

Council Bluffs Soccer Club - Arian Haddix & Shane Hoss  
Brent Siegrist - Legislative Update  
2019 dates for Consumer Fireworks  
Review Agenda



## **City Council Meeting Minutes May 20, 2019**

### **CALL TO ORDER**

Mayor Matthew Walsh called the meeting to order on Monday May 20, 2019 at 7:00 p.m.  
Council Members present: Melissa Head, Nate Watson, Sharon White and Mike Wolf.  
Council Member present via video conference: Roger Sandau,  
Staff Present: Richard Wade and Jodi Quakenbush.

### **CONSENT AGENDA**

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

Reading, correction and approval of the May 6, 2019 City Council Meeting Minutes.

#### **Ordinance 6385**

Ordinance to amend Title 9 Traffic, Chapter 9.88 Speed Regulations and setting a Public Hearing for June 10, 2019, by amending Section 9.88.080 Schedule of posted streets, related to Lincoln Avenue from Gleason Avenue to East Pierce.

#### **Resolution 19-116**

Resolution accepting the work of Bluffs Paving and Utility Co. Inc. as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the Kenmore Avenue and Harrison Street Sanitary Sewer Rehab. Project # PW19-07

Resolutions 19-117 through 19-122

Resolutions of intent to dispose of City property and setting Public Hearings for June 10, 2019 at 7:00 p.m. for properties formerly addressed as 401, 409, 431, 435, 437, and 441 Park Avenue. Location: South of Pomona Avenue on the East side of Park Avenue.

Notice of Right of Redemption

Offer to Buy

Claims

Roger Sandau and Nate Watson moved and seconded approval of Consent Agenda, as amended removing with Item 3F, Resolution 19-123 to be voted on separately.. Unanimous, 5-0 vote.

Resolution 19-123

Resolution setting a Public Hearing on approving a Final Exhibit B to the Parking Facility Lease Purchase Agreement and revising the total amount of potential payments to be made as part of the lease purchase acquisition of the River's Edge Parking Facility to not to exceed \$19,250,000

Nate Watson and Sharon White moved and seconded approval of Resolution 19-123, as amended to change purchase acquisition amount to \$19,300,000.00.. Passed, 4-1 vote.  
(Nays: Sandau)

## **PUBLIC HEARINGS**

Resolution 19-124

Resolution approving the plans and specifications for the SCADA Upgrade, Phase 1 (WPCP). Project #PW17-23

Sharon White and Melissa Head moved and seconded approval of Resolution 19-124. Unanimous, 5-0 vote.

## **ORDINANCES ON 1ST READING**

Ordinance 6386

Ordinance to amend Chapter 1.65 "Council Bluffs Arena and Convention Center Commission", by amending Sections 1.65.050, 1.65.090 and 1.65.100.

Nate Watson and Mike Wolf moved and seconded approval of First Consideration of Ordinance 6386, as amended to add under Section 1.65.050; Any Commissioner who misses two consecutive meetings shall

be dismissed at the request of the Mayor or upon direct action by the City Council. Second Consideration of Ordinance scheduled for June 10, 2019 at 7:00 p.m.. Unanimous, 5-0 vote.

## **RESOLUTIONS**

### **Resolution 19-125**

Resolution Amending the composition, duties, and responsibilities of the Citizens/Police Advisory Board.

Nate Watson and Sharon White moved and seconded approval of Resolution 19-125, as amended to change 4. to read: The Board votes on potential member appointment by silent ballot and affirmative recommendation requires a majority vote of the Board and 5. to read: The Mayor reviews all nominations and the Board's recommendations for potential appointment. Unanimous, 5-0 vote.

### **Resolution 19-126**

Resolution authorizing the acquisition of 3420 2nd Avenue and authorizing the Mayor to execute an offer to buy and other related closing documents.

Melissa Head and Mike Wolf moved and seconded approval of Resolution 19-126. Unanimous, 5-0 vote.

### **Resolution 19-127**

Resolution authorizing the Mayor to execute Iowa Department of Transportation Agreement No. 2020-TS-020 for Traffic Safety Improvement Program Funding.

Sharon White and Nate Watson moved and seconded approval of Resolution 19-127. Unanimous, 5-0 vote.

### **Resolution 19-128**

Resolution accepting the bid of Compass Utility, LLC in the amount of \$958,735.15 for the South 1<sup>st</sup> Street Neighborhood Rehab, Phase X. Project # PW20-12

Sharon White and Melissa Head moved and seconded approval of Resolution 19-128. Unanimous, 5-0 vote.

### **Resolution 19-129**

Resolution authorizing the Mayor to execute Iowa Department of Transportation Agreement No. 2019-4-145 in connection with the I-29 Interstate Improvements.

Melissa Head and Mike Wolf moved and seconded approval of Resolution 19-129. Unanimous, 5-0 vote.

### **Resolution 19-130**

Resolution to update City Personnel Policies 400 and 401.

Sharon White and Melissa Head moved and seconded approval of Motion to Continue Resolution 19-130 to June 10, 2019 at 7:00 p.m.. Unanimous, 5-0 vote.

#### Resolution 19-131

Resolution setting the dates and times to permit the discharge of consumer fireworks.

Melissa Head and Mike Wolf moved and seconded approval of Resolution 19-131, as amended to set the dates for fireworks use as July 4, 2019, July 5, 2019 and July 6, 2019 from noon to 11:00 pm.. Unanimous, 5-0 vote.

### **APPLICATIONS FOR PERMITS AND CANCELLATIONS**

#### Liquor Licenses

1. Caddy Shack, 1426 4<sup>th</sup> Avenue
2. Eagles Club, 1530 Avenue F
3. Jonesy's Corner, 2752 W Broadway
4. Main Street Tavern, 519 South Main Street
5. Mid America Center, 1 Arena Way
6. Thunderbowl & McCoy's on the Bluff, 1900 Madison Avenue (6 month Special Event)

#### Cigarette Permit Applications

#### Salvage/Storage Yard Applications

Melissa Head and Mike Wolf moved and seconded approval of Application for permits and cancellations, Liquor Licenses, Cigarette Permits and Salvage Yard Applications.. Unanimous, 5-0 vote.

### **CITIZENS REQUEST TO BE HEARD**

Heard from Bruce Kelly, 864 McKenzie Avenue, regarding a bike trail, extra lane and transportation at Riverfront.

Heard from Robert Fairchild, 2412 South 19th Street, regarding fireworks.

### **OTHER BUSINESS**

### **ADJOURNMENT**

Mayor Walsh adjourned the meeting at 7:28 pm.

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: City Clerk  
Case/Project No.:  
Submitted by: Jodi Quakenbush

Approval of Agenda & tape recordings of these  
proceedings to be incorporated into the official  
minutes.  
ITEM 3.A.

Council Action: 5/20/2019

**Description**

**Background/Discussion**

**Recommendation**

### Council Communication

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

Reading, correction and approval of the May 6,  
2019 City Council Meeting Minutes.  
ITEM 3.B.

Council Action: 5/20/2019

<b>Description</b>
--------------------

<b>Background/Discussion</b>
------------------------------

<b>Recommendation</b>
-----------------------

**ATTACHMENTS:**

Description

[5-6-19 Minutes](#)

Type

Other

Upload Date

5/8/2019



## **City Council Meeting Minutes May 6, 2019**

### **CALL TO ORDER**

Mayor Matthew Walsh called the meeting to order on Monday May 6, 2019 at 7:00 p.m.

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

Staff Present: Richard Wade and Jodi Quakenbush.

### **CONSENT AGENDA**

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

Reading, correction and approval of the April 22, 2019 City Council Meeting Minutes.

Resolution 19-109

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

Mayor's Appointments; Storm Water Advisory Committee

Notice of Right of Redemption & Claims

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

### **MAYORS PROCLAMATIONS**

A. ALS Awareness Month

Proclamation accepted by Abbie Strother, ALS Association Iowa Chapter

B. National Foster Care Month

Proclamation accepted by Kendal Esteves, Lutheran Services in Iowa

### **PUBLIC HEARINGS**

Resolution 19-110

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

Melissa Head and Nate Watson moved and seconded approval of Resolution 19-110. Unanimous, 5-0 vote.

Resolution 19-111

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

Roger Sandau and Mike Wolf moved and seconded approval of Resolution 19-111. Unanimous, 5-0 vote.

**ORDINANCES ON 2ND READING**

Ordinance 6384

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

Roger Sandau and Sharon White moved and seconded approval of Second Consideration of Ordinance 6384. Unanimous, 5-0 vote.

Nate Watson and Mike Wolf moved and seconded approval of Motion to waive Third Consideration. Ordinance passes to law.. Unanimous, 5-0 vote.

**RESOLUTIONS**

Resolution 19-112

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

Sharon White and Mike Wolf moved and seconded approval of Resolution 19-112. Unanimous, 5-0 vote.

Resolution 19-113

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

Melissa Head and Mike Wolf moved and seconded approval of Resolution 19-113. Unanimous, 5-0 vote.

Resolution 19-114

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

Nate Watson and Mike Wolf moved and seconded approval of Resolution 19-114. Unanimous, 5-0 vote.

Resolution 19-115

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

Sharon White and Melissa Head moved and seconded approval of Resolution 19-115. Unanimous, 5-0 vote.

## **APPLICATIONS FOR PERMITS AND CANCELLATIONS**

### **Liquor Licenses - New**

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

### **Liquor License Renewals**

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

### **Cigarette Permits**

Celebrate CB, Parade and events

Roger Sandau and Melissa Head moved and seconded approval of Applications for Permits & Cancellations, Items 8A, 8B, 8C & 8D. Unanimous, 5-0 vote.

## **ADJOURNMENT**

Mayor Walsh Adjourned the meeting at 7:15 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.:  
Submitted by: Matthew Cox, Public Works  
Director

Ordinance 6385  
ITEM 3.C.

Council Action: 5/20/2019

### Description

Ordinance to amend Title 9 Traffic, Chapter 9.88 Speed Regulations and setting a Public Hearing for June 10, 2019, by amending Section 9.88.080 Schedule of posted streets, related to Lincoln Avenue from Gleason Avenue to East Pierce.

### Background/Discussion

Public Works has been working with CBPD regarding complaints about vehicles speeding on Lincoln Avenue.

Over many years CBPD has issued a large number of speeding tickets on Lincoln Avenue, however the strict enforcement has not been a deterrent to speeding.

A traffic study was conducted in 2018 by the traffic division to analyze traffic patterns on Lincoln Avenue. The traffic study confirmed that vehicles are exceeding the speed limit. Approximately 90% of vehicles exceed the speed limit of 25 mph.

The basis for an engineering review of vehicle speeds assumes that the majority of drivers will drive at a safe and reasonable speed based on the characteristics of the roadway. The 85<sup>th</sup> percentile speed is assumed to be the maximum safe speed. The 15<sup>th</sup> percentile speed is assumed to be the minimum safe speed. This methodology is commonly used in determining speed limits.

For Lincoln Avenue, the 85<sup>th</sup> percentile speed (the speed at which 85% of the vehicles do not exceed) is 35 mph.

Crash history for Lincoln Avenue was also reviewed. Even with a large number of vehicles exceeding the posted speed limit, the crash information suggests that the road is relatively safe.

Based on the outcomes of the traffic study and after discussions with the neighborhood residents, the staff recommendation is to increase the speed limit from 25 mph to 30 mph between Gleason Avenue and East Pierce Street.

The speed limit on Lincoln Avenue between Franklin Avenue and Gleason Avenue will remain 25 mph due to the terrain, narrow roadway, and visibility.

### Recommendation

Approval of the ordinance change.

### ATTACHMENTS:

Description

[9.88.080 Schedule of posted streets - redlined](#)

[Ordinance 6385](#)

Type

Ordinance

Ordinance

Upload Date

5/13/2019

5/14/2019

### 9.88.080 - Schedule of posted streets.

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

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

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

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

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

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

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

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

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

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

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

PASSED  
AND \_\_\_\_\_, 2019.  
APPROVED

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

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

First Consideration: \_\_\_\_\_  
Second Consideration: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Third Consideration: \_\_\_\_\_

## ORDINANCE NO. 6385

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

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

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

#### **9.88.080 - Schedule of posted streets.**

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

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

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

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

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

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

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

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

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

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

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

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

PASSED  
AND  
APPROVED

June 24, 2019.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

First Consideration: 5-20-19  
Second Consideration: 6-10-19  
Public Hearing: 6-10-19  
Third Consideration: 6-24-19

## Council Communication

Department: Public Works Admin  
Case/Project No.: PW19-07  
Submitted by: Matthew Cox, Public Works  
Director

Resolution 19-116  
ITEM 3.D.

Council Action: 5/20/2019

### Description

Resolution accepting the work of Bluffs Paving and Utility Co. Inc. as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the Kenmore Avenue and Harrison Street Sanitary Sewer Rehab. Project # PW19-07

### Background/Discussion

Damaged sanitary sewers were identified at two locations and needed to be repaired. Due to the poor condition of the sewers, an accelerated project schedule was required.

The first site was located along Kenmore Avenue, between Kenmore Circle and Keeline Drive. By video inspection, it was determined that portions of the sewer were originally constructed using concrete pipe. Some segments of the pipe were deteriorated and were in poor condition and other areas appeared to have settled, causing back-fall in the pipe. Both replacement and in-situ rehabilitations were used for the sewer repairs in this area.

The second project was located at Harrison Street, immediately north of Kanesville Boulevard. During a water main repair, the existing sanitary was exposed. After an inspection, it was discovered that the VCP sanitary sewer was severely cracked and had begun to crush under the street. There is a large storm sewer and a second sanitary sewer located within the same corridor. In-situ rehabilitation and spot repairs were used for this segment of sewer.

A project was included for Kenmore Avenue in the FY19 CIP with a budget of \$600,000 in Sales Tax Funds. Harrison Street was not planned, but was added to PW19-07 because of the similar scope. After further investigations at both sites, it was determined that the majority of the sewers could be lined. This in-place repair method was considerably less expensive than complete removal and replacement.

	Division I	Division II	Division III	Division IV	
	<u>General</u>	<u>Pavement</u>	<u>Storm Sewer</u>	<u>San. Sewer</u>	<u>Total</u>
Original Contract Amount	\$98,974.17	\$85,069.30	\$3,282.60	\$193,611.99	\$380,938.06
Change Orders (-9.13%)	(\$15,966.57)	(\$5,281.38)	\$0	(\$13,520.09)	(\$34,768.03)
Final Contract Amount	\$83,007.60	\$79,787.93	\$3,282.60	\$180,091.91	\$346,170.03
Less Previous Payments	\$78,857.22	\$75,798.53	\$3,118.47	\$171,087.31	\$328,861.53
Retainage Due Contractor	\$4,150.38	\$3989.40	\$164.13	\$9,004.59	\$17,308.50

The Contractor did not complete the project on time and received one non-compliance notice. Liquidated damages in the amount of \$11,250 were assessed.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description

[Resolution 19-116](#)

Type

Resolution

Upload Date

5/14/2019

**RESOLUTION  
NO 19-116**

**RESOLUTION ACCEPTING THE WORK OF  
BLUFFS PAVING AND UTILITY CO. INC. IN CONNECTION WITH  
THE KENMORE AVENUE AND HARRISON STREET SANITARY SEWER REHAB.  
AND AUTHORIZING THE FINANCE DIRECTOR TO ISSUE  
A CITY CHECK IN THE AMOUNT OF \$17,308.50  
PROJECT #PW19-07**

- WHEREAS, the City of Council Bluffs, Iowa, entered into an agreement with Bluffs Paving and Utility Co. Inc., Crescent, IA for the Kenmore Avenue and Harrison Street Sanitary Sewer Rehab; 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 for final payment in the amount of \$17,308.50 to Bluffs Paving and Utility Co. Inc. has been submitted to the city council for approval and payment; and
- WHEREAS, final payment is due 30 days after acceptance of the work; and
- WHEREAS, the city council of the City of Council Bluffs has been advised and does believe that said \$17,308.50 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 \$17,308.50 payable to Bluffs Paving and Utility Co. Inc. from budget codes Division I, S36000-676000; Division II, S36000-676200; Division III, S366000-676500; Division IV, S36000-676700; Project #1907X.

AND BE IT FURTHER RESOLVED

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

ADOPTED  
AND  
APPROVED

May 20, 2019

---

Matthew J. Walsh, Mayor

ATTEST:

---

Jodi Quakenbush, City Clerk

## Council Communication

Department: Community Development

Case/Project No.: Cases #OTB-19-005 through  
OTB-19-010

Submitted by: Chris Meeks, Planner

Resolutions 19-117 through 19-122  
ITEM 3.E.

Council Action: 5/20/2019

### Description

Resolutions of intent to dispose of City property and setting Public Hearings for June 10, 2019 at 7:00 p.m. for properties formerly addressed as 401, 409, 431, 435, 437, and 441 Park Avenue. Location: South of Pomona Avenue on the East side of Park Avenue.

### Background/Discussion

See attachments for legal description of offer to buy requests.

### Recommendation

### ATTACHMENTS:

Description

[Cases OTB-19-005 thru OTB-19-010 Staff Report and Attachments A-D](#)

[Cases OTB-19-005 thru OTB-19-010 Public Hearing](#)

[Resolution 19-117](#)

[Resolution 18-118](#)

[Resolution 19-119](#)

[Resolution 19-120](#)

[Resolution 19-121](#)

[Resolution 19-122](#)

Type

Other

Other

Resolution

Resolution

Resolution

Resolution

Resolution

Resolution

Upload Date

5/10/2019

5/10/2019

5/14/2019

5/14/2019

5/14/2019

5/14/2019

5/14/2019

5/14/2019

## Council Communication

Department: Community Development  CASES #OTB-19-005 #OTB-19-006 #OTB-19-007 #OTB-19-008 #OTB-19-009 #OTB-19-010  Applicant: Yoder Construction, Inc. Attn: Bryan and Angela Yoder 101 McCandless Ln, Suite A Council Bluffs, IA 51503	Resolution of Intent No. _____  Resolution to Dispose No. _____	Set Public Hearing: 05/20/2019  Public Hearing: 06/10/2019
--	---	--

### Subject/Title

Request of Yoder Construction, Inc., represented by Bryan Yoder, to purchase the city-owned properties legally described as Lot 1 and a 20' by 7' strip of vacated Pomona Street Adjacent, Auditor's Subdivision of Lot 1 Block 4 Glendale Addition and that part of Lot 95, Original Plat of Council Bluffs, Iowa West of Huntington Avenue, City of Council Bluffs, Pottawattamie County, Iowa; and Lot 4 and the West ½ of the vacated north/south alley adjacent, Judd's Park Subdivision, City of Council Bluffs, Pottawattamie County, Iowa; and Lot 2 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa; and Lot 3 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa; and Lot 4 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa; and Lot 5 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa. These properties were formerly addressed as 401 Park Avenue, 409 Park Avenue, 431 Park Avenue, 435 Park Avenue, 437 Park Avenue, and 441 Park Avenue.

**Location:** South of Pomona Avenue on the East side of Park Avenue.

### Background/Discussion

The City has received an offer to purchase the properties described above. The properties are all classified as 'transitional dispose' and 'buildable'. According to the adopted policy of April 23, 2018, the property should be priced at the most recent assessed value, which along with the down payment submitted is shown below:

Case Number	Former Address	Last Assessed Value	Down Payment Submitted
OTB-19-005	401 Park Avenue	\$16,777	\$1,677.70
OTB-19-006	409 Park Avenue	\$12,626	\$1,262.60
OTB-19-007	431 Park Avenue	\$12,452	\$1,245.20
OTB-19-008	435 Park Avenue	\$11,762	\$1,176.20
OTB-19-009	437 Park Avenue	\$11,588	\$1,158.80
OTB-19-010	441 Park Avenue	\$11,242	\$1,124.20

The applicant wishes to purchase these properties to construct new residential dwellings. On the properties formerly addressed as 409, 431, 435, 437, and 441 Park Avenue, the applicant is proposing to construct single-family attached dwellings, which would share a common wall. On the property formerly addressed as 401 Park Avenue, the applicant would construct either one single-family dwelling, or one single-family attached dwelling. As is stated in the Letter of Intent (Attachment B), the applicant intends to build the homes as rental properties, though did note that selling them in the future would be a possibility.

Currently, the subject properties are zoned R-2/Two-Family Residential District, which allows both single-family residential structure and single-family attached residential structures. The subject properties are considered non-conforming lots of record, as none of the lots meet the required street frontage of 50 feet for an interior lot and 55 feet for a corner lot, and 3 of the interior lots are below the required 5,000 square feet of lot area. As proposed, the structures appear to meet all applicable setback and lot coverage requirements, except the off-street parking requirements. Per section 15.23.030 *Off Street Parking, Loading and Unloading: Design Standards*: Standard (3). E. "Parking is permitted outside in the side yard or in the rear yard, behind the required front yard setback and must be contiguous with the primary surface driveway". The applicant has indicated that the topography of the lots does not allow for the homes to be setback far enough for a second parking space for each dwelling unit to be located outside of the 25 foot front yard setback that is required in the R-2 District, so the applicant will need to seek the relief of a variance to allow for the second required parking stall for each residential unit to be located within the front property line setback. Variances would be reviewed by the Zoning Board of Adjustment subsequent to a vote of approval of the sale of the properties by the City Council.

The following costs have been incurred on the subject properties:

Case Number	Former Address	Costs Incurred
OTB-19-005	401 Park Avenue	\$14,098.51
OTB-19-006	409 Park Avenue	\$34,519.66
OTB-19-007	431 Park Avenue	\$18,476.42
OTB-19-008	435 Park Avenue	\$19,179.19
OTB-19-009	437 Park Avenue	\$17,688.82
OTB-19-010	441 Park Avenue	\$16,678.36

The applicant has requested that the remaining value of the properties beyond the submitted 10% down payment be forgiven using a forgivable mortgage. The City Council has the authority to approve a sale using a forgivable mortgage on these properties, as they have been owned by the City for greater than 24 months. Per the adopted Inventory and Disposal Policy for Surplus City Property, the remaining value of the property (beyond the 10% down payment) may be forgiven if the property is constructed upon within a time period determined by the City Council, typically within a 12 month period. The applicant has asked that the remaining value on the property be forgiven immediately to assist them with obtaining loans on the construction of the properties, as well as the significant cleanup costs and hillside work on the rear of the properties. The terms of any forgivable mortgage would be determined as a condition of sale in the Resolution to Dispose.

**Architectural Standards:**

To maintain the historic character of the neighborhood for which these homes are proposed to be located, the Community Development Department requested that the applicant construct homes that would feature design elements that are compatible with the historic Park/Glen Avenue Historic District. The applicant has submitted an exterior elevation proposal for the homes (Attachment C) that feature a porch on the front of the home, dormer roofs over the main 2<sup>nd</sup> floor windows, 6” crowns over the freeze board of the main 2<sup>nd</sup> floor windows, and shake siding as an accent on the 2<sup>nd</sup> floor. The Community Development Department considers the submitted design to be compatible with the neighborhood, and specific design guidelines will be included in the recommendation of the Resolution to Dispose for each parcel as a condition of sale.

**Recommendation**

The Community Development Department recommends setting a public hearing on the disposal of the properties legally described above on the June 10, 2019 City Council Meeting.

**Attachment A:** Location map

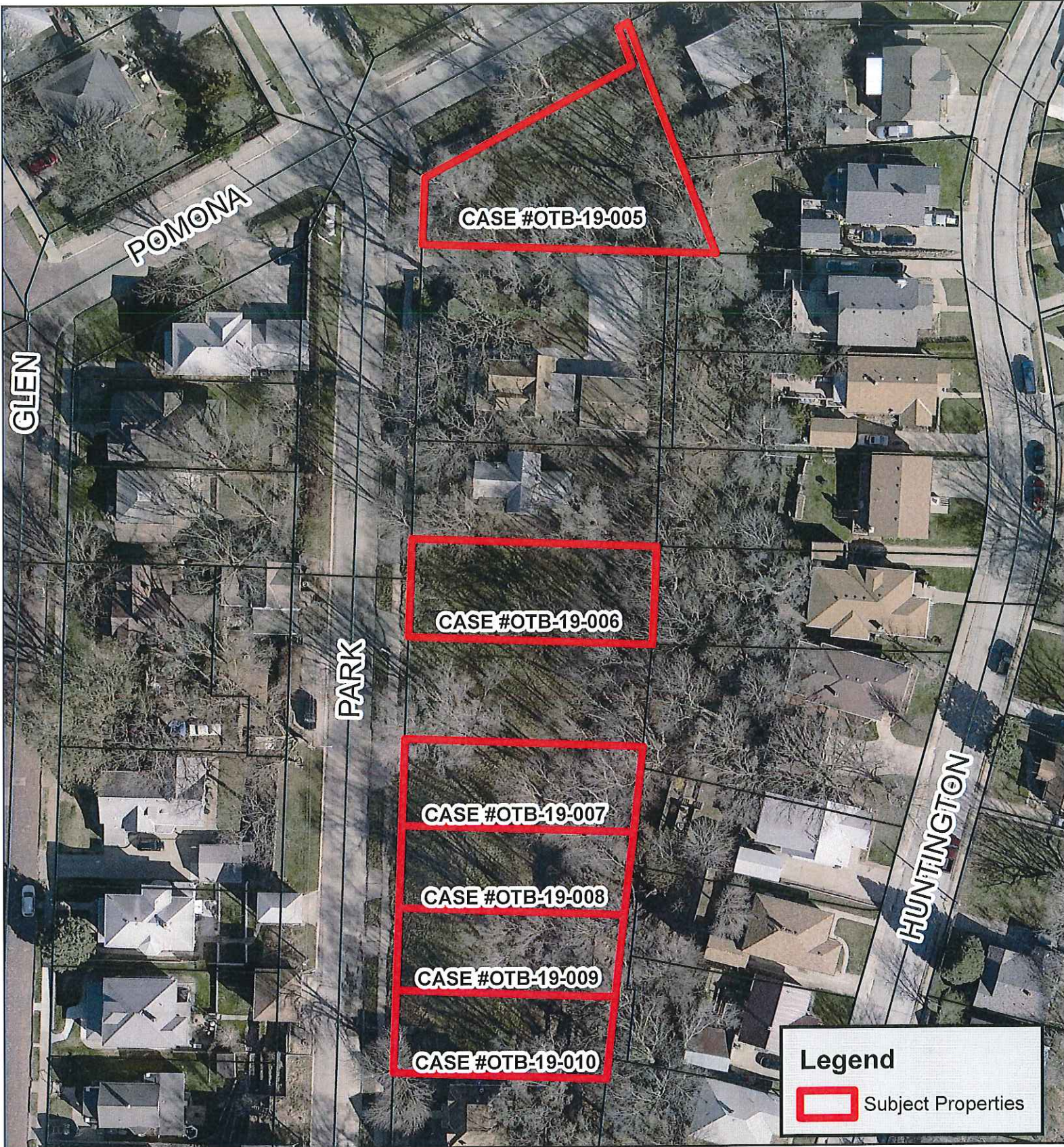
**Attachment B:** Letter of Intent

**Attachment C:** Front Building Elevation and Proposed Floor Plans

**Attachment D:** Site Photos

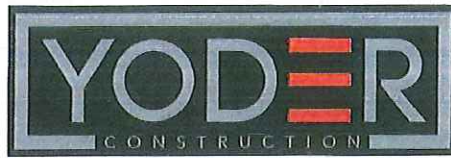
**Prepared By:** Chris Meeks, Planner, Community Development Department

# Yoder Construction Offers to Buy



2010 0 20 40 60 Feet





## **Proposal/Offer**

**For: 401, 409, 431, 435, 437, 441, Park Street lots.**

May 1, 2019

Jodi Quakenbush, City Clerk  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

To whom it may concern,

The following is our offer and an overview of our proposed plans.

Our proposed plan is to build historically accurate, luxury duplexes. To accommodate young professionals and aging in place individuals. The duplexes will be approximately 1495 sq. ft. two-story, 2 bedroom, 2 bathroom, units with and option for a 3rd bedroom and bathroom in the basement. Each unit will have a front porch and back patio. A single car garage is designed at the basement level to help mitigate the steep terrain of these lots. It will also allow for off-street parking on the narrow portion of Park Street. The plans are shown with a 12/12 pitch roof but we are seriously considering an 8/12 pitch roof design. As it will still be historically accurate to the typical "steep roof" design of the day, but will be safer to maintain.

We are planning on a "build to rent" scenario. There is a possibility of selling in the future.

The lots would need to be subdivided for the purpose of duplexes, address and utilities.

401 Park is the only lot currently that we are considering building as a historically correct custom single-family home.

There is a significant amount of debris, old retaining walls, steps, dead trees and shrubbery that needs to be removed. When removed we plan on re-seeding the hillside and using erosion control matting till the seed is established. It is also possible that we may need to add retaining walls in a few areas to accommodate the build.

We request that if possible the city asks adjoining neighbors to clean up excess yard waste, especially noticed behind 437 and 441 Park St. There is all manner of waste, car parts, aluminum guttering, old furniture, cinderblocks, oil filters etc.

Pg-2-

We are in agreement with the cities "Application to Purchase City Property" paragraphs a. through J.

We are requesting in paragraph **(g); (d)** City Financing with Mortgage/Promissory Note, **to be**, a "Forgivable Mortgage".

The typical forgivable mortgage as I understand, is that it would be released/forgiven after two years or simultaneously at closing of the permanent loan on a structure which ever came first. As long as we maintain the property and pay the taxes.

We are requesting that the "Forgivable Mortgage" be affective immediately. As opposed to, the typical process of the "Forgivable Mortgage". This will help us with the significant cost of cleanup and liability on the work to be done to the back hillside of these lots.

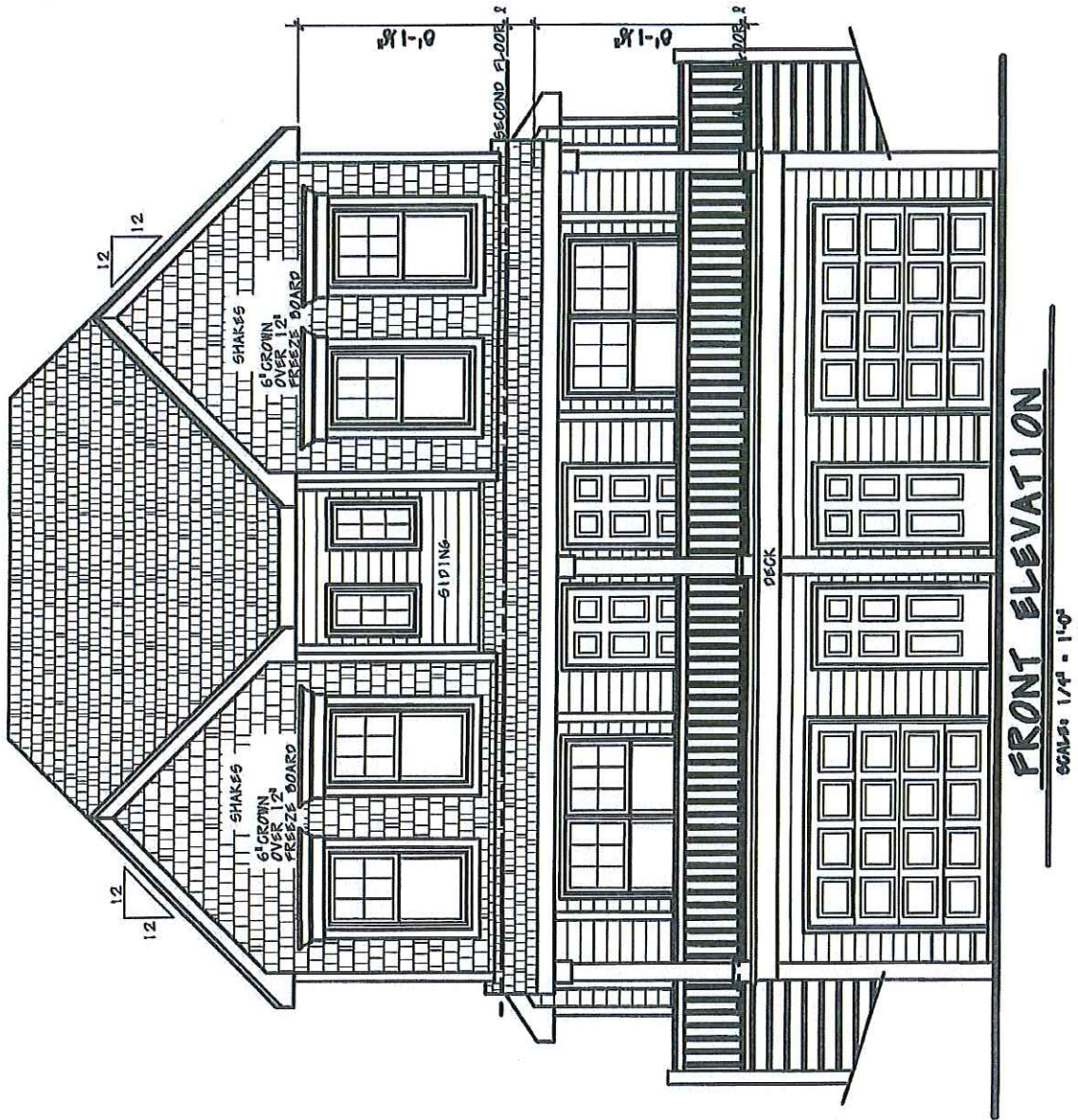
This will also ease the process and limit confusion with construction and permanent lending.

