCEL, BOOK 87, PAGE 22729 A DISTANCE OF 200.00 FEET; THENCE S1°06'10"W ALONG SAID PARCEL BOOK 87, PAGE 22729, A DISTANCE OF 180.01 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 1,193,878.13 SQ.FT. OR 27.40 ACRES MORE OR LESS

#### South Pointe Urban Revitalization Area

A PARCEL OF LAND BEING ALL OF ROGERS AUTO SUBDIVISION, SOUTH POINTE SUBDIVISION, SOUTH POINTE SUBDIVISION REPLAT 1, SOUTH POINTE SUBDIVISION REPLAT 2, SOUTH POINT SUBDIVISION PHASE 2, SOUTH 24TH AND HIGHWAY 275 INDUSTRIAL AND A PORTION OF THE SOUTHEAST QUARTER OF SECTION 10, THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, SECTION 14, GOVERNMENT LOT 1 TO SAID SECTION 14 AND A PORTION OF THE EAST HALF OF SECTION 15, ALL IN TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 10, SAID CENTER BEING ON THE SOUTH RIGHT-OF-WAY LINE OF RICHARD DOWNING AVENUE; THENCE EASTERLY ON SAID SOUTH RIGHT-OF-WAY LINE, 2,730 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH 24TH STREET;



THENCE SOUTHERLY ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,329 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF VETERANS MEMORIAL HIGHWAY; THENCE WESTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE, 197 FEET MORE OR LESS TO A POINT ON THE EASTERLY LINE OF SAID SECTION 10; THENCE SOUTHERLY ON SAID EASTERLY LINE AND ON IT'S SOUTHERLY PROLONGATION, 390 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID VETERANS MEMORIAL HIGHWAY; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, 2,760 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID SOUTH POINTE SUBDIVISION REPLAT 2; THENCE SOUTHERLY ON THE EAST LINE OF SAID SOUTH POINTE SUBDIVISION REPLAT 2, 1,246 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID SOUTH POINTE SUBDIVISION REPLAT 1; THENCE SOUTHERLY ON THE EAST LINE OF SAID SOUTH POINTE SUBDIVISION REPLAT 1, 533 FEET MORE OR LESS TO A POINT ON THE NORTH LINE OF SAID SOUTH POINTE SUBDIVISION PHASE 2; THENCE EASTERLY ON SAID NORTH LINE, 110 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID SOUTH POINTE SUBDIVISION PHASE 2, SAID NORTHEAST CORNER ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF INDIAN CREEK; THENCE SOUTHWESTERLY ON THE EAST LINE OF SAID SOUTH POINTE SUBDIVISION PHASE 2 AND ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,742 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF LOT 5 IN SAID SOUTH POINTE SUBDIVISION PHASE 2; THENCE WESTERLY ON THE SOUTH LINE OF SAID LOT 5, 149 FEET MORE OR LESS TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF GIFFORD ROAD; THENCE NORTHWESTERLY ON SAID EASTERLY RIGHT-OF-WAY LINE, 1,420 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF GIFFORD ROAD; THENCE WESTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE, 1,209 FEET MORE OR LESS; THENCE SOUTHWESTERLY, 1,883 FEET MORE OR LESS TO A POINT ON THE MISSOURI RIVER MEANDER LINE; THENCE SOUTHWESTERLY ON SAID MISSOURI RIVER MEANDER LINE, 1,174 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID SECTION 15; THENCE NORTHERLY ON SAID EAST LINE, 802 FEET MORE OR LESS; THENCE WESTERLY, 631 FEET MORE OR LESS; THENCE NORTHWESTERLY, 2,019 FEET MORE OR LESS TO A POINT ON THE EAST-WEST CENTERLINE OF SAID SECTION 15; THENCE WESTERLY ON SAID EAST-WEST CENTERLINE, 1,322 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF GATEWAY SUBDIVISION IN SAID CITY OF COUNCIL BLUFFS; THENCE NORTHERLY ON SAID EAST LINE, 1,256 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID VETERANS MEMORIAL HIGHWAY; THENCE NORTHEASTERLY ON SAID SOUTH RIGHT-OF-WAY LINE, 1,355 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY PROLONGATION OF THE NORTH-SOUTH CENTERLINE OF SAID SOUTHEAST QUARTER OF SECTION 10; THENCE NORTHERLY ON SAID SOUTHERLY PROLONGATION AND ON SAID NORTH-SOUTH CENTER, 2,480 FEET MORE OR

LESS; THENCE WESTERLY, 1,315 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTHERLY ON SAID WEST LINE, 998 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 500 ACRES, MORE OR LESS.

Valley View Urban Revitalization Area

Lot 3 of New Horizon Subdivision, City of Council Bluffs, Pottawattamie County, Iowa

Veterans Memorial Highway Urban Revitalization Area

The North 660 feet of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 12-74-44, except the West 250 feet, and the West 16.5 feet of the South 20 feet north of the highway in the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 12-74-44 and commencing at a point 660 feet East of the NW corner of the SW  $\frac{1}{4}$  of the SW quarter of section 12, thence South 660 feet, thence East 250 feet, thence North 660 feet, thence West 250 feet to the place of beginning, subject to right of ways of public highway City of Council Bluffs, Pottawattamie County, Iowa

College Road Urban Revitalization Area

Proposed Lots 1-4, New Horizon Subdivision, Replat Two, City of Council Bluffs, Pottawattamie County, Iowa

Council Pointe Road Urban Revitalization Area

Lot 1, Fox Run Landing, Replat Three, City of Council Bluffs, Pottawattamie County, Iowa.

Lot 116, Fox Run Landing, except the northwest corner dedicated to City right-of-way, along with northerly part of Lot 117 commencing at the southeast corner of said Lot 116, thence North 469.54 feet, thence Northeasterly 885.29 feet, thence South 787.74 feet, and thence West 806.06 feet back to the point of beginning, all in the City of Council Bluffs, Pottawattamie County, Iowa

Mid-America Urban Revitalization Area

A PARCEL OF LAND BEING ALL OF BASS PRO SUBDIVISION, BLUFFS VISION SUBDIVISION, BLUFFS VISION SUBDIVISION REPLAT 1, BLUFFS VISION 4 SUBDIVISION, BLUFFS VISION 4 SUBDIVISION REPLAT 1, HORSESHOE SUBDIVISION, HOTEL PLAZA AT THE MAC, HOTEL PLAZA AT THE MAC REPLAT 1, INRIP SUBDIVISION TRACT NO 1 1<sup>st</sup> ADDITION, MORRIS SUBDIVISION, MORRIS SUBDIVISION REPLAT 1, PLAZA AT MARCC, SAPP BROS TRAVEL CENTER, A PORTION OF RAILROAD ADDITION, A PORTION OF THE SOUTH HALF OF SECTION 03 AND A PORTION OF GOVERNMENT LOTS 2 AND 3 IN SECTION 04, ALL IN TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5<sup>th</sup> PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOW:

BEGINNING AT THE NORTHEAST CORNER OF SAID SAPP BROS TRAVEL CENTER, SAID NORTHEAST CORNER ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF SOUTH 24<sup>th</sup> STREET;

THENCE SOUTH ON SAID WEST RIGHT-OF-WAY LINE, 726 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MID-AMERICAN DRIVE;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

- 1 WESTERLY, 352 FEET MORE OR LESS;
- 2 SOUTHWESTERLY, 1,272 FEET MORE OR LESS;
- 3 WESTERLY AND WESTERLY ON THE WESTERLY PROLONGATION, 2,382 FEET MORE OR LESS TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 29;

THENCE NORTHWESTERLY ON SAID EASTERLY RIGHT-OF-WAY LINE, 3,909 FEET MORE OR LESS TO A POINT ON THE SOUTHWESTERLY PROLONGATION OF THE NORTH LINE OF SAID INRIP SUBDIVISION TRACT NO 1 1<sup>st</sup> ADDITION;

THENCE NORTHEASTERLY ON SAID WESTERLY PROLONGATION AND ON SAID LINE, 942 FEET MORE OR LESS TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SOUTH 35<sup>th</sup> STREET;

THENCE SOUTHEASTERLY ON SAID SOUTHWESTERLY RIGHT-OF-WAY LINE AND SOUTHEASTERLY ON IT'S SOUTHEASTERLY PROLONGATION, 1,073 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 23<sup>rd</sup> AVENUE;

THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, 4,982 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID SOUTH 24<sup>th</sup> STREET;

THENCE SOUTH ON SAID WESTERLY RIGHT-OF-WAY, 610 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 285 ACRES, MORE OR LESS.

River Road Urban Revitalization Area

Lot 1, River Road Subdivision, City of Council Bluffs, Pottawattamie County, Iowa

American Games Urban Revitalization Area

Lot 3, Pollard Games Addition, City of Council Bluffs, Pottawattamie County, Iowa

Black Squirrel Flats Urban Revitalization Area

Lot 1, Black Squirrel Flats Subdivision, City of Council Bluffs, Pottawattamie County, Iowa

Bluffs Northway Urban Revitalization Area

Lots 2 and 3, Walmart Bluffs Northway Subdivision, City of Council Bluffs, Pottawattamie County, Iowa

Lots 10 through 18 and the east/west alley abutting Belmont Addition along with the Canadian National Railway right-of-way abutting on the north and Avenue P right-of-way abutting on the south; Lots 33 through 37 and the North ½ vacated alley abutting and Lots 56 through 61 and the South ½ vacated alley abutting Belmont Addition along with Avenue O right-of-way abutting on the south; Lots 79 through 83 and the North ½ vacated alley abutting and Lots 102 through 106 and the South ½ vacated alley abutting Belmont Addition, City of Council Bluffs, Pottawattamie County, Iowa

### 16<sup>th</sup> Avenue Urban Revitalization Area

A parcel of land situated in the North Half (N1/2) of Section 2, Township 74 North, Range 44 West and the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 35, Township 75 North, Range 44 West of the Fifth Principal Meridian, City of Council Bluffs, Pottawattamie County, State of Iowa, according to an official plat of said land filed in the District Land Office, bounded and described as follows: Beginning at a point on the North-South centerline of said Section 2, from which point the center of said section bears South, 264.98 feet; thence North 89 degrees 50 minutes 17 seconds East, 200.00 feet; thence North 00 degrees 00 minutes 17 sections East, 2150.79 feet to the south line of 16<sup>th</sup> Avenue; thence along said south line South 89 degrees 30 minutes 12 seconds West, 200.0 feet to a point on said North-South centerline of said Section 2; thence along said North-South centerline North 20.90 feet to the north quarter corner of said Section 2; thence along the North-South centerline of said Section 35, North 00 degrees 21 minutes 09 seconds West, 60.0 feet to a point on the north line of 16<sup>th</sup> Avenue, said point also being the southwest corner of Lot 12, Block 36, Fleming and Davis addition; thence South 89 degrees 38 minutes 51 seconds West, 16.0 feet; thence North 00 degrees 21 minutes 09 seconds West, 646.37 feet to a point on the south line of 14<sup>th</sup> Avenue prolonged, said point being South 89 degrees 38 minutes 53 seconds West, 16.0 feet from the northwest corner of Lot 1, Block 29, Fleming and Davis Addition; thence South 89 degrees 38 minutes 53 seconds West, 379.00 feet; thence South 75 degrees 42 minutes 26 seconds West, 399.46 feet; thence South 82 degrees 12 minutes 26 seconds West, 126.58 feet; thence South 21 degrees 28 minutes 31 seconds East, 2490.70 feet to a point on the North-South centerline of said Section 2; thence along said North-South centerline, South 441.28 feet to the Point of Beginning. Containing an area of 1,548,471 square feet, more or less, or 35.548 acres, more or less.

AND

A parcel of land legally described as being the East 16 feet of the South 686 feet, except the South 178 feet of the North 323 feet, all in the SE1/4 SW1/4 of Section 35-75-44, City of Council Bluffs, Pottawattamie County, Iowa. Said parcel of land contains an area of 8,276 square feet more or less, or .19 acres, more or less.

### 21<sup>st</sup> Avenue Urban Revitalization Area

Lots 9, 10, 18, 19, 20, 21 and 22, a portion of Lots 7, 8, 11, 12, 13, 16, 17, 23, 24 and 25 in Block 14, a portion of Lots 16, 17, 18 and 19 in Block 19, all of the vacated alley's in said Block 14 and all of vacated 22nd Avenue right-of-way lying within the following described parcel, all in Hughes and Doniphan's Addition, City of Council Bluffs, Pottawattamie County, Iowa

*And*

Lots 14 and 15 and that part of Lot 13 in Block 14, Hughes and Doniphan's Addition to the City of Council Bluffs, Pottawattamie County, Iowa, all lying Southwest of the former Wabash Railroad Right-of-Way (now Southside Trail Bike Trail Right-of-Way) AND That part of the vacated north/south alley lying north of the north right-of-way line of 22nd Avenue and south of the southerly right-of-way of the former Wabash Railroad (now Southside Trail Bike Trail) AND The North 1/2 of vacated 22nd Avenue lying between the east right-of-way line of South 6th Street and southwesterly right-of-way line of Southside Trail Bike Trail.

#### 14<sup>th</sup> Avenue Urban Revitalization Area

Lots 16-30, Block 37, Brown's Subdivision, Council Bluffs, Pottawattamie County, Iowa

#### 5<sup>th</sup> and West Broadway Urban Revitalization Area

The portion of Block 6, Mynster's Addition Southeast of the right-of-way of Kanesville Boulevard; The portion of Lots C and D, Auditor's Subdivision of Block 6 Mynster's Addition and Block 2 Bayliss 1st Addition located Southeast of the right-of-way of Kanesville Boulevard, and the entirety of the alleyway adjacent to Lot D; Lots E-P, Auditor's Subdivision of Block 6 Mynster's Addition and Block 2 Bayliss 1st Addition, and the vacated alley adjacent to Lot N; Lot 5, Block 2, Bayliss Addition to Council Bluffs, Pottawattamie County, Iowa;

*And:*

Lots 1-13, Auditor's Subdivision of Lot 5, Block 5 Mynster's Addition and Block 1, Bayliss 1st Addition, and the alleyway adjacent; Lot 2 excluding City right-of-way, Lots 3 and 4, and Lots 6-10, Mynster's Addition, all in the City of Council Bluffs, Pottawattamie County, Iowa.

#### 1<sup>st</sup> Avenue Urban Revitalization Area

Lots 1-5 and 9-16, Block 6, Bayliss First Addition, City of Council Bluffs, Pottawattamie County, Iowa

South Expressway Subarea of Revitalization Area

Lots 5, 6, 7, 8, 16, 17 and all of Lot 4 except the North 3.5 feet, Country Club Acres, City of Council Bluffs, Pottawattamie County, Iowa.

1<sup>st</sup> Avenue & 17<sup>th</sup> Street Subarea of Revitalization Area

Lots 1-8, Block 4, Everetts Addition along with Lots 1-8, Block 26, Beer's Subdivision and the vacated east/west alley adjacent, City of Council Bluffs, Pottawattamie County, Iowa.

## EXHIBIT B

### LEGAL DESCRIPTION AND MAP OF NEW SUBAREA

A tract of land located in part of Lot 1, Auditor's Subdivision of the SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; part of the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; part of Lots 1, 2 and 3, Auditor's Subdivision of the NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; and part of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , all located in Section 22, Township 75 North, Range 43 West of the 5<sup>th</sup> Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa.

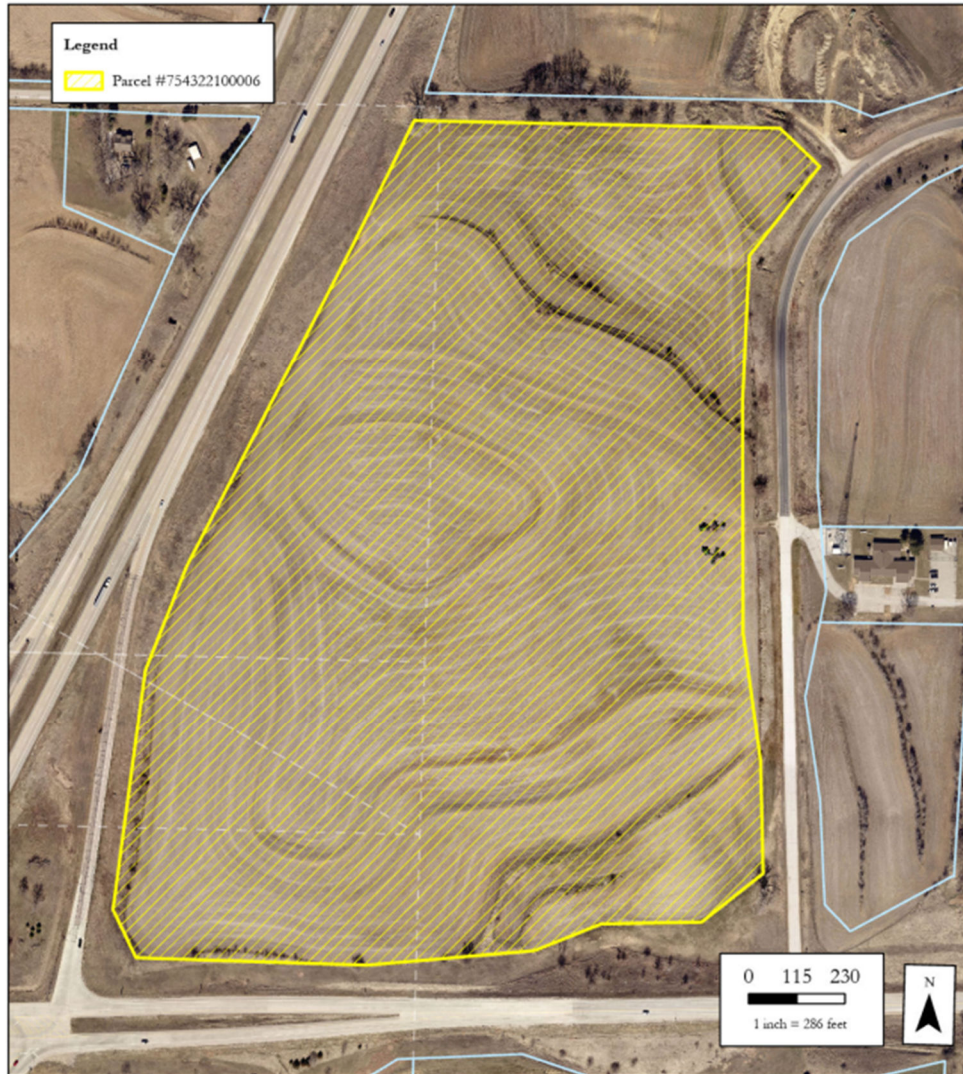




EXHIBIT C  
INFORMATION CONCERNING KANESVILLE SUBAREA

Current Tax Parcel Number	Name of Property Owner	Address of Record for Property Owner	Current Assessed Value – Land Value	Current Assessed Value – Improvement Value
754322100006	KCI Council Bluffs Land LLC	14747 N. Northsight Blvd, Ste # 111-431 Scottsdale, AZ 85260	\$135,700.00	\$0

## EXHIBIT D

### LEGAL DESCRIPTION AND MAP OF NEW SUBAREA

Lots 2-4, Jilla Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.



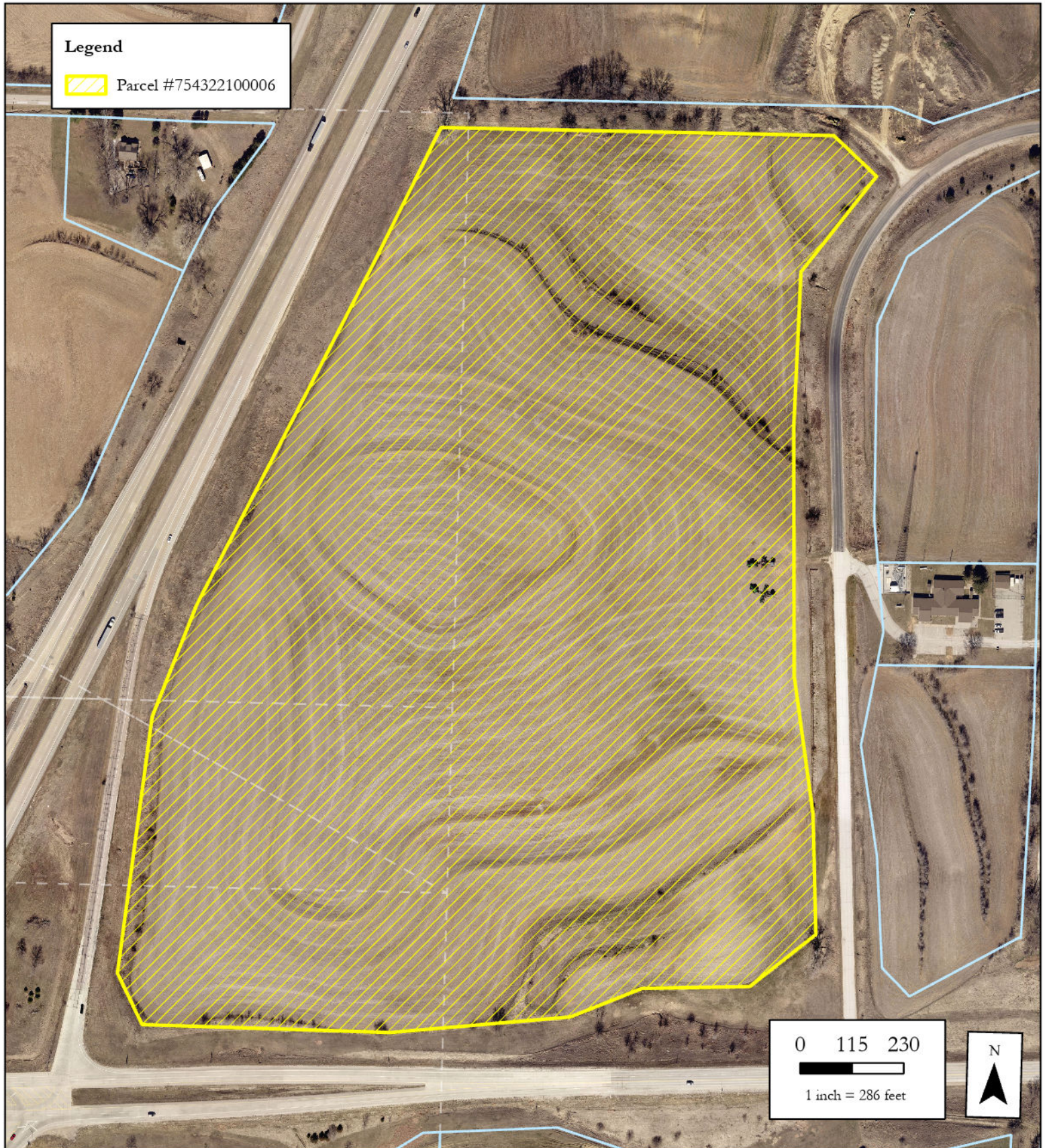
EXHIBIT E

INFORMATION CONCERNING VALLEY VIEW SOUTH SUBAREA

Current Tax Parcel Number	Name of Property Owner	Address of Record for Property Owner	Current Assessed Value – Land Value	Current Assessed Value – Improvement Value
754332256002	Hunt Ventures LLC	23699 Murphy Ln Council Bluffs, IA 51503	\$104,100.00	\$0
754332256003	R-J Capital LLC	PO Box 33 Council Bluffs, IA 51502	\$119,500.00	\$0
754332256004	R-J Capital LLC	PO Box 33 Council Bluffs, IA 51502	\$127,200.00	\$0



# CONSOLIDATED REVITALIZATION PLAN AMENDMENT #2 (PARCEL #754322100006)





# CONSOLIDATED REVITALIZATION PLAN AMENDMENT #2 (VALLEY VIEW DRIVE PARCELS)





**ORDINANCE NO. 6652**

**AN ORDINANCE AMENDING THE AMENDED AND RESTATED CONSOLIDATED URBAN REVITALIZATION AREA – AMENDMENT 1 WITHIN THE CITY OF COUNCIL BLUFFS.**

**WHEREAS,** the City of Council Bluffs has the authority under Chapter 404 of the Code of Iowa to declare areas as urban revitalization subareas to be known as the “Amended and Restated Consolidated Urban Revitalization Area – Amendment 2;” and

**WHEREAS,** the City of Council Bluffs is contemplating exercising said authority by adding two subareas designating the subareas legally described as urban revitalization subareas, thus allowing tax abatement for qualified projects, legal description of these subareas are attached as Exhibit A; and

**WHEREAS,** this City Council of the City of Council Bluffs, Iowa, finds that the subject areas are appropriate as urban revitalization subareas as outlined in Sections 404.1.4 of the Iowa Code; and

**WHEREAS,** on May 5, 2025, the City Council passed a Resolution of Necessity and Intent to amend the Amended and Restated Consolidated Urban Revitalization Area - Amendment 1 to include the Kaneshville and Valley View South subareas directing staff to prepare the required revitalization plan and a public hearing was set for June 9, 2025; and

**WHEREAS,** the Revitalization Plan has been written and packaged, notification sent to all the property owners and tenants affected and published notification has appeared in the daily newspaper; and

**WHEREAS,** at its May 13, 2025 meeting, the City Planning Commission reviewed the plan for the Amended and Restated Consolidated Urban Revitalization Area - Amendment 2 and has forwarded its recommendation to this City Council.

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

**SECTION 1.** That, consistent with the adoption of the Amendment and in accordance with the provisions of the Urban Revitalization Act, the areas legally described as follows are hereby designated as urban revitalization area, as a subarea of the Council Bluffs Amended and Restated Consolidated Urban Revitalization Area of the City of Council Bluffs, Iowa:

**Kaneshville Subarea**

A tract of land located in part of Lot 1, Auditor’s Subdivision of the SW ¼ NW ¼; part of the SE ¼ NW ¼; part of Lots 1, 2 and 3, Auditor’s Subdivision of the NW ¼ SW ¼; and part of the NE

¼ SW ¼, all located in Section 22, Township 75 North, Range 43 West of the 5<sup>th</sup> Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa.

Valley View South Subarea

Lots 2-4, Jilla Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.

**SECTION 2.** That the proposed Amended and Restated Consolidated Urban Revitalization Area be and the same is hereby approved, pursuant to the proposed plan attached hereto and incorporated herein by this reference.

**SECTION 3.** That Ordinance No. 6614 is hereby amended to include the Kanesville and Valley View South Subareas.

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

APPROVED  
AND  
ADOPTED

June 9, 2025

\_\_\_\_\_  
Matthew J. Walsh

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush

\_\_\_\_\_  
City Clerk

PUBLIC HEARING: 06/09/2025

FIRST CONSIDERATION: 06/09/2025

SECOND CONSIDERATION: 06/23/2025

THIRD CONSIDERATION: REQUEST TO WAIVE

## Council Communication

Department: Finance

Case/Project No.:

Submitted by: Finance Department /  
Danielle Bemis

Resolution 25-164  
ITEM 7.A.

Council Action: 6/23/2025

### Description

Resolution amending the City's Investment Policy.

### Background/Discussion

The City's Investment Policy was last revised in October 2023. Following review of the policy, corrections and revisions were made to the policy requiring that it be adopted in its revised form.

The proposed revised policy introduces a significant adjustment to institutional deposit limits, increasing the maximum amount of deposits held in any single financial institution or designated custodial agency from the previous threshold of \$40 million to \$60 million per institution. This enhancement provides necessary flexibility to navigate market conditions effectively and accommodate timing of project spend.

The policy will continue to be reviewed at least every three years to strengthen the policy's operational effectiveness and ensure alignment with current best practices or standards.

A "redline" copy of the proposed policy is included, showing the changes recommended in the policy along with a clean, final copy of the proposed revised policy.

### Recommendation

Approve the resolution to adopt the revised Investment Policy, as per our three-year review process.

### ATTACHMENTS:

Description	Type	Upload Date
City Investment Policy	Other	6/16/2025
City Investment Policy_redline version	Other	6/16/2025
Resolution 25-164	Resolution	6/18/2025



# Investment Policy

## City of Council Bluffs

*(revised - June 2025)*

### **SECTION 1 – SCOPE OF INVESTMENT POLICY**

The Investment Policy of the City of Council Bluffs shall apply to all operating funds, bond proceeds and other funds and all investment transactions involving operating funds, bond proceeds and other funds accounted for in the financial statements of the City of Council Bluffs. Each investment made pursuant to this Investment Policy must be authorized by applicable law and this written Investment Policy.

The investment of bond funds or sinking funds shall comply not only with this investment policy, but also be consistent with any applicable bond resolution, bond post compliance policy and Internal Revenue regulations

This Investment Policy is intended to comply with Iowa Code Section 12B.10B and 12C.

Upon passage and upon future amendment, if any, copies of this Investment Policy shall be delivered to all of the following:

1. The governing body or officer of the City of Council Bluffs to which the Investment Policy applies.
2. All depository institutions or fiduciaries for public of the City of Council Bluffs.
3. The independent auditor engaged to audit the City of Council Bluffs.

### **SECTION 2 - DELEGATION OF AUTHORITY**

In accordance with Iowa Code Section 12C.11, the responsibility for conducting investment transactions resides with the governing body of the City of Council Bluffs. Only those authorized by resolution may invest public funds and a copy of any empowering resolution shall be attached to this Investment Policy.

All contracts or agreements with outside persons investing public funds, advising on the investment of public funds, directing the deposit or investment of public funds or acting in a fiduciary capacity for the City of Council Bluffs shall require the outside person to notify in writing the City of Council Bluffs within thirty days of receipt of all communication from the Auditor of the outside person or any regulatory authority of the existence of a material weakness in internal control structure of the outside person or regulatory orders or sanctions regarding the type of services being provided to the City of Council Bluffs by the outside person.

The records of investment transactions made by or on behalf of the City of Council Bluffs are public records and are the property of the City of Council Bluffs whether in the custody of the City of Council Bluffs or in the custody of a fiduciary or other third party.

