



City Council Meeting Minutes April 26, 2021

CALL TO ORDER

Mayor Walsh called the meeting to order at 7:00 p.m. on Monday April 26, 2021.

Council Members Present: Joe Disalvo, Chad Hannan, Melissa Head, Roger Sandau and Mike Wolf.

Staff Present: Matthew Mardesen, Richard Wade, Jodi Quakenbush and Allison Head.

CONSENT AGENDA

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

Reading, correction and approval of the April 12, 2021 City Council Meeting Minutes.

Ordinance 6452

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, and setting a Public Hearing for May 10, 2021 at 7:00 p.m., by rezoning property legally described as the East 1/2 of Lot 3 and Lots 4 through 12, Auditor's Subdivision, more specifically described in the Council Packet, from R-1/Single-Family Residential District to R-2/Two-Family Residential District as defined in Chapter 15.09. Location: 20, 40 and 100 Norton Avenue, 1326 North Broadway, and an undeveloped parcel of land west of 100 Norton Avenue. ZC-21-004

Ordinance 6453

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070, and setting a Public Hearing for May 10, 2021 at 7:00 p.m., by rezoning property legally described as Lot 2, Arbor Creek Subdivision from A-2/Parks, Estates, and Agricultural District to R-2/Two-Family Residential District as defined in Chapter 15.09, and appending a PR/Planned Residential Overlay as defined in Chapter 15.28 of the Municipal Code of Council Bluffs, Iowa, to said property. Location: Undeveloped land lying south of 1020 Railroad Avenue. ZC-21-002

Ordinance 6454

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070, and setting a Public Hearing for May 10, 2021 at 7:00 p.m., by rezoning property legally described as Lot 1, Franklin Heights Subdivision from A-P/Administrative Professional District to R-2/Two-Family Residential District, as defined in Chapter 15.09., and appending a P-R/Planned Residential Overlay onto said property as defined in Chapter 15.28 of the Municipal Code of Council Bluffs. Location: Northwest corner of Franklin and Bennett Avenues. ZC-21-003

Resolution 21-114

Resolution setting a public hearing for May 10th, 2021 for the proposed amendment to the City's budget for the fiscal year ending June 30, 2021

Resolution 21-115

Resolution setting a public hearing for 7:00 p.m. on May 10, 2021 for the East Manawa Sewer Rehab, Phase X. Project # PW22-09

Resolution 21-116

Resolution accepting the work of Judds Bros. Construction Co. as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the 6th Avenue Pump Station Trash Rack Rehab. Project #PW20-14

Resolution 21-117

Resolution setting a public hearing for 7:00 p.m. on May 10, 2021 for the South 1st Street Neighborhood Rehab, Phase XII. Project # PW22-12

Resolution 21-119

Resolution determining the necessity and setting dates of a consultation and a public hearing on the New Horizon Urban Renewal Area for the City of Council Bluffs.

Mayor's Appointment

2020 City Planning Commission Annual Report (R&F)

February FY21 Financial Reports

Claims

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

MAYORS PROCLAMATIONS

PUBLIC HEARINGS

Resolution 21-118

Resolution authorizing an application to apply for FY2022 State Transit Assistance through the Iowa Department of Transportation.

Chad Hannan and Mike Wolf moved and seconded approval of Resolution 21-118. Unanimous, 5-0 vote.

Resolution 21-120

Resolution approving the plans and specifications and form of contract for the Hillside Estates Subdivision Infrastructure Project.

Mike Wolf and Joe Disalvo moved and seconded approval of Resolution 21-120. Unanimous, 5-0 vote.

ORDINANCES ON 2ND READING

Ordinance 6449

Ordinance approving the 2021 Amendment to the South Pointe Urban Revitalization Area. Location: The northwest corner of the intersection of South 24th Street and Veterans Memorial Highway. URV-21-006

Chad Hannan and Mike Wolf moved and seconded approval of Second Consideration of Ordinance 6449. Unanimous, 5-0 vote.

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

Ordinance 6450

An Ordinance to amend Chapter 9.16 "Signs and Signals" of the 2020 Municipal Code of Council Bluffs, Iowa, by Section 9.16.055 "Automated Red Light Enforcement".

Roger Sandau and Mike Wolf moved and seconded approval of Second Consideration of Ordinance 6450. Unanimous, 5-0 vote.

Roger Sandau and Joe Disalvo moved and seconded approval of Motion to Waive Third Consideration. Ordinance passes into law. Unanimous, 5-0 vote.

Ordinance 6451

Ordinance amending the South Main Urban Renewal Area to removing the "2021 Removal Parcel" from the TIF District.

Melissa Head and Joe Disalvo moved and seconded approval of Second Consideration of Ordinance 6451. Unanimous, 5-0 vote.

Chad Hannan and Joe Disalvo moved and seconded approval of Motion to Waive Third Consideration. Ordinance passes into law. Unanimous, 5-0 vote.

ORDINANCES ON 3RD READING

Ordinance 6447

Ordinance to amend the zoning map as adopted by reference in section 15.02.070 by rezoning property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE 1/4 SE 1/4 of Section 36-75-44, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District as defined in Chapter 15.10. Location: 147 15th Avenue. ZC-21-001

Mike Wolf and Chad Hannan moved and seconded approval of Third Consideration of Ordinance 6447. Ordinance passes into law. Unanimous, 5-0 vote.

Ordinance 6448

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

Roger Sandau and Chad Hannan moved and seconded approval of Third Consideration of Ordinance 6448. Ordinance passes into law. Unanimous, 5-0 vote.

RESOLUTIONS

Resolution 21-121

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

Chad Hannan and Joe Disalvo moved and seconded approval of Resolution 21-121. Unanimous, 5-0 vote.

Resolution 21-122

Resolution authorizing the Mayor to execute the Order assessing a civil penalty of \$300.00 to Tobacco Vape and Food Mart for violation of Iowa Code Section 453A.2(1) on January 27, 2021.

Mike Wolf and Joe Disalvo moved and seconded approval of Resolution 21-122. Unanimous, 5-0 vote.

Resolution 21-123

Resolution approving the reallocation of Capital Improvement Program (CIP) Funds for the South 19th Street Infrastructure Project to the Hillside Estates Infrastructure Project.

Mike Wolf and Melissa Head moved and seconded approval of Resolution 21-123. Unanimous, 5-0 vote.

Resolution 21-124

Resolution adopting the planned commercial development plan on property legally described as being the West 200 feet of the North 290 feet of the NW 1/4 SE 1/4 of Section 3-74-44, more specifically described in the Council packet. Location: 2747 23rd Avenue. PC-21-003

Chad Hannan and Mike Wolf moved and seconded approval of Resolution 21-124. Unanimous, 5-0 vote.

Resolution 21-125

Resolution authorizing the City of Council Bluffs' Information Technology Department to provide Private Cloud Hosting Services to other state agencies or political subdivisions in our community.

Mike Wolf and Joe Disalvo moved and seconded approval of Resolution 21-125. Unanimous, 5-0 vote.

Resolution 21-126

Resolution authorizing and setting the Drainage District annual assessment for Mosquito Creek #22, Sieck #32, and West Lewis #35 for fiscal year 2022.

Roger Sandau and Melissa Head moved and seconded approval of Resolution 21-126. Unanimous, 5-0 vote.

Resolution 21-127

Resolution accepting the bid of Compass Utility, LLC, for the Lake Manawa Power Center Entrance Enhancement. Project # CD21-01

Mike Wolf and Melissa Head moved and seconded approval of Resolution 21-127. Unanimous, 5-0 vote.

Resolution 21-128 & Resolution 21-129

Resolution 21-128, abolishing one Street and Sewer Supervisor II position and one Street Foreman position and creating two new Street and Sewer Supervisor positions

Resolution 21-129, abolishing one Fleet Foreman position and creating one Fleet Supervisor position within the Public Works Department.

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 21-128 and Resolution 21-129. Unanimous, 5-0 vote.

Resolution 21-130

Resolution authorizing the City of Council Bluffs Legal Department to proceed as proposed in executive session held on April 12, 2021.

Joe Disalvo and Melissa Head moved and seconded approval of Resolution 21-130. Unanimous, 5-0 vote.

Resolution 21-131

Resolution to award contract to Oldcastle Materials Midwest co. dba Omni Engineering in the amount of \$292,199.30 for the city wide trail system upgrade project.

Chad Hannan and Mike Wolf moved and seconded approval of Resolution 21-131. Unanimous, 5-0 vote.

Resolution 21-132

Resolution setting the dates and times to permit the discharge of consumer fireworks for the 2021 season.

Chad Hannan and Melissa Head moved and seconded approval of Resolution 21-132, as amended to add dates of July 2nd, 3rd, and 4th, from noon to midnight. Unanimous, 5-0 vote.

Resolution 21-133

Resolution temporarily vacating portions of First Avenue and West Broadway in connection with special event applications.

Joe Disalvo and Melissa Head moved and seconded approval of Resolution 21-133. Unanimous, 5-0 vote.

Resolution 21-134

Resolution confirming the appointment of Kristi Meckna in the position of Director of Finance the City of Council Bluffs and approving the wage and benefit package offered to her

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 21-134. Unanimous, 5-0 vote.

Resolution 21-135

Resolution authorizing the Mayor to proceed with the acquisition of certain properties as proposed in executive session held on April 12, 2021.

Chad Hannan and Joe Disalvo moved and seconded approval of Resolution 21-135. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor Licenses

1. Council Bluffs Country Club, 4500 Piute Street
2. Dusty's Lounge, 1501 Avenue A
3. 1892 German Beer Haus, 142 W Broadway
4. Full Fledged Brewing Co., 40 Arena Way (Special Event – 8 month license)

Cigarette Permits

Roger Sandau and Joe Disalvo moved and seconded approval of Applications for Permits and Cancellations, Items 8A 1-4 and 8B. Unanimous, 5-0 vote.

Noise Variance Request

Noise Variance Request for extension until 11:30p for the annual summer Bikes on the 100 Block event nights. Dates requested are: Thursdays on May 20, June 17, July 15, and August 19.

Melissa Head and Mike Wolf moved and seconded approval of Applications for Permits and Cancellations, Item 8C Noise Variance Request as amended to change end time to 11:00 p.m. Unanimous, 5-0 vote.

CITIZENS REQUEST TO BE HEARD

Heard from Bruce Kelly, 864 McKenzie Avenue regarding bike trails and extra lane on Kanesville Boulevard.

OTHER BUSINESS

ADJOURNMENT

no 97 printed copy

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

Council Action: 4/26/2021

Description

Background/Discussion

Recommendation

Council Communication

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

Reading, correction and approval of the April
12, 2021 City Council Meeting Minutes.
ITEM 3.B.

Council Action: 4/26/2021

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description

[4-12-21 M](#)

Type

Minutes

Upload Date

4/19/2021



City Council Meeting Minutes April 12, 2021

CALL TO ORDER

Mayor Walsh called the meeting to order at 7:00 p.m. on Monday April 12, 2021.

Council Members Present: Joe Disalvo, Chad Hannan, Melissa Head, Roger Sandau and Mike Wolf.

Staff Present: Matthew Mardesen, Richard Wade, Jodi Quakenbush and Allison Head.

CONSENT AGENDA

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

Reading, correction and approval of the March 22, 2021 City Council Meeting Minutes.

Resolution 21-98

Resolution directing the City Clerk to publish notice and setting a public hearing for April 26, 2021 at 7:00 p.m. on the plans, specifications and form of contract for the Hillside Estates Infrastructure project.

January FY21 Financial Reports, Right of Redemption and Claims.

Mike Wolf and Chad Hannan moved and seconded approval of Consent Agenda. Unanimous, 5-0 vote.

MAYORS PROCLAMATIONS

A. Week of the Young Child

Proclamation accepted by Merilee Mescher of Heartland Child Development at afternoon study session.

PUBLIC HEARINGS

Ordinance 6447

Ordinance to amend the zoning map as adopted by reference in section 15.02.070 by rezoning property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE 1/4 SE 1/4 of Section 36-75-44, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District as defined in Chapter 15.10. Location: 147 15th Avenue. ZC-21-001

Heard from Deric Poldberg, 147 15th Avenue.

Roger Sandau and Melissa Head moved and seconded approval of Second Consideration of Ordinance 6447 per staff recommendation. Third Consideration to be held April 26, 2021 at 7:00 p.m. Unanimous, 5-0 vote.

Ordinance 6448

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

Chad Hannan and Joe Disalvo moved and seconded approval of Second Consideration of Ordinance 6448. Third Consideration to be held April 26, 2021 at 7:00 p.m. Unanimous, 5-0 vote.

Resolution 21-99

Resolution to dispose of City property described as the South 58 feet of Lot 47, Johnsons Addition. Location: Property formerly addressed as 315 Benton Street. OTB-21-003

Roger Sandau and Mike Wolf moved and seconded approval of Resolution 21-99. Unanimous, 5-0 vote.

Resolution 21-100

Resolution to dispose of City property described as the South 30 feet of Lot 48 and the North 2 feet of Lot 47, Johnsons Addition. Location: Property formerly 319 Benton St. OTB-21-004

Chad Hannan and Melissa Head moved and seconded approval of Resolution 21-100. Unanimous, 5-0 vote.

Resolution 21-101

Resolution to vacate and dispose of the northwesterly/southeasterly alley abutting Lot N and Lots I through M, Auditor's Subdivision of Block 6, Mynster's Addition and Block 2, Bayliss 1st Addition. Location: Between 530 W. Broadway and 12 Scott St. SAV-21-001

Heard from Sheryl Garst, 1228 South Main St. Motion to Receive and File by Sandau, seconded by Head. Unanimous.

Chad Hannan and Joe Disalvo moved and seconded approval of Resolution 21-101. Unanimous, 5-0 vote.

Resolution 21-102

Resolution approving final plat approval of a two-lot minor commercial subdivision to be known as Council Bluffs Medical Park, legally described as being a replat of part of Lots 1 and 3, Auditor's Subdivision of the SE1/4 SW1/4, and part of Lots 3 and 6, Auditor's Subdivision of the NE1/4 SW1/4, all in Section 32-75-43. Location: 1288 Valley View Drive.

Heard from John with NX Council Bluffs MOB, LLC.

Roger Sandau and Mike Wolf moved and seconded approval of Resolution 21-102. Passed, 5-0 vote.

Resolution 21-103

Resolution approving the 2021 Amendment to the South Pointe Urban Revitalization Area. Location: The northwest corner of the intersection of South 24th Street and Veterans Memorial Highway. URV-21-006

Mike Wolf and Melissa Head moved and seconded approval of Resolution 21-103. Passed, 5-0 vote.

ORDINANCES ON 1ST READING

Ordinance 6449

Ordinance approving the 2021 Amendment to the South Pointe Urban Revitalization Area. Location: The northwest corner of the intersection of South 24th Street and Veterans Memorial Highway. URV-21-006

Roger Sandau and Melissa Head moved and seconded approval of First Consideration of Ordinance 6449. Second Consideration to be held April 26, 2021 at 7:00 p.m.. Unanimous, 5-0 vote.

Ordinance 6450

An Ordinance to amend Chapter 9.16 "Signs and Signals" of the 2020 Municipal Code of Council Bluffs, Iowa, by Section 9.16.055 "Automated Red Light Enforcement".

Chad Hannan and Mike Wolf moved and seconded approval of First Consideration of Ordinance 6450. Second Consideration to be held April 26, 2021 at 7:00 p.m. Unanimous, 5-0 vote.

Ordinance 6451

Ordinance amending the South Main Urban Renewal Area to removing the "2021 Removal Parcel" from the TIF District.

Melissa Head and Mike Wolf moved and seconded approval of First Consideration of Ordinance 6451. Second Consideration to be held April 26, 2021 at 7:00 p.m. Unanimous, 5-0 vote.

RESOLUTIONS

Resolution 21-87 (Reconsidered)

Resolution approving revisions of four Personnel Policies 801, 211, 713, and 203.

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 21-87. Unanimous, 5-0 vote.

Resolution 21-104

Resolution authorizing the mayor to execute an agreement with Felsburg Holt & Ullevig for engineering services in connection with Power Drive Extension. Project #PW21-11

Mike Wolf and Melissa Head moved and seconded approval of Resolution 21-104. Unanimous, 5-0 vote.

Resolution 21-105

Resolution accepting the bid of Dixon Construction Co. for the North Broadway Bridge over Indian Creek. Project #PW21-13

Chad Hannan and Mike Wolf moved and seconded approval of Resolution 21-105. Unanimous, 5-0 vote.

Resolution 21-106

Resolution authorizing City staff to use Illuminating Engineering Society and International Dark Sky Association's Model Lighting Ordinance (MLO) as a guide to draft an ordinance addressing and setting restrictions for light pollution in the City of Council Bluffs.

Mike Wolf and Melissa Head moved and seconded approval of Resolution 21-106. Unanimous, 5-0 vote.

Resolution 21-107

Resolution authorizing the Mayor on behalf of the City of Council Bluffs, Iowa to accept the Offer for Real Estate from the Bluffs Corporation to acquire approximately 2.75 acres of land described as Parcel No. 7444 12 402 003, as well as an additional strip of land to be utilized to provide access from the proposed roadway to Parcel No. 7444 12 451 004.

Chad Hannan and Melissa Head moved and seconded approval of Resolution 21-107. Unanimous, 5-0 vote.

Resolution 21-108

Resolution authorizing the Mayor to execute the Order Accepting the Acknowledgment/Settlement Agreement from TFL, Inc. d/b/a Mega Saver, 3540 W. Broadway, Council Bluffs, Iowa 51501 for violation of Iowa Code Section 453A.2(1).

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 21-108. Passed, 5-0 vote.

Resolution 21-109

Resolution authorizing the Mayor to execute the Order Accepting the Acknowledgment/Settlement Agreements from the following businesses for violation of Iowa Code Section 453A.2(1): Bucky's #34, 3501 W. Broadway, Council Bluffs, IA 51501; Pilot Travel Center #329, 2647 S. 24th Street, Council Bluffs, IA 51501; Super Quik Stop, 2800 Twin City Drive, Council Bluffs, IA 51501; Tobacco Hut 2, 3134 Manawa Centre Dr., Ste. 9, Council Bluffs, IA 51501.

Mike Wolf and Chad Hannan moved and seconded approval of Resolution 21-109. Unanimous, 0-0 vote.

Resolution 21-110

Resolution authorizing the Mayor to execute the Joint Agreement with Pottawattamie County for the Heartland Ridge Subdivision Urban Renewal Area.

Melissa Head and Roger Sandau moved and seconded approval of Resolution 21-110. Unanimous, 5-0 vote.

Resolution 21-111

Resolution authorizing the elimination of two (2) Engineer positions and the creation of two (2) Captain's position within the Council Bluffs Fire Department.

Chad Hannan and Joe Disalvo moved and seconded approval of Resolution 21-111. Unanimous, 5-0 vote.

Resolution 21-112

Resolution authorizing the elimination of one (1) Engineer's position and the creation of one (1) Captain's position within the Council Bluffs Fire Department.

Joe Disalvo and Chad Hannan moved and seconded approval of Resolution 21-112. Unanimous, 5-0 vote.

Resolution 21-113

Resolution in support for the City's application to the Cindy Axne Community Project Funding program for a South End Housing Redevelopment Program.

Roger Sandau and Melissa Head moved and seconded approval of Resolution 21-113. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Cigarette Permits

Salvage/Storage Yard Licenses

Liquor Licenses: 1) Buffalo Wild Wings, 3701, Metro Drive; 2) Casey's General Store #2284, 1030 Veteran Memorial Hwy; 3) Dusty's Lounge, 1501 Avenue A; 4) Speedee Mart #1515, 2301 S 24th Street (NEW); 5) Squirrel Cage Jail, 226 Pearl Street; 6) T'z, 128 W Broadway.

Chad Hannan and Melissa Head moved and seconded approval of Applications for Permits and Cancellations, Items 8A, 8B and 8C 1-6. Unanimous, 5-0 vote.

CITIZENS REQUEST TO BE HEARD

Heard from:

Tom Bouska, 218 Harmony Street; Nancy Stahl, 214 Harmony Street; Linda Emge, 244 Harmony Street; Geraldine Emge, 244 Harmony Street; Steve Gorman, 203 5th Avenue; Ted Gray, 4807 Navajo; Tony Beraldi, 238 Harmony Street, motion to Receive and File by Hannan, seconded by Wolf. Unanimous. Heard from Sheryl Garst, 1228 South Main Street.

ADJOURNMENT

Mayor Walsh adjourned the meeting at 7:58 p.m.

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

Matthew J. Walsh, Mayor

Attest: Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.: ZC-21-004
Submitted by: Moises Monrroy, Planner

Ordinance 6452
ITEM 3.C.

Council Action: 4/26/2021

Description

Ordinance to amend the zoning map as adopted by reference in section 15.02.070, and setting a Public Hearing for May 10, 2021 at 7:00 p.m., by rezoning property legally described as the East 1/2 of Lot 3 and Lots 4 through 12, Auditor's Subdivision, more specifically described in the Council Packet, from R-1/Single-Family Residential District to R-2/Two-Family Residential District as defined in Chapter 15.09. Location: 20, 40 and 100 Norton Avenue, 1326 North Broadway, and an undeveloped parcel of land west of 100 Norton Avenue. ZC-21-004

Background/Discussion

See attachments

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	4/15/2021
Attachment A - Location and Zoning Map	Map	4/15/2021
Attachment B - Signatures of Property Owners	Other	4/15/2021
Attachment C - Lumen Technologies Utility Location Map	Other	4/15/2021
Public Hearing Notice	Notice	4/15/2021
Ordinance 6452	Ordinance	4/20/2021

City Council Communication

<p>Department: Community Development</p> <p>CASE # ZC-21-004</p> <p>Applicant/Property Owner: Tim and Matt Storey 21350 McPherson Avenue Council Bluffs, IA 51503</p> <p>Property Owners: Chad R. Taylor 1326 North Broadway Council Bluffs, IA 51503</p> <p>Lorelie Dawn Porter 20 Norton Avenue Council Bluffs, IA 51503</p> <p>Anthony W. Hale 40 Norton Avenue Council Bluffs, IA 51503</p> <p>Dionisio Trazell Browder 100 Norton Avenue Council Bluffs, IA 51503</p>	<p>Ordinance No. _____</p>	<p>1st Consideration: 4/26/2021 2nd Consideration: 5/10/2021 3rd Consideration: 5/24/2021</p> <p>Planning Commission: 4/13/2021</p>
<p style="text-align: center;">Subject/Title</p> <p>Request: Public hearing on the request of Tim and Matt Storey to rezone properties legally described as the East ½ of Lot 3 and Lots 4 through 12, Auditor’s Subdivision of part of Lot 4 in the NE ¼ NW ¼ and that part of Lot 1 in the NW ¼ NW ¼ all in Section 30-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-2/Two-family Residential District.</p> <p>Location: 20, 40 and 100 Norton Avenue, 1326 North Broadway, and an undeveloped parcel of land west of 100 Norton Avenue</p>		
<p style="text-align: center;">Background</p> <p>The Community Development Department has received an application from Tim and Matt Storey to rezone properties legally described as the East ½ of Lot 3 and Lots 4 through 12, Auditor’s Subdivision of part of Lot 4 in the NE ¼ NW ¼ and that part of Lot 1 in the NW ¼ NW ¼ all in Section 30-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-2/Two-family Residential District. The purpose of this request is to allow the applicants to construct a duplex on property they own located west of 100 Norton Avenue.</p> <p>The property owned by the applicants is an undeveloped parcel of land. Since a ‘two-family dwelling’ is not a permitted use in the R-1 District, the applicants are requesting to rezone their property to the R-2 District. Properties addressed at 20 Norton Avenue, 40 Norton Avenue, 100 Norton Avenue and 1326 North Broadway have been included in this request for zoning consistency purposes.</p>		

Land Use and Zoning

The following zoning and land uses surround the subject properties:

- North: An undeveloped parcel of land owned by Jennie Edmundson Memorial Hospital that is zoned R-3/Low Density Multifamily Residential District.
- South: Residential properties that are zoned R-2/Two-Family Residential District.
- East: Residential properties that are zoned R-1/Single-Family Residential District.
- West: Residential properties that are zoned R-1/Single-Family Residential District.

The future land use plan of the Bluffs Tomorrow: 2030 (Comprehensive Plan) designates the subject properties as Low-Density Residential.

Public notices were mailed to all property owners within 200 feet of the request. No comments have been received by the Community Development Department as of the date of this report.

- Anthony Hale, owner of 40 Norton Avenue, contacted the Community Development Department and had a general inquiry relative to the construction of the duplex proposed by the applicants.

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

- The Permits and Inspections Division stated they have no comments on the request.
- The Public Works Department stated they have no comments on the request.
- The Fire Department stated they have no comments on the request.
- Council Bluffs Water Works stated they have no comments on the request.
- Mid-American Energy Company stated they have no conflict with the request. They also stated that the developer or their agents should contact Mid-American Energy directly and provide finalized plans to identify costs and timelines associated with any relocation or extension of new electric facilities to accommodate the proposed uses of the site.
- Lumen Technologies provided a map of Lumen utilities located in the general vicinity of the subject property (see Attachment 'D').

Discussion

1. All subject properties included in the proposed rezoning exceed the minimum lot size requirements of the R-2/Two-Family Residential District.
2. A 'two-family dwelling' is not a permitted use in the R-1 District. As such, the proposed rezoning to the R-2 District is necessary to allow the applicants to construct a duplex on the undeveloped parcel of land they own.
3. If proposed rezoning is approved, any construction that occurs on the undeveloped parcel of land owned by the applicants shall conform to the site development standards in Section 15.09.050, Site Development Regulations in the R-2 District, of the Council Bluffs Municipal Code (Zoning Ordinance).
4. The applicants, at the recommendation of the Community Development Department, have included 20 Norton Avenue, 40 Norton Avenue, 100 Norton Avenue and 1326 North Broadway in the request for zoning consistency purposes.
5. A 'single-family dwelling, detached' is a permitted use in the R-2 District. As such, the proposed rezoning will not have an adverse impact on the conformity of the existing single-family residential uses on 20 Norton Avenue, 40 Norton Avenue, 100 Norton Avenue and 1326 North Broadway.
6. Since the site development regulations in the R-1 and R-2 Districts are virtually identical, the proposed rezoning will not create or resolve any nonconformities relative to the existing residential structures (i.e., lot coverage, setbacks and height).

7. If approved, the subject properties will be zoned to a district that remains consistent with the general character of the surrounding residential neighborhood. The proposed two-family residential use is compatible with the existing development in the area and will not have an adverse impact on properties in the vicinity.
8. The Bluffs Tomorrow 2030 (Comprehensive Plan) designates the subject properties as Low-Density Residential. The R-2 District is generally consistent with the Low-Density Residential classification.
9. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-2 District.

Recommendation

The Community Development Department recommends approval of the request of Tim and Matt Storey to rezone properties legally described as the East ½ of Lot 3 and Lots 4 through 12, Auditor's Subdivision of part of Lot 4 in the NE ¼ NW ¼ and that part of Lot 1 in the NW ¼ NW ¼ all in Section 30-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-2/Two-family Residential District.

Public Hearing

Staff speaker for the request:

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

Speakers in favor: None

Speakers against: None

Planning Commission Recommendation

The Planning Commission recommended approval of the request of Tim and Matt Storey to rezone properties legally described as the East ½ of Lot 3 and Lots 4 through 12, Auditor's Subdivision of part of Lot 4 in the NE ¼ NW ¼ and that part of Lot 1 in the NW ¼ NW ¼ all in Section 30-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-2/Two-family Residential District.

VOTE: AYE – Bass, Danielsen, Halm, Haner, Hutcheson, Rater, Rew, Scott, Stroebele, and VanHouten
NAY - None ABSTAIN - None ABSENT – None VACANT - One Motion: Carried.

Attachments

Attachment A: Location/Zoning Map

Attachment B: Signatures of Property Owners Included in the Request

Attachment C: Lumen Technologies Utility Location Map

Prepared by: Moises Monrroy, Planner, Community Development Department

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #ZC-21-004 LOCATION/ZONING MAP

Legend

Subject Properties

0 40 80
1 Inch = 83 Feet



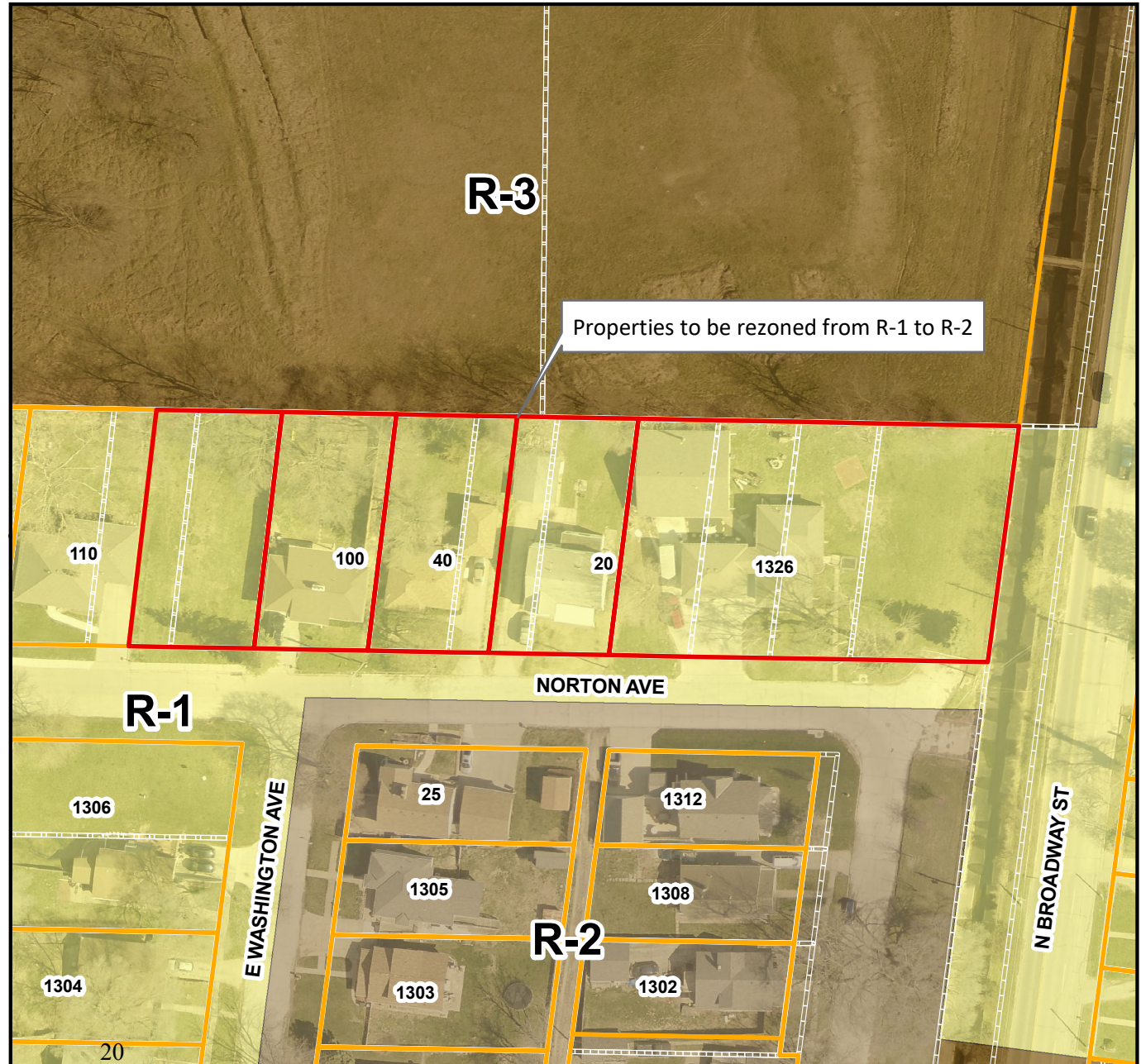
Last Amended: 3/22/2021



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

DISCLAIMER

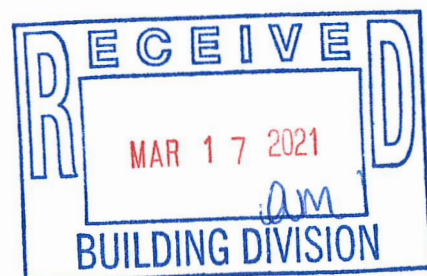
This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressly denies any and all responsibilities for errors, if any, in the information contained on this map, the manner of the same by the user or anyone else.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

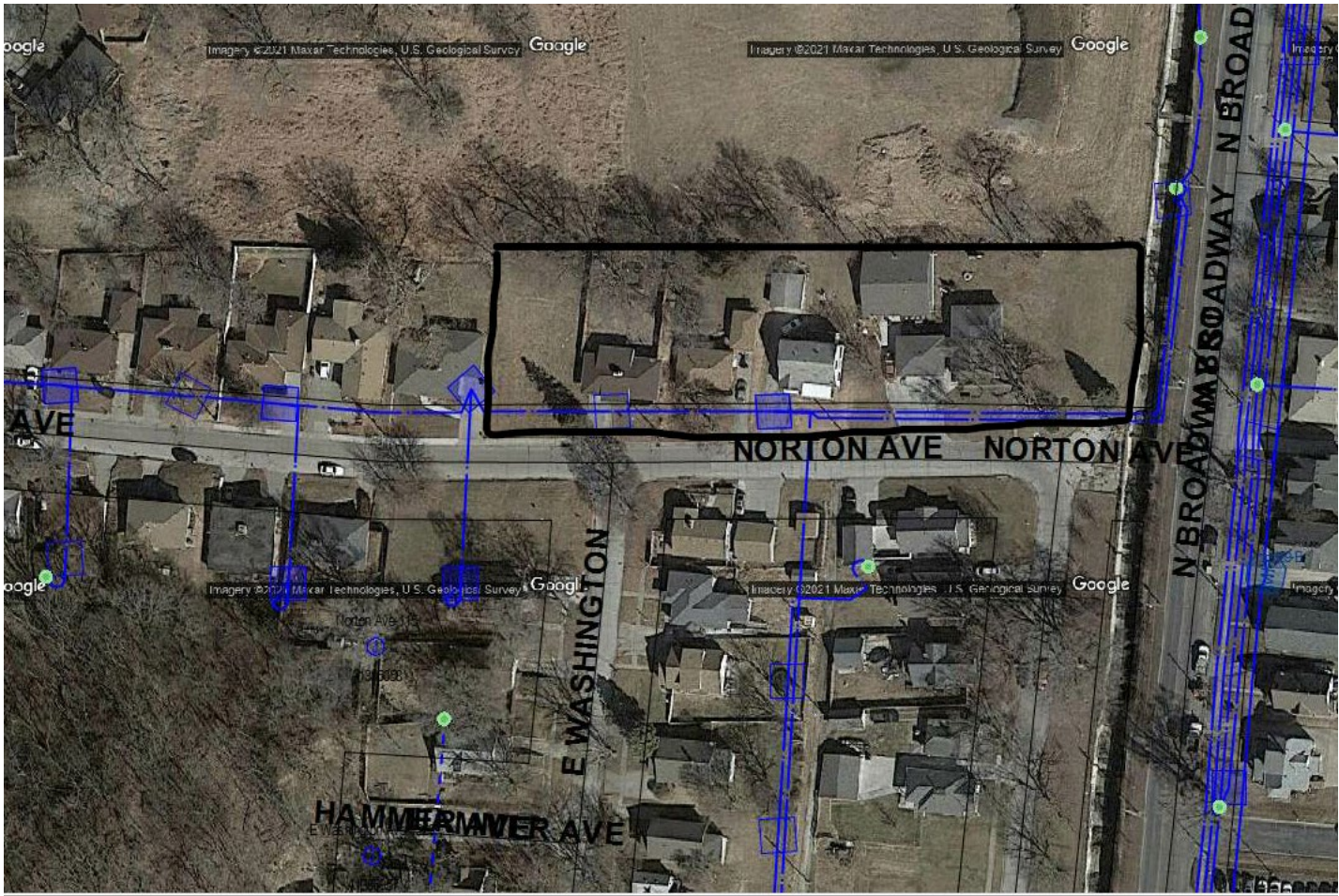


Attachment B

We the undersigned fully support Tim and Matt Storey in their plan to build single family attached residences on the lot on Norton Avenue and allowing the rezoning from R1 to R2.

Name (Printed)	Address (Printed)	Signature
	100	
	100	
Lorelie Porter	20	Lorelie Porter
Mandi Nielsen	1326 U-BR	Mandi Nielsen
Anthony Hale	40 Norton Ave	
Diane Darrington	110 Norton Ave	Diane Darrington





NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request of Tim and Matt Storey to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning properties legally described as the East ½ of Lot 3 and Lots 4 through 12, Auditor's Subdivision of part of Lot 4 in the NE ¼ NW ¼ and that part of Lot 1 in the NW ¼ NW ¼ all in Section 30-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-2/Two-family Residential District, as defined in Chapter 15.09 of the Municipal Code of Council Bluffs, Iowa.

You are further notified that the public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 10th day of May, 2021 in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

Jodi Quakenbush, City Clerk

ORDINANCE NO. 6452

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS THE EAST ½ OF LOT 3 AND LOTS 4 THROUGH 12, AUDITOR'S SUBDIVISION OF PART OF LOT 4 IN THE NE ¼ NW ¼ AND THAT PART OF LOT 1 IN THE NW ¼ NW ¼ ALL IN SECTION 30-75-43, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, FROM R-1/SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-2/TWO-FAMILY RESIDENTIAL DISTRICT AS DEFINED IN CHAPTER 15.09 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.

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

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning property legally described as the East ½ of Lot 3 and Lots 4 through 12, Auditor's Subdivision of part of Lot 4 in the NE ¼ NW ¼ and that part of Lot 1 in the NW ¼ NW ¼ all in Section 30-75-43, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-2/Two-Family Residential District as defined in Chapter 15.09 of the Municipal Code of Council Bluffs, Iowa.

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

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

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

ADOPTED
AND
APPROVED

May 10, 2021.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 4-26-21
Second Consideration: 5-10-21
Public Hearing: 5-10-21
Third Consideration: _____

Council Communication

Department: Community Development
Case/Project No.: ZC-21-002
Submitted by: Christopher N. Gibbons, AICP,
Planning Manager

Ordinance 6453
ITEM 3.D.