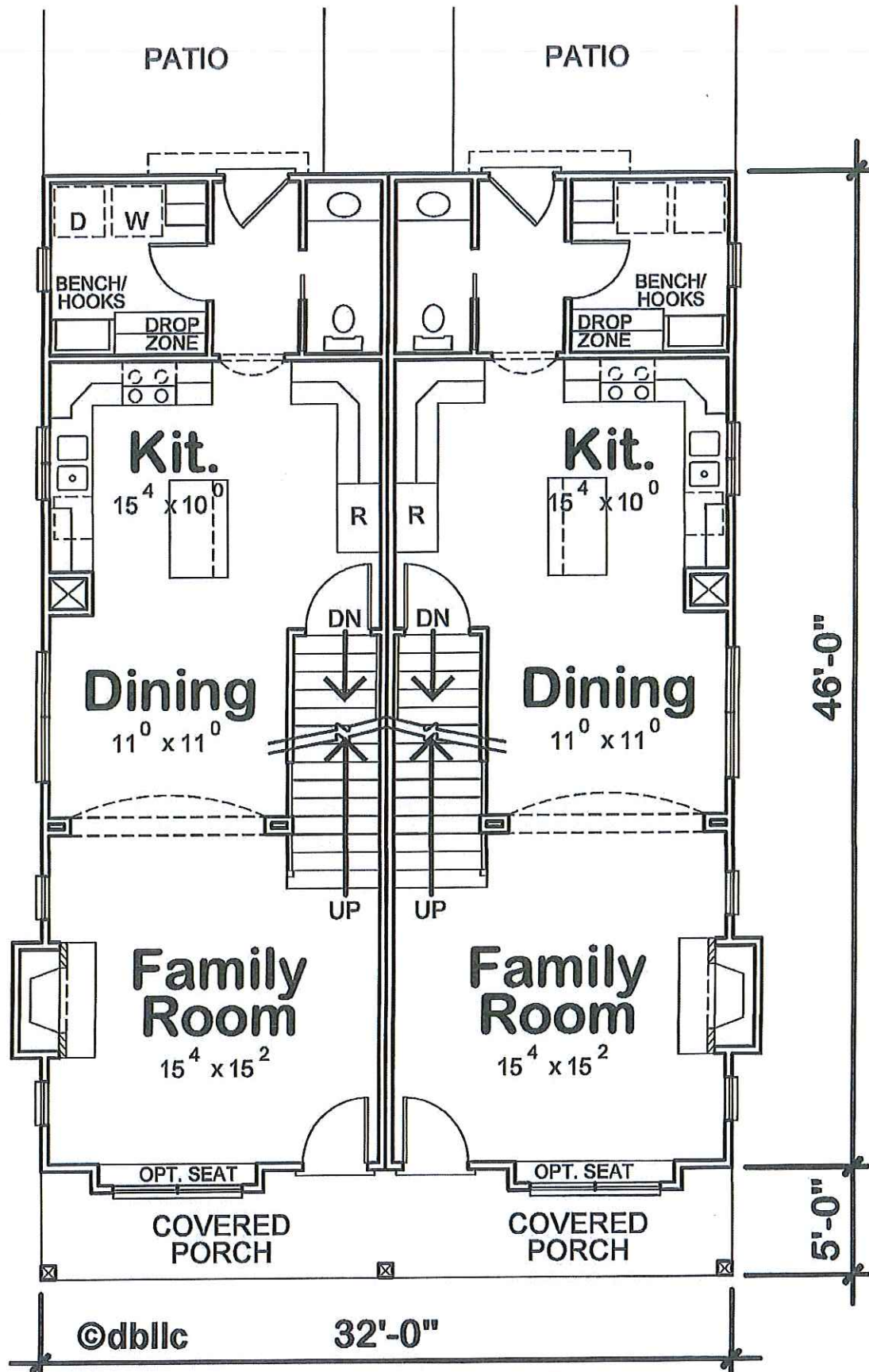
We look forward to working with the city on improving the Park Street properties. We believe that this will be a win-win situation for the City of Council Bluffs, the Historic neighborhood and for us.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan and Angela Yoder", followed by a date "4/26/19" and the word "President" written in a cursive script.

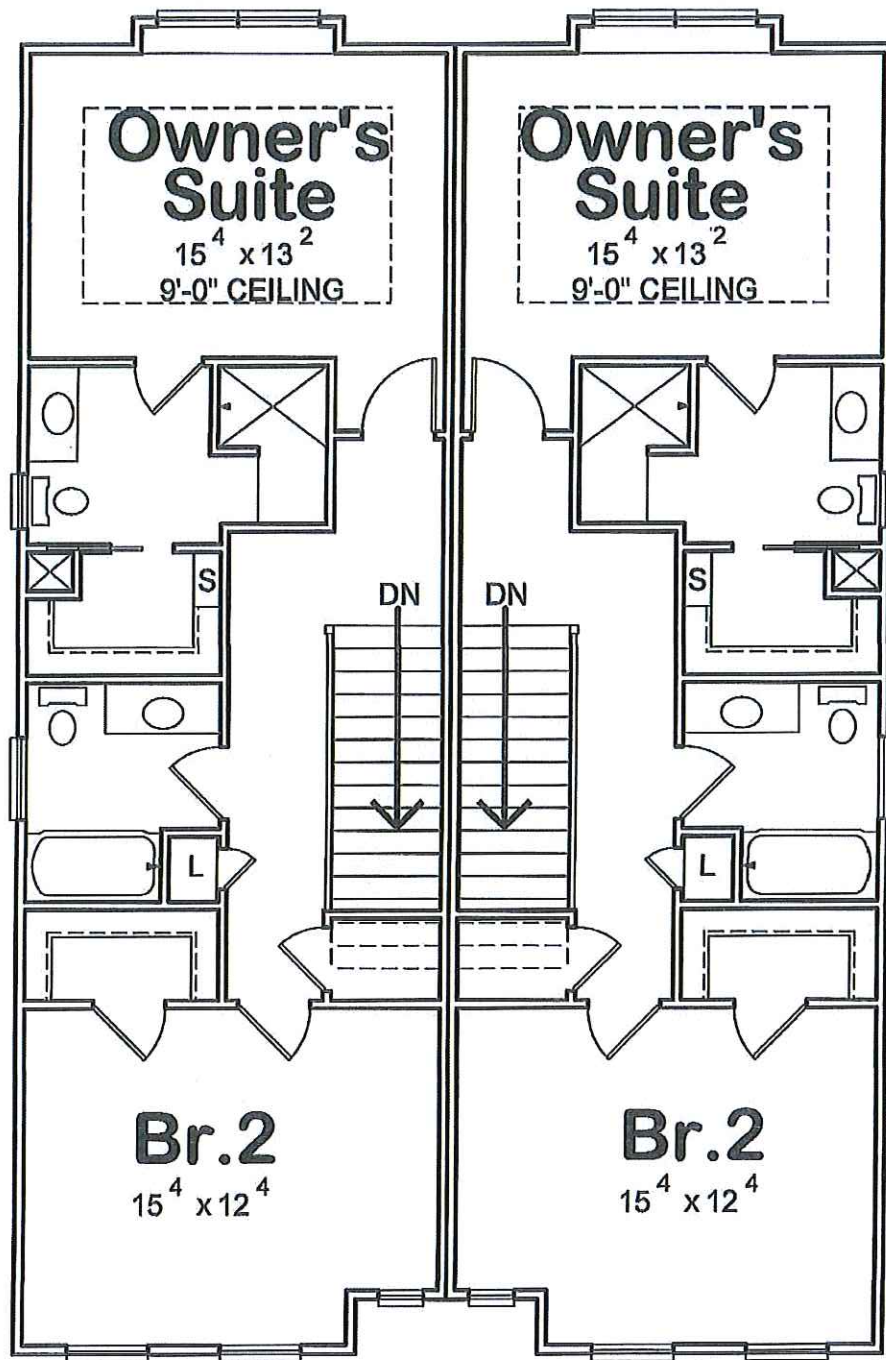
Bryan and Angela Yoder  
Yoder Construction Inc.  
101 McCandless Ln. Suite A  
Council Bluffs, IA 51503

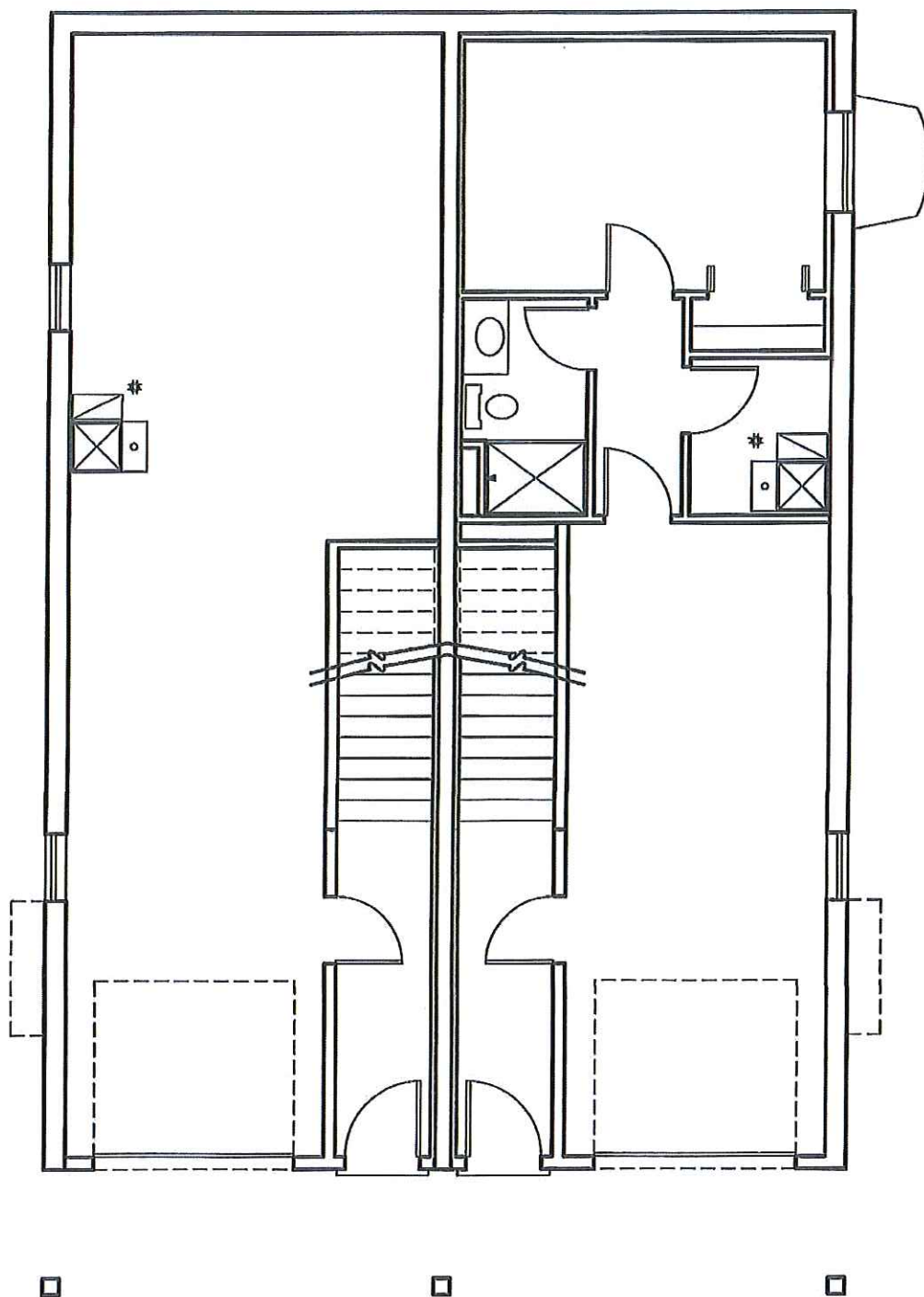




UNIT A	
MAIN LEVEL	744 sq
SECOND LEVEL	749 sq
TOTAL	1493 sq

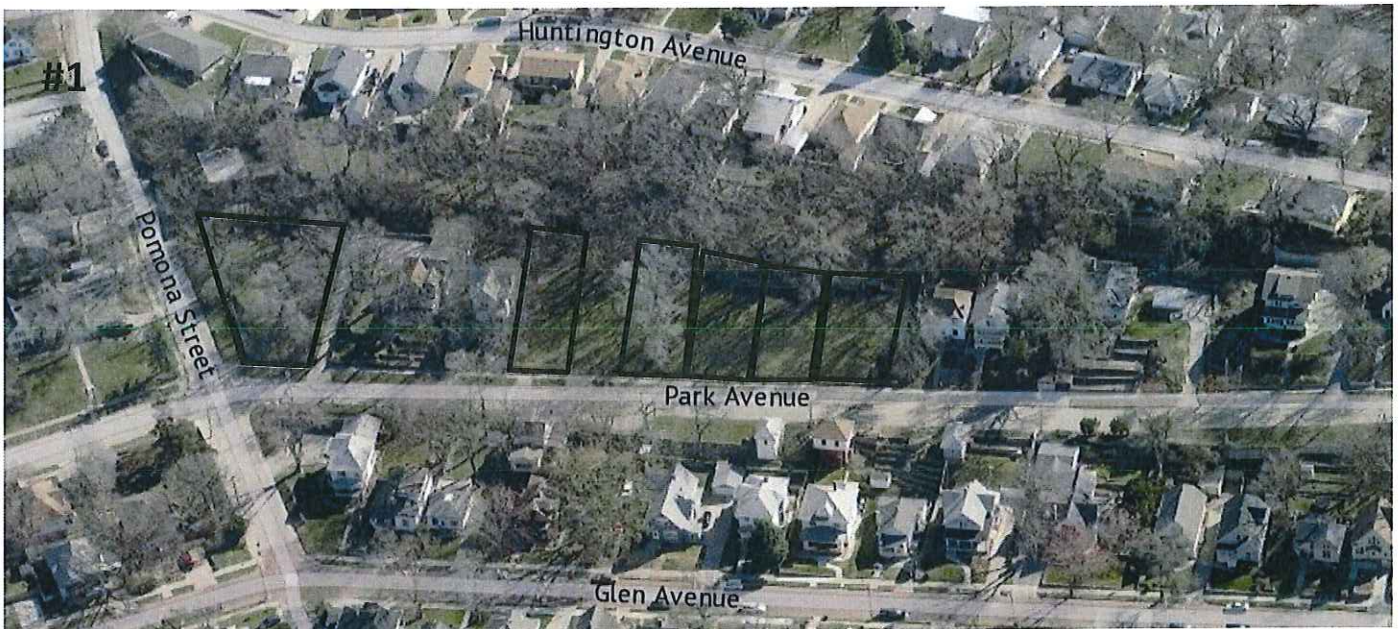
UNIT B	
MAIN LEVEL	744 sq
SECOND LEVEL	749 sq
TOTAL	1493 sq





## Attachment D:

### Site Photos



#### Legend:

Photo #1: Aerial Photos of subject properties (approximate location outlined in black).

Photo #2: Photo of the property formerly addressed as 401 Park Avenue from the corner of Park Avenue and Pomona Street.

Photo #3: Photo of buildable area of the parcel formerly addressed as 401 Park Avenue (facing West).

Photo #4: Photo of rear of property formerly addressed as 401 Park Avenue (facing East).





**Legend:**

Photo #1: View of Park Avenue properties (facing South)

Photo #2: View of Park Avenue Lots (facing South)

Photo #3: Slope of the hill on the front of the Park Avenue Lots (facing North)

Photo #4: Photo of the rear of the Park Avenue properties (facing Northeast)

Photo #5: Rear slope of the rear Park Avenue properties (facing East)



**NOTICE OF PUBLIC HEARING  
ON INTENT TO DISPOSE AND CONVEY 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 to dispose of six properties legally described as Lot 1 and a 20' by 7' strip of vacated Pomona Street Adjacent, Auditor's Subdivision of Lot 1 Block 4 Glendale Addition and that part of Lot 95, Original Plat of Council Bluffs, Iowa West of Huntington Avenue, City of Council Bluffs, Pottawattamie County, Iowa; and Lot 4 and the West ½ of the vacated north/south alley adjacent, Judd's Park Subdivision, City of Council Bluffs, Pottawattamie County, Iowa; and Lot 2 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa; and Lot 3 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa; and Lot 4 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa; and Lot 5 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa.

You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 10<sup>th</sup> day of June, 2019, in the City Council Chambers, 2<sup>nd</sup> 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

CWM

Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 890-5261

RESOLUTION NO. 19-117

A RESOLUTION OF INTENT TO DISPOSE OF CITY PROPERTY DESCRIBED AS LOT 1 AND A 20' BY 7' STRIP OF VACATED POMONA STREET ADJACENT, AUDITOR'S SUBDIVISION OF LOT 1 BLOCK 4 GLENDALE ADDITION AND THAT PART OF LOT 95, ORIGINAL PLAT OF COUNCIL BLUFFS, IOWA WEST OF HUNTINGTON AVENUE, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

WHEREAS, the City has received an offer from Yoder Construction, represented by Bryan Yoder to purchase the City owned property described as Lot 1 and a 20' by 7' strip of vacated Pomona Street Adjacent, Auditor's Subdivision of Lot 1 Block 4 Glendale Addition and that part of Lot 95, Original Plat of Council Bluffs, Iowa West of Huntington Avenue, City of Council Bluffs, Pottawattamie County, Iowa.

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

That the City does hereby express its intent to dispose of City owned property described as Lot 1 and a 20' by 7' strip of vacated Pomona Street Adjacent, Auditor's Subdivision of Lot 1 Block 4 Glendale Addition and that part of Lot 95, Original Plat of Council Bluffs, Iowa West of Huntington Avenue, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That a public hearing be scheduled for June 10, 2019.

ADOPTED  
AND  
APPROVED:

May 20, 2019

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

\_\_\_\_\_  
Mayor

ATTEST:

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

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

Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 890-5261

RESOLUTION NO. 19-118

A RESOLUTION OF INTENT TO DISPOSE OF CITY PROPERTY DESCRIBED AS LOT 4 AND THE WEST ½ OF THE VACATED NORTH/SOUTH ALLEY ADJACENT, JUDD’S PARK SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has received an offer from Yoder Construction, represented by Bryan Yoder to purchase the City owned property described as Lot 4 and the West ½ of the vacated north/south alley adjacent, Judd’s Park Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.

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

That the City does hereby express its intent to dispose of City owned property described as Lot 4 and the West ½ of the vacated north/south alley adjacent, Judd’s Park Subdivision, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That a public hearing be scheduled for June 10, 2019.

ADOPTED  
AND  
APPROVED:

May 20, 2019

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

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

(Case #OTB-19-006)

Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 890-5261

RESOLUTION NO. 19-119

A RESOLUTION OF INTENT TO DISPOSE OF CITY PROPERTY DESCRIBED AS LOT 2 AND THE WEST ½ OF THE VACATED NORTH/SOUTH ALLEY ADJACENT, WELLS PARK ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

WHEREAS, the City has received an offer from Yoder Construction, represented by Bryan Yoder to purchase the City owned property described as Lot 2 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa.

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

That the City does hereby express its intent to dispose of City owned property described as Lot 2 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That a public hearing be scheduled for June 10, 2019.

ADOPTED  
AND  
APPROVED:

May 20, 2019

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

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

(Case #OTB-19-007)

Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 890-5261

RESOLUTION NO.19-120

A RESOLUTION OF INTENT TO DISPOSE OF CITY PROPERTY DESCRIBED AS LOT 3 AND THE WEST ½ OF THE VACATED NORTH/SOUTH ALLEY ADJACENT, WELLS PARK ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has received an offer from Yoder Construction, represented by Bryan Yoder to purchase the City owned property described as Lot 3 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa.

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

That the City does hereby express its intent to dispose of City owned property described as Lot 3 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That a public hearing be scheduled for June 10, 2019.

ADOPTED  
AND  
APPROVED:

May 20, 2019

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

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

(Case #OTB-19-008)

Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 890-5261

RESOLUTION NO. 19-121

A RESOLUTION OF INTENT TO DISPOSE OF CITY PROPERTY DESCRIBED AS LOT 4 AND THE WEST ½ OF THE VACATED NORTH/SOUTH ALLEY ADJACENT, WELLS PARK ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has received an offer from Yoder Construction, represented by Bryan Yoder to purchase the City owned property described as Lot 4 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa.

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

That the City does hereby express its intent to dispose of City owned property described as Lot 4 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That a public hearing be scheduled for June 10, 2019.

ADOPTED  
AND  
APPROVED:

May 20, 2019

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

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

(Case #OTB-19-009)

Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629  
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 890-5261

RESOLUTION NO. 19-122

A RESOLUTION OF INTENT TO DISPOSE OF CITY PROPERTY DESCRIBED AS LOT 5 AND THE WEST ½ OF THE VACATED NORTH/SOUTH ALLEY ADJACENT, WELLS PARK ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has received an offer from Yoder Construction, represented by Bryan Yoder to purchase the City owned property described as Lot 5 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa.

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

That the City does hereby express its intent to dispose of City owned property described Lot 5 and the West ½ of the vacated north/south alley adjacent, Wells Park Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That a public hearing be scheduled for June 10, 2019.

ADOPTED  
AND  
APPROVED:

May 20, 2019

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

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

(Case #OTB-19-010)

### Council Communication

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

Notice of Right of Redemption  
ITEM 3.G.

Council Action: 5/20/2019

#### Description

#### Background/Discussion

#### Recommendation

#### ATTACHMENTS:

Description

[Right of Redemption](#)

Type

Other

Upload Date

5/13/2019

## NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

To:

CARSON D CUSICK, PERSON WHOM PARCEL IS TAXED  
1619 4th Ave  
Council Bluffs, IA 51501  
Service by Certified Mail, Return Receipt Requested and regular mail

TRISHA L CUSICK, PERSON WHOM PARCEL IS TAXED  
1619 4th Avenue  
Council Bluffs, IA 51501  
Service by Certified Mail, Return Receipt Requested and regular mail

CARSON D CUSICK, PERSON WHOM PARCEL IS TAXED  
P.O. Box 388  
509 Birch St.  
Sidney, IA 51652  
Service by Certified Mail, Return Receipt Requested and regular mail

TRISHA L CUSICK, PERSON WHOM PARCEL IS TAXED  
P.O. Box 388  
509 Birch St.  
Sidney, IA 51652  
Service by Certified Mail, Return Receipt Requested and regular mail

PERSON IN POSSESSION, REAL NAME UNKNOWN, PERSON IN POSSESSION  
1619 4th Avenue  
Council Bluffs, IA 51501  
Service by Certified Mail, Return Receipt Requested and regular mail

GLENWOOD STATE BANK, A MORTGAGEE HAVING A LIEN  
32 N. Walnut St.  
P.O. Box 431  
Glenwood, IA 51534  
Service by Certified Mail, Return Receipt Requested and regular mail

POTTAWATTAMIE COUNTY AUDITOR, A PERSON WHO HAS AN INTEREST OF RECORD  
227 South 6th Street  
Council Bluffs, IA 51501  
Service by Certified Mail, Return Receipt Requested and regular mail

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100

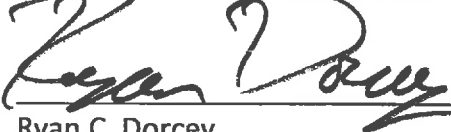
CITY OF COUNCIL BLUFFS, THE CITY WHERE THE PARCEL IS LOCATED  
c/o City Clerk  
209 Pearl St.  
Council Bluffs, IA 51503  
Service by Certified Mail, Return Receipt Requested and regular mail

In accordance with Iowa Code § 447.9, you are hereby notified that:

1. Date of Sale: On June 20, 2016, the following described real property was sold by Pottawattamie County, for delinquent and unpaid taxes levied against the real property.
2. Description of the property sold:
  - a. Address: 1619 4th Avenue, Council Bluffs, IA 51501
  - b. Legal Description: The West 50 feet of Lot Three (3) in Block Forty-four (44) in BEER'S SUBDIVISION to the City of Council Bluffs, Pottawattamie County, Iowa.
3. Name of the Purchaser: On the day of the sale, a certificate of purchase, No. 16-0343 was issued to PAULINA LAND HOLDINGS 5 LLC, who bought the property at the sale.
4. Your Right of Redemption pursuant to Iowa Code will expire and a Deed for the property described above will be made unless redemption is made within ninety (90) days from the completed service of this Notice.
5. If the Right of Redemption is allowed to expire, a tax deed will be issued by the Treasurer of Pottawattamie County.

Dated this 1 day of May, 2019.

PAULINA LAND HOLDINGS 5 LLC



Ryan C. Dorsey  
13575 Lynam Drive  
Omaha, NE 68138  
402-505-4124  
Fax: 402-513-6483  
[rdorsey@eleventalents.com](mailto:rdorsey@eleventalents.com)

**AFFIDAVIT OF SERVICE OF NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION**

STATE OF NEBRASKA                    )

) ss.

COUNTY OF SARPY                    )

Ryan C. Dorcey, being first duly sworn upon oath deposes and states as follows:

1. I am the attorney for PAULINA LAND HOLDINGS 5 LLC, An Iowa Limited Liability Company, (hereinafter "PAULINA LAND HOLDINGS 5 LLC,"), the lawful holder of the Tax Sale Certificate No. 16-0343 under whose direction I have filed this Affidavit and caused service of the Notice of Expiration of Right of Redemption.

2. The property which was sold by the Treasurer of Pottawattamie County, Iowa for the then delinquent and unpaid taxes and/or special assessments is commonly described as 1619 4th Avenue, Council Bluffs, IA 51501, and legally described as:

The West 50 feet of Lot Three (3) in Block Forty-four (44) in BEER'S SUBDIVISION to the City of Council Bluffs, Pottawattamie County, Iowa, (the "Property").

3. Pursuant to Iowa Code § 447.9, separate copies of a Notice of Expiration of Right of Redemption (the "Notice"), a copy of such Notice as attached hereto, were served by Ryan C. Dorcey, attorney for the certificate holder PAULINA LAND HOLDINGS 5 LLC, under the direction of PAULINA LAND HOLDINGS 5 LLC on 1st day of May, 2019. One such copy of the Notice was served on the addressee by mailing the copy in a sealed envelope, bearing the correct postage, by regular United States first class mail, addressed to the addressee. The second such copy was served on the addressee by mailing the copy in a sealed envelope, bearing the correct postage, by certified United States mail, addressed to the addressee. The Notices were mailed to each of the following named parties at the following addresses:

CARSON D CUSICK, PERSON WHOM PARCEL IS TAXED  
1619 4th Ave  
Council Bluffs, IA 51501  
Service by Certified Mail, Return Receipt Requested and regular mail

TRISHA L CUSICK, PERSON WHOM PARCEL IS TAXED  
1619 4th Avenue  
Council Bluffs, IA 51501  
Service by Certified Mail, Return Receipt Requested and regular mail

CARSON D CUSICK, PERSON WHOM PARCEL IS TAXED

P.O. Box 388

509 Birch St.

Sidney, IA 51652

Service by Certified Mail, Return Receipt Requested and regular mail

TRISHA L CUSICK, PERSON WHOM PARCEL IS TAXED

P.O. Box 388

509 Birch St.

Sidney, IA 51652

Service by Certified Mail, Return Receipt Requested and regular mail

PERSON IN POSSESSION, REAL NAME UNKNOWN, PERSON IN POSSESSION

1619 4th Avenue

Council Bluffs, IA 51501

Service by Certified Mail, Return Receipt Requested and regular mail

GLENWOOD STATE BANK, A MORTGAGEE HAVING A LIEN

32 N. Walnut St.

P.O. Box 431

Glenwood, IA 51534

Service by Certified Mail, Return Receipt Requested and regular mail

POTTAWATTAMIE COUNTY AUDITOR, A PERSON WHO HAS AN INTEREST OF RECORD

227 South 6th Street

Council Bluffs, IA 51501

Service by Certified Mail, Return Receipt Requested and regular mail

CITY OF COUNCIL BLUFFS, THE CITY WHERE THE PARCEL IS LOCATED

c/o City Clerk

209 Pearl St.

Council Bluffs, IA 51503

Service by Certified Mail, Return Receipt Requested and regular mail

Copies of the Certified Mail return receipts are attached hereto and incorporated herein. The costs for service by regular and certified mail to the above parties is \$58.40.

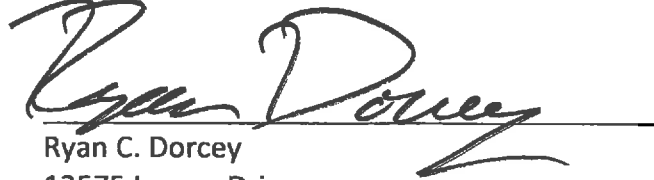
4. The record search of the Property was performed by an abstractor who is an active participant in the title guaranty program under section 16.91 or by an attorney licensed to practice law in the state of Iowa. The cost for the record search is \$225.00.

5. Upon information and belief, none of the parties upon whom the Notice was served was in or within three months last past engaged in the military, armed forces or naval service of the United States or thereby entitled to the benefits of the Servicemembers Civil Relief Act, or similar acts or acts amendatory thereof or supplemental thereto, at the time of the service of the Notice upon them or at the time of the making of this Affidavit.

6. To the knowledge of the undersigned, all conditions required by Iowa Code effective and in existence at the time of the issuance of the Tax Sale Certificate identified herein have been complied with in order that the Treasurer of Pottawattamie County, Iowa may issue a treasurer's deed in favor of PAULINA LAND HOLDINGS 5 LLC.

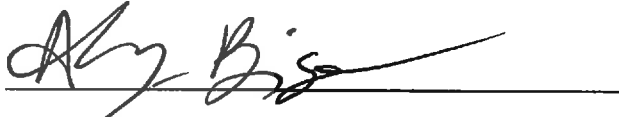
FURTHER AFFIANT SAYETH NOT.

PAULINA LAND HOLDINGS 5 LLC

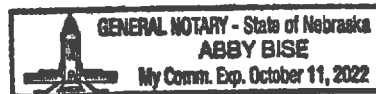


Ryan C. Dorcey  
13575 Lynam Drive  
Omaha, NE 68138  
402-505-4124  
Fax: 402-513-6483  
[rdorcey@eleventalents.com](mailto:rdorcey@eleventalents.com)

Subscribed in my presence and sworn to before me this 1 day of May, 2019, by  
Ryan C. Dorcey.



Notary Public



## NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

To:

SUSAN PRICE, PERSON WHOM PARCEL IS TAXED

809 Avenue E

Council Bluffs, IA 51503

Service by Certified Mail, Return Receipt Requested and regular mail

PERSON IN POSSESSION, REAL NAME UNKNOWN, PERSON IN POSSESSION

809 Avenue E

Council Bluffs, IA 51503

Service by Certified Mail, Return Receipt Requested and regular mail

J. DOE, SPOUSE OF SUSAN PRICE, REAL NAME UNKNOWN, A PERSON WHO HAS AN INTEREST OF RECORD

809 Avenue E

Council Bluffs, IA 51503

Service by Certified Mail, Return Receipt Requested and regular mail

MM FINANCE, LLC D/B/A E-Z MONEY CHECK CASHING, A PERSON WHO HAS AN INTEREST OF RECORD

c/o John Gamble

2540 73rd St.

Urbandale, IA 50322

Service by Certified Mail, Return Receipt Requested and regular mail

RED CREDIT SOLUTIONS LLC, A PERSON WHO HAS AN INTEREST OF RECORD

c/o John Gamble

2540 73rd St.

Urbandale, IA 50322

Service by Certified Mail, Return Receipt Requested and regular mail

GENERAL SERVICE BUREAU INC., A PERSON WHO HAS AN INTEREST OF RECORD

c/o Michael J. O'Bradovich

226 S. 6th St.

Council Bluffs, IA 51501

Service by Certified Mail, Return Receipt Requested and regular mail

POTTAWATTAMIE COUNTY AUDITOR, A PERSON WHO HAS AN INTEREST OF RECORD

227 S. 6th St.

Council Bluffs, IA 51501

Service by Certified Mail, Return Receipt Requested and regular mail

CITY OF COUNCIL BLUFFS, THE CITY WHERE THE PARCEL IS LOCATED  
c/o City Clerk  
209 Pearl St.  
Council Bluffs, IA 51503  
Service by Certified Mail, Return Receipt Requested and regular mail

In accordance with Iowa Code § 447.9, you are hereby notified that:

1. Date of Sale: On June 20, 2016, the following described real property was sold by Pottawattamie County, for delinquent and unpaid taxes levied against the real property.
2. Description of the property sold:
  - a. Address: 809 Avenue E, Council Bluffs, IA 51503
  - b. Legal Description: Lot 5 except the East 15 feet, Block 9, HALL'S ADDITION to the City of Council Bluffs, Pottawattamie County, Iowa.
3. Name of the Purchaser: On the day of the sale, a certificate of purchase, No. 16-0311 was issued to CASILDA LAND HOLDINGS 3 LLC, who bought the property at the sale.
4. Your Right of Redemption pursuant to Iowa Code will expire and a Deed for the property described above will be made unless redemption is made within ninety (90) days from the completed service of this Notice.
5. If the Right of Redemption is allowed to expire, a tax deed will be issued by the Treasurer of Pottawattamie County.

Dated this 7 day of May, 2019.

CASILDA LAND HOLDINGS 3 LLC



Ryan C. Dorsey  
13575 Lynam Drive  
Omaha, NE 68138  
402-505-4124  
Fax: 402-513-6483  
[rdorsey@eleventalents.com](mailto:rdorsey@eleventalents.com)

**AFFIDAVIT OF SERVICE OF NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION**

STATE OF NEBRASKA                    )

) ss.

COUNTY OF SARPY                    )

Ryan C. Dorcey, being first duly sworn upon oath deposes and states as follows:

1. I am the attorney for CASILDA LAND HOLDINGS 3 LLC, An Iowa Limited Liability Company, (hereinafter "CASILDA LAND HOLDINGS 3 LLC,"), the lawful holder of the Tax Sale Certificate No. 16-0311 under whose direction I have filed this Affidavit and caused service of the Notice of Expiration of Right of Redemption.

2. The property which was sold by the Treasurer of Pottawattamie County, Iowa for the then delinquent and unpaid taxes and/or special assessments is commonly described as 809 Avenue E, Council Bluffs, IA 51503, and legally described as:

Lot 5 except the East 15 feet, Block 9, HALL'S ADDITION to the City of Council Bluffs, Pottawattamie County, Iowa, (the "Property").

3. Pursuant to Iowa Code § 447.9, separate copies of a Notice of Expiration of Right of Redemption (the "Notice"), a copy of such Notice as attached hereto, were served by Ryan C. Dorcey, attorney for the certificate holder CASILDA LAND HOLDINGS 3 LLC, under the direction of CASILDA LAND HOLDINGS 3 LLC on 7th day of May, 2019. One such copy of the Notice was served on the addressee by mailing the copy in a sealed envelope, bearing the correct postage, by regular United States first class mail, addressed to the addressee. The second such copy was served on the addressee by mailing the copy in a sealed envelope, bearing the correct postage, by certified United States mail, addressed to the addressee. The Notices were mailed to each of the following named parties at the following addresses:

SUSAN PRICE, PERSON WHOM PARCEL IS TAXED

809 Avenue E

Council Bluffs, IA 51503

Service by Certified Mail, Return Receipt Requested and regular mail

PERSON IN POSSESSION, REAL NAME UNKNOWN, PERSON IN POSSESSION

809 Avenue E

Council Bluffs, IA 51503

Service by Certified Mail, Return Receipt Requested and regular mail

J. DOE, SPOUSE OF SUSAN PRICE, REAL NAME UNKNOWN, A PERSON WHO HAS AN INTEREST OF RECORD

809 Avenue E

Council Bluffs, IA 51503

Service by Certified Mail, Return Receipt Requested and regular mail

MM FINANCE, LLC D/B/A E-Z MONEY CHECK CASHING, A PERSON WHO HAS AN INTEREST OF RECORD

c/o John Gamble

2540 73rd St.