The City Finance Department shall establish a written system of internal controls and investment practices. The controls shall be designed to prevent losses of public funds, to document those officers and employees of the City of Council Bluffs responsible for elements of the investment process and to address the capability of investment management. The controls shall provide for the receipt and review of the audited financial statement and related report on internal control structure of all outside persons performing any of the following for this public body:

1. Investing public funds.
2. Advising on the investment of public funds.
3. Directing the deposit or investment of public funds.
4. Acting in a fiduciary capacity for this public body.

A Bank, Savings and Loan Association or Credit Union providing only depository services shall not be required to provide an audited financial statement and related report on internal control structure.

### **SECTION 3 – OBJECTIVES OF INVESTMENT POLICY**

The primary objectives, in order of priority, of all investment activities involving the financial assets of the City of Council Bluffs shall be the following:

1. Safety: Safety and preservation of principal in the overall portfolio is the foremost investment objective.
2. Liquidity: Maintaining the necessary liquidity to match expected liabilities is the second investment objective.
3. Return: Obtaining a reasonable return is the third investment objective.

### **SECTION 4 – PRUDENCE**

The authorized authority of the City of Council Bluffs, when investing or depositing public funds shall exercise the care, skill, prudence and diligence under the circumstances then prevailing that a person acting in a like capacity and familiar with such matters would use to attain the Section 2 investment objectives. This standard requires that when making investment decisions, the authorized authority shall consider the role that the investment or deposit plays

within the portfolio of assets of the City of Council Bluffs and the investment objectives stated in Section 3.

## **SECTION 5 – INSTRUMENTS ELIGIBLE FOR INVESTMENT**

Assets of the City of Council Bluffs may be invested in the following:

1. Interest bearing savings accounts, interest bearing money accounts, and interest bearing checking accounts at any bank, savings and loan association or credit union authorized by the State of Iowa. Each bank must be on the most recent Approved Bank List as distributed by the Treasurer of the State of Iowa or as amended as necessary by notice inserted in the monthly mailing by the Rate Setting Committee. Each financial institution shall be properly declared as a depository by the governing body of the City of Council Bluffs. Deposits in any financial institution or designated custodial agency shall not exceed \$60,000,000 in value.
  - a. Required collateral (banks) pursuant to Iowa Code Section 12C.22
2. Obligations of the United States government, its agencies and instrumentalities.
3. Certificates of deposit and other evidences of deposit at federally insured Iowa depository institutions approved and secured pursuant to Iowa Code Chapter 12C.
4. Iowa Public Agency Investment Trust. (IPAIT)
5. Prime bankers' acceptances that mature within 270 days of purchase and that are eligible for purchase by a federal reserve bank.
6. Commercial paper or other short-term corporate debt that matures within 270 days of purchase and is rated within the two highest classifications, as established by at least one of the standard rating services approved by the superintendent of banking.
7. Repurchase agreements, provided that the underlying collateral consists of obligations of the United States government, its agencies and instrumentalities and the City of Council Bluffs takes delivery of the collateral either directly or through an authorized custodian.
8. An open-end management investment company registered with the Securities & Exchange Commission under the federal Investment Company Act of 1940, 15 U.S.C. Section 80(a) and operated in accordance with 17 C.F.R. Section 270.2a-7, whose portfolio investments are limited to those instruments individually authorized in Section 5 of the Investment Policy.

All instruments eligible for investment are further qualified by all other provisions of this Investment Policy, including Section 7 investment maturity limitations and Section 8 diversification requirements.

## **SECTION 6 – PROHIBITED INVESTMENTS AND INVESTMENT PRACTICES**

Assets of the City of Council Bluffs shall not be invested in the following:

1. Reverse repurchase agreements.
2. Futures and options contracts.

Assets of the City of Council Bluffs shall not be invested pursuant to the following investment practices:

1. Trading of securities for speculation or the realization of short-term trading gains.
2. Pursuant to a contract providing for the compensation of an agent or fiduciary based upon the performance of the invested assets.
3. If a fiduciary or other third party with custody of public investment transaction records of the City of Council Bluffs fails to produce requested records when requested by this public body within a reasonable time, the City of Council Bluffs shall make no new investment with or through the fiduciary or third party and shall not renew maturing investments with or through the fiduciary or third party.

## **SECTION 7 – INVESTMENT MATURITY LIMITATIONS**

Operating Funds must be identified and distinguished from all other funds available for investment. Operating Funds are defined as those funds which are reasonably expected to be expended during a current budget year or within fifteen months of receipt.

All investments authorized in Section 5 are further subject to the following investment maturity limitations:

1. Operating Funds may only be invested in instruments authorized in Section 5 of this Investment Policy that mature within three hundred ninety-seven (397) days.
2. The authorized authority may invest funds of the City of Council Bluffs that are not identified as Operating Funds in investments with maturities longer than three hundred ninety-seven (397) days. However, all investments of the City of Council Bluffs shall have maturities that are consistent with the needs and use of the City of Council Bluffs.

## **SECTION 8 – DIVERSIFICATION**

Investments of the City of Council Bluffs are subject to the following diversification requirements:

Prime bankers' acceptances:

1. At the time of purchase, no more than ten percent (10%) of the investment portfolio of the City of Council Bluffs shall be invested in prime bankers' acceptances, and
2. At the time of purchase, no more than five percent (5%) of the investment portfolio of the City of Council Bluffs shall be invested in the securities of a single issuer.

Commercial paper or other short-term corporate debt:

1. At the time of purchase, no more than ten percent (10%) of the investment portfolio of the City of Council Bluffs shall be invested in commercial paper or other short-term corporate debt,
2. At the time of purchase, no more than five percent (5%) of the investment portfolio of the City of Council Bluffs shall be invested in securities of a single issuer, and
3. At the time of purchase, no more than five percent (5%) of all amounts invested in commercial paper and other short-term corporate debt shall be invested in paper and debt rated in the second highest classification.

Where possible, it is the policy of the City of Council Bluffs to diversify its investment portfolio. Assets shall be diversified to eliminate the risk of loss resulting from overconcentration of assets in a specific maturity, a specific issuer, or a specific class of securities. In establishing specific diversification strategies, the following general policies and constraints shall apply:

1. Portfolio maturities shall be staggered in a way that avoids undue concentration of assets in a specific maturity sector. Maturities shall be selected which provide stability of income and reasonable liquidity.
2. Liquidity practices to ensure that the next disbursement date and payroll date are covered through maturing investments, marketable U.S. Treasury bills or cash on hand shall be used at all times.
3. Risks of market price volatility shall be controlled through maturity diversification so that aggregate price losses on Instruments with maturities approaching one year shall not be greater than coupon interest and Investment Income received from the balance of the portfolio.

## **SECTION 9 - SAFEKEEPING AND CUSTODY**

All Invested assets of the City of Council Bluffs involving the use of a public funds custodial agreement, as defined in Iowa Code Section 12B.10C, shall comply with all rules adopted pursuant to Iowa Code Section 12B.10C. All custodial agreements shall be in writing and shall

contain a provision that all custodial services be provided in accordance with the laws of the State of Iowa.

#### **SECTION 10 – *ETHICS AND CONFLICT OF INTEREST***

All officers and employees of the City of Council Bluffs involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Any personal investments or loans in excess of \$100,000 in or with any entity that the City of Council Bluffs has declared as a depository or regularly conducts investment business with shall be disclosed in writing to the governing board of the City of Council Bluffs.

#### **SECTION 11 – *REPORTING***

The Director of Finance shall submit monthly an investment report to the Mayor and City Council. The investment report shall set out the current portfolio in terms of maturity, rates of return and other features and summarize all investment transactions that have occurred during the reporting period.

#### **SECTION 12 – *INVESTMENT POLICY REVIEW AND AMENDMENT***

This Investment Policy shall be reviewed every 3 years or more frequently as appropriate. Notice of amendments to the Investment Policy shall be promptly given to all parties noted in Section 1.

# Investment Policy

## City of Council Bluffs

(revised - ~~October 2023~~ June 2025)

### SECTION 1 – SCOPE OF INVESTMENT POLICY

The Investment Policy of the City of Council Bluffs shall apply to all operating funds, bond proceeds and other funds and all investment transactions involving operating funds, bond proceeds and other funds accounted for in the financial statements of the City of Council Bluffs. Each investment made pursuant to this Investment Policy must be authorized by applicable law and this written Investment Policy.

The investment of bond funds or sinking funds shall comply not only with this investment policy, but also be consistent with any applicable bond resolution, bond post compliance policy and Internal Revenue regulations

This Investment Policy is intended to comply with Iowa Code Section 12B.10B ~~and 12C~~.

Upon passage and upon future amendment, if any, copies of this Investment Policy shall be delivered to all of the following:

1. The governing body or officer of the City of Council Bluffs to which the Investment Policy applies.
2. All depository institutions or fiduciaries for public of the City of Council Bluffs.
3. The independent auditor engaged to audit the City of Council Bluffs.

### SECTION 2 - DELEGATION OF AUTHORITY

In accordance with Iowa Code Section 12C.11, the responsibility for conducting investment transactions resides with the governing body of the City of Council Bluffs. Only those authorized by resolution may invest public funds and a copy of any empowering resolution shall be attached to this Investment Policy.

All contracts or agreements with outside persons investing public funds, advising on the investment of public funds, directing the deposit or investment of public funds or acting in a fiduciary capacity for the City of Council Bluffs shall require the outside person to notify in writing the City of Council Bluffs within thirty days of receipt of all communication from the Auditor of the outside person or any regulatory authority of the existence of a material weakness in internal control structure of the outside person or regulatory orders or sanctions regarding the type of services being provided to the City of Council Bluffs by the outside person.



The records of investment transactions made by or on behalf of the City of Council Bluffs are public records and are the property of the City of Council Bluffs whether in the custody of the City of Council Bluffs or in the custody of a fiduciary or other third party.

The City Finance Department shall establish a written system of internal controls and investment practices. The controls shall be designed to prevent losses of public funds, to document those officers and employees of the City of Council Bluffs responsible for elements of the investment process and to address the capability of investment management. The controls shall provide for the receipt and review of the audited financial statement and related report on internal control structure of all outside persons performing any of the following for this public body:

1. Investing public funds.
2. Advising on the investment of public funds.
3. Directing the deposit or investment of public funds.
4. Acting in a fiduciary capacity for this public body.

A Bank, Savings and Loan Association or Credit Union providing only depository services shall not be required to provide an audited financial statement and related report on internal control structure.

### **SECTION 3 – OBJECTIVES OF INVESTMENT POLICY**

The primary objectives, in order of priority, of all investment activities involving the financial assets of the City of Council Bluffs shall be the following:

1. Safety: Safety and preservation of principal in the overall portfolio is the foremost investment objective.
2. Liquidity: Maintaining the necessary liquidity to match expected liabilities is the second investment objective.
3. Return: Obtaining a reasonable return is the third investment objective.

### **SECTION 4 – PRUDENCE**

The authorized authority of the City of Council Bluffs, when investing or depositing public funds shall exercise the care, skill, prudence and diligence under the circumstances then prevailing that a person acting in a like capacity and familiar with such matters would use to attain the Section 2 investment objectives. This standard requires that when making investment decisions, the authorized authority shall consider the role that the investment or deposit plays

within the portfolio of assets of the City of Council Bluffs and the investment objectives stated in Section 3.

#### **SECTION 5 – INSTRUMENTS ELIGIBLE FOR INVESTMENT**

Assets of the City of Council Bluffs may be invested in the following:

1. Interest bearing savings accounts, interest bearing money accounts, and interest bearing checking accounts at any bank, savings and loan association or credit union authorized by the State of Iowa. Each bank must be on the most recent Approved Bank List as distributed by the Treasurer of the State of Iowa or as amended as necessary by notice inserted in the monthly mailing by the Rate Setting Committee. Each financial institution shall be properly declared as a depository by the governing body of the City of Council Bluffs. Deposits in any financial institution or designated custodial agency shall not exceed \$~~40~~60,000,000 in value.

~~1-a.~~ Required collateral (banks) pursuant to Iowa Code Section 12C.22
2. Obligations of the United States government, its agencies and instrumentalities.
3. Certificates of deposit and other evidences of deposit at federally insured Iowa depository institutions approved and secured pursuant to Iowa Code Chapter 12C.
- ~~3-4.~~ Iowa Public Agency Investment Trust. (IPAIT)
- ~~4-5.~~ Prime bankers' acceptances that mature within 270 days of purchase and that are eligible for purchase by a federal reserve bank.
- ~~5-6.~~ Commercial paper or other short-term corporate debt that matures within 270 days of purchase and is rated within the two highest classifications, as established by at least one of the standard rating services approved by the superintendent of banking.
- ~~6-7.~~ Repurchase agreements, provided that the underlying collateral consists of obligations of the United States government, its agencies and instrumentalities and the City of Council Bluffs takes delivery of the collateral either directly or through an authorized custodian.
- ~~7-8.~~ An open-end management investment company registered with the Securities & Exchange Commission under the federal Investment Company Act of 1940, 15 U.S.C. Section 80(a) and operated in accordance with 17 C.F.R. Section 270.2a-7, whose portfolio investments are limited to those instruments individually authorized in Section 5 of the Investment Policy.

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All instruments eligible for investment are further qualified by all other provisions of this Investment Policy, including Section 7 investment maturity limitations and Section 8 diversification requirements.

#### **SECTION 6 – PROHIBITED INVESTMENTS AND INVESTMENT PRACTICES**

Assets of the City of Council Bluffs shall not be invested in the following:

1. Reverse repurchase agreements.
2. Futures and options contracts.

Assets of the City of Council Bluffs shall not be invested pursuant to the following investment practices:

1. Trading of securities for speculation or the realization of short-term trading gains.
2. Pursuant to a contract providing for the compensation of an agent or fiduciary based upon the performance of the invested assets.
3. If a fiduciary or other third party with custody of public investment transaction records of the City of Council Bluffs fails to produce requested records when requested by this public body within a reasonable time, the City of Council Bluffs shall make no new investment with or through the fiduciary or third party and shall not renew maturing investments with or through the fiduciary or third party.

#### **SECTION 7 – INVESTMENT MATURITY LIMITATIONS**

Operating Funds must be identified and distinguished from all other funds available for investment. Operating Funds are defined as those funds which are reasonably expected to be expended during a current budget year or within fifteen months of receipt.

All investments authorized in Section 5 are further subject to the following investment maturity limitations:

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1. Portfolio maturities shall be staggered in a way that avoids undue concentration of assets in a specific maturity sector. Maturities shall be selected which provide stability of income and reasonable liquidity.
2. Liquidity practices to ensure that the next disbursement date and payroll date are covered through maturing investments, marketable U.S. Treasury bills or cash on hand shall be used at all times.
3. Risks of market price volatility shall be controlled through maturity diversification so that aggregate price losses on Instruments with maturities approaching one year shall not be greater than coupon interest and Investment Income received from the balance of the portfolio.

#### **SECTION 9 - SAFEKEEPING AND CUSTODY**

All Invested assets of the City of Council Bluffs involving the use of a public funds custodial agreement, as defined in Iowa Code Section 12B.10C, shall comply with all rules adopted pursuant to Iowa Code Section 12B.10C. All custodial agreements shall be in writing and shall contain a provision that all custodial services be provided in accordance with the laws of the State of Iowa.

#### **SECTION 10 – ETHICS AND CONFLICT OF INTEREST**

All officers and employees of the City of Council Bluffs involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Any personal investments or loans in excess of \$100,000 in or with any entity that the City of Council Bluffs has declared as a depository or regularly conducts investment business with shall be disclosed in writing to the governing board of the City of Council Bluffs.

#### **SECTION 11 – REPORTING**

The Director of Finance shall submit monthly an investment report to the Mayor and City Council. The investment report shall set out the current portfolio in terms of maturity, rates of return and other features and summarize all investment transactions that have occurred during the reporting period.

#### **SECTION 12 – INVESTMENT POLICY REVIEW AND AMENDMENT**

This Investment Policy shall be reviewed every 3 years or more frequently as appropriate. Notice of amendments to the Investment Policy shall be promptly given to all parties noted in Section 1.

**Resolution 25-164**

Resolution adopting a revised City Investment Policy.

WHEREAS, the City of Council Bluffs has an Investment Policy last revised in October 2023; and

WHEREAS, said Policy indicates that the Policy should be reviewed at least every three years;  
and

WHEREAS, following review of said policy, corrections and revisions were made to the policy  
requiring that it be adopted in its revised form.

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

That the City of Council Bluffs hereby approves the revised Investments Policy dated June 2025 and  
instructs that it be delivered to all entities listed in the policy for receipt of an updated policy.

Adopted and Approved: June 23, 2025

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Matthew J. Walsh, Mayor

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Jodi Quakenbush, City Clerk

## Council Communication

Department: Finance

Case/Project No.:

Submitted by: Finance Department /

Danielle Bemis

Resolution 25-165

ITEM 7.B.

Council Action: 6/23/2025

### Description

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

### Background/Discussion

The Code of Iowa, in Section 12.C.2, requires that public bodies shall list the depositories approved for deposit of City funds and list the maximum amounts allowed in each depository in the official record.

This resolution designates all financial institutions deemed appropriate and in the best interest of the City of Council Bluffs as authorized depositories for City funds to the limits prescribed in the Investment Policy of no more than \$60,000,000 per institution. A copy of the proposed amended Investment Policy is attached.

The City has been approached to add Availa Bank to the list of approved depositories at the next revision of this resolution.

As City staff continues to research investment portfolio options for public funds, changes to the list of approved depositories will be brought back in front of Council for review and approval. Any future revisions will be presented similar to the changes on the redline version of the previous resolution, also attached.

### Recommendation

Approval of this resolution is dependent upon approval of the Investment Policy resolution (agenda item above). Within the Investment Policy amendment, the maximum limit at each authorized financial institution is proposed to increase. It is necessary to amend the resolution for approved depositories to reflect the increase to the maximum limit.

### ATTACHMENTS:

Description	Type	Upload Date
List of Depositories_redline version	Other	6/16/2025
Resolution 25-165	Resolution	6/18/2025

## Resolution

### Resolution approving city depositories

- WHEREAS, the Code of Iowa, in Section 12.C.2, requires that public bodies shall list the depositories approved for deposit of City funds and list the maximum amounts allowed in each depository in the official record;
- WHEREAS, the Code of Iowa, in Section 12C.6A(2) directs the committee of the Superintendent of Banking, Superintendent of Credit Unions, Auditor of State and Treasurer of State to develop a list of financial institutions that are eligible to accept public deposits;
- WHEREAS, at this time, all Iowa financial institutions are eligible to accept public funds; and
- WHEREAS, the following depositories are deemed by the City Council to be appropriate and in the best interest of the City of Council Bluffs for deposit of City funds.

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

That the City of Council Bluffs hereby approves the following depositories for City funds and authorizes their use by the properly named officers of the City.

<u>Institution</u>	<u>Maximum Balance Allowed</u>
American National Bank	\$60,000,000
Midstates Bank NA	\$60,000,000
US Bank NA	\$60,000,000
Security National Bank	\$60,000,000
IPAIT	\$60,000,000
Multi-Bank Securities	\$60,000,000
Availa Bank	\$60,000,000

Adopted and Approved: June 23, 2025

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Matthew J. Walsh, Mayor

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Jodi Quakenbush, City Clerk



## Resolution 25-165

### Resolution approving city depositories

- WHEREAS, the Code of Iowa, in Section 12.C.2, requires that public bodies shall list the depositories approved for deposit of City funds and list the maximum amounts allowed in each depository in the official record;
- WHEREAS, the Code of Iowa, in Section 12C.6A(2) directs the committee of the Superintendent of Banking, Superintendent of Credit Unions, Auditor of State and Treasurer of State to develop a list of financial institutions that are eligible to accept public deposits;
- WHEREAS, at this time, all Iowa financial institutions are eligible to accept public funds; and
- WHEREAS, the following depositories are deemed by the City Council to be appropriate and in the best interest of the City of Council Bluffs for deposit of City funds.

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

That the City of Council Bluffs hereby approves the following depositories for City funds and authorizes their use by the properly named officers of the City.

<u>Institution</u>	<u>Maximum Balance Allowed</u>
American National Bank	\$60,000,000
Midstates Bank NA	\$60,000,000
US Bank NA	\$60,000,000
Security National Bank	\$60,000,000
IPAIT	\$60,000,000
Multi-Bank Securities	\$60,000,000
Availa Bank	\$60,000,000

Adopted and Approved: June 23, 2025

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Matthew J. Walsh, Mayor

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Jodi Quakenbush, City Clerk

## Council Communication

Department: Public Works Admin  
Case/Project No.: PW25-17  
Submitted by: Matthew Cox, Public  
Works Director

Resolution 25-167  
ITEM 7.C.

Council Action: 6/23/2025

### Description

Resolution accepting the bid of Minturn, Inc. for the Southwest Pump Station Trash Rack Rehab. Project #PW25-17

### Background/Discussion

On June 5, 2025 bids were received through the City bidding software Ion Wave as follows:

Minturn, Inc., Brooklyn, IA	\$441,200.00
Eriksen Construction Co., Inc., Blair, NE	\$585,800.00
Neuvirth Construction, Inc., Blair, NE	\$596,268.31
Building Crafts, Inc., Red Oak, IA	\$614,600.00
Engineer's Estimate (McClure)	\$510,500.00

The Southwest sanitary sewer pump station is one of the larger stations within the City's sanitary sewer collection system and is critical to providing sewer service for the community.

The wastewater entering the pump station is screened for solids and debris. This removal process protects the pumps from clogging and limits the potential for damage. Larger stations, like Southwest, utilize a mechanically operated trash rack to clean the screens. This project will replace the trash rack system which has reached its service life limit. The newer technology of a modern trash rack will provide reliable removal, handling, storage, and disposal of the screenings.

The project will include the necessary modifications to the screenings room and electrical controls to accommodate the new system.

This project was included in the FY25 CIP and has a budget of \$600,000 in Sewer funds.

The project schedule is as follows:	Award	June 23, 2025
	Construction Start	July 2025

### Recommendation

Approval of this resolution to accept the bid of Minturn, Inc. for the Southwest Pump Station Trash Rack Rehab project.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 25-167	Resolution	6/18/2025

**RESOLUTION**  
**NO 25-167**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK  
TO EXECUTE AN AGREEMENT WITH  
MINTURN, INC. FOR THE  
SOUTHWEST PUMP STATION TRASH RACK REHAB  
PROJECT #PW25-17**

WHEREAS, the plans, specifications, and form of contract for the Southwest Pump Station Trash Rack Rehab are on file in the office of the City Clerk; and

WHEREAS, a Notice of Public Hearing was published, as required by law, and a public hearing was held on May 5, 2025, and the plans, specifications and form of contract were approved; and

WHEREAS, Minturn, Inc. of Brooklyn, IA has submitted a low bid in the amount of \$441,200.00 for this contract.

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

That the bid of Minturn, Inc. of \$441,200.00 is hereby accepted as the lowest and best bid received for said work; and

BE IT FURTHER RESOLVED

That the City Council does hereby award the contract in connection with the Southwest Pump Station Trash Rack Rehab; and

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized, empowered, and directed to execute an agreement with Building Crafts, Inc. for and on behalf of the City of Council Bluffs, upon approval by the City Attorney of the certificate of insurance and payment and performance bonds as required by the contract specifications.

ADOPTED  
AND  
APPROVED

June 23, 2025

\_\_\_\_\_  
Matthew J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush, City Clerk

## Council Communication

Department: Legal  
Case/Project No.:  
Submitted by: Malina Dobson

Resolution 25-168  
ITEM 7.D.

Council Action: 6/23/2025

### Description

Resolution to create a new Assistant Attorney II position within the Legal Department.

### Background/Discussion

The City Attorney has conducted a thorough evaluation of existing resources and office needs and has determined there is a need to establish an additional Assistant Attorney II position. Currently, the office contracts with outside counsel for certain legal services, but the expanding scope of municipal legal responsibilities requires dedicated in-house expertise to ensure continued high-quality legal services across several key functions.

The previous City Attorney anticipated this need and budgeted for a third in house attorney, so this is not a request for a budgetary increase.

The individual in this role will handle comprehensive contract review and analysis, which requires consistent oversight and specialized expertise similar to that of complex commercial transactions. In addition, the Attorney II will oversee policy development and review, including current municipal policies and new initiatives that are presently under consideration. The position will also provide litigation support and case management for municipal legal matters, conduct high-level legal research, monitor developments in statutory and case law, and provide regular legislative updates and legal guidance to the City Council and city departments, all of which are critical functions that require regular, dedicated attention.

Due to the scope and complexity of these legal responsibilities, this position is necessary to provide consistent, specialized legal support. This role will enhance the office's ability to bring legal work in-house, reduce reliance on outside counsel, and maintain comprehensive, proactive legal services that meet the city's evolving needs. The position will ensure the City receives timely, cost-effective legal guidance while maintaining the highest standards of municipal legal practice and providing greater continuity, institutional knowledge, and ongoing legal updates than contracted services can offer.

### Recommendation

Approval is recommended.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 25-168	Resolution	6/18/2025

**RESOLUTION NO. 25-168**

**A RESOLUTION TO CREATE A NEW “ASSISTANT ATTORNEY II” POSITION  
WITHIN THE LEGAL DEPARTMENT.**

**WHEREAS,** The City Attorney has conducted a thorough evaluation of existing resources and office needs and has determined a necessity for an additional Assistant Attorney II position; and

**WHEREAS,** The prior City Attorney anticipated the need for an additional in-house attorney and budgeted for the position, so this is not a request for a budgetary increase; and

**WHEREAS,** This change will expand the amount of dedicated in-house expertise to ensure continued high-quality legal services for all City departments.

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

That the position of Assistant Attorney II is hereby created at a Grade 32.

ADOPTED  
AND  
APPROVED

June 23, 2025.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk

## Council Communication

Department: Community

Development

Case/Project No.: SUB-25-005 &  
PR-25-001(M)

Resolutions 25-169 and 25-170  
ITEM 7.E.

Council Action: 6/23/2025

Submitted by: Christopher N.

Gibbons, AICP, Planning Manager

### Description

Resolution 25-169 granting preliminary plan approval of a 17-lot residential subdivision to be known as Arbor Creek 2nd Addition, legally described as being a replat of Lot 2, Arbor Creek. Location: Undeveloped land lying south of 1020 Railroad Avenue. SUB-25-005

Resolution 25-170 to amend the adopted PR-1/Planned Residential development plan for Arbor Creek 2nd Addition, legally described as being a replat of Lot 2, Arbor Creek Subdivision. PR-25-001(M)

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	6/13/2025
Attachment A: Letter of intent	Letter	6/13/2025
Attachment B: Preliminary subdivision plans	Other	6/13/2025
Attachment C: Architectural renderings and floor plans	Other	6/13/2025
Attachment D: Location/zoning map	Map	6/13/2025
Attachment E: CASE #PR-21-001 approved development plan	Other	6/13/2025
Resolution 25-169	Resolution	6/18/2025
Resolution 25-170	Resolution	6/18/2025

## City Council Communication

Department: Community Development  CASES #SUB-25-005 & PR-25-001(M)  Applicant/Property Owner: Arbor Creek, LLC 2023 South 181 <sup>st</sup> Circle Omaha, NE 68130  Engineer/Surveyor: HGM Associates, Inc. 640 5 <sup>th</sup> Avenue Council Bluffs, IA 51501	Resolution No. _____  Resolution No. _____	<u>City Council</u> Case #SUB-25-005: 6/23/2025 Case #PR-21-001(M): 6/23/2025  Planning Commission: 6/10/2025
<b>Subject/Title</b>		
<p><b>Requests:</b> Combined public hearings on the request of Arbor Creek, LLC, represented by Neal Drickey, for preliminary plan approval of a 17-lot residential subdivision to be known as Arbor Creek 2<sup>nd</sup> Addition, legally described as Lot 2, Arbor Creek, and to amend the adopted PR-1/Planned Residential development plan for said property to allow construction of 16 attached, single-family residential dwellings.</p> <p><b>Location:</b> Undeveloped land lying south of 1020 Railroad Avenue</p>		
<b>Background</b>		
<p>The Community Development Department has received the following requests from Arbor Creek, LLC, represented by Neal Drickey, for property legally described as Lot 2, Arbor Creek (see Attachments A through C):</p> <ol style="list-style-type: none"> <li>1. Case #SUB-25-005: Preliminary plan approval of a 17-lot residential subdivision to be known as Arbor Creek 2<sup>nd</sup> Addition; and</li> <li>2. Case #PR-21-001(M): Amend the adopted PR-1/Planned Residential development plan for said property to allow construction of 16 attached single-family residential dwellings.</li> </ol> <p>In May 2021, the Council Bluffs City Council granted approval of the applicant's request to develop the subject property into a 27-lot subdivision, to be known as Arbor Creek 2<sup>nd</sup> Addition (see Attachment E). The development was master planned to include a mixture of townhomes, single-family residential dwellings (detached), and outlots for stormwater detention. After receiving approval from the City, the applicant was notified by their engineer that a significant amount of floodplain/wetlands exist on the property. Due to the size and location of the floodplain/wetlands, the applicant determined their 27-lot residential subdivision was not feasible to construct and looked for other development alternatives for the property.</p> <p>In February 2024, the applicant proposed to rezone the property from R-2/Two-Family Residential District to C-1/Neighborhood Commercial District; amend the future land use plan of the Bluffs Tomorrow 2030 Comprehensive Plan by reclassifying the subject property from 'Medium Density Residential' to 'Local Commercial'; and repeal the previously approved PR/Planned Residential Overlay that was appended onto the subject property in 2021 to develop the property with a multi-tenant commercial strip. These requests were denied by City Council.</p>		



The applicant now proposes to develop the property with 16 attached single-family dwellings and one out lot. Proposed Lots 1-16 will be developed with the single-family attached dwellings with Outlot A being reserved for stormwater detention purposes. The subject property is zoned R-2/Two-Family Residential District, which allows “dwelling, single-family attached” as a “by-right” permitted use. The purpose of these requests is to subdivide the property and create site development/layout and design standards relevant to the proposed single-family attached dwellings. If approved, the previously approved PR/Planned Residential development plan, adopted by Resolution No. 21-144, will be repealed and replaced with the applicant’s new proposed plan.