Council Action: 4/26/2021

Description

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070, and setting a Public Hearing for May 10, 2021 at 7:00 p.m., by rezoning property legally described as Lot 2, Arbor Creek Subdivision from A-2/Parks, Estates, and Agricultural District to R-2/Two-Family Residential District as defined in Chapter 15.09, and appending a PR/Planned Residential Overlay as defined in Chapter 15.28 of the Municipal Code of Council Bluffs, Iowa, to said property. Location: Undeveloped land lying south of 1020 Railroad Avenue. ZC-21-002

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	4/15/2021
Attachment A - Letter of Intent	Letter	4/15/2021
Attachment B - Preliminary subdivision plans	Other	4/15/2021
Attachment C - Drainage Study	Other	4/15/2021
Attachment D - Location/zoning map	Map	4/15/2021
Attachment E - PR site and landscaping plans	Other	4/15/2021
Attachment F - Architectural renderings and floor plans	Other	4/15/2021
Attachment G - Council Bluffs street tree guide	Other	4/15/2021
Exhibit A - Letter in opposition	Letter	4/15/2021
Public Hearing Notice	Notice	4/15/2021
Ordinance 6453	Ordinance	4/20/2021

City Council Communication

<p>Department: Community Development</p> <p>CASES #SUB-21-005, ZC-21-002, and PR-21-001</p> <p>Applicant: Arbor Creek, LLC 2023 South 181st Circle Omaha, NE 68130</p> <p>Property Owner: City of Council Bluffs 209 Pearl Street Council Bluffs, IA 51503</p> <p>Engineer/Surveyor: E&A Consulting Group, Inc. 10909 Mill Valley Road, Suite 100 Omaha, NE 68154</p>	<p>Resolution No. _____</p> <p>Resolution No. _____</p> <p>Ordinance No. _____</p>	<p>CASE #SUB-21-005: 5/10/2021</p> <p>CASE #ZC-21-002 1st Consideration: 4/26/2021 2nd Consideration: 5/10/2021 3rd Consideration: 5/24/2021</p> <p>CASE #PR-21-001: 5/10/2021</p> <p>Planning Commission: 4/13/2021</p>
<p style="text-align: center;">Subject/Title</p> <p>Requests: Combined public hearing on the request of Arbor Creek, LLC, represented by Neal Drickey for: 1) preliminary plan approval for a 27-lot residential subdivision to be known as Arbor Creek 2nd Addition, legally described as being a replat of Lot 2, Arbor Creek Subdivision, along with variances for minimum lot size and lot widths, and maximum lot depth to width ratios; and 2) rezoning said property from A-2/Parks, Estates, and Agricultural District to R-2/Two-Family Residential District; and 3) appending a PR/Planed Residential Overlay and adopting the associated planned residential development plan for said property.</p> <p>Location: Undeveloped land lying south of 1020 Railroad Avenue</p>		
<p style="text-align: center;">Background</p> <p>In July 2020, City Council directed the Community Development Department to release a Request for Proposals (RFP) for the subject property (Lot 2, Arbor Creek Subdivision) as an alternative plan to the offer to buy submitted by the Midlands Humane Society (MHS). The City received one response to the published RFP from Neal Drickey and his development team (“the applicant/developer”). Their original proposal included two alternatives with 34 and 36 housing units respectively, and was a combination of single-family detached and rowhouse units. City Council reviewed the proposals from MHS and Mr. Drickey, and then encouraged both entities to work together on a subdivision design that allows Mr. Drickey to build new residential dwellings, and for MHS to acquire a portion of the land for a future expansion of their animal rescue shelter. Mr. Drickey, after meeting with MHS, submitted two amended proposals to the City for a 35-unit (16 townhomes/19 single-family) development, and a 26-unit (12 townhomes/14 single-family) development for Council’s consideration. Their proposals included land set aside for MHS and an offer to purchase the property for \$200,000.00. Additionally, their updated project pro-forma included a request for tax increment financing (TIF) to help offset infrastructure costs (e.g., roads, sewers, gas, etc.) within the</p>		

subdivision, and to help cover the financial gap for constructing 45% of the dwelling units for households at or below 80% of the median family income. On November 9, 2020, City Council approved Resolution No. 20-247 which disposed of the subject property to Mr. Drickey for \$200,000.00 and directed him to enter into a development agreement with the City.

The applicant has submitted the following requests to the Community Development Department for review and approval by the City for the subject property legally described as Lot 2, Arbor Creek Subdivision:

- Preliminary plan approval for a 27-lot residential subdivision to be known as Arbor Creek 2nd Addition, legally described as being a replat of Lot 2, Arbor Creek Subdivision, along with variances for minimum lot size and lot widths, and maximum lot depth to width ratios; and
- Rezoning said property from A-2/Parks, Estates, and Agricultural District to R-2/Two-Family Residential District; and
- Appending a PR/Planned Residential Overlay and adopting the associated planned residential development plan for said property.

The following attachments are included within this report for reference purposes:

Attachment A: Letter of intent

Attachment B: Preliminary subdivision plans

Attachment C: Drainage study

Attachment D: Location/zoning map

Attachment E: PR site and landscaping plans

Attachment F: Architectural renderings and floor plans

Attachment G: Council Bluffs street tree guide

CASE #SUB-21-005 (See Attachments B & C)

The proposed Arbor Creek 2nd Addition subdivision is comprised of 6.19 acres (more/less) of land and contains 27 buildable lots and one outlot. Lots 1 - 12 and Lots 25 - 26 will be developed with single-family detached dwellings, and Lots 13 through 24 will be developed with townhome units. Lot 27 will be retained by the applicant so that it may be sold to MHS, or developed with additional housing units, at a future date. Outlot 'A' will function as a storm water detention basin and will be maintained by the Arbor Creek 2nd Addition homeowner's association. A new public street to be known as Arbor Creek Drive will be constructed by the applicant and then dedicated to the City. All proposed lots will be fully served with utilities (e.g., sanitary/storm sewers, water, gas, electricity, telecommunications, etc.). The applicant intends to develop the entire subdivision, with exception of Lot 27, in one phase.

Comments

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, "but shall be deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat" (§14.11.060(D)—Subdivision Ordinance). A final plat application for the first phase must be filed within one year of the date of action by the City Council. A request for extension may be made by the sub-divider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.
2. The proposed subdivision is generally consistent with the purpose and intent of Title 14: Subdivisions and Title 15: Zoning of the Council Bluffs Municipal Code. The future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as Rural/Agricultural. This designation is expected change to a residential classification as part of an effort by the City's Community Development Department to update the future land use plan of the Bluffs Tomorrow: 2030 Plan.
3. The proposed subdivision is currently zoned A-2/Parks, Estates, and Agricultural District and the applicant has requested to rezone it to R-2/Two-Family Residential District and append a PR/Planned

Residential Overlay to allow for a mixture of single-family detached and townhome dwellings (see Case #ZC-21-002).

4. The subdivision will consist of 27 lots (12 townhomes and 14 single-family detached dwellings and one undeveloped lot reserved for MHS). Lots 1 through 12 and Lots 25-26 will be developed with single-family detached dwellings. Lots 13-24 will be developed with townhomes. Lot 27 is being reserved by the applicant to potentially sell to MHS at a future date, or developed with additional dwellings in the event MHS does not purchase said lot. Single-family detached dwellings are allowed as a principal use in the R-2 District. Townhomes are allowed as a principal use in the R-2 District with an adopted PR/Planned Residential development plan.
5. The subdivision's layout and associated lot configuration/dimensions are influenced by the layout of Lot 27, which is being reserved by the applicant to sell to MHS in the future. As a result of the size and shape of proposed Lot 27, the applicant is requesting subdivision variances for minimum lot size/lot width and maximum lot depth-to-width ratio as follows:

a. Variances from minimum R-2 District Lot Sizes

Minimum required R-2 District lot sizes: 5,000 square feet (interior lot), 5,500 square feet (corner lot), and 5,000 square feet (townhome lots).

Proposed Lot 7 (4,939 square foot interior lot for a single-family dwelling) and Lots 14-24 (all townhomes lots less than 5,000 square feet) do not comply with minimum R-2 District lot size requirements.

b. Variances from minimum R-2 District Lot Width

Minimum required R-2 District lot width: 50 feet (interior lot) and 55 feet (corner lot)

Proposed Lots 4 & 5 and Lots 9-11 have lot widths less than the minimum 50' required in an R-2 District.

c. Variances from maximum 3:1 Lot Depth to Width Ratio

Section 14.14.020(3), Lot Layout, of the Council Bluffs Subdivision Ordinance states "*excessive lot depth in relation to width shall be avoided. A proportion of three to one respectively shall be considered as a maximum*".

Proposed Lots 14-16 and Lots 18-24 are all townhome lots that exceed the maximum 3:1 lot depth to width ratio.

Section 14.11.040, Variance(s), of the Council Bluffs Subdivision Ordinance states: "*where it can be shown that due to special conditions, a literal enforcement of the ordinance will result in an unnecessary hardship, the City shall have the power to vary such regulations to that substantial justice will be accomplished, provided that such variance would:*

- a) *Not be contrary to the public interest;*
- b) *Be in the best interest of the City;*
- c) *Be within the spirit and intent of the this title;*
- d) *Not be detrimental to the future residents in and near the proposed subdivision; and*
- e) *Be consistent with the city's comprehensive plan.*

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

- a. There are existing utility easements (natural gas and water) that extend through the westerly and easterly portions of the subject property that create a hardship for designing the subdivision's road in a manner that complies with R-2 District site development standards and creates developable lots.
 - b. The applicant has configured the subdivision in a manner that honors City Council's desire to see new residential dwellings constructed on the property, and some land reserved for Midlands Humane Society to potentially purchase from the applicant at a future date. The applicant has reserved Lot 27 for MHS to potentially purchase at a later date; however the lot's size and irregular shape influences the layout and configuration of all other lots in the subdivision.
 - c. The subject property is surrounded by existing development, College Road, and Railroad Avenue. The applicant does not have the ability to acquire additional undeveloped land in the general vicinity in order to design the subdivision with lots that conform to all City subdivision/zoning standards;
 - d. The Bluffs Tomorrow: 2030 Plan encourages a variety of housing types in order to meet the needs of the Council Bluffs community. The applicant's proposals includes 12 townhomes and 14 detached single-family dwellings. These homes will be a combination of market-rate housing, as well as, workforce housing for households at or below 80% of the median family income. The applicant's subdivision proposal is consistent with the goals and objectives of the Bluffs Tomorrow: 2030 Plan to provide a variety of housing in the Council Bluffs community.
 - e. The applicant has engineered and designed the subdivision to be compatible with existing development in the surrounding area. The subdivision variances are not anticipated to be detrimental to the future residents in and/or adjacent to the subdivision.
6. Outlot 'A' is designed to handle all storm water run-off from the subdivision. The Council Bluffs Public Works Department stated a note shall be stated on the final plat that dedicates all maintenance of Outlot 'A' (including basin maintenance) to the subdivision's homeowners association.
 7. The proposed subdivision includes dedication of a new public street (Arbor Creek Drive) to the City of Council Bluffs. All lots within this subdivision will have direct access to this new public street. The applicant has required a variance from Section 5C-1 of the Iowa Statewide Urban Design and Specifications (SUDAS) to allow a reduction of the minimum horizontal curves for Arbor Creek Drive. The Council Bluffs Public Works Department has reviewed the request and is not opposed to reducing the horizontal curves for Arbor Creek Drive, as the request does not create a public safety hazard.
 8. The land within this subdivision is located within Flood Zones 'AE' and '0.2%' according to FEMA map panel number 19155C0418F, dated 4/16/2013. With adequate engineering and construction controls, the land in this subdivision is suitable for development, subject to compliance with all applicable floodplain regulations.
 9. All future street lights shall meet the Public Works Department standards and shall be installed when Arbor Creek Drive is constructed. All costs associated with the installation of street lights shall be the responsibility of the developer and not the City.
 10. All proposed lots will be fully served with utilities (e.g., sanitary/storm sewers, water, gas, electricity, telecommunications, etc.). Any costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the applicant and not the City.
 11. A minimum four-foot wide sidewalk shall be constructed along the frontage(s) of Lots 1 through 27 prior to the issuance of a Certificate of Occupancy for structures on said lots. A minimum four-foot wide sidewalk shall be constructed along the frontage areas of Outlot 'A' at the time Arbor Creek Drive is constructed and shall connect into the trail along Railroad Avenue. All costs to construct said sidewalks shall be at the expense of the applicant and not the City of Council Bluffs.
 12. Council Bluffs Fire Department stated they have no comments for the proposed subdivision.
 13. Council Bluffs Water Works stated they applicant will need to enter into a water main extension agreement to service the lots in this subdivision.
 14. Council Bluffs Public Works Department stated the following:

- a. Final plat requires a dedication page and all signatures need to be identified, and all standard easements notated.
 - b. Sanitary sewer connection point is noted. Sanitary sewer along Railroad Avenue may be in conflict with trail and street trees. The applicant will need to continue working with Public Works on the proper placement of the sewer to avoid said conflicts.
 - c. Drainage report and storm sewer connection point noted. Stormwater management required for both water quantity and quality.
 - d. Detention basin and calculation noted in the drainage report. Public Works will continue to work with the applicant's engineer to finalize the drainage report.
 - e. Ground water elevation not provided. Geotechnical report is required to be submitted to the Public Works Department prior to commencement of work.
 - f. Street profile noted. Pavement thickness noted and rock subgrade is required.
 - g. Lot 27 must have maintenance standards identified on the final plat, or platted as outlot with maintenance assigned to the homeowner's association.
15. MidAmerican Energy stated they have no conflicts with the proposed subdivision provided the required 5-foot and 10-foot franchise utility easements, along all front, side, and rear yard property lines, are stated on the final plat. MidAmerican Energy also stated the applicant and/or their engineers should contact them to discuss project timelines and provide the necessary documentation for extending electrical service within the development.
16. Lumen stated the subdivision does not conflict with their existing utilities in the adjacent rights-of-way.

CASE #ZC-21-002

The subject property is zoned A-2/Parks, Estates, and Agricultural District (see **Attachment D**). The applicant proposes to rezone it to R-2/Two-Family Residential District to allow for a mixture of housing typologies (e.g., single-family detached and townhouses) within their subdivision. A P-R/Planned Residential Overlay is also proposed to be appended to the subject property to regulate building architecture, off-street parking, landscaping, and site development standards (see Case #PR-21-001).

Surrounding land uses and zoning within the general vicinity of the subject property includes:

- North – Midlands Humane Society and undeveloped land – *A-2/Parks, Estates, and Agricultural District*
- South – College Road, single-family residential dwellings, undeveloped land, and railroad line - *A-2/Parks, Estates, and Agricultural District*
- East – Railroad Avenue and single-family residential dwellings – *A-2/Parks, Estates, and Agricultural District*
- West – Single-family residential dwellings and undeveloped land – *R-1/Single-Family Residential District*

The future land use plan of the Bluffs Tomorrow 2030 (comprehensive plan) currently designates the subject property as Rural Residential/Agricultural. The westerly portion of the property is designated as "Loess Hills Preservation Area".

Public notices were mailed to all property owners within 200 feet of the request as well as to the Midlands Humane Society. One letter was returned to the City as undeliverable. No public comments were received for these requests, as of the date of this report.

Discussion

1. All proposed lots will be zoned R-2/Two-Family Residential District. The applicant intends to develop a total of 12 townhomes and 14 single-family detached dwellings within the subdivision. Lot 27 is included in the rezoning and is being reserved by the applicant to sell to MHS at future date, or developed

with additional residential dwellings in the event that MHS does not purchase the lot. If the lot is purchased by MHS, the new owner must rezone it to an appropriate zoning designation that allows an 'Animal shelter (non-profit)' as a principal or conditional use.

2. The applicant is proposing to append a P-R/Planned Residential Overlay to the entirety of the proposed subdivision. A planned residential development plan which establishes standards for site development, architecture, landscaping, parking, and signage will be adopted as part of this development.
3. The future land use plan of the Bluffs Tomorrow 2030 (comprehensive plan) currently designates the subject property as Rural Residential/Agricultural. The westerly portion of the property is designated as "Loess Hills Preservation Area". The Community Development Department is evaluating the future land use plan of the Bluffs Tomorrow: 2030 Plan and anticipates the "Rural Residential/Agriculture" designation applied to this property will change to "Medium Density Residential" due to recent development trends occurring along College Road and Railroad Avenue.

Case #PR-20-001 (see Attachments E & F)

Section 15.28.010, *Statement of Intent, P-R/Planned Residential Overlay*, of the Council Bluffs Municipal Code (Zoning Ordinance) states that "the planned residential overlay is established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of the requirements of the underlying zone would not be inconsistent with the Comprehensive Plan or harmful to the neighborhood in which it is located." The applicant proposes to append a P-R/Planned Residential Overlay and adopt a development plan for Arbor Creek 2nd Addition for the purpose of regulating site development standards, building architecture, landscaping, off-street parking, stormwater management, signage, etc. associated with this subdivision, as follows:

1. Site Development

- a. The minimum tract of land required for a P-R/Planned Residential Overlay is 1.5 acres. The subject property contains 6.19 acres, which complies with minimum lot size requirement of the P-R Overlay.
- b. All land uses within the subdivision shall comply with Chapter 15.09 *R-2/Two-Family Residential District* and Chapter 15.28 *P-R/Planned Residential Overlay* of the Municipal Code (Zoning Ordinance). Any home occupations within the subdivision shall comply with Chapter 15.24.030, Home Occupations, of the Municipal Code (Zoning Ordinance).
- c. All land development activity within the subdivision shall comply with R-2/Two-Family Residential District standards, as per Section 15.09.050, *Site Development Regulations*, with the following exception:
 - i. The maximum lot coverage for all lots shall not exceed 40 percent rather than the 35 percent maximum allowed in an R-2 District.
- d. All fencing in the subdivision shall comply with the standards stated in Section 15.24.040, *Fence Regulations*, of the Council Bluffs Municipal Code (Zoning Ordinance).
- e. All exterior lighting shall comply with the standards stated in Section 15.24.050, *Lighting Controls*, of the Council Bluffs Municipal Code (Zoning Ordinance).
- f. Minor modifications to building setbacks, heights, and/or lot coverage which are deemed to be compatible with other homes in the subdivision, and are not detrimental to the subdivision and/or properties outside the boundary of the subdivision, shall be administratively approved by the Community Development Director or their designee.

2. Off-Street Parking

- a. Per Section 15.23.060, *Parking Spaces Required*, of the Council Bluffs Municipal Code (Zoning Ordinance) the required number of off-street parking spaces for single-family detached and townhome dwellings is two (2) spaces per unit. All proposed single-family detached units are being constructed with a two or three-car garage. All proposed townhome dwellings are being constructed

with a single-car garage. One (1) additional required parking space shall be allowed in the required front yard setback for the townhomes so long as all parking occurs on a paved surface and the placement of vehicles does not interfere with the public right-of-way (e.g., sidewalk encroachment).

- b. All off-street parking areas, driveways and drive aisles shall be constructed and designed to comply with the standards stated in Chapter 15.23, *Off-Street Parking, Loading and Unloading*, of the Council Bluffs Municipal Code (Zoning Ordinance).
- c. Parking and storage of recreational vehicles on lots in the subdivision shall comply with standards stated in Chapter 15.23, *Off-Street Parking, Loading and Unloading*, of the Council Bluffs Municipal Code (Zoning Ordinance).

3. Architecture

- a. The submitted house plans, included as Attachment 'F,' are generally acceptable in design and layout and shall be adopted as submitted with the following considerations:
 - i. Each townhome unit shall have a minimum of 40 square feet of stone, brick, and/or decorative architectural metal on the front façade;
 - ii. Each set of townhomes shall be painted in manner that no two attached townhome units are painted with the exact same color.
 - iii. Minor modifications to design, layout, or appearance of the single-family detached dwellings and/or townhomes, which are deemed to be compatible with the other homes in the subdivision, shall be approved administratively by the Community Development Director or their designee.

4. Landscaping

- a. The submitted landscaping plan shows deciduous street trees throughout the subdivision, as well as, deciduous trees planted along the northerly boundary of Outlot 'A'. Additionally, a row of shrubs is proposed to be planted along the outer perimeter of the detention basin to help screen it from view along College Road and Railroad Avenue. The proposed landscaping plan is generally acceptable and shall be adopted as submitted with the following conditions:
 - i. All proposed trees within the City's right-of-way shall be reviewed and approved by the City prior to installation and shall comply with the Council Bluffs Street Tree Guide (see Attachment 'G');
 - ii. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year;
 - iii. All landscaping plantings within Outlot 'A' shall be installed once the detention basin is constructed and shall be maintained by the homeowner's association at all times;
 - iv. Minor modifications to the submitted landscaping plan shall be approved administratively by the Community Development Director or their designee.
- b. All street trees along Arbor Creek Drive, as shown on the submitted landscaping plan, shall be planted prior to issuance of a Certificate of Occupancy for each lot. All costs associated with the installation and maintenance of street trees shall be the responsibility of the applicant and/or homeowner's association, and not the City.

5. Signage

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

Recommendations

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

1. Approval of a preliminary plan for a 27-lot residential subdivision to be known as Arbor Creek 2nd Addition, legally described as being a replat of Lot 2, Arbor Creek Subdivision, subject to the comments above and the following conditions:
 - a. Approval of the preliminary plans is tentative and does not constitute acceptance of the final plat, but is “deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat” (Section 14.11.060(D)—Subdivision Ordinance).
 - b. All applicable permits necessary to meet all local, state, and federal requirements shall be the developer’s responsibility.
 - c. All utilities shall be installed underground. All costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
 - d. Sidewalks shall be installed along the frontage of each proposed lot prior to issuance of a Certificate of Occupancy for each lot. A sidewalk along frontages of Outlot ‘A’ shall be installed at the time Arbor Creek Drive is constructed. All sidewalks shall be built to City standards.
 - e. The applicant shall assume all maintenance responsibility for Lot 27, or assign it to the subdivision’s homeowners association on the final plat, until such time the lot is sold to Midlands Humane Society or developed with additional dwellings.
 - f. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.
 - g. Approval of the requested subdivision variances relative to lot size, lot width, and maximum lot depth to width ratios, based on reasons stated above.
2. Approval of the request to rezone Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to R-2/Two-Family Residential District, based on the reasons stated above.
3. Approval of the request to append a P-R/Planned Residential Overlay and adopt a planned residential development plan for Arbor Creek 2nd Addition, subject to the comments above and following condition:
 - a. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by City Planning Commission and approved by City Council prior to such changes being made. Minor modifications to the adopted development plan that result in a product that is considered compatible with the overall development may be administratively approved by the Community Development Director or their designee.

Public Hearing

Staff speaker for the request:

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

Speakers in favor:

1. Mark Westergard, E&A Consulting Group Inc., 10909 Mill Valley Road, Suite 100, Omaha, NE 68151
2. Clint Brunow, representing Arbor Creek, LLC, 2023 South 181st Circle, Omaha, NE 68130

Speakers against:

1. Ed Cain, 26 Indian Hills Road, Council Bluffs, IA 51503

2. Ron Wolfe, representing the College Road-Indian Hills Road Neighborhood Association, 536 College Road, Council Bluffs, IA 51503
3. Marti Nerenstone, Attorney for the College Road-Indian Hills Road Neighborhood Association, 33 Indian Hills Road, Council Bluffs, IA 51503

Planning Commission Recommendation

The Planning Commission recommended:

1. Approval of a preliminary plan for a 27-lot residential subdivision to be known as Arbor Creek 2nd Addition, legally described as being a replat of Lot 2, Arbor Creek Subdivision, subject to the comments above and the following conditions:
 - a. Approval of the preliminary plans is tentative and does not constitute acceptance of the final plat, but is “deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat” (Section 14.11.060(D)—Subdivision Ordinance).
 - b. All applicable permits necessary to meet all local, state, and federal requirements shall be the developer’s responsibility.
 - c. All utilities shall be installed underground. All costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
 - d. Sidewalks shall be installed along the frontage of each proposed lot prior to issuance of a Certificate of Occupancy for each lot. A sidewalk along frontages of Outlot ‘A’ shall be installed at the time Arbor Creek Drive is constructed. All sidewalks shall be built to City standards.
 - e. The applicant shall assume all maintenance responsibility for Lot 27, or assign it to the subdivision’s homeowners association on the final plat, until such time the lot is sold to Midlands Humane Society or developed with additional dwellings.
 - f. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.
 - g. Approval of the requested subdivision variances relative to lot size, lot width, and maximum lot depth to width ratios, based on reasons stated above.
4. Approval of the request to rezone Lot 2, Arbor Creek Subdivision, City of Council Bluffs, Pottawattamie County, Iowa from A-2/Parks, Estates, and Agricultural District to R-2/Two-Family Residential District, based on the reasons stated above.
5. Approval of the request to append a P-R/Planned Residential Overlay and adopt a planned residential development plan for Arbor Creek 2nd Addition, subject to the comments above and following condition:
 - a. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by City Planning Commission and approved by City Council prior to such changes being made. Minor modifications to the adopted development plan that result in a product that is considered compatible with the overall development may be administratively approved by the Community Development Director or their designee.

VOTE: AYE - Bass, Danielsen, Haner, Rater, Rew, Scott, Stroebele, and Van Houten NAY - Hutcheson and Halm ABSTAIN - None ABSENT - None VACANT One Motion: Carried

Attachments

Attachment A: Letter of intent
Attachment B: Preliminary subdivision plans
Attachment C: Drainage study
Attachment D: Location/zoning map

Attachment E: PR site and landscaping plans
Attachment F: Architectural renderings and floor plans
Attachment G: Council Bluffs street tree guide

Exhibit A: Ed Cain Letter of Opposition

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

March 16, 2021

Christopher Gibbons
Planning Manager
Community Development Department
City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

RE: Arbor Creek 2nd Addition – Preliminary Plat & PR Development Plan Submittal
E & A File: P2020.240.001

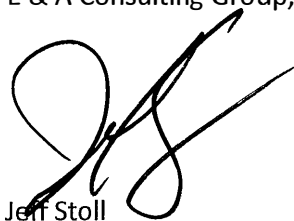
Dear Chris,

On behalf of our client, Arbor Creek, LLC, we hereby submit an application for the above referenced project. The subject property is located at Lot 2, Arbor Creek; located near College Road and Railroad Avenue. This subdivision proposes a change of zone from A-2 to R-2.

Several variances will be requested as part of the development plan. Variances including: the reduction of the minimum horizontal curves (Section 5C-1 of the Iowa Statewide Urban Design and Specifications), Interior Lot Area, Corner Lot Width and Interior Lot Width (Section 15.09.50), and Lot Depth and width ratio (Section 14.14.020). The justification for the request is to eliminate the need to any additional intersections and also provide the maximum amount of area for future use by either the Humane Society or for additional residential development.

All documents included are listed on the attached transmittal. If you have any questions regarding this application, please contact me at 402-895-4700 or at jstoll@eacg.com.

Sincerely,
E & A Consulting Group, Inc



Jeff Stoll
Platting Services Assistant Manager



E & A CONSULTING GROUP, INC.

Engineering Answers

10909 Mill Valley Road, Suite 100 • Omaha, NE 68154-3950

P 402.895.4700 • F 402.895.3599

www.eacg.com

March 16, 2021

Christopher Gibbons
Planning Manager
Community Development Department
City of Council Bluffs
209 Pearl Street
Council Bluffs, IA 51503

RE: Arbor Creek 2nd Addition – PR Development Plan Letter of Intent
E & A File: P2020.240.001

Dear Chris,

On behalf of our client, Arbor Creek. LLC, we hereby submit an application for the above referenced project. The subject property is located at Lot 2, Arbor Creek; located near College Road and Railroad Avenue.

A 27-lot single family development is proposed as Arbor Creek 2nd Addition. This development will be zoned R-2 and will be a mix of detached of unattached single development, with one outlot will be designated for greenspace and a storm water detention and water quality detention. The proposed outlot will be owned and maintained by the developer or HOA. Lot 27 will be reserved for Midlands Humane Society to purchase and use as part of their development. If no agreement cannot be reached, Lot 27 will be a part of a 2nd phase development. In this 2nd phase, Lot 27 will be developed as more detached or unattached single-family houses that is in line with the first phase. Until Lot 27 is either purchased by Midlands Humane Society or is developed, this lot will be owned and maintained by the developer.

This development will be served by a new 700-foot street bisecting the residential lots, to be known as Arbor Creek Drive. The proposed street will be designed to meet City of Council Bluffs standards, with pavement centered in the 50-foot-wide right-of-way which will be dedicated to the City. The development will be served by a proposed 8" sanitary sewer main running within the proposed right-of-way. Service connections will be made as part of this project and will be extended from the proposed sewer main to the proposed right-of-way line. A storm sewer network of pipes and inlets will also be constructed to convey storm water runoff to the proposed detention system within the subdivision. This development will be served by an extension of water main as determined by the Council Bluff Water Works.

Installation of the street lights, electric and gas services, and communication utilities are also planned for the subdivision, we will work with the various utility companies regarding installation to this development. Any driveways or sidewalks will be constructed as each individual lot is developed.

The applicant and E & A Consulting Group, Inc. will continue to work with the City of Council Bluffs Planning Department and Public Works Department regarding any issue related to the development plan.

Site grading is scheduled to start in late summer with all public improvements (included storm sewer, sanitary sewer, street pavement, and water main) scheduled to be completed in early 2022.

If you have any questions regarding this application, please contact me at 402-895-4700 or at jstoll@eacg.com.

Sincerely,

E & A Consulting Group, Inc

A handwritten signature in black ink, appearing to read 'J. Stoll', with a long horizontal flourish extending to the right.

Jeff Stoll

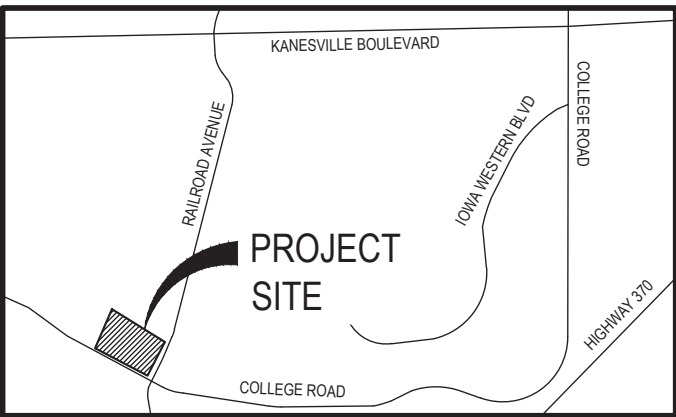
Platting Services Assistant Manager

ATTACHMENT B

ARBOR CREEK 2ND ADDITION

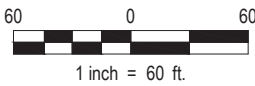
LOTS 1 THRU 27 & OUTLOT "A" INCLUSIVE

LOT 2, ARBOR CREEK, A SUBDIVISION LOCATED IN PART OF THE NE1/4 OF SECTION 29, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA.



LEGEND

- BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENTS
- SETBACK LINE
- 1120 --- EXIST. MAJOR CONTOURS
- 1122 --- EXIST. MINOR CONTOURS
- G --- GAS LINE
- UGW --- UGW --- WATER LINE (UNDERGROUND)
- OHP --- OHP --- POWER LINE (OVERHEAD)
- UGP --- UGP --- POWER LINE (UNDERGROUND)
- UGC --- UGC --- COMMUNICATION LINE (UNDERGROUND)
- SS --- SS --- SANITARY SEWER LINE
- ST --- ST --- STORM SEWER LINE
- UFO --- UFO --- FIBER OPTICS LINE (UNDERGROUND)



CENTERLINE CURVE TABLE	
CURVE	RADIUS
1	100.00'
2	100.00'
3	100.00'

LEGAL DESCRIPTION

LOT 2, ARBOR CREEK, A SUBDIVISION LOCATED IN PART OF THE NE1/4 OF SECTION 29, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA.

SAID TRACT OF LAND CONTAINS 269,659 SQUARE FEET OR 6.191 ACRES, MORE OR LESS.

DEVELOPER

ARBOR CREEK, LLC
2023 S 181ST CIRCLE
OMAHA, NE 68130

OWNER

CITY OF COUNCIL BLUFFS
209 PEARL STREET
COUNCIL BLUFFS, IOWA 51503

ZONING:

EXISTING	A-2
PROPOSED:	R-2, LOTS 1 THRU 27
	4.788 AC
	R-2 OUTLOT "A"
	0.683 AC
	PROPOSED RIGHT-OF-WAY
	0.720 AC
	TOTAL
	6.191 AC

NOTES:

- DIRECT VEHICULAR ACCESS WILL NOT BE ALLOWED TO COLLEGE ROAD OR TO RAILROAD DRIVE FROM ANY LOTS ABUTTING SAID STREETS.
- TYPICAL UTILITY EASEMENTS WILL BE DEDICATED WITH THE FINAL PLAT.
- A STORM SEWER AND DRAINAGE EASEMENT IS GRANTED OVER ALL OF OUTLOT "A".

LOT AREAS		LOT AREAS		LOT AREAS	
LOT NO.	SQ. FOOTAGE	LOT NO.	SQ. FOOTAGE	LOT NO.	SQ. FOOTAGE
1	5,989	11	7,867	21	3,042
2	5,385	12	7,273	22	2,732
3	5,883	13	5,951	23	2,766
4	7,669	14	2,308	24	3,240
5	5,941	15	2,302	25	5,086
6	6,620	16	3,675	26	5,000
7	4,939	17	4,209		
8	5,972	18	2,334		
9	7,076	19	2,323		
10	6,151	20	2,765		

Proj No:	P2020.240.001	Revisions	
Date:	03/16/2021	Date	Description
Designed By:	JRS		
Drawn By:	TRH		
Scale:	1" = 60'		
Sheet:	1 of 1		

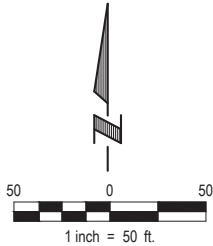
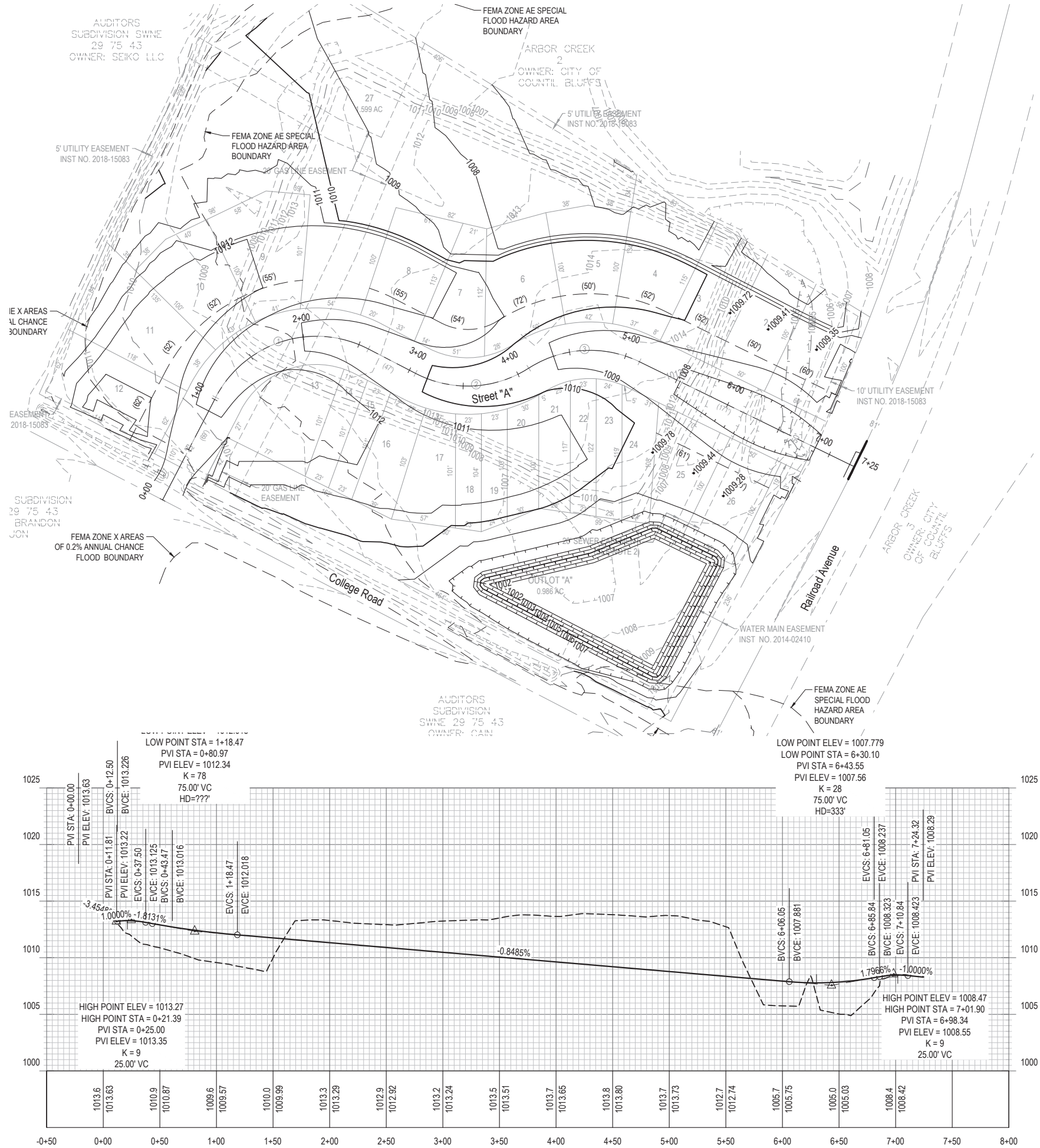
PRELIMINARY PLAT

ARBOR CREEK 2ND ADDITION
LOTS 1 THRU 27 AND OUTLOT "A" INCLUSIVE
COUNCIL BLUFFS, IOWA



E & A CONSULTING GROUP, INC.
Engineering • Planning • Environmental & Field Services

10909 Mill Valley Road, Suite 100 • Omaha, NE 68154
Phone: 402.895.4700 • Fax: 402.895.3599
www.eacg.com



Proj No: P2020.240.001

Date: 3/16/2021

Designed By: MAW

Drawn By: ASB

Scale: AS SHOWN

Sheet: 1 of 1


Revisions

Date	Description
3/16/2021	MAW
3/16/2021	ASB

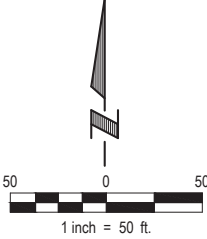
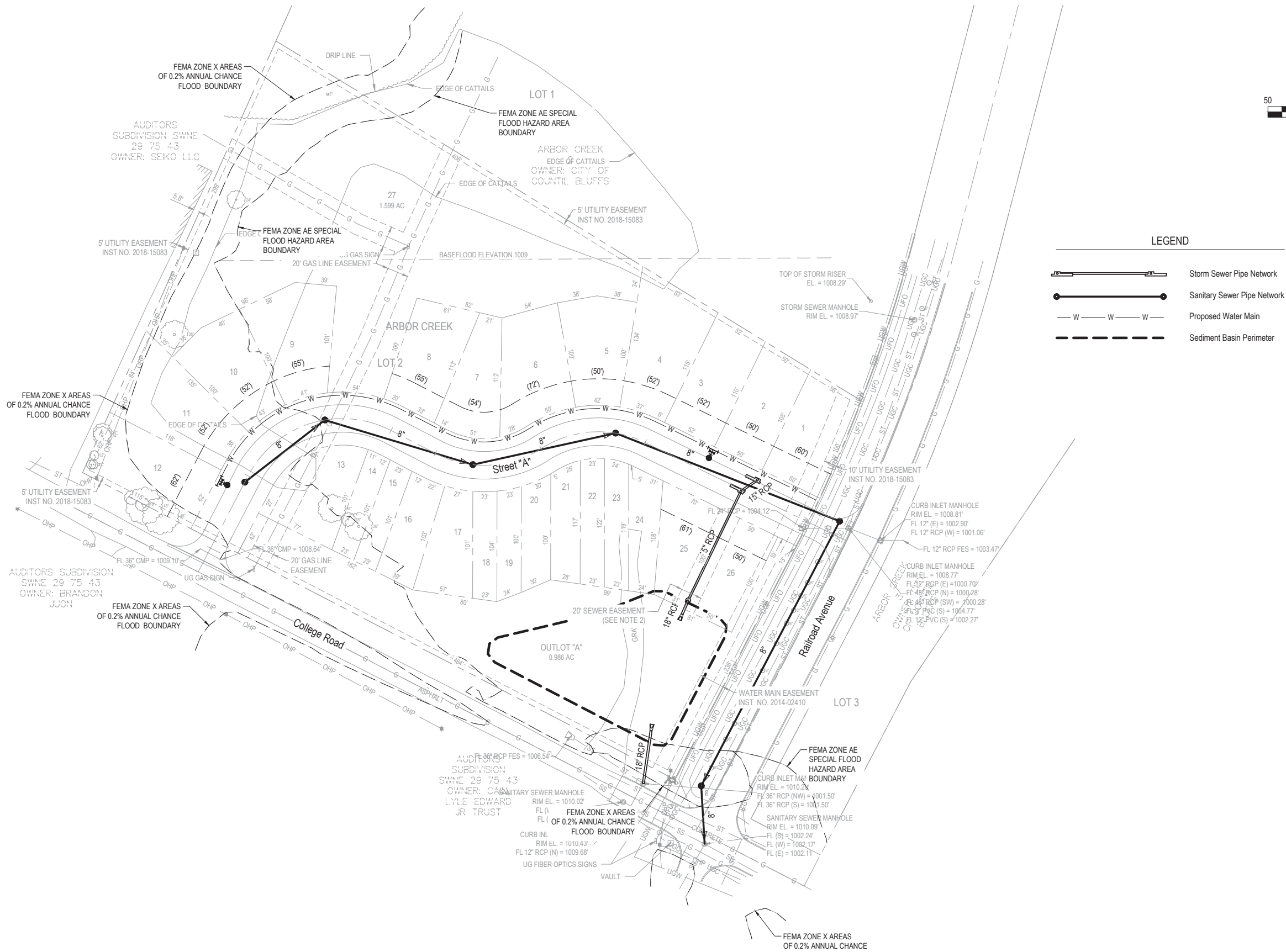
ARBOR CREEK 2nd ADDITION
LOTS 1 THRU 27 AND
OUTLOT "A" INCLUSIVE
COUNCIL BLUFFS, IOWA

GRADING PLAN

E & A CONSULTING GROUP, INC.
Engineering • Planning • Environmental & Field Services

**E & A CONSULTING GROUP, INC.**
Engineering Answers

10309 Mill Valley Road, Suite 100 • Omaha, NE 68154
Phone: 402.895.7700 • Fax: 402.895.3599
www.eacg.com



LEGEND	
	Storm Sewer Pipe Network
	Sanitary Sewer Pipe Network
	Proposed Water Main
	Sediment Basin Perimeter

E & A CONSULTING GROUP, INC.