Urbandale, IA 50322

Service by Certified Mail, Return Receipt Requested and regular mail

RED CREDIT SOLUTIONS LLC, A PERSON WHO HAS AN INTEREST OF RECORD

c/o John Gamble

2540 73rd St.

Urbandale, IA 50322

Service by Certified Mail, Return Receipt Requested and regular mail

GENERAL SERVICE BUREAU INC., A PERSON WHO HAS AN INTEREST OF RECORD

c/o Michael J. O'Bradovich

226 S. 6th St.

Council Bluffs, IA 51501

Service by Certified Mail, Return Receipt Requested and regular mail

POTTAWATTAMIE COUNTY AUDITOR, A PERSON WHO HAS AN INTEREST OF RECORD

227 S. 6th St.

Council Bluffs, IA 51501

Service by Certified Mail, Return Receipt Requested and regular mail

CITY OF COUNCIL BLUFFS, THE CITY WHERE THE PARCEL IS LOCATED

c/o City Clerk

209 Pearl St.

Council Bluffs, IA 51503

Service by Certified Mail, Return Receipt Requested and regular mail

Copies of the Certified Mail return receipts are attached hereto and incorporated herein. The costs for service by regular and certified mail to the above parties is \$58.40.

4. The record search of the Property was performed by an abstractor who is an active participant in the title guaranty program under section 16.91 or by an attorney licensed to practice law in the state of Iowa. The cost for the record search is \$225.00.

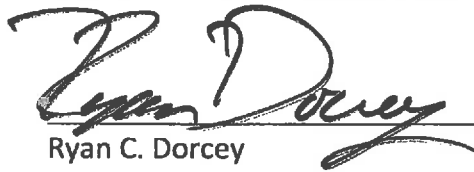
5. Upon information and belief, none of the parties upon whom the Notice was served was in or within three months last past engaged in the military, armed forces or naval service of the United States or thereby entitled to the benefits of the Servicemembers Civil Relief Act, or

similar acts or acts amendatory thereof or supplemental thereto, at the time of the service of the Notice upon them or at the time of the making of this Affidavit.

6. To the knowledge of the undersigned, all conditions required by Iowa Code effective and in existence at the time of the issuance of the Tax Sale Certificate identified herein have been complied with in order that the Treasurer of Pottawattamie County, Iowa may issue a treasurer's deed in favor of CASILDA LAND HOLDINGS 3 LLC.

FURTHER AFFIANT SAYETH NOT.

CASILDA LAND HOLDINGS 3 LLC



Ryan C. Dorcey  
13575 Lynam Drive  
Omaha, NE 68138  
402-505-4124  
Fax: 402-513-6483  
[rdorcey@eleventalents.com](mailto:rdorcey@eleventalents.com)

Subscribed in my presence and sworn to before me this 7 day of May, 2019, by  
Ryan C. Dorcey.

  
Notary Public

TO: HEIRS AND DEVISEES OF CHAD MICHAEL MILLER, 1907 S 11TH ST COUNCIL BLUFFS IA 51501 -OWNER  
HEIRS AND DEVISEES OF CHAD MICHAEL MILLER, 1509 S 7TH ST COUNCIL BLUFFS IA 51501 -OWNER  
PERSON IN POSSESSION, 1907 S 11TH ST COUNCIL BLUFFS IA 51501 -PERSON IN POSSESSION  
ANTHONY MILLER, 134 NICHOLAS ST #5 COUNCIL BLUFFS IA 51503 -HEIR/INTERESTED PARTY  
ANTHONY MILLER, 1806 S 11TH ST COUNCIL BLUFFS IA 51501 -HEIR/INTERESTED PARTY  
CITY OF COUNCIL BLUFFS c/o CITY CLERK, 209 PEAR ST COUNCIL BLUFFS IA 51503 -CITY LIMITS  
ANY OTHER UNKNOWN PERSONS WITH INTEREST

### NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

In accordance with Iowa Code Section 447.9 you are hereby notified that:

1. The property described in paragraph 2 of this Notice was sold at tax sale on  
the 20TH day of June, 2016. The purchaser at tax sale was COMPOUND ASSETS/BMO  
HARRIS.
2. The legal description of the property sold is:  
LOT 4, BLOCK 29 IN HOWARD'S ADDITION TO THE CITY OF COUNCIL BLUFFS,  
POTTAWATTAMIE COUNTY, IOWA a/k/a PARCEL # 744401151003
3. That your right of redemption as set forth in the Iowa Code will expire unless redemption of  
the property is made within 90 days from the date of completed service of this Notice.
4. If the right of redemption is allowed to expire, a tax deed will be issued by the  
Treasurer of POTTAWATTAMIE County.

By 

William White, agent  
for COMPOUND ASSETS/BMO HARRIS

POTTAWATTAMIE 16-0088

CLERK  
JUN 19  
PM 1:59

COMPOUND ASSETS/BMO HARRIS  
'Keeping County Government Working for the Community'  
405 N 115<sup>th</sup> St Ste 100  
Omaha, NE 68154  
Fax 402-399-5350

Dear Recipient of Notice of Expiration of Right of Redemption:

You are receiving the enclosed Notice of Expiration of Right of Redemption because §447.9 of the Iowa Code requires you to receive mailed notice by virtue of the following claim(s) or interest(s) in the real estate, which is the subject of the tax sale. Your claim(s) or interest(s) is described as one of the following:

- ✓ You are the recorded owner.
  - ✓ You are a party in possession of the real estate.
  - ✓ You are the record holder of a judgment against one or more of the people named in the enclosed notice.
  - ✓ You are the holder of a mortgage or other recorded security interest in the property which is subject to the tax certificate.
  - ✓ You are the seller under a contract of sale covering the property which is subject to the tax certificate.
  - ✓ You are the buyer under a contract of sale covering the property which is subject to the tax certificate.
  - ✓ You have some other interest of record in the property.
  - ✓ The City in which the property is located.
- 
- ✓ Farm Service Agency, Farm tenants, whose farming at the legal description of property of:

LOT 4, BLOCK 29 IN HOWARD'S ADDITION TO THE CITY OF COUNCIL BLUFFS,  
POTTAWATTAMIE COUNTY, IOWA a/k/a PARCEL # 744401151003

We hope this information will assist you in determining if you will take action with regard to redemption and will make it unnecessary for you to call us. To find out the redemption amount for this parcel, please contact your county treasurer's office. However, if additional information is still needed, you may contact Bill at 402-399-9049 X 130 and **use reference POTTAWATTAMIE 16-0088**. Thank you.

TO: JEANNIE M. BERGANTZEL, 241 ELDER ST COUNCIL BLUFFS IA 51503 -OWNER  
PERSON IN POSSESSION, 241 ELDER ST COUNCIL BLUFFS IA 51503 -PERSON IN POSSESSION  
CITY OF COUNCIL BLUFFS c/o CITY CLERK, 209 PEARL ST COUNCIL BLUFFS IA 51503 -CITY LIMITS  
ANY OTHER UNKNOWN PERSONS WITH INTEREST

### NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

In accordance with Iowa Code Section 447.9 you are hereby notified that:

1. The property described in paragraph 2 of this Notice was sold at tax sale on  
the 20TH day of June, 2016. The purchaser at tax sale was ADAIR 0075/BMO HARRIS.
2. The legal description of the property sold is:  
  
LOT 9 AUDITOR'S SUBDIVISION OF SUB-LOT 10 IN ORIGINAL PLAT LOT 48 COUNCIL  
BLUFFS, IOWA a/k/a PARCEL # 754425409017
3. That your right of redemption as set forth in the Iowa Code will expire unless redemption of  
the property is made within 90 days from the date of completed service of this Notice.
4. If the right of redemption is allowed to expire, a tax deed will be issued by the  
Treasurer of POTTAWATTAMIE County.

By



William White, agent  
for ADAIR 0075/BMO HARRIS

POTTAWATTAMIE 16-0123

PM1:59

9 JUN 19

CLERK RVD

ADAIR 0075/BMO HARRIS  
'Keeping County Government Working for the Community'  
405 N 115<sup>th</sup> St Ste 100  
Omaha, NE 68154  
Fax 402-399-5350

Dear Recipient of Notice of Expiration of Right of Redemption:

You are receiving the enclosed Notice of Expiration of Right of Redemption because §447.9 of the Iowa Code requires you to receive mailed notice by virtue of the following claim(s) or interest(s) in the real estate, which is the subject of the tax sale. Your claim(s) or interest(s) is described as one of the following:

- ✓ You are the recorded owner.
- ✓ You are a party in possession of the real estate.
- ✓ You are the record holder of a judgment against one or more of the people named in the enclosed notice.
- ✓ You are the holder of a mortgage or other recorded security interest in the property which is subject to the tax certificate.
- ✓ You are the seller under a contract of sale covering the property which is subject to the tax certificate.
- ✓ You are the buyer under a contract of sale covering the property which is subject to the tax certificate.
- ✓ You have some other interest of record in the property.
- ✓ The City in which the property is located.

- 
- ✓ Farm Service Agency, Farm tenants, whose farming at the legal description of property of:

LOT 9 AUDITOR'S SUBDIVISION OF SUB-LOT 10 IN ORIGINAL PLAT LOT 48 COUNCIL  
BLUFFS, IOWA a/k/a PARCEL # 754425409017

We hope this information will assist you in determining if you will take action with regard to redemption and will make it unnecessary for you to call us. To find out the redemption amount for this parcel, please contact your county treasurer's office. However, if additional information is still needed, you may contact Bill at 402-399-9049 X 130 and **use reference POTTAWATTAMIE 16-0123**. Thank you.


TO: RAYMOND LYLE LEE, 116 E ORCHARD AVE COUNCIL BLUFFS IA 51503 -OWNER  
RAYMOND LYLE LEE, 3604 STUART BLVD COUNCIL BLUFFS IA 51501 -OWNER  
PERSON IN POSSESSION, 116 E ORCHARD AVE COUNCIL BLUFFS IA 51503 -PERSON IN POSSESSION  
CITY ATTORNEY FOR COUNCIL BLUFFS, 209 PEARL ST COUNCIL BLUFFS IA 51503 -JUDGMENT CREDITOR  
CITY OF COUNCIL BLUFFS c/o CITY CLERK, 209 PEARL ST COUNCIL BLUFFS IA 51503 -CITY LIMITS  
ANY OTHER UNKNOWN PERSONS WITH INTEREST

### NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

In accordance with Iowa Code Section 447.9 you are hereby notified that:

1. The property described in paragraph 2 of this Notice was sold at tax sale on  
the 20TH day of June, 2016. The purchaser at tax sale was KYLAND/BMO HARRIS.
2. The legal description of the property sold is:  
  
THE EAST 60 FEET OF LOT 8 IN BLOCK 2, IN LINCOLN ACRES, AN ADDITION TO  
COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA a/k/a PARCEL # 754319331014
3. That your right of redemption as set forth in the Iowa Code will expire unless redemption of  
the property is made within 90 days from the date of completed service of this Notice.
4. If the right of redemption is allowed to expire, a tax deed will be issued by the  
Treasurer of POTTAWATTAMIE County.

By

  
William White, agent  
for KYLAND/BMO HARRIS

POTTAWATTAMIE 16-0099

PM1:53

8 MAY 19

CLERK RVD

KYLAND/BMO HARRIS  
'Keeping County Government Working for the Community'  
405 N 115<sup>th</sup> St Ste 100  
Omaha, NE 68154  
Fax 402-399-5350

Dear Recipient of Notice of Expiration of Right of Redemption:

You are receiving the enclosed Notice of Expiration of Right of Redemption because §447.9 of the Iowa Code requires you to receive mailed notice by virtue of the following claim(s) or interest(s) in the real estate, which is the subject of the tax sale. Your claim(s) or interest(s) is described as one of the following:

- ✓ You are the recorded owner.
  - ✓ You are a party in possession of the real estate.
  - ✓ You are the record holder of a judgment against one or more of the people named in the enclosed notice.
  - ✓ You are the holder of a mortgage or other recorded security interest in the property which is subject to the tax certificate.
  - ✓ You are the seller under a contract of sale covering the property which is subject to the tax certificate.
  - ✓ You are the buyer under a contract of sale covering the property which is subject to the tax certificate.
  - ✓ You have some other interest of record in the property.
  - ✓ The City in which the property is located.
- 
- ✓ Farm Service Agency, Farm tenants, whose farming at the legal description of property of:

THE EAST 60 FEET OF LOT 8 IN BLOCK 2, IN LINCOLN ACRES, AN ADDITION TO  
COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA a/k/a PARCEL # 754319331014

We hope this information will assist you in determining if you will take action with regard to redemption and will make it unnecessary for you to call us. To find out the redemption amount for this parcel, please contact your county treasurer's office. However, if additional information is still needed, you may contact Bill at 402-399-9049 X 130 and **use reference POTTAWATTAMIE 16-0099**. Thank you.

TO: R & J CAPITAL, 3436 AVE B COUNCIL BLUFFS IA 51501 -OWNER  
R & J CAPITAL, 37 HORIZON DRIVE COUNCIL BLUFFS IA 51503 -OWNEER  
R & J CAPITAL, 15259 214TH ST COUNCIL BLUFFS IA 51503 -OWNER  
R & J CAPITAL, 159 NORWOOD DRIVE COUNCIL BLUFFS IA 51503 -OWNER  
JAMES A. WATSON, 535 W. BROADWAY #200 COUNCIL BLUFFS IA 51503 -REGISTERED AGENT  
PERSON IN POSSESSION, 3436 AVE B COUNCIL BLUFFS IA 51501 -PERSON IN POSSESSION  
PINNACLE BANK, 1016 DOUNGLAS ST ON THE MALL OMAHA NE 68102 -MORTGAGE HOLDER/ASSIGNMENT OF  
RENTS HOLDER  
PINNACLE BANK, 1401 N ST LINCOLN NE 68508 MORTGAGE HOLDER/ASSIGNMENT OF RENTS HOLDER  
CITY OF COUNCIL BLUFFS c/o CITY CLERK, 209 PEARL ST COUNCIL BLUFFS IA 51503 -CITY LIMITS  
ANY OTHER UNKNOWN PERSONS WITH INTEREST

### NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

In accordance with Iowa Code Section 447.9 you are hereby notified that:

1. The property described in paragraph 2 of this Notice was sold at tax sale on  
the 20TH day of June, 2016. The purchaser at tax sale was ADAIR 0280/BMO HARRIS.
2. The legal description of the property sold is:  
LOT 7, BLOCK 17, FERRY ADDITION TO COUNCIL BLUFFS, POTTAWATTAMIE COUNTY,  
IOWA a/k/a PARCEL # 754428480023
3. That your right of redemption as set forth in the Iowa Code will expire unless redemption of  
the property is made within 90 days from the date of completed service of this Notice.
4. If the right of redemption is allowed to expire, a tax deed will be issued by the  
Treasurer of POTTAWATTAMIE County.

By 

William White, agent  
for ADAIR 0280/BMO HARRIS

POTTAWATTAMIE 16-0152

CLERK  
8 MAY 19  
PM 1:59

ADAIR 0280/BMO HARRIS  
'Keeping County Government Working for the Community'  
405 N 115<sup>th</sup> St Ste 100  
Omaha, NE 68154  
Fax 402-399-5350

Dear Recipient of Notice of Expiration of Right of Redemption:

You are receiving the enclosed Notice of Expiration of Right of Redemption because §447.9 of the Iowa Code requires you to receive mailed notice by virtue of the following claim(s) or interest(s) in the real estate, which is the subject of the tax sale. Your claim(s) or interest(s) is described as one of the following:

- ✓ You are the recorded owner.
  - ✓ You are a party in possession of the real estate.
  - ✓ You are the record holder of a judgment against one or more of the people named in the enclosed notice.
  - ✓ You are the holder of a mortgage or other recorded security interest in the property which is subject to the tax certificate.
  - ✓ You are the seller under a contract of sale covering the property which is subject to the tax certificate.
  - ✓ You are the buyer under a contract of sale covering the property which is subject to the tax certificate.
  - ✓ You have some other interest of record in the property.
  - ✓ The City in which the property is located.
- 
- ✓ Farm Service Agency, Farm tenants, whose farming at the legal description of property of:

LOT 7, BLOCK 17, FERRY ADDITION TO COUNCIL BLUFFS, POTTAWATTAMIE COUNTY,  
IOWA a/k/a PARCEL # 754428480023

We hope this information will assist you in determining if you will take action with regard to redemption and will make it unnecessary for you to call us. To find out the redemption amount for this parcel, please contact your county treasurer's office. However, if additional information is still needed, you may contact Bill at 402-399-9049 X 130 and **use reference POTTAWATTAMIE 16-0152**. Thank you.

TO: KORINDA LEA HENDRIX, 4041 RAMELLE DR COUNCIL BLUFFS IA 51501 -OWNER  
KORINDA LEA HENDRIX, 2903 MARGARET AVE COUNCIL BLUFFS IA 51501 -OWNER  
PERSON IN POSSESSION, 4041 RAMELLE DR COUNCIL BLUFFS IA 51501 -PERSON IN POSSESSION  
ACCREDITED COLLECTION SERVICE, 714 TARA PLAZA PAPILLION NE 68046 JUDGMENT CREDITOR  
ACCREDITED COLLECTION SERVICE c/o DAVID WETSCH, 974 73RD ST DES MOINES IA 50324 -REGISTERED  
AGENT  
VELOCITY INVESTMENTS, LLC, 1800 ROUTE 34 NORTH #305 WALL NJ 07719 -JUDGMENT CREDITOR  
CORPORATION SERVICE COMPANY, 505 5TH AVE #729 DES MOINES IA 50309 -REGISTERED AGENT  
CITY OF COUNCIL BLUFFS c/o CITY CLERK, 209 PEARL ST COUNCIL BLUFFS IA 51503 -CITY LIMITS  
ANY OTHER UNKNOWN PERSONS WITH INTEREST

### NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

In accordance with Iowa Code Section 447.9 you are hereby notified that:

1. The property described in paragraph 2 of this Notice was sold at tax sale on  
the 20TH day of June, 2016. The purchaser at tax sale was ADAIR 0055/BMO HARRIS.
2. The legal description of the property sold is:

LOTS 281 AND 282 IN TWIN CITIES PLAZA, A SUBURBAN SUBDIVISION IN POTTAWATTAMIE COUNTY, IOWA,  
NOW A PART OF THE CITY OF COUNCIL BLUFFS, IOWA, EXCEPT THE FOLLOWING DESCRIBED PORTIONS OF  
LOT 282: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 282; THENCE EAST ALONG THE NORTH  
LINE OF SAID LOT 282 TO THE EAST LINE THEREOF; THENCE SOUTH 29.385 FEET ALONG THE EAST LINE OF  
SAID LOT 282; THENCE WESTERLY TO A POINT ON THE WEST LINE OF SAID LOT 282 WHICH IS 21.695 FEET  
SOUTH OF THE POINT OF BEGINNING; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 282 TO THE  
POINT OF BEGINNING a/k/a PARCEL # 744415129001

3. That your right of redemption as set forth in the Iowa Code will expire unless redemption of  
the property is made within 90 days from the date of completed service of this Notice.
4. If the right of redemption is allowed to expire, a tax deed will be issued by the  
Treasurer of POTTAWATTAMIE County.

By 

William White, agent  
for ADAIR 0055/BMO HARRIS

POTTAWATTAMIE 16-0188

CLERK  
0 MAY 19  
PM 1:59

ADAIR 0055/BMO HARRIS  
'Keeping County Government Working for the Community'  
405 N 115<sup>th</sup> St Ste 100  
Omaha, NE 68154  
Fax 402-399-5350

Dear Recipient of Notice of Expiration of Right of Redemption:

You are receiving the enclosed Notice of Expiration of Right of Redemption because §447.9 of the Iowa Code requires you to receive mailed notice by virtue of the following claim(s) or interest(s) in the real estate, which is the subject of the tax sale. Your claim(s) or interest(s) is described as one of the following:

- ✓ You are the recorded owner.
- ✓ You are a party in possession of the real estate.
- ✓ You are the record holder of a judgment against one or more of the people named in the enclosed notice.
- ✓ You are the holder of a mortgage or other recorded security interest in the property which is subject to the tax certificate.
- ✓ You are the seller under a contract of sale covering the property which is subject to the tax certificate.
- ✓ You are the buyer under a contract of sale covering the property which is subject to the tax certificate.
- ✓ You have some other interest of record in the property.
- ✓ The City in which the property is located.
- ✓ Farm Service Agency, Farm tenants, whose farming at the legal description of property of:

LOTS 281 AND 282 IN TWIN CITIES PLAZA, A SUBURBAN SUBDIVISION IN POTTAWATTAMIE COUNTY, IOWA, NOW A PART OF THE CITY OF COUNCIL BLUFFS, IOWA, EXCEPT THE FOLLOWING DESCRIBED PORTIONS OF LOT 282: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 282; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 282 TO THE EAST LINE THEREOF; THENCE SOUTH 29.385 FEET ALONG THE EAST LINE OF SAID LOT 282; THENCE WESTERLY TO A POINT ON THE WEST LINE OF SAID LOT 282 WHICH IS 21.695 FEET SOUTH OF THE POINT OF BEGINNING; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 282 TO THE POINT OF BEGINNING a/k/a PARCEL # 744415129001

We hope this information will assist you in determining if you will take action with regard to redemption and will make it unnecessary for you to call us. To find out the redemption amount for this parcel, please contact your county treasurer's office. However, if additional information is still needed, you may contact Bill at 402-399-9049 X 130 and **use reference POTTAWATTAMIE 16-0188**. Thank you.

TO: COUNCIL BLUFFS DEVELOPMENT CORP. 923 AVE C COUNCIL BLUFFS IA 51503 -OWNER  
COUNCIL BLUFFS DEVELOPMENT CORP. c/o PMR PROPERTIES, 1403 N 17TH ST COUNCIL BLUFFS IA 51501 -  
OWNER  
COUNCIL BLUFFS DEVELOPMENT CORP. c/o PATRICK RIGG, 1403 N 17TH ST COUNCIL BLUFFS IA 51501 -  
REGISTERED AGENT  
PERSON IN POSSESSION, 923 AVE C COUNCIL BLUFFS IA 51503 -PERSON IN POSSESSION  
CITY ATTORNEY FOR COUNCIL BLUFFS, 209 PEARL ST COUNCIL BLUFFS IA 51503 -JUDGMENT CREDITOR  
CITY OF COUNCIL BLUFFS c/o CITY CLERK, 209 PEARL ST COUNCIL BLUFFS IA 51503 -CITY LIMITS  
ANY OTHER UNKNOWN PERSONS WITH INTEREST

### NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

In accordance with Iowa Code Section 447.9 you are hereby notified that:

1. The property described in paragraph 2 of this Notice was sold at tax sale on  
  
the 20TH day of June, 2016. The purchaser at tax sale was IADT PROPERTIES/BMO  
HARRIS.
2. The legal description of the property sold is:  
  
LOT 4, BLOCK 12, GRIMES ADDITION, COUNCIL BLUFFS, POTTAWATTAMIE COUNTY,  
IOWA a/k/a PARCEL # 754425354005
3. That your right of redemption as set forth in the Iowa Code will expire unless redemption of  
  
the property is made within 90 days from the date of completed service of this Notice.
4. If the right of redemption is allowed to expire, a tax deed will be issued by the  
  
Treasurer of POTTAWATTAMIE County.

By



William White, agent

for IADT PROPERTIES/BMO HARRIS

POTTAWATTAMIE 16-0119

CLERK  
9 MAY 15  
PM 1:59

IADT PROPERTIES/BMO HARRIS  
'Keeping County Government Working for the Community'  
405 N 115<sup>th</sup> St Ste 100  
Omaha, NE 68154  
Fax 402-399-5350

Dear Recipient of Notice of Expiration of Right of Redemption:

You are receiving the enclosed Notice of Expiration of Right of Redemption because §447.9 of the Iowa Code requires you to receive mailed notice by virtue of the following claim(s) or interest(s) in the real estate, which is the subject of the tax sale. Your claim(s) or interest(s) is described as one of the following:

- ✓ You are the recorded owner.
  - ✓ You are a party in possession of the real estate.
  - ✓ You are the record holder of a judgment against one or more of the people named in the enclosed notice.
  - ✓ You are the holder of a mortgage or other recorded security interest in the property which is subject to the tax certificate.
  - ✓ You are the seller under a contract of sale covering the property which is subject to the tax certificate.
  - ✓ You are the buyer under a contract of sale covering the property which is subject to the tax certificate.
  - ✓ You have some other interest of record in the property.
  - ✓ The City in which the property is located.
- 
- ✓ Farm Service Agency, Farm tenants, whose farming at the legal description of property of:

LOT 4, BLOCK 12, GRIMES ADDITION, COUNCIL BLUFFS, POTTAWATTAMIE COUNTY,  
IOWA a/k/a PARCEL # 754425354005

We hope this information will assist you in determining if you will take action with regard to redemption and will make it unnecessary for you to call us. To find out the redemption amount for this parcel, please contact your county treasurer's office. However, if additional information is still needed, you may contact Bill at 402-399-9049 X 130 and **use reference POTTAWATTAMIE 16-0119**. Thank you.


TO: HEIRS AND DEVISEES OF MABEL R. HEUERMANN, 834 GRACE ST COUNCIL BLUFFS IA 51503 -OWNER  
HEIRS AND DEVISEES OF MABEL R. HEUERMANN, 610 VETERANS MEMORIAL HWY COUNCIL BLUFFS IA 51501 -  
OWNER  
PERSON IN POSSESSION, 834 GRACE ST COUNCIL BLUFFS IA 51503 -PERSON IN POSSESSION  
CHERYL BENNA HEMMINGSEN, 610 VETERANS MEMORIAL HWY COUNCIL BLUFFS IA 51501 -HEIR/INTERESTED  
PARTY  
CHERYL BENNA HEMMINGSEN, 1920 N 1ST AVE #84 TUCSON AZ 85719 -HEIR/INTERESTED PARTY  
STATE OF IOWA DEPARTMENT OF REVENUE, HOOVER STATE OFFICE BUILDING, PO BOX 10471 DES MOINES IA  
50306 -STATE TAX LIEN  
CITY OF COUNCIL BLUFFS c/o CITY CLERK, 209 PEARL ST COUNCIL BLUFFS IA 51503 -CITY LIMITS  
ANY OTHER UNKNOWN PERSONS WITH INTEREST

### NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

In accordance with Iowa Code Section 447.9 you are hereby notified that:

1. The property described in paragraph 2 of this Notice was sold at tax sale on  
the 20TH day of June, 2016. The purchaser at tax sale was ADAIR 0235/BMO HARRIS.
2. The legal description of the property sold is:  
  
LOT 4 IN AUDITOR'S SUBDIVISION OF LOT 18, NE 1/4 NW 1/4 SECTION 31, TOWNSHIP 75,  
RANGE 43, PART OF OUTLOT A, AUDITOR'S SUBDIVISION OF LOT 18 AUDITOR'S  
SUBDIVISION OF NE 1/4 NW 1/4 SECTION 31, TOWNSHIP 75, RANGE 43,  
POTTAWATTAMIE, COUNTY, IOWA a/k/a PARCEL # 754331128011
3. That your right of redemption as set forth in the Iowa Code will expire unless redemption of  
the property is made within 90 days from the date of completed service of this Notice.
4. If the right of redemption is allowed to expire, a tax deed will be issued by the  
Treasurer of POTTAWATTAMIE County.

By

  
William White, agent  
for ADAIR 0235/BMO HARRIS

POTTAWATTAMIE 16-0105

CLERK RCD  
8 MAY 19  
PM 1:50

ADAIR 0235/BMO HARRIS  
'Keeping County Government Working for the Community'  
405 N 115<sup>th</sup> St Ste 100  
Omaha, NE 68154  
Fax 402-399-5350

Dear Recipient of Notice of Expiration of Right of Redemption:

You are receiving the enclosed Notice of Expiration of Right of Redemption because §447.9 of the Iowa Code requires you to receive mailed notice by virtue of the following claim(s) or interest(s) in the real estate, which is the subject of the tax sale. Your claim(s) or interest(s) is described as one of the following:

- ✓ You are the recorded owner.
  - ✓ You are a party in possession of the real estate.
  - ✓ You are the record holder of a judgment against one or more of the people named in the enclosed notice.
  - ✓ You are the holder of a mortgage or other recorded security interest in the property which is subject to the tax certificate.
  - ✓ You are the seller under a contract of sale covering the property which is subject to the tax certificate.
  - ✓ You are the buyer under a contract of sale covering the property which is subject to the tax certificate.
  - ✓ You have some other interest of record in the property.
  - ✓ The City in which the property is located.
- 
- ✓ Farm Service Agency, Farm tenants, whose farming at the legal description of property of:

LOT 4 IN AUDITOR'S SUBDIVISION OF LOT 18, NE 1/4 NW 1/4 SECTION 31, TOWNSHIP 75, RANGE 43, PART OF OUTLOT A, AUDITOR'S SUBDIVISION OF LOT 18 AUDITOR'S SUBDIVISION OF NE 1/4 NW 1/4 SECTION 31, TOWNSHIP 75, RANGE 43, POTTAWATTAMIE, COUNTY, IOWA a/k/a PARCEL # 754331128011

We hope this information will assist you in determining if you will take action with regard to redemption and will make it unnecessary for you to call us. To find out the redemption amount for this parcel, please contact your county treasurer's office. However, if additional information is still needed, you may contact Bill at 402-399-9049 X 130 and **use reference POTTAWATTAMIE 16-0105**. Thank you.

### Council Communication

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

Offer to Buy  
ITEM 3.H.

Council Action: 5/20/2019

<b>Description</b>
--------------------

<b>Background/Discussion</b>
------------------------------

<b>Recommendation</b>
-----------------------

**ATTACHMENTS:**

Description

[Offer to Buy](#)

Type

Other

Upload Date

5/13/2019

# APPLICATION TO PURCHASE CITY PROPERTY

Submit To: Jodi Quakenbush, City Clerk  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

THE UNDERSIGNED (hereby designated as Buyers) hereby offer to buy the real estate situated in Council Bluffs, Pottawattamie County, Iowa, generally described as follows:

Aud SUB LT 1 BLK 4 Glendale & PT O P LT 95 LT 1 & 20' x 7'  
Strip Vac Pamona St ADS - 401 Park

Buyers are applying to purchase this property for the following purpose(s):

Construct one or two family dwelling.

Buyers offer a total sum of \$ 1727.70.

Buyers submit a down payment in the sum of \$ 1677.70 + \$50 Non-refundable Administrative Fee.

## In consideration of the information above, Buyers hereby certify and agree to the following:

- Buyers shall submit a down payment of 10% of the last assessed or appraised value for a buildable lot, OR 10% of a value established by the Street Property Fee Schedule for non-buildable remnant parcels.
- The down payment shall be refunded if the offer is not accepted by the City Council, however, if the buyer does not purchase the property within the specified timeframe (60 days, unless otherwise approved), or withdraws their offer, the down payment is not refundable. The administrative fee is not refundable under any circumstances.
- City personnel shall review all applications submitted and make any recommendations deemed appropriate with respects to acceptance, rejection or modification (if any), however, approval of this application shall be in the sole discretion of the Council Bluffs City Council.
- Title shall be taken subject to applicable zoning restrictions, and Buyer understands and attests that their proposed use would conform with all permitted uses in that zoning classification. Any proposed use deemed to be non-conforming shall result in forfeiture of this application.
- City shall quit claim its title interest to the Buyer by City Deed, subject to any and all applicable easements, covenants, servient estates and any other appurtenant restrictions to the land.
- Buyers are not subject to any liens, delinquent taxes, unpaid property violations or other outstanding costs and/or fines associated with property ownership and maintenance.
- Buyers shall finance the purchase of the property by any one of the following means (please circle):
  - Cash
  - Certified Check
  - Third Party Mortgage
  - (d) City Financing with Mortgage/Promissory Note - Forgivable mortgage
- All subsequent taxes shall be paid by Buyers.
- All subsequent special assessments shall be paid by Buyers.
- Upon payment of the purchase price as provided in paragraph (g), the City shall convey title by City Deed and shall pay all filing fees associated with recording the deed with the Pottawattamie County Recorder.

[Signature] 4/26/19  
Buyer Signature Date

Bryan Yoder, Yoder Construction, Inc

Print Name

Address 101 McCardless Ln A Council Bluffs, IA

Phone/Email 402-332-8226

Buyer Signature Date

Print Name

Address

Phone/Email

bryan.yoder@construction@gmail.com

## Internal Use Only

Buildable Lot  
Remnant Parcel  
Previously Vacated ROW

Date Received  
Case #Assigned 07B-19-005  
Payment with Offer

Offer Sufficient for Review

Approved for Processing:

APPLICATION TO PURCHASE CITY PROPERTY

Submit To: Jodi Quakenbush, City Clerk  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

THE UNDERSIGNED (hereby designated as Buyers) hereby offer to buy the real estate situated in Council Bluffs, Pottawattamie County, Iowa, generally described as follows:

Judds Park LT 4 & W 1/2 VAC N/S Alley Ads

Buyers are applying to purchase this property for the following purpose(s):

Construct new one &/or two Family dwelling 409 Park

Buyers offer a total sum of \$ 1312.60.

Buyers submit a down payment in the sum of \$ 1262.60 + \$50 Non-refundable Administrative Fee.