### Zoning/Land Use

The subject property is zoned R-2/Two-Family Residential District with an appended PR/Planned Residential Overlay and is surrounded by the following zoning districts and land uses:

Direction	Existing Zoning Districts	Existing Land Uses
North	A-2/Parks, Estates, and Agricultural District, R-4/High Density Multi-Family Residential District, and C-2/Commercial District	Midlands Humane Society, commercial storage, multi-family apartments, and Sherwood Plaza Shopping Center
South	A-2/Parks, Estates, and Agricultural District and R-1/Single-Family Residential District	Single-family dwellings and undeveloped land
East	A-2/Parks, Estates and Agricultural District, R-3/Low Density Multi-Family Residential District, and R-1/Single-Family Residential District	Railroad Avenue, single-family residential dwelling, Burlington Northern Railroad, and Iowa Western Community College, College View Elementary, multi-family apartments, attached single-family dwellings, and St. Patrick’s Church
West	R-1/Single-Family Residential District and A-2, Parks, Estates, and Agricultural District	Single-family dwellings and undeveloped land

A location/zoning map is included with this report as Attachment ‘D.’

Public notices were mailed to all property owners within 200 feet of the subject property and to Mr. Ronald Wolfe (President, Indian Hills Neighborhood Association). Said notices are not required by ordinance since this request did not involve a change to the City’s Zoning Map. City staff sent the notices as a courtesy since the proposed development differs substantially from the single-family/townhome development, which was approved at this location in 2021. No comments have been received from the public as of the date of this report.

### **CASE #SUB-25-005**

The proposed Arbor Creek 2<sup>nd</sup> Addition subdivision is comprised of 6.19 acres (more/less) of land and contains 16 buildable lots and one outlot. Lots 1 - 16 will be developed with single-family attached dwellings and Outlot A will be utilized for stormwater detention. A new private street is proposed to be constructed to provide access to each of the attached, single-family dwellings from Railroad Avenue. All proposed lots will be fully served with utilities (e.g., sanitary/storm sewers, water, gas, electricity, telecommunications, etc.). The applicant intends to develop the entire subdivision as one phase.

### Comments

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, “but shall be deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat” (§14.11.060(D)—Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the sub-divider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.
2. The proposed subdivision is generally consistent with the purpose and intent of Title 14: Subdivisions and Title 15: Zoning of the Council Bluffs Municipal Code. The future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as Medium Density Residential. The proposed single-family attached development is consistent with the Medium Density designation.
3. The subject property is zoned R-2/Two-Family Residential District with an appended PR/Planned Residential Overlay. Single-family attached dwellings are allowed by-right within an R-2 District with a minimum lot size of 2,500 square feet, as per Section 15.09, R-2/Two-family Residential District of the Council Bluffs Municipal Code. The proposed preliminary subdivision plan shows Lots 1-16 will range in size between 40 and 45 feet wide by 100 feet deep. The proposed lot sizes comply with the minimum 2,500 square feet required for an attached single-family dwelling in an R-2 District.
4. Lots 1 - 16 will be developed with single-family attached dwellings. Each buildable lot will be contained to the raised area of the site that is not located within a floodplain and/or wetland area. All construction activity on Lots 1-16 shall comply with the amended PR/Planned Residential development plan for Arbor Creek 2<sup>nd</sup> Addition (see Case #PR-21-001(M)).
5. Outlot A will be utilized as stormwater detention. A note shall be stated on the final plat that dedicates all maintenance of Outlot A to the subdivision’s homeowner’s association.
6. A private roadway with a hammerhead turnaround is proposed to be constructed to provide vehicular and utility access to each lot. The private driveway will be 25 feet wide and centered within a 50-foot-wide access/utility easement area. The private driveway must be identified as an out lot on the final plat for the purpose of establishing a boundary for said access/utility easement area and front property lines for each of the proposed attached single-family dwellings units. If the developer wants to dedicate the private driveway to the city as a public roadway, they will need to work with the City’s Public Works Department on a revised design for the street prior to the commencement of road construction and submitting a final plat.
7. The land within this subdivision is located within Flood Zones ‘AE’ and ‘0.2%’ according to FEMA map panel number 19155C0418F, dated 4/16/2013. With adequate engineering and construction controls, the land in this subdivision is suitable for development, subject to compliance with all applicable floodplain regulations.
8. The standard 5-foot and 10-foot utility easement along the front and side lot lines are shown on the preliminary subdivision plan. Since Lots 1 through 16 will be developed with an attached single-family dwelling, the five-foot-wide utility easement, along the property lines with a shared common wall, will need to be omitted from the final plat.
9. Any future street lights shall meet the Public Works Department standards and shall be installed when the roadway is constructed. All costs associated with the installation of street lights shall be the responsibility of the developer and not the City.
10. All proposed lots will be fully served with utilities (e.g., sanitary/storm sewers, water, gas, electricity, telecommunications, etc.). Any costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.
11. A five-foot-wide sidewalk is shown to be constructed on both sides of the private roadway. Sidewalk installation along the frontage of proposed Lots 1 through 16 shall be completed prior to issuance of a Certificate of Occupancy on each lot, at no cost to the City. Sidewalk installation along the sides of the private roadway that do not immediately front a developable lot shall be completed at the time of roadway construction. All costs to construct said sidewalks shall be at the expense of the applicant and not the City of Council Bluffs.

12. Council Bluffs Fire and Police Departments stated they have no comments for the proposed subdivision.
13. Council Bluffs Water Works stated they're able to serve the development with water.
14. Council Bluffs Public Works Department stated all of their previous comments regarding utilities, grading, stormwater management, and roadway design still apply to the property. Public Works also noted they will continue to work with the applicant's engineer of record on their final civil plan designs.
15. MidAmerican Energy stated they have no conflicts with the proposed subdivision and that the applicant and/or their engineer should contact them to discuss project timelines and provide the necessary documentation for extending electrical service within the development.

#### **Case #PR-21-001(M) – Planned Residential Development Plan**

Section 15.28.010, Statement of Intent, PR/Planned Residential Overlay, of the Council Bluffs Municipal Code (Zoning Ordinance) states that *"the Planned Residential Overlay is established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of requirements of the underlying zone would not be inconsistent with the comprehensive plan or harmful to the surrounding neighborhoods in which it is located."* Furthermore, Section 15.28.020, Applicability, of the CBMC (Zoning Ordinance) states that *"A PR Overlay may be applied to all residential zoning districts, except the R-1M/Single-Family Manufactured Housing District, and the A-P/Administrative-Professional District"* and *"The PR-1 Overlay is intended for general master planned development. The minimum tract of land considered for a PR-1 Overlay shall be one and a half (1 ½) acres."* The purpose of this request is to adopt a site-specific PR-1/Planned Residential development plan for Arbor Creek 2<sup>nd</sup> Addition for the purpose of regulating site development standards, building architecture, landscaping, off-street parking, stormwater management, signage, etc. associated with this subdivision, as follows:

#### **A. Site Development**

1. The minimum tract of land required for a PR-1/Planned Residential Overlay is 1.5 acres. The subject property contains 6.19 acres, which complies with minimum lot size requirement of the P-R-1 Overlay. The applicant's request is to amend their adopted PR-1/Planned Residential development plan for said property to allow construction of 16 attached single-family residential dwellings.
2. All land uses within the subdivision shall comply with Chapter 15.09 R-2/Two-Family Residential District and Chapter 15.28, P-R/Planned Residential Overlay of the Council Bluffs Municipal Code (Zoning Ordinance). Any home occupations within the subdivision shall comply with 15.24.030, Home-Based Business of the Council Bluffs Zoning Ordinance.
3. All land development activity within the subdivision shall comply with Section 15.09.050, Site Development Regulations, R-2/Two-Family Residential District of the Council Bluffs Zoning Ordinance with the following exceptions:
  - i. The maximum lot coverage for Lots 1-16 shall not exceed 60%, rather than the 35% maximum allowed, in an R-2 District. This increased lot coverage amount accounts for the possibility of the private roadway being dedicated to the City as a public roadway and each lot losing some of their square footage;
  - ii. A minimum 15-foot front-yard setback, rather than the minimum 25 feet allowed, in an R-2 District shall be allowed for Lots 1-16. This reduced setback accounts for the possibility of the private roadway being dedicated to the City as a public roadway and each lot losing some of their frontage area; and
  - iii. A minimum 10-foot rear yard setback, rather than the minimum 20 feet allowed, in an R-2 District shall be allowed for Lots 1-16. This reduced setback accounts for the possibility of the private roadway being dedicated to the City as a public roadway and each lot losing some of their depth.
4. All fencing in the subdivision shall comply with the standards stated in Section 15.24.040, Fence Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).
5. All exterior lighting shall comply with the standards stated in Section 15.24.050, Lighting Controls, of the Council Bluffs Municipal Code (Zoning Ordinance).

6. Minor modifications to building setbacks, heights, and/or lot coverage which are deemed to be compatible with other homes in the subdivision, and are not detrimental to the subdivision and/or properties outside the boundary of the subdivision, shall be administratively approved by the Community Development Director or their designee.

#### **B. Off-Street Parking**

1. A minimum of two off-street parking spaces are required for an attached single-family dwelling, as per Section 15.23.060, *Parking Spaces Required*, of the Council Bluffs Municipal Code (Zoning Ordinance). The submitted architectural plans shows each attached single-family dwelling will be constructed with an attached two-stall garage.
2. All off-street parking areas, driveways and drive aisles shall be constructed and designed to comply with the standards stated in Chapter 15.23, *Off-Street Parking, Loading and Unloading*, of the Council Bluffs Municipal Code (Zoning Ordinance).
3. Parking and storage of recreational vehicles and/or vessels on lots in the subdivision shall comply with standards stated in Chapter 15.23, *Off-Street Parking, Loading and Unloading*, of the Council Bluffs Municipal Code (Zoning Ordinance).

#### **C. Architecture**

1. The submitted house plans show one-story dwelling units with a pitched roof and two-stall garage. Additionally, each attached dwelling unit will have an approximate 2,100 square foot footprint, which includes a covered rear porch. The submitted architectural renderings are generally acceptable and shall be adopted as submitted with the following considerations:
  - i. Each attached dwelling unit shall have a minimum of 40 square feet of stone, brick, and/or decorative architectural metal on the front façade facing the new roadway; and
  - ii. Minor modifications to design, layout, or appearance of the single-family attached dwellings, which are deemed to be compatible with the other homes in the subdivision, shall be approved administratively by the Community Development Director or their designee.

#### **D. Landscaping**

1. The submitted landscaping plan shows a mixture of shade, ornamental, and conifer trees along the perimeter of Outlot A abutting Railroad Avenue and College Road. The proposed landscaping plan is generally acceptable and shall be adopted as submitted with the following conditions:
  - i. All proposed trees shall comply with the Council Bluffs Street Tree Guide;
  - ii. A row of deciduous and evergreen trees shall be planted on the north side of Outlot A, behind Lots 1-16, for purpose of screening and buffering the residential development from the Midlands Humane Society;
  - iii. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year;
  - iv. All landscaping plantings within Outlot 'A' shall be installed after the new roadway is constructed and shall be maintained by the homeowner's association at all times; and
  - v. Minor modifications to the submitted landscaping plan shall be approved administratively by the Community Development Director or their designee.

#### **E. Signage**

1. A signage plan was not submitted with the development plan. All signage (detached and attached) shall comply with Section 15.33.160(C), *P-R/Planned Residential District Sign Regulations*, of the Municipal Code (Zoning Ordinance).

#### **Recommendations**

The Community Development Department recommends the following for the subject property legally described as Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa:

1. Approval of a preliminary plan for a 17-lot residential subdivision to be known as Arbor Creek 2<sup>nd</sup> Addition, legally described as being a replat of Lot 2, Arbor Creek Subdivision, subject to the comments above and the following conditions:
  - a. Approval of the preliminary plans is tentative and does not constitute acceptance of the final plat, but is “deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat” (Section 14.11.060(D)—Subdivision Ordinance);
  - b. All applicable permits necessary to meet all local, state, and federal requirements shall be the developer’s responsibility; and
  - c. 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; and
  - d. 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.
2. Approval of the request to amend the adopted PR-1/Planned Residential development plan for Lot 2, Arbor Creek Subdivision, subject to the comments above and following conditions:
  - a. Repealing the previously approved PR/Planned Residential development on subject property, as adopted by Resolution No. 21-144; and
  - b. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by City Planning Commission and approved by City Council prior to such changes being made. Minor modifications to the adopted development plan that result in a product that is considered compatible with the overall development may be administratively approved by the Community Development Director or their designee.

### Public Hearing

Staff speakers for the request:

1. Christopher Gibbons, Planning & Code Compliance Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs IA, 51503

Speakers in favor:

2. Clint Brunow, 16935 State Orchard Road, Council Bluffs, IA 51503
3. Paul Gonzalez, 15801 U Street, Omaha, NE 68135

Speakers against:

4. Ron Wolfe, 536 College Road, Council Bluffs, IA 51503
5. Raymond Paulus, 817 College Road, Council Bluffs, IA 51503

The City Planning Commission recommended the following:

1. Approval of a preliminary plan for a 17-lot residential subdivision to be known as Arbor Creek 2<sup>nd</sup> Addition, legally described as being a replat of Lot 2, Arbor Creek Subdivision, subject to the comments above and the following conditions:
  - a. Approval of the preliminary plans is tentative and does not constitute acceptance of the final plat, but is “deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat” (Section 14.11.060(D)—Subdivision Ordinance);
  - b. All applicable permits necessary to meet all local, state, and federal requirements shall be the developer’s responsibility; and
  - c. 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; and
  - d. 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.

2. Approval of the request to amend the adopted PR-1/Planned Residential development plan for Lot 2, Arbor Creek Subdivision, subject to the comments above and following conditions:
- Repealing the previously approved PR/Planned Residential development on subject property, as adopted by Resolution No. 21-144; and
  - Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by City Planning Commission and approved by City Council prior to such changes being made. Minor modifications to the adopted development plan that result in a product that is considered compatible with the overall development may be administratively approved by the Community Development Director or their designee.

VOTE: AYE – Freund, Knauss, Rater, Rew, Stroebele, and VanHouten. NAY – None.  
 ABSTAIN – None. ABSENT – Hutcheson and Watson. VACANT - Three Motion: Carried.

#### Attachments

Attachment A: Letter of intent  
 Attachment B: Preliminary subdivision plans  
 Attachment C: Architectural renderings and floor plans  
 Attachment D: Location/zoning map  
 Attachment E: CASE #PR-21-001 approved development plan

Prepared by: Christopher N. Gibbons, AICP, Planning Manager, Community Development Department

**ARBOR CREEK SUBDIVISION**

**Preliminary Plan**

**Letter of Intent**

May 13th, 2025

The owner of parcel number 7543 29 201 002 within the City of Council Bluffs wishes to create a subdivision creating 16 residential lots. The parcel is currently zoned R-2, The owner/developer wishes to establish a Planned Residential (PR) Overlay zoning district for the 16 residential lots to establish structure setback distances that differ from standard R-2 zoning district regulations. Eight single-family, attached homes/townhomes are to be constructed.

Access to the residential lots will be provided by an access drive from Railroad Avenue and north of College Drive that dead ends to the northwest. A 120-foot T-shaped emergency vehicle turnaround will be constructed at this terminus of the access drive. The access drive's 26-foot-wide pavement will be centered in a 50-foot-wide ingress/egress, pedestrian, and utility easement. The City of Council Bluffs Public Works Department asked that this be a private roadway in earlier meetings and discussions regarding this parcel development. The 26-foot-wide pavement will be constructed per the typical section detail included with the preliminary plans. Driveways and sidewalks will be constructed as individual lots are developed. Sidewalks on both sides of the access drive and streetlights are planned as part of this development. The sidewalks will be connected to the trail along Railroad Avenue.

The residential lots will be acre each and utilize proposed, respective sanitary sewer laterals and a proposed new sanitary sewer main extended from Railroad Avenue. Domestic water services will be provided by the Council Bluffs Water Works from the new services and proposed water main extending from Railroad Avenue. Water Services will be constructed as individual lots are developed. A detention basin and stormwater outlet structure will be constructed in Outlot A for the purposes of stormwater runoff treatment, attenuation, and detention. Power will be provided by MidAmerican Energy and natural gas will be provided by Black Hills Energy.

A handwritten signature in black ink, appearing to read "R. R. Ruy", with a long horizontal flourish extending to the right.

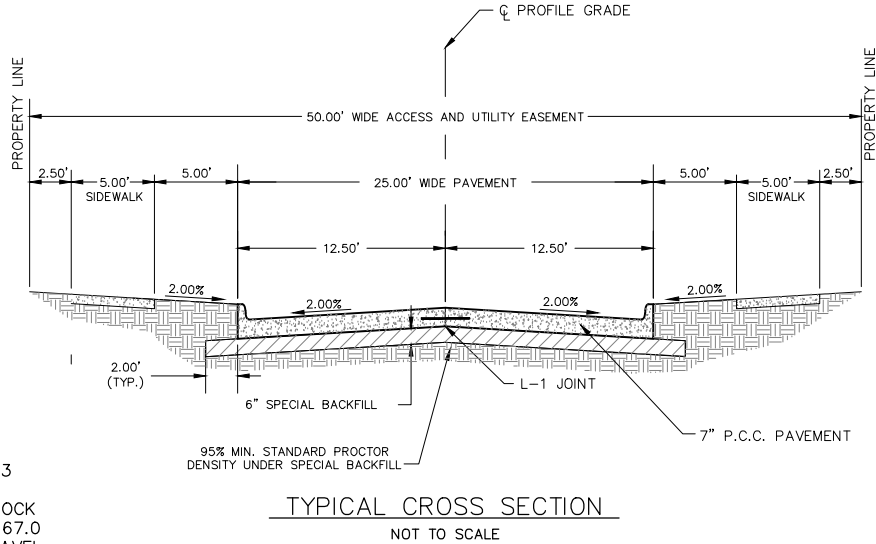
ESTIMATED QUANTITIES

ITEM NO.	ITEM CODE	DESCRIPTION	ESTIMATED QUANTITY
DIVISION I: GENERAL			
1-1.	2010-1.0-E	EARTHWORK	1.0 LS
1-2.	7010-1.08-H	PAVEMENT REMOVAL	17.0 SY
1-3.	7010-1.08-N	TRAFFIC CONTROL	1.0 LS
1-4.	9010-1.08-A	CONVENTIONAL SEEDING, FERTILIZING AND MULCHING	2.5 AC
1-5.	9040-1.08-R	STABILIZED CONSTRUCTION ENTRANCE	1.0 EA
1-6.	11050-1.08-A	CONCRETE WASHOUT	1.0 LS
1-7.		EROSION CONTROL/CLEAN OUT DETENTION POND	1.0 LS
DIVISION II: PAVEMENT AND APPURTENANCES			
2-1.	2010-1.08-I	SUBGRADE PREPARATION	2,190.0 SY
2-2.	2010-1.08-I	SUBBASE, 6" GRANULAR	2,190.0 SY
2-3.	7010-1.08-A	PAVEMENT, PCC, 7" NON-REINFORCED	1,905.0 SY
2-4.	7010-1.08-I	PCC PAVEMENT SAMPLES & TESTING	1.0 LS
2-5.	7030-1.08-C	SIDEWALK , PCC, 4"	436.0 SY
2-6.	7030-1.08-C	SIDEWALK , PCC, 6"	80.0 SY
2-7.	7030-1.08-G	DETECTABLE WARNINGS	80.0 SF
DIVISION III: STORM SEWER AND APPURTENANCES			
3-1.	3010-1.08-C	TRENCH FOUNDATION	100.0 TN
3-2.	4010-1.08-H	PIPE APRON, RCP, 24 INCH	5.0 EA
3-3.	4020-1.08-A-1	STORM SEWER, TRENCHED, RCP, 24" DIA.	159.0 LF
3-4.	6010-1.08-B	STORM SEWER INTAKE, TYPE SW-507	2.0 EA
3-5.	4060-1.08-B	CLEAN AND INSPECT STORM SEWER	159.0 LF
3-6.	2010-1.08-H	ENGINEERING FABRIC FOR UNSTABLE SOILS	100.0 SY
DIVISION IV: SANITARY SEWER AND APPURTENANCES			
4-1.	3010-1.08-C	TRENCH FOUNDATION	100.0 TN
4-2.	4010-1.08-A-1	SANITARY SEWER GRAVITY MAIN, TRENCHED, PVC, 8"	930.0 LF
4-3.	4010-1.08-E	SANITARY SEWER SERVICE STUB, 6"	576.0 LF
4-4.	4060-1.08-A	CLEAN, INSPECT AND TEST SANITARY SEWER	930.0 LF
4-5.	6010-1.08-A	SANITARY SEWER MANHOLE, TYPE SW-301, 48" DIA.	6.0 EA
4-6.	6020-1.08-A	CHIMNEY SEAL, RUBBER	6.0 EA
4-7.	4010-1.08-E	SANITARY SEWER WYES, 8" X 6"	16.0 EA
4-8.	2010-1.08-H	ENGINEERING FABRIC FOR UNSTABLE SOILS	100.0 SY
DIVISION V: WATER MAIN IMPROVEMENTS			
5-1.	5010-1.08-A-1	8-INCH DIP WATER MAIN WITH POLYETHYLENE ENCASEMENT	456.0 LF
5-2.	5010-1.08-C-1	8 IN. X 8 IN.X 8 IN. MJ TEE	1.0 EA
5-3.	5010-1.08-C-1	8 IN. X 8 IN. X 6 IN. MJ TEE	2.0 EA
5-4.	5010-1.08-C-1	8 IN. PLUG	1.0 EA
5-5.	5010-1.08-C-1	8-INCH STANDARD SIZE SLEEVE	2.0 EA
5-6.	5020-1.08-C	FIRE HYDRANT ASSEMBLY	2.0 EA
5-7.	5020-1.08-A	8 IN. DI GATE VALVE WITH BOX	1.0 EA
5-8.		CUT AND CONNECT TO EXISTING WATER MAIN	1.0 EA
5-9.		SELECT BACKFILL	150.0 CY
5-10.	3010-1.08-C	GRANULAR BEDDING FOR WATER MAIN, 1-1/2" CLEAN	150.0 TON
5-11.	5010-1.08-D	1-INCH K-COPPER SERVICE, COMPLETE - NEAR SIDE	8.0 EA
5-12.	5010-1.08-D	1-INCH K-COPPER SERVICE, COMPLETE - FAR SIDE	8.0 EA

PRELIMINARY PLAN  
LOT 2, ARBOR CREEK

LEGAL DESCRIPTION:

LOT 2, ARBOR CREEK, A PLATTED SUBDIVISION IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS;  
SAID PARCEL CONTAINS AN AREA OF 6.19 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS OF RECORD.



VERTICAL CONTROL

BENCHMARK OF ORIGIN: NGS E 134      NAVD '88 ELEV.=1009.83

1.7 MILES SOUTHEAST AND 3.0 MILES NORTHEAST ALONG THE CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD FROM THE STATION AT COUNCIL BLUFFS, 167.0 FEET WEST NORTHWEST OF THE WEST END OF A STEEL BRIDGE FOR A GRAVEL ROAD OVER MOSQUITO CREEK, 38.5 FEET NORTH OF THE CENTER LINE OF A GRAVEL ROAD, 19.2 FEET WEST OF THE WEST RAIL, 2.0 FEET EAST OF A TELEPHONE POLE, 1.5 FEET SOUTH OF A 4 X 4 REFERENCE POST, ACROSS MOSQUITO CREEK FROM A LARGE ERODED PORTION OF A BLUFF, SET IN THE TOP OF A CONCRETE POST WHICH PROJECTS 0.4 FEET ABOVE THE GROUND.

CURRENT OWNER/DEVELOPER:

NBG ENTERPRISES, INC  
2023 S. 181ST CIRCLE  
OMAHA, NE 681330

ZONING:

EXISTING ZONING OF PROPOSED SUBDIVISION IS CLASS R-2.  
  
PR OVERLAY DISTRICT PROPOSED TO ADDRESS IDENTIFIED BUILDING SETBACKS.

NOTES:

PROPOSED SEWER: CONSTRUCT NEW PRIVATE SANITARY SEWER WITH PRIVATE LATERAL CONNECTIONS. CONSTRUCT NEW STORM SEWER AND INTAKES. NEW SEWER TO BE DEDICATED TO CITY OF COUNCIL BLUFFS.  
  
PROPOSED WATER: CONSTRUCT PRIVATE WATER MAIN AND CONNECTIONS TO EACH LOT  
  
DEDICATION OF R-O-W: NO  
  
SURFACE RUNOFF: STORM SEWER TO PROPOSED SUBDIVISION DETENTION.  
  
EASEMENTS: A 50.00 FOOT WIDE PERMANENT ACCESS AND UTILITY EASEMENT FRONTING EACH LOT, 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.

ENGINEER:

HGM ASSOCIATES INC.  
640 FIFTH AVENUE  
COUNCIL BLUFFS, IOWA 51501

EXISTING FLOOD PLAIN:

ZONE AE WITH BASE FLOOD ELEVATION OF 1009.0.  
  
SPECIAL FLOOD HAZAD AREA (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

STORM WATER DETENTION:

DETENTION TO BE LOCATED IN OUTLOT

BOUNDARY SURVEY:

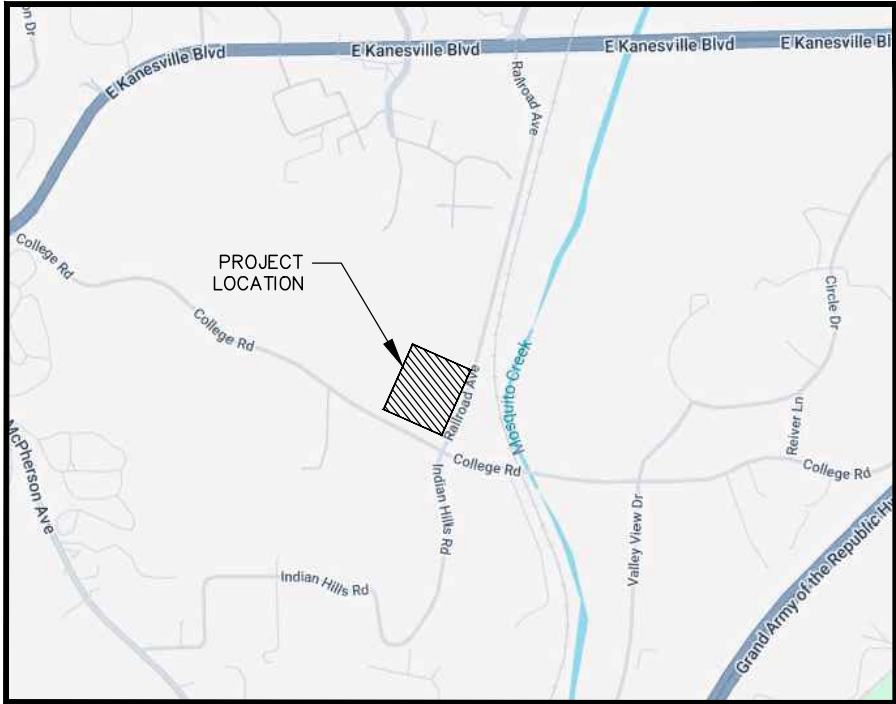
BOUNDARY SURVEY WILL BE PROVIDED BY HGM ASSOCIATES INC.

INDEX

PAGE NO.	DESCRIPTION
A.01	TITLE SHEET
A.02	AREA MAP
G.01	OVERALL LOT LAYOUT
G.02	SITE PLAN
G.03	LANDSCAPE PLAN

SPECIFICATIONS

THE URBAN STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, 2025, AND CITY OF COUNCIL BLUFFS SUPPLEMENTAL SPECIFICATIONS 2025, SHALL APPLY TO THIS PROJECT.



LOCATION MAP  
NO SCALE

PRELIMINARY  
PLAN  
MAY 1, 2025  
NOT FOR  
CONSTRUCTION

hgm  
ASSOCIATES INC.  
ENGINEERING ARCHITECTURE SURVEYING  
council bluffs omaha

this drawing is being made available by hgm associates inc. for use on this project in accordance with hgm associates inc. agreement for use on this project. hgm associates inc. assumes no liability for any use of this drawing or any part thereof excepting with the terms of the above agreement.