Engineering • Planning • Environmental & Field Services

10309 Mill Valley Road, Suite 100 • Omaha, NE 68154

Phone: 402.895.7700 • Fax: 402.895.3559

www.eacg.com

E & A CONSULTING GROUP, INC.

Engineering Answers

ARBOR CREEK 2nd ADDITION
LOTS 1 THRU 27 AND
OUTLOT "A" INCLUSIVE
COUNCIL BLUFFS, IOWA

UTILITY EXHIBIT

Revisions	Date	Description

Proj No: P2020.240.001

Date: 3/16/2021

Designed By: MAW

Drawn By: ASB

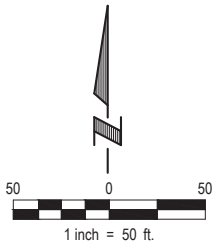
Scale: AS SHOWN


Sheet: 1 of 1


3/15/2021 10:59 AM

K:\Projects\2020\240\201\Engineering\CAD Files\Plan Exhibits\Plan Utility EXHIBIT - 000.dwg

Adam Bauegger



 Proposed 7" P.C.C. Pavement


 Proposed 7" General Obligation P.C.C. Pavement



E & A CONSULTING GROUP, INC.
Engineering Answers

HARBOR CREEK 2nd ADDITION
 LOTS 1 THRU 27 AND
 OUTLOT "A" INCLUSIVE
 COUNCIL BLUFFS, IOWA

PAVING EXHIBIT

Proj No:	P2020/240/001	Revisions	
Date:	31/6/2021		Description
Designed By:	MAW		
Drawn By:	ASB		
Scale:	AS SHOWN		
Sheet:	1 of 1		

DRAINAGE REPORT

FOR

ARBOR CREEK 2ND ADDITION
LOTS 1 THRU 27 & OUTLOT "A" INCLUSIVE

College Road & Railroad Avenue
Council Bluffs, Iowa

Prepared By:



E & A Consulting Group, Inc.
10909 Mill Valley Road, Suite 100
Omaha, NE 68154
Ph. 402-895-4700

E & A Project Number: P2020.240.001

March 16th, 2021

Table of Contents

1. Executive Summary	2
1.1 Project Description	2
1.2 Pre-Developed Site	2
1.2.1 Existing Usage of Land	2
1.2.2 Wetlands and Preservation of Natural Areas	2
1.2.3 Site Soil Information	2
1.2.4 Existing Topography	2
1.2.5 Pre-Development Site Hydrology	3
1.3 Post Developed Site	4
1.3.1 Proposed Usage of Land	4
1.3.2 Post-Development Site Hydrology	4
1.3.3 Culverts	5
2. Post Construction Stormwater Management Plan (PCSMP)	5
2.1 Jurisdiction and Requirements	5
2.2 Best Management Practices (BMPs)	5
2.2.1 Proposed Treatment BMPs	5
2.2.2 Water Quality Control	7
3. References	8
4. Appendix	9
A. Site Vicinity Map	
B. Soil Information	
C. Pre-Development Drainage Map	
D. PCSMP Map	
E. Post Development Drainage Map	
F. Storm Drain Sizing Calculations	
G. Hydraflow Software Model Report	

1. Executive Summary

1.1 Project Description

Arbor Creek 2nd Addition is a new development that consists of developing 6.19 acres of open land into a single family residential development. This development falls under the jurisdiction of Pottawattamie County with an approximate location of College Road and Railroad Avenue (reference Appendix A - Site Vicinity Map). The project includes the following improvements:

- 27 Residential Lots
- (1) Detention Basins
- Sanitary Sewer Infrastructure
- Storm Sewer Infrastructure
- Domestic / Fire Water Service
- Grading / Paving

This report presents a hydrology and hydraulics (H & H) study of existing conditions and the proposed development with incorporated Best Management Practices (BMPs) for storm water runoff.

1.2 Pre-Developed Site

1.2.1 Existing Usage of Land

The existing site is vacant fair condition grass land.

1.2.2 Wetlands and Preservation of Natural Areas

There are no wetlands or natural areas within the project boundaries. This section does not apply.

1.2.3 Site Soil Information

Soil classification for stormwater runoff calculations is referenced from the USDA National Cooperative Soil Survey. The survey classifies the project site with hydrologic soil Type B. For additional information on soil type please reference Appendix B, Soil Information.

1.2.4 Existing Topography

Existing site topography was provided by the E & A, Survey Department. Existing topography of the surrounding areas was obtained using LIDAR information as provided by ArcGIS.

1.2.5 Pre-Development Site Hydrology

Calculation of runoff was performed using the Hydraflow Hydrographs modeling software. The model was set to use the SCS, TR-55 method with distributed Type II precipitation and a 6-minute minimum Time of Concentration.

The following assumptions were made in the calculation of pre-development runoff.

Table 1.0 – Referenced ORSDM 24-hr rainfall

24-Hour Design Rainfall	
Storm Event	Rainfall (inches)
2-Year	3.0
5-Year	3.96
10-Year	4.6

Table 2.0 – Used SCS Curve Numbers in Calculation of Pre-Development Runoff

SCS Method Curve Numbers (CN)	
Land Classification	CN
Open lawn fair condition	69

The following table summarizes the calculated pre-development runoff. For a visual representation of areas please reference Appendix C, Pre-Development Drainage Map. For details on calculated flows, reference Appendix I, PCSMP Hydraflow Software Model Report.

Table 3.0 – Pre-Development Runoff per Impact Point Summary

Impact Point	Pre-Development Area (ID)	Area (acres)	CN	Time of Concentration	5-YR Peak Flow (cfs)
A	EX. A	6.20	69	6 min.	13.04

1.3 Post Developed Site

1.3.1 Proposed Usage of Land

The proposed usage will be residential. It is best described as Residential District with average lot size being 1/4 ac or less.

1.3.2 Post-Development Site Hydrology

The proposed site is composed of new residential lots that drain into the public right of way. Maintaining similar flow direction as pre-development, the site was graded into one major watershed. Runoff is collected from the street and directed through a new storm drain system to a detention basin located at the southwest corner of the site. The basin then releases the runoff at controlled rates into an adjacent development to the south into a swale that was designed to handle our site.

The new storm drain system was sized using the Rational Method. This method was chosen as opposed to the SCS method for its natural computational factor of safety. Pipes and structures were designed to carry the 10-year storm while the worst case 100-year storm being carried with a combination of the pipe system and surface flow within the public right-of-way.

Table 4.0 – Summary of ORSDM Referenced Assumptions for Pipe Sizing Calculations.

Pipes Sizing Calculations		
Time of Concentration, Minimum (min.)	Rainfall Intensity (in/hr)	Runoff Coefficient
10	6.9	0.57

For a visual representation of the new storm drain system please reference Appendix D, Post Development Drainage Map. For calculation details reference Appendix E, Storm Drain Sizing Calculations

The following tables summarize the calculated Post Development runoff and assumptions made for calculations. For a visual representation of areas please see Appendix H, Post Construction Stormwater Management Plan. For details on calculated flows, reference Appendix I, PCSMP Hydraflow Software Model Report.

Table 5.0 – Used SCS Curve Numbers in Calculation of Post Development Runoff.

SCS Method Curve Numbers (CN)	
Land Classification	CN
Residential District, 1/4 ac or less	75

Table 6.0 – Post Development Runoff per Area Summary.

Impact Point	Post Development Area (ID)	Area (acres)	CN	TC (min.)	5-YR Peak Flow (cfs)
A	DEV A	20.30	75	6	0.31

Table 7.0 – Pre-Developed vs Developed Runoff per Impact Point Summary.

Impact Point	Tributary	5-YR Peak Flow (cfs)	5-YR Lower or Equal to Pre-Development Runoff?
A	EX A	13.04	YES
	DEV A	0.31	

1.3.3 Culverts

There are no culverts within the project limits. This section does not apply.

2. Post Construction Stormwater Management Plan (PCSMP)

2.1 Jurisdiction and Requirements

This project is located in Pottawattamie County and shall meet the following requirements:

- PCSMP that includes BMP's.
- Provide water quality control of the first 1-1/2-inch site runoff.
- Maintain runoff to equal or less than pre-project 5-year storm event.
- Maintain "No Adverse Impact" downstream.

2.2 Best Management Practices (BMPs)

2.2.1 Proposed Treatment BMPs

The installation of detention basins was the chosen BMP to mitigate the following requirements:

- Provide Water Quality Control of the 1-1/2-inch of site runoff.
- Maintain Post Development runoff to equal or less than Pre-Development.
- Maintain “No Adverse Impact” Downstream.

Basins are able to treat storm water pollutants and reduce the amount of suspended solids by detaining water and allowing the solids to settle while bacteria and established vegetation help remove hydrocarbons, phosphorus and nitrogen.

In addition, the basins were designed to control the discharge rates of Post Development. This was accomplished through the design of a multi-stage release system. The diagram below details the storm event and the orifice it is allowed to pass. The orifice is sized to discharge the corresponding storm event at a rate equal or less than Pre-Development. Appendix E, PCSMP Map shows the proposed basins and tributary areas. Reference Appendix I, PCSMP Hydraflow Software Model Report for detailed basin sizing calculations.

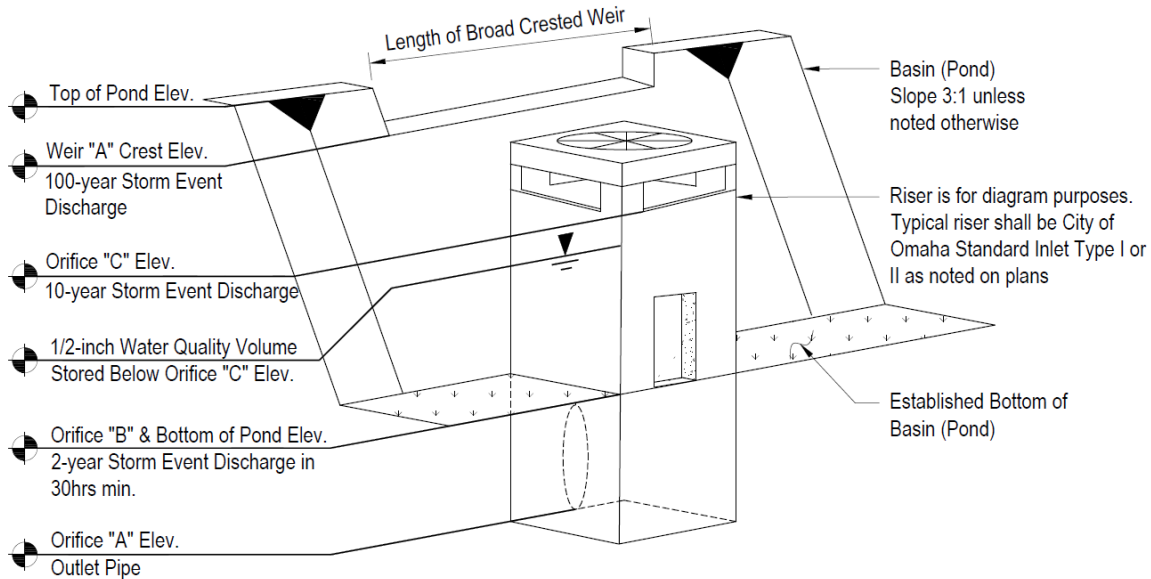


Figure 1.0 – Diagram of Multi-Stage Basin Release System and as modeled in Hydraflow.

2.2.2 Water Quality Control

The required Water Quality Volume (WQV) is calculated with the following formula:

$$WQV, ft^3 = (1-1/2\text{-inch runoff}) (1/12) \times (Tributary Area, ft^2)$$

The following table summarizes the required and provided WQV per installed Basin.

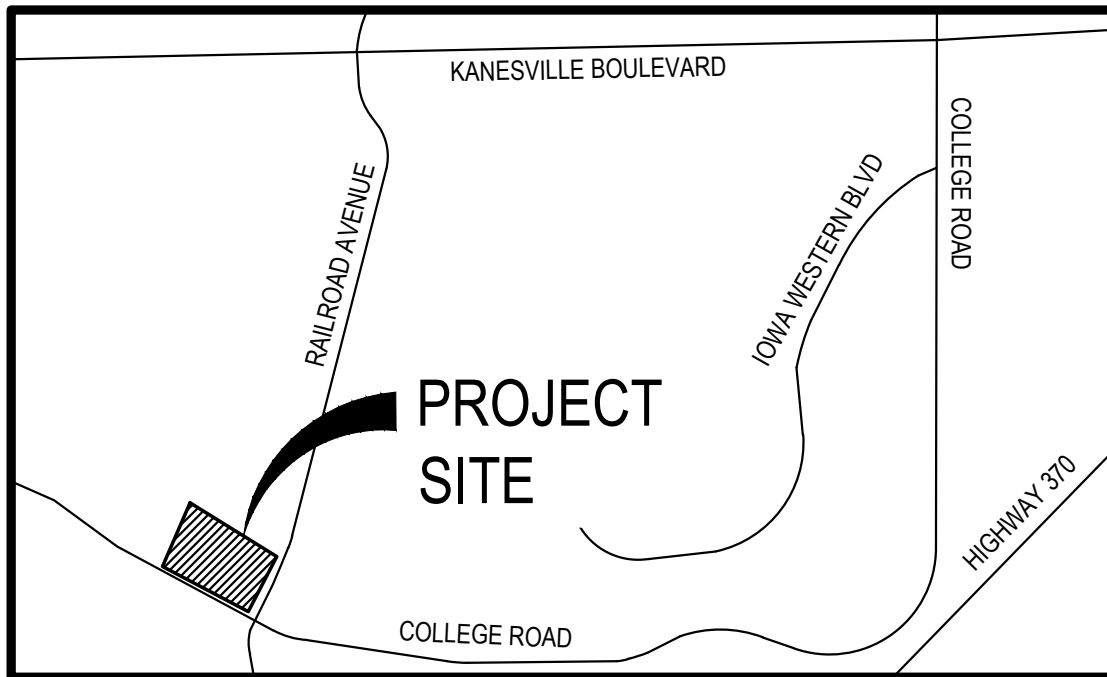
Table 8.0 – Post Development Water Quality Volume (WQV) Summary.

PCSMP - Water Quality Volume				
Basin	Tributary Area (acres)	Water Quality Volume Required (ft ³)	Water Quality Volume Provided (ft ³)	Adequate?
Basin A	6.20	33,759	34,934	YES

3. References

1. Agriculture, U. S. (n.d.). *Web Soil Survey*. Retrieved from Natural Resources Conservation Service:
<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>
2. Iowa Statewide Urban Design and Specifications SUDAS (February 2021).
Ames, IA, USA

Appendix A - Site Vicinity Map



VICINITY MAP



E & A CONSULTING GROUP, INC.
Engineering Answers

E & A CONSULTING GROUP, INC.

Engineering • Planning • Environmental & Field Services
10909 Mill Valley Road Suite 100 Omaha, NE 68154 Phone: 402.895.4700 Fax: 402.895.3599

Job No.: P2020.240.001

Date: 2/09/2021

Drawn by: JAS

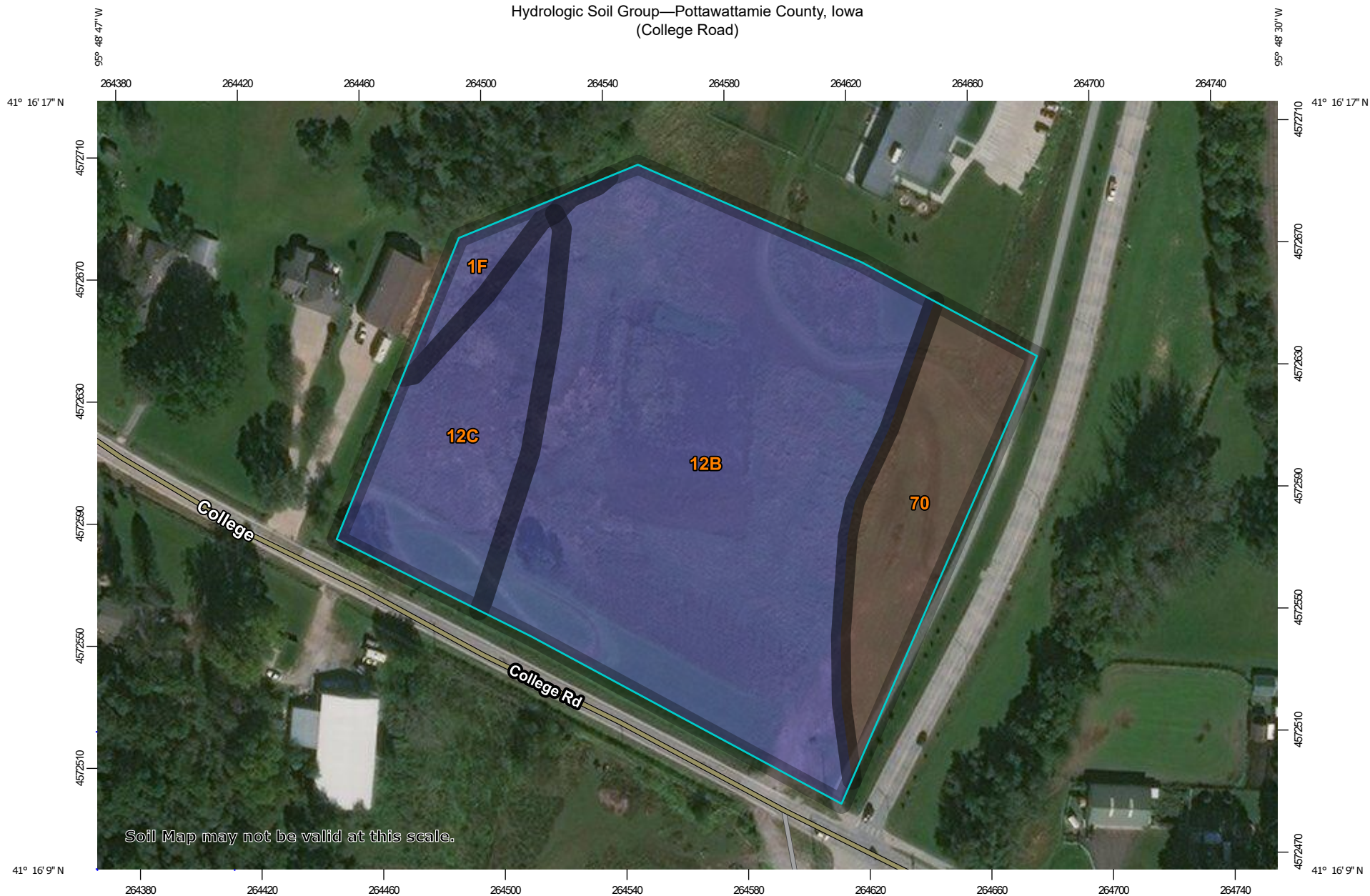
Scale: AS SHOWN

Sht: 1 of 1

ARBOR CREEK 2ND ADDITION
LOTS 1 THRU 27 & OUTLOT "A" INCLUSIVE
POTTAWATTAMIE COUNTY, IOWA

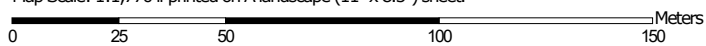
Appendix B - Soil Information

Hydrologic Soil Group—Pottawattamie County, Iowa (College Road)



Soil Map may not be valid at this scale.

Map Scale: 1:1,770 if printed on A landscape (11" x 8.5") sheet.




Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84



**Natural Resources
Conservation Service**

MAP LEGEND

Area of Interest (AOI)









 Area of Interest (AOI)

Soils

Soil Rating Polygons





 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Lines

 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Points



 A
 A/D
 B
 B/D

 C
 C/D
 D
 Not rated or not available


Water Features

 Streams and Canals

Transportation

 Rails
 Interstate Highways
 US Routes
 Major Roads
 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Pottawattamie County, Iowa
 Survey Area Data: Version 26, Jun 10, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 1, 2014—Dec 1, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
1F	Ida silt loam, 20 to 30 percent slopes	B	0.2	2.9%
12B	Napier silt loam, 2 to 5 percent slopes	B	4.7	66.1%
12C	Napier silt loam, 5 to 9 percent slopes	B	1.2	16.2%
70	McPaul silt loam, 0 to 2 percent slopes	B/D	1.1	14.8%
Totals for Area of Interest			7.1	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

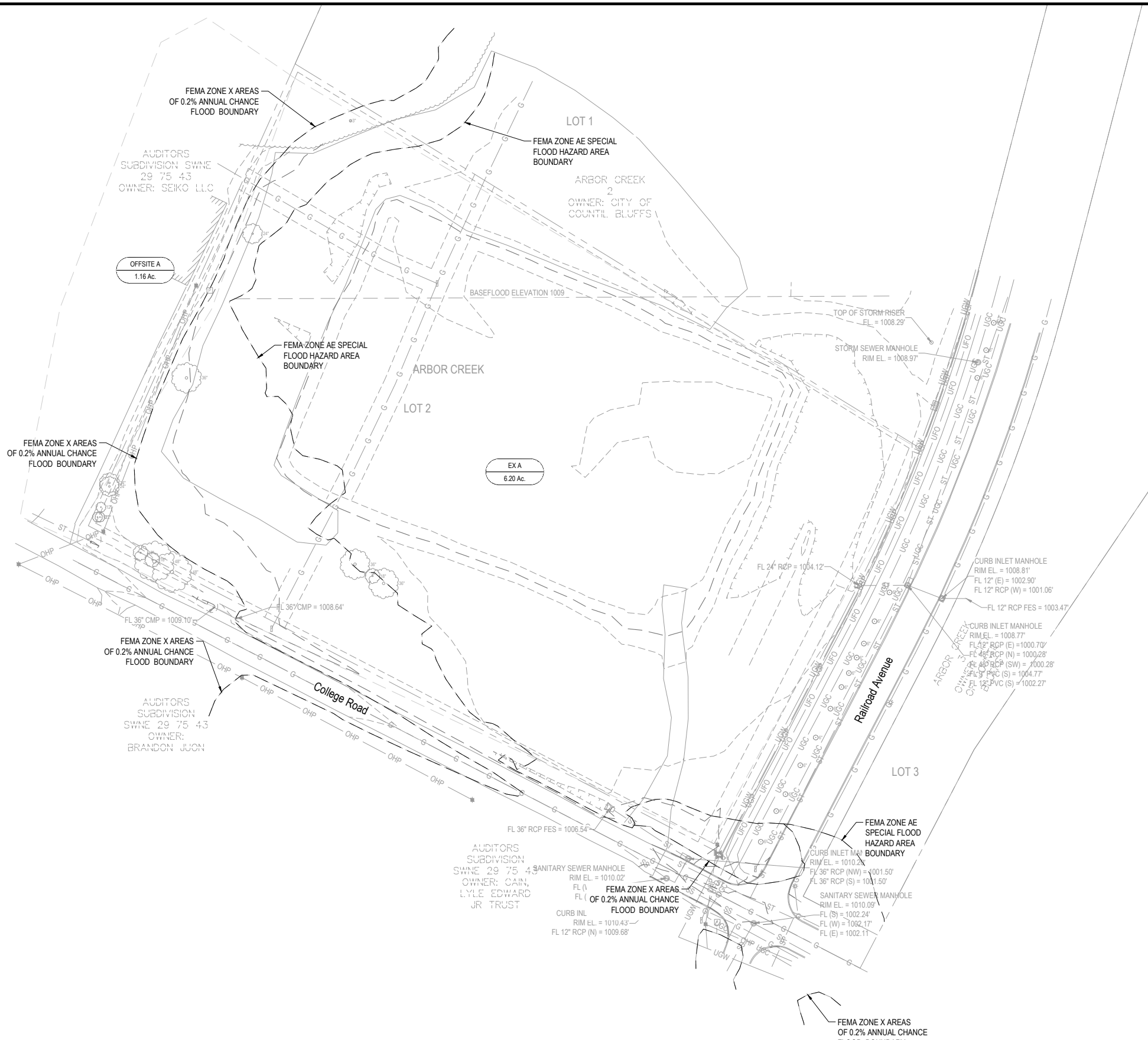
Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Appendix C - Pre-Development Drainage Map



500050

1 inch = 50 ft.

LEGEND

Proposed Storm Sewer System

Proposed Contours

Proposed Drainage Area Boundary

X

0.00 Ac.

Drainage Area Label

PCSMP Basin

E & A CONSULTING GROUP, INC.

Engineering • Planning • Environmental & Field Services

10309 Mill Valley Road, Suite 100 • Omaha, NE 68154
Phone: 402.895.7700 • Fax: 402.895.3599
www.eacg.com

ARBOR CREEK 2ND EDITION

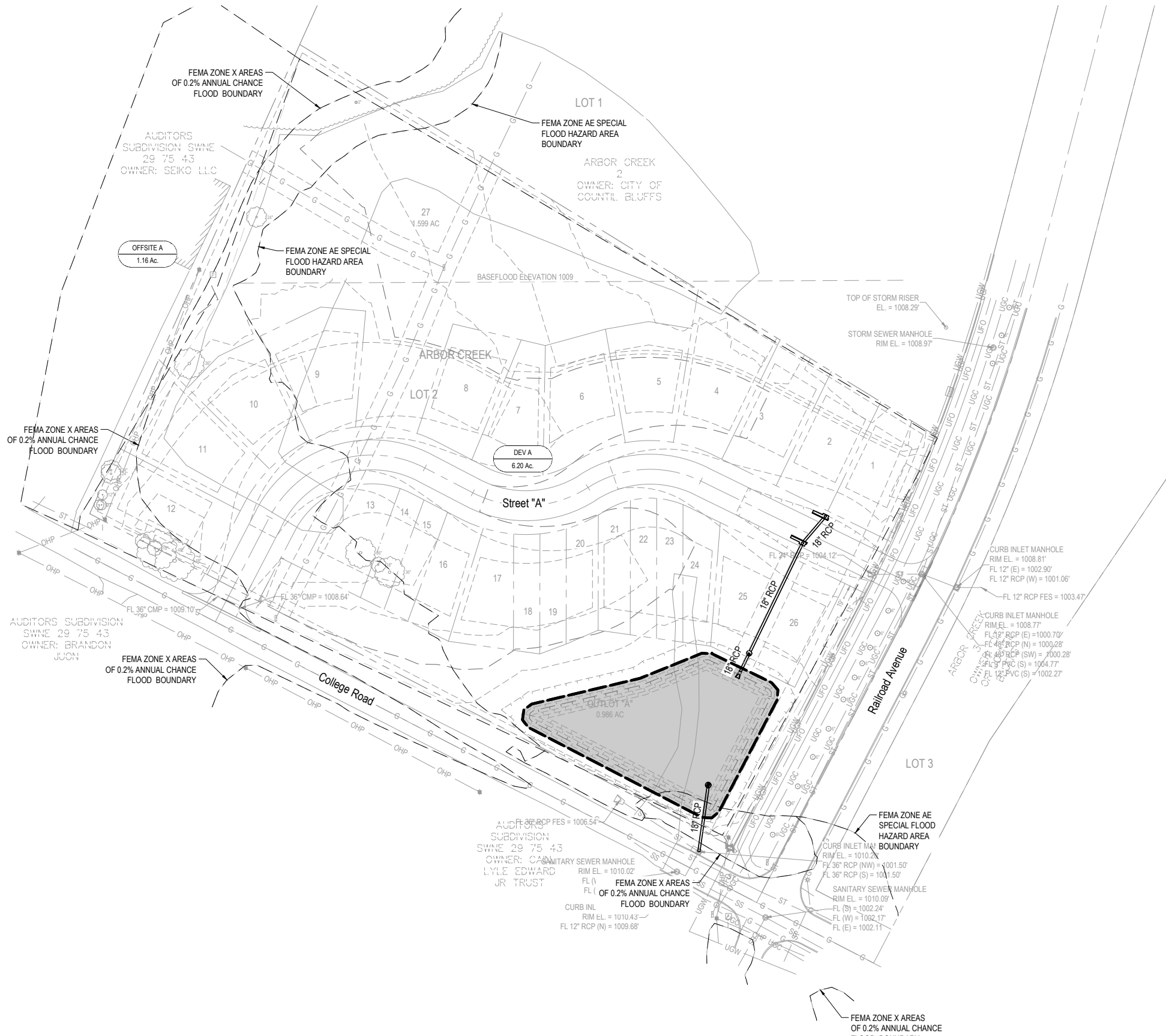
COUNCIL BLUFFS, IOWA

EXISTING EXHIBIT

Proj No.	Date	Revisions	
		Date	Description
P2020.240.001	1/28/2021	MAV	
Designed By:	MAV	ASB	
Drawn By:	ASB	ASB	
Scale:	AS SHOWN		
Sheet:	1	of	1

July 2020 1:33 PM K:\Projects\2020\240\001\Engineering\CAD Files\Drainage Study\Drainage Study.dwg

Appendix D - PCSMP Map



500501 inch = 50 ft.

LEGEND

Proposed Storm Sewer System

Proposed Contours

Proposed Drainage Area Boundary

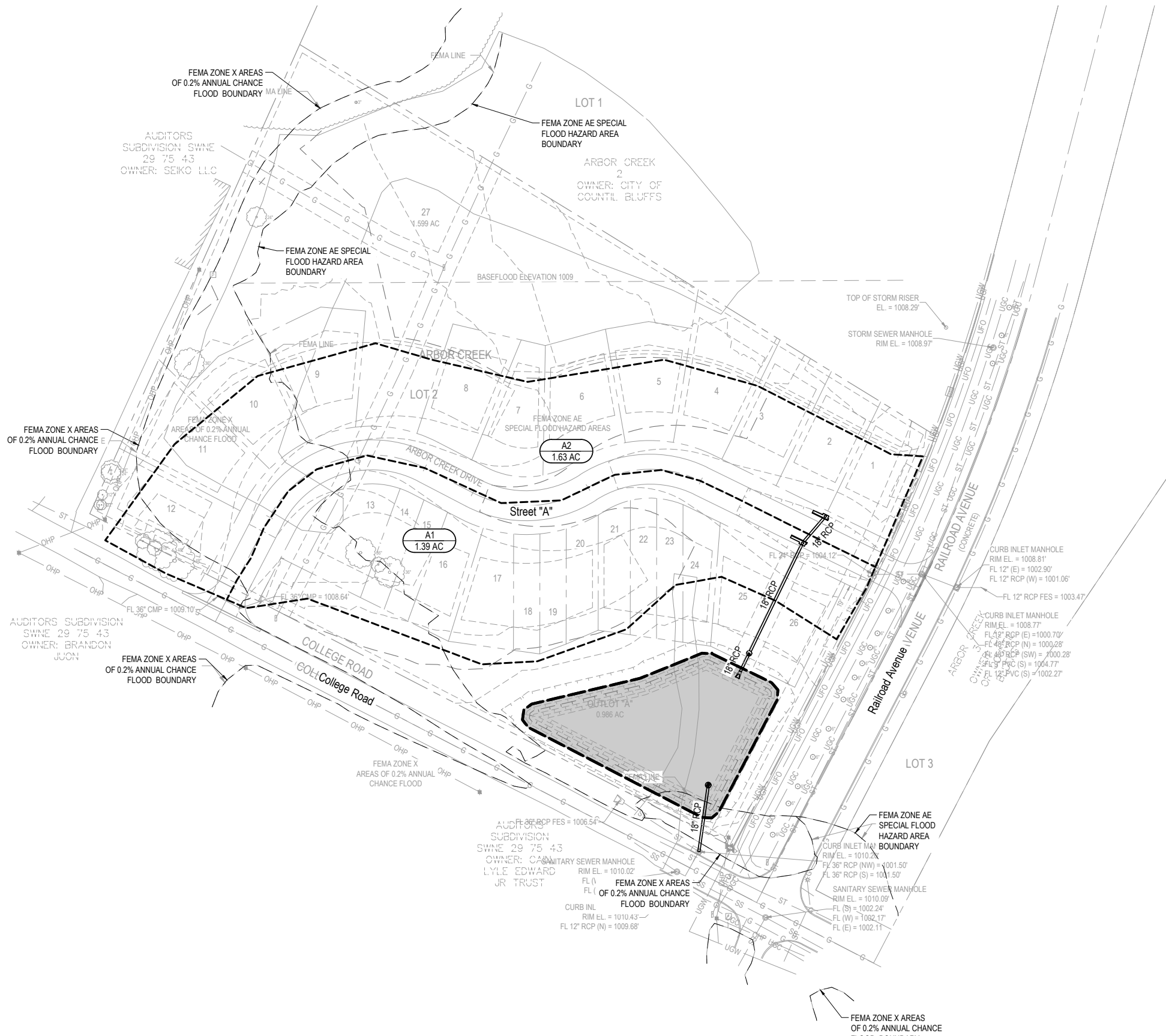
Drainage Area Label

PCSMP Basin



Revisions	
Δ	Description
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	

Appendix E - Post-Development Drainage Map



500501 inch = 50 ft.

LEGEND

Proposed Storm Sewer System

Proposed Contours

Proposed Drainage Area Boundary

X

0.00 Ac.

Drainage Area Label

PCSMP Basin

Proj No: P2020.240.001

Date: 1/26/2021

Designed By: MAW

Drawn By: ASB

Scale: AS SHOWN

Sheet: 1 of 1

Revisions

Date	Description
1/26/2021	MAW
1/26/2021	ASB

E & A CONSULTING GROUP, INC.

Engineering • Planning • Environmental & Field Services

E & A CONSULTING GROUP, INC.