In consideration of the information above, Buyers hereby certify and agree to the following:

- Buyers shall submit a down payment of 10% of the last assessed or appraised value for a buildable lot, OR 10% of a value established by the Street Property Fee Schedule for non-buildable remnant parcels.
- The down payment shall be refunded if the offer is not accepted by the City Council, however, if the buyer does not purchase the property within the specified timeframe (60 days, unless otherwise approved), or withdraws their offer, the down payment is not refundable. The administrative fee is not refundable under any circumstances.
- City personnel shall review all applications submitted and make any recommendations deemed appropriate with respects to acceptance, rejection or modification (if any), however, approval of this application shall be in the sole discretion of the Council Bluffs City Council.
- Title shall be taken subject to applicable zoning restrictions, and Buyer understands and attests that their proposed use would conform with all permitted uses in that zoning classification. Any proposed use deemed to be non-conforming shall result in forfeiture of this application.
- City shall quit claim its title interest to the Buyer by City Deed, subject to any and all applicable easements, covenants, servient estates and any other appurtenant restrictions to the land.
- Buyers are not subject to any liens, delinquent taxes, unpaid property violations or other outstanding costs and/or fines associated with property ownership and maintenance.
- Buyers shall finance the purchase of the property by any one of the following means (please circle):
  - Cash
  - Certified Check
  - Third Party Mortgage
  - City Financing with Mortgage/Promissory Note
- All subsequent taxes shall be paid by Buyers.
- All subsequent special assessments shall be paid by Buyers.
- Upon payment of the purchase price as provided in paragraph (g), the City shall convey title by City Deed and shall pay all filing fees associated with recording the deed with the Pottawattamie County Recorder.

Buyer Signature

Bryan Yoder - Yoder Construction, Inc

Print Name

Address 101 N° Candless Ln A Co. Bluffs, Ia

Phone/Email 402-332-8226

bryan.yoder@construction@gmail.com

Date

Buyer Signature

Date

Print Name

Address

Phone/Email

Internal Use Only

Date Received

Case #Assigned

Payment with Offer

71

Offer Sufficient for Review

Approved for Processing:

☐ Buildable Lot  
☐ Remnant Parcel  
☐ Previously Vacated ROW

# APPLICATION TO PURCHASE CITY PROPERTY

Submit To: Jodi Quakenbush, City Clerk  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

THE UNDERSIGNED (hereby designated as Buyers) hereby offer to buy the real estate situated in Council Bluffs, Pottawattamie County, Iowa, generally described as follows:

Wells Park ADD LT 2 & W 1/2 VAC N/S Alley ADS

Buyers are applying to purchase this property for the following purpose(s):

Construct new one &/or two Family Dwelling 431 Park

Buyers offer a total sum of \$ 1,295.20

Buyers submit a down payment in the sum of \$ 1,245.20 + \$50 Non-refundable Administrative Fee.

**In consideration of the information above, Buyers hereby certify and agree to the following:**

- Buyers shall submit a down payment of 10% of the last assessed or appraised value for a buildable lot, OR 10% of a value established by the Street Property Fee Schedule for non-buildable remnant parcels.
- The down payment shall be refunded if the offer is not accepted by the City Council, however, if the buyer does not purchase the property within the specified timeframe (60 days, unless otherwise approved), or withdraws their offer, the down payment is not refundable. The administrative fee is not refundable under any circumstances.
- City personnel shall review all applications submitted and make any recommendations deemed appropriate with respects to acceptance, rejection or modification (if any), however, approval of this application shall be in the sole discretion of the Council Bluffs City Council.
- Title shall be taken subject to applicable zoning restrictions, and Buyer understands and attests that their proposed use would conform with all permitted uses in that zoning classification. Any proposed use deemed to be non-conforming shall result in forfeiture of this application.
- City shall quit claim its title interest to the Buyer by City Deed, subject to any and all applicable easements, covenants, servient estates and any other appurtenant restrictions to the land.
- Buyers are not subject to any liens, delinquent taxes, unpaid property violations or other outstanding costs and/or fines associated with property ownership and maintenance.
- Buyers shall finance the purchase of the property by any one of the following means (please circle):
  - Cash
  - Certified Check
  - Third Party Mortgage
  - City Financing with Mortgage/Promissory Note
- All subsequent taxes shall be paid by Buyers.
- All subsequent special assessments shall be paid by Buyers.
- Upon payment of the purchase price as provided in paragraph (g), the City shall convey title by City Deed and shall pay all filing fees associated with recording the deed with the Pottawattamie County Recorder.

Buyer Signature

Date

Buyer Signature

Date

Print Name

Print Name

Address 101 McCallless Ln A Co Bluffs, Ia

Address

Phone/Email 402-332-8226

Phone/Email

Internal Use Only

☐ Buildable Lot  
☐ Remnant Parcel  
☐ Previously Vacated ROW

Date Received 07/14/13  
Case #Assigned 0713-19-007  
Payment with Offer ☐

☐ Offer Sufficient for Review

Approved for Processing: \_\_\_\_\_

# APPLICATION TO PURCHASE CITY PROPERTY

Submit To: Jodi Quakenbush, City Clerk  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

THE UNDERSIGNED (hereby designated as Buyers) hereby offer to buy the real estate situated in Council Bluffs, Pottawattamie County, Iowa, generally described as follows:

Wells Park ADD LT 3 & W 1/2 PAC N/6 Alley ADD

Buyers are applying to purchase this property for the following purpose(s):

Construct New one & 1/2 two Family Dwelling 435 Park

Buyers offer a total sum of \$ 1,226.20.

Buyers submit a down payment in the sum of \$ 1,176.20 + \$50 Non-refundable Administrative Fee.

**In consideration of the information above, Buyers hereby certify and agree to the following:**

- Buyers shall submit a down payment of 10% of the last assessed or appraised value for a buildable lot, OR 10% of a value established by the Street Property Fee Schedule for non-buildable remnant parcels.
- The down payment shall be refunded if the offer is not accepted by the City Council, however, if the buyer does not purchase the property within the specified timeframe (60 days, unless otherwise approved), or withdraws their offer, the down payment is not refundable. The administrative fee is not refundable under any circumstances.
- City personnel shall review all applications submitted and make any recommendations deemed appropriate with respects to acceptance, rejection or modification (if any), however, approval of this application shall be in the sole discretion of the Council Bluffs City Council.
- Title shall be taken subject to applicable zoning restrictions, and Buyer understands and attests that their proposed use would conform with all permitted uses in that zoning classification. Any proposed use deemed to be non-conforming shall result in forfeiture of this application.
- City shall quit claim its title interest to the Buyer by City Deed, subject to any and all applicable easements, covenants, servient estates and any other appurtenant restrictions to the land.
- Buyers are not subject to any liens, delinquent taxes, unpaid property violations or other outstanding costs and/or fines associated with property ownership and maintenance.
- Buyers shall finance the purchase of the property by any one of the following means (please circle):
  - Cash
  - Certified Check
  - Third Party Mortgage
  - City Financing with Mortgage/Promissory Note
- All subsequent taxes shall be paid by Buyers.
- All subsequent special assessments shall be paid by Buyers.
- Upon payment of the purchase price as provided in paragraph (g), the City shall convey title by City Deed and shall pay all filing fees associated with recording the deed with the Pottawattamie County Recorder.

Buyer Signature

Date

Buyer Signature

Date

Print Name

Print Name

Address 101 m'candless Ln A Co Bluffs Ia

Address

Phone/Email 402-332-8226

Phone/Email

bryan.yoder.construction@gmail.com

**Internal Use Only**

☐ Buildable Lot  
☐ Remnant Parcel  
☐ Previously Vacated ROW

Date Received 7/26/19  
Case #Assigned OTB-19-008  
Payment with Offer ☒

☐ Offer Sufficient for Review

Approved for Processing: \_\_\_\_\_

APPLICATION TO PURCHASE CITY PROPERTY

Submit To: Jodi Quakenbush, City Clerk  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

THE UNDERSIGNED (hereby designated as Buyers) hereby offer to buy the real estate situated in Council Bluffs, Pottawattamie County, Iowa, generally described as follows:

Wells Park ADD LT 4 & W 1/2 VAC N/S Alley Ads

Buyers are applying to purchase this property for the following purpose(s):

Construct New one &/or two Family Dwelling 437 Park

Buyers offer a total sum of \$ 1208.80.

Buyers submit a down payment in the sum of \$ 1158.80 + \$50 Non-refundable Administrative Fee.

In consideration of the information above, Buyers hereby certify and agree to the following:

- (a) Buyers shall submit a down payment of 10% of the last assessed or appraised value for a buildable lot, OR 10% of a value established by the Street Property Fee Schedule for non-buildable remnant parcels.
- (b) The down payment shall be refunded if the offer is not accepted by the City Council, however, if the buyer does not purchase the property within the specified timeframe (60 days, unless otherwise approved), or withdraws their offer, the down payment is not refundable. The administrative fee is not refundable under any circumstances.
- (c) City personnel shall review all applications submitted and make any recommendations deemed appropriate with respects to acceptance, rejection or modification (if any), however, approval of this application shall be in the sole discretion of the Council Bluffs City Council.
- (d) Title shall be taken subject to applicable zoning restrictions, and Buyer understands and attests that their proposed use would conform with all permitted uses in that zoning classification. Any proposed use deemed to be non-conforming shall result in forfeiture of this application.
- (e) City shall quit claim its title interest to the Buyer by City Deed, subject to any and all applicable easements, covenants, servient estates and any other appurtenant restrictions to the land.
- (f) Buyers are not subject to any liens, delinquent taxes, unpaid property violations or other outstanding costs and/or fines associated with property ownership and maintenance.
- (g) Buyers shall finance the purchase of the property by any one of the following means (please circle):
  - a. Cash
  - b. Certified Check
  - c. Third Party Mortgage
  - d. City Financing with Mortgage/Promissory Note
- (h) All subsequent taxes shall be paid by Buyers.
- (i) All subsequent special assessments shall be paid by Buyers.
- (j) Upon payment of the purchase price as provided in paragraph (g), the City shall convey title by City Deed and shall pay all filing fees associated with recording the deed with the Pottawattamie County Recorder.

Buyer Signature

Date

Buyer Signature

Date

Print Name

Print Name

Address 101 McCallless Ln A Co. Bluffs

Address

Phone/Email 402-332-8226

Phone/Email

bryan.yoder.construction@gmail.com

Internal Use Only

Buildable Lot

Remnant Parcel

Previously Vacated ROW

Date Received

Case #Assigned 07B-17-009

Payment with Offer

Offer Sufficient for Review

Approved for Processing:

# APPLICATION TO PURCHASE CITY PROPERTY

Submit To: Jodi Quakenbush, City Clerk  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

THE UNDERSIGNED (hereby designated as Buyers) hereby offer to buy the real estate situated in Council Bluffs, Pottawattamie County, Iowa, generally described as follows:

Wells Park ADD LT 5 & W 1/2 VAC N/S Alley ADD

Buyers are applying to purchase this property for the following purpose(s):

Construct new one &/or two Family Dwelling 441 Park

Buyers offer a total sum of \$ 1,174.20.

Buyers submit a down payment in the sum of \$ 1,124.20 + \$50 Non-refundable Administrative Fee.

## In consideration of the information above, Buyers hereby certify and agree to the following:

- Buyers shall submit a down payment of 10% of the last assessed or appraised value for a buildable lot, OR 10% of a value established by the Street Property Fee Schedule for non-buildable remnant parcels.
- The down payment shall be refunded if the offer is not accepted by the City Council, however, if the buyer does not purchase the property within the specified timeframe (60 days, unless otherwise approved), or withdraws their offer, the down payment is not refundable. The administrative fee is not refundable under any circumstances.
- City personnel shall review all applications submitted and make any recommendations deemed appropriate with respects to acceptance, rejection or modification (if any), however, approval of this application shall be in the sole discretion of the Council Bluffs City Council.
- Title shall be taken subject to applicable zoning restrictions, and Buyer understands and attests that their proposed use would conform with all permitted uses in that zoning classification. Any proposed use deemed to be non-conforming shall result in forfeiture of this application.
- City shall quit claim its title interest to the Buyer by City Deed, subject to any and all applicable easements, covenants, servient estates and any other appurtenant restrictions to the land.
- Buyers are not subject to any liens, delinquent taxes, unpaid property violations or other outstanding costs and/or fines associated with property ownership and maintenance.
- Buyers shall finance the purchase of the property by any one of the following means (please circle):
  - Cash
  - Certified Check
  - Third Party Mortgage
  - City Financing with Mortgage/Promissory Note
- All subsequent taxes shall be paid by Buyers.
- All subsequent special assessments shall be paid by Buyers.
- Upon payment of the purchase price as provided in paragraph (g), the City shall convey title by City Deed and shall pay all filing fees associated with recording the deed with the Pottawattamie County Recorder.

Buyer Signature

Date

Buyer Signature

Date

Print Name

Print Name

Address 101 M<sup>c</sup>Candless Ln A Council Bluffs, Ia

Address

Phone/Email 402-332-8226

Phone/Email

bryan-yoderconstruction@gmail.com

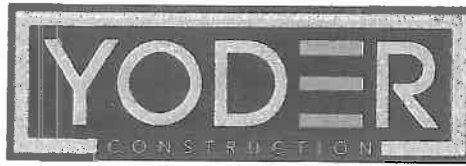
Internal Use Only

☐ Buildable Lot  
☐ Remnant Parcel  
☐ Previously Vacated ROW

Date Received  
Case #Assigned 05B-14-016  
Payment with Offer

☐ Offer Sufficient for Review

Approved for Processing: \_\_\_\_\_



CLERK  
CITY OF COUNCIL BLUFFS  
209 PEARL STREET  
COUNCIL BLUFFS, IA 51503

## Proposal/Offer

For: 401, 409, 431, 435, 437, 441, Park Street lots.

May 1, 2019

Jodi Quakenbush, City Clerk  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51503

To whom it may concern,

The following is our offer and an overview of our proposed plans.

Our proposed plan is to build historically accurate, luxury duplexes. To accommodate young professionals and aging in place individuals. The duplexes will be approximately 1495 sq. ft. two-story, 2 bedroom, 2 bathroom, units with and option for a 3rd bedroom and bathroom in the basement. Each unit will have a front porch and back patio. A single car garage is designed at the basement level to help mitigate the steep terrain of these lots. It will also allow for off-street parking on the narrow portion of Park Street. The plans are shown with a 12/12 pitch roof but we are seriously considering an 8/12 pitch roof design. As it will still be historically accurate to the typical "steep roof" design of the day, but will be safer to maintain.

We are planning on a "build to rent" scenario. There is a possibility of selling in the future.

The lots would need to be subdivided for the purpose of duplexes, address and utilities.

401 Park is the only lot currently that we are considering building as a historically correct custom single-family home.

There is a significant amount of debris, old retaining walls, steps, dead trees and shrubbery that needs to be removed. When removed we plan on re-seeding the hillside and using erosion control matting till the seed is established. It is also possible that we may need to add retaining walls in a few areas to accommodate the build.

We request that if possible the city asks adjoining neighbors to clean up excess yard waste, especially noticed behind 437 and 441 Park St. There is all manner of waste, car parts, aluminum guttering, old furniture, cinderblocks, oil filters etc.

Pg-2-

We are in agreement with the cities "Application to Purchase City Property" paragraphs **a.** through **J.**

We are requesting in paragraph **(g); (d)** City Financing with Mortgage/Promissory Note, **to be**, a "Forgivable Mortgage".

The typical forgivable mortgage as I understand, is that it would be released/forgiven after two years or simultaneously at closing of the permanent loan on a structure which ever came first. As long as we maintain the property and pay the taxes.

We are requesting that the "Forgivable Mortgage" be affective immediately. As opposed to, the typical process of the "Forgivable Mortgage". This will help us with the significant cost of cleanup and liability on the work to be done to the back hillside of these lots.

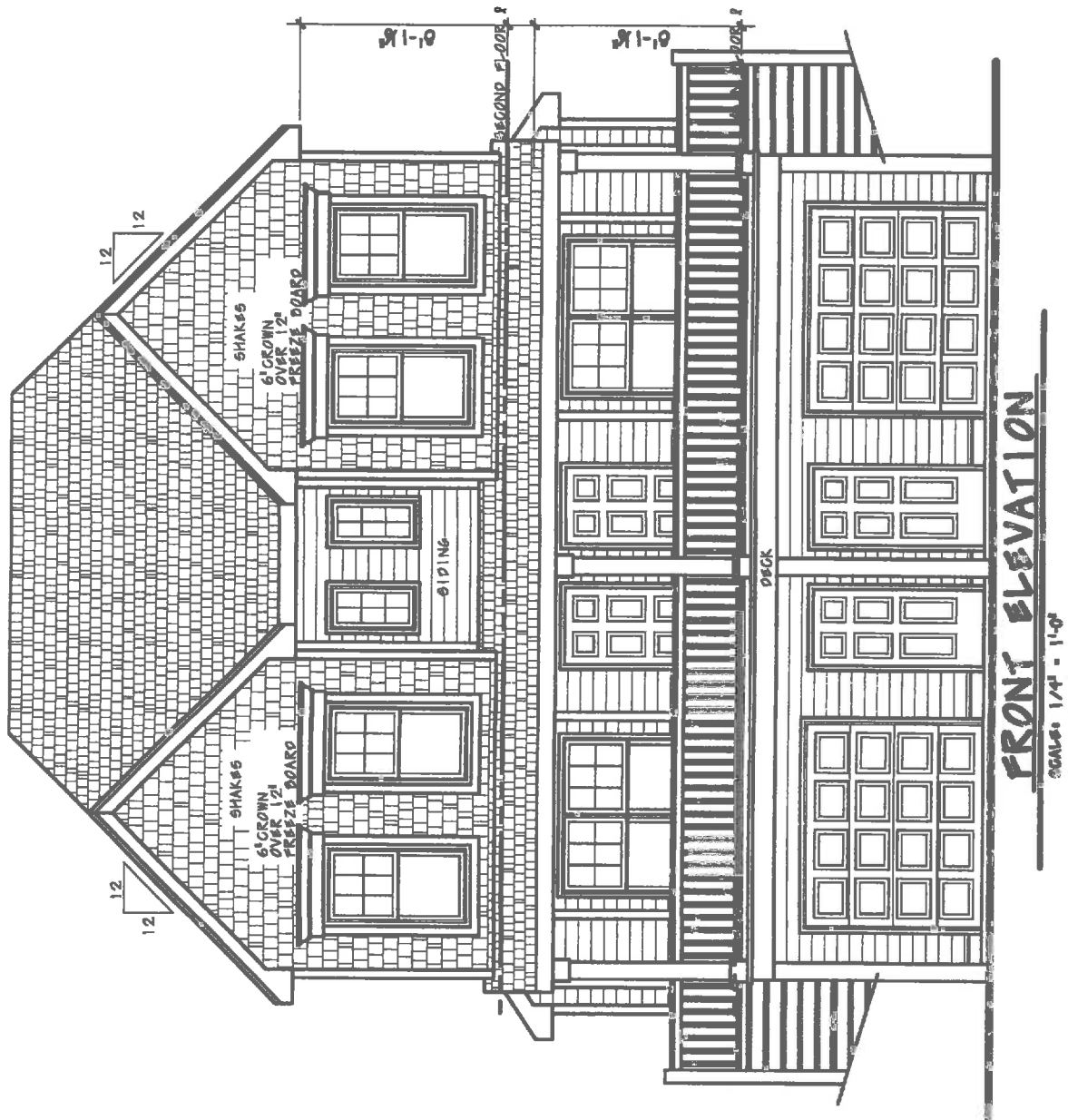
This will also ease the process and limit confusion with construction and permanent lending.

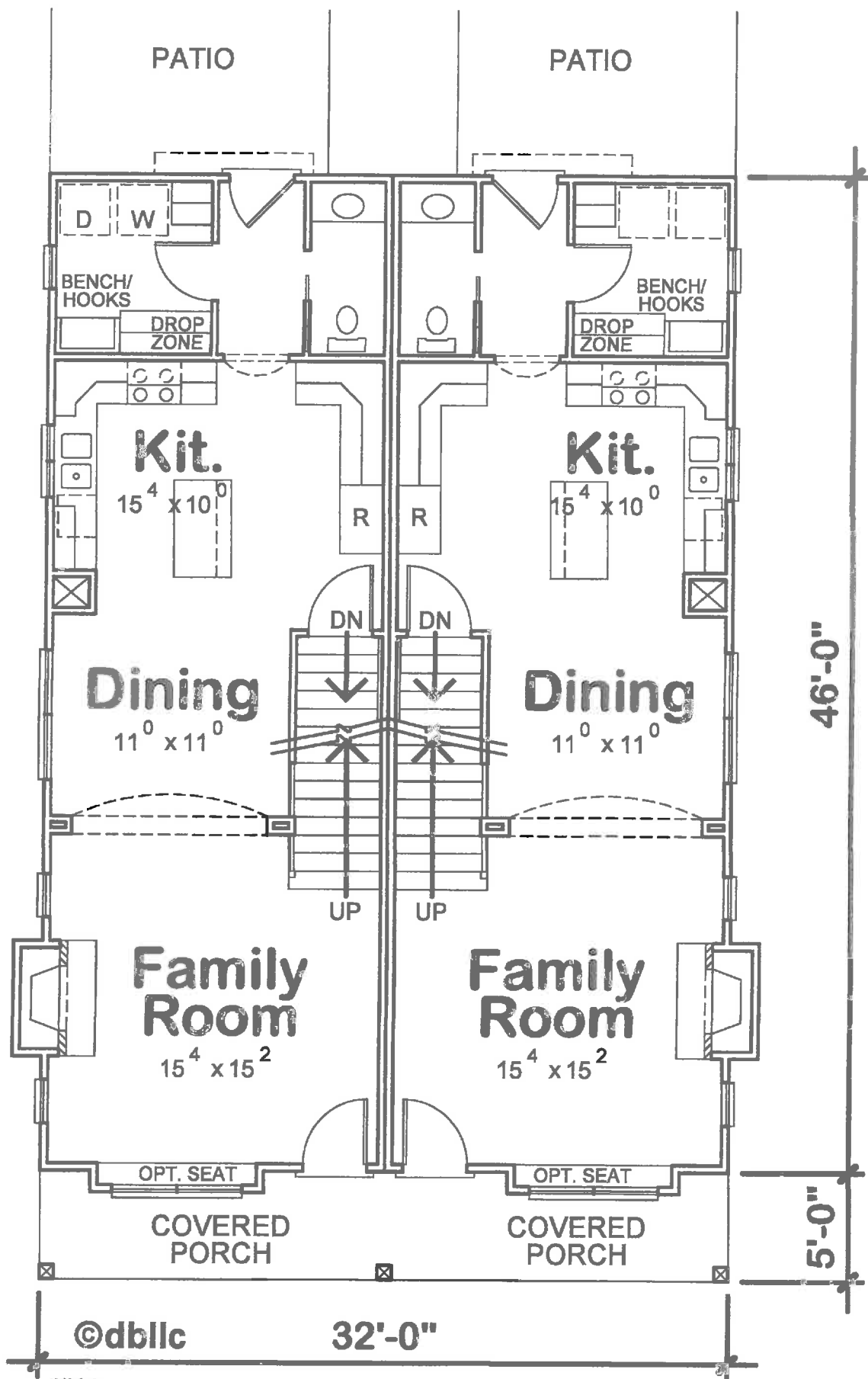
We look forward to working with the city on improving the Park Street properties. We believe that this will be a win-win situation for the City of Council Bluffs, the Historic neighborhood and for us.

Sincerely,

 *4/26/19 President*

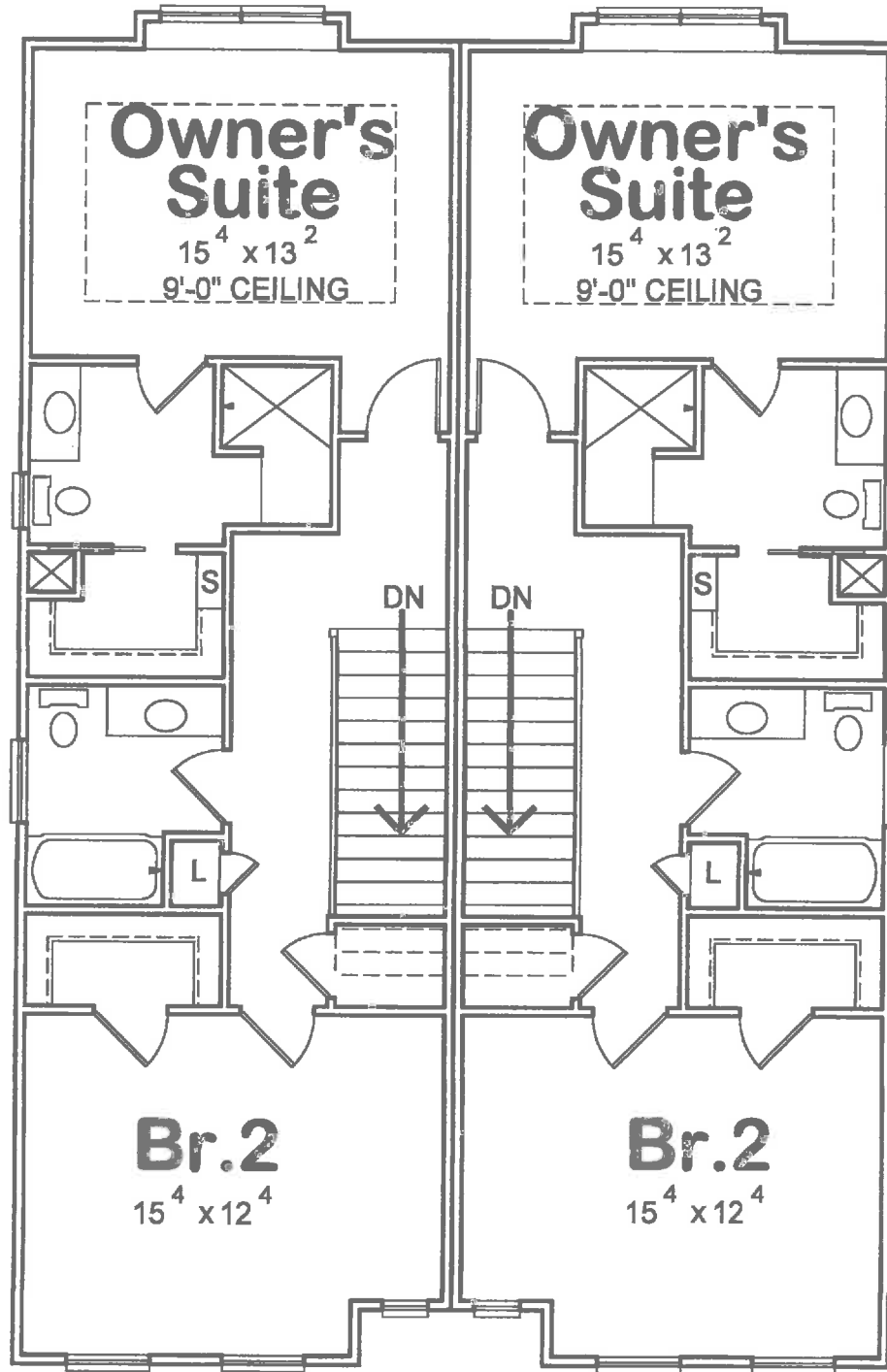
Bryan and Angela Yoder  
Yoder Construction Inc.  
101 McCandless Ln. Suite A  
Council Bluffs, IA 51503

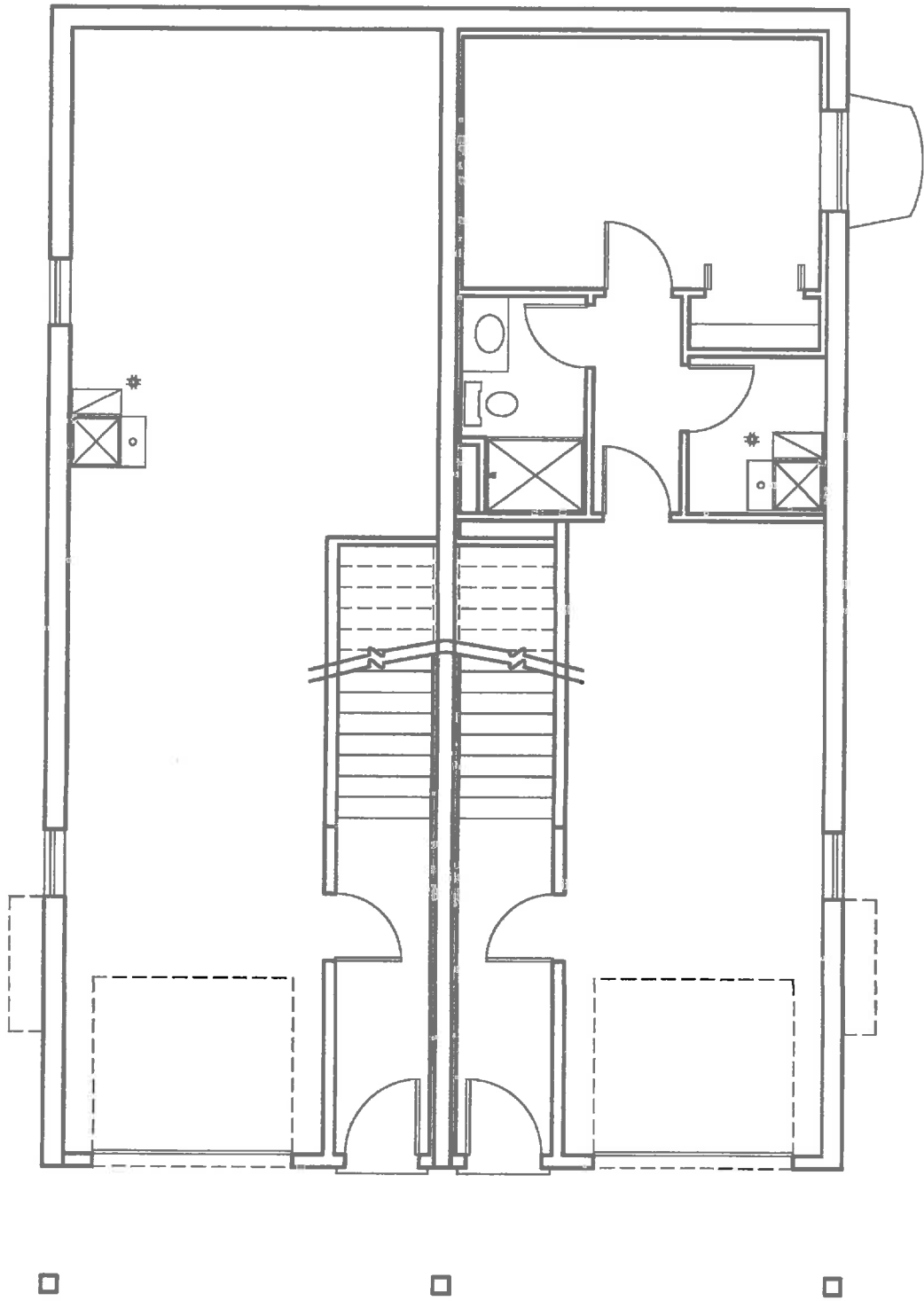




UNIT A	
MAIN LEVEL	744 #
SECOND LEVEL	749 #
<b>TOTAL</b>	<b>1493 #</b>

UNIT B	
MAIN LEVEL	744 #
SECOND LEVEL	749 #
<b>TOTAL</b>	<b>1493 #</b>





**Council Communication**

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

Claims  
ITEM 3.I.

Council Action: 5/20/2019

<b>Description</b>
--------------------

<b>Background/Discussion</b>
------------------------------

<b>Recommendation</b>
-----------------------

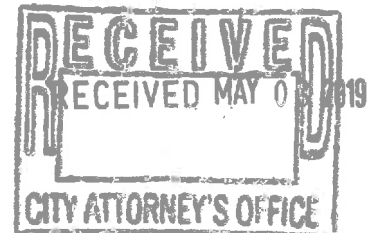
**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Claims</a>	Other	5/13/2019

CITY CLAIM NO

19-PW-1994

Paul F. Hall  
CLAIMANT'S SIGNATURE



1000  
1000  
1000

During the week of 12/17/18 the water line on Broadway adjacent to the Brown Loan Bldg (2709 W. Broadway) was moved. During the course of this move, the crew broke the water line and a hole about 10 ft in diameter and 10 ft deep filled with water. This hole was about 2 ft from the foundation of the building, potentially damaging the footings/foundation. The crew then filled the hole with dirt, but did not tamp the dirt to compress it in the hole.

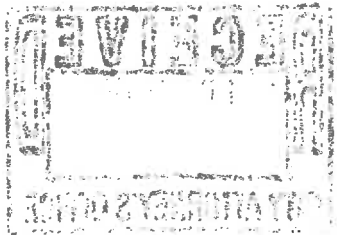
During the week of April 1, 2019, a large backhoe was used by city crew to remove the sidewalk adjacent to the building. Subsequently, the crew knocked out blocks on the NW and NE corners of the building foundation, knocked a hole in one of the blocks, and caused several cracks in the foundation on the east and west sides of the building. The impact of the equipment used caused property in the building to fall off of shelving on the walls.

In addition, when concrete was poured for the replaced sidewalk, the concrete mix was splattered onto the north wall of the building.

In speaking with a city engineer and an engineer from H&M to determine how to assess damage, both gentlemen advised that I file a claim with the city.

I have not yet determined how to get an estimate for repairs or who to contact for that work.

Enclosed are photos of the damage.



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

CITY CLAIM NO. 19-PW-1993

### NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Jason + Rebeckah Belich DAY PHONE: 712 355 2531  
ADDRESS: 2430 Ave H, Council Bluffs, IA 51501 DOB: 10-06-81 / 04/24/83  
DATE & TIME OF LOSS/ACCIDENT: 04/18/19, 7:38 pm  
LOCATION OF LOSS/ACCIDENT: \_\_\_\_\_  
DESCRIPTION OF LOSS/ACCIDENT: While driving down North on North 25th St, there was a manhole that was covered with wood (or something similar) the caution sign was not over the area, (may have been removed or blown over) by the time Jason was (USE BACK OF FORM, IF NECESSARY) (11000 or back)  
TOTAL DAMAGES CLAIMED: \$ 745.85  
WITNESS(ES) (Name(s), Address(es), Phone No(s)): Haley Walker, 2111 6th Ave, Council Bluffs, IA 51501, 712 355 1212  
WAS POLICE REPORT FILED ☐ YES ☒ NO - Police stated they wouldn't do a report and to call the city  
IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO. OF TREATING PHYSICIAN AND FACILITY: N/A

HAVE YOU RESUMED NORMAL ACTIVITIES? ☒ YES ☐ NO

IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY OTHER RELEVANT INFORMATION: attached is photos of damage, copy of receipts to fix tire, rim, and alignment. photo provided of manhole.