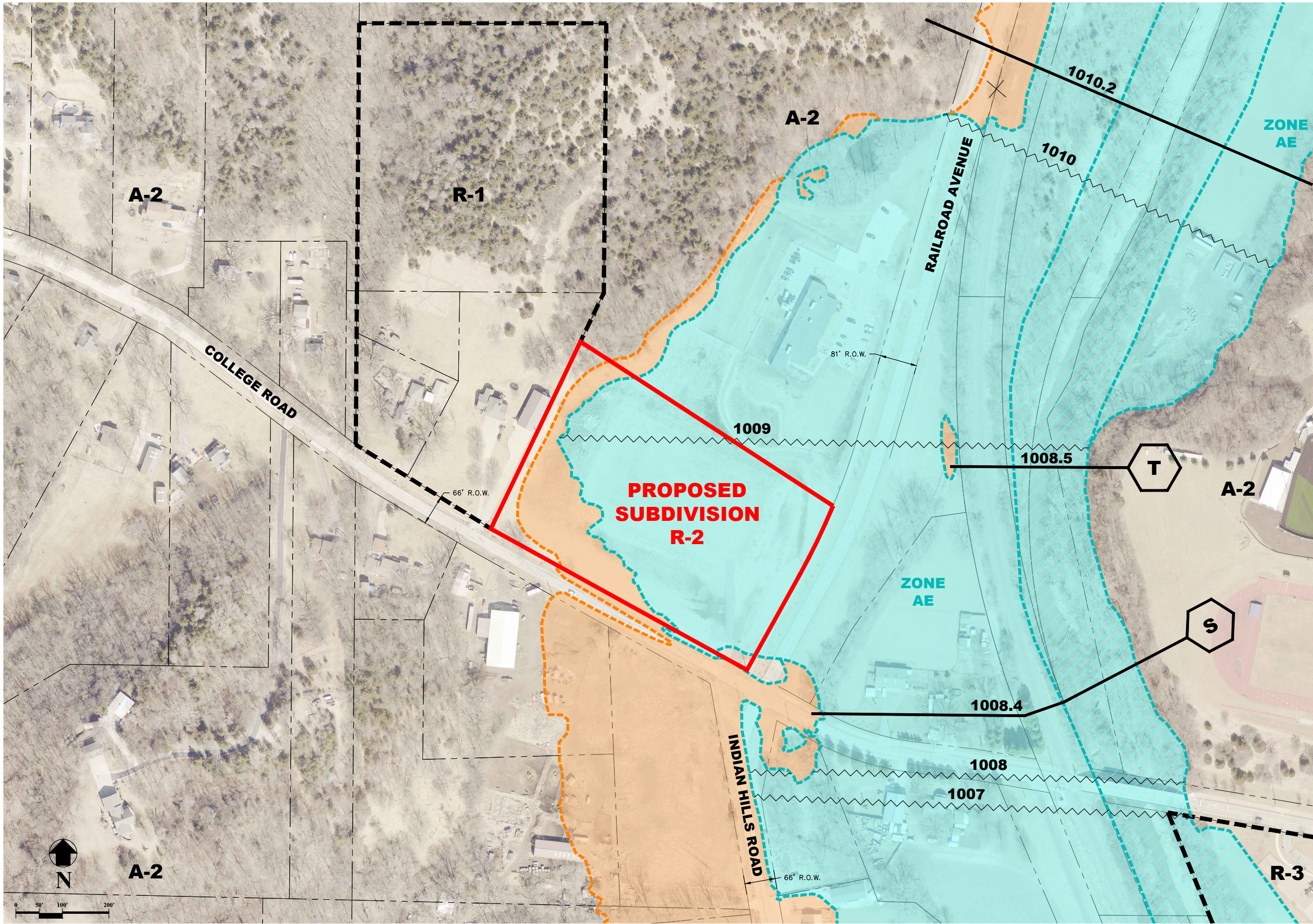
date	revision	date
JNS	drawn	
PIG	designed	
PIG	approved	
MAY 2025		

project LOT 2, ARBOR CREEK  
RAILROAD AVE/COLLEGE RD (COUNCIL BLUFFS, IOWA)  
client NBG ENTERPRISES, INC  
2023 S. 181ST CIR OMAHA, NE 68130  
sheet TITLE SHEET

project no.  
103525  
sheet  
A.01



FILENAME: S:\Blue\_Team\Projects\103525 Lot 2 Arbor Creek Residential Subdivision\Engineering\Drawings\103525 PRELIM PLAN 4-25.dwg  
DRAWN BY: Jns, SAVE DATE: Apr 28, 2025 12:11 PM DATE PLOTTED: 4/28/2025 2:17 PM, PLOT SCALE: 1:2



PRELIMINARY  
PLAN  
MAY 1, 2025  
NOT FOR  
CONSTRUCTION



ASSOCIATES INC.  
ENGINEERING ARCHITECTURE SURVEYING  
council bluffs omaha

this drawing is being made available by hgm associates inc. for use on this project in accordance with hgm associates inc. agreement for use of this drawing or any part thereof except as provided with the terms of the above agreement.

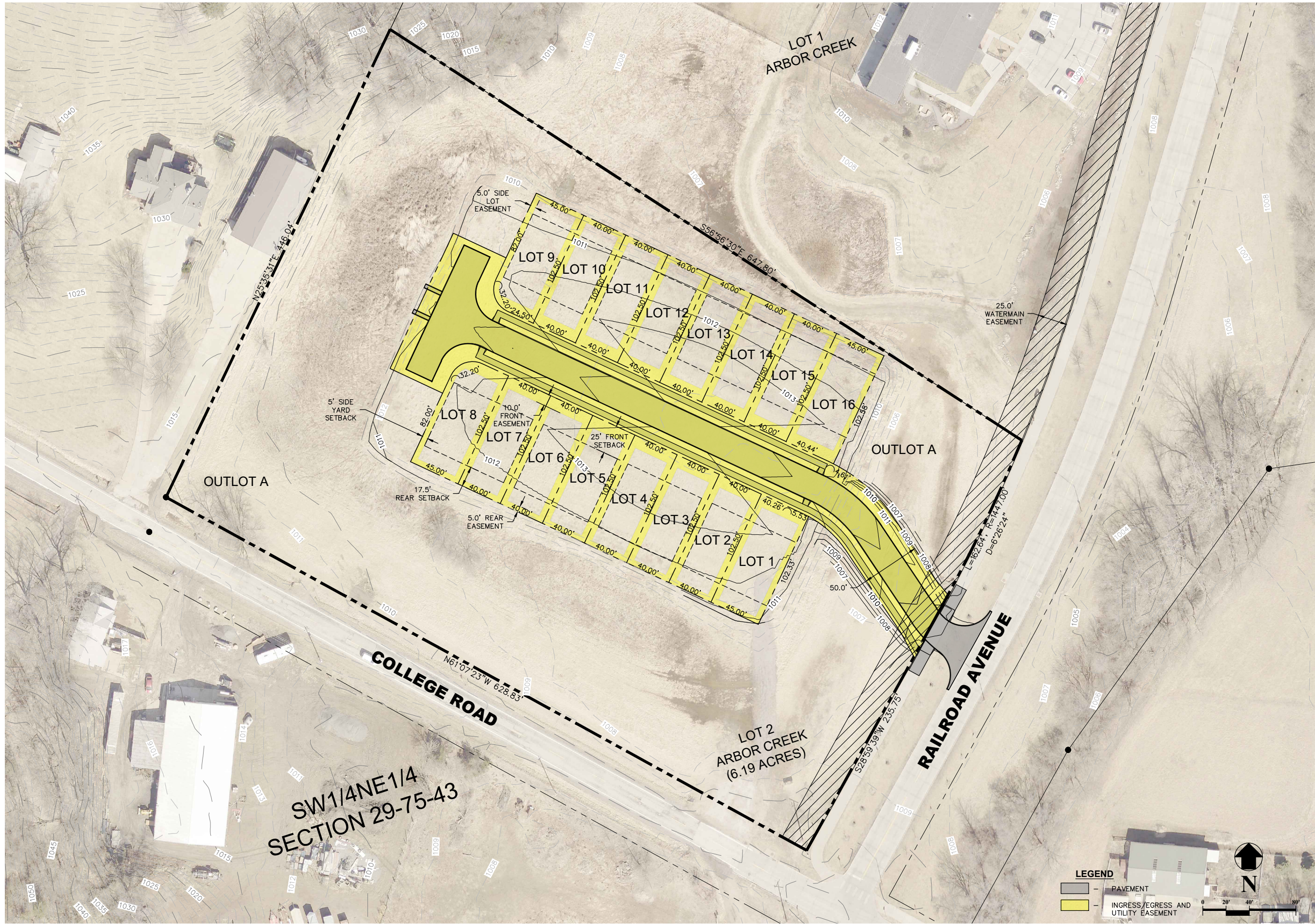
JNS	drawn	date
PIG	designed	revision
PIG	approved	date
MAY 2025		

project	LOT 2, ARBOR CREEK RAILROAD AVE/COLLEGE RD (COUNCIL BLUFFS, IOWA)
client	NBG ENTERPRISES, INC 2023 S. 181ST CIR OMAHA, NE 68130
sheet	AREA MAP

project no.  
103525  
sheet  
A.02



FILENAME: S:\Blue\_Team\Projects\103525 Lot 2 Arbor Creek Residential Subdivision\Engineering\Drawings\103525 PRELIM PLAN 4-25.dwg  
DRAWN BY: Jns, SAVE DATE: Apr 28, 2025 2:10 PM DATE PLOTTED: 4/28/2025 2:25 PM, PLOT SCALE: 1:2



**PRELIMINARY  
PLAN**  
MAY 1, 2025  
NOT FOR  
CONSTRUCTION

**hgm**  
**ASSOCIATES INC.**  
ENGINEERING ARCHITECTURE SURVEYING  
council bluffs omaha

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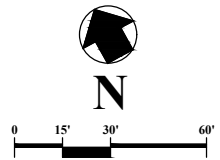
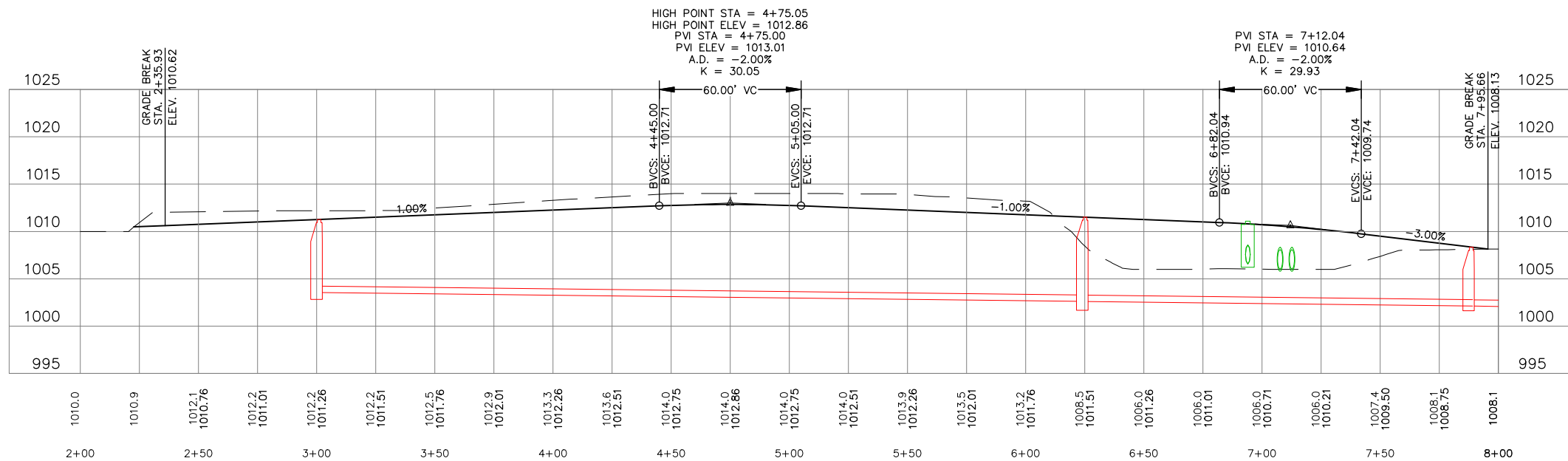
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PIG	designed	
PIG	approved	
MAY 2025	date	revision
		date

project	LOT 2, ARBOR CREEK RAILROAD AVE/COLLEGE RD (COUNCIL BLUFFS, IOWA)
client	NBG ENTERPRISES, INC 2025 S. 181ST CIR OMAHA, NE 68130
sheet	OVERALL LOT LAYOUT

project no.  
103525  
sheet  
**G.01**



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**PRELIMINARY  
PLAN**  
MAY 1, 2025  
NOT FOR  
CONSTRUCTION

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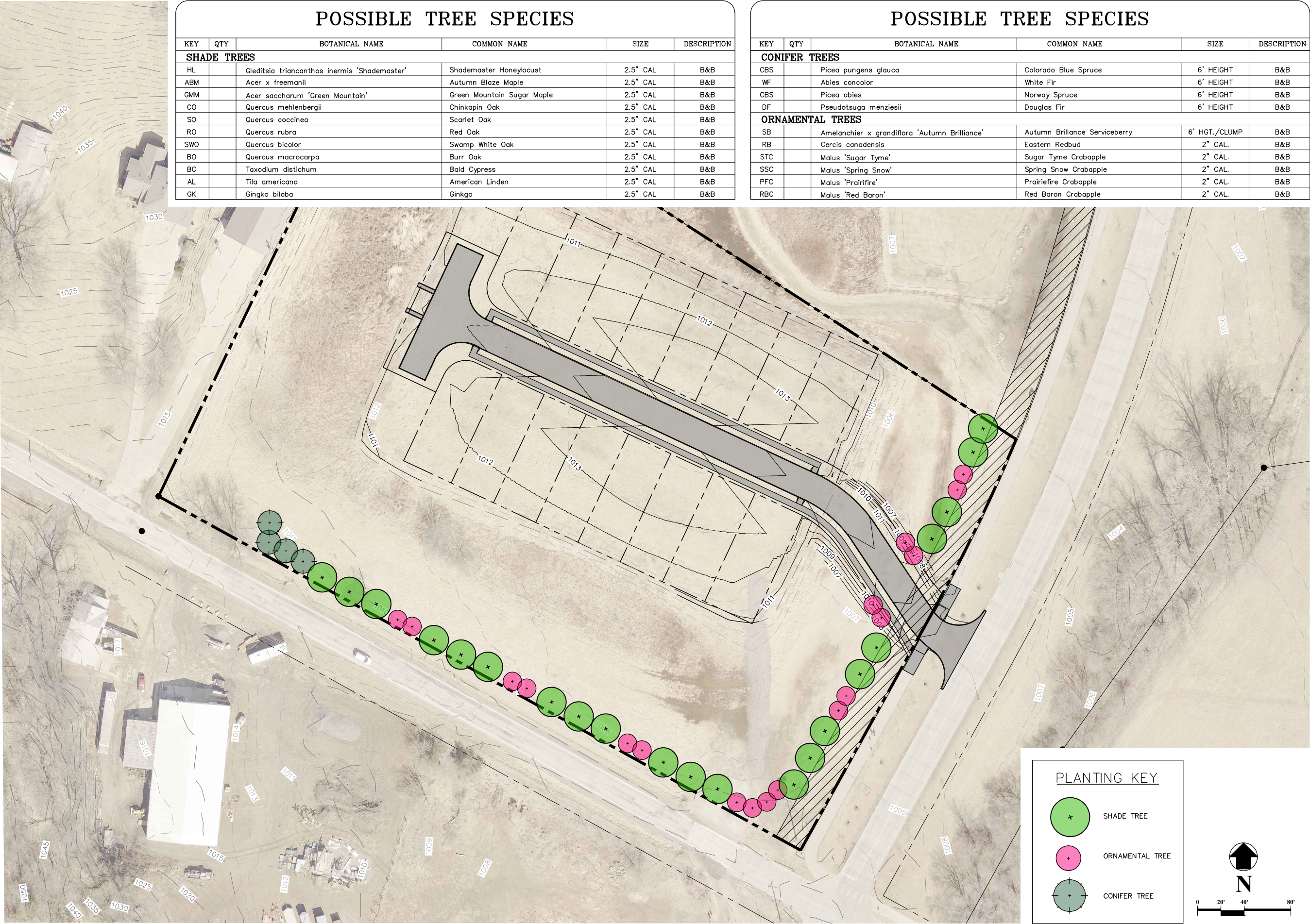
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PIG	designed	
PIG	approved	
MAY 2025		
date	revision	date

project **LOT 2, ARBOR CREEK**  
RAILROAD AVE/COLLEGE RD (COUNCIL BLUFFS, IOWA)  
client **NBG ENTERPRISES, INC**  
2023 S. 181ST CIR OMAHA, NE 68130  
sheet **SITE PLAN**

project no.  
**103525**  
sheet  
**G.02**



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POSSIBLE TREE SPECIES

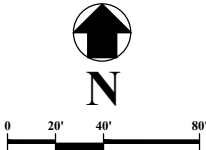
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	DESCRIPTION
SHADE TREES					
HL		Gleditsia triacanthos inermis 'Shademaster'	Shademaster Honeylocust	2.5" CAL	B&B
ABM		Acer x freemanii	Autumn Blaze Maple	2.5" CAL	B&B
GMM		Acer saccharum 'Green Mountain'	Green Mountain Sugar Maple	2.5" CAL	B&B
CO		Quercus mehlenbergii	Chinkapin Oak	2.5" CAL	B&B
SO		Quercus coccinea	Scarlet Oak	2.5" CAL	B&B
RO		Quercus rubra	Red Oak	2.5" CAL	B&B
SWO		Quercus bicolor	Swamp White Oak	2.5" CAL	B&B
BO		Quercus macrocarpa	Burr Oak	2.5" CAL	B&B
BC		Taxodium distichum	Bald Cypress	2.5" CAL	B&B
AL		Tilia americana	American Linden	2.5" CAL	B&B
GK		Ginkgo biloba	Ginkgo	2.5" CAL	B&B

POSSIBLE TREE SPECIES

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	DESCRIPTION
CONIFER TREES					
CBS		Picea pungens glauca	Colorado Blue Spruce	6' HEIGHT	B&B
WF		Abies concolor	White Fir	6' HEIGHT	B&B
CBS		Picea abies	Norway Spruce	6' HEIGHT	B&B
DF		Pseudotsuga menziesii	Douglas Fir	6' HEIGHT	B&B
ORNAMENTAL TREES					
SB		Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	6' HGT./CLUMP	B&B
RB		Cercis canadensis	Eastern Redbud	2" CAL.	B&B
STC		Malus 'Sugar Tyme'	Sugar Tyme Crabapple	2" CAL.	B&B
SSC		Malus 'Spring Snow'	Spring Snow Crabapple	2" CAL.	B&B
PFC		Malus 'Prairifire'	Prairifire Crabapple	2" CAL.	B&B
RBC		Malus 'Red Baron'	Red Baron Crabapple	2" CAL.	B&B

PLANTING KEY

- SHADE TREE
- ORNAMENTAL TREE
- CONIFER TREE



PRELIMINARY  
PLAN  
MAY 1, 2025  
NOT FOR  
CONSTRUCTION

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JNS	drawn	date
PIG	designed	revision
PIG	approved	date
MAY 2025		

project LOT 2, ARBOR CREEK  
RAILROAD AVE/COLLEGE RD (COUNCIL BLUFFS, IOWA)  
client NBG ENTERPRISES, INC  
2023 S. 181ST CIR OMAHA, NE 68130  
sheet LANDSCAPE PLAN

project no.  
103525  
sheet  
G.03



Attachment C

JPA\_0146



JPA\_0147



JPA\_0148



JPA\_0149



JPA\_0150



JPA\_0152





JPA\_0153



JPA\_0156



JPA\_0157



JPA\_0158



JPA\_0159



JPA\_0160

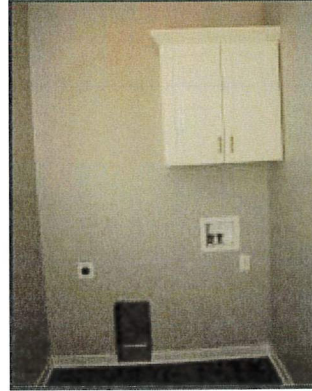




JPA\_0161



JPA\_0162



JPA\_0163



JPA\_0164



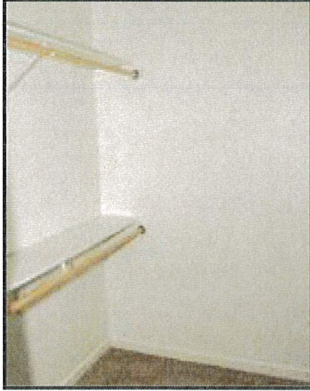
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JPA\_0168



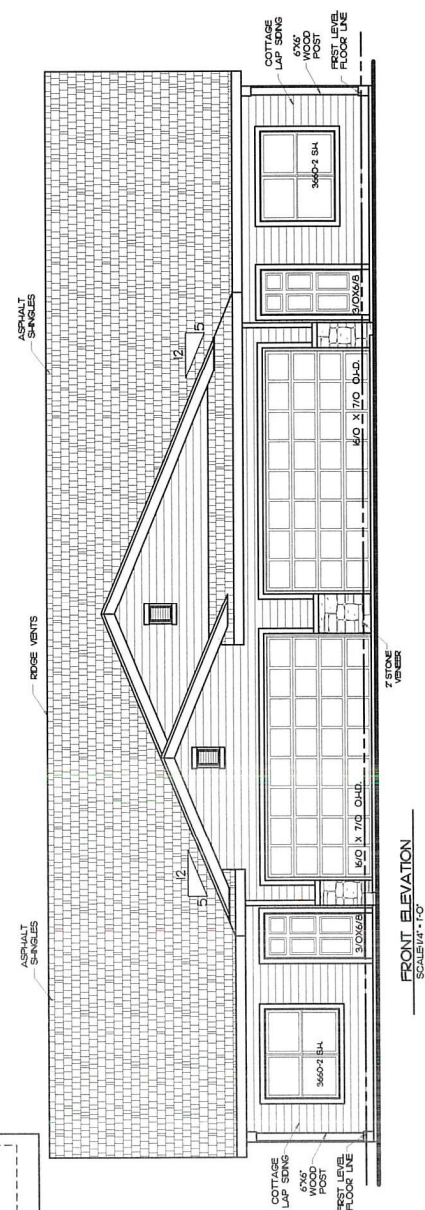
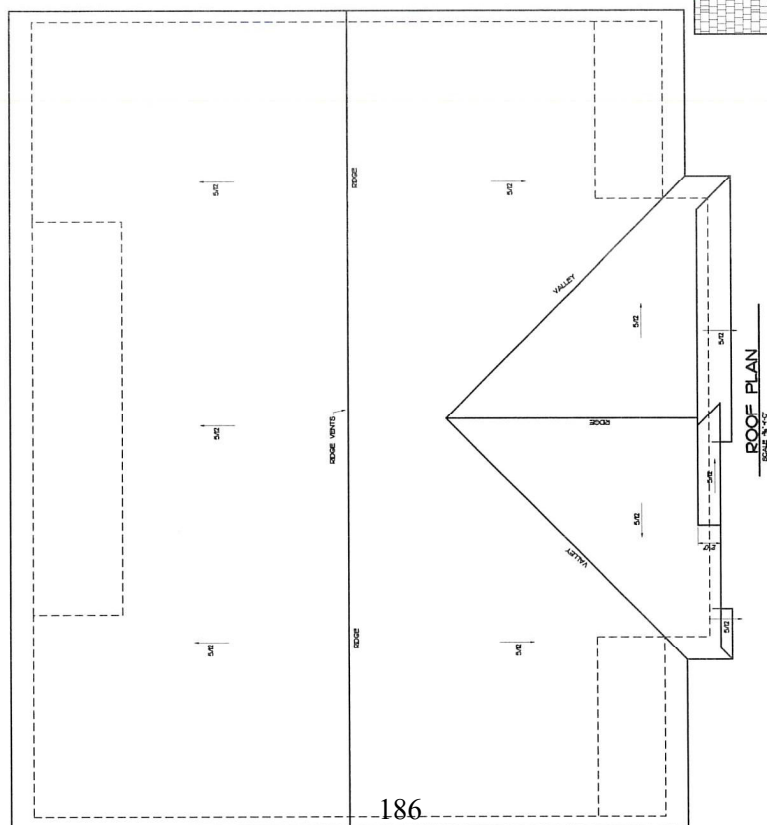
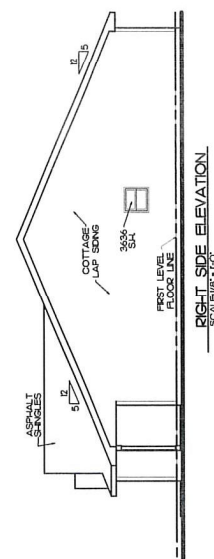
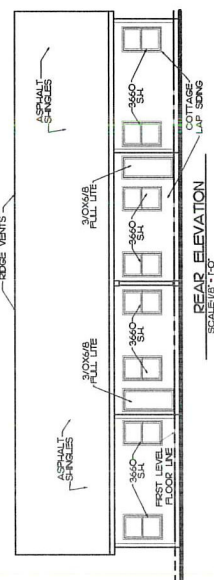
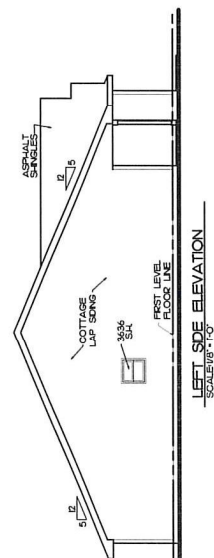
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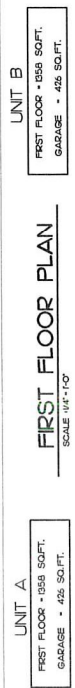
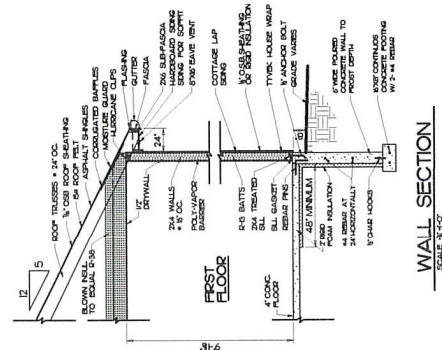


JPA\_0174













# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #SUB-25-005, PR-21-001(M) LOCATION/ZONING MAP

## Attachment D

### Legend

 Subject Property Case #SUB-25-005, PR-21-001(M)

 Parcels

0 150 300



1 Inch = 300 Feet



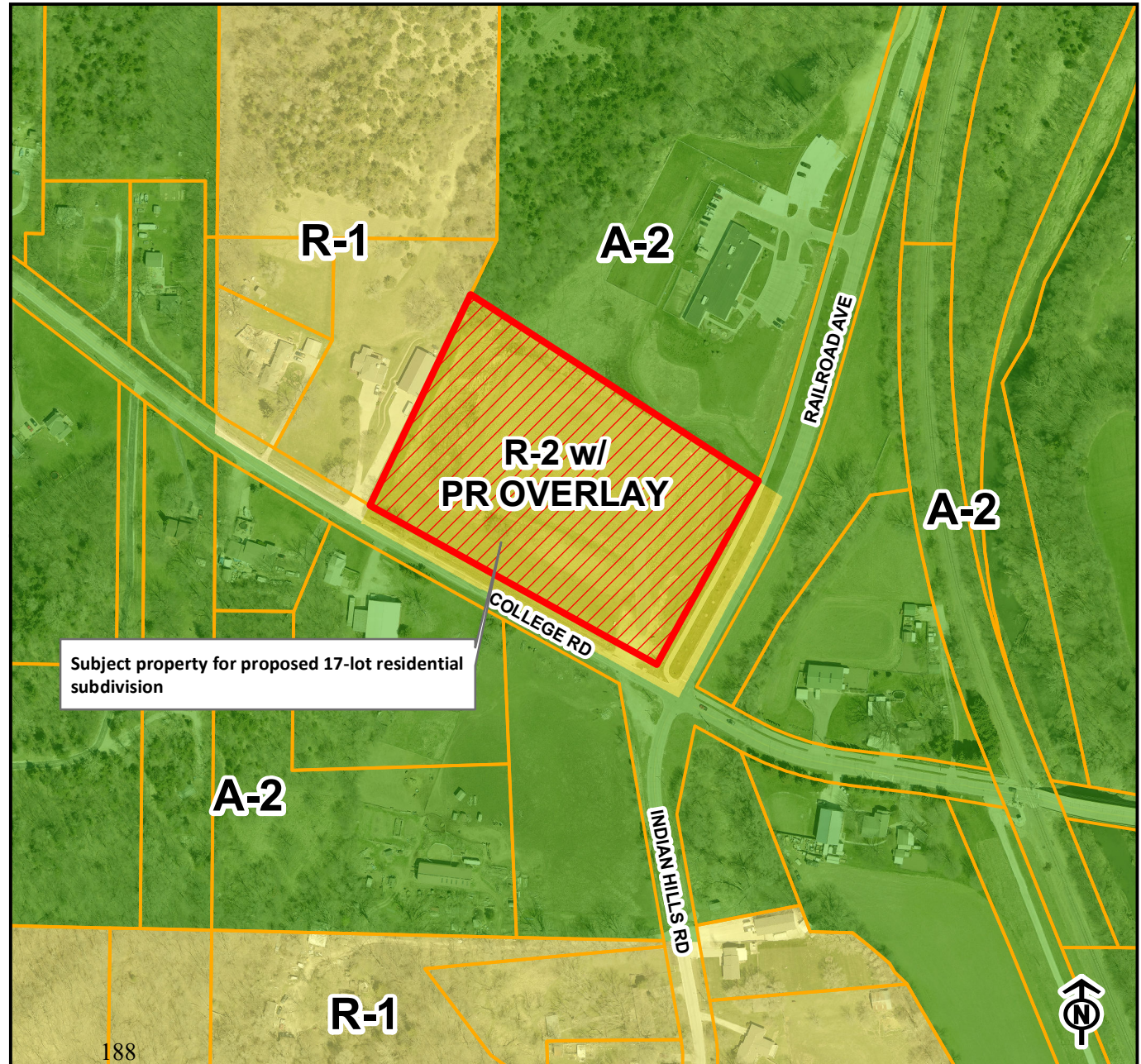
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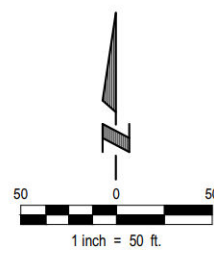
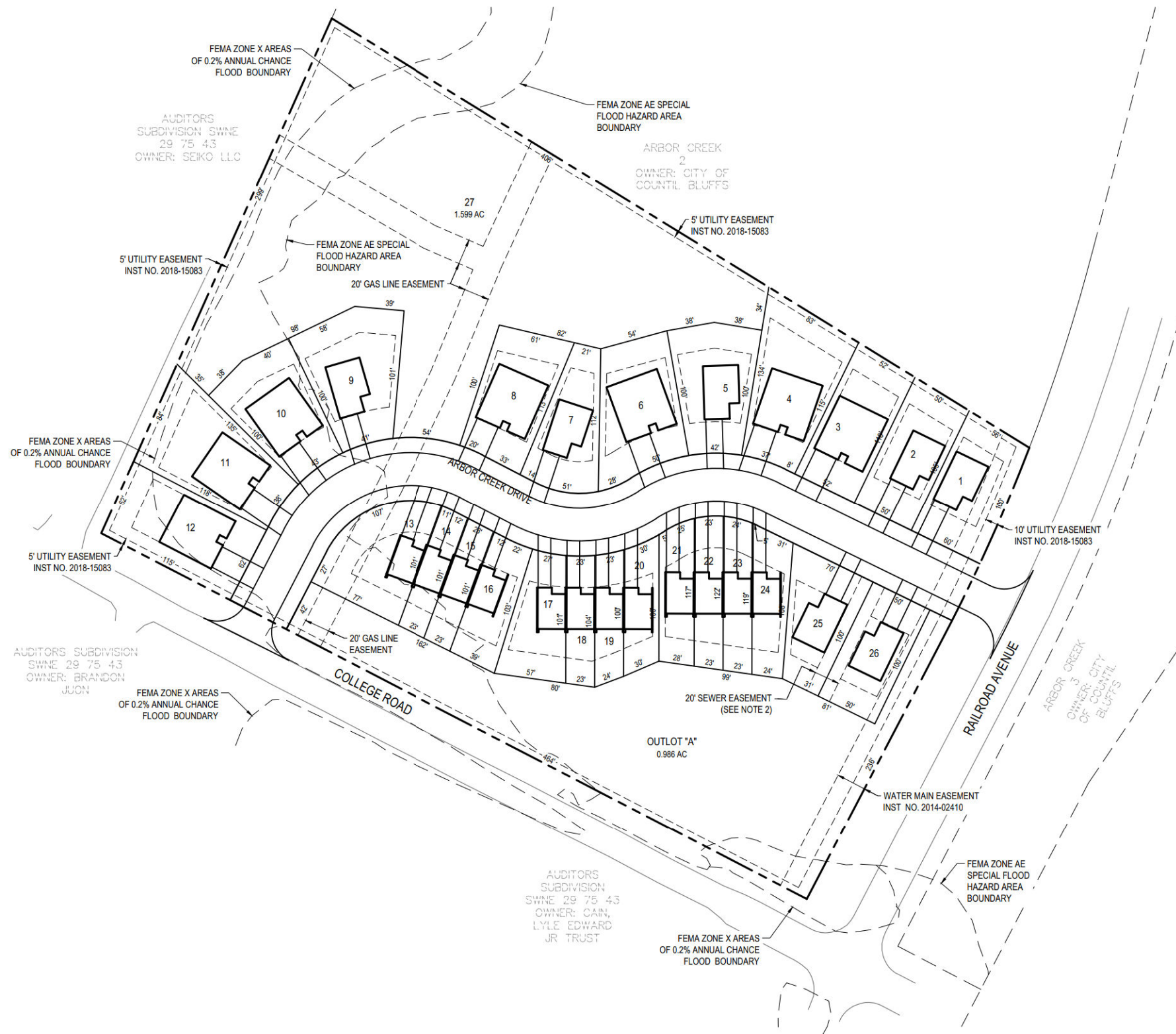
Council Bluffs Community  
Development Department  
209 Pearl Street  
Council Bluffs, IA 51503  
Telephone: (712) 890-5350

#### 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 expressly denies any and all responsibilities for errors, if any, in the information contained on this map or 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.