Engineering Answers

ARBOR CREEK 2ND EDITION

COUNCIL BLUFFS, IOWA

10309 Mill Valley Road, Suite 100 • Omaha, NE 68154

Phone: 402.895.7700 • Fax: 402.895.3599

www.eacg.com

Jared L. Hengstler 3/12/2021 1:18 PM K:\Projects\2020\240\001\Engineering\CAD Files\Drawings Study\Drainage Study.dwg

Appendix F - Storm Drain Sizing Calculations

STORM DRAIN COMPUTATION FORM																										Date: 2/8/2020		Project Arbor Creek 2nd Add.	
BY THE RATIONAL METHOD AND MANNING'S PIPE FLOW EQUATION																										Calculated by: JAS		Project No. P2020-240	
																										Basin A		Design Storm: 10 Year	
Conveyance			Direct Runoff									System Design							Total Runoff					Remarks					
Pipe Id.	From	To	Sub Basin Id.	O.F.L. ft.	W.C. Type	S %	V f.p.s.	T _i min.	i in/hr.	A Ac.	C (11)	q c.f.s. (13)	System Q c.f.s. (14)	Pipe		Slope		V des. f.p.s. (18)	Pipe Full C.c.f.s. (19)	Pipe Length ft. (20)	time in pipe min. (21)	T _c min. (22)	i in/hr. (23)		Comp C (24)	Total A Ac. (25)	Des Q c.f.s. (26)		
														Size (in) (15)	Type (16)	min. % (16)	design % (17)												
(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)		
P3			A2					10.0	6.9	1.63	0.57	6.41	6.41	18	RCP	0.38	1.00	6.24	10.50	30	0.08	10.0	6.9	0.57	1.6	6.41			
P2			A1					10.0	6.9	1.39	0.57	5.47	11.88	18	RCP	1.28	1.50	8.38	12.86	107	0.21	10.0	6.9	0.57	3.0	11.88			
P1								10.0	6.9	0.00	0.57	0.00	11.88	18	RCP	1.28	1.50	8.38	12.86	17	0.03	10.0	6.9	0.57	3.0	11.88			
* Watercourse Legend FOR - Forest NBG - Near Bare Ground FAL - Fallow GWW - Grass Waterway GRA - Grass SGF - Shallow Gutter Flow					Notes:																				Sheet 1 of 1				

Appendix G - Hydraflow Software Model Report

Watershed Model Schematic..... 1

Hydrograph Return Period Recap..... 2

5 - Year

Summary Report..... 3

Hydrograph Reports..... 4

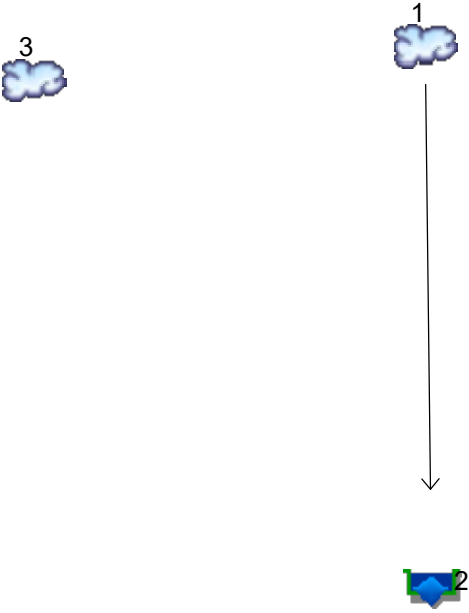
 Hydrograph No. 1, SCS Runoff, Dev A..... 4

 Hydrograph No. 2, Reservoir, Thru Pond A..... 5

 Hydrograph No. 3, SCS Runoff, Existing A..... 6

Watershed Model Schematic

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020



Legend

Hyd.	Origin	Description
1	SCS Runoff	Dev A
2	Reservoir	Thru Pond A
3	SCS Runoff	Existing A

Hydrograph Summary Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

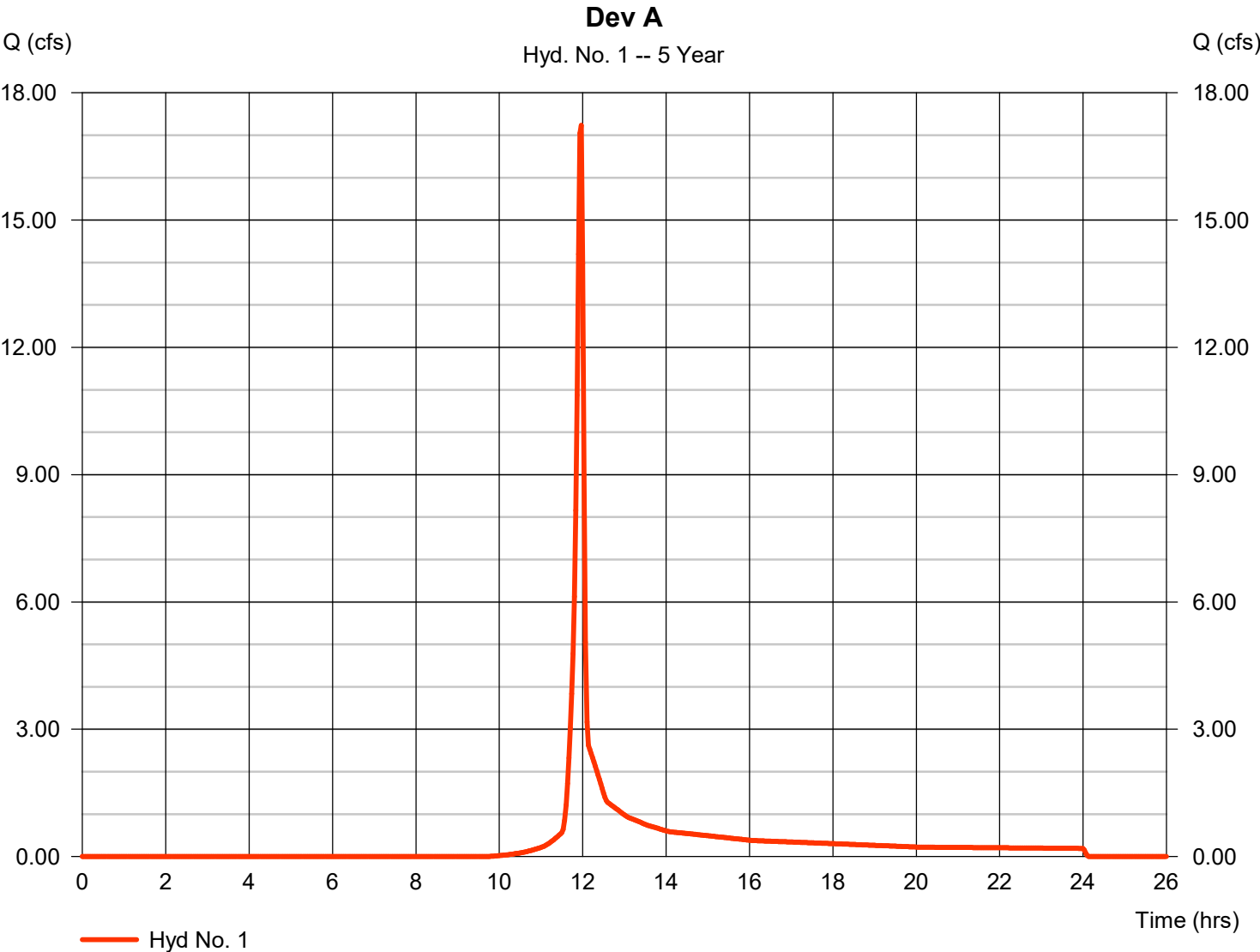
Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to Peak (min)	Hyd. volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Total strge used (cuft)	Hydrograph Description
1	SCS Runoff	17.24	2	718	34,534	-----	-----	-----	Dev A
2	Reservoir	0.313	2	1066	32,293	1	1006.13	23,038	Thru Pond A
3	SCS Runoff	13.04	2	718	26,178	-----	-----	-----	Existing A
Hydraflow.gpw					Return Period: 5 ₁ Year			Tuesday, 02 / 9 / 2021	

Hydrograph Report

Hyd. No. 1

Dev A

Hydrograph type	= SCS Runoff	Peak discharge	= 17.24 cfs
Storm frequency	= 5 yrs	Time to peak	= 11.97 hrs
Time interval	= 2 min	Hyd. volume	= 34,534 cuft
Drainage area	= 6.200 ac	Curve number	= 75
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 6.00 min
Total precip.	= 3.96 in	Distribution	= Type II
Storm duration	= 24 hrs	Shape factor	= 484



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

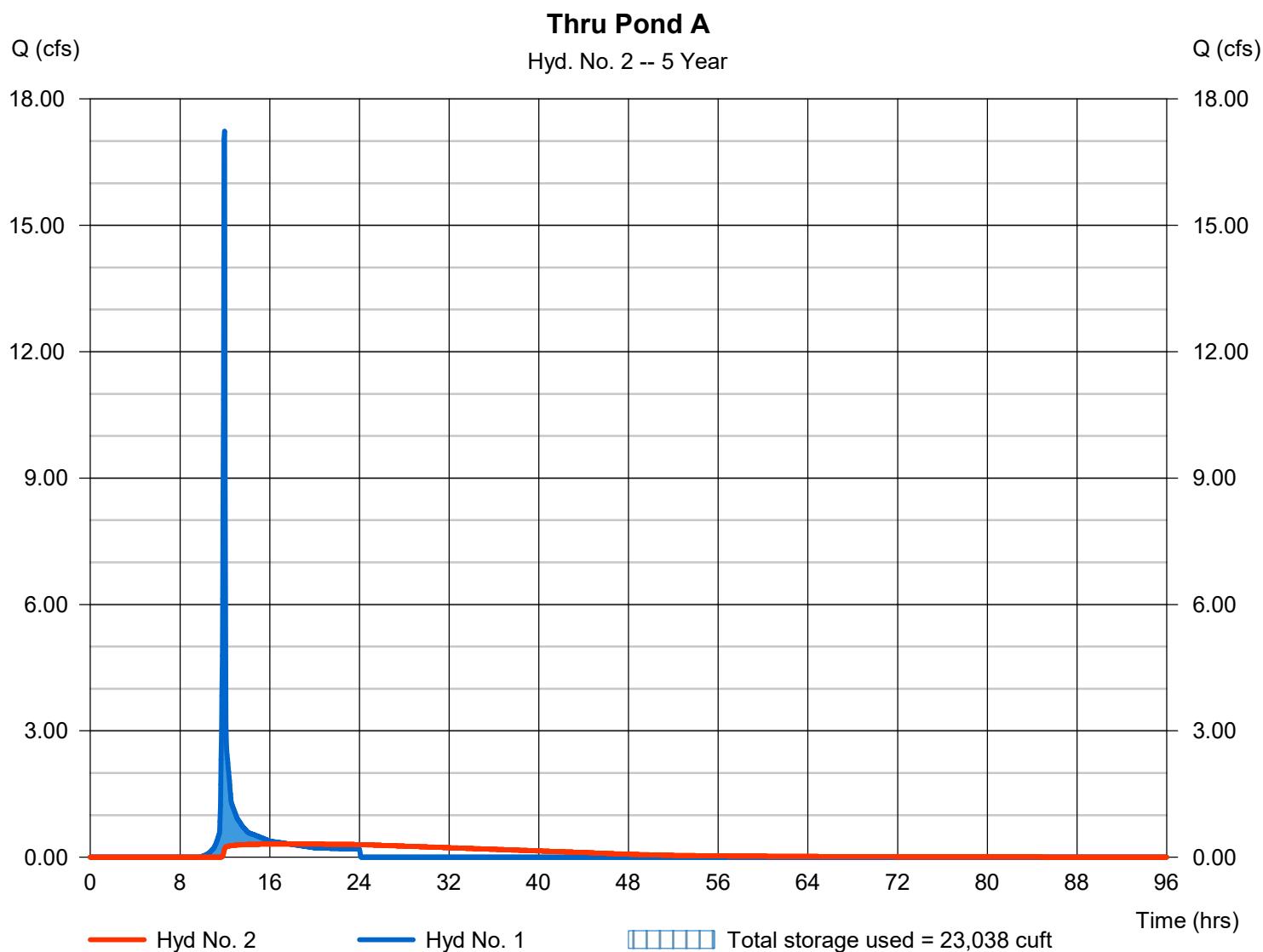
Tuesday, 02 / 9 / 2021

Hyd. No. 2

Thru Pond A

Hydrograph type	= Reservoir	Peak discharge	= 0.313 cfs
Storm frequency	= 5 yrs	Time to peak	= 17.77 hrs
Time interval	= 2 min	Hyd. volume	= 32,293 cuft
Inflow hyd. No.	= 1 - Dev A	Max. Elevation	= 1006.13 ft
Reservoir name	= Pond A	Max. Storage	= 23,038 cuft

Storage Indication method used.



Hydrograph Report

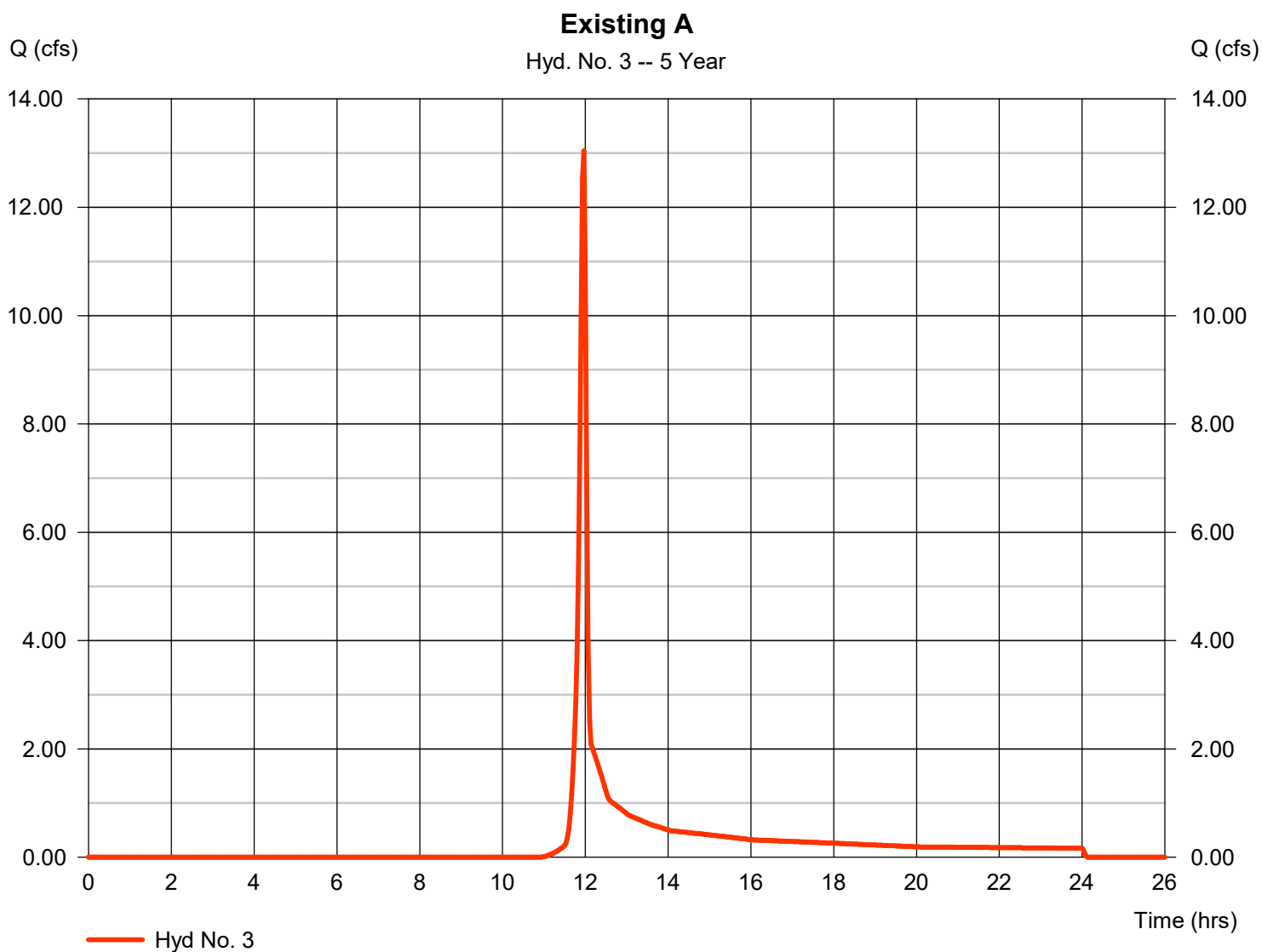
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

Tuesday, 02 / 9 / 2021

Hyd. No. 3

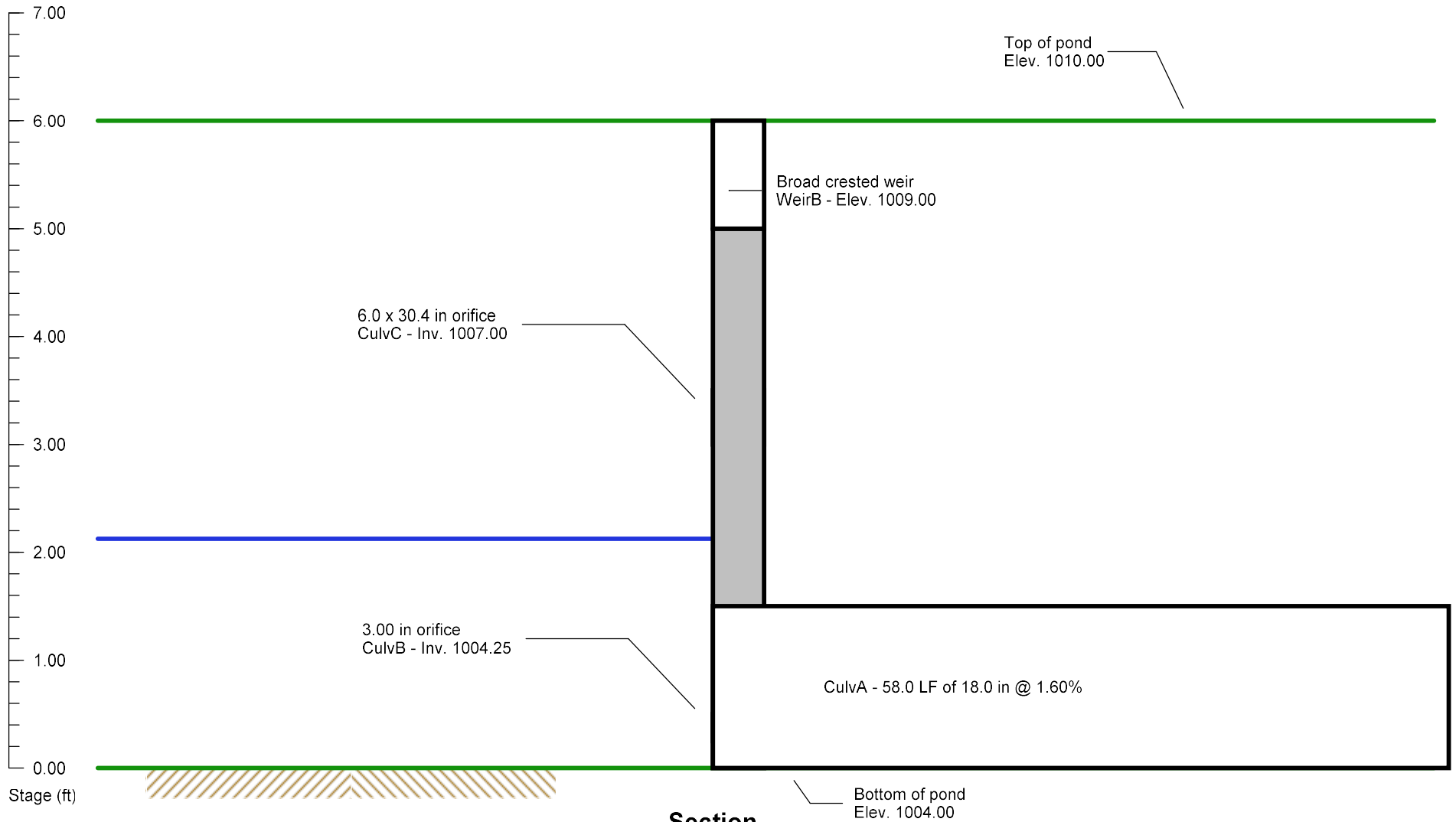
Existing A

Hydrograph type	= SCS Runoff	Peak discharge	= 13.04 cfs
Storm frequency	= 5 yrs	Time to peak	= 11.97 hrs
Time interval	= 2 min	Hyd. volume	= 26,178 cuft
Drainage area	= 6.200 ac	Curve number	= 69
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 6.00 min
Total precip.	= 3.96 in	Distribution	= Type II
Storm duration	= 24 hrs	Shape factor	= 484



Pond No. 1 - Pond A

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020



Section
NTS

— 5-yr



Inflow hydrograph = 1. SCS Runoff - Dev A

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

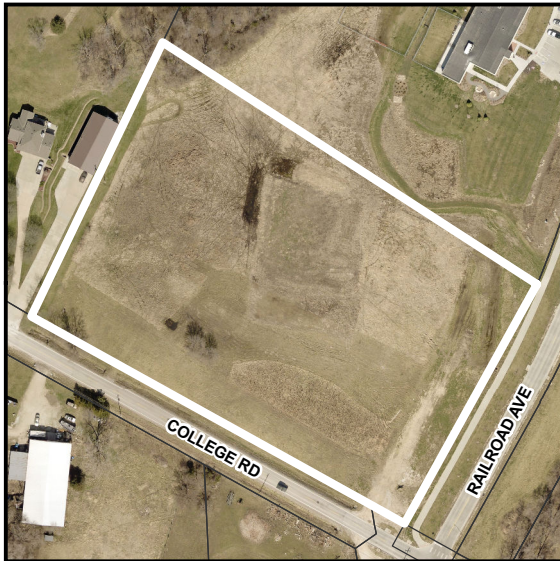
CASES #ZC-21-002, SUB-21-005, & PR-21-001 LOCATION/ZONING MAP

ATTACHMENT D

Legend

-  Cases ZC-21-002, SUB-21-005, and PR-21-001 Subject Property
-  Parcels

0 100 200
1 inch = 200 feet



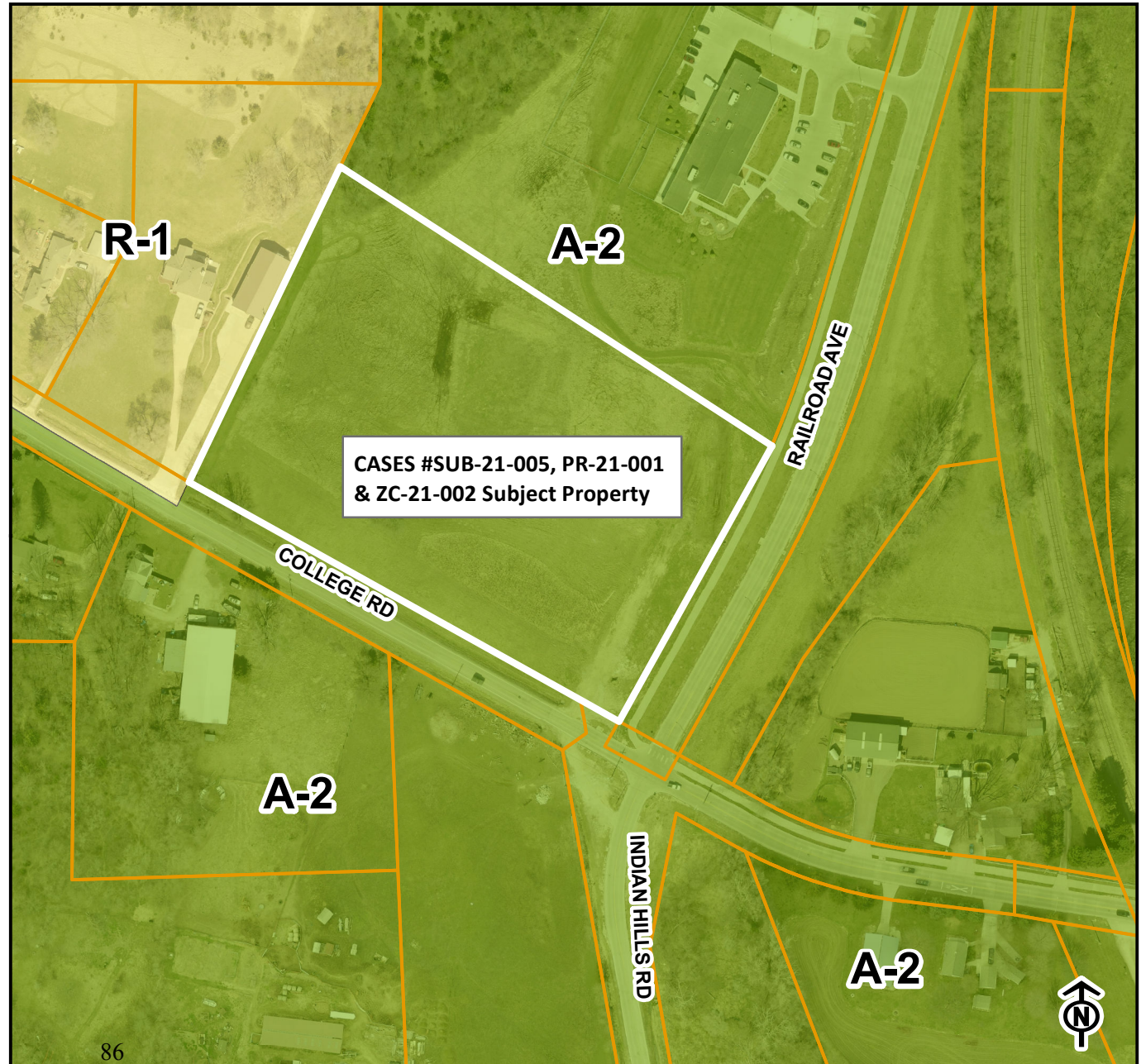
Last Amended: 3/21/2021

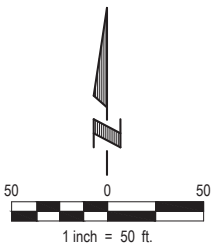
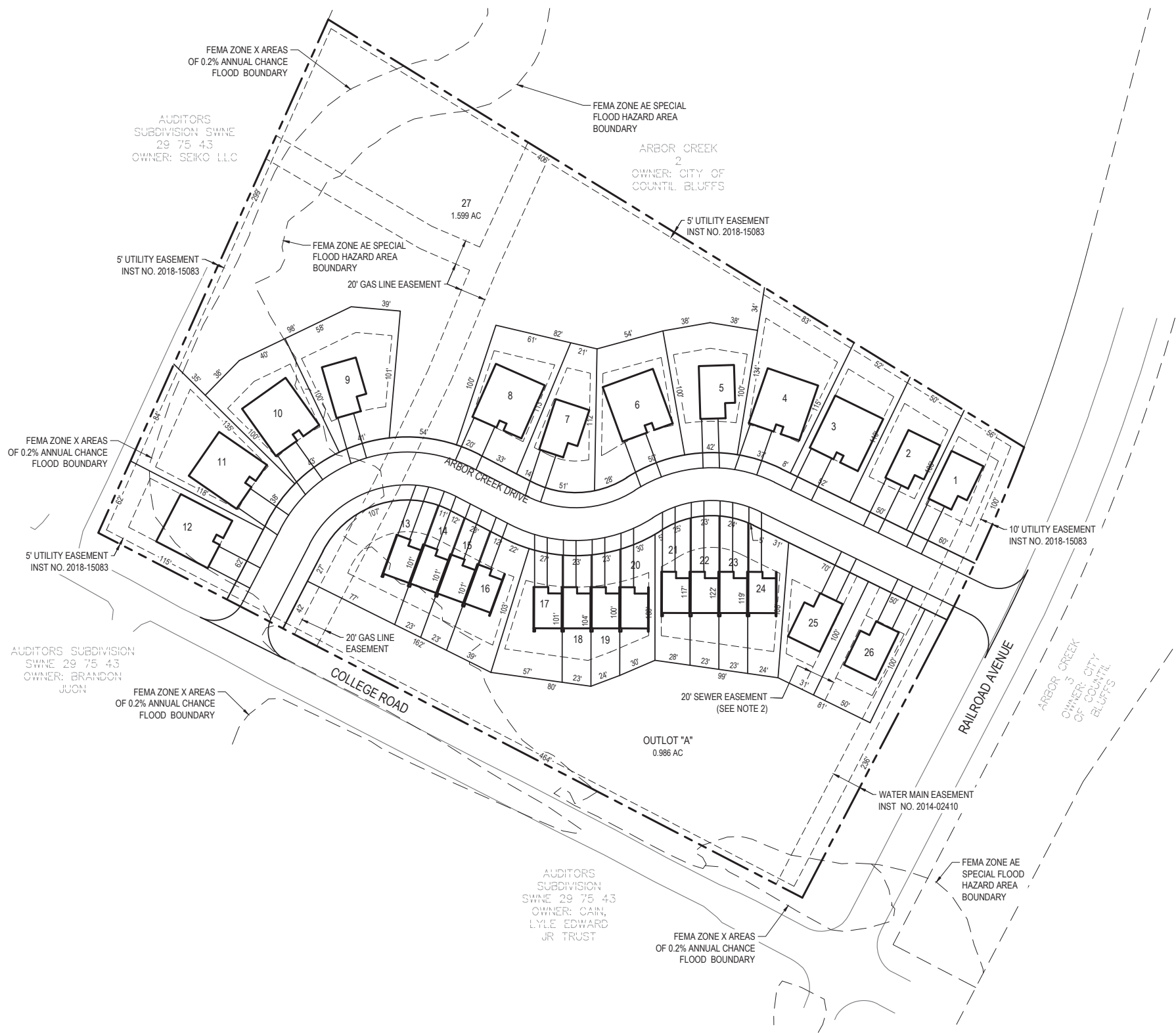


Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 890-5350

DISCLAIMER

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





SETBACK TABLE (LOTS 1 THRU 26)	
FRONT YARD	25'
INTERIOR SIDE YARD	0'/5"
STREET SIDE YARD	15'
REAR YARD	20'

*INTERIOR SIDE YARD ALONG A COMMON WALL CAN BE SET A ZERO-LOT SETBACK AS LONG AS THE OPPOSITE SIDE YARD IS AT THE REQUESTED SIDE YARD SETBACK REQUIREMENT.

ZONING WAIVER REQUESTS

- 1

SEC. 15.09.050
INTERIOR LOT AREA
REQUIRED 2,500 S.F. MIN.
PROVIDED 2,300 S.F.
- 2

SEC. 15.09.050
CORNER LOT WIDTH
REQUIRED 55' MIN.
PROVIDED 50'
- 3

SEC. 15.09.050
INTERIOR LOT WIDTH
REQUIRED 50' MIN.
PROVIDED 23'
- 4

SEC. 14.14.020 (3)
LOT DEPTH TO WIDTH RATIO
REQUIRED 3:1 MAX.
PROVIDED 5.2:1

Proj No: P2020.240.001

Date: 03/16/2021

Designed By: MAW

Drawn By: NMN

Scale: AS SHOWN

Sheet: 1 of 2

Revisions

Date	Description
03/16/2021	MAW
03/16/2021	NMN
03/16/2021	AS SHOWN

3/15/2021 1:44 PM

K:\Projects\2020\240\240\01\Planning & Rating\Planning\PRR20-001.dwg

Modis Naperville

E & A CONSULTING GROUP, INC.

Engineering • Planning • Environmental & Field Services



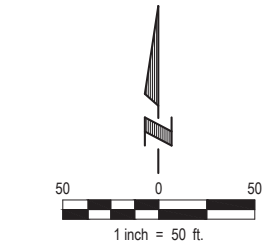
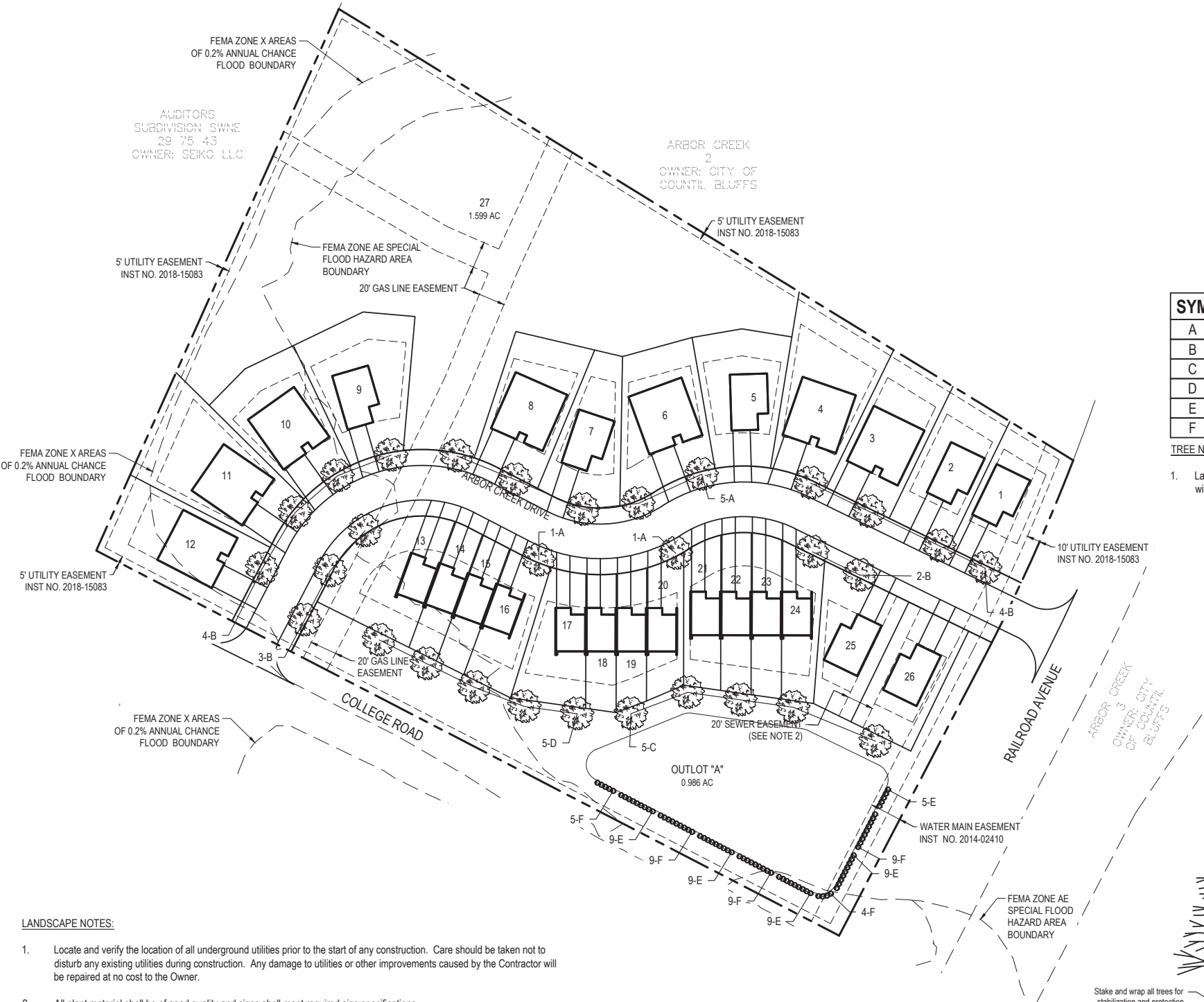
E & A CONSULTING GROUP, INC.

Engineering Answers

ARBOR CREEK
2ND ADDITION
LOTS 1 THRU 27 AND
OUTLOT "A" INCLUSIVE
COUNCIL BLUFFS, IOWA

PLANNED RESIDENTIAL
SITE PLAN

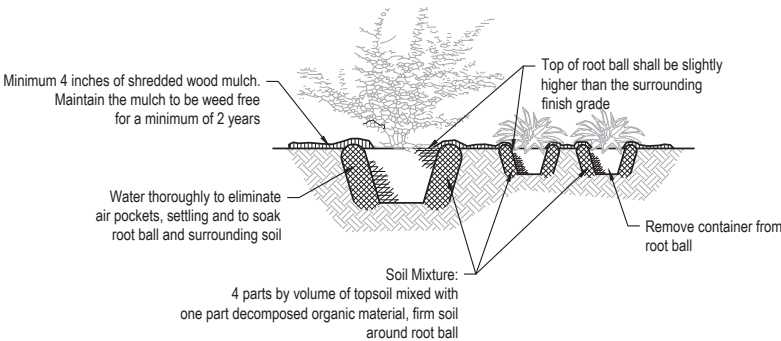
10309 Mill Valley Road, Suite 100 • Omaha, NE 68154
Phone: 402.895.7700 • Fax: 402.895.3559
www.eacg.com



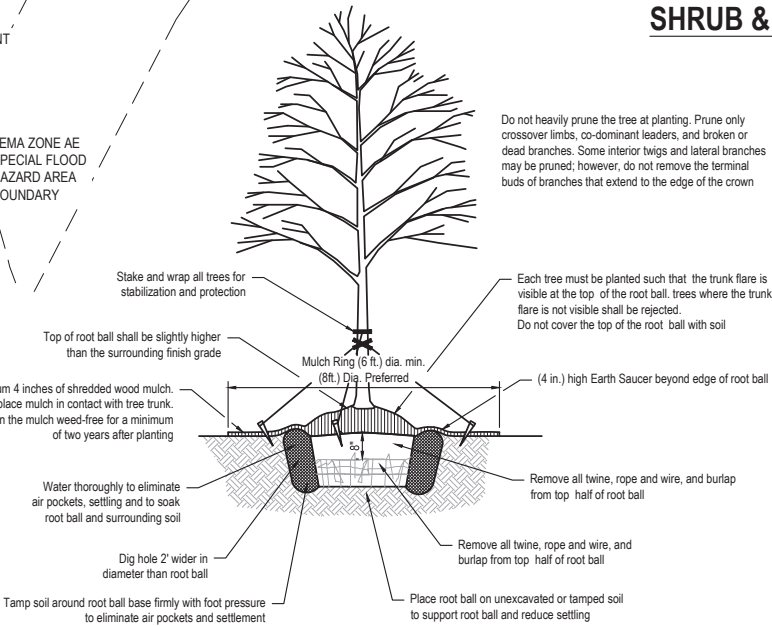
PLANT SCHEDULE

SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE
A	7	Gleditsia triacanthos 'Skyline'	Skyline Honeylocust	2"	B&B
B	13	Acer freemanii 'Jeffersred'	Autumn Blaze Maple	2"	B&B
C	5	Quercus bicolor	Swamp White Oak	2"	B&B
D	5	Quercus rubra	Red Oak	2"	B&B
E	41	Viburnum dentatum 'Christom'	Blue Muffin Arrowwood Viburnum	3 Gal.	Cont
F	36	Juniperus chinensis 'Monlep'	Mint Julep Juniper	3 Gal.	Cont

- TREE NOTES:
- Landscape contractor must coordinate with all utilities and general contractor to field verify all utility locations that may conflict with all proposed tree planting locations on the project site.



SHRUB & PERENNIAL PLANTING DETAIL
NOT TO SCALE

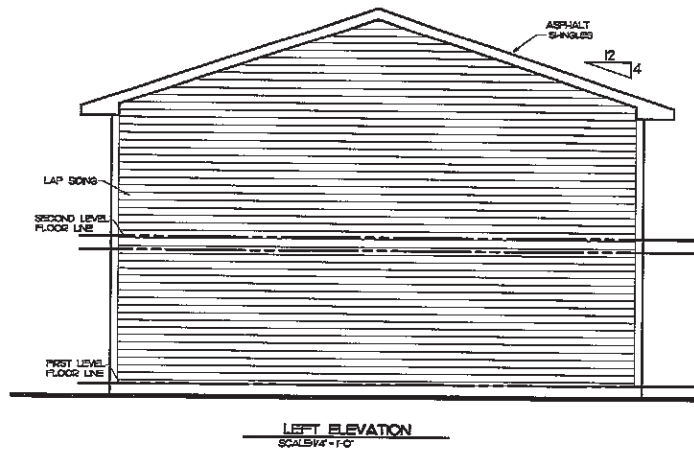
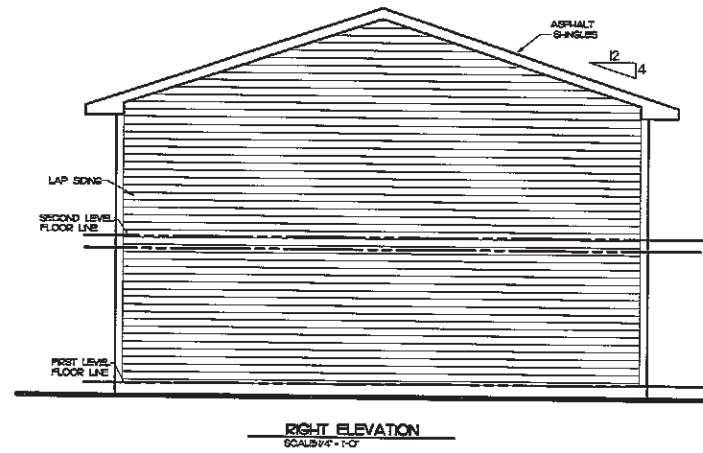


TREE PLANTING DETAIL - B & B TREE
NOT TO SCALE

- LANDSCAPE NOTES:
- Locate and verify the location of all underground utilities prior to the start of any construction. Care should be taken not to disturb any existing utilities during construction. Any damage to utilities or other improvements caused by the Contractor will be repaired at no cost to the Owner.
 - All plant material shall be of good quality and sizes shall meet required size specifications.
 - All plants are to be watered in immediately after planting and then watered once a week for a period of two months from time of planting.
 - All plant material shall be guaranteed to be in a live and healthy growing condition for two full growing seasons (trees) and one full growing season (perennials & shrubs) after final project acceptance or shall be replaced free of charge with the same grade and species including labor.
 - Verify all dimensions and conditions prior to starting construction. The location of plant material is critical and shall be installed as indicated on plans. Field adjustments may be necessary based on field conditions (i.e., root ball and drop inlet conflict). All adjustments must be approved by the landscape architect.
 - The Landscape Contractor shall remove all construction debris and materials injurious to plant growth from planting pits and beds prior to backfilling with planting mix. All planting areas shall be free of weeds and debris prior to any work.
 - Provide locally available shredded hardwood mulch on all trees and in all planting beds to a 3-4 inch minimum depth unless otherwise noted. Mulch ring to extend 1'-0" minimum beyond planting pit. Minor site grading to be included if needed.
 - All trees are to be staked for a period of not less than one year from time of planting.
 - Contractor to coordinate work with other amenities contractors.

Attachment F

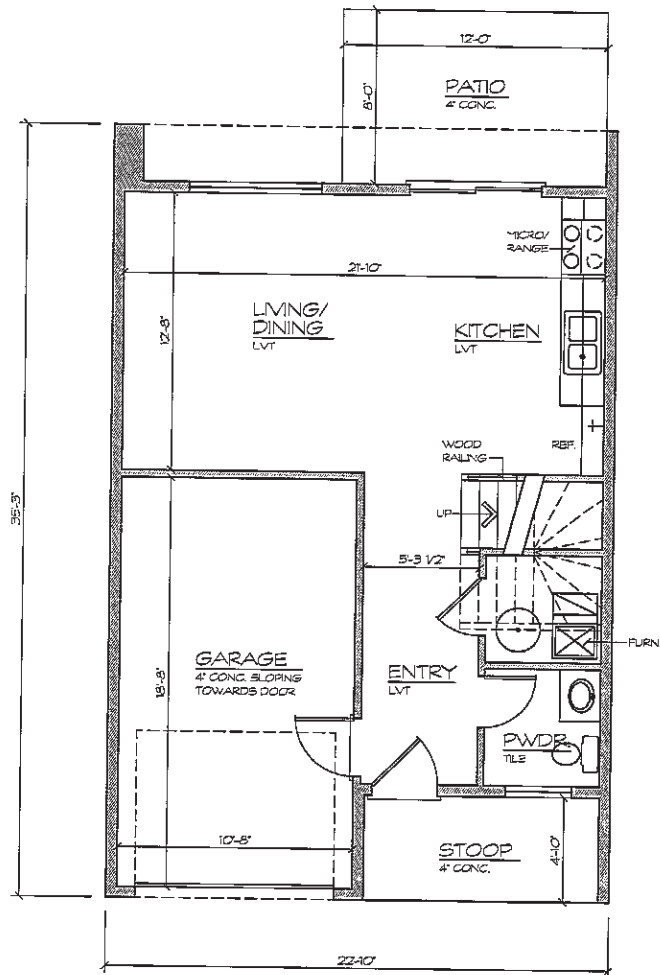




DESIGNER IS NOT AN ARCHITECT OR ENGINEER
AND DOES NOT HAVE THE NECESSARY QUALIFICATIONS
TO SEAL OR SIGN ARCHITECTURAL OR ENGINEERING
DRAWINGS. THESE PLANS ARE FOR YOUR INFORMATION ONLY.