LIST INSURANCE PROVIDER AND COVERAGE: Nationwide Policy PFCM0022718794-0  
Insurance was not used/notified due to 1000% deductible

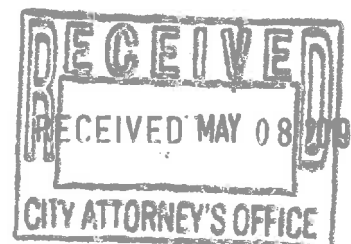
I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IN SUPPORT OF MY CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

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

05/07/19  
DATE

CLAIMANT'S SIGNATURE

Rebeckah Belich 05/07/19



RECEIVED  
CITY CLERK  
MAY 08 2019

able to see the area, it was to have and the breaks trying to survive away from the area was impossible. Jason Reilich was driving. Rebekkah Reilich was passenger in front. 3 kids were in the back seat. There were no injuries, only damage to the car tire, rim, and alignment on the back passenger side. The police were called at 7:38 pm, non-emergency number, they stated that they would not do a report and the report could be filed with the city. The police officer came, looked at the area and drove off. He (the policeman) did not speak with us. My niece Haley Walker was driving behind us in her own car as we were going out to dinner.

She will be witness. At 8:08 pm, the non-emergency police were called again to inform them the the police officer left with the man hole uncovered and something more needed to be done. Note: Immediately after our accident Jason Reilich stood the folding caution sign around to the side of the road over the hole to prevent any further accidents. Area was on N. 25th St, east side of the road approximately 1 block south of Avenue L, across from Roberts Park, in front of the US Army Reserve. We feel that there should have been

something more over the manhole other than a folding sign, perhaps additional signs or sandbags to hold the sign down in place. City Hall was notified of the man hole and incident on 04/19/19 at 8:28 am.

please feel free to call us with any additional question.

Thank you,

Jason + Rebekkah Reilich  
~~Rebekkah Reilich~~

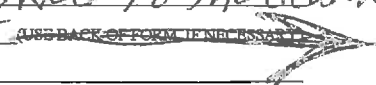
Please Note:

We do not have 2 estimates because the car was taken to Ford McMullen immediately (04/19/19 at 0800) to be fixed, as this is where we service our cars, we were unaware that 2 estimates would be needed with the city.

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

CITY CLAIM NO. 19-PW-1992

### NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Kirsten Anderson DAY PHONE: 402/650-7764  
ADDRESS: 130 Jheri Dr., Co. Bluffs, IA 51503 DOB: 1-22-76  
DATE & TIME OF LOSS/ACCIDENT: 3/27/19 @ 8:45pm  
LOCATION OF LOSS/ACCIDENT: On the street corner of Pickens Ln. & Franklin  
DESCRIPTION OF LOSS/ACCIDENT: I was heading home, heading East on Franklin Ave. When I hit the pothole which popped my tire. I had to have it towed to the dealership (which they provided for free), but  
TOTAL DAMAGES CLAIMED: \$ 246.73   
WITNESS(ES) (Name(s), Address(es), Phone No(s)): None

WAS POLICE REPORT FILED ☐ YES ☒ NO

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

N/A

HAVE YOU RESUMED NORMAL ACTIVITIES? ☒ YES ☐ NO

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

OTHER RELEVANT INFORMATION: I had to replace my tire because of this pothole and would like to be reimbursed. (\$246.73) for the tire I had to purchase. Thank you!

LIST INSURANCE PROVIDER AND COVERAGE: Progressive Auto - Policy # 925710664  
Full coverage - Did not file a claim with them.

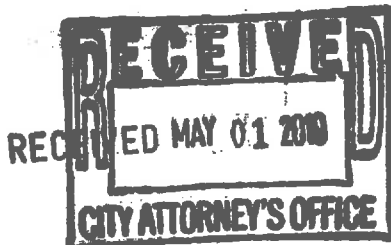
I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IN SUPPORT OF MY CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

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

4/5/19  
DATE

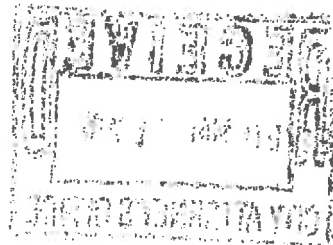
Kirsten Anderson  
CLAIMANT'S SIGNATURE

*(I drove by this pothole on 7/8/19 and it had been repaired/filled in.)*



CLERK RCVD  
1/2/09

I did have to purchase a new tire, which is why I'm filing this claim in hopes to be reimbursed. Thank you very much!



## Council Communication

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

Resolution 19-123  
ITEM 3.F.

Council Action: 5/20/2019

### Description

Resolution setting a Public Hearing on approving a Final Exhibit B to the Parking Facility Lease Purchase Agreement and revising the total amount of potential payments to be made as part of the lease purchase acquisition of the River's Edge Parking Facility to not to exceed \$19,250,000

### Background/Discussion

The parking garage at Rivers Edge is nearing completion and it is now approaching the time where the City is to assume responsibilities for it. When the City first entered the lease purchase agreement, which brought about the construction of this facility in addition to approximately \$4.2 million contributed toward the project in roughly equal parts by the City and the Iowa West Foundation the balance of the project costs of what was estimated to be \$9,762,640 was to be paid off by lease payments over 20 years with interest cost, which was projected to add up to \$15,723,034.19.

With the final numbers now in the lease payments over the twenty years are now \$14,971,836.12. This is \$751,198.07 less than what was initially forecasted. Taking the initial contributions into account the total project costs will equal \$19,212,132.12, which includes the interest to be paid over the next twenty years.

We have been advised by our bonding counsel that a public hearing should be held disclosing this amount. A resolution setting this hearing for the June 10, 2019 has been placed on this agenda.

### Recommendation

### ATTACHMENTS:

Description	Type	Upload Date
<a href="#">Resolution 19-123</a>	Resolution	5/15/2019
<a href="#">Resolution 19-123 updated</a>	Resolution	5/21/2019

## **Resolution 19-123**

### **AGENDA ITEM(S)**

Governmental Body: The City Council of the City of Council Bluffs, State of Iowa.

Date of Meeting: May 20, 2019

Time of Meeting: 7:00 P.M.

Place of Meeting: Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

- Resolution fixing date and time of hearing on approving a final Exhibit B to the Parking Facility Lease Purchase Agreement, and revising the total amount of potential payments to be made as part of the lease purchase acquisition of the River's Edge Parking Facility to not to exceed \$19,250,000.

Such additional matters as are set forth on the additional \_\_\_\_\_ page(s) attached hereto.  
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

---

City Clerk, City of Council Bluffs, State of  
Iowa

May 20, 2019

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

\_\_\_\_\_

\_\_\_\_\_

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

\* \* \* \* \*

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION FIXING DATE AND TIME OF HEARING ON APPROVING A FINAL EXHIBIT B TO THE PARKING FACILITY LEASE PURCHASE AGREEMENT AND REVISING THE TOTAL AMOUNT OF POTENTIAL PAYMENTS TO BE MADE AS PART OF THE LEASE PURCHASE ACQUISITION OF THE RIVER'S EDGE PARKING FACILITY TO NOT TO EXCEED \$19,250,000", 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. 19-123

RESOLUTION FIXING DATE AND TIME OF HEARING ON APPROVING A FINAL EXHIBIT B TO THE PARKING FACILITY LEASE PURCHASE AGREEMENT AND REVISING THE TOTAL AMOUNT OF POTENTIAL PAYMENTS TO BE MADE AS PART OF THE LEASE PURCHASE ACQUISITION OF THE RIVER'S EDGE PARKING FACILITY TO NOT TO EXCEED \$19,250,000

WHEREAS, on July 11, 2016, following appropriate notice and public hearing, the City approved Resolution No. 16-174 which authorized the execution of the River's Edge Parking Facility Lease Purchase Agreement by and among the City of Council Bluffs ("City"), River's Edge Parking, LLC ("Developer"), and Iowa West Foundation ("IWF") ("Agreement"); and

WHEREAS, pursuant to the terms of the Agreement the City has made Initial Lease Payments totaling \$4,240,296 (a portion of which was funded by IWC), and the Agreement contemplates that the City will make additional Periodic Lease Payments for the purpose of the lease purchase acquisition of the River's Edge Parking Facility; and

WHEREAS, the Agreement included a preliminary Exhibit B which specified the anticipated amounts and payment dates for the Periodic Lease Payments, with the understanding that the preliminary Exhibit B would be revised and replaced (subject to approval by all Parties) with a final Exhibit B once the actual Project Costs were finally determined; and

WHEREAS, the actual Project Cost have been determined and the Developer has proposed a revised Exhibit B identifying Periodic Lease Payments totaling \$14,971,836.12; and

WHEREAS, it is deemed necessary and advisable that the City of Council Bluffs, State of Iowa, should approve the final Exhibit B to the Agreement and authorize potential expenditures totaling not to exceed \$19,250,000 (inclusive of payments funded by IWC), subject to the terms and conditions of the Agreement including the right of annual appropriation, for the purpose of the lease purchase acquisition of the River's Edge Parking Facility; and

WHEREAS, before approving the final Exhibit B and revised potential expenditure amount, the City will publish a notice of the proposal and of the time and place of the meeting at which the Council proposed to take such action and to receive oral and/or written objections from any resident or property owner of the City to such action.

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

Section 1. That the City Council at a meeting to be held commencing at 7:00 P.M., on the 10<sup>th</sup> day of June, 2019, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa will hold a hearing for the purpose of taking action on the matter of the approval of a final Exhibit B to the Parking Facility Lease Purchase Agreement, and authorizing potential expenditures totaling not to exceed \$19,250,000 (inclusive of payments funded by IWC), for the lease purchase acquisition of the River's Edge Parking Facility, subject to the terms of the Agreement.

Section 2. The City Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the approval of the final Exhibit B and revised potential expenditure amount, and be substantially in the form attached hereto.

Section 3. The notice of the proposed action shall be in substantially the following form:

NOTICE OF MEETING OF THE CITY COUNCIL OF THE  
CITY OF COUNCIL BLUFFS, STATE OF IOWA, ON THE  
MATTER OF THE PROPOSED APPROVAL OF A FINAL  
EXHIBIT B TO THE PARKING FACILITY LEASE  
PURCHASE AGREEMENT AND REVISION TO THE TOTAL  
AMOUNT OF POTENTIAL PAYMENTS TO BE MADE AS  
PART OF THE LEASE PURCHASE ACQUISITION OF THE  
RIVER'S EDGE PARKING FACILITY TO NOT TO EXCEED  
\$19,250,000

PUBLIC NOTICE is hereby given that the City Council of the City of Council Bluffs, State of Iowa, will hold a public hearing on the 10<sup>th</sup> day of June, 2019, at 7:00 P.M., in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at which meeting the Council proposes to take additional action for the approval of a final Exhibit B to the Parking Facility Lease Purchase Agreement among the City of Council Bluffs ("City"), River's Edge Parking, LLC ("Developer"), and Iowa West Foundation ("IWF") ("Agreement") and revise the principal amount of potential expenditures to not to exceed \$19,250,000 (inclusive of payments funded by IWF), the proceeds of which will be used for the lease purchase acquisition of the River's Edge Parking Facility.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City, to the above action. After all objections have been received and considered, the Council will at this meeting or at any adjournment thereof, take additional action for the approval of the final Exhibit B and revised potential expenditure amount, or will abandon the proposal.

The Parking Facility Lease Purchase Agreement does not constitute a general obligation of the City but will be payable solely from funds from IWF or the income and proceeds of the fund and portion of taxes referred to in Iowa Code Section 403.19, subsection 2, and revenues and other funds of the municipality derived from or held in connection with the undertaking and carrying out of urban renewal projects in the Playland Park Urban Renewal Area under Chapter 403; and the City shall be in no manner liable by reason of the failure of the tax increment revenue and other funds to be sufficient for the payment of the Parking Facility Lease Purchase Agreement.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 364.4(f), 403.9, and 384.83 of the Code of Iowa, as amended.

-6-

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

-7-

PASSED AND APPROVED by the City Council this 20th day of May, 2019

\_\_\_\_\_  
Mayor

Attest:

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

# CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

I, the undersigned City Clerk of the City of Council Bluffs, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the City showing proceedings of the City 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 (a copy of the face sheet of the agenda being attached hereto) 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 City hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

01593645-1\10342-101

Resolution 19-123

AGENDA ITEM(S)

Governmental Body: The City Council of the City of Council Bluffs, State of Iowa.

Date of Meeting: May 20, 2019

Time of Meeting: 7:00 P.M.

Place of Meeting: Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

- Resolution fixing date and time of hearing on approving a final Exhibit B to the Parking Facility Lease Purchase Agreement, and revising the total amount of potential payments to be made as part of the lease purchase acquisition of the River's Edge Parking Facility to not to exceed \$19,300,000.

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

---

City Clerk, City of Council Bluffs, State of  
Iowa

May 20, 2019

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:

Head, Sandau, Watson, White & Wolf\_\_\_\_\_.

Absent: None\_\_\_\_\_

\* \* \* \* \*

Council Member Watson introduced the following Resolution entitled "RESOLUTION FIXING DATE AND TIME OF HEARING ON APPROVING A FINAL EXHIBIT B TO THE PARKING FACILITY LEASE PURCHASE AGREEMENT AND REVISING THE TOTAL AMOUNT OF POTENTIAL PAYMENTS TO BE MADE AS PART OF THE LEASE PURCHASE ACQUISITION OF THE RIVER'S EDGE PARKING FACILITY TO NOT TO EXCEED \$19,300,000", and moved that the same be adopted. Council Member White seconded the motion to adopt. The roll was called and the vote was,

AYES: Head, Watson, White & Wolf.

NAYS: Sandau

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

RESOLUTION NO. 19-123

RESOLUTION FIXING DATE AND TIME OF HEARING ON APPROVING A FINAL EXHIBIT B TO THE PARKING FACILITY LEASE PURCHASE AGREEMENT AND REVISING THE TOTAL AMOUNT OF POTENTIAL PAYMENTS TO BE MADE AS PART OF THE LEASE PURCHASE ACQUISITION OF THE RIVER'S EDGE PARKING FACILITY TO NOT TO EXCEED \$19,300,000

WHEREAS, on July 11, 2016, following appropriate notice and public hearing, the City approved Resolution No. 16-174 which authorized the execution of the River's Edge Parking Facility Lease Purchase Agreement by and among the City of Council Bluffs ("City"), River's Edge Parking, LLC ("Developer"), and Iowa West Foundation ("IWF") ("Agreement"); and

WHEREAS, pursuant to the terms of the Agreement the City has made Initial Lease Payments totaling \$4,240,296 (a portion of which was funded by IWC), and the Agreement contemplates that the City will make additional Periodic Lease Payments for the purpose of the lease purchase acquisition of the River's Edge Parking Facility; and

WHEREAS, the Agreement included a preliminary Exhibit B which specified the anticipated amounts and payment dates for the Periodic Lease Payments, with the understanding that the preliminary Exhibit B would be revised and replaced (subject to approval by all Parties) with a final Exhibit B once the actual Project Costs were finally determined; and

WHEREAS, the actual Project Cost have been determined and the Developer has proposed a revised Exhibit B identifying Periodic Lease Payments totaling \$14,971,836.12; and

WHEREAS, it is deemed necessary and advisable that the City of Council Bluffs, State of Iowa, should approve the final Exhibit B to the Agreement and authorize potential

expenditures totaling not to exceed \$19,300,000 (inclusive of payments funded by IWC), subject to the terms and conditions of the Agreement including the right of annual appropriation, for the purpose of the lease purchase acquisition of the River's Edge Parking Facility; and

WHEREAS, before approving the final Exhibit B and revised potential expenditure amount, the City will publish a notice of the proposal and of the time and place of the meeting at which the Council proposed to take such action and to receive oral and/or written objections from any resident or property owner of the City to such action.

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

Section 1. That the City Council at a meeting to be held commencing at 7:00 P.M., on the 10<sup>th</sup> day of June, 2019, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa will hold a hearing for the purpose of taking action on the matter of the approval of a final Exhibit B to the Parking Facility Lease Purchase Agreement, and authorizing potential expenditures totaling not to exceed \$19,300,000 (inclusive of payments funded by IWC), for the lease purchase acquisition of the River's Edge Parking Facility, subject to the terms of the Agreement.

Section 2. The City Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the approval of the final Exhibit B and revised potential expenditure amount, and be substantially in the form attached hereto.

Section 3. The notice of the proposed action shall be in substantially the following form:

NOTICE OF MEETING OF THE CITY COUNCIL OF THE  
CITY OF COUNCIL BLUFFS, STATE OF IOWA, ON THE  
MATTER OF THE PROPOSED APPROVAL OF A FINAL  
EXHIBIT B TO THE PARKING FACILITY LEASE  
PURCHASE AGREEMENT AND REVISION TO THE TOTAL  
AMOUNT OF POTENTIAL PAYMENTS TO BE MADE AS  
PART OF THE LEASE PURCHASE ACQUISITION OF THE  
RIVER'S EDGE PARKING FACILITY TO NOT TO EXCEED  
\$19,300,000

PUBLIC NOTICE is hereby given that the City Council of the City of Council Bluffs, State of Iowa, will hold a public hearing on the 10<sup>th</sup> day of June, 2019, at 7:00 P.M., in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at which meeting the Council proposes to take additional action for the approval of a final Exhibit B to the Parking Facility Lease Purchase Agreement among the City of Council Bluffs ("City"), River's Edge Parking, LLC ("Developer"), and Iowa West Foundation ("IWF") ("Agreement") and revise the principal amount of potential expenditures to not to exceed \$19,300,000 (inclusive of payments funded by IWF), the proceeds of which will be used for the lease purchase acquisition of the River's Edge Parking Facility under the terms of the Agreement.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City, to the above action. After all objections have been received and considered, the Council will at this meeting or at any adjournment thereof, take additional action for the approval of the final Exhibit B and revised potential expenditure amount, or will abandon the proposal.

The Parking Facility Lease Purchase Agreement does not constitute a general obligation of the City but will be payable solely from funds from IWF or the income and proceeds of the fund and portion of taxes referred to in Iowa Code Section 403.19, subsection 2, and revenues and other funds of the municipality derived from or held in connection with the undertaking and carrying out of urban renewal projects in the Playland Park Urban Renewal Area under Chapter 403; and the City shall be in no manner liable by reason of the failure of the tax increment revenue and other funds to be sufficient for the payment of the Parking Facility Lease Purchase Agreement.

This notice is given by order of the City Council of the City of Council Bluffs, State of Iowa, as provided by Section 364.4(f), 403.9, and 384.83 of the Code of Iowa, as amended.

-5-

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

PASSED AND APPROVED by the City Council this 20th day of May, 2019

\_\_\_\_\_  
Mayor

Attest:

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

# CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF POTTAWATTAMIE )

I, the undersigned City Clerk of the City of Council Bluffs, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the City showing proceedings of the City 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 (a copy of the face sheet of the agenda being attached hereto) 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 City hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

01593645-1\10342-101

## Council Communication

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

Resolution 19-124  
ITEM 4.A.

Council Action: 5/20/2019

### Description

Resolution approving the plans and specifications for the SCADA Upgrade, Phase 1 (WPCP). Project #PW17-23

### Background/Discussion

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

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

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

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

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

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description

[Resolution 19-124](#)

Type

Resolution

Upload Date

5/14/2019

**RESOLUTION  
NO 19-124**

**RESOLUTION APPROVING THE  
PLANS, SPECIFICATIONS, FORM OF CONTRACT  
AND COST ESTIMATE FOR THE  
SCADA UPGRADE, PHASE 1 (WPCP)  
PROJECT #PW17-23**

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the City Clerk of the City of Council Bluffs, Iowa for the SCADA Upgrade, Phase 1 (WPCP); and

WHEREAS, a Notice of Public Hearing was published as required by law, and a public hearing was held on May 20, 2019.

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

That the plans, specifications, form of contract and cost estimate are hereby approved for the SCADA Upgrade, Phase 1 (WPCP) project and the City is hereby authorized to advertise for bids for said project.

AND BE IT FURTHER RESOLVED

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

ADOPTED  
AND  
APPROVED

May 20, 2019

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

ATTEST:

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

## Council Communication

Department: Legal  
Case/Project No.:  
Submitted by: Richard Wade

Ordinance 6386  
ITEM 5.A.

Council Action: 5/20/2019

### Description

Ordinance to amend Chapter 1.65 "Council Bluffs Arena and Convention Center Commission", by amending Sections 1.65.050, 1.65.090 and 1.65.100.

### Background/Discussion

The Convention and Visitors Bureau now contracts directly with the City for services and the duties are no longer combined or supervised by or with the Arena Commission.

### Recommendation

Legal recommends these amendments.

### ATTACHMENTS:

Description	Type	Upload Date
<a href="#">Ordinance with amendments highlighted</a>	Other	5/9/2019
<a href="#">Ordinance 6386</a>	Ordinance	5/14/2019
<a href="#">Ordinance 6386 updated</a>	Resolution	5/21/2019

## Chapter 1.65 - COUNCIL BLUFFS ARENA AND CONVENTION CENTER COMMISSION

Sections:

### 1.65.050 - Members—Vacancy.

The position of a commission member shall be deemed vacant if he or she no longer meets the qualifications set out in Section 1.65.030. ~~Any commissioner who misses more than twenty (20) percent of the meetings in a calendar year shall be dismissed at the request of the mayor or upon direct action by the city council.~~ Vacancies on the commission shall be filled by appointment by the mayor, with the approval of the city council. Appointments made to fill vacancies shall be for the balance of the term of the commission member being replaced.

### 1.65.090 - Powers and duties.

The board shall have and exercise the following powers and duties:

(1) To meet and elect from its membership a chairperson, a vice chairperson, and such other officers deemed necessary;

(2) To establish policy and long-term goals for the arena and convention center, ~~and the convention and visitors bureau;~~

(3) To develop, negotiate, oversee, and make recommendations to the council on the contract for the management of the arena and convention center;

~~(4) To develop, negotiate, oversee, and make recommendations to the council on the contract for the operation of a convention and visitors bureau;~~

~~(45)~~ To make recommendations to the city council regarding contracts which the city must enter in connection with the arena and convention center;

~~(56)~~ To make and adopt, amend, modify, or repeal rules and regulations not inconsistent with this chapter or the laws of the city and state for the operation and promotion of an arena and convention center;

~~(67)~~ To review the proposed budget for the arena and convention center and to make recommendations regarding its adoption by the city council; (8) To monitor the expenditures of funds allocated for the operation and promotion of the arena and convention center.

### 1.65.100 - Annual reports.

The commission shall make annual reports to the city council. These reports shall contain statements of the activities at the arena and convention center, ~~and the convention and visitors bureau;~~ the annual accounting of its finances from the previous fiscal year; and a proposed budget for the upcoming fiscal year. This report shall be due on the first day of December, and is to be filed with the city clerk.

The mayor shall designate and provide appropriate staff to assist the board in the performance of its duties.

**ORDINANCE NO. 6386**

**AN ORDINANCE TO AMEND CHAPTER 1.65 “COUNCIL BLUFFS ARENA AND CONVENTION CENTER COMMISSION” OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTIONS 1.65.050, 1.65.090 AND 1.65.100.**

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

**SECTION 1.** That Chapter 1.65 “Council Bluffs Arena Convention Center Commission” of the 2015 Municipal Code of Council Bluffs, Iowa, is amended as follows:

**1.65.050 - Members—Vacancy.**

The position of a commission member shall be deemed vacant if he or she no longer meets the qualifications set out in Section 1.65.030. Vacancies on the commission shall be filled by appointment by the mayor, with the approval of the city council. Appointments made to fill vacancies shall be for the balance of the term of the commission member being replaced.

**1.65.090 - Powers and duties.**

The board shall have and exercise the following powers and duties:

- (1) To meet and elect from its membership a chairperson, a vice chairperson, and such other officers deemed necessary;
- (2) To establish policy and long-term goals for the arena and convention center;
- (3) To develop, negotiate, oversee, and make recommendations to the council on the contract for the management of the arena and convention center;
- (4) To make recommendations to the city council regarding contracts which the city must enter in connection with the arena and convention center;
- (5) To make and adopt, amend, modify, or repeal rules and regulations not inconsistent with this chapter or the laws of the city and state for the operation and promotion of an arena and convention center;
- (6) To review the proposed budget for the arena and convention center and to make recommendations regarding its adoption by the city council;
- (8) To monitor the expenditures of funds allocated for the operation and promotion of the arena and convention center.

**1.65.100 - Annual reports.**

The commission shall make annual reports to the city council. These reports shall contain statements of the activities at the arena and convention center; the annual accounting of its finances from the previous fiscal year; and a proposed budget for the upcoming fiscal year. This report shall be due on the first day of December, and is to be filed with the city clerk.

**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

June 10, 2019.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

First Consideration: 5-20-19

Second Consideration: 6-10-19

Public Hearing: N/A

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

**ORDINANCE NO. 6386**

**AN ORDINANCE TO AMEND CHAPTER 1.65 “COUNCIL BLUFFS ARENA AND CONVENTION CENTER COMMISSION” OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTIONS 1.65.050, 1.65.090 AND 1.65.100.**

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

**SECTION 1.** That Chapter 1.65 “Council Bluffs Arena Convention Center Commission” of the 2015 Municipal Code of Council Bluffs, Iowa, is amended as follows:

**1.65.050 - Members—Vacancy.**

The position of a commission member shall be deemed vacant if he or she no longer meets the qualifications set out in Section 1.65.030. Any commissioner who misses two consecutive meetings shall be dismissed at the request of the Mayor or upon direct action by the City Council. Vacancies on the commission shall be filled by appointment by the mayor, with the approval of the city council. Appointments made to fill vacancies shall be for the balance of the term of the commission member being replaced.

**1.65.090 - Powers and duties.**

The board shall have and exercise the following powers and duties:

- (1) To meet and elect from its membership a chairperson, a vice chairperson, and such other officers deemed necessary;
- (2) To establish policy and long-term goals for the arena and convention center;
- (3) To develop, negotiate, oversee, and make recommendations to the council on the contract for the management of the arena and convention center;
- (4) To make recommendations to the city council regarding contracts which the city must enter in connection with the arena and convention center;
- (5) To make and adopt, amend, modify, or repeal rules and regulations not inconsistent with this chapter or the laws of the city and state for the operation and promotion of an arena and convention center;
- (6) To review the proposed budget for the arena and convention center and to make recommendations regarding its adoption by the city council;
- (8) To monitor the expenditures of funds allocated for the operation and promotion of the arena and convention center.

**1.65.100 - Annual reports.**

The commission shall make annual reports to the city council. These reports shall contain statements of the activities at the arena and convention center; the annual accounting of its finances from the previous fiscal year; and a proposed budget for the upcoming fiscal year. This report shall be due on the first day of December, and is to be filed with the city clerk.

**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

June 10, 2019.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

First Consideration: 5-20-19

Second Consideration: 6-10-19

Public Hearing: N/A

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

## Council Communication

Department: Police  
Case/Project No.: 19-01  
Submitted by: Chief Tim Carmody

Resolution 19-125  
ITEM 6.A.

Council Action: 5/20/2019

### Description

Resolution Amending the composition, duties, and responsibilities of the Citizens/Police Advisory Board.

### Background/Discussion

The Citizens/Police Advisory Board was established by Resolution 86-458. The Board was established with 15 members who were citizens of Council Bluffs, Iowa. It has proven challenging to identify, nominate and appoint 15 members - and to have a quorum at regular meetings. Initially Council members provided a list of three nominees to Council for the mayor to appoint. This resolution is intended to right-size the Board to 11 committed members who can regularly attend meetings and other activities. It also seeks to define a selection process as well as a removal procedure that is functional and sustainable for the foreseeable future.

### Recommendation

It is the recommendation of our department that Council approve the amendments to the resolution.

### ATTACHMENTS:

Description	Type	Upload Date
<a href="#">Resolution 86-158</a>	Resolution	5/8/2019
<a href="#">Resolution 19-125</a>	Resolution	5/14/2019
<a href="#">Resolution 19-125 updated</a>	Resolution	5/21/2019

RESOLUTION NO. 86-458

A RESOLUTION creating a "Citizen/Police Advisory Board". The membership of the board will be made up of 15 citizens of the city from diverse backgrounds and experiences. The purposes of the board are to review the provisions of police services to the community, and to advise the chief of police regarding such matters.

WHEREAS, the purposes of the Citizen/Police Advisory Board are to review the operation of the police department, and to provide advice to the chief of police regarding changes and improvements to the operation of the police department; and

WHEREAS, the Citizen/Police Advisory Board shall consist of 15 members. Each member shall be a citizen of the city of Council Bluffs, Iowa; and

WHEREAS, The board shall be established in the following manner:

1. each councilmember shall submit a list of three nominations to the council;
2. the mayor shall appoint three nominees from each council member's list to a seat on the board;
3. the council shall vote to confirm each nominee;
4. the first nominees from each list appointed and confirmed shall serve as a member of the board for a term of six (6) years. The second nominees from each list appointed and confirmed shall serve as a member of the board for a term of four (4) years. The third nominees from each list appointed and confirmed shall serve as a member of the board for a term of two (2) years. Thereafter, each member shall be appointed by the mayor, confirmed by the council, and serve for a term of six (6) years; and

WHEREAS, the position of any member shall be deemed vacant if he/she moves permanently outside the limits of the City, or he/she is absent from six (6) consecutive regular meetings of the board. A member will not be considered absent for purposes of this paragraph in cases of sickness or temporary absence from the City. Vacancies shall be filled in the manner provided above, except that the appointee shall serve for the remainder of the unexpired term to which he/she is appointed; and

WHEREAS, the members of the board shall serve without compensation; and

WHEREAS, the Board may establish bylaws to govern its conduct in effectuating its purposes; and

WHEREAS, the board shall fulfill the following duties:

1. to meet and elect from its members a chairperson, a secretary, and such other officers as it deems necessary;
2. to meet with the chief of police and/or his designees on a monthly basis to review the operation of the police department, and to provide advice on half of the citizenry regarding police services provided; and
3. to keep a record of its proceedings; and

WHEREAS, the board shall provide an annual report to the city council. The board shall provide such additional reports as the city council may request of it.

NOW, THEREFORE, BE IT RESOLVED

BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA:

That the Citizen/Police Advisory Board be, and the same is hereby created under the terms and conditions set forth above.

RESOLUTION NO. 86-458

PAGE TWO

ADOPTED  
AND October 27, 1986  
APPROVED

*Samuel F. Irwin*

SAMUEL F. IRWIN

MAYOR PRO-TEM

Attest:

*Nadine C. Lyon*

NADINE LYON

Deputy City Clerk

**RESOLUTION**  
**NO 19-125**

**RESOLUTION AMMEDING THE COMPOSITION, DUTIES, AND RESPONSIBILITIES OF  
THE “CITIZEN/POLICE ADVISORY BOARD.”**

WHEREAS, the purposes of the Citizen/Police Advisory Board are to review the operation of the police department and to provide advice to the chief of police regarding changes and/or improvements to the operation of the police department; and

WHEREAS, the Citizen/Police Advisory Board shall be reduced from 15 members to a maximum of 11 members. Each member shall be a citizen of Council Bluffs, Iowa; and

WHEREAS, the Board shall be established in the following manner:

1. Potential new members are nominated by various means to the Mayor.
2. The Board interviews potential member followed by a Board discussion.
3. A background check by the Police Chief must be completed with satisfactory results.
4. The Board votes on potential member appointment by silent ballot and approval requires a majority vote of the Board.
5. The Mayor reviews the Boards recommendations for potential appointment.
6. The Mayor appoints new members and recommends them to City Council for confirmation.
7. The City Council votes to confirm each nominee.

Therefore, each member shall be appointed by the Mayor, confirmed by the City Council, voted on by the Board and serve for a term of six (6) years; and

WHEREAS, the position of any member shall be deemed vacant if they move permanently outside the limits of the city or they are absent from four (4) regular meeting of the Board in a calendar year. This absenteeism will constitute a review by Board officers with a recommendation to Board members. Vacancies shall be filled in the manner provided above; and

WHEREAS, the members of the Board shall serve without compensation; and

WHEREAS, the Board may establish bylaws, guidelines, and goals to assist governing conduct impacting the purpose and mission; and

WHEREAS, the Board shall fulfill the following duties:

1. Meet and elect from the members a chairperson, vice chairperson, secretary and such other officers as it deems necessary.
2. Meet with the Police Chief or designee on a monthly basis to review the operation of the Police Department to provide advice and feedback on behalf of the citizens regarding police services provided.
3. Document and maintain a record of meeting proceedings.

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

That the composition, duties, and responsibilities be amended under the terms and conditions set forth above.

ADOPTED  
AND  
APPROVED

May 20, 2019

---

Matthew J. Walsh, Mayor

ATTEST:

---

Jodi Quakenbush, City Clerk

**RESOLUTION**  
**NO 19-125**

**RESOLUTION AMMEDING THE COMPOSITION, DUTIES, AND RESPONSIBILITIES OF  
THE “CITIZEN/POLICE ADVISORY BOARD.”**

WHEREAS, the purposes of the Citizen/Police Advisory Board are to review the operation of the police department and to provide advice to the chief of police regarding changes and/or improvements to the operation of the police department; and

WHEREAS, the Citizen/Police Advisory Board shall be reduced from 15 members to a maximum of 11 members. Each member shall be a citizen of Council Bluffs, Iowa; and

WHEREAS, the Board shall be established in the following manner:

1. Potential new members are nominated by various means to the Mayor.
2. The Board interviews potential member followed by a Board discussion.
3. A background check by the Police Chief must be completed with satisfactory results.
4. The Board votes on potential member appointment by silent ballot and affirmative recommendation requires a majority vote of the Board.
5. The Mayor reviews all nominations and the Board’s recommendations for potential appointment.
6. The Mayor appoints new members and recommends them to City Council for confirmation.
7. The City Council votes to confirm each nominee.

Therefore, each member shall be appointed by the Mayor, confirmed by the City Council, voted on by the Board and serve for a term of six (6) years; and

WHEREAS, the position of any member shall be deemed vacant if they move permanently outside the limits of the city or they are absent from four (4) regular meeting of the Board in a calendar year. This absenteeism will constitute a review by Board officers with a recommendation to Board members. Vacancies shall be filled in the manner provided above; and

WHEREAS, the members of the Board shall serve without compensation; and

WHEREAS, the Board may establish bylaws, guidelines, and goals to assist governing conduct impacting the purpose and mission; and

WHEREAS, the Board shall fulfill the following duties:

1. Meet and elect from the members a chairperson, vice chairperson, secretary and such other officers as it deems necessary.
2. Meet with the Police Chief or designee on a monthly basis to review the operation of the Police Department to provide advice and feedback on behalf of the citizens regarding police services provided.
3. Document and maintain a record of meeting proceedings.