SETBACK TABLE (LOTS 1 THRU 26)	
FRONT YARD	25'
INTERIOR SIDE YARD	0/5*
STREET SIDE YARD	15'
REAR YARD	20'

\*INTERIOR SIDE YARD ALONG A COMMON WALL CAN BE SET A ZERO-LOT SETBACK AS LONG AS THE OPPOSITE SIDE YARD IS AT THE REQUESTED SIDE YARD SETBACK REQUIREMENT.

ZONING WAIVER REQUESTS

- SEC. 15.09.050  
INTERIOR LOT AREA  
REQUIRED 2,500 S.F. MIN.  
PROVIDED 2,300 S.F.
- SEC. 15.09.050  
CORNER LOT WIDTH  
REQUIRED 55' MIN.  
PROVIDED 50'
- SEC. 15.09.050  
INTERIOR LOT WIDTH  
REQUIRED 50' MIN.  
PROVIDED 23'
- SEC. 14.14.020 (3)  
LOT DEPTH TO WIDTH RATIO  
REQUIRED 3:1 MAX.  
PROVIDED 5.2:1

E & A CONSULTING GROUP, INC.

Engineering • Planning • Environmental & Field Services

10009 Mill Valley Road, Suite 100 • Omaha, NE 68154

Phone: 402.895.4700 • Fax: 402.895.5599

WWW.EAGG.COM

E & A CONSULTING GROUP, INC.

Engineering Answers

ARBOR CREEK  
2ND ADDITION  
LOTS 1 THRU 27 AND  
OUTLOT "A" INCLUSIVE  
COUNCIL BLUFFS, IOWA

PLANNED RESIDENTIAL  
SITE PLAN

Revisions	
Date	Description
03/16/2021	MAV
	NMM
AS SHOWN	

Proj No: P2020.240.001  
Date: 03/16/2021  
Designed By: MAV  
Drawn By: NMM  
Scale: AS SHOWN  
Sheet: 1 of 2

3/15/2021 1:44 PM K:\Projects\2020\240\201P\Planning & Public\Planning\PRPFS-000.dwg

Heide Nickels





**LANDSCAPE NOTES:**

- Locate and verify the location of all underground utilities prior to the start of any construction. Care should be taken not to disturb any existing utilities during construction. Any damage to utilities or other improvements caused by the Contractor will be repaired at no cost to the Owner.
- All plant material shall be of good quality and sizes shall meet required size specifications.
- All plants are to be watered in immediately after planting and then watered once a week for a period of two months from time of planting.
- All plant material shall be guaranteed to be in a live and healthy growing condition for two full growing seasons (trees) and one full growing season (perennials & shrubs) after final project acceptance or shall be replaced free of charge with the same grade and species including labor.
- Verify all dimensions and conditions prior to starting construction. The location of plant material is critical and shall be installed as indicated on plans. Field adjustments may be necessary based on field conditions (i.e., root ball and drop inlet conflict). All adjustments must be approved by the landscape architect.
- The Landscape Contractor shall remove all construction debris and materials injurious to plant growth from planting pits and beds prior to backfilling with planting mix. All planting areas shall be free of weeds and debris prior to any work.
- Provide locally available shredded hardwood mulch on all trees and in all planting beds to a 3-4 inch minimum depth unless otherwise noted. Mulch ring to extend 1'-0" minimum beyond planting pit. Minor site grading to be included if needed.
- All trees are to be staked for a period of not less than one year from time of planting.
- Contractor to coordinate work with other amenities contractors.

**PLANT SCHEDULE**

SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE
A	7	Gleditsia triacanthos 'Skyline'	Skyline Honeylocust	2"	B&B
B	13	Acer freemanii 'Jeffersred'	Autumn Blaze Maple	2"	B&B
C	5	Quercus bicolor	Swamp White Oak	2"	B&B
D	5	Quercus rubra	Red Oak	2"	B&B
E	41	Viburnum dentatum 'Christom'	Blue Muffin Arrowwood Viburnum	3 Gal.	Cont
F	36	Juniperus chinensis 'Monlep'	Mint Julep Juniper	3 Gal.	Cont

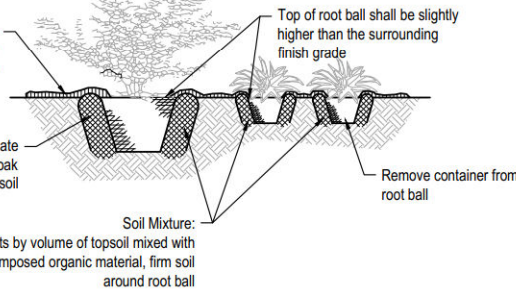
**TREE NOTES:**

- Landscape contractor must coordinate with all utilities and general contractor to field verify all utility locations that may conflict with all proposed tree planting locations on the project site.

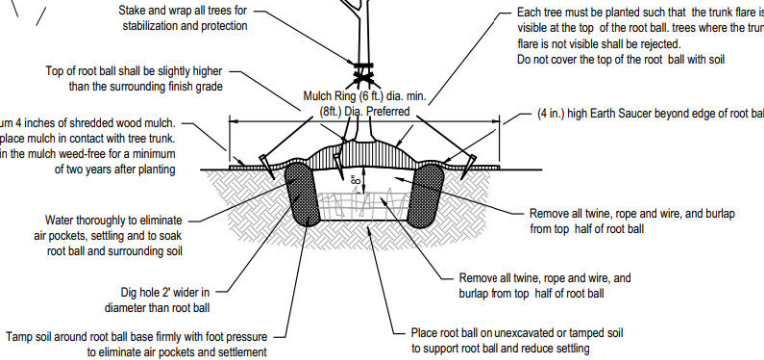
Minimum 4 inches of shredded wood mulch.  
Maintain the mulch to be weed free  
for a minimum of 2 years

Water thoroughly to eliminate  
air pockets, settling and to soak  
root ball and surrounding soil

**SHRUB & PERENNIAL PLANTING DETAIL**  
NOT TO SCALE



Do not heavily prune the tree at planting. Prune only crossover limbs, co-dominant leaders, and broken or dead branches. Some interior twigs and lateral branches may be pruned; however, do not remove the terminal buds of branches that extend to the edge of the crown



**TREE PLANTING DETAIL - B & B TREE**  
NOT TO SCALE

**RESOLUTION NO. 25-169**

**A RESOLUTION GRANTING PRELIMINARY PLAN APPROVAL OF A 17-LOT RESIDENTIAL SUBDIVISION TO BE KNOWN AS ARBOR CREEK 2<sup>ND</sup> ADDITION, LEGALLY DESCRIBED AS BEING A REPLAT OF LOT 2, ARBOR CREEK, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.**

**WHEREAS,** Arbor Creek, LLC is requesting a preliminary plan approval on 6.19 acres (more/less) on undeveloped land lying south of 1020 Railroad Avenue; and

**WHEREAS,** All Comments and background concerning this request are included in the City Council Communication attached hereto; and

**WHEREAS,** The Community Development Department recommends approval of this request, subject to the comments in the City Council Communication attached hereto and the following conditions:

- A. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, but is “deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat” (Section 14.11.060(D)—Subdivision Ordinance);
- B. All applicable permits necessary to meet all local, state, and federal requirements shall be the developer’s responsibility; and
- C. 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; and
- D. 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.

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

That the request for a preliminary plan for a 17-lot residential subdivision to be known as Arbor Creek 2<sup>nd</sup> Addition, legally described as being a replat of Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, is hereby approved.

ADOPTED  
AND  
APPROVED

June 23, 2025.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 25-170**

**A RESOLUTION TO AMEND THE ADOPTED PR-1/PLANNED RESIDENTIAL DEVELOPMENT PLAN FOR ARBOR CREEK 2<sup>ND</sup> ADDITION, LEGALLY DESCRIBED AS BEING A REPLAT OF LOT 2, ARBOR CREEK SUBDIVISION, CITY OF COUNCIL BLUFFS, IOWA.**

**WHEREAS,** Arbor Creek, LLC is requesting an amendment to the adopted planned residential development plan on the property legally described above and lying south of 1020 Railroad Avenue to develop the property with 16 attached single-family dwellings and one out lot; and

**WHEREAS,** The purpose of this request is to subdivide the property and create site development/layout and design standards relevant to the proposed single-family attached dwellings as outlined in the City Council Communication report and its Attachments; and

**WHEREAS,** The Community Development Department recommends approval of the request to amend the adopted PR-1/Planned Residential development plan for Lot 2, Arbor Creek Subdivision, subject to the comments outlined in the City Council Communication report and the following conditions:

- A. Repealing the previously approved PR/Planned Residential development on subject property, as adopted by Resolution No. 21-144; and
- B. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by City Planning Commission and approved by City Council prior to such changes being made. Minor modifications to the adopted development plan that result in a product that is considered compatible with the overall development may be administratively approved by the Community Development Director or their designee.

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

That the request to amend the adopted PR-1/Planned Residential development plan for Arbor Creek 2<sup>nd</sup> Addition on property legally described as being a replat of Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa, is hereby approved.

RESOLUTION NO. \_\_\_\_\_

PAGE 2

ADOPTED  
AND  
APPROVED

June 23, 2025.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk

Planning Case No. PR-21-001(M)



## Council Communication

Department: Community  
Development  
Case/Project No.: PC-25-002  
Submitted by: Haley Weber,  
Planner

Resolution 25-171  
ITEM 7.F.

Council Action: 6/23/2025

### Description

Resolution to adopt a P-C/Planned Commercial development plan for a 124-unit extended stay hotel on property legally described as Lot 1, Morris Subdivision, Replat 1. Location: Undeveloped land located between 3501 23rd Avenue and 3320 Mid-America Drive. PC-25-002

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	6/13/2025
Attachment A: Letter of Intent	Letter	6/13/2025
Attachment B: Location/Zoning Map	Map	6/13/2025
Attachment C: Site Plan	Other	6/13/2025
Attachment D: Architectural Elevations	Other	6/13/2025
Attachment E: Landscaping Plan	Other	6/13/2025
Resolution 25-171	Resolution	6/18/2025

## City Council Communication

<p>Department: Community Development</p> <p>CASE #PC-25-002</p> <p>Applicant: Huegerich Construction Inc. Ryan Huegerich PO Box 203 Franktown, CO 80116</p> <p>Property Owner: NXT Council Bluffs LLC 5050 Merle Hay Road Johnston, IA 50131</p> <p>Represented by: FoleyShald Engineering 14503 Grover Street, Ste. 102 Omaha, NE 68144</p>	<p>Resolution No. _____</p>	<p>City Council: 6/23/2025</p> <p>Planning Commission: 6/10/2025</p>
--	-----------------------------	--

### Subject/Title

**Request:** Public hearing on the request of Huegerich Construction Inc. to adopt a P-C/Planned Commercial development plan for a 124-unit extended stay hotel on property legally described as Lot 1, Morris Subdivision, Replat 1, City of Council Bluffs, Pottawattamie County, Iowa.

**Location:** Undeveloped land located between 3501 23<sup>rd</sup> Avenue and 3320 Mid-America Drive

### Background/Discussion

The Community Development Department has received an application from Huegerich Construction Inc., represented by FoleyShald Engineering, to adopt a planned commercial development plan for an extended stay hotel (Echo Suites Hotel) on property legally described as Lot 1, Morris Subdivision, Replat 1, City of Council Bluffs, Pottawattamie County, Iowa. The purpose of this request is to establish site development, off-street parking, architectural, landscaping and signage standards for the proposed hotel. The new hotel will consist of 124 guestrooms on a 2.24 acre (more/less) property. The submitted letter of intent, included as Attachment 'A', notes construction is intended to begin in late summer 2025 with a 14 to 16 month construction schedule.

### Land Use and Zoning

The subject property is zoned P-C/Planned Commercial District and is surrounded by the following land uses and zoning designations:

Direction	Zoning District(s)	Land Uses
North	I-2/General Industrial District	Automobile Sales and Rental Establishment (LazyDays RV)
South	P-C/Planned Commercial District	Indoor Recreation Facility (Iowa West Sports Plex)
East	P-C/Planned Commercial District	Restaurant (Quaker Steak and Lube)

West	I-2/General Industrial District	Warehousing and Distribution Facility (Doll Distributing)
------	---------------------------------	---

A location/zoning map is included as Attachment 'B'.

City Departments and Utilities

All appropriate City departments and utilities were notified of the proposed planned commercial development plan. The following comments were received:

- A. The Council Bluffs Public Works Department had the following comments:
1. The site plan is noted. Engineering will continue to work with the Engineer of Record (EOR) to complete the plans to permit standards.
  2. The EOR will need to provide a full drainage study for this project.
  3. The EOR will need to supply additional documentation to support the ultimate design (i.e. Geotech, product specifications).
- B. The Council Bluffs Fire Department stated they had no comment on the request.
- C. The Council Bluffs Police Department stated they have no comment or objections to the request.
- D. Council Bluffs Water Works stated they had no comment on the request.
- E. Mid-American Energy stated they have no conflict with the request and noted the developer or their agent is required to contact MidAmerican Energy directly to discuss development plans, project timeline, costs, and responsibilities associated with the extension of electric service for the proposed project.

Planned Commercial Development Plan

Section 15.18.010, Statement of Intent, P-C/Planned Commercial District, of the Council Bluffs Municipal Code (Zoning Ordinance) states that "*the P-C district is intended to provide for the development of retail shopping centers, hotel/motel services, destination resorts, and office parks. Facilities in planned commercial districts are designed to be used in common, such as ingress and egress roads, extensive parking accommodations, proper relations to traffic arteries, and compatibility with surrounding uses. Because large retail/service centers have significant impact upon the development of the city, final authority over their development shall be retained by the city council, with extensive review by the planning commission.*" The applicant is proposing to adopt a planned commercial development plan for the subject property in order to establish site development, off-street parking, architectural, landscaping and signage standards for the proposed extended stay hotel (Echo Suites Hotel).

**A. Site Development**

1. All principal and accessory structures shall have a minimum perimeter setback of 10 feet from all property lines.
2. The maximum height for all structures shall not exceed 50 feet, as measured from finished grade to the peak of the roof.
3. No more than 15% of the total lot area shall be covered with structures.

4. No fencing is proposed at this time. Any future fencing shall be installed in accordance with Section 15.24.040, Fence Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).
5. All solar energy conversion systems shall be installed in accordance with Chapter 15.34.030, Solar Energy Conversion Systems, of the Council Bluffs Municipal Code (Zoning Ordinance).
6. The submitted site plan, included as Attachment 'C', shows an enclosed dumpster in the southwest corner of the parking lot. Per the submitted plans, the dumpster enclosure will be eight (8) feet tall wall comprised of split face concrete masonry unit (CMU) with a metal gate. Said dumpster and any trash receptacles and/or dumpsters visible from a public right-of-way shall be enclosed on three sides with a masonry, wood, or vinyl fence and have a lockable gate that when closed completely eliminates view of the dumpster. Any walls or fencing installed to enclose a trash receptacle/dumpster shall be allowed to extend no more than six inches from the peak of the trash receptacle/dumpster it is screening.
7. Outdoor storage of materials, products, equipment, or packaging shall not be permitted. This includes the semi-permanent and/or permanent placement of inter-modal storage/shipping containers.
8. All exterior lighting shall conform to Section 15.24.050, Lighting Controls, of the Council Bluffs Municipal Code (Zoning Ordinance). Any proposed outdoor light poles shall be constructed out of painted or finished aluminum or steel. Wood poles shall not be accepted. The maximum height shall not exceed 25 feet.
  - a. A detailed photometric plan showing the location and type of light fixtures shall be submitted at +the time of permit review.
9. The submitted site plan, included as Attachment 'C', shows a sidewalk along the westerly side of the entrance drive off Mid America Loop and a sidewalk stubbed out to the northerly property line to facilitate future sidewalk connections in this area. All sidewalks shown on the proposed site plan shall be installed prior to issuance of a Certificate of Occupancy for the hotel.
10. All utilities shall be installed underground. Any cost to remove, relocate, modify, and/or extend utilities to this site shall be at the sole cost of the developer and not the City.
11. All grading and drainage activity for this development shall be completed in accordance with Public Works standards.

## **B. Off-Street Parking**

1. The minimum number of off-street parking spaces shall be calculated using the parking requirements in Section 15.23.060, Parking Spaces Required, of the Council Bluffs Municipal Code (Zoning Ordinance). In cases where several uses occupy a structure or parcel of land, the total requirement for off-street parking shall be the sum of the requirement of the different uses.
  - a. The total number of required off-street parking for a 'hotel/motel' is based on a calculation of one parking space per guest room, as per Section 15.23.060, Parking Spaces Required, of the Council Bluffs Municipal Code (Zoning Ordinance). The submitted application states the hotel will contain 124 guestrooms, which equates to a minimum of 124 required off-street parking spaces. The submitted site plan shows that 124 parking spaces will be provided, which meets the minimum required.
2. The Americans with Disabilities Act (ADA) requires a minimum of five (5) accessible parking spaces for parking lots containing 101 to 150 off-street parking stalls. The submitted plans show a total of 124

stalls but only three (3) accessible parking spaces. The parking lot plan submitted at the time of permit applications shall be revised to meet the minimum five (5) accessible spaces required. All off-street parking lots shall comply with Chapter 661-18, Parking for Persons with Disabilities, of the Iowa Administrative Code.

3. All off-street parking areas, driveways and drive aisles shall comply with the standards in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance), and Iowa's Statewide Urban Design and Specifications (SUDAS) manuals for public improvements.
4. Bicycle parking shall be incorporated into the overall layout of the site.
  - a. Designated bicycle parking areas shall be located within a reasonable distance of, and clearly visible from, the main entrance of each building. Bicycle parking may alternatively be provided in a publicly accessible indoor location within a convenient distance of the main building entrance.
  - b. Bicycle racks shall be secured to the pavement in a location that does not conflict with pedestrian or vehicular circulation routes.
  - c. A minimum of four (4) bicycle parking spaces shall be provided for the proposed development.
  - d. Bicycle parking shall be installed prior to the issuance of the Certificate of Occupancy for the proposed hotel.
5. A parking lot permit shall be submitted with every building permit application, and shall include the number, location, and dimension of all drive aisles and spaces, bicycle parking, pedestrian ways, islands, landscaped areas, loading areas and lighting.

## **C. Architecture**

1. Architectural renderings/building elevations for the proposed hotel are shown in Attachment 'D.' The building exterior is primarily made up of EIFS, with a brick veneer base on the south, east, and west facades. The north façade partially utilizes a brick base with a vertical green EIFS accent breaking up said base. The facades utilize four different colors of EIFS to help provide visual interest and horizontal and vertical breaks. The Community Development Department recommends the proposed architectural renderings be accepted as proposed.
2. Louvers, vents, or similar features shall be generally compatible with the façade to which it is attached.
3. All rooftop mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be screened from view using architectural design features.
4. All ground-mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be completely screened from view using architectural design features, fencing, masonry wall, landscaping, or a combination thereof.

## **D. Landscaping**

1. The submitted landscaping plan, included as Attachment 'E', shows the following landscape plantings:
  - a. Three (3) Ginkgo trees along the southerly property line;

b. Two (2) Ginkgo, Three (3) Swamp White Oaks, Six (6) Dogwood, and Four (4) Magnolia Trees in parking perimeter and/or landscape peninsulas; and

c. 103 Wintercreeper foundation plantings evenly spaced around all four building facades, exclusive of entrances.

The Community Development Department recommends that the landscaping plan be accepted as shown.

2. A landscaping plan shall be submitted with the building permit application. The plan shall clearly identify plant materials, quantity, and size and shall show dimensions of all areas to be landscaped.
3. Not less than 10% of the total lot area shall be landscaped with trees, shrubs, and other plant materials.
4. All parking lot islands and peninsulas shall be planted with a minimum of one canopy shade tree and ground cover vegetation (e.g., shrubs, sod, mulch or river rock, etc.).
5. A minimum five-foot wide landscape strip shall be provided between all parking surfaces and each abutting property line. The five foot-wide strips may be included in the 10% landscaping lot coverage requirement.
6. All tree species planted along the frontage of a public right-of-way shall comply with the Council Bluffs Street Tree Guide and be reviewed and approved by the City prior to installation. Trees planted on private property shall consist of drought resistant species native to Iowa.
7. Landscaping shall not impede the vision of any motorist, cyclist or pedestrian at the street, driveway or pedestrian way.
8. All disturbed areas without a specific landscape design shall be hydroseeded, or planted with sod, turf, and/or prairie grass.
9. Not more than 10% of the landscaped area shall be of inorganic materials such as brick, stone, aggregate, metal or artificial turf. Organic mulch may be used around trees and/or shrubs.
10. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting season(s) but in all cases shall be replaced within one year.

## E. Signage

1. The submitted architectural elevations, included as Attachment 'D', show the following signage:

<b><u>Facade</u></b>	<b><u>Attached Wall Signage</u></b>	<b><u>Approximate Size (Sq. Ft.)</u></b>
North	"Echo Suites"	68
East	Extended Stay by Wyndham	15
West	"Echo Suites"	83
	"Extended Stay by Wyndham"	15
	"Extended Stay by Wyndham"	12
<i>Total:</i>		<i>193</i>

No detached signs were included in the submitted plans.



2. The following signage shall be allowed on the property:
  - a. The total maximum amount of signage for the property shall not exceed 450 square feet.
  - b. Detached signage. A maximum of one detached ground/monument sign shall be allowed per street frontage, and shall be limited to a maximum height of ten feet, as measured from finished grade to the highest point of the sign structure. The entire monument sign shall be counted as signage as measured from finished grade to the highest point of the monument and from one side of the monument structure to the other. The maximum sign area shall not exceed 100 square feet of signage per face.
  - c. Attached signage. Attached signage shall be limited to 15 percent of the building façade to which it is attached. Attached signage may be placed at any location on the building but shall not extend beyond the corner of the wall to which it is attached, nor beyond or above the roof of the building to which it is attached.
  - d. Directional signage. On-site directional signage shall count toward the overall amount of signage allowed on the subject property. Each sign shall be limited to a maximum height of six feet, as measured from finished grade to the highest point of the sign structure, and shall be limited to a maximum of eight square feet.
3. No sign listed in Section 15.33.070, Prohibited Signs, of the Council Bluffs Municipal Code (Zoning Ordinance) shall be permitted.
4. All signage shall be permitted separately prior to installation.

#### **Recommendation**

The Community Development Department recommends approval of the request of Huegerich Construction Inc. to adopt a P-C/Planned Commercial development plan for a 124-unit extended stay hotel on property legally described as Lot 1, Morris Subdivision, Replat 1, City of Council Bluffs, Iowa, subject to the comments stated above and the following condition:

- A. Any modifications to the approved development plan which substantially alter the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

#### **Public Hearing**

Staff speakers for the request:

1. Haley Weber, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs IA, 51503

Speakers in favor:

1. Andrew Rech, Foley Shald Engineering, 14503 Grover Street, Suite 102, Omaha, NE 68144

Speakers against: None.

The City Planning Commission recommended approval of the request of Huegerich Construction Inc. to adopt a P-C/Planned Commercial development plan for a 124-unit extended stay hotel on property legally described as Lot 1, Morris Subdivision, Replat 1, City of Council Bluffs, Iowa, subject to the comments stated above and the following condition:

- A. Any modifications to the approved development plan which substantially alter the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

VOTE: AYE – Freund, Knauss, Rater, Rew, Stroebele, and VanHouten. NAY – None.  
ABSTAIN – None. ABSENT – Hutcheson and Watson. VACANT - Three Motion: Carried.

**Attachments**

Attachment A: Letter of Intent  
Attachment B: Location/Zoning Map  
Attachment C: Site Plan  
Attachment D: Architectural Elevations  
Attachment E: Landscaping Plan

Prepared by: Haley Weber, Planner, Community Development Department



To Whom it may concern:

NXT Development LLC in coordination with HCI is planning to bring a 124 unit extended stay hotel to the Mid American Loop in Council Bluffs IA. This hotel will be a 4 story, interior corridor property with a full elevator to all levels along with 124 parking stalls. This property will also have full on site stormwater detention and 1 form of ingress/egress from the site. We plan to begin construction on the building late summer 2025 with a 14-16 month construction schedule.


Sincerely, Ryan Huegerich  
President HCI  
Member NXT Development LLC



# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

## CASE #PC-25-002 LOCATION/ZONING MAP

### Legend

 Subject Property  
Case #PC-25-002

0 75 150

1 inch = 114 feet

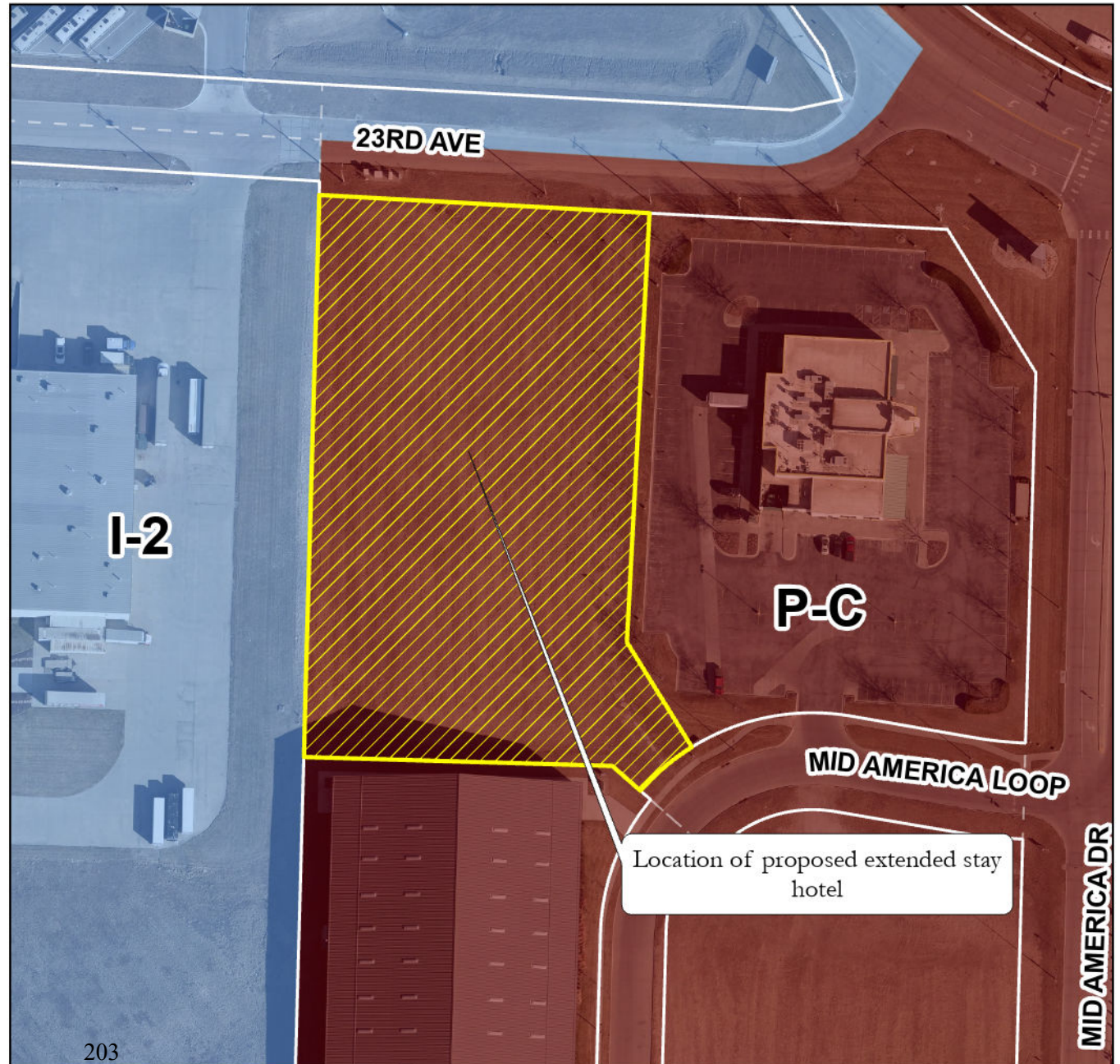


Last Amended: 5/20/2025

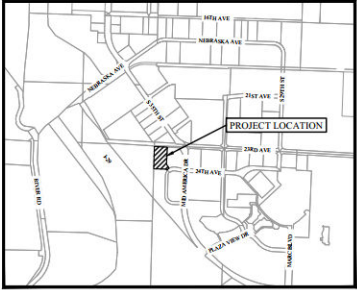


Council Bluffs Community  
Development Department  
209 Pearl Street  
Council Bluffs, IA 51503  
Telephone: (712) 890-5350

**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 expressly disclaims any and all responsibility for errors, if any, in the information contained on this map of the nature 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.