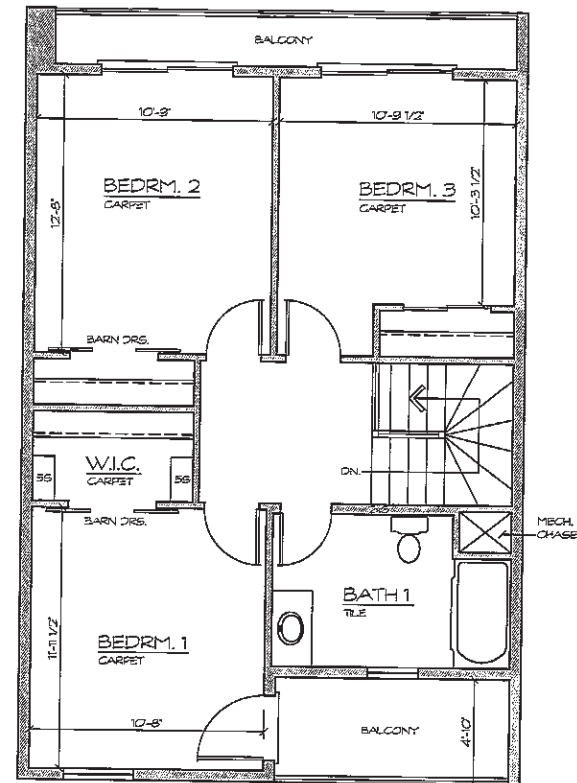
JPR ENTERPRISES

TRK
Residential Design Services
402-572-0888
Associates



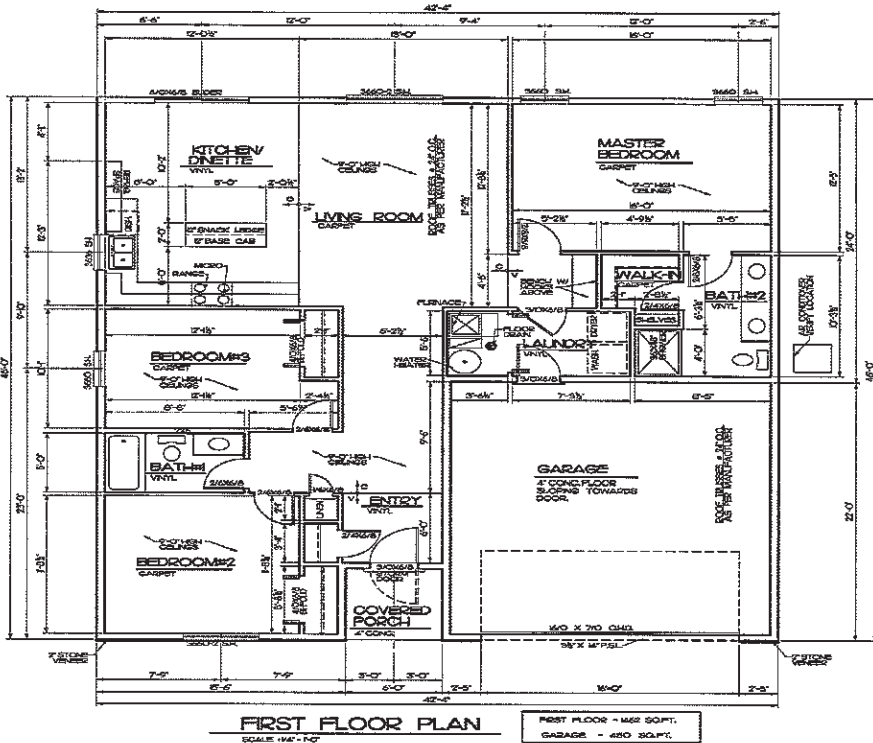
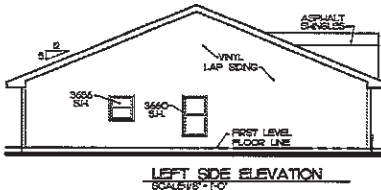
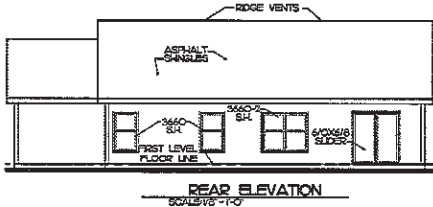
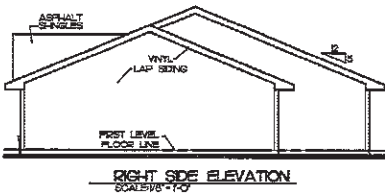
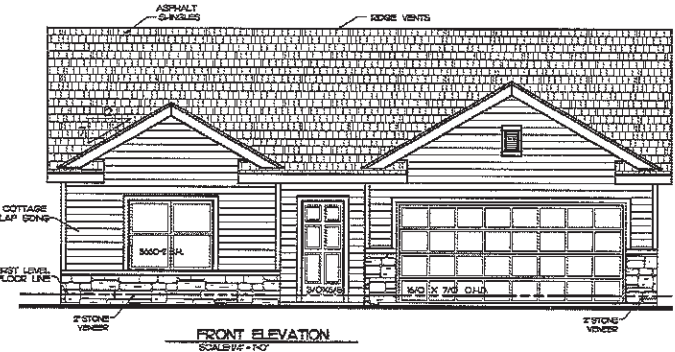
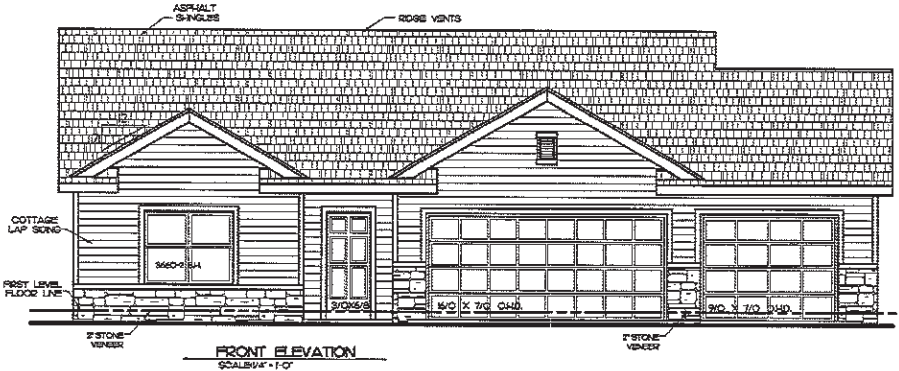
MAIN LEVEL	475 SQ. FT.
SECOND LEVEL	647 SQ. FT.
TOTAL	1122 SQ. FT.
GARAGE	216 SQ. FT.

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

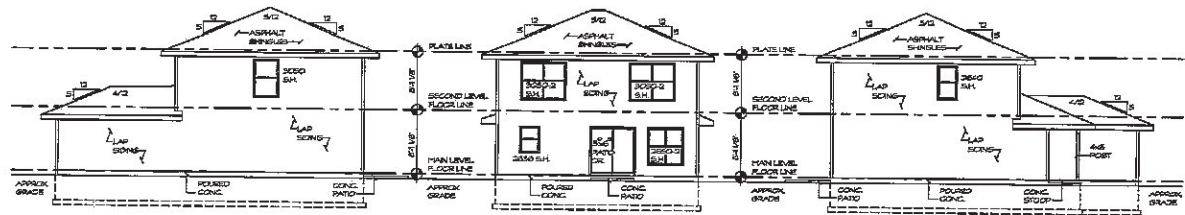


② SECOND LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"

Layla 2/3 Car Garage



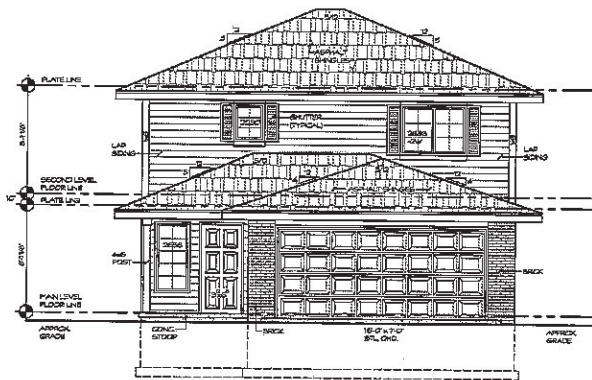
Stern 2 Story



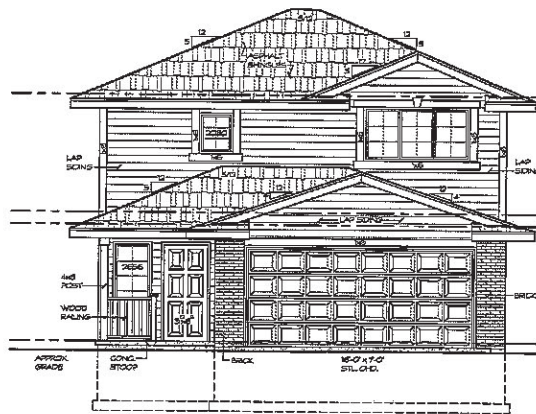
① RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"

② REAR ELEVATION
SCALE: 1/8" = 1'-0"

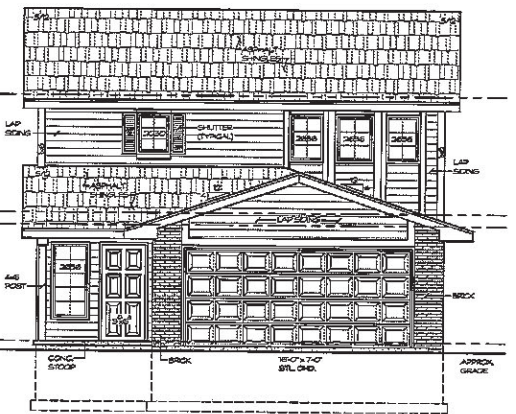
③ LEFT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



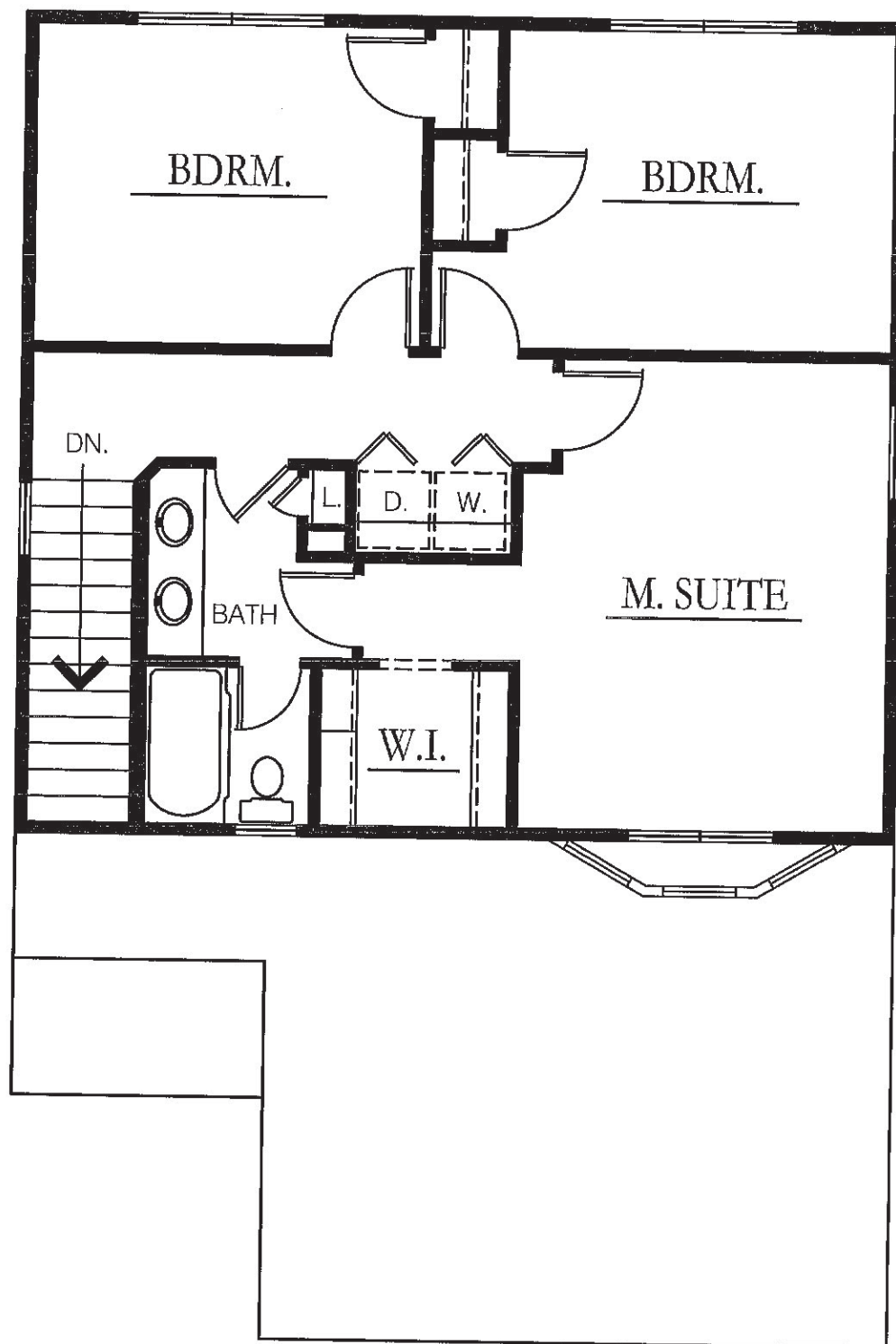
* OPTION A *
② FRONT ELEVATION
SCALE: 1/8" = 1'-0"



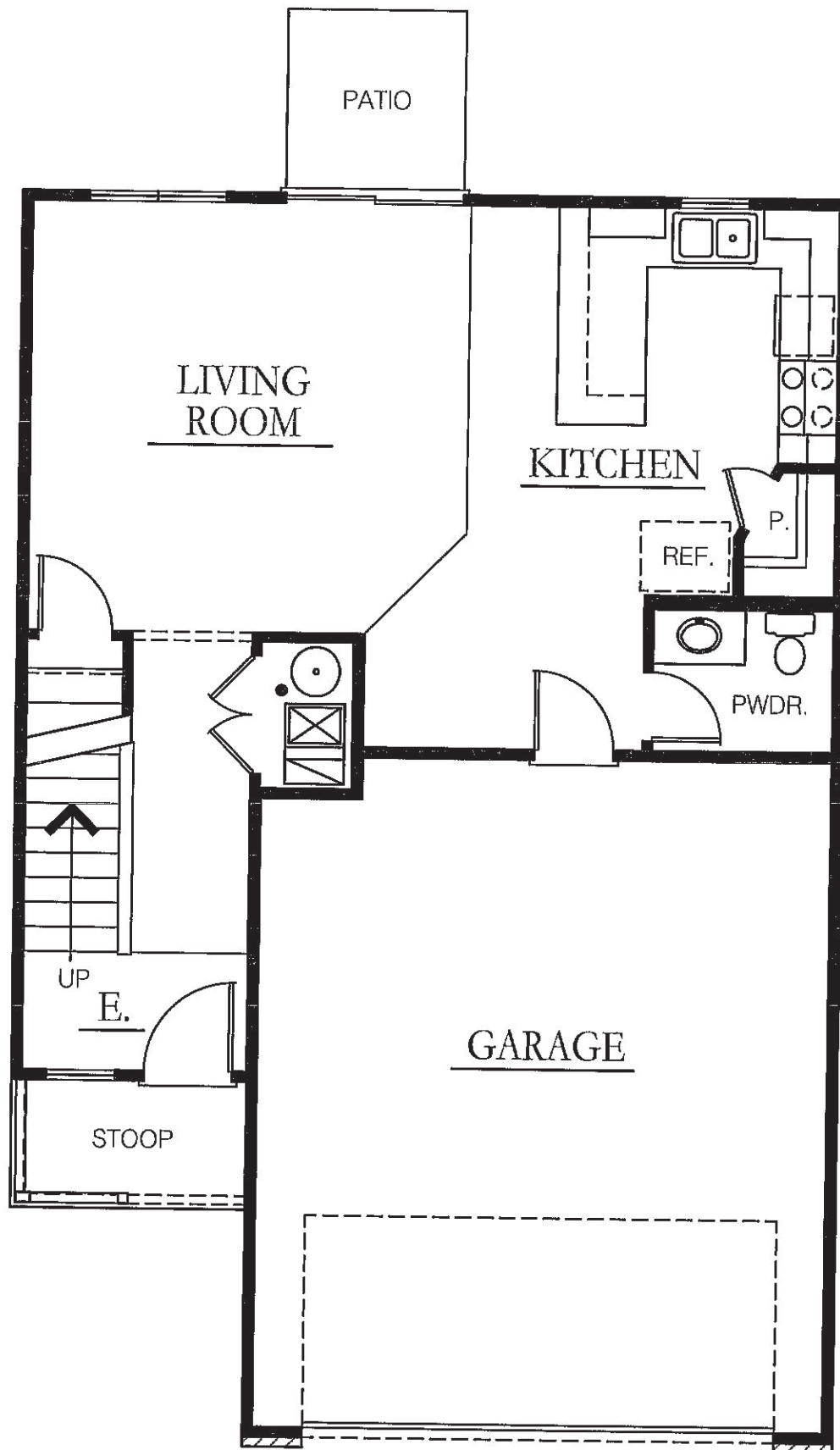
* OPTION B *
④ FRONT ELEVATION
SCALE: 1/8" = 1'-0"



* OPTION C *
⑤ FRONT ELEVATION
SCALE: 1/8" = 1'-0"



SECOND LEVEL



MAIN LEVEL



Species	Spacing	Size Category
Magnolia	10-20'	Small
Dogwood	20'	Small
Purple Plum	20'	Small
Service Berry	20'	Small
Redbud	20-25'	Small
Hawthorn (thornless)	20-25'	Small
Crabapple (all)	20-25'	Small
Lilac Tree	20-25'	Small
Black Gum	20-30'	Small-Medium
Ornamental Cherry	25-35'	Small-Medium
Birch (River or Clump)	30'	Medium
Golden Rain	35'	Medium
Hornbeam	35-40'	Medium
Japanese Pagoda	40'	Medium
Buckeye	40'	Medium
Tulip Tree	40'	Medium
Red Oak	45'	Large
Bur Oak	45'	Large
White Oak	45'	Large
Yellowwood	45'	Large
Lindens	50'	Large
Locust	50'	Large
Gingko (male)	50'	Large
Kentucky Coffee Bean	50-60'	Large
Chinquapink Oak	50-60'	Large
Swamp White Oak	50-60'	Large
Sycamore	60'	Large

Small = 20-30'

Medium = 30-45'

Large = 45' and taller

There are other varieties we can recommend, please call 712-890-5291 for more information.

Tree we do not permit on City properties include: Willows, Poplars, Pin Oak, Tree of Heaven, Persimmon, Boxelder, Mulberry, Cottonwoods, Evergreens, Russian Olive, Weeping crab, Birch (weeping or paper), Hawthorn (with thorns), Elms, Ash, select Maples - call for more information), and fruit trees.

Ed Cain

26 Indian Hills Road

Council Bluffs, Iowa, 51503

To whom it may concern,

My name is Ed Cain, I own the property directly south of the proposed subdivision, my land is mostly zoned A-2 and R-1, and I live on a designated Century Farm. The first piece of the farm was purchased by my great grandfather in 1907.

After reviewing the preliminary plan for the 27 lot subdivision and with the statement that the developer intends to develop lot 27 as a future phase of the subdivision that would almost certainly include as many units as possible to maximize profits, I object to the change in zoning from A-2 Parks, Estates and Agricultural District to R-2/ Family Residential District on the grounds that the change would leave the proposal too open ended and allow for far more density than the neighborhood is comprised of, (most of nearby property is zoned A-2) and certainly more traffic than the already overused streets can handle. Also, the proposed request includes variances for lot size, lot widths, and lot depth to width ratios, for a zoning designation that allows for a density level of 100% 2 family structures.

Looking at the City code of Ordinances, Chapter 15.01.020-Purpose of a zoning ordinance, some points that stand out;

- A. Development of the city in accordance with the comprehensive plan
- B. Preserve agricultural and environmentally sensitive lands
- C. Minimize traffic congestion
- D. Protect value of property
- E. Avoid undue concentration of population

It appears that a suitable compromise would be to allow a change of the zoning to R-1. The subdivision proposal could be modified to fit the zoning requirements, the townhomes removed from the proposal, and replaced with single family homes, and the future development of lot 27 would be restricted to single family homes.

These changes to the proposed subdivision would still have a higher density of population than the College Road neighborhood, but would add less to the area than 2 family units, and considering the recent addition of the developments on the east side of the railroad tracks, and IWCC, the traffic has already increased considerably on the area roads.

Respectfully,

Ed Cain

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request of Arbor Creek, LLC, represented by Neal Drickey, to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Lot 2, Arbor Creek Subdivision from A-2/Parks, Estates, and Agricultural District to R-2/Two-family Residential District, as defined in Chapter 15.09 of the Municipal Code of Council Bluffs, Iowa, and appending a Planned Residential Overlay and adopting a planned residential development plan for said property, as per Chapter 15.28 of the Municipal Code of Council Bluffs, Iowa.

You are further notified that the public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 10th day of May, 2021 in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

Jodi Quakenbush, City Clerk

ORDINANCE NO. 6453

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS BEING LOT 2, ARBOR CREEK SUBDIVISION FROM A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT TO R-2/TWO-FAMILY RESIDENTIAL DISTRICT AS DEFINED IN CHAPTER 15.09 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, AND APPENDING A PLANNED RESIDENTIAL OVERLAY TO SAID PROPERTY, AS DEFINED IN CHAPTER 15.28 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA .

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

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning property legally described as being Lot 2, Arbor Creek Subdivision from A-2/Parks, Estates and Agricultural District to R-2/Two-Family Residential District as defined in Chapter 15.09 of the Municipal Code of Council Bluffs, Iowa, and appending a Planned Residential Overlay to said property, as defined in Chapter 15.28 of the Municipal Code of Council Bluffs, Iowa.

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

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

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided and upon preliminary plat approval of Arbor Creek 2nd Addition.

ADOPTED
AND
APPROVED

May 10, 2021.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 4-26-21
Second Consideration: 5-10-21
Public Hearing: 5-10-21
Third Consideration: _____

Council Communication

Department: Community Development
Case/Project No.: ZC-21-003
Submitted by: Haley Weber, Planner

Ordinance 6454
ITEM 3.E.

Council Action: 4/26/2021

Description

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070, and setting a Public Hearing for May 10, 2021 at 7:00 p.m., by rezoning property legally described as Lot 1, Franklin Heights Subdivision from A-P/Administrative Professional District to R-2/Two-Family Residential District, as defined in Chapter 15.09., and appending a P-R/Planned Residential Overlay onto said property as defined in Chapter 15.28 of the Municipal Code of Council Bluffs. Location: Northwest corner of Franklin and Bennett Avenues. ZC-21-003

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	4/16/2021
Attachment A - Letter of Intent	Letter	4/15/2021
Attachment B - Hillside Estates Preliminary Plans	Other	4/15/2021
Attachment C - Preliminary drainage study	Other	4/15/2021
Attachment D - Cox Communications Facilities Map	Map	4/15/2021
Attachment E - Location/Zoning map	Map	4/15/2021
Attachment F - Proposed House Plans	Other	4/15/2021
Attachment G - Council Bluffs street tree guide	Other	4/15/2021
Public Hearing Notice	Notice	4/15/2021
Ordinance 6454	Ordinance	4/20/2021

City Council Communication

<p>Department: Community Development</p> <p>CASES #SUB-21-006, #PR-21-002, #ZC-21-003</p> <p>Applicant: Community Development Department 209 Pearl Street Council Bluffs, IA 51503</p> <p>Property Owner: City of Council Bluffs</p> <p>Developer: Turn The Paige Investments, LLC Attn: Jarrod C. McIntyre 19627 Brookside Lane Gretna, NE 68028</p> <p>Engineer/Surveyor: Terry Morrison, P.E. Ehrhart Griffin and Associates 142 West Broadway, Suite 136 Council Bluffs, IA</p>	<p>Ordinance No. _____</p> <p>Resolution No. _____</p>	<p>CASE #SUB-21-006: 5/10/2021</p> <p>CASE #ZC-21-003 1st Consideration: 4/26/2021 2nd Consideration: 5/10/2021 3rd Consideration: 5/24/2021</p> <p>CASE #PR-21-002: 5/10/2021</p> <p>Planning Commission: 4/13/21</p>
<p style="text-align: center;">Subject/Title</p> <p>Request: Combined public hearings on the request of the Community Development Department to rezone property legally described as Lot 1, Franklin Heights Subdivision from A-P/Administrative Professional District to R-2/Two-family Residential District; along with preliminary subdivision plan approval of a 27-lot residential subdivision to be known as Hillside Estates Subdivision and to append a PR/Planned Residential Overlay and adopt the associated planned residential development plan for Hillside Estates Subdivision, all on property legally described as being a replat Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.</p> <p>Location: The northwest corner of Franklin and Bennett Avenues</p>		
<p style="text-align: center;">Background</p> <p>In September 2020, the project developer, Turn the Paige Investments, represented by Jarrod McIntyre, went through the City's offer-to-buy process to acquire the subject property, legally described above. Through this process, the City has agreed to commit Community Development Block Grant (CDBG) funding for road construction, grading work, stormwater management installation, and landscaping. In exchange for these funds, the builder has agreed to dedicate a minimum of 51 percent of the housing units as low-to-moderate income housing units, which are priced at or below 80 percent of the area's median income. The Community Development Department is representing this project as the applicant and is proposing the following items on property legally described above:</p> <p style="margin-left: 40px;">(1) Case #SUB-21-006: Preliminary plan approval of a 27-lot residential subdivision to be known as Hillside Estates Subdivision. The subject property is comprised of 6.36 acres (more/less) located at the</p>		

northwest corner of the intersection of Franklin and Bennett Avenues and will be served by a new cul-de-sac, Paige Lane, that connects to Franklin Avenue. The proposed subdivision will consist of 27 lots and four (4) outlots. The submitted preliminary site layout plan shows a total of seven (7) single-family attached homes on Lots 1-6, 13, 14, 19, 20, and 24-27 and a total of thirteen (13) single-family detached homes on Lots 7-12, 15-18, and 21-23. The proposed request will include subdivision variances for lot depth to width ratios, lot widths, and lot size.

- (2) Case #PR-21-002: Appending a PR/Planned Residential Overlay and adoption of a planned residential development plan for Franklin Heights Subdivision. The Community Development Department is requesting variances through the proposed planned residential development plan to allow the second required parking space to be located within the required front yard setback and increased maximum lot coverage.
- (3) Case #ZC-21-003: Rezone the property legally described above from A-P/Administrative Professional District to R-2/Two-Family Residential District to accommodate the proposed 27-lot residential subdivision described above (Case #SUB-21-006).

The applicant's letter of intent is included with this report as Attachment 'A.'

CASE #SUB-21-006

The proposed residential subdivision is comprised of 6.36 acres (277,041 square feet), more or less, of land and will consist of 27 lots and 4 outlots. The applicant proposes to develop a total of seven (7) single-family attached homes on Lots 1 through 6, 13, 14, 19, 20, and 24-27, and a total of thirteen (13) single-family detached homes on Lots 7-12, 15-18, and 21-23. All lots within the proposed subdivision will have direct access to Paige Lane, a new public street. All lots will be fully served with utilities (e.g., sanitary/storm sewers, water, gas, electric, etc.). The applicant intends to develop the entire subdivision in one phase. The preliminary plans are included with this report as Attachment 'B' and a preliminary drainage study is included as Attachment 'C.'

Comments

1. Approval of the preliminary plan is tentative and does not constitute acceptance of the final plat, "but shall be deemed to be an authorization to proceed with the preparation of the final construction plans or performance guarantee and the final plat" (§14.11.060(D)—Subdivision Ordinance). A final plat application must be filed within one year of the date of action by the City Council. A request for extension may be made by the sub-divider in writing prior to the expiration date. One-year extensions are considered by the City Planning Commission.
2. The proposed subdivision is consistent with the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) as well as the purpose and intent of Title 14: Subdivisions and Title 15: Zoning of the Council Bluffs Municipal Code. The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property as "High-Density Residential." A portion of the northwest corner of the property is designated as "Loess Hills Preservation Area."
3. The proposed subdivision is currently zoned A-P/Administrative Professional District and is proposed to be rezoned to R-2/Two-Family Residential District (see Case #ZC-21-003) and a PR/Planned Residential Overlay appended to allow for a mixture of attached and detached single-family dwellings. (see Case #PR-21-002).
4. The subdivision's layout and associated lot configuration/dimensions are influenced by the unique topographic nature of the site, preservation of the Loess Hills, and incorporation of stormwater management areas. As a result of these development constraints, the applicant is requesting subdivision variances for minimum lot size/lot width and maximum lot depth-to-width ratios as follows:
 - a. Variances from minimum R-2 District Lot Sizes
Minimum required R-2 District lot sizes: 5,000 square feet (interior lot) and 5,500 square feet (corner lot)

Proposed Lot 22 (4,870 square foot interior lot for a single-family detached dwelling), Lot 2 (4,924 square foot interior lot for a single-family detached dwelling) and Lot 27 (5,280 square foot corner lot for a single-family attached dwelling) do not comply with minimum R-2 District lot size requirements.

b. Variance from minimum R-2 District Lot Width

Minimum required R-2 District lot width: 50 feet (interior lot), 55 feet (corner lot), and ‘the building setback line’ (cul-de-sac lots)

Proposed lots Lots 2-6, 10-20, 22, and 24-26 have lot widths less than the minimum required in the R-2 District.

c. Variances from maximum 3:1 Lot Depth to Width Ratio

Section 14.14.020, Lot Layout, of the Council Bluffs Municipal Code (Subdivision Ordinance) states ‘*Excessive lot depth in relation to width shall be avoided. A proportion of three to one respectively shall be considered as a maximum.*’

Proposed Lots 2-8, 13, 14, 18, 19 and 24-26 exceed the maximum 3:1 lot depth-to-width ratio.

Section 14.14.040, Variances, of the Council Bluffs Municipal Code (Subdivision Ordinance) states: “*where it can be shown that due to special conditions, a literal enforcement of this ordinance will result in an unnecessary hardship, the City shall have the power to vary such regulation so that substantial justice will be accomplished, provided that such variance would:*

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

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

- a. The subject property is a challenging setting for residential development as the north half of the property is comprised of steep Loess Hills preservation area. Additionally, the area is further bounded by existing residential developments to the west and north and by Franklin and Bennett Avenues to the south and east. The proposed subdivision variances allow the applicant to develop the property in a sustainable manner that minimizes grading of the Loess Hills Preservation area and prevents erosion of the site.
 - b. The City’s Comprehensive Plan encourages a variety of housing types in order to meet the needs of the community. The applicant’s proposal includes fourteen (14) single-family attached dwellings and thirteen (13) single-family detached dwellings which will be marketed to households of varying income levels. The mixture of housing typologies and market-rate and workforce housing in the community which is in the overall best interest of the City.
 - c. The applicant has engineered and designed the subdivision to be compatible with existing development in the surrounding area. The subdivision variances are not anticipated to be detrimental to the future residents in and/or adjacent to the subdivision.
5. Section 15.23.060, Parking spaces required, of the Council Bluffs Municipal Code (Zoning Ordinance) requires a minimum two (2) parking spaces for single-family attached and detached dwellings. Additionally, Section 15.23.020, General Provisions, of the Council Bluffs Municipal Code (Zoning Ordinance) states, ‘*Parking and loading or unloading spaces shall not be located in a required front yard with the exception of commercial and industrial districts, but may be located within a required side or rear yard.*’ The proposed

- single-family attached lots show one (1) of the two (2) required parking spaces in the required front yard setback. A variance to allow the required parking in the front yard setback for all single-family attached dwellings is included with the planned residential development plan (see Case #PR-21-002).
6. The submitted site plan shows the single-family attached homes on proposed Lots 19 and 20 with a single-stall attached garage for each unit. The applicant has indicated that they intend to reduce the size of Lot 18 and increase the size of Lots 19 and 20 to allow for a two-car garage on the latter two lots prior to execution of a final plat. The applicant has been advised that a minimum 5-foot interior yard setback shall be maintained.
 7. Per Section 15.09.050, *Site Development Standards*, the maximum lot coverage for all structures in the R-2/Two Family Residential District is 35 percent. A variance to allow a maximum 40 percent lot coverage as opposed to the 35 percent maximum is included with the planned residential development plan (Case #PR-21-002).
 8. Turn the Paige Investments, LLC has proposed to construct all homes with a 20-foot front yard setback to reduce the amount of grading required to develop the lots. A variance to allow a 20-foot front yard setback as opposed to the required 25-foot setback is included with the planned residential development plan for the subject property (see Case #PR-21-002).
 9. The proposed subdivision includes four (4) outlots, A-D. Outlot 'A' extends along Franklin and Bennett Avenues and serves as a landscape buffer between the residential properties and public right-of-ways. Outlots 'B' and 'C' will serve as stormwater detention areas. Outlot 'D' will be combined with City-owned Clark Cemetery located immediately north of the subject property through a lot line adjustment at a later date. Outlots 'A'-'C' shall be maintained by the Home Owners Association (HOA).
 10. The applicant intends to create an additional outlot to encompass the retaining wall and natural area behind Lots 2-11 so that the HOA shall be responsible for the ongoing maintenance of the wall and natural area north of the wall rather than individual homeowners. This outlot is not currently shown on the preliminary site development plans but shall be shown on the final plat prior to execution.
 11. The developer, Turn the Paige Investments, LLC, went through the City's offer-to-buy process to acquire the subject property. Through this process, the City has agreed to commit Community Development Block Grant (CDBG) funding for road construction, grading work, stormwater management installation, and landscaping. In exchange for these funds, the builder has agreed to dedicate a minimum of 51 percent of the housing units as low-to-moderate income housing units, which are priced at or below 80 percent of the area's median income. Fourteen (14) of the proposed 27 units (51.9%) will be dedicated to low-to-moderate income housing units.
 12. All proposed lots will have access to Paige Lane, a new public street, that will be built and dedicated by the City, and will align with Wendy Heights Road to the south.
 13. All lots will be serviced with utilities (e.g., sanitary/storm sewers, water, electricity, etc.) that shall be installed underground. All costs to construct, remove and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
 14. Sidewalk installation along the frontage of each proposed lot shall be completed prior to issuance of a Certificate of Occupancy for each lot. A sidewalk shall also be installed along Outlot 'C' and shall be installed at the time of street construction. All sidewalks shall be built to City standards.
 15. Street trees shall be planted along the frontage of each proposed lot (as shown on the submitted landscaping plan - Sheet C4.1 of Attachment 'B') prior to issuance of a Certificate of Occupancy for each lot. The submitted landscaping plan shows street trees along Franklin Avenue on the north side of the sidewalk. The plan shall be revised to show the street trees south of the sidewalk in order to provide a barrier between pedestrians and traffic along Franklin Avenue. The sidewalk shall be set back approximately six (6) to eight (8) feet from the curb to accommodate the planting of said street trees. All costs associated with the installation and maintenance of street trees shall be the responsibility of the developer and/or HOA and not the City. All proposed trees within the City's right-of-way shall comply with the Council Bluffs Street Tree Guide and be reviewed and approved by the City prior to installation.
 16. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.

17. The subject property is not located within a flood zone.
18. The Council Bluffs Fire Department stated that they have no comments regarding the request.
19. The Council Bluffs Public Works Department provided the following comments:
 - a. The connection to Franklin has been noted as aligning with Wendy Heights Road;
 - b. The retaining wall will be required to be designed and sealed by a registered professional engineer;
 - c. The drainage report noted the following:
 1. A hydro dynamic separator in this setting will not be sustainable and Public Works will work with the Engineer on the drainage issues;
 2. Basins located on steep slopes have been minimally successful in the past. Both basins require a minimum 10' top to allow for maintenance; and
 3. Basins shall be maintained by an HOA with maintenance requirements identified in an Operation and Maintenance Agreement.
 - d. The road profile has been noted;
 - e. The sanitary sewer connection has been noted;
 - f. A geotechnical report is required.
20. The Permits and Inspections Division stated concerns regarding the continued structural integrity of the proposed retaining wall and noted that the addition of terraces on the uphill slope could mitigate and minimize the potential failure of the retaining wall.
21. Council Bluffs Water Works stated that the City will need to contact them about main extension requirements to serve the development.
22. MidAmerican Energy provided the following comments:
 - a. They have no conflict with the proposal.
 - b. The City should contact MidAmerican Energy directly to discuss the project timeline and provide the documentation necessary for a formal design and proposal to extend electric service within the development.
 - c. MidAmerican Energy will require the standard platted 10-foot front lot line and 5-foot side and rear lot line easements for the proposed development.
23. Cox Communications provided a map (Attachment 'D') showing the location of their facilities near the subject property and asked that the City contact them with any additional questions.

CASE #ZC-21-003

The subject property is currently zoned A-P/Administrative Professional District. The applicant intends to rezone the property to R-2/Two-Family Residential District to accommodate the proposed 27-lot residential subdivision (Case #SUB-21-006). A P-R/Planned Residential Overlay is proposed to be appended to the subject property along with the proposed rezoning (Case #PR-21-002).

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

- North
 - Lindsey Manor Apartment Building - *R-3/Low-Density Multifamily Residential District*
 - City-owned Clark Cemetery - *R-3/Low-Density Multifamily Residential District*
 - Arbor Ridge Condominiums - *R-4/High-Density Multifamily Residential District*
- South
 - Gas station - *C-2/Commercial District*
 - Small, undeveloped City-owned property - *A-P/Administrative Professional District*
 - Residential properties - *R-1/Single-Family Residential District*
- East
 - Greenbriar Apartments – *R-3/Low-Density Multifamily Residential District*
- West
 - Mink Apartments - *R-3/Low-Density Multifamily Residential District*
 - Deerfield Apartments - *R-3/Low-Density Multifamily Residential District*

A location/zoning map has been included with this report as Attachment 'E.'

The future land use plan of the Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property as "High-Density Residential." A portion of the northwest corner of the property is designated as "Loess Hills Preservation Area."

Public notices were mailed to all property owners within 200 feet of the request. As of the date of this report, no comments were received.

Discussion

1. All proposed lots will be zoned R-2/Two-Family Residential District. The applicant intends to develop a total of seven (7) single-family attached homes on Lots 1 through 6, 13, 14, 19, 20, and 24-27, and a total of thirteen (13) single-family detached homes on Lots 7-12, 15-18, and 21-23. Proposed Lots 22, 23, and 27 do not meet the minimum lot size requirements of the R-2/Two-Family Residential District.
2. The applicant is proposing to append a P-R/Planned Residential Overlay to the entirety of the proposed subdivision. A planned residential development plan which establishes standards for site development, architecture, landscaping, parking, and signage will be adopted as part of this development.
3. The Bluffs Tomorrow: 2030 Comprehensive Plan designates the subject property "High-Density Residential" and a portion of the northwest corner of the property as Loess Hills Preservation Area. The proposed rezoning is consistent the Future Land Use Plan. The portion of the property designated as "Loess Hills Preservation Area" is especially steep terrain and will remain primarily undisturbed.
4. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-2 District.

Case #PR-21-002

Section 15.28.010, Statement of Intent, P-R/Planned Residential Overlay, of the Council Bluffs Municipal Code (Zoning Ordinance) states that "the planned residential overlay is established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of the requirements of the underlying zone would not be inconsistent with the Comprehensive Plan or harmful to the neighborhood in which it is located." The applicant proposes to append a P-R/Planned Residential Overlay to the entire subdivision to be known as Hillside Estates Subdivision in order to regulate the design and layout of the proposed development. Due to the unique topographic nature of the site and the need for designated stormwater management areas, certain variances are requested to allow for sustainable development of the subject property that minimizes erosion.