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

That the composition, duties, and responsibilities be amended under the terms and conditions set forth above.

ADOPTED  
AND  
APPROVED

May 20, 2019

---

Matthew J. Walsh, Mayor

ATTEST:

---

Jodi Quakenbush, City Clerk

## Council Communication

Department: Community Development  
Case/Project No.:  
Submitted by: Courtney Harter, CD Project  
Coordinator

Resolution 19-126  
ITEM 6.B.

Council Action: 5/20/2019

### Description

Resolution authorizing the acquisition of 3420 2nd Avenue and authorizing the Mayor to execute an offer to buy and other related closing documents.

### Background/Discussion

In 2013, the City began purchasing property along 2nd Avenue as part of the West Broadway/1st Avenue redevelopment efforts. Although the City's acquisition efforts mostly halted due to funding constraints, property owners in the area frequently still call the City to inquire if we are interested in purchasing their property. Any subsequent land acquisitions are now focused on properties that square off blocks or are adjacent to other City owned parcels.

The owner of 3420 2nd Avenue contacted the City about purchasing his property. The property is adjacent to the previous Echo Electric office building, which was demolished by the City in 2018. The four-family structure at 3420 2nd Avenue appraised for \$178,000 in 2018. As directed by City Council, Staff made an offer of \$178,000 which was countered by the Owner at \$190,000 with the City paying all closing costs and taxes due for the second half of 2018 and first half of 2019. The proposed total cost for acquisition and negotiated closing items is \$195,500. This amount is less than the amount authorized by City Council. A resolution has been prepared authorizing the acquisition of the property for \$190,000 and the cost of closing fees and taxes due for the second half of 2018 and first half of 2019. Total cost of acquisition and demolition is estimated at \$210,500 and will be paid through CIP 18-04 and funds from the City's 2018 Iowa West Foundation grant. Demolition of the property will occur within 60 days of closing and said costs will be the responsibility of the City.

### Recommendation

Approval of the resolution authorizing the acquisition 3420 2<sup>nd</sup> Avenue and authorizing the Mayor to execute the real estate contract and other related closing documents.

### ATTACHMENTS:

Description	Type	Upload Date
<a href="#">Map</a>	Map	5/9/2019
<a href="#">Resolution 19-126</a>	Resolution	5/14/2019

**3420 2<sup>nd</sup> Avenue**



**RESOLUTION NO. 19-126**

**A RESOLUTION AUTHORIZING THE ACQUISITION OF 3420 2<sup>nd</sup> AVENUE AND AUTHORIZING THE MAYOR TO EXECUTE AN OFFER TO BUY AND OTHER RELATED CLOSING DOCUMENTS.**

- WHEREAS,** the owner of 3420 2<sup>nd</sup> Avenue contacted the City about the purchase of his property; and
- WHEREAS,** said property is located along 2<sup>nd</sup> Avenue and is adjacent to other City properties which are proposed for redevelopment; and
- WHEREAS,** the property can be acquired voluntarily for the fair market value of \$190,000; and
- WHEREAS,** that this City Council finds that the acquisition of said parcel would be in the best interest of the City.

**NOW, THEREFORE, BE IT RESOLVED**

**BY THE CITY COUNCIL**

**OF THE**

**CITY OF COUNCIL BLUFFS, IOWA**

That the Mayor is hereby authorized and directed to execute the real estate contract and other related closing documents to acquire the property addressed as 3420 2<sup>nd</sup> Avenue.

ADOPTED

AND

APPROVED:

May 20, 2019

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

\_\_\_\_\_  
Mayor

ATTEST:

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

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

## Council Communication

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

Resolution 19-127  
ITEM 6.C.

Council Action: 5/20/2019

### Description

Resolution authorizing the Mayor to execute Iowa Department of Transportation Agreement No. 2020-TS-020 for Traffic Safety Improvement Program Funding.

### Background/Discussion

The Iowa DOT Traffic Safety Improvement Program provides safety funds to cities, counties and the DOT for roadway safety improvements, research, studies or public information initiatives. The program is funded annually with 0.5 percent of Iowa's Road Use Tax Fund.

Public Works submitted an application for funding under the category of traffic control devices and was successful in being selected for the program.

The proposed project includes converting existing 5-section traffic signal heads to 4-section signal heads with flashing yellow at 19 existing traffic signal locations (43 individual heads) which are listed in the agreement.

Material costs were estimated at \$47,973.00 with labor and equipment provided by the City with a cost of \$19,156.50 and consultant cost of \$11,800.00 to modify the signal cabinets. The total cost of the project is estimated to be \$78,929.50.

The project was selected for partial funding and received \$50,000 in Traffic Safety Funds.

The scope of the project will align with the funding received. The intersections will be prioritized however it is estimated that converting all aforementioned existing 5-section signal heads to 4-section signal heads will take place.

The plan for the project is to schedule the work based on the availability of the traffic signal technicians with all units installed within a year.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description	Type	Upload Date
<a href="#">Agreement</a>	Agreement	5/9/2019
<a href="#">Resolution 19-127</a>	Resolution	5/14/2019

**IOWA DEPARTMENT OF TRANSPORTATION  
AGREEMENT FOR TRAFFIC SAFETY IMPROVEMENT PROGRAM FUNDING  
(Traffic Control Device)**

County	Pottawattamie
Recipient	City of Council Bluffs
Project No.	CS-TSF-1642(682)--85-78
Iowa DOT	
Agreement No.	2020-TS-020

This agreement is entered into by and between the Iowa Department of Transportation, hereinafter designated the "DOT", and the City of Council Bluffs, Iowa, hereinafter designated the "Recipient". The Recipient submitted an application to the DOT for funding through the Traffic Safety Improvement Program (TSIP) under Iowa Code Section 312.2(11), and the application was approved by Transportation Commission Order No. H-2019-031 on, December 11, 2018.

Pursuant to the terms of this agreement, and applicable statutes and administrative rules, the DOT agrees to provide funding to the Recipient to aid in the development of a certain traffic safety improvement project.

In consideration of the foregoing and the mutual promises contained in this agreement, the parties agree as follows:

**1. Project Information**

- a. The Recipient shall be the lead local governmental agency for carrying out the provisions of this agreement.
- b. All notices required under this agreement shall be made in writing to the DOT's and/or the Recipient's contact person. The DOT's contact person shall be the Local Systems Project Development Engineer and Western Region Local Systems Field Engineer. The Recipient's contact person shall be Mark Franz, Council Bluffs Street Superintendent.
- c. The Recipient shall be responsible for the development and completion of the following described project located in the City of Council Bluffs:

Citywide project will convert existing 5-section traffic signal heads to 4-section signal heads with flashing yellow at 19 existing traffic signal locations. See Exhibit A-1 for the location of the project and Exhibit A-2 for the estimated project cost.

**2. Project Costs**

- a. Eligible project costs for the project described in Section 1 of this agreement which are incurred after the effective date of Commission Approval shall be paid from TSIP Funds and other funds as listed below, subject to the execution of a signed agreement:

TSIP Funds:     \$50,000

- b. The portion of the total project costs paid by TSIP shall not exceed the amount stated above or the actual cost of the TSIP eligible items, whichever is the smaller amount.
- c. If a letting is required, the project shall be let to contract within 2 years of the date this agreement is approved by the Department. If a letting is not required, construction on the project shall begin within 2 years of the date this agreement is approved by the Department. If neither condition is met, the Recipient may be in default, for which the Department may revoke funding commitments. This

agreement may be extended for a period of 6 months upon receipt of a written request from the Recipient at least 30 days prior to the 2-year deadline.

- d. Project activities or costs eligible for TSIP funds include only the cost of materials purchased for initial installation of traffic control devices or replacement of obsolete traffic control devices to comply with the applicable warrants in the Manual on Uniform Traffic Control Devices (MUTCD) adopted in 761 Iowa Administrative Code 130.1(321).
- e. Project activities and costs ineligible for TSIP funds include, but are not limited to, the following: (a) any and all costs incurred prior to Transportation Commission approval of funding; (b) maintenance or energy costs for traffic control devices or lighting; or (c) installation costs.
- f. For traffic control device projects where the devices will be furnished and installed by a contractor, the contract will need to have a bid item for materials only.
- g. If Federal highway funds, Farm-to-Market funds, or other Federal funds are used in combination with TSIP Funds, the Recipient shall also follow all administrative and contracting procedures which would normally be used when such funds are used on a non-TSIP project. The Recipient shall comply with all requirements for the use of said funds.

### **3. Right of Way and Permits**

- a. In the event that right-of-way is required for the project, said right-of-way shall be acquired in accordance with 761 Iowa Administrative Code Chapter 111, Real Property Acquisition and Relocation Assistance. If the project impacts the Primary Road System, the Recipient shall submit preliminary right-of-way plans to the DOT's Office of Right of Way for review and approval prior to the commencement of any acquisition. Additionally, if said right-of-way is for an improvement to the Primary Road System, it shall be acquired in the name of the State of Iowa.
- b. The Recipient shall be responsible for obtaining any permits, such as the Work Within the Right-of-Way Permit, Access Connection/Entrance Permit, Utility Accommodation Permit, Application for Approval of a Traffic Control Device, and/or other construction permits required for the project prior to the start of construction. Neither the approval of the TSIP application for funding nor the signing of this agreement shall be construed as approval of any required permit from the DOT.
- c. The Recipient shall be responsible for obtaining any environmental permits and approvals, when necessary, to comply with all environmental regulations.

### **4. Project Design**

- a. The Recipient shall develop all project improvements using good engineering judgment. The Recipient shall use the DOT "Design Manual" on projects involving the Primary Road System and/or routes located on the National Highway System. Projects not on the Primary Road system shall use "A Policy on Geometric Design of Highways and Streets", (latest edition), by the American Association of State Highway and Transportation Officials. In all cases the "The Manual on Uniform Traffic Control Devices for Streets and Highways" (MUTCD), as adopted pursuant to 761 Iowa Administrative Code, Chapter 130 shall apply.
- b. For projects which include the installation or modification of traffic signal systems, the following shall apply:
  - i. There will be a minimum of one mast-arm mounted signal head with back plate for each incoming through or left-turn lane. In addition, there will be one signal head, side of pole mounted, on the far right side pole. All vehicle signal lenses shall be 12-inch. The positioning of signal faces and the signal indications for left-turn movements shall be in accordance with current adopted MUTCD.

- ii. Combination signal/lighting pole shall be used to minimize the number of fixed objects.
- iii. Interconnection and coordinated traffic signal timing plans shall be developed for the traffic signals if there are two or more other signal installations within ½ mile of the subject access to provide for progressive traffic flow. Said plans shall be reviewed and approved the DOT Office of Traffic & Safety.
- iv. Pedestrian activated signals shall be provided for all pedestrian movements and timed in accordance with the MUTCD.
- v. The concrete pad for the controller shall extend no more than 4 inches above the ground line.
- vi. Where the distance from the stop bar to the signal indication is in excess of 180 feet, there shall also be a near side signal head.
- vii. Dilemma zone protection shall be provided if the 85<sup>th</sup> percentile speed is at/over 35 mph.

## **5. Procurement**

- a. If the estimated project cost is greater than the competitive bid threshold established pursuant to Iowa Code 314.1, the Recipient shall follow the competitive bidding procedures in Iowa Code sections 26.3 through 26.13. Project plans, specifications and engineer's cost estimate for site specific improvements and/or traffic control devices shall be prepared and certified by a professional engineer licensed to practice in the State of Iowa. The Recipient shall submit the plans, specifications and other contract documents to the DOT for review. This submittal may be in divisions and in the order of preference as determined by the Recipient. However, the plans, specifications and other contract documents for each division must be submitted at least ten weeks (traffic control devices) or fourteen weeks (site specific project) prior to the project letting of each division. The DOT shall review said submittal(s) recognizing the Recipient's development schedule and shall, after satisfactory review, authorize in writing the Recipient to proceed with implementation of the project. The work on this project shall be in accordance with the survey, plans, and specifications on file. Any substantial modification of these plans and specifications must be approved by the DOT prior to the modification being put into effect.
- b. If the estimated project cost is less than the competitive bid threshold established pursuant to Iowa Code section 314.1, the Recipient shall solicit competitive quotations in accordance with Iowa Code section 26.14. Before placing an order to purchase the materials, the Recipient shall provide the DOT with a summary of the quotes received and the vendor selected and request approval to proceed. After receiving DOT approval, the Recipient may proceed with the purchase of materials.
- c. The Recipient shall notify prospective bidders and quoters that Sales Tax Exemption Certificates will be issued, as provided for by Iowa Code section 423.3, subsection 80. The Recipient shall be responsible for obtaining the sales tax exemption certificates through the Iowa Department of Revenue and Finance. The Recipient shall issue these certificates to the successful bidder and any subcontractors to enable them to purchase qualifying materials for the project free of sales tax.
- d. The Recipient shall use positive efforts to solicit bids or quotes from and to utilize Targeted Small Business (TSB) enterprises as contractors and ensure that the contractors make positive efforts to utilize these enterprises as subcontractors, suppliers or participants in the work covered by this agreement. Efforts shall be made and documented in accordance with Exhibit B which is attached hereto and by this reference incorporated into this agreement.

## **6. Construction and Maintenance**

- a. The Recipient shall conduct the project development and implementation in compliance with applicable laws, ordinances and administrative rules.
- b. The Recipient shall maintain records, documents, and other evidence in support of work performed under the terms of this contract. All accounting practices applied and all records maintained will be in accordance with generally accepted accounting principles and procedures. Documentation shall be made available for inspection and audit by authorized representatives of the DOT or its designee at all reasonable times during the period of the contract and for three (3) years after the date of final payment. Reimbursement shall be based on eligible actual and indirect costs associated with performance of contract service work. The Recipient shall provide copies of said records and documents to the DOT upon request.
- c. The Recipient shall require its contractors to permit the DOT authorized representative to inspect all work materials, records, and any other data with regard to agreement related costs, revenues and operating sources.
- d. The Recipient shall install, or cause to be installed, the traffic control devices provided by this agreement.
- e. Upon project completion and prior to final reimbursement for the project, the Recipient shall furnish three sets of "as-built" plans for any portion of the project which is on or intersects any primary road or primary road extension to the DOT's contact person for future maintenance and road design purposes.
- f. If this project requires the installation of or modification to a traffic control signal system, the Recipient shall be responsible for all future ownership, maintenance, operation and energy costs of said installation or modification.
- g. The Recipient hereby certifies that, for a period of ten (10) years following completion of project and receipt of final payment from the DOT, there shall be no modifications in the geometric features, the construction features, or the access management features (including driveway design and location) of the project, nor shall there be any fixed objects or obstructions placed in any clear zone established in conjunction with this project without the prior written approval of the Office of Traffic and Safety. Failure to comply shall be considered a default under the terms of this agreement.

## **7. Payments and Reimbursements**

- a. The Recipient may submit to the DOT periodic itemized claims for reimbursement for eligible project activities. Eligible and ineligible costs are outlined in Iowa Administrative Code (IAC) 761 Chapter 164, Traffic Safety Improvement Program (see IAC 761-164.6(312) and IAC 761-164.7(312)). Reimbursement claims shall include certification by a professional engineer licensed to practice in the State of Iowa that all eligible project activities for which reimbursement is requested have been completed in substantial compliance with the terms of this agreement.
- b. The Department will reimburse the Recipient for properly documented and certified claims for eligible project costs. The Department may withhold up to 5% of the construction costs or 5% of the TSIP funds available for the project, whichever is less. Reimbursement will be made either by State warrant or by crediting other accounts from which payment was initially made. If, upon final audit or review, the Department determines the Recipient has been overpaid, the Recipient shall reimburse the overpaid amount to the Department. After the final audit or review is complete and after the Recipient has provided all required paperwork, the Department will release the funds withheld, if any.
- c. Upon completion of the project described in this agreement, a professional engineer licensed to practice in the State of Iowa shall certify in writing to the DOT that the project activities were

completed in substantial compliance with the terms of this agreement. Final reimbursement of TSIP Funds shall be made only after the DOT accepts the project as complete.

- d. The Recipient shall request reimbursement and final payment from the DOT within one year of field completion of the work. If this condition is not met, the Recipient may be in default, for which the Department may revoke funding commitments.
- e. If the Recipient fails to perform any obligation under this agreement, the DOT shall have the right, after first giving thirty (30) days written notice to Recipient by certified mail return receipt requested, to declare this agreement in default. The Recipient shall have thirty (30) days from date of mailing of notice to cure the default. If the Recipient cures the default, the Recipient shall notify DOT no later than five (5) days after cure or before the end of said thirty (30) day period to cure default. Within ten (10) working days of receipt of Recipient's notice of cure, the DOT shall issue either a notice of acceptance of cure or notice of continued default.
- f. In the event a default is not cured the DOT may revoke funding commitments and/or seek repayment of TSIP Funds granted by this agreement through charges against the Recipient's road use tax funds.

## **8. General Provisions**

- a. This agreement shall be considered to be in default if the DOT determines that the Recipient's application for funding contained inaccuracies, omissions, errors or misrepresentations.
- b. To the extent allowed by law, the Recipient agrees to indemnify, defend and hold the DOT harmless from any action or liability arising out of the design, construction, maintenance, placement of traffic control devices, or inspection of this project. To the extent allowed by law, this agreement to indemnify, defend and hold harmless applies to all aspects of the DOT's application review and approval process, plan and construction reviews, and funding participation.
- c. In accordance with Iowa Code Chapter 216, the Recipient shall not discriminate against any person on the basis of race, color, creed, age, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability.
- d. The Recipient shall comply with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504), and the associated Federal regulations that implement these laws.
- e. If any part of this agreement is found to be void and unenforceable then the remaining provisions of this agreement shall remain in effect.
- f. This agreement is not assignable without the prior written consent of the DOT.
- g. It is the intent of both parties that no third party beneficiaries be created by this agreement.
- h. In case of dispute concerning the terms of this agreement, the parties shall submit the matter to arbitration pursuant to Iowa Code Chapter 679A. Either party has the right to submit the matter to arbitration after ten (10) days' notice to the other party of their intent to seek arbitration. The written notice must include a precise statement of the disputed question. DOT and the Recipient agree to be bound by the decision of the appointed arbitrator. Neither party may seek any remedy with the state or federal courts absent exhaustion of the provisions of this paragraph for arbitration.
- i. This agreement shall be executed and delivered in two or more copies, each of which so executed and delivered shall be deemed to be an original and shall constitute but one and the same instrument.

January 2017

- j. This agreement, including referenced exhibits, constitutes the entire agreement between the DOT and the Recipient concerning this project. Representations made before the signing of this agreement are not binding, and neither party has relied upon conflicting representations in entering into this agreement. Any change or alteration to the terms of this agreement must be made in the form of an addendum to this agreement. Said addendum shall become effective only upon written approval of the DOT and Recipient.
- 

IN WITNESS WHEREOF, each of the parties hereto has executed Agreement No. 2020-TS-020 as of the date shown opposite its signature below.

**City of Council Bluffs, Iowa:**

By: \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_.

Title: \_\_\_\_\_

I, \_\_\_\_\_, certify that I am the Clerk of the City, and that  
\_\_\_\_\_, who signed said Agreement for and on behalf of the City was duly  
authorized to execute the same by virtue of a formal Resolution duly passed and adopted by the City, on  
the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_.  
City Clerk of Council Bluffs, Iowa

**Iowa Department of Transportation:**

By: \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_.  
Steve J. Gent  
Director,  
Office of Traffic and Safety



**EXHIBIT A-2**  
[Estimated Project Cost]

<b>TSIP 2020 Itemized Breakdown of Cost</b>			
Council Bluffs Flashing Yellow Arrow			
<b>Materials</b>			
Cabinet Mods (MMU, Flash Xfer relays, Load Switches, Modified Prints)	19	\$ 1,382.00	\$ 26,258.00
LED, 12" Arrow, Red	43	\$ 64.00	\$ 2,752.00
LED, 12" Arrow, Yellow	43	\$ 68.00	\$ 2,924.00
Backplate, 4-section	43	\$ 79.00	\$ 3,397.00
Astro Bracket, 4-section	43	\$ 179.00	\$ 7,697.00
Vehicle Signal Head, 4-section, with doors	43	\$ 115.00	\$ 4,945.00
<b>Total Materials Cost</b>			<b>\$ 47,973.00</b>
<b>Installation</b>			
Man/hours - 6 hrs per head (two men - 3 hrs each; includes removal, assembly and installation)	258	\$ 57.00	\$ 14,706.00
Equipment cost - 2 hrs per head (bucket truck)	86	\$ 51.75	\$ 4,450.50
Consultant cost to modify signal cabinets			\$ 11,800.00
<b>Total Installation Cost (From City Funds)</b>			<b>\$ 30,956.50</b>
<b>Total Project cost</b>			<b>\$ 78,929.50</b>
<b>TSIP Funds Requested</b>			<b>\$ 47,973.00</b>
<b>Intersections</b>	<b>Cabinet #</b>	<b>4 section heads</b>	
Langdon Blvd & L.C. Mid School Entrance	9605	1	
Langdon Blvd & L.C. High School Entrance	9607	3	
Kanesville & Main St BTP 12222	12222	2	
Kanesville & Harrison St	14024	2	
Kanesville & 8th St	10391	4	
Kanesville & 2nd St	2917	2	
9th Ave & 35th St	18318	4	
24th St & MidAmerica Dr/27th Ave	17360	3	
24th St & Marketplace Dr	14530	2	
24th St & I-80 West	14743	1	
24th St & I-80 East	14742	1	
24th St & Downing Dr	12851	4	
24th St & 23rd Ave	16110	1	
23rd Ave & MidAmerica Dr	13898	1	
23rd Ave & Horseshoe Blvd	8017	1	
23rd Ave & 32nd St	11286	4	
23rd Ave & 29th St	11285	2	
16th St & Ave G	6545	3	
16th St & Ave B	6546	2	
<b>total 4-section</b>		<b>43</b>	

**EXHIBIT B**  
**UTILIZATION OF TARGETED SMALL BUSINESS (TSB) ENTERPRISES**  
**ON NON-FEDERAL AID PROJECTS**  
**(THIRD-PARTY STATE-ASSISTED PROJECTS)**

In accordance with Iowa Code Section 19B.7, it is the policy of the Iowa Department of Transportation (Iowa DOT) that Targeted Small Business (TSB) enterprises shall have the maximum practicable opportunity to participate in the performance of contracts financed in whole or part with State funds.

Under this policy the Recipient shall be responsible to make a positive effort to solicit bids or proposals from TSB firms and to utilize TSB firms as contractors or consultants. The Recipient shall also ensure that the contractors or consultants make positive efforts to utilize TSB firms as subcontractors, subconsultants, suppliers, or participants in the work covered by this agreement.

The Recipient's "positive efforts" shall include, but not be limited to:

1. Obtaining the names of qualified TSB firms from the Iowa Economic Development Authority (515-348-6159) or from its website at: <https://iowaeconomicdevelopment.com/tsb>.
2. Notifying qualified TSB firms of proposed projects involving State funding. Notification should be made in sufficient time to allow the TSB firms to participate effectively in the bidding or request for proposal (RFP) process.
3. Soliciting bids or proposals from qualified TSB firms on each project, and identifying for TSB firms the availability of subcontract work.
4. Considering establishment of a percentage goal for TSB participation in each contract that is a part of this project and for which State funds will be used. Contract goals may vary depending on the type of project, the subcontracting opportunities available, the type of service or supplies needed for the project, and the availability of qualified TSB firms in the area.
5. For construction contracts:
  - a) Including in the bid proposals a contract provision titled "TSB Affirmative Action Responsibilities on Non-Federal Aid Projects (Third-Party State-Assisted Projects)" or a similar document developed by the Recipient. This contract provision is available from the Administering Office.
  - b) Ensuring that the awarded contractor has and shall follow the contract provisions.
6. For consultant contracts:
  - a) Identifying the TSB goal in the Request for Proposal (RFP), if one has been set.
  - b) Ensuring that the selected consultant made a positive effort to meet the established TSB goal, if any. This should include obtaining documentation from the consultant that includes a list of TSB firms contacted; a list of TSB firms that responded with a subcontract proposal; and, if the consultant does not propose to use a TSB firm that submitted a subcontract proposal, an explanation why such a TSB firm will not be used.

The Recipient shall provide the Iowa DOT the following documentation:

1. Copies of correspondence and replies, and written notes of personal and/or telephone contacts with any TSB firms. Such documentation can be used to demonstrate the Recipient's positive efforts and it should be placed in the general project file.
2. Bidding proposals or RFPs noting established TSB goals, if any.
3. The attached "Checklist and Certification." This form shall be filled out upon completion of each project and forwarded to: Iowa Department of Transportation, Civil Rights Coordinator, Office of Employee Services, 800 Lincoln Way, Ames, IA 50010.

**CHECKLIST AND CERTIFICATION**  
**For the Utilization of Targeted Small Businesses (TSB)**  
**On Non-Federal-aid Projects (Third-Party State-Assisted Projects)**

Recipient: \_\_\_\_\_ Project Number: \_\_\_\_\_

County: \_\_\_\_\_ Agreement Number: \_\_\_\_\_

1. Were the names of qualified TSB firms obtained from the Iowa Economic Development Authority? ☐ YES ☐ NO

If no, explain \_\_\_\_\_

2. Were qualified TSB firms notified of project? ☐ YES ☐ NO

If yes, by ☐ letter, ☐ telephone, ☐ personal contact, or ☐ other (specify) \_\_\_\_\_

If no, explain \_\_\_\_\_

3. Were bids or proposals solicited from qualified TSB firms? ☐ YES ☐ NO

If no, explain \_\_\_\_\_

4. Was a goal or percentage established for TSB participation? ☐ YES ☐ NO

If yes, what was the goal or percentage? \_\_\_\_\_

If no, explain why not: \_\_\_\_\_

5. Did the prime contractor or consultant use positive efforts to utilize TSB firms on subcontracts? ☐ YES ☐ NO

If no, what action was taken by Recipient? \_\_\_\_\_

Is documentation in files? ☐ YES ☐ NO

6. What was the dollar amount reimbursed to the Recipient  
from the Iowa Department of Transportation? \$ \_\_\_\_\_  
What was the final project cost? \$ \_\_\_\_\_  
What was the dollar amount performed by TSB firms? \$ \_\_\_\_\_

Name(s) and address(es) of the TSB firm(s) \_\_\_\_\_  
(Use additional sheets if necessary)

Was the goal or percentage achieved? ☐ YES ☐ NO

If no, explain \_\_\_\_\_

As the duly authorized representative of the Recipient, I hereby certify that the Recipient used positive efforts to utilize TSB firms as participants in the State-assisted contracts associated with this project.

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**RESOLUTION**  
**NO 19-127**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK  
TO EXECUTE IOWA DEPARTMENT OF TRANSPORTATION  
AGREEMENT NO. 2020-TS-020  
IN CONNECTION WITH  
TRAFFIC SAFETY IMPROVEMENT PROGRAM FUNDING**

- WHEREAS, the City wishes to make improvements to traffic signals by converting 5-section signal heads to 4-section heads with flashing yellow, within the City, as therein described; and
- WHEREAS, the Iowa Department of Transportation will provide funding to aid in the development of certain traffic safety improvement projects; and
- WHEREAS, the Iowa Department of Transportation has submitted an agreement for said improvements; and
- WHEREAS, the city council deems approval of said agreement to be in the best interest of the City of Council Bluffs.

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

That the Mayor and City Clerk are hereby authorized and directed to execute Agreement No. 2020-TS-020 with Iowa Department of Transportation in connection with Traffic Safety Improvement Program Funding.

ADOPTED  
AND  
APPROVED

May 20, 2019

---

Matthew J. Walsh, Mayor

ATTEST:

---

Jodi Quakenbush, City Clerk

## Council Communication

Department: Public Works Admin  
Case/Project No.: PW19-12  
Submitted by: Matthew Cox, Public Works  
Director

Resolution 19-128  
ITEM 6.D.

Council Action: 5/20/2019

### Description

Resolution accepting the bid of Compass Utility, LLC in the amount of \$958,735.15 for the South 1<sup>st</sup> Street Neighborhood Rehab, Phase X.  
Project # PW20-12

### Background/Discussion

On May 9, 2019 bids were received in the office of the city clerk as follows:

	Division I <u>General</u>	Division II <u>Pavement</u>	Division III <u>Storm Sewer</u>	Division IV <u>San. Sewer</u>	Division V <u>Water Main</u>	<u>Total</u>
Compass Utility, LLC, Council Bluffs, IA	\$81,582.39	\$483,401.40	\$87,818.28	\$156,386.10	\$149,546.98	\$958,735.15
Carley Construction, LLC, Council Bluffs, IA	\$94,961.40	\$486,022.50	\$95,275.15	\$159,042.20	\$166,079.00	\$1,001,380.25
Engineer's Opinion (Snyder)	\$96,041.00	\$496,310.00	\$96,301.00	\$160,980.00	\$157,825.00	\$1,007,457.00

The South 1<sup>st</sup> Street neighborhood bounded by Pierce Street on the north, Palmer Avenue on the south, 1<sup>st</sup> Street on the west and Franklin Avenue on the east consists of some of the original town subdivision within the city.

Records indicate that the infrastructure in this area dates back prior to the 1950's and is in need of replacement. Storm sewers are lacking or undersized, sanitary sewers are leaking and broken and the pavements are in poor condition. Improvement projects will be phased over several years to replace and upgrade the aged infrastructure.

Phases I thru VIII are complete and included portions of Knepper Street, Damon Street, Hill Street, Stutsman Street, Langstrom Street, Franklin Avenue, Platner Street, Carson Avenue, Grace Street, Kappell Avenue, Charles Street, Garden Street, Bloomer Street, Clinton Street, Voorhis Street, Stahl Avenue, Grace Street, Stutsman Avenue, Voorhis Street and Platner Street. The Phase IX project includes Palmer Avenue, Grove Street and Iowa Avenue. Palmer Avenue and Grove Street are complete; Iowa Avenue will be completed in June/July of 2019.

Phase X will include Stutsman Avenue from Platner Street to just beyond Clinton Street to the dead end and Platner Street from Stutsman Street to South 1<sup>st</sup> Street. CBWW will reimburse the City for the cost associated with Division V.

This project was included in the FY20 CIP with a budget of \$1,000,000 in Sales Tax Funds.

The project schedule is as follows:	Construction Start	June 2019
	Construction End	November 2019

### Recommendation

Approval of this resolution.


### ATTACHMENTS:

Description	Type	Upload Date
<a href="#">Map</a>	Map	5/10/2019
<a href="#">Resolution 19-128</a>	Resolution	5/14/2019

PW20-12  
S. 1ST ST. NEIGHBORHOOD REHAB PH X



Legend

 PW 20-12

**RESOLUTION**  
**NO 19-128**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK  
TO EXECUTE AN AGREEMENT WITH  
COMPASS UTILITY LLC, FOR THE  
SOUTH 1<sup>ST</sup> STREET NEIGHBORHOOD REHAB, PHASE X  
PROJECT #PW20-12**

WHEREAS, the plans, specifications, and form of contract for the South 1<sup>st</sup> Street Neighborhood Rehab, Phase X 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 April 22, 2019, and the plans, specifications and form of contract were approved; and

WHEREAS, Compass Utility LLC has submitted a low bid in the amount of \$958,735.15 for this contract.

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

That the bid of Compass Utility LLC in the amount of \$958,735.15 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 South 1<sup>st</sup> Street Neighborhood Rehab, Phase X; and

BE IT FURTHER RESOLVED

That the Mayor and City Clerk are hereby authorized, empowered, and directed to execute an agreement with Compass Utility LLC 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.

AND BE IT FURTHER RESOLVED

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

ADOPTED  
AND  
APPROVED

May 20, 2019

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

ATTEST:

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

## Council Communication

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

Resolution 19-129  
ITEM 6.E.

Council Action: 5/20/2019

### Description

Resolution authorizing the Mayor to execute Iowa Department of Transportation Agreement No. 2019-4-145 in connection with the I-29 Interstate Improvements.

### Background/Discussion

This agreement is in reference to Segment 3 of the Iowa DOT's Council Bluffs Interstate System Improvements.

The agreement includes items related to designated haul routes, traffic detours, and construction near the east systems interchange of I-80 and I-29. The project entails grading and paving, lighting, traffic signs, and bridge replacement on I-29 (SB) from just west of the I-29 SB to South Expressway Ramp to the I-29/US 275 interchange. These projects include grading and paving along portions of South Expressway north of the 30th Avenue intersection. These projects also include the construction of both a temporary and permanent traffic signal at the 30th Avenue/South Expressway intersection.

The following projects will be let by the Iowa DOT:

- IM-NHS-029-3(133)48-03-78 (Culvert)
- IM-NHS-029-3(171)48-03-78 (Grade & Pave)
- IM-NHS-029-3(172)48-03-78 (Traffic Signs)
- IM-NHS-029-3(173)48-03-78 (Lighting)
- IM-NHS-080-1(407)3-03-78 (Bridge)
- IM-NHS-080-1(408)4-03-78 (Bridge)
- IM-NHS-080-1(446)2-03-78 (Bridge)
- IM-NHS-029-3(244)49-03-78 (Traffic Signals)

The agreement also includes the future transfer of jurisdiction of South Expressway from the I-29 NB Ramp Terminal to the 30th Avenue/South Expressway intersection. A future Transfer of Jurisdiction Agreement will be negotiated between the DOT and the City to complete the transfer.

### Recommendation

Approval of this resolution.