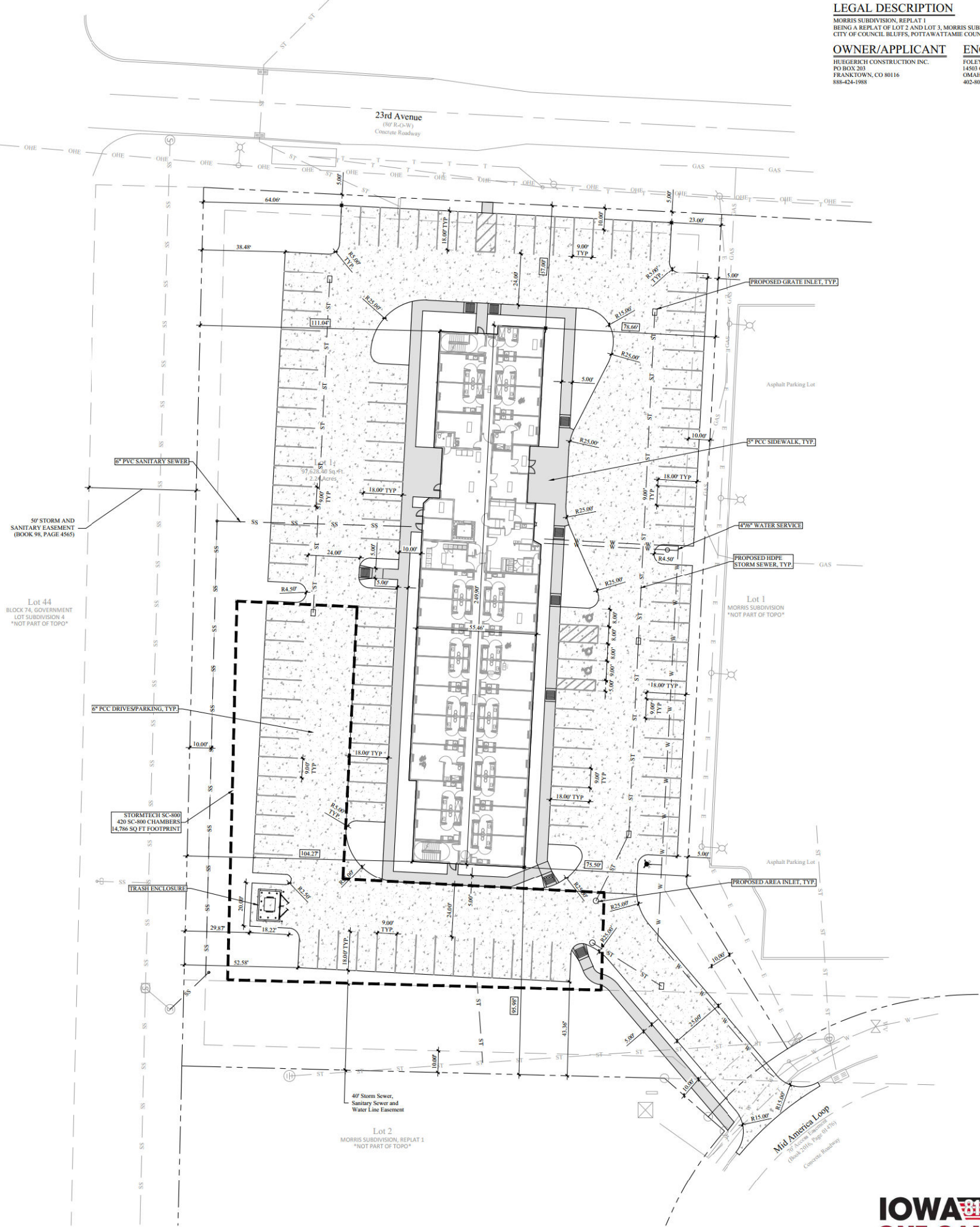
VICINITY MAP  
NOT TO SCALE

LEGEND

---	EXISTING MAJOR CONTOUR
---	EXISTING MINOR CONTOUR
---	EXISTING PAVEMENT
---	EXISTING PROPERTY LINE
---	EXISTING EASEMENT
SS	EXISTING SANITARY SEWER
E	EXISTING UNDERGROUND ELECTRIC
OHE	EXISTING OVERHEAD ELECTRIC
W	EXISTING WATER MAIN
ST	EXISTING STORM SEWER
T	EXISTING COMMUNICATION LINES
ST	PROPOSED STORM SEWER
SS	PROPOSED UNDERGROUND DETENTION SYSTEM
SS	PROPOSED SANITARY SEWER
W	PROPOSED WATER MAIN
---	PROPOSED PAVEMENT
---	PROPOSED PROPERTY LINE
---	PROPOSED BUILDING WALL
---	PROPOSED 6" PCC PARKING/DRIVES
---	PROPOSED 5" PCC SIDEWALK
---	PROPOSED CURB INLET
---	GAS VALVE
---	FIRE HYDRANT
---	POWER POLE
---	SANITARY MANHOLE
---	STORM MANHOLE
---	CURB INLET
---	LIGHT POLE

SITE REGULATORS

	ALLOWED	PROPOSED	COMMENTS
A. SITE AREA	10 AC MIN.	2.24 AC (97,628.40 SQ FT)	
B. MINIMUM WIDTH	-	-	
C. GROSS FLOOR AREA (TOTAL FINISHED)	-	12,792 SF	
D. FAR (C/A)	-	0.13	
E. SETBACK			
FRONT YARD	10 FT	95.98 FT	
STREET SIDE YARD	10 FT	N/A	
INTERIOR SIDE YARD	10 FT	75.50 FT	
REAR YARD	10 FT	57 FT	
F. HEIGHT	-	45 FT	
G. BUILDING COVER (%)	40.0%	13%	
H. IMPERVIOUS COVER (%)	50.0%	65%	
I. PARKING REQUIREMENTS	124 STALLS (1 STALL/GUESS ROOM)	124 STALLS	INCLUDES ADA STALLS
J. ACCESSIBLE PARKING STALL	N/A	3 STALLS	
K. BUFFERYARDS	N/A	N/A	
L. LANDSCAPING	9,758 SQ FT MIN. 10% SITE LANDSCAPING	34,737 SQ FT	



ZONING COMPLIANCE PLAN

SCALE = 1" = 20'-0"

LEGAL DESCRIPTION

MORRIS SUBDIVISION, REPLAT 1  
BEING A REPLAT OF LOT 2 AND LOT 3, MORRIS SUBDIVISION,  
CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

OWNER/APPLICANT

HUEGERICH CONSTRUCTION INC.  
PO BOX 203  
FRANKTOWN, CO 80116  
888-424-1988

ENGINEER

FOLEYSHALD ENGINEERING  
14503 GROVER STREET, SUITE 102  
OMAHA, NE 68144  
402-864-3993

SURVEYOR

CATLETT SURVEYING  
13650 S 150TH COURT  
BENNET, NE 68317

LEGAL DESCRIPTION

SITE INFORMATION:  
ZONING: P-C



CIVIL SHEET INDEX

SHEET NO.	DESCRIPTION
C1.01	ZONING COMPLIANCE PLAN
C2.01	EXISTING CONDITIONS PLAN
C3.01	GRADING PLAN
C3.02	EROSION CONTROL PLAN
C4.01	UTILITY PLAN
C4.02	STORM SEWER PLAN
C5.01	SITE PLAN
C5.02	PAVING PLAN
C6.01	PAVING NOTES
C7.01	LANDSCAPE PLANS
C8.01	CONSTRUCTION DETAILS
C8.02	STORMTECH DETAILS

REVISIONS

NUMBER	DATE	DESCRIPTION
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HCI Council Bluffs Hotel

Council Bluffs, IA

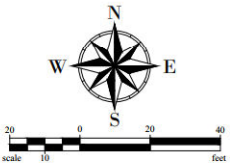
FSE: CA-4197  
FSE #: 105.001

May 13, 2025



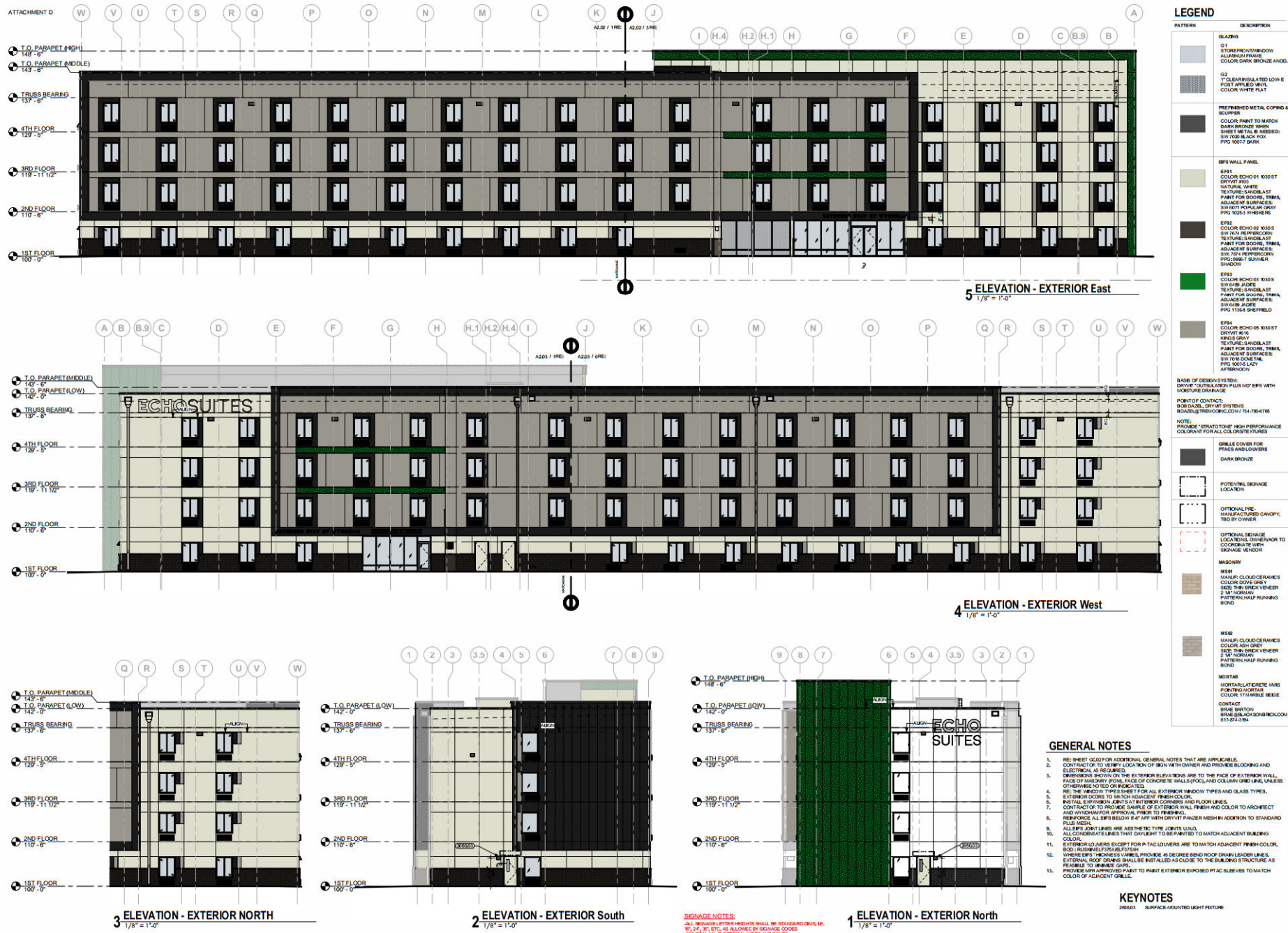
Zoning Compliance Plan

C1.01





## Attachment D



## PROTOTYPE V2.0 DRAWINGS

**ECHO SUITES**  
1234 Street  
Council Bluffs, IA

## PRELIMINARY

PROFESSIONAL SEA

**A2.01**

ISSUE DATE: 4/2/25

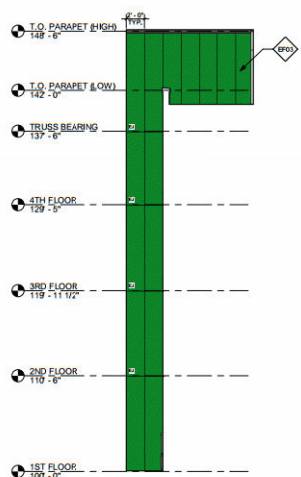
## OVERALL EXTERIOR ELEVATIONS



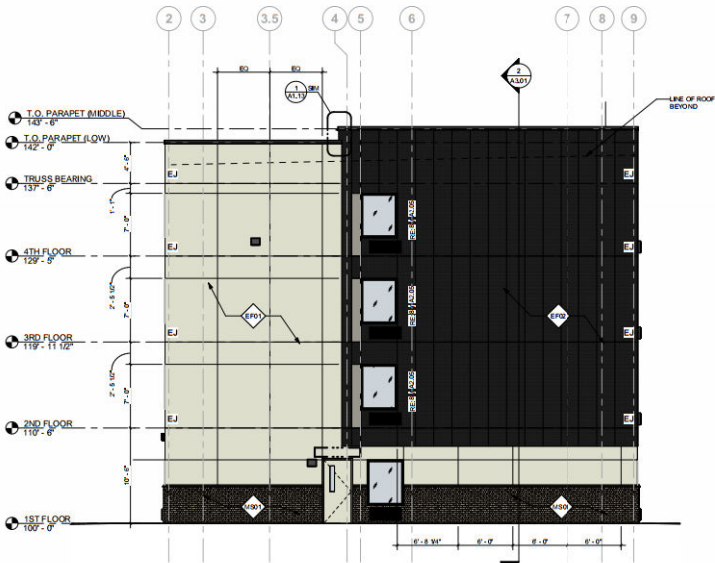




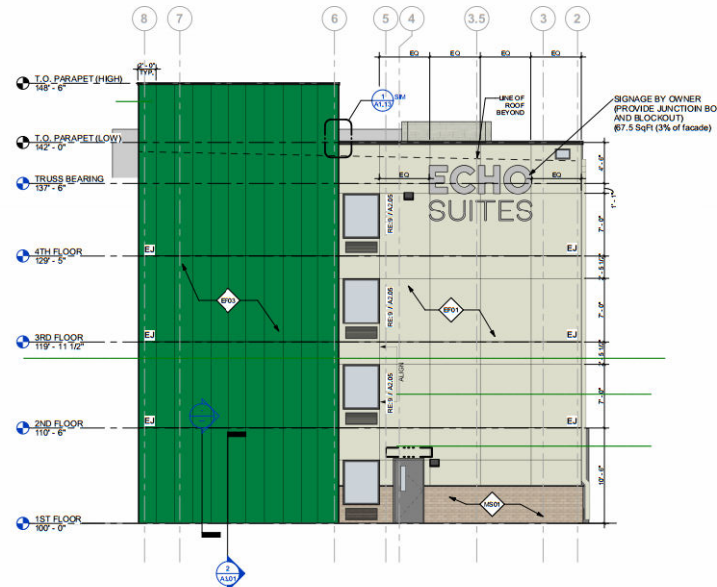




**3 ENLARGED NORTH ELEVATION G**  
3/16" = 1'-0"



**2 ENLARGED SOUTH ELEVATION**  
3/16" = 1'-0"



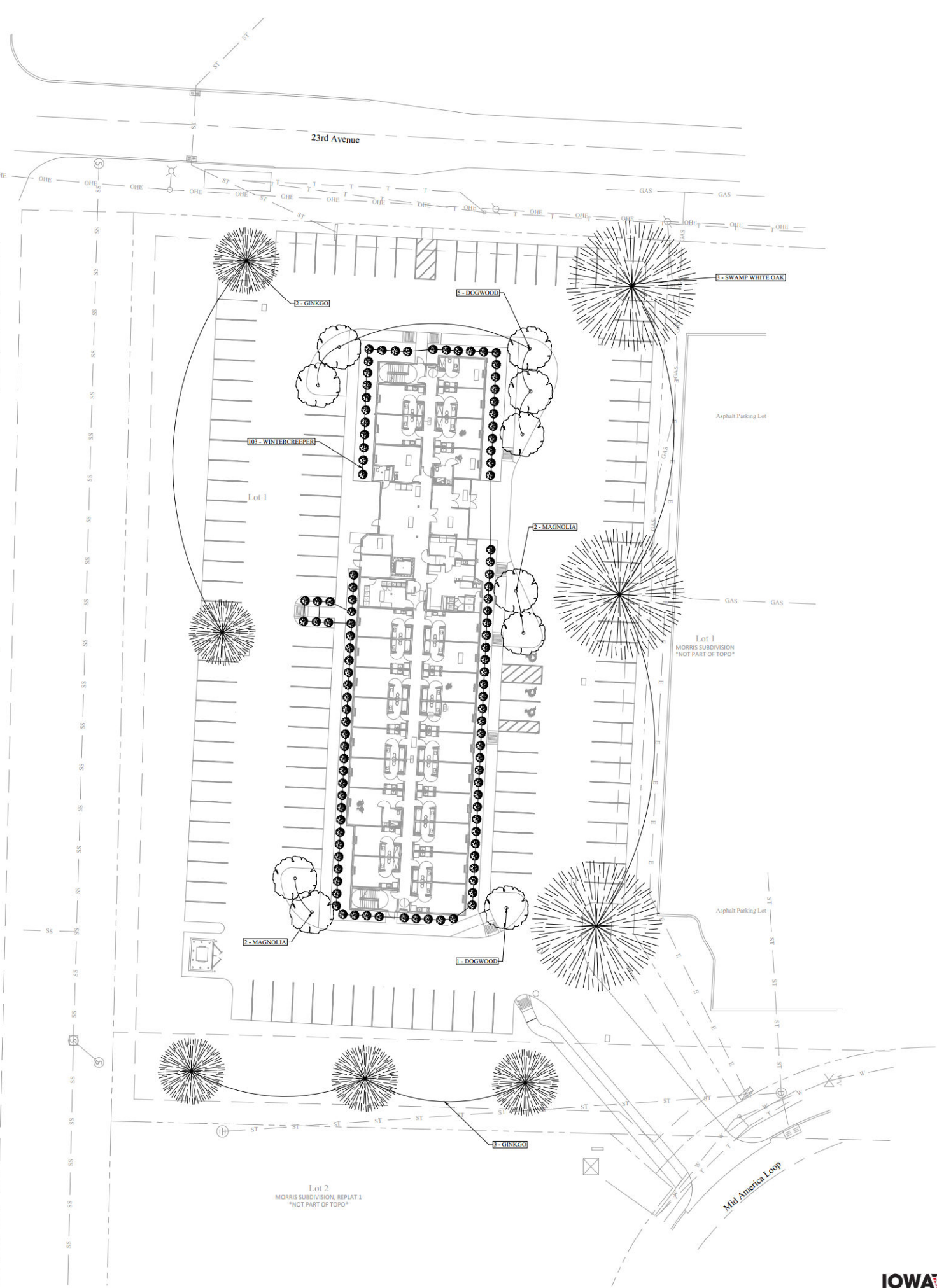
**1 ENLARGED NORTH ELEVATION**  
3/16" = 1'-0"

PLANT SCHEDULE					
LOCATION	BOTANICAL NAME	COMMON NAME	SIZE & METHOD OF HANDLING	DESIGN HEIGHT & SPREAD	QUANTITY
STREET TREE ON-SITE LANDSCAPING	GINKGO BILOBA	GINKGO	2" CAL. B & B	50' HEIGHT, 30' SPREAD	5
	QUERCUS BICOLOR	SWAMP WHITE OAK	2" CAL. B & B	60' HEIGHT, 60' SPREAD	3
	CORNUS MAS	DOGWOOD, CORNELIANCHERRY	2" CAL. B & B	25' HEIGHT, 20' SPREAD	6
	MAGNOLIA SPP.	MAGNOLIA	2" CAL. B & B	25' HEIGHT, 20' SPREAD	4
	EUONYMUS FORTUNEI	WINTERCREEPER	2 GAL. B & B	3' HEIGHT, 4' SPREAD	103

LEGEND

	EXISTING PAVEMENT
	EXISTING PROPERTY LINE
	EXISTING EASEMENT
	EXISTING SANITARY SEWER
	EXISTING UNDERGROUND ELECTRIC
	EXISTING OVERHEAD ELECTRIC
	EXISTING WATER MAIN
	EXISTING STORM SEWER
	EXISTING COMMUNICATION LINES
	PROPOSED STORM SEWER
	PROPOSED UNDERGROUND DETENTION SYSTEM
	PROPOSED SANITARY SEWER
	PROPOSED WATER MAIN
	PROPOSED PAVEMENT
	PROPOSED PROPERTY LINE
	PROPOSED BUILDING WALL
	PROPOSED CURB INLET
	GAS VALVE
	FIRE HYDRANT
	POWER POLE
	SANITARY MANHOLE
	STORM MANHOLE
	CURB INLET
	LIGHT POLE
	PROPOSED SHRUB
	PROPOSED ORNAMENTAL TREE
	PROPOSED CANOPY TREE

Lot 44  
BLOCK 7A, GOVERNMENT  
LOT SUBDIVISION 4  
\*NOT PART OF TOPO\*



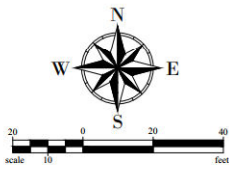
LANDSCAPE PLAN  
SCALE = 1" = 20'-0"

REVISIONS		
NUMBER	DATE	DESCRIPTION

HCI Council Bluffs Hotel  
Council Bluffs, IA  
FSE: CA-4197  
FSE #: 105.001  
May 13, 2025



Landscape Plan  
C6.01



**RESOLUTION NO. 25-171\_\_\_\_\_**

**A RESOLUTION TO ADOPT A P-C/PLANNED COMMERCIAL DEVELOPMENT PLAN FOR A 124-UNIT EXTENDED STAY HOTEL ON PROPERTY LEGALLY DESCRIBED AS LOT 1, MORRIS SUBDIVISION, REPLAT 1, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.**

**WHEREAS,** Huegerich Construction Inc. is requesting adoption of a P-C/Planned Commercial development plan on undeveloped land legally described above and located between 3501 23<sup>rd</sup> Avenue and 3320 Mid-America Drive; and

**WHEREAS,** The standards that shall apply are set forth in the City Council Communication attached hereto; and

**WHEREAS,** The Community Development Department recommends approval of the request of Huegerich Construction Inc. to adopt a P-C/Planned Commercial development plan for a 124-unit extended stay hotel on property legally described as Lot 1, Morris Subdivision, Replat 1, City of Council Bluffs, Iowa, subject to the comments stated in City Council Communication attached hereto, and the following condition:

- A. Any modifications to the approved development plan which substantially alter the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

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

That the request to adopt a P-C/Planned Commercial development plan for a 124-unit extended stay hotel on property legally described as Lot 1, Morris Subdivision, Replat 1, City of Council Bluffs, Iowa, is hereby approved, subject to all comments and conditions stated above.

ADOPTED  
AND  
APPROVED

June 23, 2025.

\_\_\_\_\_  
MATTHEW J. WALSH

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
JODI QUAKENBUSH

\_\_\_\_\_  
City Clerk

## Council Communication

Department: Community  
Development

Case/Project No.:  
Submitted by: Dessie Redmond,  
Housing & Economic Development  
Planner

Resolutions 25-172 and 25-173  
ITEM 7.G.

Council Action: 6/23/2025

### Description

Resolution approving Change Order #1 in the amount of \$82,120 for additional soil cleanup and mitigation at the former Reliance Battery factory site.

Resolution approving the amount of \$136,985.21 for disposal fees for contaminated soil at the former Reliance Battery factory site.

### Background/Discussion

See attached staff report.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	6/13/2025
Change Order #1	Other	6/13/2025
Resolution 25-172	Resolution	6/18/2025
Resolution 25-173	Resolution	6/18/2025



## City Council Communication

Department: Community Development  Case/Project No.: N/A	Resolution No. 25-_____	City Council: <u>June 23, 2025</u>												
<b>Subject/Title</b>														
Resolution to approve a change order in the amount of \$82,120 since it exceeds the approval threshold of a Director. Also, a resolution to approve the cost of disposal fees to the landfill in the amount of \$136,985.21.														
<b>Location</b>														
813 22 <sup>nd</sup> Avenue, Council Bluffs, Iowa														
<b>Background/Discussion</b>														
<p>On April 7, 2025, the City Council approved a contract with D&amp;D Construction in the amount of \$196,250 for the contaminated soil cleanup at the former Reliance Battery Factory. Now, a change order in the amount of \$82,120 has been submitted for work completed and necessary to ensure all of the contaminated soil is removed. There were a few areas onsite that the contamination went further down into the soil than expected, so additional cubic yardage of excavation and soil removal were necessary.</p> <p>During the soil cleanup, Eocene Environmental Group was on site monitoring the excavation. Because of the nature of the project, submitting the change order prior to work completion was not possible.</p> <p>The costs of the disposal fees at the landfill were unknown at the time of bid due to the unknown amount of contaminated soil that would need to be removed. The approved contract states that the landfill should bill the City directly to avoid third party cost increases. Therefore, the City paying the disposal fees is fulfilling that portion of the contract. The current amount billed to the City is for \$136,985.21. It is anticipated that there will be additional disposal fees due to findings of additional soil contamination, but additional fees should not exceed \$25,000.</p> <p>The change order amount and the cost of the landfill will be paid for with the \$500,000 EPA Brownfields Cleanup Grant, and CDBG funds, including a \$100,000 CDBG match which was a requirement for the EPA Grant.</p> <p>The final project financials can be summarized approximately as follows:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Original Contract Amount</td> <td style="text-align: right;">\$196,250.00</td> </tr> <tr> <td>Change Order #1 for Additional Mitigation</td> <td style="text-align: right;">\$82,120</td> </tr> <tr> <td>Final Contract Amount</td> <td style="text-align: right;">\$278,370</td> </tr> <tr> <td colspan="2"> </td> </tr> <tr> <td>Retainage Due to Contractor</td> <td style="text-align: right;">\$13,480.00</td> </tr> <tr> <td>Landfill Costs</td> <td style="text-align: right;">\$136,985.21</td> </tr> </table>			Original Contract Amount	\$196,250.00	Change Order #1 for Additional Mitigation	\$82,120	Final Contract Amount	\$278,370			Retainage Due to Contractor	\$13,480.00	Landfill Costs	\$136,985.21
Original Contract Amount	\$196,250.00													
Change Order #1 for Additional Mitigation	\$82,120													
Final Contract Amount	\$278,370													
Retainage Due to Contractor	\$13,480.00													
Landfill Costs	\$136,985.21													
<b>Staff Recommendation</b>														
Approve the resolution to pay change order #1 in the amount of \$82,120 for work completed by D&D Construction for soil cleanup at the former Reliance Battery Factory site. Also, a resolution to approve the cost of disposal fees to the landfill in the amount of \$136,985.21.														
<b>Attachments</b>														
<ol style="list-style-type: none"> <li>1. Change order from D&amp;D Construction signed by Eocene Environmental Group.</li> <li>2. Resolution to approve a change order in the amount of \$82,120 for additional soil cleanup.</li> <li>3. Resolution to approve the cost of landfill in the amount of \$136,985.21.</li> </ol>														

Submitted by: Dessie Redmond, Housing & Economic Development Planner, Community Development Department  
 Approved by: Courtney Harter, Director of Community Development

# Change Order

Reliant  
800 22nd ave

**D&D Construction**  
23094 Old Lincoln Highway  
Crescent, IA 51526

QUANTITY	DETAILS	UNIT PRICE	LINE TOTAL
1910	2.1 Area a Haul out overage	20	38,200.00
74	1.2 Area b haul out overage	20.00	1,480.00
69	1.3 area c haul out overage	20.00	1,380.00
	optional		
1910	2.2 haul in material yardage over 4850 Area a	20.00	38,200.00
143	2.2 haul in area B 74yds area c 69yds	20.00	2,860.00
		Discount	
		Net Total	\$82,120.00
		Tax	
USD TOTAL			\$82,120.00

PAYMENT DETAILS

D&D Construction  
23094 Old Lincoln highway  
Crescent IA 51526

**RESOLUTION NO. 25-172**

**A RESOLUTION APPROVING CHANGE ORDER #1 IN THE AMOUNT OF \$82,120 FOR ADDITIONAL SOIL CLEANUP AND MITIGATION AT THE FORMER RELIANCE BATTERY FACTORY SITE.**

**WHEREAS,** the City Council approved issuing a contract to D&D Construction in the amount of \$196,250 for contaminated soil cleanup; and

**WHEREAS,** the City has received change order #1 in the amount of \$82,120 for additional mitigation for work associated with the soil cleanup; and

**WHEREAS,** the change order has been executed to the satisfaction of the City and the soil is clean; and

**WHEREAS,** the City Council deems approval of said change order #1 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 change order by D&D Construction, Inc in the amount of \$82,120, thus adding this amount to the contract for the former Reliance Battery Factory soil cleanup is hereby approved.