1. Site Development

- a. The minimum tract of land required for P-R Overlay is 1.5 acres. The subject property contains 6.36 acres, which exceeds the minimum lot size requirement of the P-R Overlay.
- b. All proposed lots shall be developed to R-2/Two-Family Residential District site development standards, as per Section 15.09.050, Site Development Regulations, with the following exceptions
 - i. The minimum front yard setback for principal structures on all lots shall be 20 feet rather than the minimum 25 feet.
 - ii. The maximum lot coverage for all structures shall be 40 percent rather than the 35 percent maximum.
- c. All fencing in the subdivision shall comply with the standards stated in Section 15.24.040, Fence Regulations, of the Council Bluffs Municipal Code (Zoning Ordinance).
- d. All utilities shall be installed underground. Any cost to remove, relocate, modify, and/or extend utilities to this site shall be at the sole cost of the developer and not the City.

2. Off-Street Parking

- a. Per Section 15.23.060, Parking Spaces Required, of the Council Bluffs Municipal Code (Zoning Ordinance) the required number of off-street parking spaces for single-family detached and single-family attached dwellings is two (2) spaces per dwelling unit. All proposed single-family detached units are being constructed with a two-car garage. All proposed single-family attached dwellings are being constructed with a single-car garage. One (1) additional required parking space shall be allowed in the required front yard setback so long as all parking occurs on a paved surface and the placement of vehicles does not interfere with the City's right-of-way.
- b. All off-street parking areas, driveways and drive aisles shall comply with the standards stated in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance).

3. Architecture

- a. The submitted house plans, included as Attachment 'F,' are generally acceptable in design and layout and shall be adopted as submitted with the following considerations:
 - i. Each dwelling unit shall have a minimum of 40 square feet of stone, brick, and/or decorative architectural metal on the front façade;
 - ii. The submitted site plan shows the single-family attached dwellings on proposed Lots 19 and 20 with a single-stall attached garage for each unit. The applicant has indicated that they intend to reduce the size of Lot 18 and increase the size of Lots 19 and 20 to allow for a two-car garage on the latter two lots prior to execution of a final plat. The applicant has not provided house plans for the proposed single-family attached dwellings on Lots 19-20 at this time. The house plans for Lots 19-20 shall be compatible in design and layout with the rest of the subdivision.
 - iii. Minor modifications deemed to be compatible with the other homes in the subdivision shall be approved administratively by the Community Development Director or their designee.

4. Landscaping

- a. The submitted landscaping plan (Sheet No. C4.1 of Attachment 'B') shows the locations of proposed street trees throughout the subdivision and proposed shrub plantings on Outlot 'C.' The proposed landscaping plan is generally acceptable and shall be adopted as submitted with the following modifications:
 - i. The submitted landscaping plan shall be revised to show the street trees along Franklin Avenue on the south side of the sidewalk in order to provide a barrier between pedestrians and traffic along Franklin Avenue. The sidewalk shall be setback approximately six to eight feet from the curb to accommodate the planting of said street trees. All costs associated with the installation and maintenance of street trees shall be the responsibility of the developer and not the City. All proposed trees within the City's right-of-way shall be reviewed and approved by the City prior to installation and shall comply with the Council Bluffs Street Tree Guide (see Attachment 'G');
 - ii. All landscaping shall be appropriately maintained and dead plant material replaced at a time appropriate to planting seasons but in all cases shall be replaced within one year; and
 - iii. Minor modifications to the submitted landscaping plan shall be approved administratively by the Community Development Director or their designee.
- b. All street trees along Paige Lane and the shrub plantings on Outlot 'C' as shown on the submitted landscaping plan shall be planted at the time of street construction. Street Trees along Franklin and Bennett Avenues, as shown on the submitted landscaping plan, shall be planted prior to issuance of a Certificate of Occupancy for each lot.

5. Signage

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

Recommendation

The Community Development Department recommends the following for the subject property legally described as described as Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa:

1. Approval of the preliminary plan for the 27-lot residential subdivision to be known as Hillside Estates Subdivision, legally described as being a replat of Lot 1, Franklin Height Subdivision, subject to the comments above and the following conditions:
 - a. Approval of the preliminary plans is tentative and does not constitute acceptance of the final plat, but is “deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat” (Section 14.11.060(D)—Subdivision Ordinance).
 - b. All applicable permits necessary to meet all local, state, and federal requirements shall be the developer’s responsibility.
 - c. All utilities shall be installed underground. All costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
 - d. The submitted landscaping plan shall be revised to show the street trees along Franklin Avenue on the south side of the sidewalk in order to provide a barrier between pedestrians and traffic along Franklin Avenue. The sidewalk shall be set back approximately six to eight feet from the curb to accommodate the planting of said street trees. All costs associated with the installation and maintenance of street trees shall be the responsibility of the developer and not the City. All proposed trees within the City’s right-of-way shall be reviewed and approved by the City prior to installation and shall comply with the Council Bluffs Street Tree Guide.
 - e. Sidewalks shall be installed along the frontage of each proposed lot prior to issuance of a Certificate of Occupancy for each lot. A sidewalk shall also be installed along Outlot ‘C’ and shall be installed at the time of street construction. All sidewalks shall be built to City standards.
 - f. The proposed additional outlot that will encompass the retaining wall and natural area behind Lots 2-11 shall be shown on the final plat prior to execution. The HOA shall be responsible for the ongoing maintenance of the wall and natural area north of the wall.
 - g. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.
 - h. Approval of the requested variances relative to lot size, lot width, and maximum lot depth to width ratios, based on the reasons stated above.
2. Approval of the request to rezone, Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa from A-P/Administrative Professional District to R-2/Two-Family Residential District, based on the reasons stated above and subject to final plat approval of Franklin Heights Subdivision.
3. Approval of the request to append a P-R/Planned Residential Overlay and adopt a planned residential development plan for Hillside Estates Subdivision, legally described as being a replat of Lot 1, Franklin Heights Subdivision, subject to the following conditions:
 - a. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by City Planning Commission and approved by City Council prior to such changes being made. Minor modifications to the adopted development plan that result in a product that is considered compatible with the overall development may be administratively approved by the Community Development Director or their designee.

Public Hearing

Staff speaker for the request:

1. Haley Weber, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor:

1. Jared McIntyre, Turn the Paige Investments, LLC, 19267 Brookside Lane, Gretna, NE 68028

Speakers against: None

Planning Commission Recommendation

The Planning Commission recommended:

The Community Development Department recommends the following for the subject property legally described as described as Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa:

1. Approval of the preliminary plan for 27-lot residential subdivision to be known as Hillside Estates Subdivision, legally described as being a replat of Lot 1, Franklin Height Subdivision, subject to the comments above and the following conditions:
 - a. Approval of the preliminary plans is tentative and does not constitute acceptance of the final plat, but is “deemed to be an authorization to proceed with the preparation of final construction plans or performance guarantee and the final plat” (Section 14.11.060(D)—Subdivision Ordinance).
 - b. All applicable permits necessary to meet all local, state, and federal requirements shall be the developer’s responsibility.
 - c. All utilities shall be installed underground. All costs to construct, remove, and/or relocate any utilities for the proposed subdivision shall be the responsibility of the developer and not the City.
 - d. The submitted landscaping plan shall be revised to show the street trees along Franklin Avenue on the south side of the sidewalk in order to provide a barrier between pedestrians and traffic along Franklin Avenue. The sidewalk shall be set back approximately six to eight feet from the curb to accommodate the planting of said street trees. All costs associated with the installation and maintenance of street trees shall be the responsibility of the developer and not the City. All proposed trees within the City’s right-of-way shall be reviewed and approved by the City prior to installation and shall comply with the Council Bluffs Street Tree Guide.
 - e. Sidewalks shall be installed along the frontage of each proposed lot prior to issuance of a Certificate of Occupancy for each lot. A sidewalk shall also be installed along Outlot ‘C’ and shall be installed at the time of street construction. All sidewalks shall be built to City standards.
 - f. The proposed additional outlot that will encompass the retaining wall and natural area behind Lots 2-11 shall be shown on the final plat prior to execution. The HOA shall be responsible for the ongoing maintenance of the wall and natural area north of the wall.
 - g. All future streetlights shall meet Public Works Department standards. All costs associated with the installation of streetlights shall be the responsibility of the developer and not the City.
 - h. Approval of the requested variances relative to lot size, lot width, and maximum lot depth to width ratios, based on the reasons stated above.
2. Approval of the request to rezone, Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa from A-P/Administrative Professional District to R-2/Two-Family Residential District, based on the reasons stated above and subject to final plat approval of Franklin Heights Subdivision.
3. Approval of the request to append a P-R/Planned Residential Overlay and adopt a planned residential development plan for Hillside Estates Subdivision, legally described as being a replat of Lot 1, Franklin Heights Subdivision, subject to the following conditions:
 - a. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed by City Planning Commission and approved by City Council prior to such changes being made. Minor modifications to the adopted

development plan that result in a product that is considered compatible with the overall development may be administratively approved by the Community Development Director or their designee.

VOTE: AYE - Bass, Danielsen, Halm, Haner, Hutcheson, Rater, Scott, Stroebele, and Van Houten
NAY - None ABSTAIN - Rew ABSENT - None VACANT One Motion: Carried

Attachments

Attachment A: Letter of Intent
Attachment B: Hillside Estates Preliminary Plans
Attachment C: Preliminary Drainage Study
Attachment D: Cox Communications Facilities Map
Attachment E: Location/Zoning Map
Attachment F: Proposed House Plans and Architectural Renderings
Attachment G: Council Bluffs Street Tree Guide

Prepared by: Haley Weber, Planner, Community Development Department

Hillside Estates Letter of Intent

Turn The Paige Homes wishes to purchase said property to create a subdivision consisting of single-family, low-to-moderate income housing and open market “workforce” housing. Each phase of construction will focus on low-to-moderate income and workforce sale prices ranging from \$165,000 to \$260,000. A total of 27 homes will be constructed following final site-plan and rezoning approval. Turn The Paige Homes commits to selling at least 51% of the constructed units to households at or below 80% of the median family income (MFI) if the City completes required infrastructure to ensure the affordability of the units.

The new subdivision will tackle the growing need and demand in Council Bluffs for brand new homes in this price range. These new houses will be modern, energy efficient, and aesthetically pleasing while still maintaining the design integrity of the surrounding neighborhoods. We strongly believe this subdivision will be a welcomed extension of the Franklin Heights area.

Hillside Estates LMI versus OPEN MARKET

The LMI homes will be very attractive and have similar exteriors to the OPEN MARKET houses. Simply put, the LMI homes will be smaller on the inside but just as impressive on the outside. The *curb appeal* will remain fluid throughout the development. The increase in price from LMI to OPEN MARKET is a result of three characteristics: basements, interior finishes, and square footage; all of which will not affect the exterior aesthetics. Furthermore, there will be covenants for the subdivision to maintain the integrity of the neighborhood, as well as our vision as the developer. The subdivision will not be a “cookie cutter” site plan. We will have over 10 floor plans to choose from ranging from ranches, two stories, slabs and basements. Hillside Estates will have a diverse array of houses resulting in a cozy, but modern subdivision.

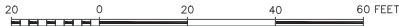
Hillside Estates Standard Finishes and Upgrades

Standard finishes in our LMI and OPEN MARKET homes will include some/all of the following:

- Stainless steel appliance package (including french door refrigerator)
- LVP flooring (luxury vinyl plank)
- Granite countertops in bathrooms
- Tile surround package for master bathrooms
- 9’ ceilings to enhance our open floor plans
- Walk-in closet in master bedroom
- Laundry on the main or second floor
- Finished trim and cabinet package

Optional finish upgrades available to the buyer will include all of the following:

- Additional exterior stone percentage
- Garage heater and insulation
- Gas stoves
- Sod and sprinkler system
- Additional LVP flooring throughout
- Granite countertop package in kitchen
- Privacy fence
- Finished basement package



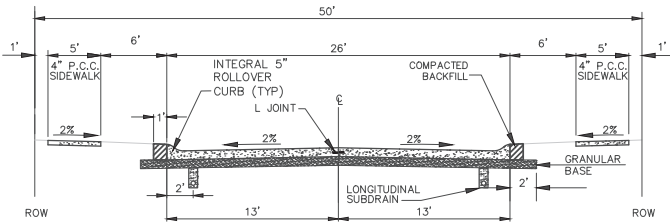
NOTE:
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "IOWA ONE CALL" 800/292-8989 PRIOR TO DIGGING.

LEGEND

- PROJECT BOUNDARY LINE
- PROPERTY LINE
- PROPOSED PAVEMENT
- PROPOSED SIDEWALK
- B.L. BUILDING LINE
- SETBACK LINE



VICINITY MAP



- NOTES:
- ON GRADES GREATER THAN 5%, GRANULAR BASE, TRANSVERSE SUBDRAIN, AND CURTAIN WALLS SHALL BE REQUIRED. ON GRADES LESS THAN 5%, GRANULAR BASE AND LONGITUDINAL SUBDRAIN WILL BE REQUIRED AT THE DIRECTION OF THE CITY ENGINEER.
 - GRANULAR BASE SHALL HAVE A MINIMUM THICKNESS OF 6", MEET IDOT GRADATION #12A OR #12B AND MAY REQUIRE USE OF ENGINEERING FABRIC.
 - SUBDRAIN SHALL BE PER SUDAS FIGURE 4040.231 AND THE CITY OF COUNCIL BLUFFS TRANSVERSE SUBDRAIN DETAIL.
 - P.C.C. PAVEMENT SHALL HAVE 7" THICKNESS.
 - ALL JOINTS SHALL BE PER SUDAS FIGURE 7010.101.
 - CURBS SHALL BE 5" ROLLER CURB.

LOCAL STREET CROSS SECTION
NO PARKING BAY NO SCALE

OWNER/DEVELOPER
CHRISTOPHER GIBBONS
CITY OF COUNCIL BLUFFS
COMMUNITY DEVELOPMENT DEPT.
209 PEARL STREET
COUNCIL BLUFFS, IA. 51503

ENGINEER
TERRY MORRISON, P.E.
EHRHART GRIFFIN & ASSOCIATES
142 WEST BROADWAY, SUITE 136
COUNCIL BLUFFS, IOWA
(712) 256-5248

PROJECT NO.
EGA201169

REVISIONS	BY	DATE	DESCRIPTION
NO.			

EHRHART
GRIFFIN &
ASSOCIATES

142 West Broadway
Suite 136
Council Bluffs, Iowa 51503
712 / 256-5248

- ENGINEERING
- PLANNING
- LAND SURVEYING

PRELIMINARY SITE LAYOUT PLAN
HILLSIDE ESTATES SUBDIVISION
FRANKLIN AND BENNETT AVE.
COUNCIL BLUFFS, IOWA

DATE: 3/3/21
DESIGNED BY: TLM
DRAWN BY: JRB
CHECKED BY: TLM

SHEET NO.
C.1.1



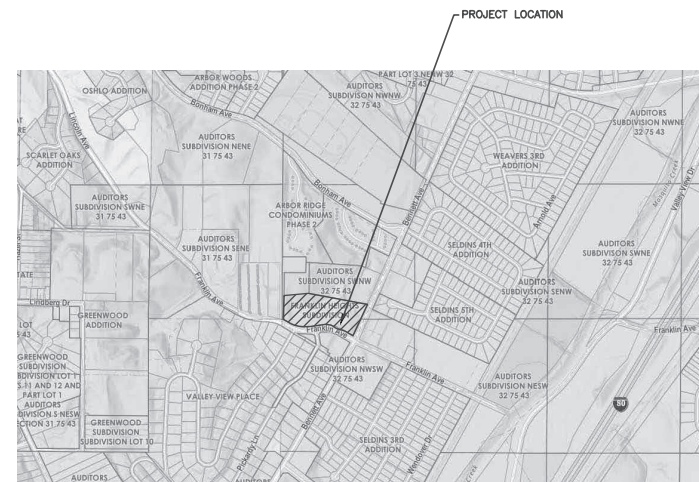
NOTE:
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "IOWA ONE CALL" 800/292-8989 PRIOR TO DIGGING.

LEGEND

- | | |
|--|-----------------------------------|
| | — LIMITS OF CONSTRUCTION |
| | — PROPERTY LINE |
| | — BUILDING LINE |
| | — SETBACK LINE |
| | — EXISTING CONTOURS |
| | — PROPOSED CONTOURS |
| | — PROPOSED RETAINING WALL |
| | — PROPOSED STORM PIPE |
| | — PROPOSED SANITARY PIPE |
| | — PROPOSED SANITARY SEWER MANHOLE |
| | — PROPOSED STORM SEWER MANHOLE |
| | — PROPOSED INLETS |
| | — EXISTING SANITARY PIPE |
| | — EXISTING STORM PIPE |
| | — EXISTING INLET |
| | — EXISTING MANHOLE |

OWNER/DEVELOPER
CHRISTOPHER GIBBONS
CITY OF COUNCIL BLUFFS
COMMUNITY DEVELOPMENT DEPT.
209 PEARL STREET
COUNCIL BLUFFS, IA. 51503

ENGINEER
TERRY MORRISON, P.E.
EHRHART GRIFFIN & ASSOCIATES
142 WEST BROADWAY, SUITE 136
COUNCIL BLUFFS, IOWA
(712) 256-5248



VICINITY MAP



NORTH
NOT TO SCALE

PROJECT NOTES:

1. ALL STREETS ARE LOCAL STREETS.
2. THIS AREA IS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS PER POTTAWATTAMIE COUNTY, IOWA FLOOD INSURANCE RATE MAP COMMUNITY OF THE CITY OF COUNCIL BLUFFS (COMMUNITY NUMBER - 190233), MAP NUMBER 19155C0414E, DATED FEBRUARY 4, 2005
3. ALL APPROPRIATE PUBLIC UTILITIES SHALL BE PROVIDED TO EACH LOT WITHIN THE SUBJECT PROPERTY.
4. UTILITY EASEMENTS AND BOXES SHALL BE COORDINATED WITH UTILITY COMPANIES, BE UNCONSPICUOUS, AS POSSIBLE.

[illegible]

EHRHART
GRIFFIN &
ASSOCIATES

142 West Broadway
Suite 136
Council Bluffs, Iowa 51503
712 / 256-5248

- ENGINEERING
- PLANNING
- LAND SURVEYING

PRELIMINARY SITE GRADING PLAN

HILLSIDE ESTATES SUBDIVISION

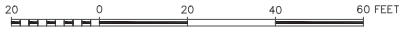
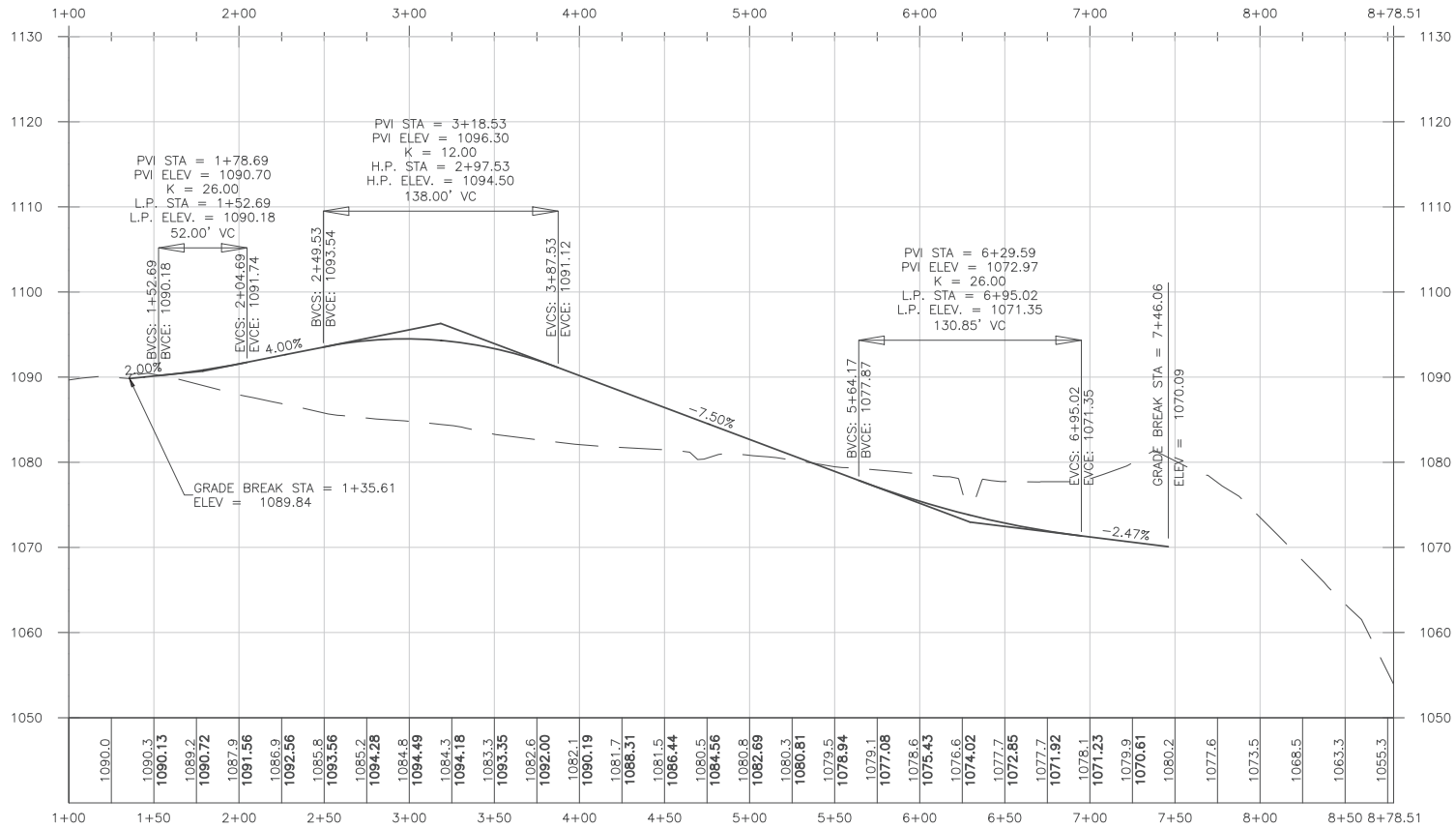
FRANKLIN AND BENNETT AVE.

COUNCIL BLUFFS, IOWA

DATE: 3/3/21
DESIGNED BY: TLM
DRAWN BY: JRB
CHECKED BY: TLM

SHEET NO.

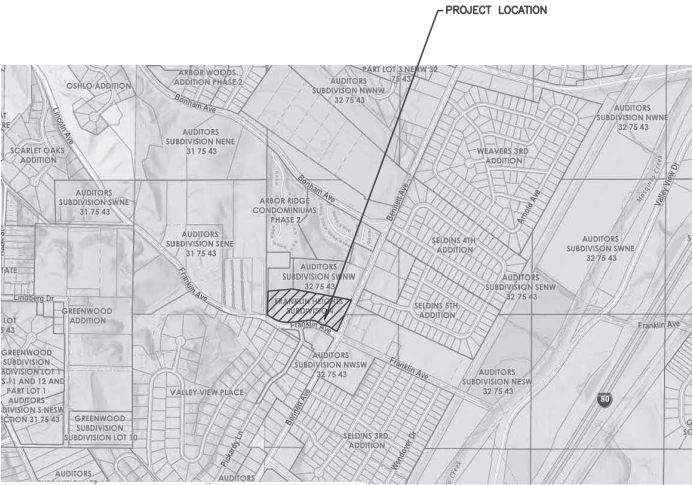
C2.1



NOTE:
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "IOWA ONE CALL" 800/292-8889 PRIOR TO DIGGING.

OWNER/DEVELOPER
CHRISTOPHER GIBBONS
CITY OF COUNCIL BLUFFS
COMMUNITY DEVELOPMENT DEPT.
209 PEARL STREET
COUNCIL BLUFFS, IA. 51503

ENGINEER
TERRY MORRISON, P.E.
EHRHART GRIFFIN & ASSOCIATES
142 WEST BROADWAY, SUITE 136
COUNCIL BLUFFS, IOWA
(712) 256-5248



VICINITY MAP
NORTH
NOT TO SCALE

PROJECT NO.
EGA201169

REVISIONS	NO.	DESCRIPTION	DATE	BY

EHRHART GRIFFIN & ASSOCIATES

142 West Broadway
Suite 136
Council Bluffs, Iowa 51503
712 / 256-5248

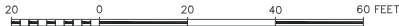
- ENGINEERING
- PLANNING
- LAND SURVEYING

PRELIMINARY SITE PROFILES
HILLSIDE ESTATES SUBDIVISION
FRANKLIN AND BENNETT AVE.
COUNCIL BLUFFS, IOWA

DATE: 3/3/21
DESIGNED BY: TLM
DRAWN BY: JRB
CHECKED BY: TLM

SHEET NO.
C2.2

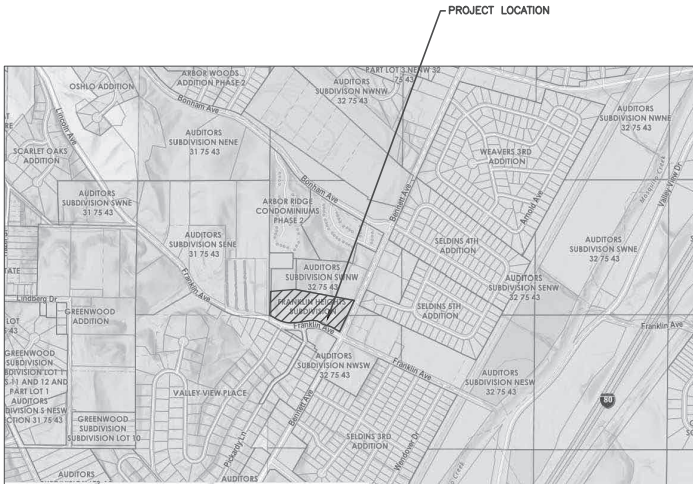
S:\201169-FRANKLIN AVE SUB\ENGINEERING\PRELIMINARY PLANS\Preliminary Utilities_201169.dwg, 3/3/2021 9:17:53 AM



NOTE:
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "IOWA ONE CALL" 800/292-8889 PRIOR TO DIGGING.

LEGEND

- LIMITS OF CONSTRUCTION
- PROPERTY LINE
- B.L. --- BUILDING LINE
- SETBACK LINE
- PROPOSED STORM PIPE
- PROPOSED SANITARY PIPE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED STORM SEWER MANHOLE
- PROPOSED INLETS
- W --- PROPOSED WATER
- EXISTING SANITARY PIPE
- EXISTING STORM PIPE
- EXISTING INLET
- EXISTING MANHOLE



VICINITY MAP



OWNER/DEVELOPER
CHRISTOPHER GIBBONS
CITY OF COUNCIL BLUFFS
COMMUNITY DEVELOPMENT DEPT.
209 PEARL STREET
COUNCIL BLUFFS, IA. 51503

ENGINEER
TERRY MORRISON, P.E.
EHRHART GRIFFIN & ASSOCIATES
142 WEST BROADWAY, SUITE 136
COUNCIL BLUFFS, IOWA
(712) 256-5248

PROJECT NO.
EGA201169

REVISIONS	NO.	DESCRIPTION	DATE	BY

EHRHART
GRIFFIN &
ASSOCIATES

142 West Broadway
Suite 136
Council Bluffs, Iowa 51503
712 / 256-5248

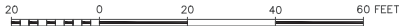
- ENGINEERING
- PLANNING
- LAND SURVEYING

PRELIMINARY SITE UTILITIES PLAN
HILLSIDE ESTATES SUBDIVISION
FRANKLIN AND BENNETT AVE.
COUNCIL BLUFFS, IOWA

DATE: 3/3/21
DESIGNED BY: TLM
DRAWN BY: JRB
CHECKED BY: TLM

SHEET NO.
C3.1

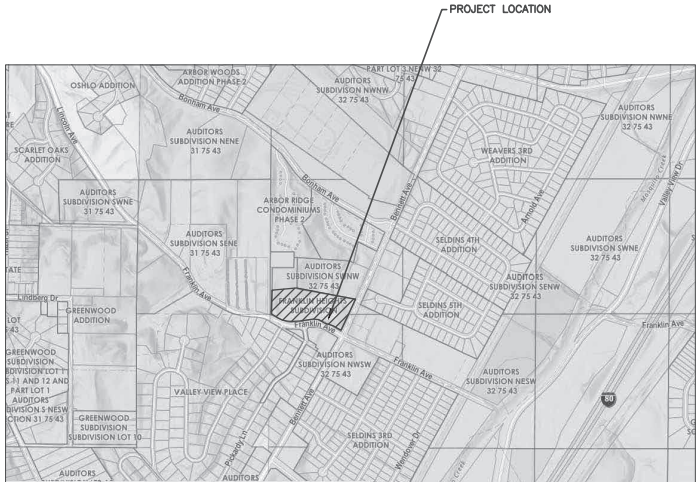
S:\201169-FRANKLIN AVE SUB\ENGINEERING\PRELIMINARY PLANS\Preliminary Landscape Plan_201169.dwg, 3/16/2021 8:44:28 AM



NOTE:
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "IOWA ONE CALL" 800/292-8989 PRIOR TO DIGGING.

LEGEND

- PROJECT BOUNDARY LINE
- - - PROPERTY LINE
- ▨ PROPOSED PAVEMENT
- ▤ PROPOSED SIDEWALK
- B.L. BUILDING LINE
- - - SETBACK LINE
- PROPOSED STREET TREE
- PROPOSED SHRUBS (18" - 24" TALL)



VICINITY MAP



OWNER/DEVELOPER
CHRISTOPHER GIBBONS
CITY OF COUNCIL BLUFFS
COMMUNITY DEVELOPMENT DEPT.
209 PEARL STREET
COUNCIL BLUFFS, IA. 51503

ENGINEER
TERRY MORRISON, P.E.
EHRHART GRIFFIN & ASSOCIATES
142 WEST BROADWAY, SUITE 136
COUNCIL BLUFFS, IOWA
(712) 256-5248

PROJECT NO.
EGA201169

REVISIONS	NO.	DESCRIPTION	DATE	BY

EHRHART GRIFFIN & ASSOCIATES

142 West Broadway
Suite 136
Council Bluffs, Iowa 51503
712 / 256-5248

- ENGINEERING
- PLANNING
- LAND SURVEYING

PRELIMINARY SITE LANDSCAPE PLAN HILLSIDE ESTATES SUBDIVISION FRANKLIN AND BENNETT AVE. COUNCIL BLUFFS, IOWA

DATE: 3/16/21
DESIGNED BY: TLM
DRAWN BY: JRB
CHECKED BY: TLM

SHEET NO.

C4.1

Hillside Estates Subdivision

Preliminary Drainage Report

The proposed subdivision is located in FEMA Flood Zone “X”. The 6.36 acre site is located at the northwest corner of the intersection of Franklin Avenue and Bennett Avenue. The natural topography of the site slopes substantially (12% on average) from the northwest in a southeasterly direction with the drainage entering curb inlets along both Franklin Avenue and Bennett Avenue along the south and east side of the site.

Proposed pipes and inlet structures will be designed to convey runoff underground within the subdivision. Any runoff not captured by inlets will utilize overland flow directed towards two detention areas on-site. Additional runoff not routed to the detention areas will surface flow offsite to existing curb inlets along Franklin Avenue and Bennett Avenue. The site will utilize two dry detention basins to store the 100-year storm event. The pond on the south side of the site has a detention volume of approximately 12,900 cubic feet. The pond in the northeast corner of the site has a detention volume of approximately 13,300 cubic feet. Runoff from the site will be treated with two hydrodynamic separator manholes, located at the outlets of the two dry detention basins, to meet water quality requirements determined by the Iowa Department of Natural Resources. The captured runoff will be discharged to the public storm sewer infrastructure adjacent to the site following the detention and water quality processes. See Table 1 below for existing and proposed runoff rates for the site.

Table 1. Discharge Rate Summary

Design Storm (year)	Existing Q, cfs	Proposed Q, cfs (without detention)	Proposed Q, cfs (with detention)	Peak Flow Reduction (cfs)*
2	15.01	22.28	7.33	7.68
10	22.38	33.23	10.71	11.67
100	39.45	58.56	31.36	8.08

*This represents a reduction from the existing condition to the final proposed condition

The roadway profiles will be designed to follow existing grades and minimize earthwork haul-off/import due to the steep topography of the site. Profile grades will be designed with a minimum of 0.5% slope and inlets will be located so gutter spread does not exceed SUDAS Design Standards.

Prepared By: Terry L. Morrison, P.E.



Ehrhart Griffin & Associates
142 West Broadway, Suite 136
Council Bluffs, IA 51503

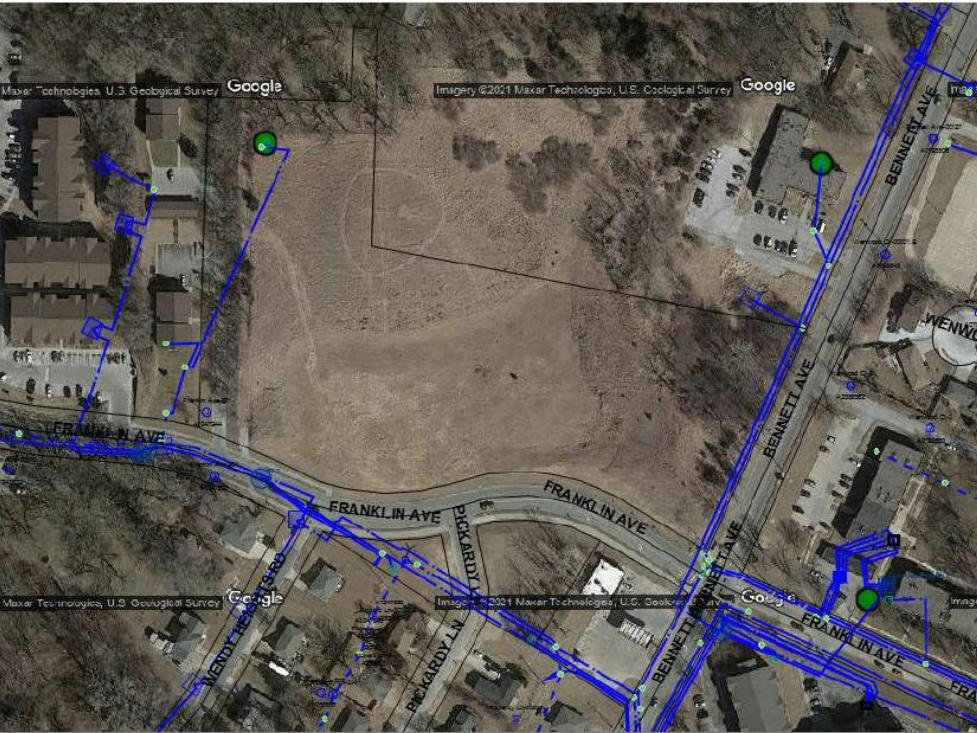
EGA Project No.: 201169
March 16, 2021

Attachment D

Cox Communications Facilities Map


Below you will be able to view where the Lumen facilities are located in the area of this development. All of our facilities are in blue. Some routes may not be in the exact location as shown.

Let me know if you have any questions.



CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASES #ZC-21-003, SUB-21-006, & PR-21-002 LOCATION/ZONING MAP

Legend

 Subject Property for Case
#SUB-21-006, Case #PR-21-
002, Case #ZC-21-003

 Parcels

0 87.5 175
1 inch = 175 feet



Last Amended: 3/22/2021



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

DISCLAIMER

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



Hillside Estates Minimum Requirements
27 Total Units

(For a more detailed summary of requirements, Covenants will be provided upon request)

LMI Townhomes (single family attached) **10**
units

LMI Houses (single family detached) **4**
units

- LMI housing will consist of 14 total structures (10 Townhomes and 4 Houses)
- Minimum requirement of 1200 square feet
- Minimum requirement of 3 bedrooms and 2 bathrooms
- Maximum purchase price of \$165,000
- LMI Townhomes will be slab on grade only
- Minimum requirement of one garage stall for Townhomes
- Minimum requirement of two garage stalls for Houses
- Spec homes with predetermined finish packages

OPEN MARKET Townhomes (single family attached) **4**
units

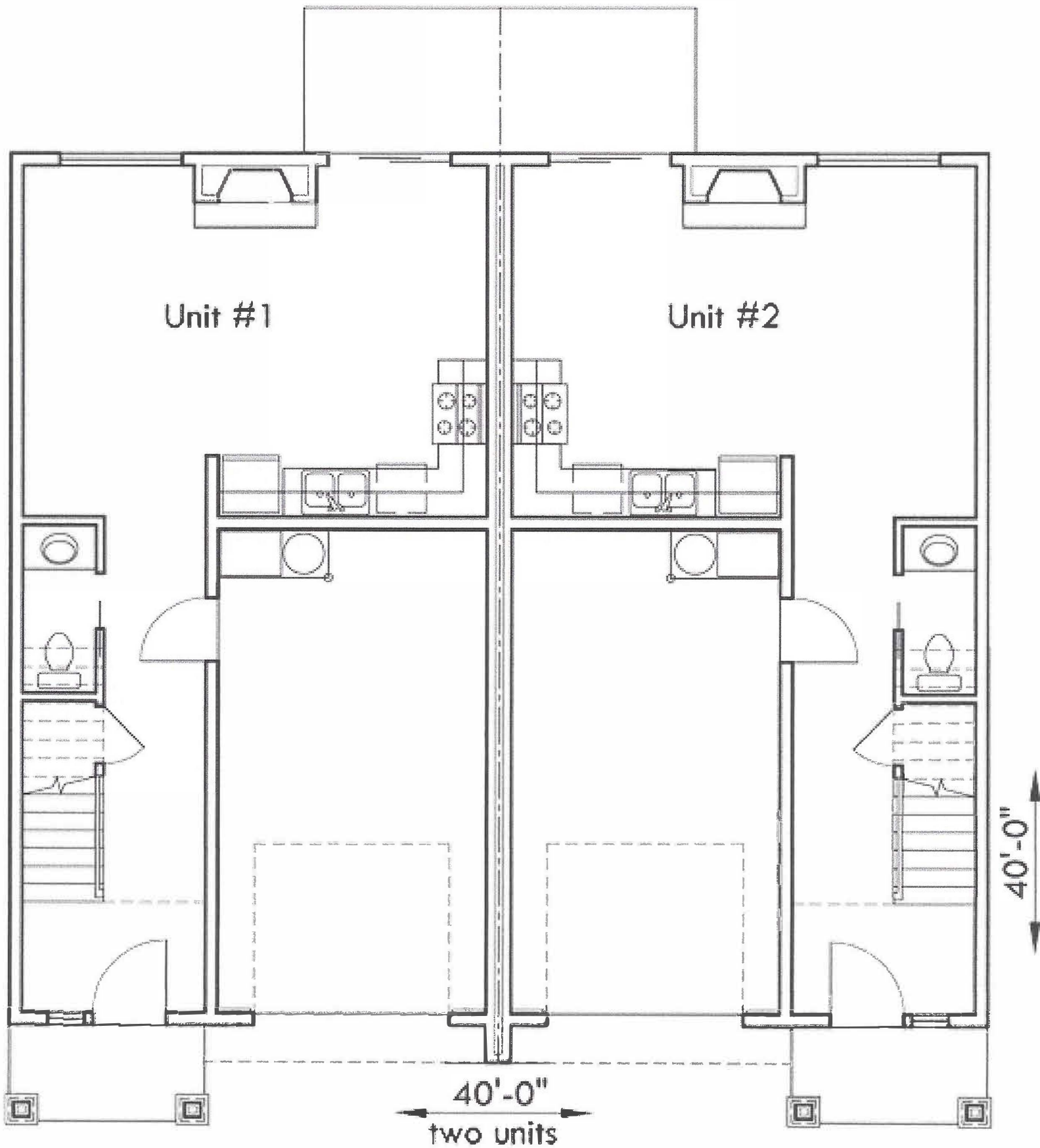
OPEN MARKET Houses (single family detached) **9**
units

- OPEN MARKET housing will consist of 13 total structures (4 Townhomes and 9 Houses)
- Target minimum requirement of 1300 square feet for ranch plans with unfinished basements
- Target minimum requirement of 1600 square feet for ranch plans, slab on grade
- Target minimum requirement of 1700 square feet for two-story, slab on grade
- Target purchase price of \$240,000-\$260,000 depending on semi-custom upgrades
- Finishing basements will be an optional upgrade
- Minimum requirement of two garage stalls
- Spec homes with predetermined finish packages and semi-custom options

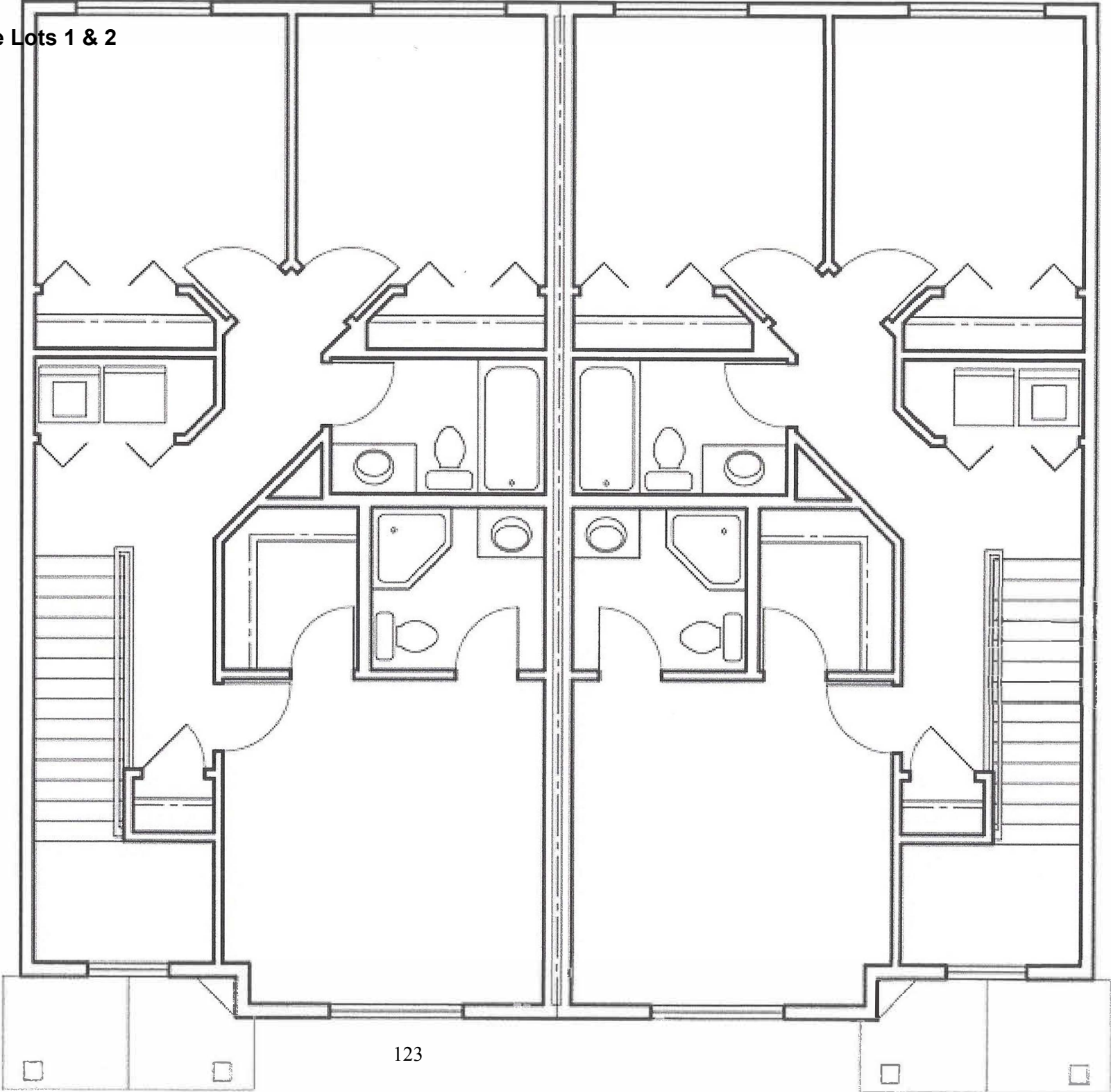
Townhome Lots 1 & 2



Townhome Lots 1 & 2



Townhome Lots 1 & 2



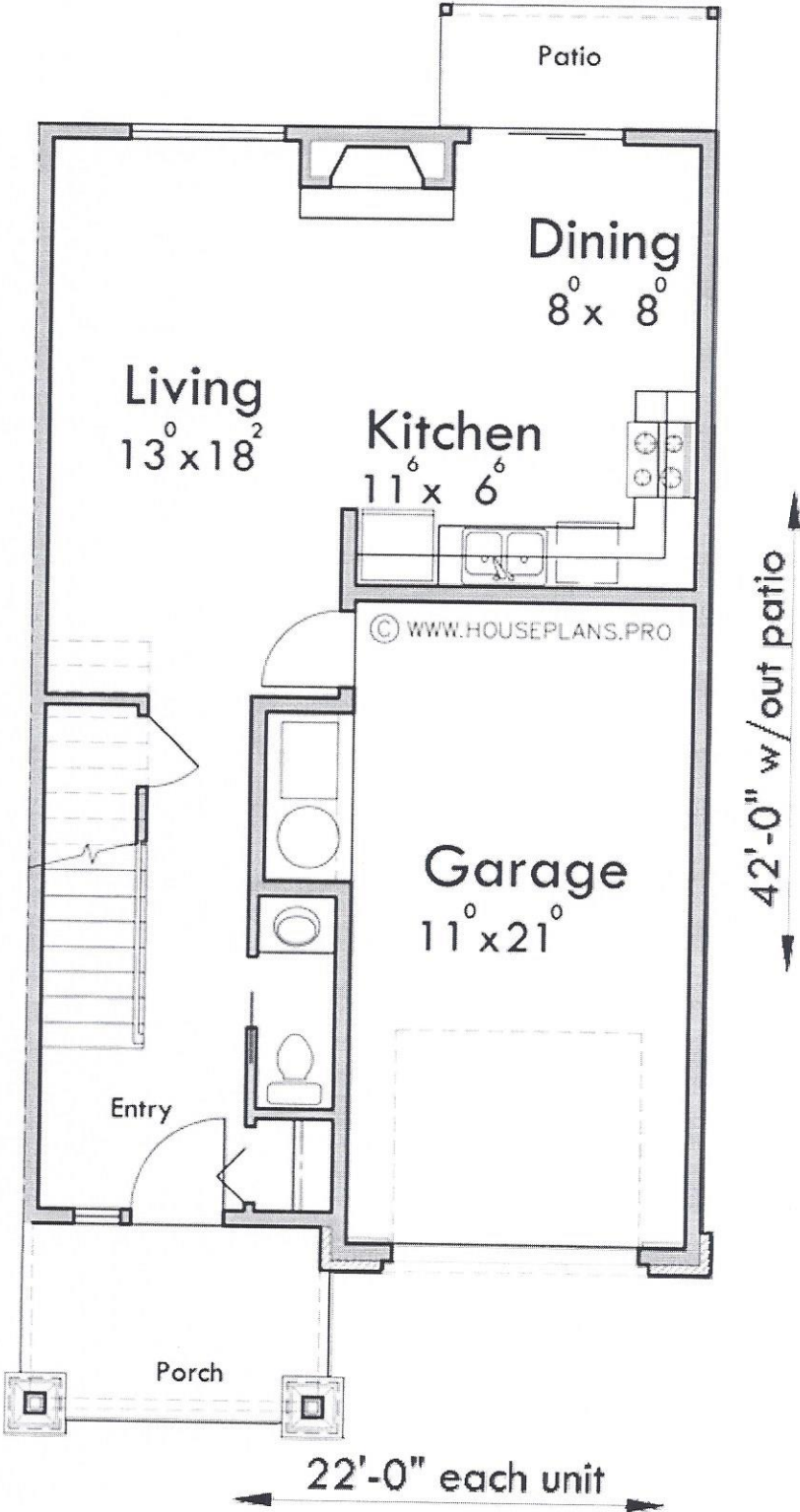
3/4

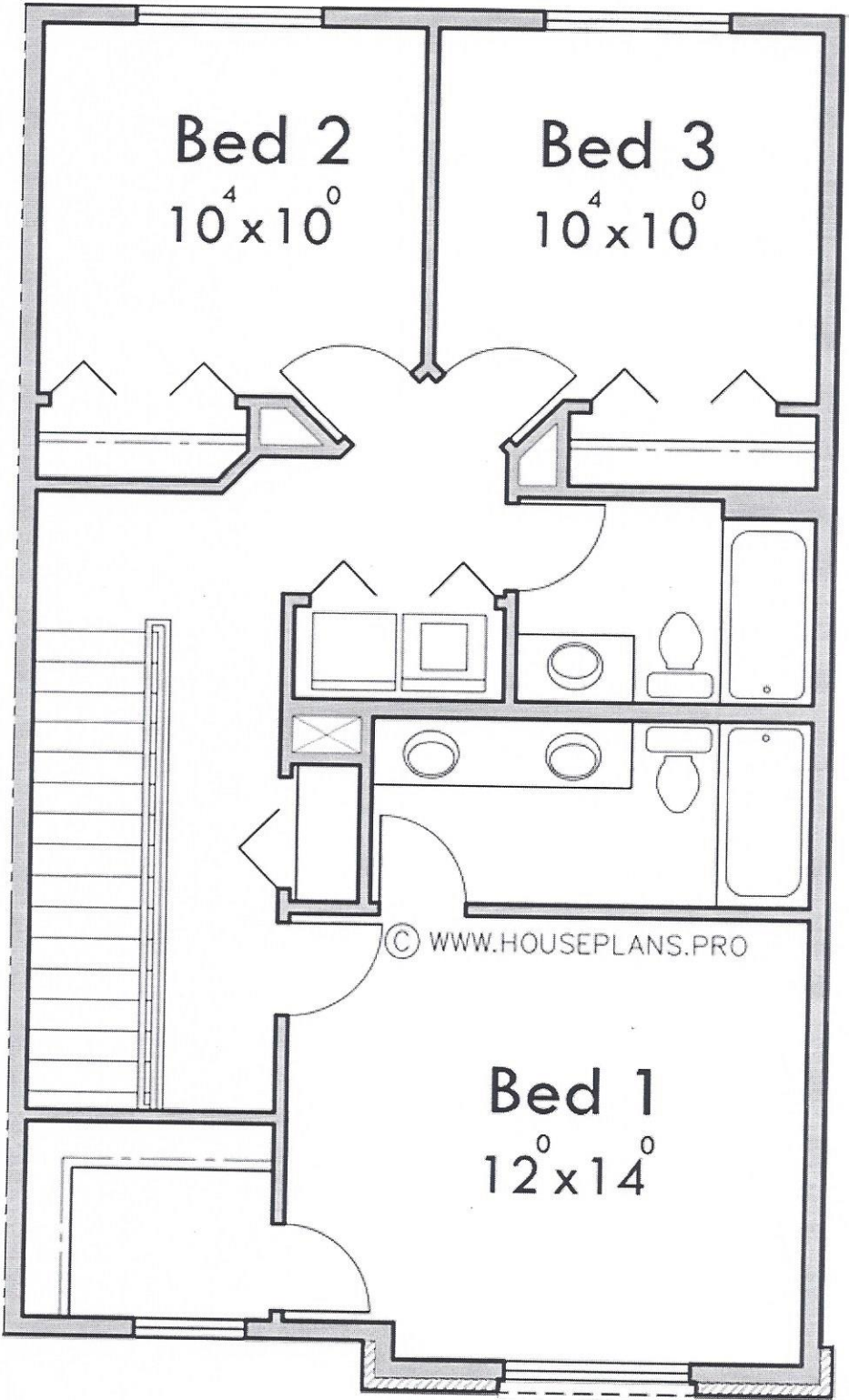
5/6

24/25



Townhome Lots 3 & 4 and 24 & 25





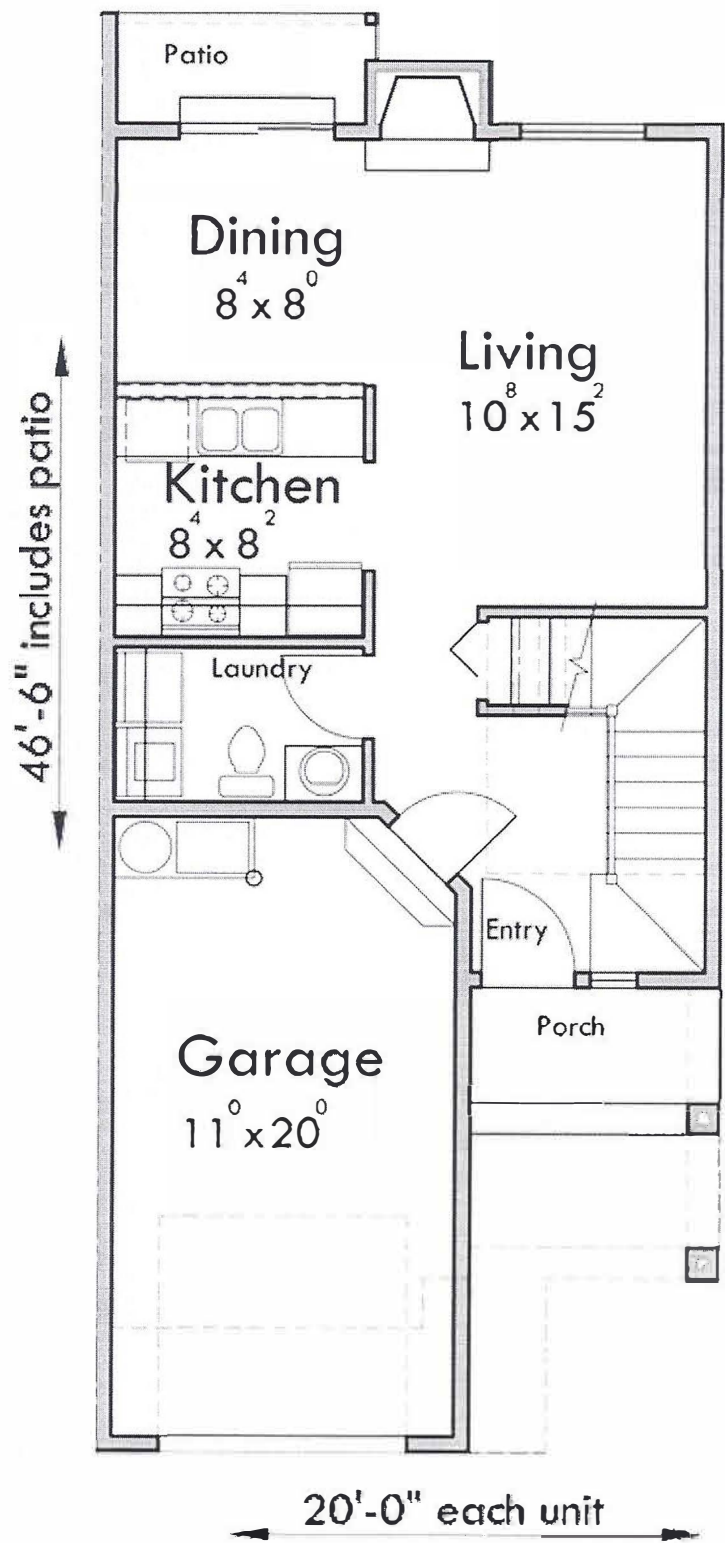
3/4

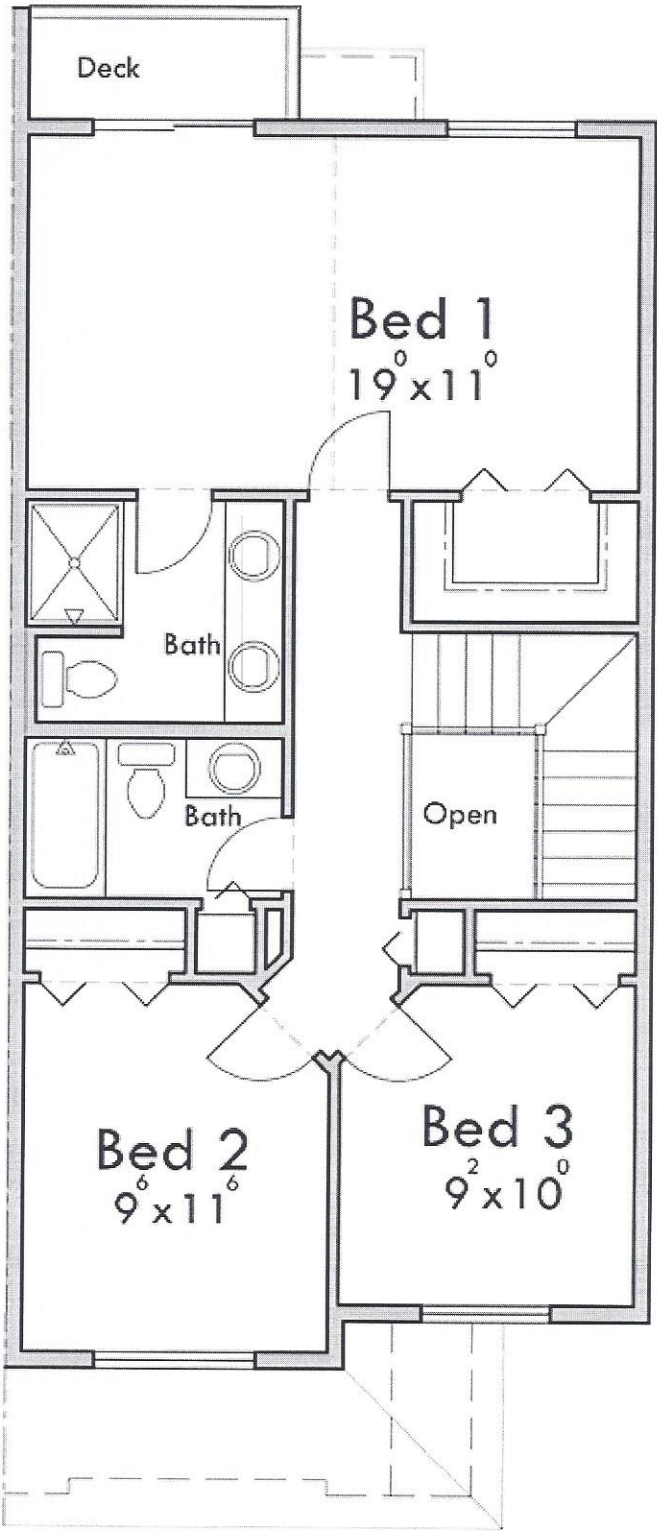
5/6

24/25

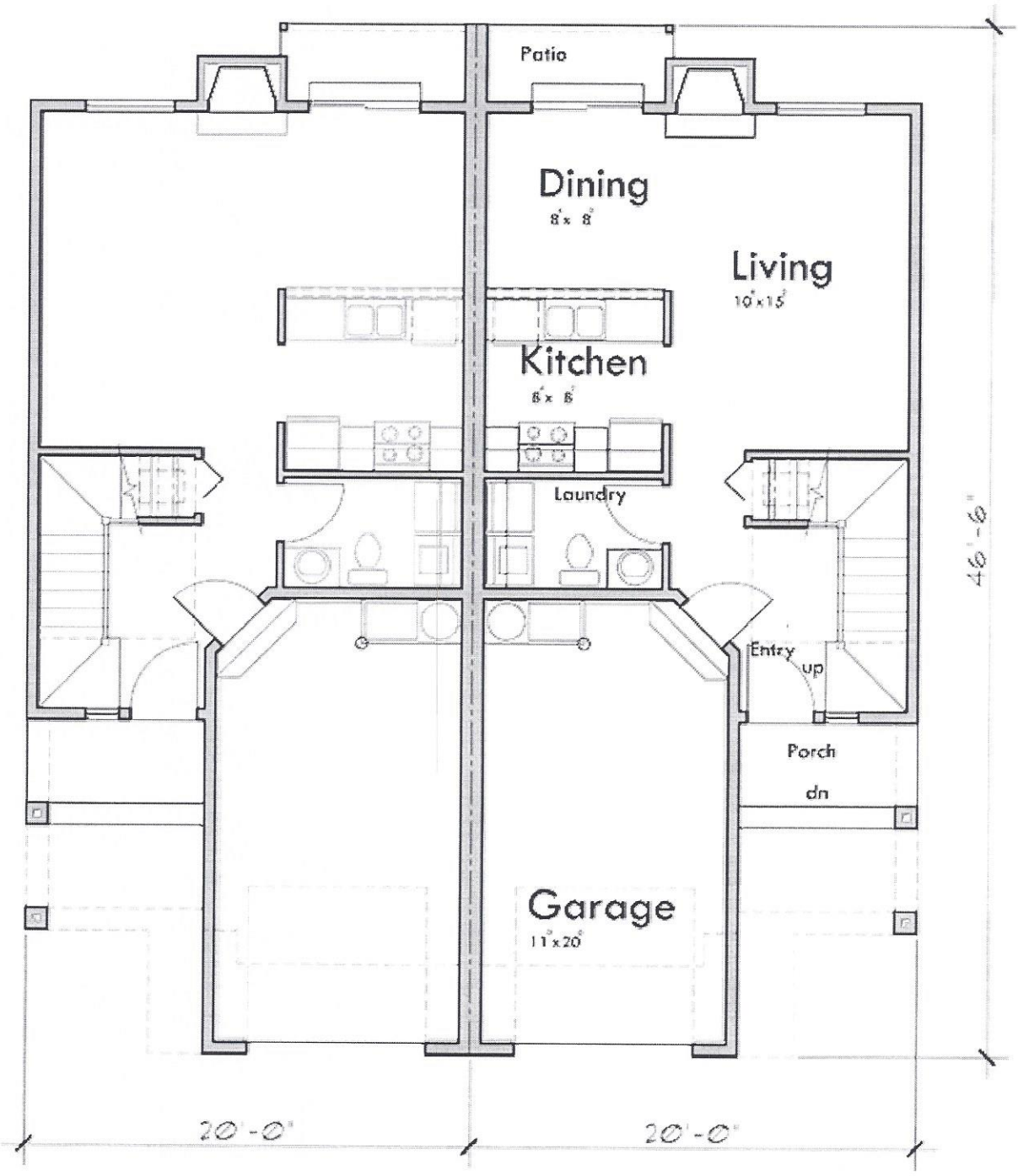


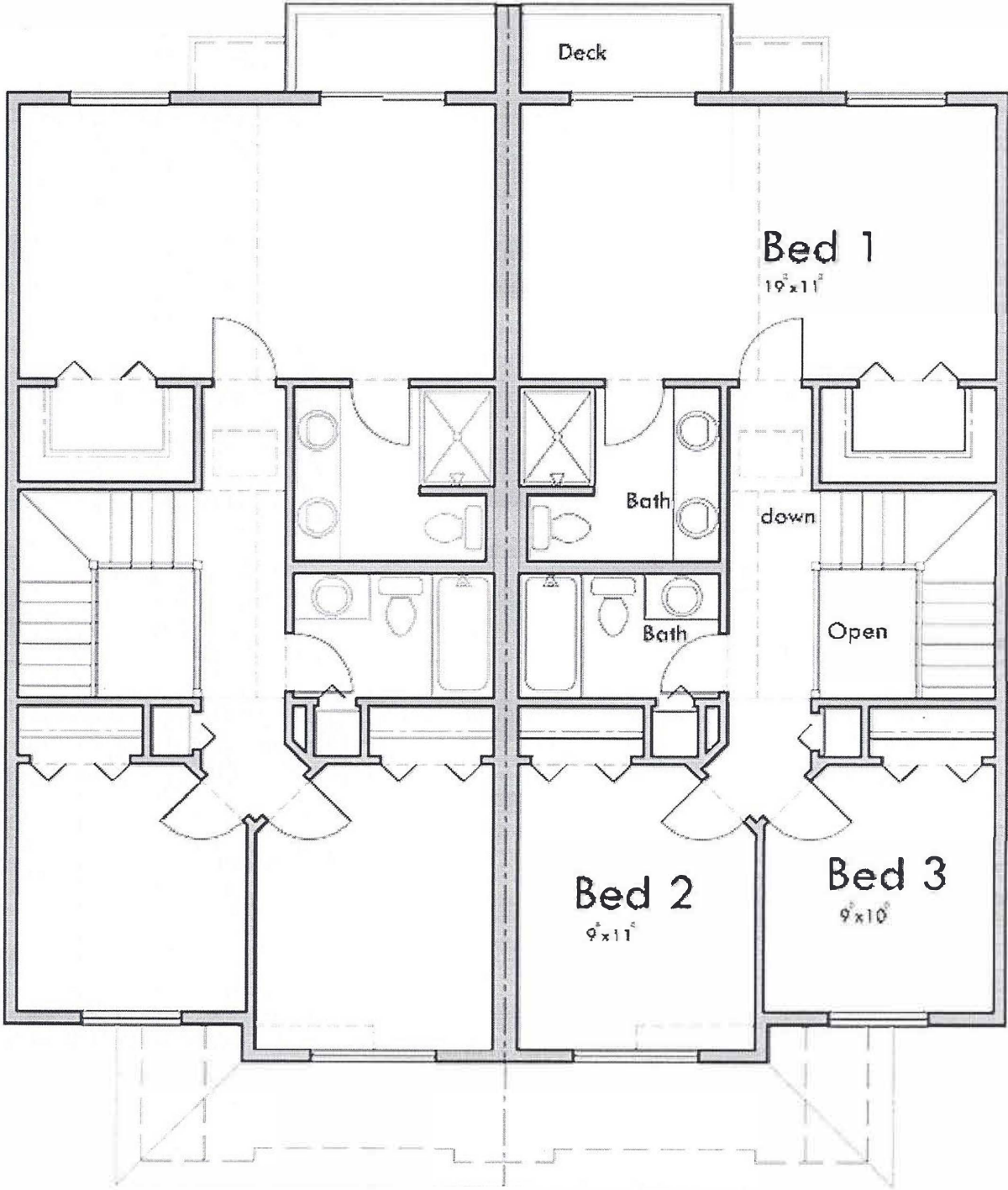
Townhome Lots 5 & 6 and 26 & 27



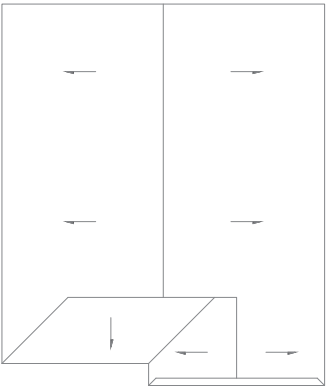
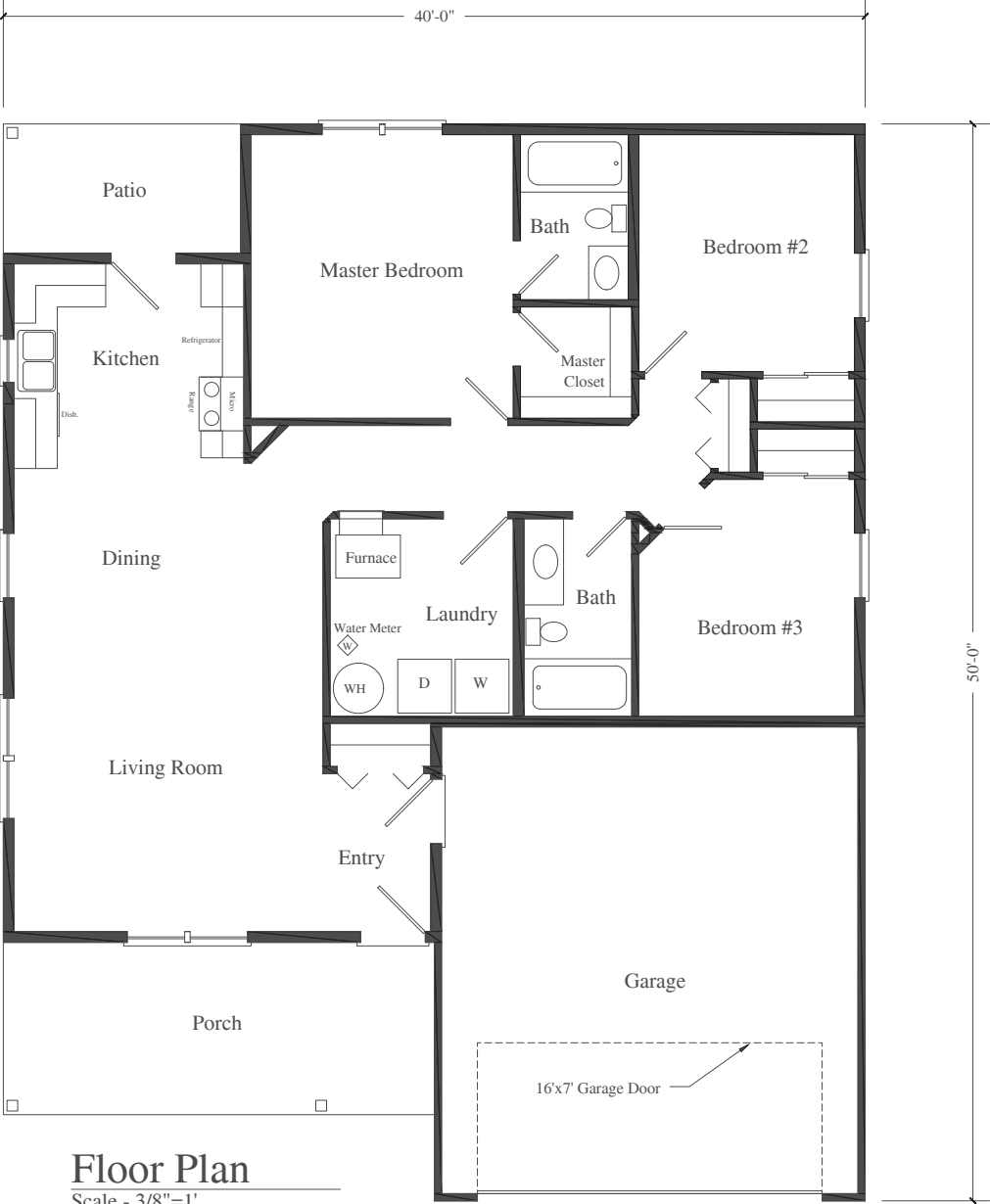


Townhome Lots 5 & 6 and 26 & 27

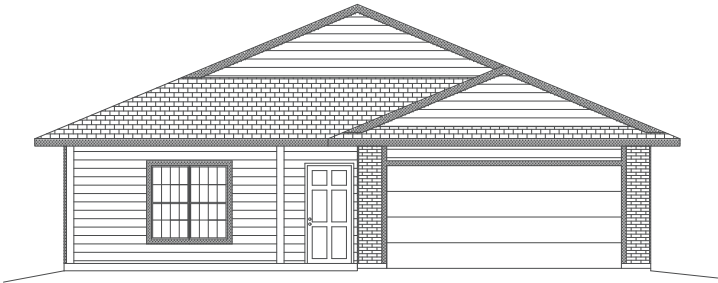




House Lots 7 & 22



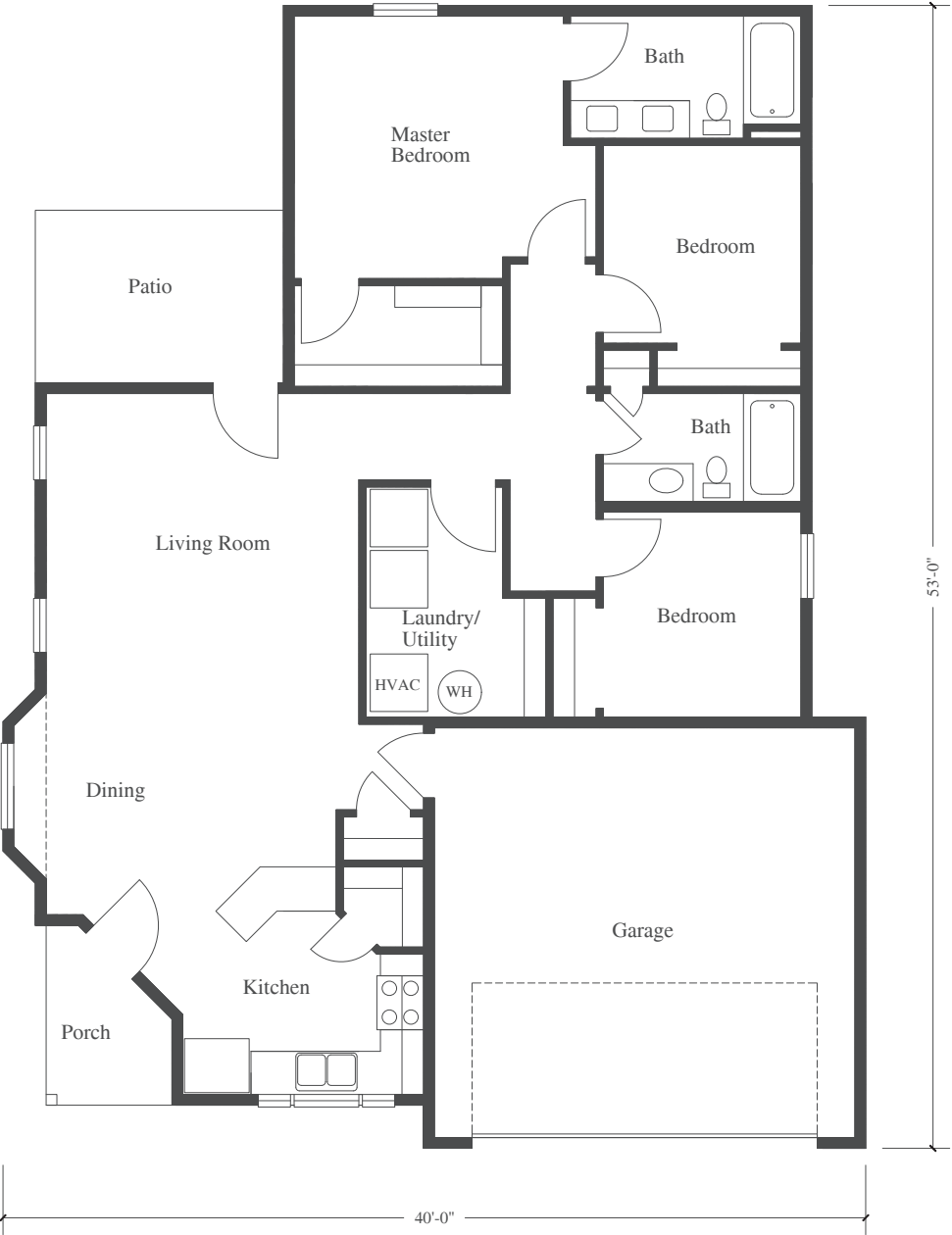
Roof Plan
Scale - 1/8"=1'



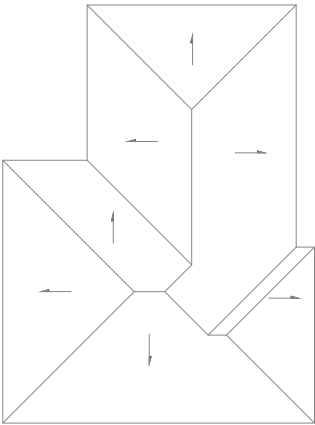
Front Elevation
Scale - 1/4"=1'

Notes:
Total Finished Area: 1257 sqft
Garage Area: 440 sqft

Slab Lot 8



Floor Plan
Scale - 1/4"=1'



Roof Plan
Scale - 1/8"=1'

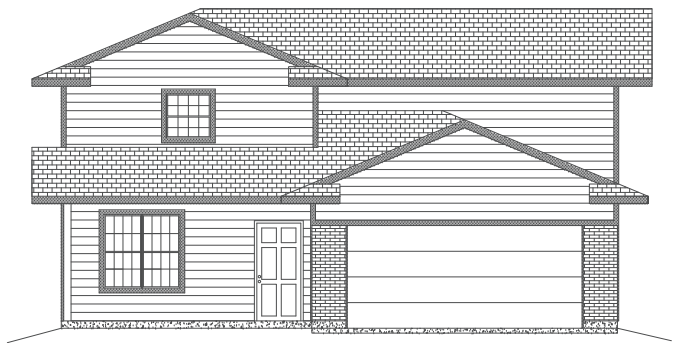


Front Elevation
Scale - 1/4"=1'

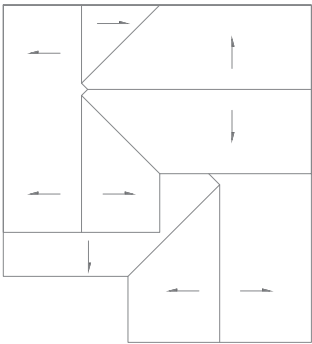
Notes:
Main Level: 1296 sqft
Garage: 410 sqft

Atlas Builders	
Lot 8	Hillside Estates
Rev 1	2/1/21
Rev 2	
Rev 3	
Sheet	1 / 1

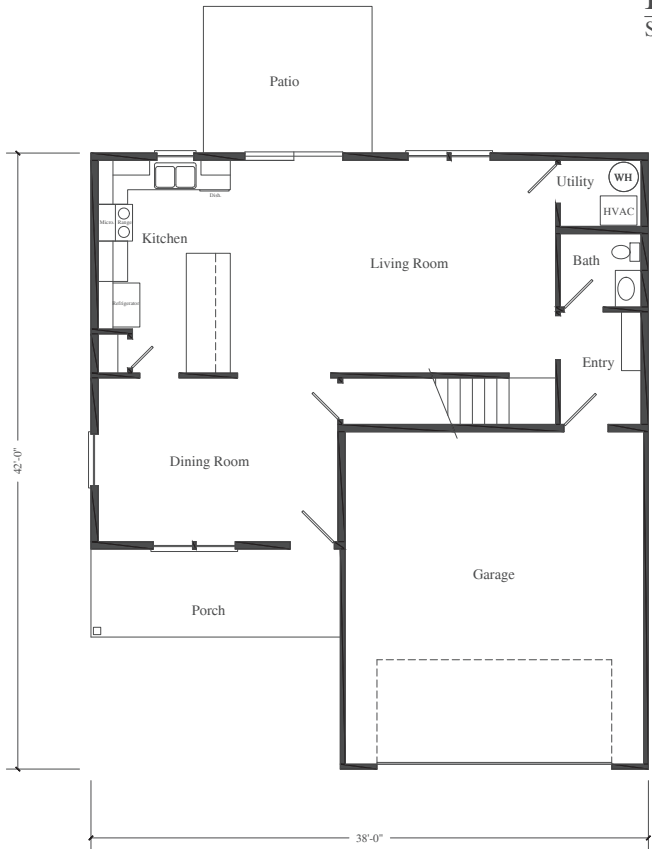




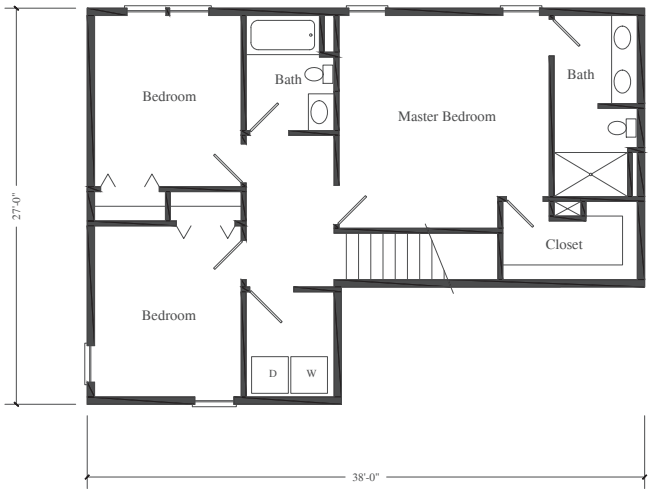
Front Elevation
Scale - 1/4"=1'