### ATTACHMENTS:

Description

[Agreement](#)

[Resolution 19-129](#)

Type

Agreement

Resolution

Upload Date

5/10/2019

5/14/2019

**IOWA DEPARTMENT OF TRANSPORTATION  
Preconstruction Agreement  
For Primary Road Project**

County	Pottawattamie
City	Council Bluffs
Project No.	IM-NHS-029-3(133)48--03-78 (Culvert) IM-NHS-029-3(171)48--03-78 (Grade & Pave) IM-NHS-029-3(172)48--03-78 (Traffic Signs) IM-NHS-029-3(173)48--03-78 (Lighting) IM-NHS-080-1(407)3--03-78 (Bridge) IM-NHS-080-1(408)4--03-78 (Bridge) IM-NHS-080-1(446)2--03-78 (Bridge) IM-NHS-029-3(244)49--03-78 (Traffic Signals)
Iowa DOT	
Agreement No.	2019-4-145
Staff Action No.	N/A

This Agreement, is entered into by and between the Iowa Department of Transportation, hereinafter designated the "DOT", and the city of Council Bluffs, Iowa, a Local Public Agency, hereafter designated the "LPA" in accordance with Iowa Code Chapters 28E, 306, 306A and 313.4 as applicable;

The DOT proposes to establish or make improvements to I-29 within Pottawattamie County, Iowa; and

The DOT and the LPA are willing to jointly participate in said project, in the manner hereinafter provided; and

The DOT and the LPA previously entered into the following agreement(s) for the above referenced project: Agreement No. 2007-1-016 for right of way acquisition was executed by the DOT and LPA on October 13, 2006 and September 25, 2006 respectively; and

This Agreement reflects the current concept of this project which is subject to modification by mutual agreement between the LPA and the DOT; and

Therefore, it is agreed as follows:

**1. Project Information**

- a. The DOT will design, let, and inspect construction of the following described project in accordance with the project plans and DOT standard specifications:

Grading and paving, lighting, traffic signs, and bridge replacement on I-29 (SB) from just west of the I-29 SB to South Expressway Ramp (Ramp B) to the I-29/U.S. 275 interchange. These projects include grading and paving along portions of South Expressway north of the 30<sup>th</sup> Avenue intersection. These projects also include the construction of both a temporary and permanent traffic signal at the 30<sup>th</sup> Avenue/South Expressway intersection.

**2. Project Costs**

- a. The DOT will bear all costs except those allocated to the LPA under other terms of this Agreement.

### **3. Traffic Control**

- a. I-29, I-80 and U.S. 275 through-traffic will be maintained during the construction.
- b. If it becomes necessary to temporarily close LPA side roads during construction, the DOT will furnish and install the required barricades and signing for the closure at project cost and shall remove same upon completion of the project also at no expense or obligation to the LPA. The DOT will work in close cooperation with the LPA and the contractor to accommodate emergency services and local access across the project during construction. Any detours which may be necessary for project related LPA road closures will be the responsibility of the LPA all at no expense or obligation to the DOT.

### **4. Right of Way and Permits**

- a. Subject to the provisions hereof, the LPA in accordance with 761 Iowa Administrative Code Chapter 150.3(1)c and 150.4(2) will remove or cause to be removed (within the corporate limits) all encroachments or obstructions in the existing primary highway right of way. The LPA will also prevent the erection and/or placement of any structure or obstruction on said right of way or any additional right of way which is acquired for this project including but not limited to private signs, buildings, pumps, and parking areas.
- b. The DOT will be responsible for the coordination of utility facility adjustments for the primary road project.
- c. The LPA agrees to relocate all city-owned utilities necessary for construction which are located within the existing street or alley right of way, subject to the approval of and without expense to the DOT and in accordance with 761 Iowa Administrative Code Chapter 150.4(5) and the DOT Utility Accommodation Policy.
- d. With the exception of service connections no new or future utility occupancy of project right of way, nor any future relocations of or alterations to existing utilities within said right of way will be permitted or undertaken by the LPA without the prior written approval of the DOT. All work will be performed in accordance with the Utility Accommodation Policy and other applicable requirements of the DOT.

### **5. Construction & Maintenance**

- a. The LPA, in cooperation with the DOT, will take whatever steps may be required with respect to alteration of the grade lines of the new highway facilities constructed under the project in accordance with Iowa Code section 364.15. The DOT and LPA will work together to minimize potential impacts to properties that may occur as a result of the project.
- b. Upon completion of the project, no changes in the physical features thereof will be undertaken or permitted without the prior written approval of the DOT.
- c. Future maintenance of the primary highway within the project area will be carried out in accordance with the terms and conditions contained in 761 Iowa Administrative Code Chapter 150.

- d. New lighting and/or traffic signal construction for this project shall be provided under guidelines established in 761 Iowa Administrative Code Chapter 150. The DOT shall construct traffic signal installations all at no cost to the LPA. Lighting installations will not be constructed as part of the project unless specifically requested by the LPA. Lighting which is requested by the LPA will also be paid for entirely by the LPA at no cost to the DOT or project. If constructed, the LPA shall accept ownership of and responsibility for future energy and maintenance costs of those lighting and/or traffic signal units which lie within the corporate boundaries.
- e. Structures built by the DOT over or under a primary road will be maintained structurally sound by the DOT, including repairs to floors and railing and painting. For structures serving roadways which are not on the primary road system, the cleaning and removal of snow, debris and foreign objects from local road traffic lanes, sidewalks or walkways within the project limits (if any) including pedestrian overpasses or underpasses will be the responsibility of the LPA.
- f. During construction of the project it will be necessary for the DOT contractor to use designated haul routes to minimize traffic operation impacts. The DOT will work in close cooperation with the LPA and the contractor to accommodate local access and maintenance on haul routes during construction (see Exhibit A).
  - i. The DOT will conduct a pre-use survey of the designated haul route to assess condition and potential trouble spots, and if necessary, request a pre-use film of the haul route. An official of the LPA shall be offered the opportunity to be present during the survey.
  - ii. The DOT will erect haul route signage and other traffic control devices as appropriate.
  - iii. Upon completion of the project, the LPA shall resume maintenance responsibilities for the haul route.
  - iv. The DOT will conduct a post-use survey for comparison with the pre-use survey. The post-use survey should be conducted by the same personnel that conducted the pre-use survey.
  - v. The DOT and the LPA will determine the necessary roadway repairs due to DOT contractor access. The DOT, and/or its contractor, will be responsible to complete any necessary restoration work.
- g. During construction of the project it may be necessary for the DOT contractor to detour interstate traffic onto local roadways owned and maintained by the LPA to accommodate various stages of construction. The DOT will work in close cooperation with the LPA and the contractor to accommodate local access and maintenance of traffic detour routes during construction (see Exhibit A).
  - i. The DOT will conduct a pre-use survey of the designated detour routes to assess condition and potential trouble spots, and if necessary, request a pre-use film of the detour route. An official of the LPA shall be offered the opportunity to be present during the survey.
  - ii. The DOT will conduct a post-use survey of the designated detour routes for comparison with the pre-use survey. The post-use survey should be conducted by the same personnel that conducted the pre-use survey. The DOT and LPA will jointly determine the necessary repairs based on comparing the pre-use and post-use survey.
  - iii. A determination will be made as to necessary restoration work due to additional traffic; the costs associated with the restoration work; and the amount due the LPA as compensation. Reimbursement shall be in accordance with IDOT Policy 600.05.

## **6. Transfer of Jurisdiction**

- a. The LPA agrees to the future transfer of jurisdiction of the following road segment(s) or extension(s) as well as any associated bridges and drainage structures:

**South Expressway from I-29 NB Ramp Terminal to the 30<sup>th</sup> Avenue/South Expressway intersection.**

- b. A future Transfer of Jurisdiction Agreement will be negotiated between the DOT and LPA to complete this transfer.

## **7. General Provisions**

- a. If the LPA has completed a Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the FIS is modified, amended or revised in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the modification, amendment or revision to the DOT. If the LPA does not have a detailed Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the LPA does adopt an FIS in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the FIS to the DOT.
  - b. The LPA will comply with all provisions of the equal employment opportunity requirements prohibiting discrimination and requiring affirmative action to assure equal employment opportunity as required by Iowa Code Chapter 216. No person will, on the grounds of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which State funds are used.
  - c. It is the intent of both (all) parties that no third party beneficiaries be created by this Agreement.
  - d. If any section, provision, or part of this Agreement shall be found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional, except to the extent that the original intent of the Agreement cannot be fulfilled.
  - e. This Agreement may be executed in (two) counterparts, each of which so executed will be deemed to be an original.
  - f. This Agreement, as well as the unaffected provisions of any previous agreement(s), addendum(s), and/or amendment(s); represents the entire Agreement between the LPA and DOT regarding this project. All previously executed agreements will remain in effect except as amended herein. Any subsequent change or modification to the terms of this Agreement will be in the form of a duly executed amendment to this document.
-

July 2014

**IN WITNESS WHEREOF**, each of the parties hereto has executed Agreement No. 2019-4-145 as of the date shown opposite its signature below.

**CITY OF COUNCIL BLUFFS:**

By: \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_.

Title: Mayor

I, \_\_\_\_\_, certify that I am the Clerk of the City, and that  
\_\_\_\_\_, who signed said Agreement for and on behalf of the  
City was duly authorized to execute the same on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed: \_\_\_\_\_  
City Clerk of Council Bluffs, Iowa

**IOWA DEPARTMENT OF TRANSPORTATION:**

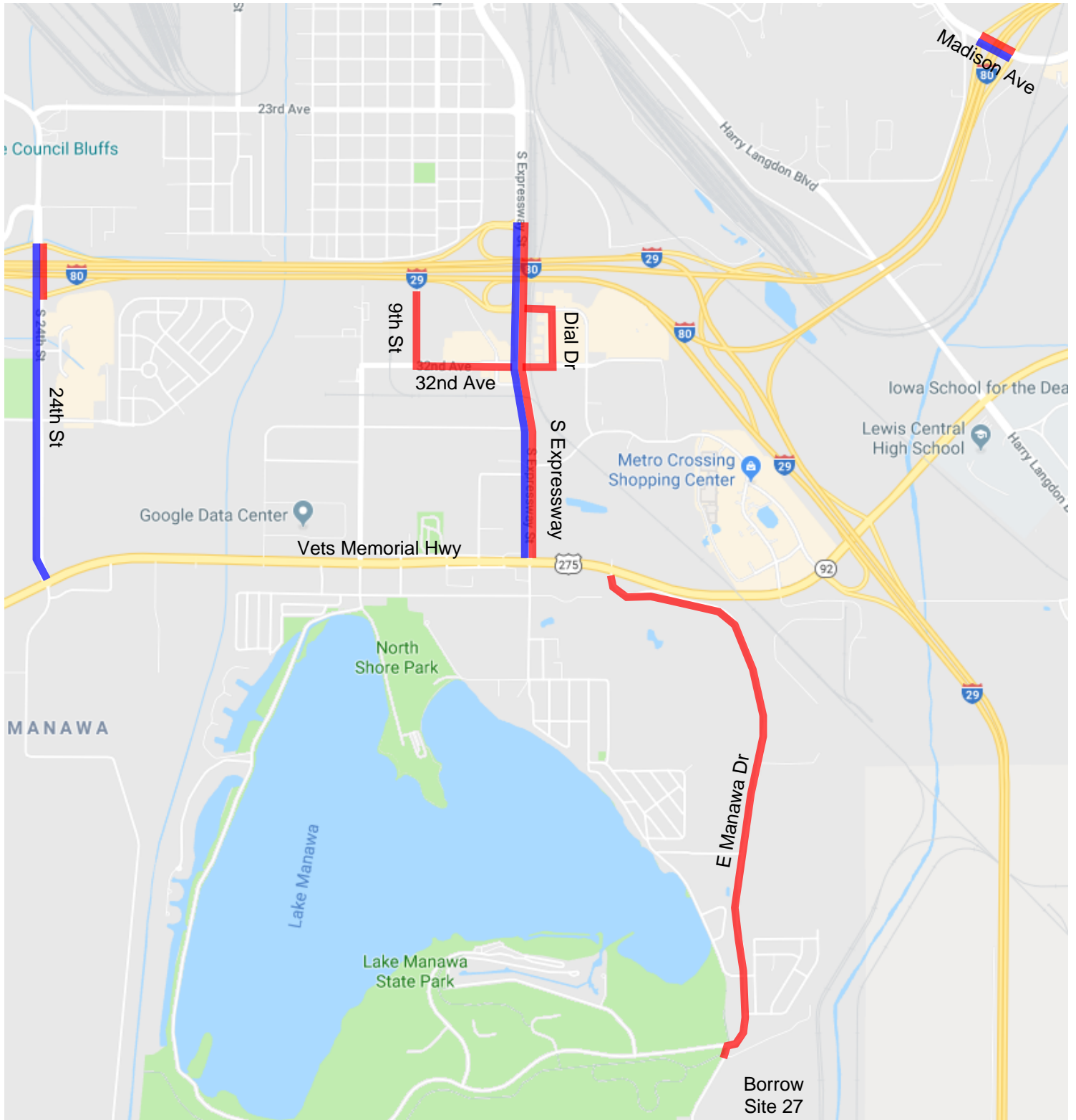
By: \_\_\_\_\_ Date \_\_\_\_\_, 20\_\_\_\_.

Scott A. Schram  
District Engineer  
District 4

# Exhibit A

E-1 East

Off Interstate Haul Routes  
Off Interstate Detour Routes



**RESOLUTION**  
**NO 19-129**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK  
TO EXECUTE IOWA DEPARTMENT OF TRANSPORTATION  
AGREEMENT NO. 2019-4-145  
IN CONNECTION WITH  
I-29 INTERSTATE IMPROVEMENTS**

WHEREAS, the Iowa Department of Transportation wishes to make improvements known as the I-29 Interstate Improvements, within the city, as therein described; and

WHEREAS, Iowa Department of Transportation has submitted an agreement for said improvements; and

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

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

That the Mayor and City Clerk are hereby authorized and directed to execute an agreement with Iowa Department of Transportation in connection with I-29 Interstate Improvements.

ADOPTED  
AND  
APPROVED

May 20, 2019

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

ATTEST:

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

## Council Communication

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

Resolution 19-130  
ITEM 6.F.

Council Action: 5/20/2019

### Description

Resolution to update City Personnel Policies 400 and 401.

### Background/Discussion

The policies were updated and the redline version of changes to Policy 400 is attached. The only change to Policy 401 is that it now directs employees to refer to Policy 400.

### Recommendation

Approval of the resolution.

### ATTACHMENTS:

Description

Type

Upload Date

[Policy 400](#)

Resolution

5/14/2019

[Policy 401](#)

Resolution

5/14/2019

[Resolution 19-130](#)

Resolution

5/14/2019

*City Personnel Policy*

**VEHICLE USAGE**

POLICY: 400

Council approval:

# Pages: 5

**POLICY:**

It is the policy of the City to provide vehicles for business use whenever possible, to allow employees to drive for City business, and to reimburse employees for business use of personal vehicles according to the guidelines below.

**APPLICABILITY:**

The provisions of this policy are applicable to all City employees who receive reimbursements or allowances for the use of their personal vehicles in conducting City business; or, who operate City vehicles.

**ADMINISTRATION:**

The Finance Director is responsible for the contents and administration of this policy. The Public Works Operations Director is responsible for the compliance and administration, and purchasing of vehicles contained in this policy.

**PROCEDURE:**

1. **General.** The use of a City-owned vehicle or the receipt of mileage reimbursement or allowances for the use of a personal vehicle will be approved only for necessary travel for official City business. Those who are required to use a personal vehicle in conducting official City business shall receive mileage reimbursements in accordance with this policy. Use of an emergency/Special-use vehicle or assignment of an eight-hour vehicle shall also be in accordance with the provisions of this policy. However, it is understood that certain operational demands may exempt certain operators from some of the provisions of this policy.
2. **Permitted Uses.**
  - A. General: Vehicles covered under this policy shall be used for official City business only. Operators of both personal and City-owned vehicles shall observe all traffic regulations. They are also expected to drive the shortest and most direct route between stops.
  - B. Lunch Breaks: Only those departments or divisions assigned emergency or special use vehicles, and those assigned vehicles on an eight-hour basis, who

regularly work in the field most of the day may use the vehicle for transportation to and from lunch.

- C. Passengers: Only City employees shall drive or ride in City vehicles or private vehicles being used for official City business except that others may ride in such vehicles when such use directly relates to City business.

- 3. **Qualifications to Operate Vehicle.** Department Heads use all reasonable means for ensuring that all of their employees have a license to operate the type of vehicle being used and that the employee's safety driving record and physical condition justifies the operation of such vehicles. Employees holding jobs designated as requiring regular driving for business must, as a condition of employment, be able to meet the driver approval standards of this policy at all times. For all other jobs, driving is considered only an incidental function of the position. Employees approved to drive on City business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability.

#### 4. **Types of Assignment.**

- A. Guidelines. Those who regularly need a vehicle in performance of their official City business will use a personal vehicle; or, at the City's option, be assigned an eight-hour vehicle or an emergency/special use vehicle. Although each type of assignment will be determined individually, the following guidelines shall be followed in making these types of assignments.

- (1) **Personal Vehicle:** Reimbursements for the regular use of a personal vehicle on official City business will be approved when this type of arrangement best meets the needs of the City. Normally this type of assignment shall be considered when a vehicle is needed for a limited number of hours each day, and when no City pool-vehicle is available.

- (2) **Eight-hour Assigned City Vehicle:** An eight-hour assignment of a City vehicle may be approved to a specific employee or department when:

- (a) It is less expensive to furnish a vehicle than to pay mileage; and,
- (b) Necessary funds are included in the department's operating budget; and,
- (c) A vehicle other than a passenger vehicle is required; or,
- (d) Other factors warrant such an assignment.

- (3) **Emergency or Special-Use Vehicle:** An emergency or special-use vehicle will be approved to the department when:

- (a) The department is frequently subject to twenty-four hour emergency calls throughout the year and carries special tools, equipment, supplies, or parts needed to perform emergency work or special duties.
- (b) Other circumstances not specifically mentioned herein warrant such an assignment.

5. **Authorization.** Authority to use a City-owned vehicle on an eight-hour basis or emergency or special-use assignment must be received from the Mayor upon recommendation of the appropriate Department Head. The appropriate form to be completed by Department Head is "Request for City Vehicle Assignment" ([see Appendix "A" - F400-4](#)). Only those assignments which are first recommended by the Department Head shall be forwarded to the Mayor for review. Assignment requests which are not warranted shall be denied by the Department Head. After each request is approved by the Department Head, it shall be forwarded to the Mayor for final approval or disapproval.
6. **Use of a Personal Vehicle on Official City Business.**
7. In order to receive mileage reimbursements for traveling expenses for official City business in a personal vehicle, it is necessary that accurate, detailed and substantiated mileage records be kept. Documentation shall be approved by the Department Heads and submitted to the Finance Department for reimbursement. The approved mileage reimbursement rate shall be the current rate established by the IRS for business purposes. Reimbursements shall be made on the following basis:
  - A. Authorized Reimbursement: A City employee is expected to use good judgment in submitting requests for mileage reimbursements. Reimbursements will be made only for mileage traveled in conducting official City business. Mileage for traveling between home and work and between work and lunch or other personal business does not qualify for reimbursement. Employees shall be expected to use the shortest and most direct routes in the performance of their duties.
  - B. Procedure: The Travel & Business Expense Reimbursement Request ([see Appendix "A" - F401-1](#)) shall be signed by the employee requesting the reimbursement and submitted to the Department Head for review and payment. Reimbursement requests shall be filed with the Department Head within ten days following the end of the month. Any late filings may not be paid until the following month.
8. **Insurance.** Employees using personal vehicles are required to provide proof of automobile insurance coverage for liability and property damage. The City will not assume responsibility for any physical damage to employees' vehicles.
9. **Responsibility.** Employees assigned City-owned vehicles on an emergency/special-use or eight-hour basis shall assume responsibility for making the vehicle available to the appropriate City garage at appropriate times for servicing and for immediately reporting any mechanical failures or difficulties. It shall be the responsibility of City employees to follow this policy; and if a departmental director sees his/her employees use City vehicles by careless operation or with maintenance neglect, such employees may be subjected to disciplinary action and/or dismissal. Employees authorized to use a City-owned vehicle for commuting or other personal purposes are subject to IRS regulations and when appropriate must submit the necessary records to the Finance Department to facilitate W-2 reporting requirements.

10. **Storage of City-owned Vehicles.** City-owned vehicles assigned on an emergency/special-use basis when driven home shall be parked only on the private property where the assigned operator resides and not on the street unless a waiver is granted by the Department Head. If possible, City vehicles should be parked overnight or on weekends in a garage.
11. **Safety Guidelines.** All individuals operating a vehicle during the performance of their job are expected to observe the following safety guidelines:
- A. Circumstances permitting, the operator of a vehicle has the responsibility to check the safety features of their vehicle prior to commencing operation. The check should include (but is not limited to) all lights and brakes.
  - B. No operator of a vehicle shall modify, remove, deactivate or otherwise tamper with the vehicle safety belts, emission control devices, or any part of the vehicle which affects its operation. Safety belts shall be worn in compliance with Iowa state law.
  - C. During periods of inclement weather when vehicles cannot be washed regularly, the operator of a vehicle must assure the headlight and taillight lenses are kept clean, insofar as circumstances permit.
  - D. No employee shall operate any vehicle which he/she believes to be operationally unsafe.
  - E. Regardless of the seriousness of the situation to which the employee is responding, and excepting circumstances that are clearly beyond the employee's control, the operator shall be held accountable for the manner in which he/she operates his/her vehicle.
  - F. City vehicles shall be legally parked in such a manner so as to not create an obstacle or hazard to other traffic.
  - G. The operator of a City vehicle, upon being made aware of any unsafe condition, shall advise his/her supervisor, who shall refer the vehicle to the City repair shop.
  - H. A City vehicle with serious mechanical defects shall be towed, not driven, to the shop.

- I. The operator of a vehicle shall exercise careful observation of surrounding conditions before turning or backing the vehicle.
  - J. A vehicle shall not be left unattended with its engine in operation.
  - K. The operator must recognize the variable factors of weather, road surface conditions, road contour, and traffic congestion, all of which directly affect the safe operation of any motor vehicle, and shall govern the operation of his/her vehicle in accordance with these factors.
  - L. In addition to the provisions of this policy, the operation of City vehicles is also governed by the Motor Vehicle Laws of the State of Iowa and City ordinances.
12. **Vehicular Accident Reporting.** In the event of any accident involving a City vehicle or a private vehicle being used on official City business, the vehicle shall be left in exactly the position that it came to rest after the accident. After ensuring that no life is in immediate jeopardy, the employee shall notify their immediate supervisor of the accident. The supervisor shall notify their Department Head, the Risk Manager, and the City Attorney of the accident.
- The employee shall complete all accident reports necessary and shall fully cooperate in the investigation of the accident.
13. **Out-of-Town Travel.** When traveling outside of the immediate area, the means of travel shall be in the best interests of the City. If available, City-owned vehicles should be used for trips that exceed 60 miles round-trip.

*City Personnel Policy*

**PAYMENT OF TRAVEL AND BUSINESS EXPENSES**

POLICY: 401

Council approval: 6/26/2017

# Pages: 3

**POLICY:**

The City of Council Bluffs will pay reasonable expenses which are incurred in the course of authorized City travel for the purpose of conducting City business, representing the City at meetings and professional associations, as well as for training to enhance performance.

**APPLICABILITY:**

All City personnel, including both elected and appointed City officials.

**PURPOSE:**

The purpose of this policy is to inform employees, supervisors, Department Heads, and other City officials of their respective roles and responsibilities relative to submitting and approving travel and business-related expenses. It is the expressed purpose of this policy to provide employees with reasonable travel accommodations and related expenses, while maintaining a prudent spending policy.

**ADMINISTRATION:**

The Director of Finance is primarily responsible for the contents and administration of this policy. All other Department Heads have collateral responsibility for administration of this policy.

**PROCEDURE:**

1. Authorization to Travel. Supervisors are responsible for ensuring that travel is appropriate, reasonable, and necessary to the mission and responsibilities of the department and/or City government, and that funds are available for related expenses. Supervisors must approve travel requests prior to the travel occurring.
2. Expenses Eligible for Payment or Reimbursement. Travel expenses that may be paid by the City include conference or training fees, meals, lodging, and transportation costs. Excess costs, indirect routes, or luxury accommodations and services unnecessary, unjustified, or solely for the convenience or personal preference of the employee are not eligible for reimbursement.

- A. Lodging Expense: Reasonable lodging expense will be paid either directly by the City or will be reimbursed to the employee for an approved function. Tips paid for hotel/motel services will not be reimbursed.
- B. Seminar/Tuition Expense: Approved conference, seminar or tuition registration expenses will be paid by the City.
- C. Transportation: Reimbursement or payment of transportation expenses shall be in the best interest of the City. In no case shall the total travel reimbursement exceed the tourist class air rate or the actual mileage rate incurred, whichever is less. Tips for transportation services will not be reimbursed.
- (1) Air Travel Procedure: Each Department is responsible for making air travel arrangements in a prudent manner.
- (2) Travel by Personal Automobile: Travel by personal automobile will be allowed when it is in the best interest of the City. Employees are eligible for mileage reimbursement for actual miles driven to and from the function. The approved mileage reimbursement rate shall be the current rate established by the IRS for business purposes.
- (3) Travel by City-owned Automobile: When taking a City automobile, the employee will be reimbursed for any gasoline expenditures incurred. A copy of the receipt with the mileage and vehicle number driven must be forwarded to Fleet Maintenance.
- D. Meal Reimbursement: The City will reimburse employees for actual meal costs while travelling for business purposes.
- (1) Meal expense reimbursement will not exceed these per meal amounts:
- \$ 15.00 Breakfast  
15.00 Lunch  
25.00 Dinner
- (2) All meal receipts must be submitted in order to receive reimbursement. Meal reimbursement in excess of these amounts may be made only upon a showing of extraordinary circumstances, and should be pre-approved by the employee's supervisor when possible. The City will not reimburse any purchases of alcohol.
- E. Miscellaneous Expenses: Employees will also be reimbursed for any other necessary charges such as taxi, bus, parking, etc. Receipts are required for any miscellaneous expenses for which the employee is requesting reimbursement.

3. Forms of Payment for Travel and Business Expenses. Travel and business expenses can be paid for or reimbursed in the following manner:
- A. Use of a City of Council Bluffs Purchasing Card is the preferred payment method for travel and business expenses.
  - B. Employees who pay for their own travel and business expenses may obtain reimbursement for eligible expenses by completing the Travel and Business Expense Reimbursement Request form ([see Appendix "A" – F401-1](#)) and attaching receipts showing payment of applicable expenses within thirty (30) calendar days of return from the function. Employees will be reimbursed via direct deposit.
  - C. For expenses that can be directly billed to the City, the employee can process payment through the normal accounts payable system. This method can be used to have a City check prepared for the employee to deliver at the time of the event.

**RESOLUTION NO. 19-130**

**A RESOLUTION AMENDING THE CITY PERSONNEL POLICY BY REVISING  
POLICY NO. 400 “VEHICLE USAGE” AND POLICY NO. 401 “PAYMENT OF  
TRAVEL AND BUSINESS EXPENSES”.**

**WHEREAS,** the City Personnel Policy has been reviewed and it has been determined that these policies should be amended to address travel for City business and reflect operational changes being made within the City; and

**WHEREAS,** Policy No. 400 was last revised in July of 2016 and Policy No. 401 was last revised in June of 2018; and

**WHEREAS,** it is the best interest of the City of changes to make these amendments.

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

That the proposed revisions to Policies No. 400 and No. 401 are hereby adopted and the City Personnel Policy manual will be updated accordingly.

ADOPTED  
AND  
APPROVED

May 20, 2019

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

\_\_\_\_\_  
Mayor

Attest:

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

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

## Council Communication

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

Resolution 19-131  
ITEM 6.G.

Council Action: 5/20/2019

### Description

Resolution setting the dates and times to permit the discharge of consumer fireworks.

### Background/Discussion

### Recommendation

### ATTACHMENTS:

Description

[Resolution 19-131](#)

Type

Resolution

Upload Date

5/14/2019

**RESOLUTION NO. 19-131**

**A RESOLUTION SETTING THE DATES AND TIMES TO PERMIT THE DISCHARGE OF CONSUMER FIREWORKS.**

**WHEREAS,** After review of this year's calendar and the days of the week it is in the City's best interest to establish permitted dates and times for the fourth of July holiday;

**WHEREAS,** The permitted dates and times for 2019 shall be July \_\_\_\_, 2019 through July \_\_\_\_, 2019 and fromm noon until 11:00 p.m. on all \_\_\_\_ days so long as all other conditions set out in Section 4.50.060 regarding the discharging of fireworks are complied with; and

**WHEREAS,** it is in the best interest of the City of Council Bluffs to authorize the discharge of consumer fireworks during these permitted dates and times.

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

That the discharge of consumer fireworks are permitted from July \_\_\_\_ 2019 through July \_\_\_\_, 2019 from noon until 11:00 p.m. on all \_\_\_\_ days so long as all other conditions set out in Section 4.50.060 regarding the discharging of fireworks are complied with.

ADOPTED  
AND  
APPROVED

May 20, 2019

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

\_\_\_\_\_  
Mayor

Attest:

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

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

## Council Communication

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

Liquor Licenses  
ITEM 7.A.

Council Action: 5/20/2019

### Description

1. Caddy Shack, 1426 4<sup>th</sup> Avenue
2. Eagles Club, 1530 Avenue F
3. Jonesy's Corner, 2752 W Broadway
4. Main Street Tavern, 519 South Main Street
5. Mid America Center, 1 Arena Way
6. Thunderbowl & McCoy's on the Bluff, 1900 Madison Avenue (6 month Special Event)

### Background/Discussion

Thunderbowl and McCoy's on the Bluff had the following alcohol related call this licensing period:

On 10-01-18, at 11:00 pm, Officers were dispatched for an intoxicated male outside McCoy's, yelling at other patrons. Officers handled the call with no arrests or reports.

There were no calls to other listed businesses.

### Recommendation

### ATTACHMENTS:

Description

[Liquor Licenses](#)

Type

Other

Upload Date

5/15/2019



State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION

Home  
About  
Alcohol  
Tobacco  
Links  
Contact

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>cm</u>	Local Amt _____	
FIRE <u>AF</u>	Endorsed _____	
BUILDING <u>Se</u>	Issued _____	
ZONING <u>CD</u>	Expires _____	
Council		<u>5-20-19</u>

Help	License Search	<b>License List</b>	On-Demand Reporting	Keg Registration Search	User Profile	Logoff
------	----------------	---------------------	---------------------	-------------------------	--------------	--------

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

## Applicant LC0021161, Caddy Shack, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

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

Name of Business (D/B/A): Caddy Shack

Address of Premise: 1426 4th Avenue

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501-0000

Business Phone: (402) 681-0730

Cell / Home Phone:

Same Address

Mailing Address: 5005 Providence Road

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: Robin Helm

Phone: (402) 210-6500

Email Address: robinhelm17@gmail.com

Prev

Next

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.

State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISIONHome  
About  
Alcohol  
Tobacco  
Links  
Contact

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>CW</u>	Local Amt _____	
FIRE <u>AP</u>	Endorsed _____	
BUILDING <u>[Signature]</u>	Issued _____	
ZONING <u>[Signature]</u>	Expires _____	
		Council <u>5.20.19</u>

Help	License Search	<b>License List</b>	On-Demand Reporting	Keg Registration Search	User Profile	Logoff
------	----------------	---------------------	---------------------	-------------------------	--------------	--------

**Applicant LA0000310, Eagles Club, Council Bluffs**

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.  
The navigation links on the top may also be used to move around the application.

**Corporation Name/Sole Proprietor** Fraternal Order Of Eagles Aerie #1 (Sole Proprietorship, Partnership, Corporation, etc.)

**Name/Partnership Name(s):**  
**Name of Business (D/B/A):** Eagles Club

**Address of Premise:** 1530 Avenue 'F'

**Address Line 2:**

**City:** Council Bluffs

**County:** Pottawattamie

**Zip:** 51501-0000

**Business Phone:** (712) 328-3637

**Cell / Home Phone:**

**Same Address**

**Mailing Address:** 1530 Avenue F

**Mailing Address Line 2:**

**City:** Council Bluffs

**State:** Iowa

**Zip:** 51501-0000

**Contact Name:** Randy Woods

**Phone:** (712) 328-3637

**Email Address:** rwoods17@cox.net

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)

**Contact Us**

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
[Home](#)  
[About](#)  
[Alcohol](#)  
[Tobacco](#)  
[Links](#)  
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL <input type="checkbox"/> NEW <input type="checkbox"/> SPECIAL EVENT	
POLICE <u>cm</u>	Local Amt _____
FIRE <u>AP</u>	Endorsed _____
BUILDING <u>2</u>	Issued _____
ZONING <u>12</u>	Expires _____
Council <u>5.20.19</u>	

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

## Applicant LC0039326, Jonesy's Corner, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): Jonesy's Taco House, L.C. (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Jonesy's Corner

Address of Premise: 2752 W Broadway

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 256-7520

Cell / Home Phone: (402) 312-3663

Same Address

Mailing Address: 19332 Old Lincoln Hwy

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: Carol Jones

Phone: (402) 312-3663

Email Address: jonescarol@cox.net

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
[Home](#)  
[About](#)  
[Alcohol](#)  
[Tobacco](#)  
[Links](#)  
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>cm</u>	Local Amt _____	
FIRE <u>AF</u>	Endorsed _____	
BUILDING <u>22</u>	Issued _____	
ZONING <u>BS</u>	Expires _____	
		Council <u>5-20-19</u>

[Help](#)
[License Search](#)
[License List](#)
[On-Demand Reporting](#)
[Keg Registration Search](#)
[User Profile](#)
[Logoff](#)

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

## Applicant LC0043482, Main Street Tavern, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

Corporation Name/Sole Proprietor Name/Partnership Name(s): THE COLOR OF MONEY, LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Main Street Tavern

Address of Premise: 519 South Main Street

Address Line 2:

City: Council Bluffs ▼

County: Pottawattamie ▼

Zip: 51501

Business Phone: (712) 256-3613

Cell / Home Phone:

Same Address

Mailing Address: 519 South Main Street

Mailing Address Line 2:

City: Council Bluffs

State: Iowa ▼

Zip: 51501

Contact Name: John Salanitro

Phone: (402) 305-9326

Email Address: jsalan4644@msn.com

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
[Home](#)  
[About](#)  
[Alcohol](#)  
[Tobacco](#)  
[Links](#)  
[Contact](#)

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>plm</u>	Local Amt _____	
FIRE <u>AD</u>	Endorsed _____	
BUILDING <u>SE</u>	Issued _____	
ZONING <u>CB</u>	Expires _____	
		Council <u>5.20.19</u>

Help	License Search	<b>License List</b>	On-Demand Reporting	Keg Registration Search	User Profile	Logoff
------	----------------	---------------------	---------------------	-------------------------	--------------	--------

## Applicant LC0039331, Mid America Center, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen.  
The navigation links on the top may also be used to move around the application.

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

**Corporation Name/Sole Proprietor** Harrah's Iowa Arena Management, (Sole Proprietorship, Partnership, Corporation, etc.)