ADOPTED  
AND  
APPROVED:

June 23, 2025

\_\_\_\_\_  
Matthew J. Walsh Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush City Clerk

**RESOLUTION NO. 25-173**

**A RESOLUTION APPROVING THE AMOUNT OF \$136,985.21 FOR DISPOSAL FEES FOR CONTAMINATED SOIL AT THE FORMER RELIANCE BATTERY FACTORY SITE.**

**WHEREAS,** the City Council approved issuing a contract to D&D Construction in the amount of \$196,250 for contaminated soil cleanup; and

**WHEREAS,** the approved contract included the costs of disposal fees that would be directly billed to the City; and

**WHEREAS,** the disposal fees from Iowa Waste Services for contaminated soil at the former Reliance Battery Factory site are \$136,985.21; and

**WHEREAS,** the City Council deems approval of payment to Iowa Waste Services for disposal fees 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**

The disposal fees in the amount of \$136,985.21 for the former Reliance Battery Factory Lead-Contaminated Soil Removal Project is hereby approved.

ADOPTED  
AND  
APPROVED:

June 23, 2025

\_\_\_\_\_  
Matthew J. Walsh Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush City Clerk

## Council Communication

Department: Legal  
Case/Project No.:  
Submitted by: Graham Jura

Resolution 25-174  
ITEM 7.H.

Council Action: 6/23/2025

### Description

Corrective Resolution to vacate and dispose of Lindberg Drive Right-of-Way adjacent to the Easterly 80 Feet of Lot 9, Block 1, and the Westerly 30 Feet of Lot 1 and all of Lot 2, Block 3, All in Oak Grove Addition.

### Background/Discussion

The City originally vacated and disposed of city owned property legally described above pursuant to Resolution 25-98, adopted and approved April 7, 2024. The purpose of this corrective resolution is to correct the names of the grantees from that previous resolution, as trustee and married couple status were not added.

### Recommendation

Approval is recommended.

### ATTACHMENTS:

Description	Type	Upload Date
Resolution 25-174	Resolution	6/18/2025

**CORRECTIVE RESOLUTION NO. 25-174**

**A CORRECTIVE RESOLUTION TO VACATE AND DISPOSE OF LINDBERG DRIVE RIGHT-OF-WAY ADJACENT TO THE EASTERLY 80 FEET OF LOT 9, BLOCK 1, AND THE WESTERLY 30 FEET OF LOT 1 AND ALL OF LOT 2, BLOCK 3, ALL IN OAK GROVE ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.**

**WHEREAS,** the City has previously expressed its intent to vacate and dispose of Lindberg Drive Right-of-Way adjacent to the Easterly 80 Feet of Lot 9, Block 1, and the Westerly 30 Feet of Lot 1 and all of Lot 2, Block 3, All in Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

**WHEREAS,** a public hearing has been held in this matter on the 7<sup>th</sup> day of April, 2025; and

**WHEREAS,** this resolution corrects Resolution 25-98, adopted and approved April 7<sup>th</sup>, 2025, to correctly reflect the names of the grantees.

**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:

**William C. Somers, Successor Trustee of the John S. and Ramona C. Crookham Trust Agreement dated April 29, 2016:** The southerly 30 feet of Lindberg Drive right-of-way adjacent to the westerly 30 feet of Lot 1 and all of Lot 2, Block 2, Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa for the total sum of \$381.42; and

**Parker W. Smith and Devon P.J. Murray, a married couple, as joint tenants with right of survivorship and not as tenants in common:** The northerly 30 feet of Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, Oak Grove Addition, City of Council Bluffs, Pottawattamie County, Iowa for \$381.42.

**BE IT FURTHER RESOLVED**

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

ADOPTED AND APPROVED:

June 23, 2025.

\_\_\_\_\_  
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: 6/23/2025

### Description

1. Ameristar Casino Council Bluffs LLC, 2200 River Rd
2. Quaker Steak & Lube, 3320 Mid America Dr.
3. Dollar General #1574, 2731 E Kanesville Blvd.

### Background/Discussion

See attached for calls for service.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Liquor Licenses	Other	6/16/2025

## CBPD ALCOHOL PERMIT RENEWAL REVIEW

	ESTABLISHMENT	ADDRESS	OWNER	RENEWAL DATE
1.	Ameristar Casino Hotel	2200 River Rd		
2.	Ameristar Casino Outside area	2200 River Rd		
3.	Quaker Steak and Lube	3320 Mid America Dr		
4.	Dollar General	2731 E Kanesville Blvd		
5.				
6.				
7.				

	CITATIONS	CFS*	NEXUS*	GREEN*	YELLOW*	RED*	
1.	0	11	43		X		*CFS - Calls in the area, establishment mentioned
2.	0	11	43		X		
3.	0	1	4		X		*Nexus - Calls originated at establishment
4.	0	2	6	X			
5.							*Green - No issues
6.							
7.							*Yellow - Minor issues
							*Red - Major issues

### COMMENTS

Note: The Ameristar calls are for the property in general as most of the calls did not differentiate what area of the casino/hotel the calls came from.

\*Additional information relating to the CFS can be made available upon request

SIGNATURE Mark Galvan



Dollar General #1574- LG0000680

Premise Street : 2731 East Kanesville Boulevard

Application Number : App-222814

Class B Retail Alcohol License

>	Application Type <b>Renewal</b>	Tentative Effective Date 2025-07-22	Tentative Expiration Date 2026-07-21	Application Status ? <b>Submitted to Local Authority</b>
---	------------------------------------	--	---	---

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE _____	Local Amt	<u>\$487.50</u>
FIRE _____	Endorsed	_____
BUILDING <u>RS</u>	Issued	<u>7-22-2025</u>
ZONING _____	Expires	<u>7-21-2026</u>
	Council	<u>6-23-2025</u>

Liquor Licenses - Tentative 6/23/25 Agenda ~...	
File	Message
Insert	Options
Format Text	Review
Foxit PDF	

**i** This message was sent on 6/12/2025 9:12 AM.  
Reply Totals: Approve 3; Reject 0

Recipient	Response
Alex Ford	Approve: 6/12/2025 9:17 AM
Christopher Gibbons	Approve: 6/12/2025 9:47 AM
Mark Galvan	Approve: 6/12/2025 9:18 AM
Rodney Schultz	

> Application Type <b>Renewal</b>	Tentative Effective Date 2025-08-01	Tentative Expiration Date 2026-07-31	Application Status ? <b>Pending Dramshop Review</b>
--------------------------------------	--	---	--

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE _____	Local Amt _____	
FIRE _____	Endorsed _____	
BUILDING <u>RS</u>	Issued <u>8-1-2025</u>	
ZONING _____	Expires <u>7-31-2026</u>	
	Council <u>6-23-2025</u>	

Liquor Licenses - Tentative 6/23/25 Agenda -...

File Message Insert Options Format Text Review Foxit PDF

**i** This message was sent on 6/12/2025 9:12 AM.  
Reply Totals: Approve 3; Reject 0

Recipient	Response
Alex Ford	Approve: 6/12/2025 9:17 AM
Christopher Gibbons	Approve: 6/12/2025 9:47 AM
Mark Galvan	Approve: 6/12/2025 9:18 AM
Rodney Schultz	

Ameristar Casino Council Bluffs LLC- LC0048972

Premise Street : 2200 River Rd

Application Number : App-222755

Class C Retail Alcohol License

> Application Type	Tentative Effective Date	Tentative Expiration Date	Application Status ?
Renewal	2025-08-01	2026-07-31	Pending Dramshop Review

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE _____	Local Amt _____	
FIRE _____	Endorsed _____	
BUILDING <u>BS</u>	Issued <u>8-1-2025</u>	
ZONING _____	Expires <u>7-31-2026</u>	
	Council <u>6-23-2025</u>	

Liquor Licenses - Tentative 6/23/25 Agenda - ...

File Message Insert Options Format Text Review Foxit PDF

**i** This message was sent on 6/12/2025 9:12 AM.  
Reply Totals: Approve 3; Reject 0

Recipient	Response
Alex Ford	Approve: 6/12/2025 9:17 AM
Christopher Gibbons	Approve: 6/12/2025 9:47 AM
Mark Galvan	Approve: 6/12/2025 9:18 AM
Rodney Schultz	

Quaker Steak and Lube- LC0035587

Premise Street : 3320 Mid America Dr

Application Number : App-222849

Class C Retail Alcohol License

>	Application Type Renewal	Tentative Effective Date 2025-08-15	Tentative Expiration Date 2026-08-14	Application Status ? Pending Dramshop Review
---	-----------------------------	--	---	---

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE _____	Local Amt _____	
FIRE _____	Endorsed _____	
BUILDING <u>TS</u>	Issued <u>8-15-2025</u>	
ZONING _____	Expires <u>8-14-2026</u>	
	Council <u>6-23-2025</u>	

Liquor Licenses - Tentative 6/23/25 Agenda - ...						
File	Message	Insert	Options	Format Text	Review	Foxit PDF

**i** This message was sent on 6/12/2025 9:12 AM.  
Reply Totals: Approve 3; Reject 0

Recipient	Response
Alex Ford	Approve: 6/12/2025 9:17 AM
Christopher Gibbons	Approve: 6/12/2025 9:47 AM
Mark Galvan	Approve: 6/12/2025 9:18 AM
Rodney Schultz	



## Council Communication

Department: City Clerk

Retail Tobacco Permit - Renewals

Case/Project No.:

(14)

Council Action: 6/23/2025

Submitted by:

ITEM 8.B.

### Description

### Background/Discussion

### Recommendation

### ATTACHMENTS:

Description

Tobacco Permit Renewals

Type

Other

Upload Date

6/18/2025

Retail Tobacco License Review

CITY OF COUNCIL BLUFFS  
1909373801

Application Information

Legal Ownership Information

Name of sole proprietor, partnership, corporation, LLC, or LLP : CADDY SHACK INC

Type of ownership : Corporation

Primary office address : 5005 PROVIDENCE RD COUNCIL BLUFFS  
IA 51503-2546

Legal Ownership Phone : 402-210-6500

Legal Ownership Email : robinmf17@yahoo.com

Application Information

City/County Permit Number : 1235065

Sales and Use Permit Number : 178017356

Location Name : CADDY SHACK INC

Location Phone Number : 712-322-9708

Location Address : 1426 4TH AVE COUNCIL BLFS IA 51501-3934

Location Mailing Address : 5005 PROVIDENCE RD COUNCIL BLUFFS IA 51503-2546

Renewal : Yes

Start Date : 01-Jul-2025

End Date : 30-Jun-2026

License Fee : 100.00

Types of Sales : Over the Counter

Type of Establishment : Bar

Types of Products Sold : Cigarettes

Do you intend to make retail sales to ultimate consumers? : Yes

Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s) in the next step: : No

Corporate Officers

Title	Name	Address
OWNER	HELM, ROBIN	5005 PROVIDENCE RD COUNCIL BLUFFS IA 51503-2546

Suppliers List

The Hut Discount Store

Decision

Select the decision of whether you approve or deny this permit application.

Iowa Department of Revenue will be issuing a permit number if this application is approved. However, the local authority has the option to also issue a permit number. If the local authority decides to issue a local permit number, it can be entered in the "Local Permit Number" field. Otherwise, only the state-issued permit number will appear on the permit.

Select a Decision

Approve

Deny

Retail Tobacco License Review

CITY OF COUNCIL BLUFFS  
1909373801

Application Information

Legal Ownership Information

Name of sole proprietor, partnership, corporation, LLC, or LLP : U SAVE FOODS INC

Type of ownership : Corporation

Primary office address : 850 76TH ST SW BYRON CENTER MI 49315-8510

Legal Ownership Phone : 616-878-2829

Legal Ownership Email : snlicensing@spartannash.com

Application Information

City/County Permit Number : 1229467

Sales and Use Permit Number : 178025160

Location Name : FAMILY FARE #791

Location Phone Number : 616-878-2829

Location Address : 1801 VALLEY VIEW DR COUNCIL BLFS IA 51503

Location Mailing Address : 850 76TH ST SW BYRON CENTER MI 49315-8510

Renewal : Yes

Start Date : 01-Jul-2025

End Date : 30-Jun-2026

License Fee : 100.00

Types of Sales : Over the Counter

Type of Establishment : Grocery store

Types of Products Sold : Cigarettes, Tobacco

Do you intend to make retail sales to ultimate consumers? : Yes

Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s) in the next step: : No

Corporate Officers

Title	Name	Address
SECRETARY	JACOBS, WILLIAM	850 76TH ST SW PO BOX 8700 # BYRON CENTER MI 49315-8510

Suppliers List

File Name	View File
Supplier.List.pdf	<a href="#">View File</a>

Decision

Select the decision of whether you approve or deny this permit application.

Iowa Department of Revenue will be issuing a permit number if this application is approved. However, the local authority has the option to also issue a permit number. If the local authority decides to issue a local permit number, it can be entered in the "Local Permit Number" field. Otherwise, only the state-issued permit number will appear on the permit.

Select a Decision

Approve

Deny

[<](#) CITY OF COUNCIL BLUFFS**Retail Tobacco License Review**

CITY OF COUNCIL BLUFFS

1909373801

[>](#)[Application Information](#)**Legal Ownership Information**

Name of sole proprietor, partnership, corporation, LLC, or LLP : GREENSTAR GLASS AND GOODIES INC

Type of ownership : Corporation

Primary office address : 531 VETERANS MEMORIAL HWY  
COUNCIL BLUFFS IA 51501-8419

Legal Ownership Phone : 712-314-3268

Legal Ownership Email : rossplum@icloud.com

**Application Information**

City/County Permit Number : 1232075

Sales and Use Permit Number : 178027220

Location Name : **GREENSTAR GLASS & GOODIES INC**

Location Phone Number : 712-828-4449

Location Address : 531 VETS MEMORIAL HWY COUNCIL BLFS IA 51501

Location Mailing Address : 531 VETS MEMORIAL HWY COUNCIL BLUFFS IA 51501-8424

Renewal : Yes

Start Date : 01-Jul-2025

End Date : 30-Jun-2026

License Fee : 100.00

Types of Sales : Over the Counter

Type of Establishment : Alternative nicotine/vapor store, Tobacco store

Types of Products Sold : Tobacco, Vapor Products, Alternative Nicotine Products

Do you intend to make retail sales to ultimate consumers? : Yes

Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s) in the next step: : No

**Corporate Officers**

Title	Name	Address
PRESIDENT	PLUM, ROSS	104 GOLDEN CIRCLE DR COUNCIL BLUFFS IA 51503-5500

**Suppliers List**Vapor Beast  
Midwest Distribution**Decision**

Select the decision of whether you approve or deny this permit application.

Iowa Department of Revenue will be issuing a permit number if this application is approved. However, the local authority has the option to also issue a permit number. If the local authority decides to issue a local permit number, it can be entered in the "Local Permit Number" field. Otherwise, only the state-issued permit number will appear on the permit.

Select a Decision \*

Approve	Deny
---------	------

**Additional instructions are on the final page.**

For period (MM/DD/YYYY) 07 / 01 / 2025 through 06/30/ 2026

Use this form to apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products at retail. If you need a different, non-retail cigarette or tobacco permit, use form 70-015. If approved, the permit is only valid for the location listed on the permit. You must obtain a separate retail permit for each location you own or operate.

**Business Information:**

Legal name/Doing business as (DBA): Harveys Iowa BR Management Co LLC d/b/a Horseshoe Casino

Iowa sales and use tax account number: 1-78021589

Retail address: 2701 23rd Ave City: Council Bluffs State: IA ZIP: 51501

Mailing address: 2701 23rd Ave City: Council Bluffs State: IA ZIP: 51501

Phone: 712-329-6411

**Legal Ownership Information:**

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

Name of sole proprietor, partnership, corporation, LLC, or LLP: Harveys Iowa BR Management Co LLC

Primary office address: 1 Harrahs Blvd City: Council Bluffs State: IA ZIP: 51501

Phone: 712-329-6411 Fax: \_\_\_\_\_ Email: smulvey@harrahs.com

**Retail Information:**

Types of Sales: Over-the-counter ☒ Vending machine ☐ Vending machine that assembles cigarettes ☐ Delivery sales of alternative nicotine/vapor products (see instructions) ☐

Mobile sales (see instructions) ☐ VIN: \_\_\_\_\_ License plate number: \_\_\_\_\_

Types of Products Sold: (Check all that apply)

Cigarettes ☒ Tobacco ☒ Alternative nicotine products ☐ Vapor products ☐

**Type of Establishment: (Select the options that best describe the establishment)**

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

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

Other (provide description) ☒ Casino

Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s): N/A

Do you intend to make retail sales to ultimate consumers? Yes ☐ No ☐

Include with this application a list of your suppliers of cigarettes, tobacco, alternative nicotine and vapor products on a separate sheet.

**Identify partners or corporate officers (up to three) if the business is not a sole proprietorship.**

Name: Thomas Roberts Title: Senior Vice President and General Manager

Address: 1 Harrahs Blvd

City: Council Bluffs State: IA ZIP: 51501

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

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

**Signature of Authorized Party**

I, the undersigned, declare under penalties of perjury or false certificate, that I have examined this application, and to the best of my knowledge and belief, it is true, correct, and complete. I declare that I am authorized to act on behalf of the taxpayer, and will only act within my authority.

Printed Name/Title: Thomas Roberts

Authorized Signature: \_\_\_\_\_

Date: 6/3/2025 Email: robertstl@caesars.com

Send this completed application and the applicable fee to your local jurisdiction. If your local jurisdiction permits electronic transmission of this application, your email or fax signature will constitute a valid signature. It is up to your local jurisdiction to approve this application and issue the permit. You must have an approved permit issued to you by the local jurisdiction before acting as a retailer in that jurisdiction. You must separately apply in each local jurisdiction in which you plan to act as a retailer. If you have any questions about the status of your application, contact your city clerk (within city limits) or your county auditor (outside city limits). NOTE: A completed application is NOT a valid permit even if submitted to your local jurisdiction with the applicable fee.

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100-
- Fill in the date the permit was approved by the council or board: 6-23-25
- Fill in the permit number issued by the city/county: \_\_\_\_\_
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to the Iowa Department of Revenue within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. If a permit is being exchanged due to change of location within the same jurisdiction, permittee should complete an application with new location information and application should be sent to the Department as described above. Permittees who exchange a valid permit are not required to pay an additional fee when an exchange application is submitted. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

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





Department of Revenue

**Iowa Retail Permit Application  
for Cigarette/Tobacco/Nicotine/Vapor**

tax.iowa.gov

**Additional instructions are on the final page.**For period (MM/DD/YYYY) 07 / 01 / 2025 through 06/30/ 2026

Use this form to apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products at retail. If you need a different, non-retail cigarette or tobacco permit, use form 70-015. If approved, the permit is only valid for the location listed on the permit. You must obtain a separate retail permit for each location you own or operate.

**Business Information:**Legal name/Doing business as (DBA): Harrah's Council Bluffs Casino and HotelIowa sales and use tax account number: 1-78020304Retail address: 1 Harrahs Blvd City: Council Bluffs State: IA ZIP: 51501Mailing address: 1 Harrahs Blvd City: Council Bluffs State: IA ZIP: 51501Phone: 712-329-6411**Legal Ownership Information:**Type of ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐Name of sole proprietor, partnership, corporation, LLC, or LLP: Harveys Iowa Management Co LLCPrimary office address: 1 Harrahs Blvd City: Council Bluffs State: IA ZIP: 51501Phone: 712-329-6411 Fax: \_\_\_\_\_ Email: smulvey@harrahs.com**Retail Information:**Types of Sales: Over-the-counter ☒ Vending machine ☐ Vending machine that assembles cigarettes ☐ Delivery sales of alternative nicotine/vapor products (see instructions) ☐Mobile sales (see instructions) ☐ VIN: \_\_\_\_\_ License plate number: \_\_\_\_\_

Types of Products Sold: (Check all that apply)

Cigarettes ☒ Tobacco ☒ Alternative nicotine products ☐ Vapor products ☐**Type of Establishment: (Select the options that best describe the establishment)**Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐Other (provide description) ☒ Casino

Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s): N/A

Do you intend to make retail sales to ultimate consumers? Yes ☐ No ☐

Include with this application a list of your suppliers of cigarettes, tobacco, alternative nicotine and vapor products on a separate sheet.

**Identify partners or corporate officers (up to three) if the business is not a sole proprietorship.**Name: Thomas Roberts Title: Senior Vice President and General ManagerAddress: 1 Harrahs BlvdCity: Council Bluffs State: IA ZIP: 51501

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

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

**Signature of Authorized Party**

I, the undersigned, declare under penalties of perjury or false certificate, that I have examined this application, and to the best of my knowledge and belief, it is true, correct, and complete. I declare that I am authorized to act on behalf of the taxpayer, and will only act within my authority.

Printed Name/Title: Thomas Roberts

Authorized Signature: \_\_\_\_\_

Date: 4/3/2025 Email: robertstl@caesars.com

Send this completed application and the applicable fee to your local jurisdiction. If your local jurisdiction permits electronic transmission of this application, your email or fax signature will constitute a valid signature. It is up to your local jurisdiction to approve this application and issue the permit. You must have an approved permit issued to you by the local jurisdiction before acting as a retailer in that jurisdiction. You must separately apply in each local jurisdiction in which you plan to act as a retailer. If you have any questions about the status of your application, contact your city clerk (within city limits) or your county auditor (outside city limits). NOTE: A completed application is NOT a valid permit even if submitted to your local jurisdiction with the applicable fee.

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100-
- Fill in the date the permit was approved by the council or board: 6-23-25
- Fill in the permit number issued by the city/county: \_\_\_\_\_
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to the Iowa Department of Revenue within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. If a permit is being exchanged due to change of location within the same jurisdiction, permittee should complete an application with new location information and application should be sent to the Department as described above. Permittees who exchange a valid permit are not required to pay an additional fee when an exchange application is submitted. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

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

**Additional instructions are on the final page.**For period (MM/DD/YYYY) 07 / 01 / 2025 through 06/30/2026

Use this form to apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products at retail. If you need a different, non-retail cigarette or tobacco permit, use form 70-015. If approved, the permit is only valid for the location listed on the permit. You must obtain a separate retail permit for each location you own or operate.

**Business Information:**Legal name/Doing business as (DBA): Alohma, LLC / Kure CBD & Vape - Council BluffsIowa sales and use tax account number: 1-78-026333Retail address: 285 West Broadway City: Council Bluffs State: IA ZIP: 51503Mailing address: 130 Oak Park Dr. STE B City: Mooreville State: NC ZIP: 28115Phone: 910-863-1522**Legal Ownership Information:**Type of ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐Name of sole proprietor, partnership, corporation, LLC, or LLP: AMV Holdings, LLCPrimary office address: 130 Oak Park Dr. STE B City: Mooreville State: NC ZIP: 28115Phone: 910-863-1522 Fax: \_\_\_\_\_ Email: compliance@amvholdings.com**Retail Information:**

**Types of Sales:** Over-the-counter ☒ Vending machine ☐ Vending machine that assembles cigarettes ☐ Delivery sales of alternative nicotine/vapor products (see instructions) ☐  
Mobile sales (see instructions) ☐ VIN: \_\_\_\_\_ License plate number: \_\_\_\_\_

**Types of Products Sold: (Check all that apply)**Cigarettes ☐ Tobacco ☐ Alternative nicotine products ☐ Vapor products ☒**Type of Establishment: (Select the options that best describe the establishment)**

Alternative nicotine/vapor store ☒ Bar ☐ Convenience store/gas station ☐ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Other (provide description) ☐ \_\_\_\_\_

Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s):

Sales & Use: 1-78-026333 Hemp: 200216Do you intend to make retail sales to ultimate consumers? Yes ☒ No ☐

Include with this application a list of your suppliers of cigarettes, tobacco, alternative nicotine and vapor products on a separate sheet.

**Identify partners or corporate officers (up to three) if the business is not a sole proprietorship.**Name: AMV Holdings, LLC Title: 100% OwnerAddress: 130 Oak Park Dr. STE BCity: Mooreville State: NC ZIP: 28115Name: Sameh Salaymeh Title: President & CEO

Address: 248 Waddell Rd.City: Mooresville State: NC ZIP: 28117

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

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

**Signature of Authorized Party**

I, the undersigned, declare under penalties of perjury or false certificate, that I have examined this application, and to the best of my knowledge and belief, it is true, correct, and complete. I declare that I am authorized to act on behalf of the taxpayer, and will only act within my authority.

Printed Name/Title: Sameh Salaymeh / President & CEOAuthorized Signature: Sameh Salaymeh  
Sameh Salaymeh (Jun 18, 2025 18:41 GMT+3)Date: Jun 18, 2025 Email: compliance@amvholdings.com

Send this completed application and the applicable fee to your local jurisdiction. If your local jurisdiction permits electronic transmission of this application, your email or fax signature will constitute a valid signature. It is up to your local jurisdiction to approve this application and issue the permit. You must have an approved permit issued to you by the local jurisdiction before acting as a retailer in that jurisdiction. You must separately apply in each local jurisdiction in which you plan to act as a retailer. If you have any questions about the status of your application, contact your city clerk (within city limits) or your county auditor (outside city limits). NOTE: A completed application is NOT a valid permit even if submitted to your local jurisdiction with the applicable fee.

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100 -
- Fill in the date the permit was approved by the council or board: 6-23-25
- Fill in the permit number issued by the city/county: \_\_\_\_\_
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to the Iowa Department of Revenue within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. If a permit is being exchanged due to change of location within the same jurisdiction, permittee should complete an application with new location information and application should be sent to the Department as described above. Permittees who exchange a valid permit are not required to pay an additional fee when an exchange application is submitted. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375




# Alohma - Kure - Council Bluffs - Tobacco License - Renewal Application - 2025


Final Audit Report


2025-06-18


Created:	2025-06-18
By:	Brandon Turner (brandon.turner@amvholdings.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAqaE-qypIgyAF9Qgfi_t1frXoMY1eGA0


## "Alohma - Kure - Council Bluffs - Tobacco License - Renewal Application - 2025" History


 Document created by Brandon Turner (brandon.turner@amvholdings.com)  
2025-06-18 - 3:38:08 PM GMT

 Document emailed to sam@amvholdings.com for signature  
2025-06-18 - 3:39:05 PM GMT

 Email viewed by sam@amvholdings.com  
2025-06-18 - 3:40:06 PM GMT

 Signer sam@amvholdings.com entered name at signing as Sameh Salaymeh  
2025-06-18 - 3:41:00 PM GMT

 Document e-signed by Sameh Salaymeh (sam@amvholdings.com)  
Signature Date: 2025-06-18 - 3:41:02 PM GMT - Time Source: server

 Agreement completed.  
2025-06-18 - 3:41:02 PM GMT

**Additional instructions are on the final page.**For period (MM/DD/YYYY) 07 / 01 / 2025 through 06/30/2026

Use this form to apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products at retail. If you need a different, non-retail cigarette or tobacco permit, use form 70-015. If approved, the permit is only valid for the location listed on the permit. You must obtain a separate retail permit for each location you own or operate.

**Business Information:**Legal name/Doing business as (DBA): Alohma, LLC / Kure CBD & Vape - Lake ManawaIowa sales and use tax account number: 1-78-026652Retail address: 3134 Manawa Center Dr, City: Council Bluffs State: IA ZIP: 51501Mailing address: 130 Oak Park Dr. STE B City: Mooreville State: NC ZIP: 28115Phone: 910-863-1522**Legal Ownership Information:**Type of ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐Name of sole proprietor, partnership, corporation, LLC, or LLP: AMV Holdings, LLCPrimary office address: 130 Oak Park Dr. STE B City: Mooreville State: NC ZIP: 28115Phone: 910-863-1522 Fax: \_\_\_\_\_ Email: compliance@amvholdings.com**Retail Information:**

**Types of Sales:** Over-the-counter ☒ Vending machine ☐ Vending machine that assembles cigarettes ☐ Delivery sales of alternative nicotine/vapor products (see instructions) ☐  
Mobile sales (see instructions) ☐ VIN: \_\_\_\_\_ License plate number: \_\_\_\_\_

**Types of Products Sold: (Check all that apply)**Cigarettes ☐ Tobacco ☐ Alternative nicotine products ☐ Vapor products ☒**Type of Establishment: (Select the options that best describe the establishment)**

Alternative nicotine/vapor store ☒ Bar ☐ Convenience store/gas station ☐ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Other (provide description) ☐ \_\_\_\_\_

Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s):

Sales & Use: 1-78-026652 Hemp: 200224Do you intend to make retail sales to ultimate consumers? Yes ☒ No ☐

Include with this application a list of your suppliers of cigarettes, tobacco, alternative nicotine and vapor products on a separate sheet.

**Identify partners or corporate officers (up to three) if the business is not a sole proprietorship.**Name: AMV Holdings, LLC Title: 100% OwnerAddress: 130 Oak Park Dr. STE BCity: Mooreville State: NC ZIP: 28115Name: Sameh Salaymeh Title: President & CEO



Address: 248 Waddell Rd.City: Mooresville State: NC ZIP: 28117

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

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

**Signature of Authorized Party**

I, the undersigned, declare under penalties of perjury or false certificate, that I have examined this application, and to the best of my knowledge and belief, it is true, correct, and complete. I declare that I am authorized to act on behalf of the taxpayer, and will only act within my authority.

Printed Name/Title: Sameh Salaymeh / President & CEOAuthorized Signature:   
Sameh Salaymeh (Jun 18, 2025 18:56 GMT+3)Date: Jun 18, 2025 Email: compliance@amvholdings.com

Send this completed application and the applicable fee to your local jurisdiction. If your local jurisdiction permits electronic transmission of this application, your email or fax signature will constitute a valid signature. It is up to your local jurisdiction to approve this application and issue the permit. You must have an approved permit issued to you by the local jurisdiction before acting as a retailer in that jurisdiction. You must separately apply in each local jurisdiction in which you plan to act as a retailer. If you have any questions about the status of your application, contact your city clerk (within city limits) or your county auditor (outside city limits). NOTE: A completed application is NOT a valid permit even if submitted to your local jurisdiction with the applicable fee.

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.-
- Fill in the date the permit was approved by the council or board: 6-23-25
- Fill in the permit number issued by the city/county: \_\_\_\_\_
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to the Iowa Department of Revenue within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. If a permit is being exchanged due to change of location within the same jurisdiction, permittee should complete an application with new location information and application should be sent to the Department as described above. Permittees who exchange a valid permit are not required to pay an additional fee when an exchange application is submitted. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375







# Alohma - Kure - Lake Manawa - Tobacco License - Renewal Application - 2025

Final Audit Report

2025-06-18

Created:	2025-06-18
By:	Brandon Turner (brandon.turner@amvholdings.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAc0DU2HmarF18vtT0xrdZAddqWY1rqbXL

## "Alohma - Kure - Lake Manawa - Tobacco License - Renewal Application - 2025" History

-  Document created by Brandon Turner (brandon.turner@amvholdings.com)  
2025-06-18 - 3:42:53 PM GMT
-  Document emailed to sam@amvholdings.com for signature  
2025-06-18 - 3:43:38 PM GMT
-  Email viewed by sam@amvholdings.com  
2025-06-18 - 3:55:18 PM GMT
-  Signer sam@amvholdings.com entered name at signing as Sameh Salaymeh  
2025-06-18 - 3:56:02 PM GMT
-  Document e-signed by Sameh Salaymeh (sam@amvholdings.com)  
Signature Date: 2025-06-18 - 3:56:04 PM GMT - Time Source: server
-  Agreement completed.  
2025-06-18 - 3:56:04 PM GMT



Department of Revenue

**Iowa Retail Permit Application  
for Cigarette/Tobacco/Nicotine/Vapor**

tax.iowa.gov

**Additional instructions are on the final page.**For period (MM/DD/YYYY) 07 / 01 / 25 through 06/30/26

Use this form to apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products at retail. If you need a different, non-retail cigarette or tobacco permit, use form 70-015. If approved, the permit is only valid for the location listed on the permit. You must obtain a separate retail permit for each location you own or operate.

**Business Information:**Legal name/Doing business as (DBA): Kwik Shop # 350527Iowa sales and use tax account number: 0-00-009420Retail address: 3632 Avenue G City: Council Bluffs State: IA ZIP: 51501Mailing address: 165 Flanders Road City: Westborough State: MA ZIP: 01581Phone: 712-323-1208**Legal Ownership Information:**Type of ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐Name of sole proprietor, partnership, corporation, LLC, or LLP: Kwik Shop # 350527Primary office address: 165 Flanders Road City: Westborough State: MA ZIP: 01581Phone: 508-270-1400 Fax: \_\_\_\_\_ Email: IA-Retail-Licensing@eg-america.com**Retail Information:**

**Types of Sales:** Over-the-counter ☒ Vending machine ☐ Vending machine that assembles cigarettes ☐ Delivery sales of alternative nicotine/vapor products (see instructions) ☐  
Mobile sales (see instructions) ☐ VIN: \_\_\_\_\_ License plate number: \_\_\_\_\_

**Types of Products Sold: (Check all that apply)**Cigarettes ☒ Tobacco ☒ Alternative nicotine products ☒ Vapor products ☒**Type of Establishment: (Select the options that best describe the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☒ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Other (provide description) ☐ \_\_\_\_\_

Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s):

No

Do you intend to make retail sales to ultimate consumers? Yes ☒ No ☐

Include with this application a list of your suppliers of cigarettes, tobacco, alternative nicotine and vapor products on a separate sheet.

**Identify partners or corporate officers (up to three) if the business is not a sole proprietorship.**Name: Russ Colaco Title: PresidentAddress: 165 Flanders RoadCity: Westborough State: MA ZIP: 01581Name: Lisa N'Chonon Title: Treasurer



## Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor, page 2

Address: 165 Flanders Road

City: Westborough

State: MA

ZIP: 01581

Name: Laura Sherman

Title: Secretary

Address: 165 Flanders Road

City: Westborough

State: MA

ZIP: 01581

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

### Signature of Authorized Party

I, the undersigned, declare under penalties of perjury or false certificate, that I have examined this application, and to the best of my knowledge and belief, it is true, correct, and complete. I declare that I am authorized to act on behalf of the taxpayer, and will only act within my authority.

Printed Name/Title: Laura Sherman

Authorized Signature: 

Date: 6/10/25

Email: IA-Retail-Licensing@eg-america.com

Send this completed application and the applicable fee to your local jurisdiction. If your local jurisdiction permits electronic transmission of this application, your email or fax signature will constitute a valid signature. It is up to your local jurisdiction to approve this application and issue the permit. You must have an approved permit issued to you by the local jurisdiction before acting as a retailer in that jurisdiction. You must separately apply in each local jurisdiction in which you plan to act as a retailer. If you have any questions about the status of your application, contact your city clerk (within city limits) or your county auditor (outside city limits). NOTE: A completed application is NOT a valid permit even if submitted to your local jurisdiction with the applicable fee.

### FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: \$10000
- Fill in the date the permit was approved by the council or board: 6-23-25
- Fill in the permit number issued by the city/county: \_\_\_\_\_
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to the Iowa Department of Revenue within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. If a permit is being exchanged due to change of location within the same jurisdiction, permittee should complete an application with new location information and application should be sent to the Department as described above. Permittees who exchange a valid permit are not required to pay an additional fee when an exchange application is submitted. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



Department of Revenue

**Iowa Retail Permit Application  
for Cigarette/Tobacco/Nicotine/Vapor**

tax.iowa.gov

**Additional instructions are on the final page.**For period (MM/DD/YYYY) 07 / 01 / 2025 through 06/30/2026

Use this form to apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products at retail. If you need a different, non-retail cigarette or tobacco permit, use form 70-015. If approved, the permit is only valid for the location listed on the permit. You must obtain a separate retail permit for each location you own or operate.

**Business Information:**Legal name/Doing business as (DBA): Latino MarketIowa sales and use tax account number: 178025418Retail address: 1535 Ave. G City: Council Bluffs State: IA ZIP: 51501Mailing address: 1535 Ave. G City: Council Bluffs State: IA ZIP: 51501Phone: 402-212-9608**Legal Ownership Information:**Type of ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐Name of sole proprietor, partnership, corporation, LLC, or LLP: Latino Market, LLCPrimary office address: 308 Oak Ridge View Cir. City: Council Bluffs State: IA ZIP: 51503Phone: 402-212-9608 Fax: \_\_\_\_\_ Email: alfredollc@yahoo.com**Retail Information:**

**Types of Sales:** Over-the-counter ☒ Vending machine ☐ Vending machine that assembles cigarettes ☐ Delivery sales of alternative nicotine/vapor products (see instructions) ☐  
Mobile sales (see instructions) ☐ VIN: \_\_\_\_\_ License plate number: \_\_\_\_\_

**Types of Products Sold: (Check all that apply)**Cigarettes ☒ Tobacco ☐ Alternative nicotine products ☐ Vapor products ☐**Type of Establishment: (Select the options that best describe the establishment)**

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐  
Grocery store ☒ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐  
Other (provide description) ☐ \_\_\_\_\_

Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s): \_\_\_\_\_

Do you intend to make retail sales to ultimate consumers? Yes ☒ No ☐

Include with this application a list of your suppliers of cigarettes, tobacco, alternative nicotine and vapor products on a separate sheet.

**Identify partners or corporate officers (up to three) if the business is not a sole proprietorship.**Name: Carlos A Monge Title: OwnerAddress: 308 Oak Ridge View CirCity: CO BLUFFS State: IA ZIP: 51503

Name: \_\_\_\_\_ Title: \_\_\_\_\_



## Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor, page 2

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

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

### Signature of Authorized Party

I, the undersigned, declare under penalties of perjury or false certificate, that I have examined this application, and to the best of my knowledge and belief, it is true, correct, and complete. I declare that I am authorized to act on behalf of the taxpayer, and will only act within my authority.

Printed Name/Title: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Date: 6/16/25 Email: dlFredolle@yahoo.com

Send this completed application and the applicable fee to your local jurisdiction. If your local jurisdiction permits electronic transmission of this application, your email or fax signature will constitute a valid signature. It is up to your local jurisdiction to approve this application and issue the permit. You must have an approved permit issued to you by the local jurisdiction before acting as a retailer in that jurisdiction. You must separately apply in each local jurisdiction in which you plan to act as a retailer. If you have any questions about the status of your application, contact your city clerk (within city limits) or your county auditor (outside city limits). NOTE: A completed application is NOT a valid permit even if submitted to your local jurisdiction with the applicable fee.

### FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 6-23-25
- Fill in the permit number issued by the city/county: \_\_\_\_\_
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

Send completed/approved application to the Iowa Department of Revenue within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. If a permit is being exchanged due to change of location within the same jurisdiction, permittee should complete an application with new location information and application should be sent to the Department as described above. Permittees who exchange a valid permit are not required to pay an additional fee when an exchange application is submitted. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



Retail Tobacco License Review

CITY OF COUNCIL BLUFFS  
1909373801

Application Information

Legal Ownership Information

Name of sole proprietor, partnership, corporation, LLC, or LLP : TFL INC  
Type of ownership : Corporation  
Primary office address : 202 S 73RD ST OMAHA NE 68114-4616  
Legal Ownership Phone : 402-399-5377  
Legal Ownership Email : alyssa@megasaver.com

Application Information

City/County Permit Number : 1235596  
Sales and Use Permit Number : 178025865  
Location Name : MEGA SAVER  
Location Phone Number : 712-265-2126  
Location Address : 3540 W BROADWAY COUNCIL BLFS IA 51501-3212  
Location Mailing Address : 202 S 73RD ST OMAHA NE 68114-4616  
Renewal : Yes  
Start Date : 01-Jul-2025  
End Date : 30-Jun-2026  
License Fee : 100.00  
Types of Sales : Over the Counter  
Type of Establishment : Convenience store/gas station  
Types of Products Sold : Cigarettes, Tobacco, Vapor Products, Alternative Nicotine Products  
Do you intend to make retail sales to ultimate consumers? : Yes  
Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s) in the next step: : No

Corporate Officers

Title	Name	Address
president	SAMIEV, ABDURASHID	202 S 73RD ST OMAHA NE 68114-4616
vp	SAMIEV, KAMOL	202 S 73RD ST OMAHA NE 68114-4616

Suppliers List

AMCON

Decision

Select the decision of whether you approve or deny this permit application.

Iowa Department of Revenue will be issuing a permit number if this application is approved. However, the local authority has the option to also issue a permit number. If the local authority decides to issue a local permit number, it can be entered in the "Local Permit Number" field. Otherwise, only the state-issued permit number will appear on the permit.

Select a Decision

ApproveDeny

Retail Tobacco License Review

CITY OF COUNCIL BLUFFS  
1909373801

Application Information

Legal Ownership Information

Name of sole proprietor, partnership, corporation, LLC, or LLP : TFL INC  
Type of ownership : Corporation  
Primary office address : 202 S 73RD ST OMAHA NE 68114-4616  
Legal Ownership Phone : 402-399-5377  
Legal Ownership Email : alyssa@megasaver.com

Application Information

City/County Permit Number : 1235603  
Sales and Use Permit Number : 301506324  
Location Name : MEGA SAVER  
Location Phone Number : 712-323-7765  
Location Address : 1749 W BROADWAY COUNCIL BLUFFS IA 51501-3822  
Location Mailing Address : 202 S 73RD ST OMAHA NE 68114-4616  
Renewal : Yes  
Start Date : 01-Jul-2025  
End Date : 30-Jun-2026  
License Fee : 100.00  
Types of Sales : Over the Counter  
Type of Establishment : Convenience store/gas station  
Types of Products Sold : Cigarettes, Tobacco, Vapor Products, Alternative Nicotine Products  
Do you intend to make retail sales to ultimate consumers? : Yes  
Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s) in the next step: : No

Corporate Officers

Title	Name	Address
president	SAMIEV, ABDURASHID	202 S 73RD ST OMAHA NE 68114-4616
vp	SAMIEV, KAMOL	202 S 73RD ST OMAHA NE 68114-4616

Suppliers List

AMCON

Decision

Select the decision of whether you approve or deny this permit application.

Iowa Department of Revenue will be issuing a permit number if this application is approved. However, the local authority has the option to also issue a permit number. If the local authority decides to issue a local permit number, it can be entered in the "Local Permit Number" field. Otherwise, only the state-issued permit number will appear on the permit.

Select a Decision

Approve

Deny

## Retail Tobacco License Review

CITY OF COUNCIL BLUFFS

1909373801

### Application Information

#### Legal Ownership Information

Name of sole proprietor, partnership, corporation, LLC, or LLP : T.F.G.A., LLC

Type of ownership : Limited Liability Company

Primary office address : 3607 9TH AVE COUNCIL BLUFFS IA 51501-5633

Legal Ownership Phone : 402-399-5377

Legal Ownership Email : alyssa@megasaver.com

#### Application Information

City/County Permit Number : 1235598

Sales and Use Permit Number : 178027205

Location Name : MEGA SAVER

Location Phone Number : 712-796-3494

Location Address : 3607 9TH AVE COUNCIL BLFS IA 51501

Location Mailing Address : 202 S 73RD ST OMAHA NE 68114-4616

Renewal : Yes

Start Date : 01-Jul-2025

End Date : 30-Jun-2026

License Fee : 100.00

Types of Sales : Over the Counter

Type of Establishment : Convenience store/gas station

Types of Products Sold : Cigarettes, Tobacco, Vapor Products, Alternative Nicotine Products

Do you intend to make retail sales to ultimate consumers? : Yes

Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s) in the next step : No

#### Corporate Officers

Title	Name	Address
VP	SAMIEV, KAMOL	202 S 73RD ST OMAHA NE 68114-4616

#### Suppliers List

AMCON

#### Decision

Select the decision of whether you approve or deny this permit application.

Iowa Department of Revenue will be issuing a permit number if this application is approved. However, the local authority has the option to also issue a permit number. If the local authority decides to issue a local permit number, it can be entered in the "Local Permit Number" field. Otherwise, only the state-issued permit number will appear on the permit.

Select a Decision

Approve	Deny
---------	------

Retail Tobacco License Review

CITY OF COUNCIL BLUFFS  
1909373801

Application Information

Legal Ownership Information

Name of sole proprietor, partnership, corporation, LLC, or LLP : TFL INC

Type of ownership : Corporation

Primary office address : 202 S 73RD ST OMAHA NE 68114-4616

Legal Ownership Phone : 402-399-5377

Legal Ownership Email : alyssa@megasaver.com

Application Information

Sales and Use Permit Number : 306700526

Location Name : MEGA SAVER

Location Phone Number : 531-354-4727

Location Address : 1305 N 25TH ST COUNCIL BLUFFS IA 51501-0852

Location Mailing Address : 202 S 73RD ST OMAHA NE 68114-4616

Renewal : Yes

Start Date : 01-Jul-2025

End Date : 30-Jun-2026

License Fee : 100.00

Types of Sales : Over the Counter

Type of Establishment : Convenience store/gas station

Types of Products Sold : Cigarettes, Tobacco, Vapor Products

Do you intend to make retail sales to ultimate consumers? : Yes

Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s) in the next step: : No

Corporate Officers

Title	Name	Address
president	SAMIEV, ABDURASHID	202 S 73RD ST OMAHA NE 68114-4616
vp	SAMIEV, KAMOL	202 S 73RD ST OMAHA NE 68114-4616

Suppliers List

AMCON

Decision

Select the decision of whether you approve or deny this permit application.

Iowa Department of Revenue will be issuing a permit number if this application is approved. However, the local authority has the option to also issue a permit number. If the local authority decides to issue a local permit number, it can be entered in the "Local Permit Number" field. Otherwise, only the state-issued permit number will appear on the permit.

Select a Decision

ApproveDeny

Retail Tobacco License Review

CITY OF COUNCIL BLUFFS  
1909373801

Application Information

Legal Ownership Information

Name of sole proprietor, partnership, corporation, LLC, or LLP : B AND R STORES INC

Type of ownership : Corporation

Primary office address : 1141 N BROADWAY COUNCIL BLUFFS IA 51503-1513

Legal Ownership Phone : 402-464-6297

Legal Ownership Phone Extension : 4932

Legal Ownership Fax : 402-434-7393

Legal Ownership Email : Becky@brstores.com

Application Information

City/County Permit Number : 1230024

Sales and Use Permit Number : 178019372

Location Name : SUPER SAVER #12

Location Phone Number : 712-322-8778

Location Address : 1141 N BROADWAY COUNCIL BLUFS IA 51501

Location Mailing Address : PO BOX 5824 LINCOLN NE 68505-0824

Renewal : Yes

Start Date : 01-Jul-2025

End Date : 30-Jun-2026

License Fee : 100.00

Types of Sales : Over the Counter

Type of Establishment : Grocery store

Types of Products Sold : Cigarettes, Tobacco, Vapor Products, Alternative Nicotine Products

Do you intend to make retail sales to ultimate consumers? : Yes

Do you have other permits issued under Iowa Code chapter 453A at this retail location? If yes, provide permit number(s) in the next step: : No

Corporate Officers

Title	Name	Address
CHAIRMAN OF THE BOARD	RAYBOULD, PATRICK	9501 EASTVIEW RD LINCOLN NE 68505-7832

Suppliers List

CORE-MARK US, LLC  
ASSOCIATED WHOLESALE GROCERS

Decision

Select the decision of whether you approve or deny this permit application.

Iowa Department of Revenue will be issuing a permit number if this application is approved. However, the local authority has the option to also issue a permit number. If the local authority decides to issue a local permit number, it can be entered in the "Local Permit Number" field. Otherwise, only the state-issued permit number will appear on the permit.

Select a Decision

Approve

Deny

### Council Communication

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

Retail Device Permit - (2) (New  
permit per SF345)  
ITEM 8.C.

Council Action: 6/23/2025

<b>Description</b>
--------------------

<b>Background/Discussion</b>
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<b>Recommendation</b>
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**ATTACHMENTS:**

Description	Type	Upload Date
Retail Device Application	Other	6/17/2025



## Device Retailer License Review

CITY OF COUNCIL BLUFFS

1909373801

### Application Information

## Legal Ownership Information

Name of sole proprietor, partnership, : T.F.G.A., LLC  
corporation, LLC, or LLP

Type of ownership : Limited Liability Company

Primary office address : 3607 9TH AVE COUNCIL BLUFFS IA 51501-5633

Legal Ownership Phone : 402-399-5377

Legal Ownership Email : alyssa@megasaver.com

## Application Information

Sales Permit Number: : 178027205

Location Name : MEGA SAVER

Location Phone Number : 712-796-3494

Location Address : 3607 9TH AVE COUNCIL BLFS IA 51501

Location Mailing Address : 202 S 73RD ST OMAHA NE 68114-4616

Renewal : No

Start Date : 05-Jun-2025

End Date : 30-Jun-2025

License Fee : 1,500.00

Types of Sales : Over the Counter

Type of Establishment : Convenience store/gas station

Does this retail location ensure that : Yes  
no person younger than 21 years of  
age is present or permitted to enter  
at any time?

## Corporate Officers

Title	Name	Address
Authorized Individual	SAMIEV, KAMOL	202 S 73RD ST OMAHA NE 68114-4616

## Decision

Select the decision of whether you approve or deny this permit application.

Iowa Department of Revenue will be issuing a permit number if this application is approved. However, the local authority has the option to also issue a permit number. If the local authority decides to issue a local permit number, it can be entered in the "Local Permit Number" field. Otherwise, only the state-issued permit number will appear on the permit.

Does this retailer hold a valid retail tobacco permit at this location?

Yes	No
-----	----

Select a Decision

Approve	Deny
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## Device Retailer License Review

CITY OF COUNCIL BLUFFS

1909373801

### Application Information

## Legal Ownership Information

Name of sole proprietor, partnership, : TFL INC  
corporation, LLC, or LLP

Type of ownership : Corporation

Primary office address : 202 S 73RD ST OMAHA NE 68114-4616

Legal Ownership Phone : 402-399-5377

Legal Ownership Email : alyssa@megasaver.com

## Application Information

Sales Permit Number: : 178025865

Location Name : **MEGA SAVER**

Location Phone Number : 712-265-2126

Location Address : **3540 W BROADWAY** COUNCIL BLFS IA 51501-3212

Location Mailing Address : 202 S 73RD ST OMAHA NE 68114-4616

Renewal : No

Start Date : 05-Jun-2025

End Date : **30-Jun-2025**

License Fee : 1,500.00

Types of Sales : Over the Counter

Type of Establishment : Convenience store/gas station

Does this retail location ensure that : Yes  
no person younger than 21 years of  
age is present or permitted to enter  
at any time?

## Corporate Officers

Title	Name	Address
Authorized Individual	SAMIEV, ABDURASHID	202 S 73RD ST OMAHA NE 68114-4616
Authorized Individual	SAMIEV, KAMOL	202 S 73RD ST OMAHA NE 68114-4616

## Decision

Select the decision of whether you approve or deny this permit application.

Iowa Department of Revenue will be issuing a permit number if this application is approved. However, the local authority has the option to also issue a permit number. If the local authority decides to issue a local permit number, it can be entered in the "Local Permit Number" field. Otherwise, only the state-issued permit number will appear on the permit.

Does this retailer hold a valid retail tobacco permit at this location?

Yes	No
-----	----

Select a Decision

Approve	Deny
---------	------

## Council Communication

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

Special Event Application  
(Fireworks)  
ITEM 8.D.

Council Action: 6/23/2025

### Description

Edwards Employee Appreciation Party 7-3-2025

### Background/Discussion

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
Special Event Application (Fireworks)	Other	6/17/2025



## PERMIT SNAPSHOT REPORT 25-0010-SPEVT FOR CITY OF COUNCIL BLUFFS

**Permit Type:** Special Event Permit  
**Work Class:** Special Event Permit  
**Status:** In Review  
**Valuation:** \$0.00  
**Description:** Edwards Appreciation Party - 07/03/2025

**Project:**  
**District:** City of Council Bluffs  
**Square Feet:** 0.00  
**Assigned To:** Kopera, Amanda

**App Date:** 06/10/2025  
**Exp Date:** NOT AVAILABLE  
**Completed:** NOT COMPLETED  
**Approval Expire Date:**

<b>Parcel:</b> 744412181001	Main	<b>Address:</b> 1010 34Th Ave Council Bluffs, IA 51501	Main	<b>Zone:</b>
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Alternate  
Bobby Edwards  
Mobile: (402) 881-1335

Applicant  
James C Howe  
1209 murray point  
Plattsmouth, NE 68048  
Business: (402) 690-3058  
Mobile: (402) 690-3058

### Permit Custom Fields

Organization/Person Requesting	James Howe	Name of Event	Edwards Appreciation Party	Contact Name	James Howe/ Bobby Edwards
Contact Phone	402-690-3058	Contact Email	hand1innovations@gmail.com	Address of event	1010 34TH AVE COUNCIL BLUFFS, IA 51501
Estimated of number of participants	200	Type of Event	Professional Fireworks Display	Date of Event	Jul 3 2025 12:00AM
Does this have recurring dates in calendar year?	No	If yes, please list the additional dates:		Time of Event	5:00 PM -10:00 PM
Set up time	5:00PM	Take down time	10PM	Description of Event	Employee appreciation party for Edwards Motorsports / car dealership will have DJ Music playing prior to event/ food trailers/vendors. Firework show at dusk.
Are you planning on food trucks at your event?	Yes	If yes, provide list of food truck vendors	tbd	Do you need EMS Services at the event?	No
Will you need city supplied electrical services?	No	Will you be selling alcoholic beverages?	No	Are you planning of selling food products?	Yes
Are you planning on having fireworks?	Yes	Are you having music,a live band or noise of kind?	Yes	Request police assistance for:	
Are you planning on street closures?	No	Select all that apply	None	Are you using the 712 block party trailer?	No

Attachment File Name	Added On	Added By	Attachment Group	Notes
Edwards Auto Group_Pyro Six LLC_25-26 Proof of Insurance_6-3-2025_134515298 (1).pdf	06/10/2025 13:04	Howe , James	Available Online	Certificate of Insurance

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00001224	Special Event No Road Closure	\$25.00	\$25.00
Total for Invoice INV-00001224		\$25.00	\$25.00
Grand Total for Permit		\$25.00	\$25.00

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Special Event Review v.1	In Review	06/11/2025	06/18/2025		No	No
Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date

# PERMIT SNAPSHOT REPORT (25-0010-SPEVT)

CBO 14	Building	Schultz, Rodney	Approved	06/11/2025	07/01/2025	06/11/2025
<b>Item Review Name</b>	<b>Department</b>	<b>Assigned User</b>	<b>Status</b>	<b>Assigned Date</b>	<b>Due Date</b>	<b>Completed Date</b>
Fire Marshal 14	Fire Marshal	Ford, Alex	Approved	06/11/2025	06/16/2025	06/12/2025
<b>Item Review Name</b>	<b>Department</b>	<b>Assigned User</b>	<b>Status</b>	<b>Assigned Date</b>	<b>Due Date</b>	<b>Completed Date</b>
Legal 15	Legal	Dobson, Mimi	Approved	06/11/2025	06/18/2025	06/12/2025
<b>Item Review Name</b>	<b>Department</b>	<b>Assigned User</b>	<b>Status</b>	<b>Assigned Date</b>	<b>Due Date</b>	<b>Completed Date</b>
Parks & Recreation 14	Parks & Recreation	Bettmann, Daniel	In Review	06/11/2025	06/16/2025	
<b>Item Review Name</b>	<b>Department</b>	<b>Assigned User</b>	<b>Status</b>	<b>Assigned Date</b>	<b>Due Date</b>	<b>Completed Date</b>
Community Development 15	Planning & Zoning	Gibbons, Chris	Approved	06/11/2025	07/01/2025	06/12/2025
<b>Item Review Name</b>	<b>Department</b>	<b>Assigned User</b>	<b>Status</b>	<b>Assigned Date</b>	<b>Due Date</b>	<b>Completed Date</b>
Police 15	Police	Hughes, Josh	Approved	06/11/2025	07/02/2025	06/13/2025
<b>Item Review Name</b>	<b>Department</b>	<b>Assigned User</b>	<b>Status</b>	<b>Assigned Date</b>	<b>Due Date</b>	<b>Completed Date</b>
Public Works Admin 14	Public Works Admin	Cox, Matt	Not Required	06/11/2025	06/16/2025	06/11/2025
<b>Item Review Name</b>	<b>Department</b>	<b>Assigned User</b>	<b>Status</b>	<b>Assigned Date</b>	<b>Due Date</b>	<b>Completed Date</b>
Traffic 15	Public Works Operations	Wicks, Andrew	Approved	06/11/2025	06/16/2025	06/11/2025
<b>Comments:</b> PWTraffic will have no involvement.						
<b>Item Review Name</b>	<b>Department</b>	<b>Assigned User</b>	<b>Status</b>	<b>Assigned Date</b>	<b>Due Date</b>	<b>Completed Date</b>
Traffic 15	Public Works Operations	Noel, Jeremy	Approved	06/11/2025	06/16/2025	06/12/2025
<b>Item Review Name</b>	<b>Department</b>	<b>Assigned User</b>	<b>Status</b>	<b>Assigned Date</b>	<b>Due Date</b>	<b>Completed Date</b>
Risk Management 15	Risk Management	Branigan, Ron	Approved	06/11/2025	07/02/2025	06/11/2025
<b>Comments:</b> The COI is approved only due to the City of Council Bluffs being stated in the description, in the future the Certificate Holder should be the City of Council Bluffs.						
<b>Workflow Step / Action Name</b>				<b>Action Type</b>	<b>Start Date</b>	<b>End Date</b>
<b>Application Review v.1</b>					06/11/2025	9:56
Confirm application complete v.1				Generic Action		06/11/2025 10:20
Add needed steps for PW Traffic, Council Approval, Police Contract, Verify Liquor License v.1				Generic Action		06/11/2025 10:20
Special Event Review v.1				Receive Submittal	06/11/2025	0:00
<b>Council Approval (If needed) v.1</b>						
Schedule an Agenda v.1				Hold Meeting		
City Council Decision v.1				Permit Activity		
<b>Issue Permit v.1</b>						
Issue Permit v.1				Generic Action		

## NOISE VARIANCE REQUEST

APPLICATION DATE: 01/01/25  
REQUESTING PERSON: Juan Javier Renteria Gonzalez  
NAME: \_\_\_\_\_  
MAILING ADDRESS: 1734 ave F  
PHONE NUMBER: 712 314 7823  
EMAIL: Jras2s22@gmail.com  
ORGANIZATION/EVENT: Graduation Birthday Party  
EVENT LOCATION: 1724 ave K  
EVENT DATE: August  
EVENT TIME: 5pm - 12am

EXPLAIN SOURCE OF NOISE AND SPECIFIC HOURS OF NOISE:

7:30-12 live music

Please return to the City Clerk's Office, 209 Pearl Street, Ste 102, Council Bluffs, IA 51503  
Phone Number: 712-890-5261

Please Note: This application is approved/disapproved by the City Council. Applications **MUST** be received 15 days before the event, to ensure enough time to be reviewed by City Council.

\*\*\*\*\*

City Council met on June 23, 2025, regarding this application requesting noise variance as described above.

APPROVED ( )

DISAPPROVED ( )

APPROVED WITH STIPULATION ( )

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date



## NOISE VARIANCE REQUEST

APPLICATION DATE: 06/23/2025

REQUESTING PERSON:

NAME: Camila Ledesma

MAILING ADDRESS: 817 Ave E, Council Bluffs, IA 51503

PHONE NUMBER: (402) 707-3884

EMAIL: Camilaledesma729@gmail.com

ORGANIZATION/EVENT: Party

EVENT LOCATION: 817 Ave E, Council Bluffs, IA 51503

EVENT DATE: 07/12/2025

EVENT TIME: 6pm-11pm

EXPLAIN SOURCE OF NOISE AND SPECIFIC HOURS OF NOISE:

Party (graduation) is planned to start at 6pm with live music, and is going to end at 11pm.

Please return to the City Clerk's Office, 209 Pearl Street, Ste. 102, Council Bluffs, IA 51503  
Phone Number: 712-890-5261

Please Note: This application is approved/disapproved by the City Council. Applications **MUST** be received 15 days before the event, to ensure enough time to be reviewed by City Council.

\*\*\*\*\*

City Council met on \_\_\_\_\_, 20\_\_\_\_, regarding this application requesting noise variance as described above.

- ☐ DENIED  
☐ APPROVED  
☐ APPROVED WITH FOLLOWING STIPULATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date