**Name/Partnership Name(s):** Harrah's Iowa Arena Management  
**Name of Business (D/B/A):** Mid America Center

**Address of Premise:** 1 Arena Way

**Address Line 2:**

**City:** Council Bluffs

**County:** Pottawattamie

**Zip:** 51501

**Business Phone:** (712) 329-6000

**Cell / Home Phone:**

**Same Address**

**Mailing Address:** 1 Harrahs Boulevard

**Mailing Address Line 2:**

**City:** Council Bluffs

**State:** Iowa

**Zip:** 51501

**Contact Name:** Tim Howarth

**Phone:** (712) 329-6411

**Email Address:** THowarth@harrahs.com

[Prev](#)

[Next](#)

Follow us with [RSS](#), [Facebook](#) or [Twitter](#)



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.



State of Iowa  
ALCOHOLIC  
BEVERAGES DIVISION  
[Home](#)  
[About](#)  
[Alcohol](#)  
[Tobacco](#)  
[Links](#)  
[Contact](#)

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

Help	License Search	License List	On-Demand Reporting	Keg Registration Search	User Profile	Logoff
------	----------------	--------------	---------------------	-------------------------	--------------	--------

- > Applicant
- > Premises Update
- > Applicant Signature
- > Local Endorse

## Applicant LC0040387, Thunderbowl & McCoy's on the Bluff, Council Bluffs

After completion click on the NEXT link to continue to the next screen, or the BACK link to return to the previous screen. The navigation links on the top may also be used to move around the application.

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

Name of Business (D/B/A): Thunderbowl & McCoy's on the Bluff

Address of Premise: 1900 Madison Ave

Address Line 2:

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 328-2374

Cell / Home Phone: (402) 650-1777

Same Address

Mailing Address: 1900 Madison Ave

Mailing Address Line 2:

City: Council Bluffs

State: Iowa

Zip: 51503

Contact Name: Connie Ratliff

Phone: (402) 650-1777

Email Address: connie@thunderbowl.com

Prev

Next

Follow us with RSS, Facebook or Twitter



### Contact Us

Iowa Alcoholic Beverages Division  
1918 SE Hulsizer Road, Ankeny, IA 50021  
Toll Free 866.IowaABD (866.469.2223)  
Local 515.281.7400

[Terms and Conditions](#)  
[Privacy Policy](#)

Copyright ©2009 State of Iowa  
Alcoholic Beverages Division. All Rights Reserved.

Special Event - 6 month  
5-21-19 to  
11-21-19

Covering Events

5-25-19

5-31-19

6-21-19

7-5-19

8-19-19

8-14-19

9-8-19

### Council Communication

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

Cigarette Permit Applications  
ITEM 7.B.

Council Action: 5/20/2019

#### Description

#### Background/Discussion

#### Recommendation

#### ATTACHMENTS:

Description

[Cigarette Permit Applications](#)

Type

Other

Upload Date

5/13/2019

**Instructions on the reverse side**

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

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

**Business Information:**

Trade Name/DBA Romantix Council Bluffs

Physical Location Address 3216 1st Avenue City Council Bluffs ZIP 51501-3353

Mailing Address 4655 Colorado Blvd. City Denver State CO ZIP 80216-3217

Business Phone Number (712) 328-2673

**Legal Ownership Information:**

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

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

Mailing Address 4655 Colorado Blvd. City Denver State CO ZIP 80216-3217

Phone Number (303) 377-2331 Fax Number \_\_\_\_\_ Email compliance@romantixinc.com

**Retail Information:**

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

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

Types of Products Sold: (Check all that apply)

Cigarettes ☐ Tobacco ☒ Alternative Nicotine Products ☐ Vapor Products ☐

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

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐  
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐

Has vending machine that assembles cigarettes ☐ Other ☒ Adult Entertainment, books & videos

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

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

Name (please print) Steven D. Brown, President

Name (please print) \_\_\_\_\_

Signature [Signature]

Signature \_\_\_\_\_

Date 5/1/19

Date \_\_\_\_\_

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

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 5.20.19
- Fill in the permit number issued by the city/county: 708728
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

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

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375

**Instructions on the reverse side**

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

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

**Business Information:**

Trade Name/DBA Pilot Travel Center # 329  
Physical Location Address 2647 South 24th Street City Council Bluffs ZIP 51501  
Mailing Address Attn: Tax Dept. PO Box 10146 City Knoxville State TN ZIP 37939  
Business Phone Number 712-322-0088

**Legal Ownership Information:**

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLC ☒ LLP ☐  
Name of sole proprietor, partnership, corporation, LLC, or LLP Pilot Travel Centers LLC  
Mailing Address 5508 Lonas Drive City Knoxville State TN ZIP 37909  
Phone Number 865-588-7488 Fax Number 865-297-1203 Email Kevin.crawford@pilottravelcenters.com

**Retail Information:**

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

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

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

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

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

Name (please print) Justin Seabrook VP, General Counsel, Secretary Name (please print) \_\_\_\_\_  
Signature [Signature] Signature \_\_\_\_\_  
Date \_\_\_\_\_ Date \_\_\_\_\_

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

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 5.20.19
- Fill in the permit number issued by the city/county: 708723
- Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

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

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375



SEE INSTRUCTIONS ON THE REVERSE SIDE

For period (MM/DD/YYYY) 7/1/2019 through June 30, 2020

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

**Business Information:**

Trade Name/DBA: Green Star Glass and Goodies  
Physical Location Address: 531 Veterans Memorial Highway, Ste 2 City: Council Bluffs ZIP: 51501  
Mailing Address: 531 Veterans Memorial Highway, Ste 2 City: Council Bluffs State: IA ZIP: 51501  
Business Phone Number: (712) 314-3268

**Legal Ownership Information:**

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

**Retail Information:**

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

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

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

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

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

Name (please print): Ross Plum Name (please print): \_\_\_\_\_  
Signature: Ross Plum Signature: \_\_\_\_\_  
Date: 5-7-2019 Date: \_\_\_\_\_

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

**FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE**

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: 5.20.19
- Fill in the permit number issued by the city/county: 108721
- Fill in the name of the city or county issuing the permit: Council Bluffs

RENEWAL

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

- Email: [iapledge@iowaabd.com](mailto:iapledge@iowaabd.com)
- Fax: 515-281-7375

### Council Communication

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

Salvage/Storage Yard Applications  
ITEM 7.C.

Council Action: 5/20/2019

#### Description

#### Background/Discussion

#### Recommendation

#### ATTACHMENTS:

Description

[Salvage/Storage Yard Applications](#)

Type

Other

Upload Date

5/13/2019



City of Council Bluffs  
Clerk's Office.  
209 Pearl Street  
Council Bluffs, IA 51503  
712-890-5261

# Salvage/Storage Yard License Application

Date: 1-8-19

Business Name: Action Truck parts  
Business Address: 1510 10th Ave CB  
Business Phone: 712 322-4029

Mark one: Salvage Yard X Storage Yard \_\_\_\_\_

Owners Name: Todd Gochman Phone: 402 669-9165  
Address: 16421 Franklin Ave City: Council Bluffs State: IA Zip Code: 51503  
Type of Business: ( ) Firm ( ) Partnership ( ) Corporation  
If Corporation, List Officers: \_\_\_\_\_

Note: If foreign corporation, proof must be attached showing capability of doing business in Iowa

Legal Description of the Property: 12 Fleming & Davis

Parcel Number: \_\_\_\_\_  
Total Area (Square Feet) Available for Business Location (fenced-in areas inclusive of any buildings): \_\_\_\_\_  
Will Retail Sales Be Made On Premises? Yes \_\_\_\_\_ No X  
Nature and Type of Salvage Equipment: \_\_\_\_\_

What Is Zoning At This Location? \_\_\_\_\_  
Has Conditional Use Been Granted Under City Ordinance? Yes \_\_\_\_\_ No \_\_\_\_\_ Not Applicable  
If Yes, Give Date: \_\_\_\_\_ If No, Give Date For Zoning Board Of Adjustment Consideration: \_\_\_\_\_  
I, \_\_\_\_\_, do hereby affirm that all of the above information is true and correct to the best of my knowledge.

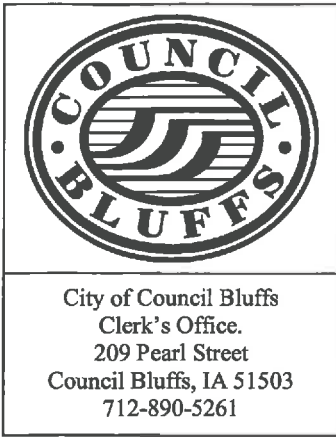
Todd Gochman  
Signature of Applicant

CITY OF COUNCIL BLUFFS  
Date / Time : 01/09/19 15:25  
Payment : \$ 300.00  
Receipt # : 669683  
Check/Credit Card #: 8477  
Clerk : palbright  
Paid By : ACTION TRUCK PARTS

**Fee must accompany application - renewal fee same price as original fee**  
0 - 5,000 sq. ft. - \$50.00    5,001 - 10,000 sq. ft. - \$100.00    10,001 - 20,000 sq. ft. - \$150.00    20,001+ sq. ft. - \$200.00

## FOR OFFICE USE ONLY:

Date Application Received: 1.9.19 Building Approval: SC  
City Council Date: \_\_\_\_\_ Fire Approval: AF  
Date License Issued: \_\_\_\_\_ Zoning Approval: \_\_\_\_\_



# Salvage/Storage Yard License Application

Date: 1-8-19

Business Name: Action Truck parts  
Business Address: 1728 10th Ave.  
Business Phone: ~~402 666~~ 712 322 4029

Mark one: Salvage Yard ☒ Storage Yard ☐

Owners Name: Todd Cochran Phone: 402 669 9165  
Address: 16421 Franklin Ave City: Council Bluffs State: Ia Zip Code: 51503  
Type of Business: ☒ Firm ☐ Partnership ☐ Corporation  
If Corporation, List Officers: \_\_\_\_\_

Note: If foreign corporation, proof must be attached showing capability of doing business in Iowa

Legal Description of the Property: E2 Fleming & Davis

Parcel Number: \_\_\_\_\_  
Total Area (Square Feet) Available for Business Location (fenced-in areas inclusive of any buildings): \_\_\_\_\_  
Will Retail Sales Be Made On Premises? ☐ Yes ☒ No  
Nature and Type of Salvage Equipment: \_\_\_\_\_

What Is Zoning At This Location? \_\_\_\_\_  
Has Conditional Use Been Granted Under City Ordinance? ☐ Yes ☐ No ☐ Not Applicable  
If Yes, Give Date: \_\_\_\_\_ If No, Give Date For Zoning Board Of Adjustment Consideration: \_\_\_\_\_  
I, \_\_\_\_\_, do hereby affirm that all of the above information is true and correct to the best of my knowledge.

Todd Cochran  
Signature of Applicant

CITY OF COUNCIL BLUFFS  
Date / Time : 01/09/19 15:25  
Payment : \$ 300.00  
Receipt # : 669683  
Check/Credit Card #: 8477  
Clerk : palbright  
Paid By : ACTION TRUCK PARTS

**Fee must accompany application - renewal fee same price as original fee**

0 - 5,000 sq. ft. - \$50.00    5,001 - 10,000 sq. ft. - \$100.00    10,001 - 20,000 sq. ft. - \$150.00    20,001+ sq. ft. - \$200.00

## FOR OFFICE USE ONLY:

Date Application Received: 1.9.19  
City Council Date: \_\_\_\_\_  
Date License Issued: \_\_\_\_\_

Building Approval: SL  
Fire Approval: AF  
Zoning Approval: \_\_\_\_\_



City of Council Bluffs  
Clerk's Office.  
209 Pearl Street  
Council Bluffs, IA 51503  
712-890-5261

## Salvage/Storage Yard License Application

Date: 1/30/19

Business Name: Anderson Excavating  
Business Address: 116 29th Ave.  
Business Phone: 402-345-8811

Mark one: Salvage Yard ☒ Storage Yard ☐

Owners Name: Virgil D. Anderson Phone: 402-345-8811  
Address: 1920 Dorcas St City: Omaha State: NE Zip Code: 68108  
Type of Business: ☐ Firm If Corporation, List Officers: Virgil D. Anderson CEO  
☐ Partnership Virginia M. Anderson Pres  
☒ Corporation

Note: If foreign corporation, proof must be attached showing capability of doing business in Iowa

Legal Description of the Property: Reference Plat 1/2 of SW E 115' of West 350' of lot 5 of Center line of lot 5, Section 6-74-44

Parcel Number: \_\_\_\_\_

Total Area (Square Feet) Available for Business Location (fenced-in areas inclusive of any buildings): \_\_\_\_\_

Will Retail Sales Be Made On Premises? ☒ Yes ☐ No

Nature and Type of Salvage Equipment: \_\_\_\_\_

What Is Zoning At This Location? I2 General Industrial

Has Conditional Use Been Granted Under City Ordinance? ☒ Yes ☐ No ☐ Not Applicable

If Yes, Give Date: See app If No, Give Date For Zoning Board Of Adjustment Consideration: \_\_\_\_\_

I, Virginia M. Anderson, do hereby affirm that all of the above information is true and correct to the best of my knowledge.

Virginia M. Anderson  
Signature of Applicant

Fee must accompany application - renewal fee same price as original fee

0 - 5,000 sq. ft. - \$50.00 5,001 - 10,000 sq. ft. - \$100.00 10,001 - 20,000 sq. ft. - \$150.00 20,001+ sq. ft. - \$200.00

### FOR OFFICE USE ONLY:

Date Application Received: 1.30.19

City Council Date: \_\_\_\_\_

Date License Issued: \_\_\_\_\_

Building Approval: SL

Fire Approval AF

Zoning Approval: \_\_\_\_\_

CITY OF COUNCIL BLUFFS  
Date / Time : 01/30/19 13:40  
Payment : \$ 200.00  
Receipt # : 677813  
Check/Credit Card #: 26062  
Paid By : Virgil D. Anderson  
Clerk : VIRGINIA M. ANDERSON  
EXCAVATING



City of Council Bluffs  
Clerk's Office.  
209 Pearl Street  
Council Bluffs, IA 51503  
712-890-5261

## Salvage/Storage Yard License Application

Date: 10-30-18

Business Name: Arrow Towing Inc.  
Business Address: \_\_\_\_\_  
Business Phone: (712) 323-7907

Mark one: Salvage Yard \_\_\_\_\_ Storage Yard \_\_\_\_\_

Owners Name: Bradley Arrowsmith Phone: (712) 323-7907  
Address: 605 S. 15th St. City: Council Bluffs State: IA Zip Code: 51501  
Type of Business: \_\_\_\_\_ Firm If Corporation, List Officers: Bradley Arrowsmith  
\_\_\_\_\_ Partnership  
X Corporation

Note: If foreign corporation, proof must be attached showing capability of doing business in Iowa

Legal Description of the Property: \_\_\_\_\_

Parcel Number: \_\_\_\_\_

Total Area (Square Feet) Available for Business Location (fenced-in areas inclusive of any buildings): \_\_\_\_\_

Will Retail Sales Be Made On Premises? \_\_\_\_\_ Yes \_\_\_\_\_ No

Nature and Type of Salvage Equipment: \_\_\_\_\_

What Is Zoning At This Location? \_\_\_\_\_

Has Conditional Use Been Granted Under City Ordinance? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Not Applicable

If Yes, Give Date: \_\_\_\_\_ If No, Give Date For Zoning Board Of Adjustment Consideration: \_\_\_\_\_

I, \_\_\_\_\_, do hereby affirm that all of the above information is true and correct to the best of my knowledge.

Bradley Arrowsmith  
Signature of Applicant

Fee must accompany application - renewal fee same price as original fee

0 - 5,000 sq. ft. - \$50.00 5,001 - 10,000 sq. ft. - \$100.00 10,001 - 20,000 sq. ft. - \$150.00 20,001+ sq. ft. - \$200.00

### FOR OFFICE USE ONLY:

Date Application Received: 11.19.18

City Council Date: \_\_\_\_\_

Date License Issued: \_\_\_\_\_

Building Approval: \_\_\_\_\_

Fire Approval AP

Zoning Approval: \_\_\_\_\_

CITY OF COUNCIL BLUFFS  
Date / Time : 11/19/18 15:19  
Payment : \$ 250.00  
Receipt # : 662701  
Check/Credit Card #: 14635  
Clerk : mjohnson  
Paid By : ARROW TOWING INC.

Not Built yet

[Find Property](#)   [Res Sales](#)   [Comm Ind Sales](#)

7544 35 411 006

--- Permanent Property Address ---  
B J A INVESTMENTS LLC

----- Mailing Address -----  
B J A INVESTMENTS LLC  
20356 CONCORD LOOP  
COUNCIL BLUFFS, IA 51503

=====  
District: 000 CO BLUFFS CITY/CO BLUFFS

===== REAL ESTATE TAXES ON TREASURER'S WEBPAGE =====

Go to: <https://www.municipalonlinepayments.com/pottawattamiercoia/tax/search/detail/754435411006>

===== TAX DESCRIPTION\* =====

\* Not to be used on legal documents

FLEMING & DAVIS LTS 9 THRU 24 BLK 10 & ALL VAC E/W ALLEY ADJ LTS 9 THRU 16 & S1/2 VAC E/W ALLEY ADJ  
LTS 17 THRU 24

===== ASSESSED VALUE =====

\* Class is for Assessment purposes only - Not Zoning

land	dwelling	land	building	total	ag acres	year	class*
\$80,000	\$0		\$0	\$80,000		2018	C

===== OWNERS =====

1 D B J A INVESTMENTS LLC book/page: [2018/10900](#) D

===== EXEMPTIONS & CREDITS =====

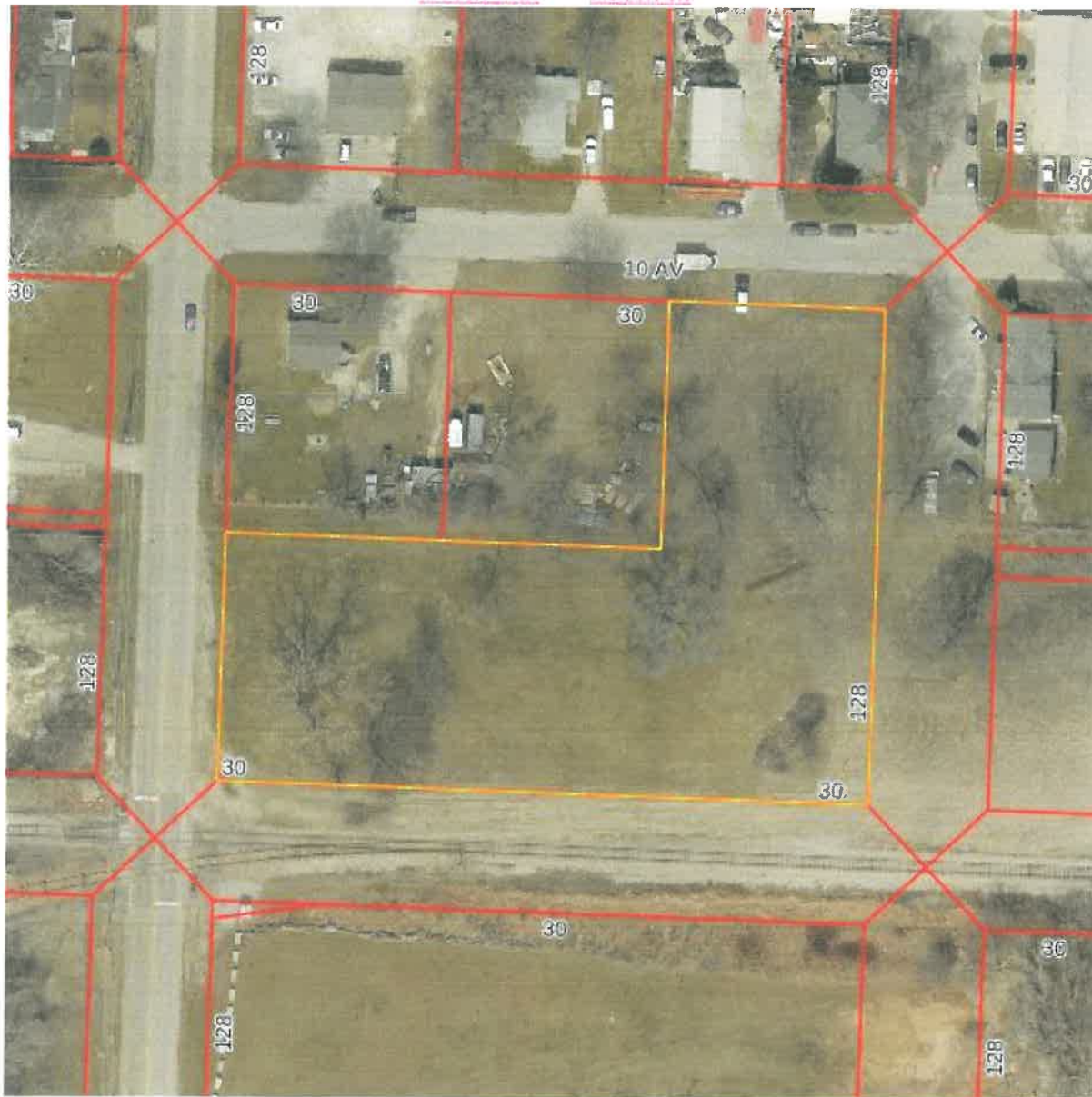
===== ASSESSMENT DATA =====

PDF: 8 MAP: 15-8 C.B COMMERCIAL

Sale Date	Amount	Code	Book/Page
08/07/2018	100000	<a href="#">D34</a>	<a href="#">2018/10900</a>

Interior Listing: Inspected      Date Listed: 07/05/2017 GMS      Date Reviewed: 07/05/2017 GMS

LAND.....65340 sqFt      1.5 acres

[Zoom Out](#) [Zoom In](#)

600ft x 600ft

[Click any parcel to go to its web page](#)See [more maps](#) at the [County GIS Department](#).As of:  [Find Property](#) [Res Sales](#) [Comm Ind Sales](#)



City of Council Bluffs  
Clerk's Office.  
209 Pearl Street  
Council Bluffs, IA 51503  
712-890-5261

## Salvage/Storage Yard License Application

Date:

Business Name: Jim's Hauling  
Business Address: 2577 South Ave.  
Business Phone: 402-689-2443

Mark one: Salvage Yard X Storage Yard \_\_\_\_\_

Owners Name: Jim Hall Phone: 402-689-2443  
Address: 19798 Myrtle Springs Road City: Council Bluffs State: IA Zip Code: 51503  
Type of Business: \_\_\_\_\_ Firm If Corporation, List Officers: Sole Proprietor  
\_\_\_\_\_ Partnership  
\_\_\_\_\_ Corporation

Note: If foreign corporation, proof must be attached showing capability of doing business in Iowa

Legal Description of the Property: Plot W 1/2 SW 1/4 2-74-43 Comm 103' J of NW C. or LT 53  
Linda Loma Add THSE 331.98' E 22 SE 14 23.22'

Parcel Number: \_\_\_\_\_

Total Area (Square Feet) Available for Business Location (fenced-in areas inclusive of any buildings): \_\_\_\_\_

Will Retail Sales Be Made On Premises? \_\_\_\_\_ Yes \_\_\_\_\_ No

Nature and Type of Salvage Equipment: \_\_\_\_\_

What Is Zoning At This Location? F-2

Has Conditional Use Been Granted Under City Ordinance? X Yes \_\_\_\_\_ No \_\_\_\_\_ Not Applicable

If Yes, Give Date: 9-29-11 If No, Give Date For Zoning Board Of Adjustment Consideration: \_\_\_\_\_

I, Jim Hall, do hereby affirm that all of the above information is true and correct to the best of my knowledge.

Jim Hall

Signature of Applicant

Fee must accompany application - renewal fee same price as original fee

0 - 5,000 sq. ft. - \$50.00 5,001 - 10,000 sq. ft. - \$100.00 10,001 - 20,000 sq. ft. - \$150.00 20,001+ sq. ft. - \$200.00

### FOR OFFICE USE ONLY:

Date Application Received: 12.3.18

City Council Date: \_\_\_\_\_

Date License Issued: \_\_\_\_\_

Building Approval: se

Fire Approval AF

Zoning Approval: \_\_\_\_\_

CITY OF COUNCIL BLUFFS  
Date / Time  
Payment  
Receipt #  
Check/Credit Card #  
Clerk  
Paid By  
12/03/18 14:21  
\$ 200.00  
654463  
VISA  
Jim's Hauling



City of Council Bluffs  
Clerk's Office.  
209 Pearl Street  
Council Bluffs, IA 51503  
712-890-5261

# Salvage/Storage Yard License Application

Date: 11-3-18

Business Name: Marcus Motors - Bluffs Auto Parts  
Business Address: 1231 10th Ave. Council Bluffs, IA  
Business Phone: 712-323-3200

Mark one: Salvage Yard ☒ Storage Yard ☐

Owners Name: Doug Evans Phone: 402-677-3200  
Address: 21348 Greenwood City: Council Bluffs State: IA Zip Code: 51507  
Type of Business: ☐ Firm ☐ If Corporation, List Officers: \_\_\_\_\_  
Sole Proprietor ☐ Partnership \_\_\_\_\_  
☐ Corporation \_\_\_\_\_

Note: If foreign corporation, proof must be attached showing capability of doing business in Iowa

Legal Description of the Property: Riddles Addition Blk 27 lots 4-8 Blk 37  
lots 1-9 & 15-16 Blk 39 lots 1-8 & 10-16 Blk 40 lots 3-9 & 11-12  
Parcel Number: \_\_\_\_\_

Total Area (Square Feet) Available for Business Location (fenced-in areas inclusive of any buildings): 179,952

Will Retail Sales Be Made On Premises? ☒ Yes ☐ No

Nature and Type of Salvage Equipment: Fork lifts - Tow Truck

What Is Zoning At This Location? GM

Has Conditional Use Been Granted Under City Ordinance? ☐ Yes ☒ No ☐ Not Applicable

If Yes, Give Date: \_\_\_\_\_ If No, Give Date For Zoning Board Of Adjustment Consideration: \_\_\_\_\_

I, Doug Evans, do hereby affirm that all of the above information is true and correct to the best of my knowledge.

Doug Evans  
Signature of Applicant

Fee must accompany application - renewal fee same price as original fee

0 - 5,000 sq. ft. - \$50.00 5,001 - 10,000 sq. ft. - \$100.00 10,001 - 20,000 sq. ft. - \$150.00 20,001+ sq. ft. - \$200.00

## FOR OFFICE USE ONLY:

Date Application Received: 11.5.18

City Council Date: \_\_\_\_\_

Date License Issued: \_\_\_\_\_

Building Approval: Se

Fire Approval AF

Zoning Approval: \_\_\_\_\_

CITY OF COUNCIL BLUFFS  
Date / Time : 11/05/18 13:06  
Payment : \$ 200.00  
Receipt # : 653779  
Check/Credit Card #: 53931  
Paid By : Johnson  
Clerk : MARCUS MOTORS



City of Council Bluffs  
Clerk's Office.  
209 Pearl Street  
Council Bluffs, IA 51503  
712-890-5261

## Salvage/Storage Yard License Application

Date: 11-6-18

Business Name: **MARCUS MOTORS**  
Business Address: **1200 NINTH AVENUE**  
**COUNCIL BLUFFS, IA 51501**  
Business Phone: **712-323-3900**

Mark one: Salvage Yard \_\_\_\_\_ Storage Yard ☒

Owners Name: Dorey Evans Phone: 402-677-3200  
Address: 21348 Annapolis City: Council Bluffs State: IA Zip Code: 51503  
Type of Business: Sole Proprietor Firm \_\_\_\_\_ If Corporation, List Officers: \_\_\_\_\_  
Partnership \_\_\_\_\_  
Corporation \_\_\_\_\_

Note: If foreign corporation, proof must be attached showing capability of doing business in Iowa

### Legal Description of the Property:

7544 35 429 005  
Parcel Number: 7544 35 429 004  
Total Area (Square Feet) Available for Business Location (fenced-in areas inclusive of any buildings): 11,832  
Will Retail Sales Be Made On Premises? Yes ☒ No \_\_\_\_\_  
Nature and Type of Salvage Equipment: None

What Is Zoning At This Location? GM  
Has Conditional Use Been Granted Under City Ordinance? Yes ☒ No \_\_\_\_\_ Not Applicable  
If Yes, Give Date: \_\_\_\_\_ If No, Give Date For Zoning Board Of Adjustment Consideration: \_\_\_\_\_  
I, Dorey Evans, do hereby affirm that all of the above information is true and correct to the best of my knowledge.

Dorey Evans  
Signature of Applicant

CITY OF COUNCIL BLUFFS  
Date / Time : 11/09/18 11:36  
Payment : \$ 300.00  
Receipt # : 657667  
Check/Credit Card #: 53834  
Clerk : palbright  
Paid By : MARCUS MOTORS

### Fee must accompany application - renewal fee same price as original fee

0 - 5,000 sq. ft. - \$50.00    5,001 - 10,000 sq. ft. - \$100.00    10,001 - 20,000 sq. ft. - \$150.00    20,001+ sq. ft. - \$200.00

### FOR OFFICE USE ONLY:

Date Application Received: 11.9.18 Building Approval: AP  
City Council Date: \_\_\_\_\_ Fire Approval: AP  
Date License Issued: \_\_\_\_\_ Zoning Approval: \_\_\_\_\_



City of Council Bluffs  
Clerk's Office.  
209 Pearl Street  
Council Bluffs, IA 51503  
712-890-5261

## Salvage/Storage Yard License Application

Date: \_\_\_\_\_

Business Name: \_\_\_\_\_

**MARCUS MOTORS**

Business Address: \_\_\_\_\_

**1200 NINTH AVENUE**

Business Phone: \_\_\_\_\_

**COUNCIL BLUFFS, IA 51501**

**712-323-3900**

Mark one: Salvage Yard \_\_\_\_\_

Storage Yard X

Owners Name: \_\_\_\_\_

Doug Evans

Phone: \_\_\_\_\_

402-677-3200

Address: \_\_\_\_\_

21348 Greenwood

City Council Bluffs

State: \_\_\_\_\_

IA Zip Code: 51503

Type of Business: \_\_\_\_\_

Firm

If Corporation, List Officers: \_\_\_\_\_

Partnership

Corporation

Sole Proprietor

Note: If foreign corporation, proof must be attached showing capability of doing business in Iowa

Legal Description of the Property: \_\_\_\_\_

7544 35 429 006

Parcel Number: \_\_\_\_\_

7544 35 429 003

Total Area (Square Feet) Available for Business Location (fenced in areas inclusive of any buildings): \_\_\_\_\_

14,824

Will Retail Sales Be Made On Premises? \_\_\_\_\_

Yes

No X

Nature and Type of Salvage Equipment: \_\_\_\_\_

None

What Is Zoning At This Location? \_\_\_\_\_

GM

Has Conditional Use Been Granted Under City Ordinance? \_\_\_\_\_

Yes

No X

Not Applicable

If Yes, Give Date: \_\_\_\_\_

If No, Give Date For Zoning Board Of Adjustment Consideration: \_\_\_\_\_

I, Doug Evans, do hereby affirm that all of the above information is true and correct to the best of my knowledge.

Doug Evans  
Signature of Applicant

CITY OF COUNCIL BLUFFS

Date / Time : 11/09/18 11:36

Payment : \$ 300.00

Receipt # : 657667

Check/Credit Card #: 53834

Clerk : palbright

Paid By : MARCUS MOTORS

Fee must accompany application - renewal fee same price as original fee

0 - 5,000 sq. ft. - \$50.00

5,001 - 10,000 sq. ft. - \$100.00

10,001 - 20,000 sq. ft. - \$150.00

20,001+ sq. ft. - \$200.00

### FOR OFFICE USE ONLY:

Date Application Received: \_\_\_\_\_

11.9.18

City Council Date: \_\_\_\_\_

Date License Issued: \_\_\_\_\_

Building Approval: \_\_\_\_\_

2

Fire Approval AF

Zoning Approval: \_\_\_\_\_



City of Council Bluffs  
Clerk's Office.  
209 Pearl Street  
Council Bluffs, IA 51503  
712-890-5261

## Salvage/Storage Yard License Application

Date: 11-24-2018

Business Name: South End Salvage  
Business Address: 1319 S. 17<sup>th</sup> St., Council Bluffs, IA 51526  
Business Phone: 402-510-0195

Mark one: Salvage Yard \_\_\_\_\_ Storage Yard \_\_\_\_\_

Owners Name: John Bapaich Phone: 402-510-0195  
Address: 1415 Golden Hills Dr. City: Crescent State: IA Zip Code: 51526  
Type of Business: ☒ Firm If Corporation, List Officers: \_\_\_\_\_  
☐ Partnership  
☐ Corporation

Note: If foreign corporation, proof must be attached showing capability of doing business in Iowa

Legal Description of the Property: \_\_\_\_\_

Parcel Number: 7544 35 452 002  
Total Area (Square Feet) Available for Business Location (fenced-in areas inclusive of any buildings): 20,000 +  
Will Retail Sales Be Made On Premises? Yes ☒ No  
Nature and Type of Salvage Equipment: Building Salvage and Automobiles

What Is Zoning At This Location? I-2  
Has Conditional Use Been Granted Under City Ordinance? Yes \_\_\_\_\_ No ☒ Not Applicable  
If Yes, Give Date: \_\_\_\_\_ If No, Give Date For Zoning Board Of Adjustment Consideration: \_\_\_\_\_  
I, John Bapaich, do hereby affirm that all of the above information is true and correct to the best of my knowledge.

John Bapaich  
Signature of Applicant

Fee must accompany application - renewal fee same price as original fee

0 - 5,000 sq. ft. - \$50.00    5,001 - 10,000 sq. ft. - \$100.00    10,001 - 20,000 sq. ft. - \$150.00    20,001+ sq. ft. - \$200.00

### FOR OFFICE USE ONLY:

Date Application Received: 11.28.18  
City Council Date: \_\_\_\_\_  
Date License Issued: \_\_\_\_\_

Building Approval: AL  
Fire Approval: AF  
Zoning Approval: \_\_\_\_\_

CITY OF COUNCIL BLUFFS  
Date / Time : 11/28/18 15:07  
Payment : \$ 200.00  
Receipt # : 663918  
Check/Credit Card #: 8803  
Paid By : Wichman  
Clerk : KAPACH, JOHN IRA S