Roof Plan
Scale - 1/4"=1'



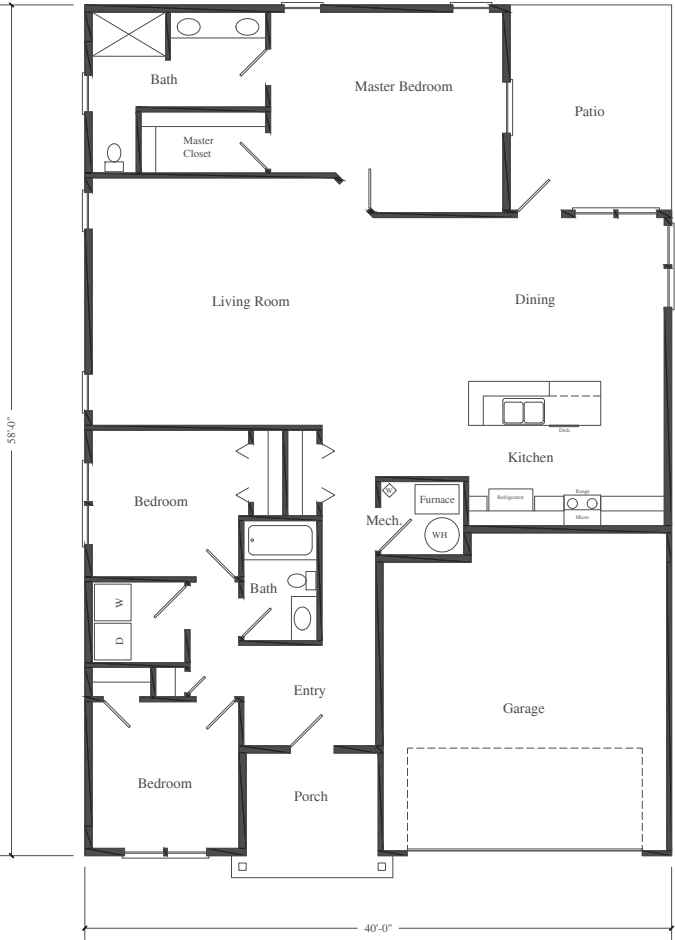
1st Floor Plan
Scale - 1/4"=1'



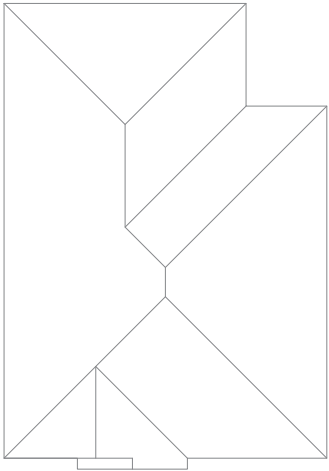
2nd Floor Plan
Scale - 1/4"=1'

Notes:
1st Floor: 860 sqft
2nd Floor: 860 sqft
Total Finished: 1720 sqft





Floor Plan
Scale - 1/4"=1'



Roof Plan
Scale - 1/8"=1'



Front Elevation
Scale - 1/4"=1'

Notes:
Total Finished Area: 1680 sqft
Garage Area: 440 sqft



Plan #F06-011D-0307

Dimensions: 40' W x 57' D
Heated Sq. Ft.: 1,529
Bedrooms: 3 **Bathrooms:** 2
Foundation: Joisted crawl space or post & beam standard; slab for a fee of \$101; basement for a fee of \$328
Exterior Walls: 2" x 6"
PDF File: \$932
5-Sets: \$1,032
CAD File: \$1,864

Pricing subject to change

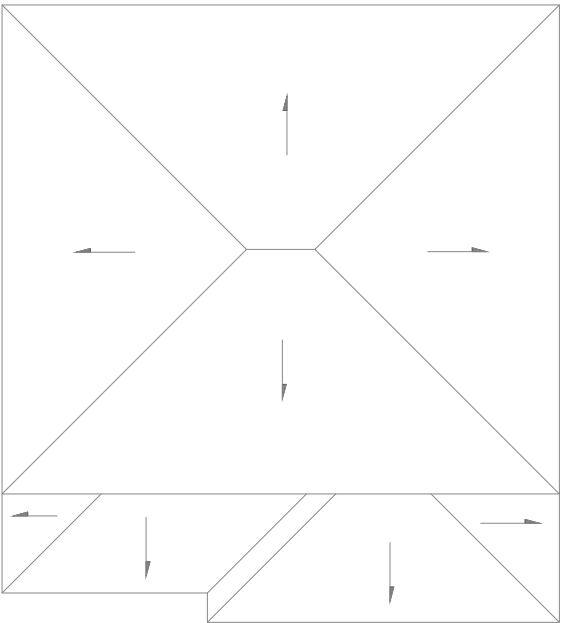


Images provided by
designer/architect

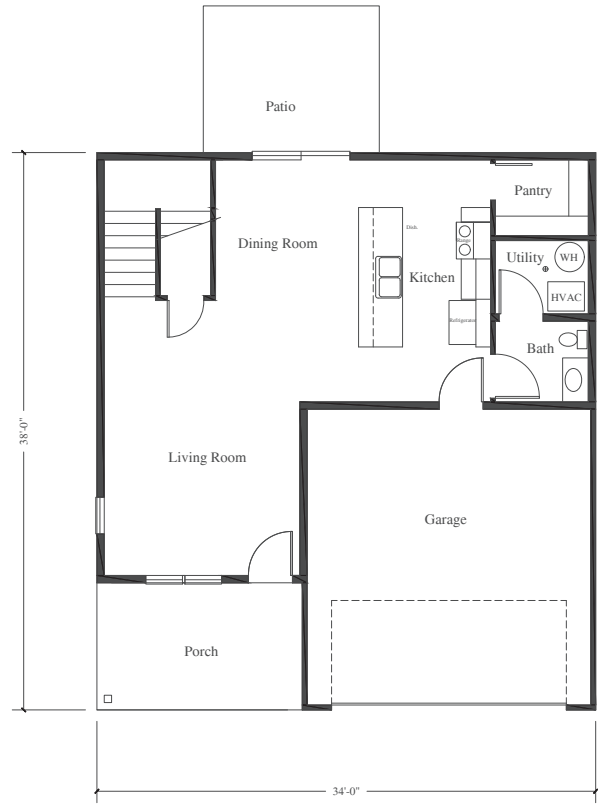




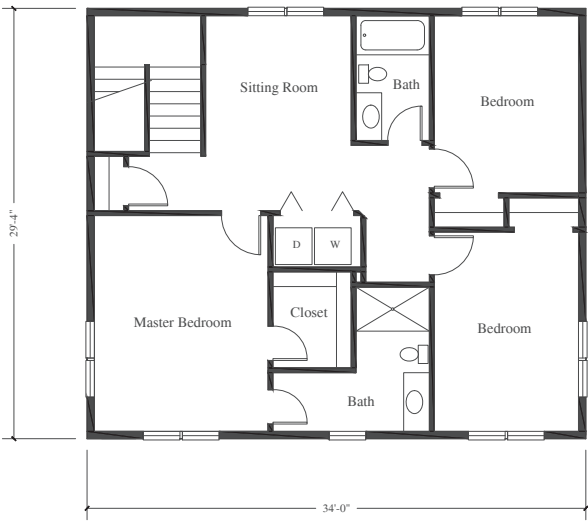
Front Elevation
Scale - 1/4"=1'



Roof Plan
Scale - 1/4"=1'



1st Floor Plan
Scale - 1/4"=1'



2nd Floor Plan
Scale - 1/4"=1'

Notes:

1st Floor: 747 sqft
2nd Floor: 997 sqft
Total Finished: 1744 sqft

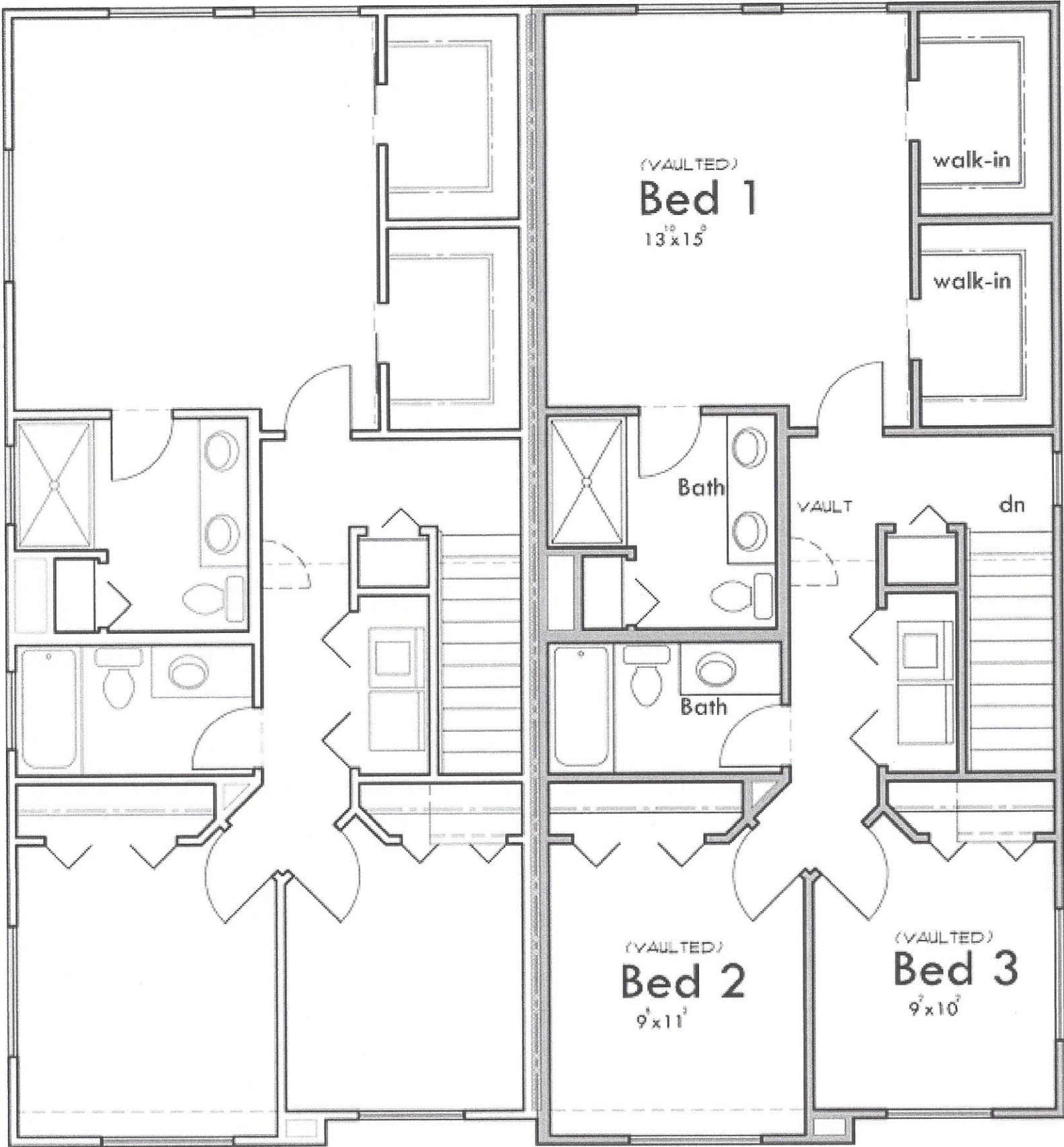


Townhome Lots 13 & 14

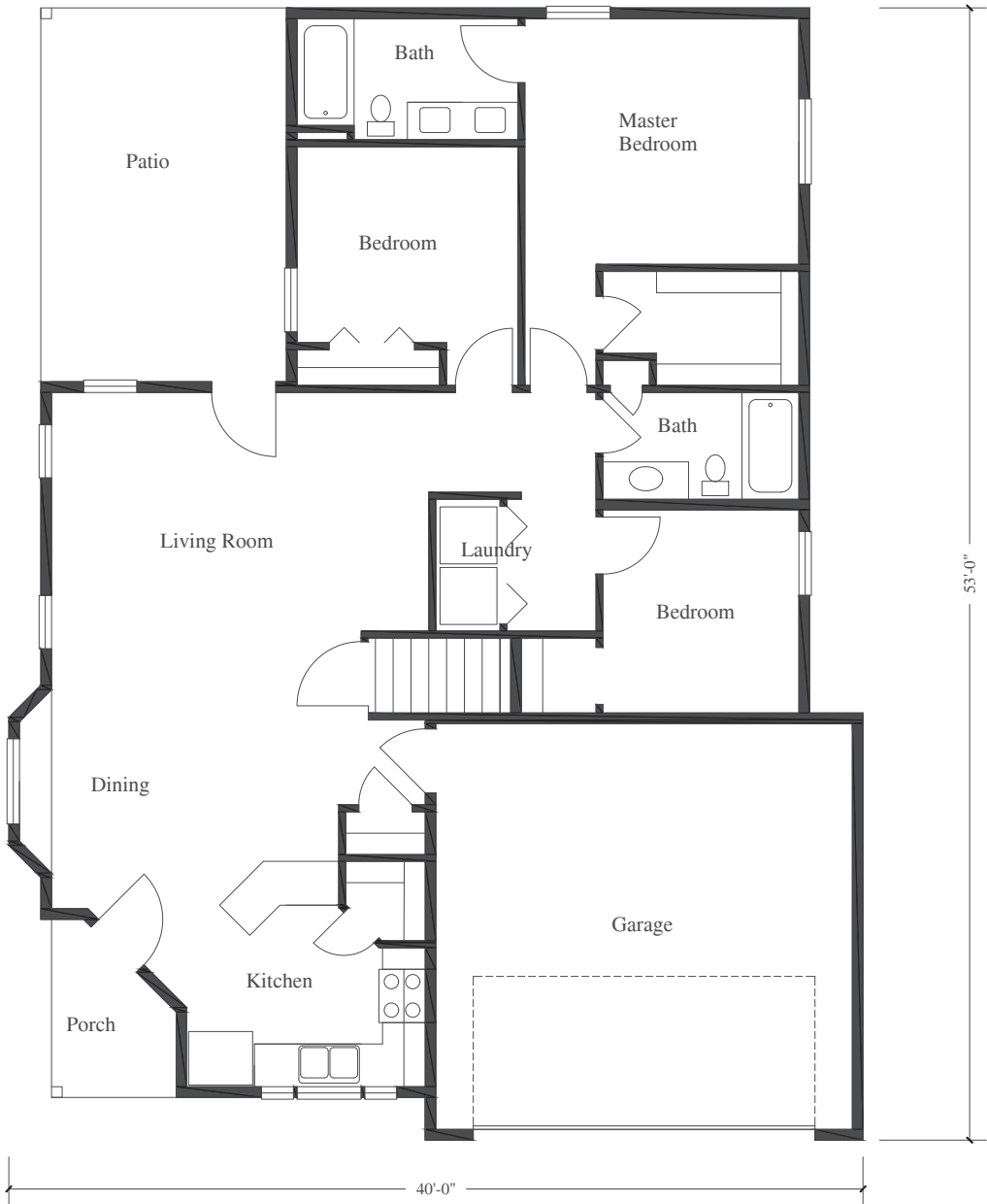


Townhome Lots 13 & 14





Walkout Lots 15 & 17



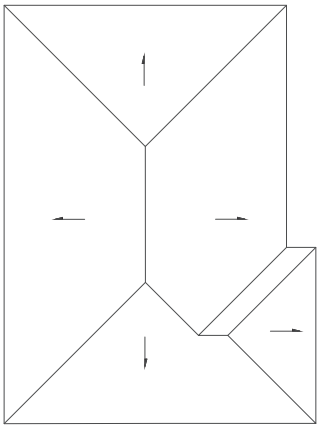
Floor Plan

Scale - 3/8"=1'



Front Elevation

Scale - 1/4"=1'



Roof Plan

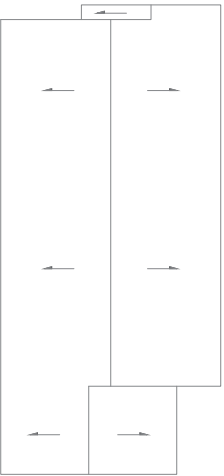
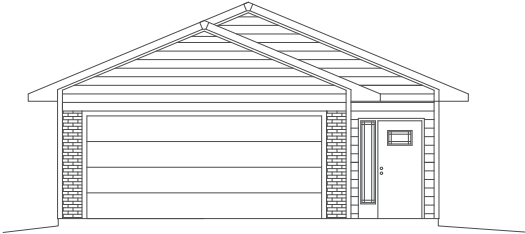
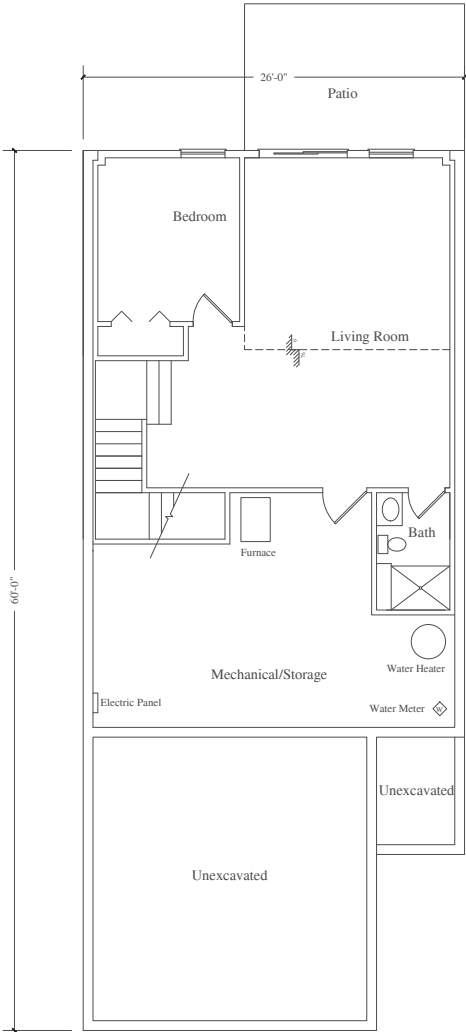
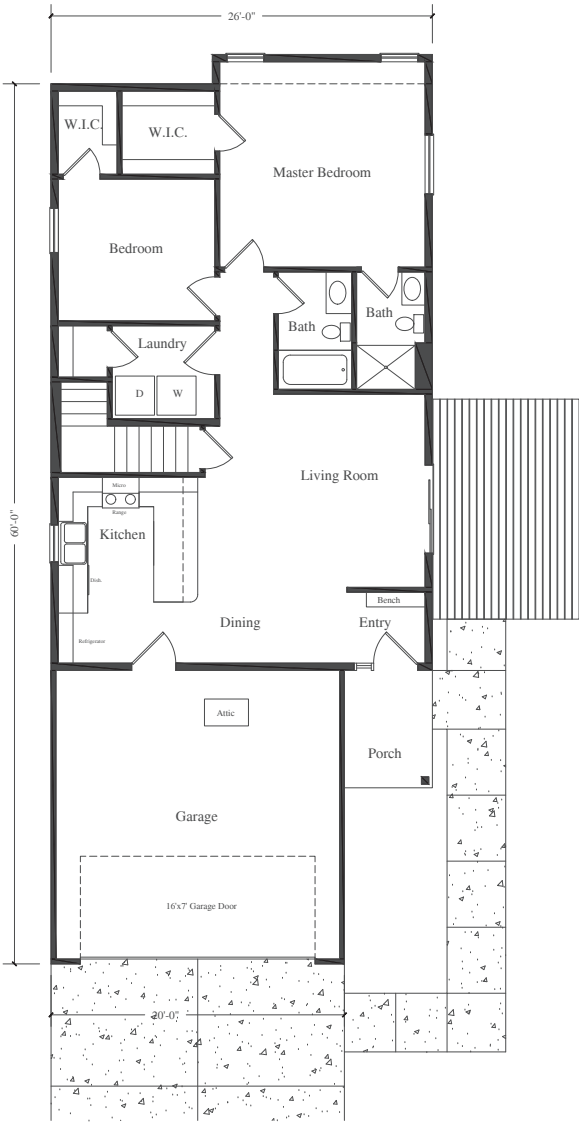
Scale - 1/8"=1'

Notes:
Basement: 1286 sqft
Main Level: 1296 sqft
Total Finished: 1296 sqft

Atlas Builders	
Rev 1	3/29/21
Rev 2	
Rev 3	
Sheet	1/1



Walkout Lot 18

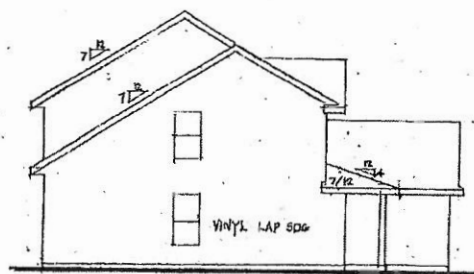


Notes:

Basement: 660 sqft
Main Level: 1070 sqft
Total Finished: 1730 sqft

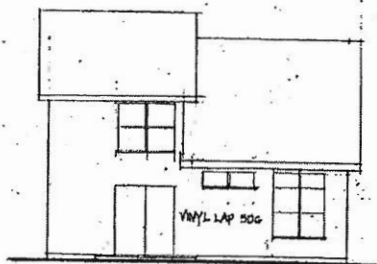
Atlas Builders	
Lot 18	
Rev 1	3/12/21
Rev 2	
Rev 3	
Sheet	1/1

House Lots 21 & 23



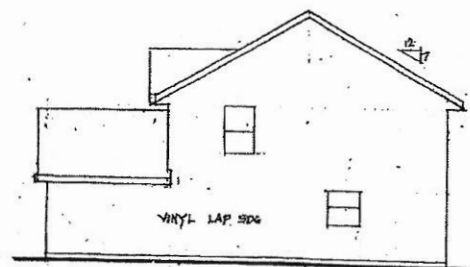
LEFT ELEVATION

1/8" = 1'-0"



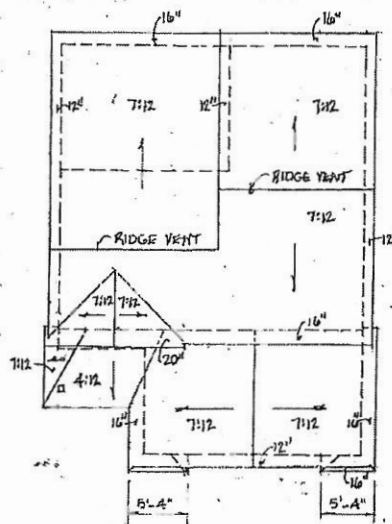
REAR ELEVATION

1/8" = 1'-0"



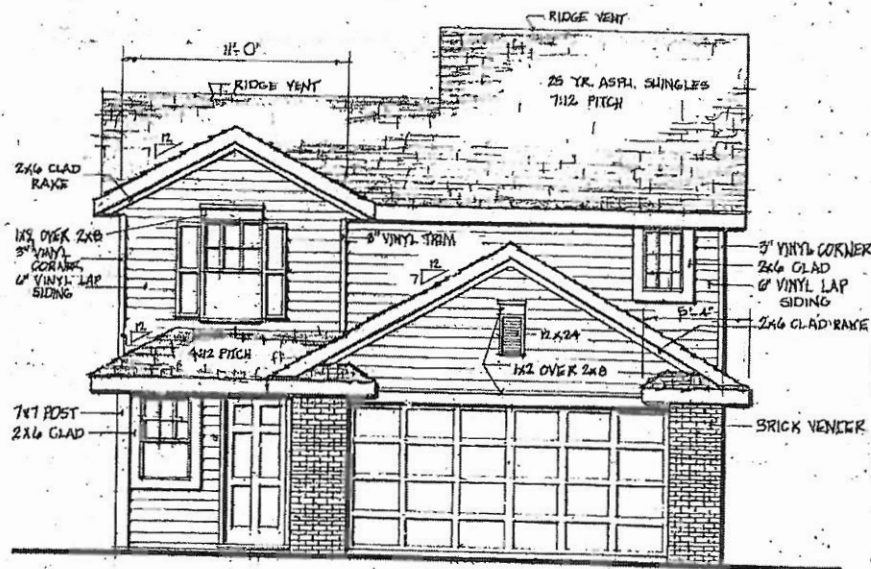
RIGHT ELEVATION

1/8" = 1'-0"



ROOF PLAN

1/8" = 1'-0"



FRONT ELEVATION

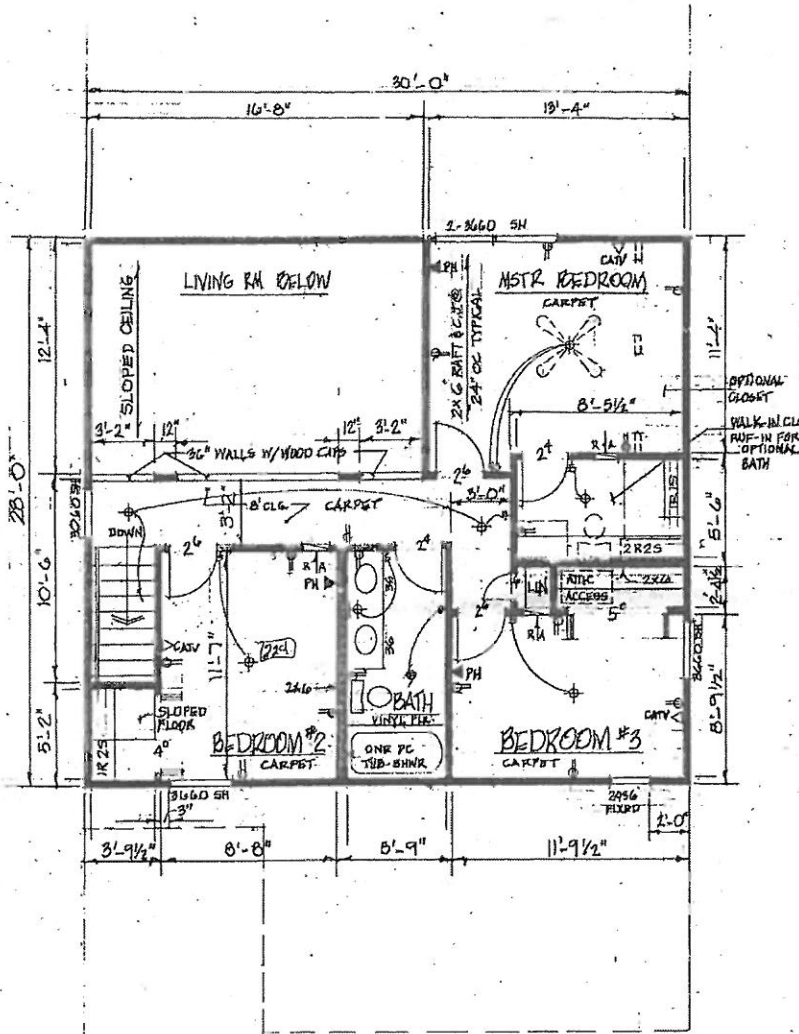
1/4" = 1'-0"

COPYRIGHT MAY, 2011

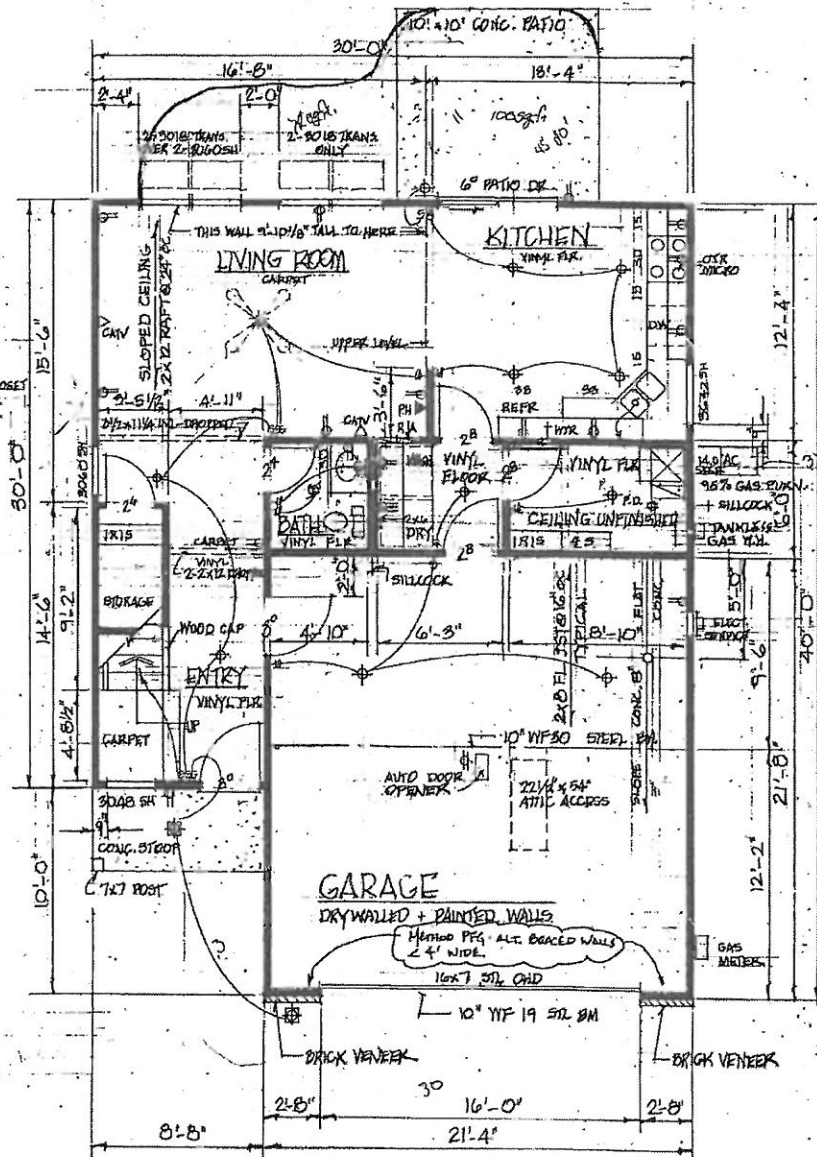
5355 Paragon Dr.
Omaha, NE 68152
Sheri Super, President
Ph 402-616-5188

Design &
Construction, Inc.

ENCORE



FINISHED	50. FT
UPPER	634
MAIN	605
TOTAL	1237
Garage	400



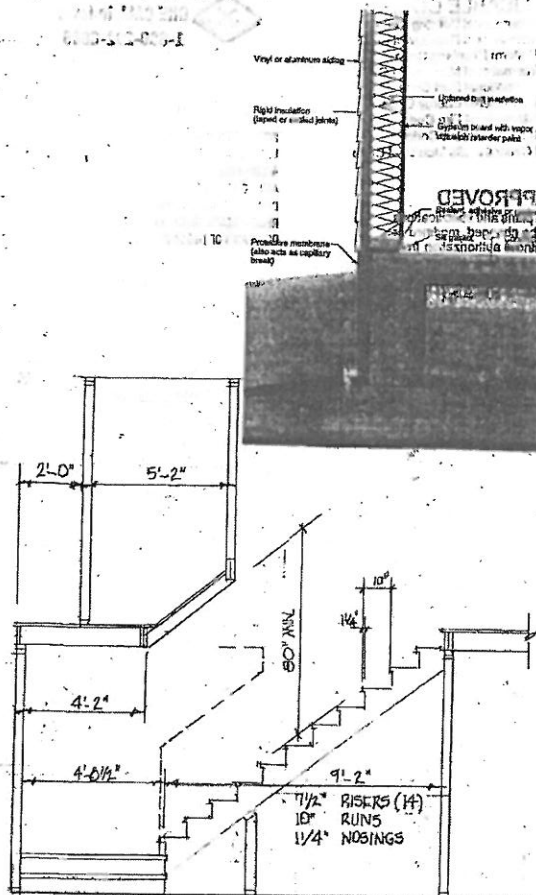
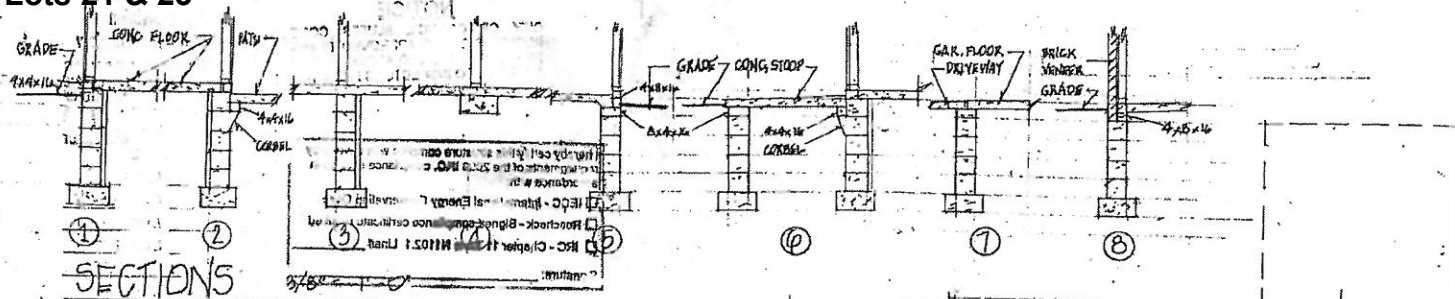
COPYRIGHT MAY, 2011

5355 Panorama Dr.
Omaha, NE 68152
Sherrill Super, President
PH 402-616-6193

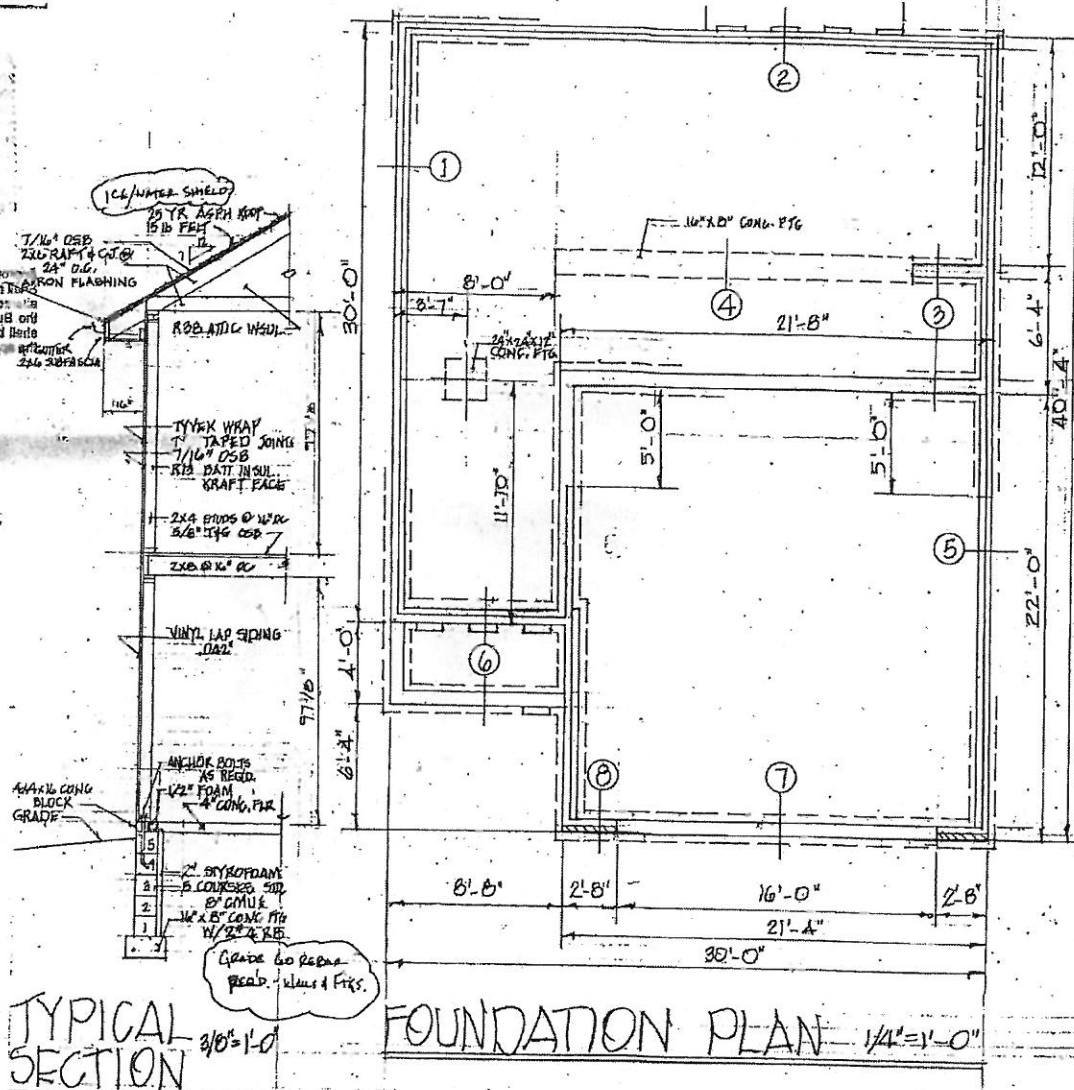
Design &
Construction Inc.

ENCORE

House Lots 21 & 23



STAIR SECTION. $3/8" = 1' - 0"$



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

ENCORE

Design & Construction, Inc.

5355 Parsonage Dr.
Omaha, NE 68152
Sherrin Soper, President
Ph 402-618-5123

Copyright MAY 2011



Species	Spacing	Size Category
Magnolia	10-20'	Small
Dogwood	20'	Small
Purple Plum	20'	Small
Service Berry	20'	Small
Redbud	20-25'	Small
Hawthorn (thornless)	20-25'	Small
Crabapple (all)	20-25'	Small
Lilac Tree	20-25'	Small
Black Gum	20-30'	Small-Medium
Ornamental Cherry	25-35'	Small-Medium
Birch (River or Clump)	30'	Medium
Golden Rain	35'	Medium
Hornbeam	35-40'	Medium
Japanese Pagoda	40'	Medium
Buckeye	40'	Medium
Tulip Tree	40'	Medium
Red Oak	45'	Large
Bur Oak	45'	Large
White Oak	45'	Large
Yellowwood	45'	Large
Lindens	50'	Large
Locust	50'	Large
Gingko (male)	50'	Large
Kentucky Coffee Bean	50-60'	Large
Chinquapink Oak	50-60'	Large
Swamp White Oak	50-60'	Large
Sycamore	60'	Large

Small = 20-30'

Medium = 30-45'

Large = 45' and taller

There are other varieties we can recommend, please call 712-890-5291 for more information.

Tree we do not permit on City properties include: Willows, Poplars, Pin Oak, Tree of Heaven, Persimmon, Boxelder, Mulberry, Cottonwoods, Evergreens, Russian Olive, Weeping crab, Birch (weeping or paper), Hawthorn (with thorns), Elms, Ash, select Maples - call for more information), and fruit trees.

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request of Community Development Department to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Lot 1, Franklin Heights Subdivision from A-P/Administrative Professional District to R-2/Two-family Residential District, as defined in Chapter 15.09 of the Municipal Code of Council Bluffs, Iowa, and appending a Planned Residential Overlay and adopting a planned residential development plan for said property, as per Chapter 15.28 of the Municipal Code of Council Bluffs, Iowa.

You are further notified that the public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 10th day of May, 2021 in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

Jodi Quakenbush, City Clerk

ORDINANCE NO. 6454

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS BEING LOT 1, FRANKLIN HEIGHTS SUBDIVISION FROM A-P/ ADMINISTRATIVE-PROFESSIONAL DISTRICT TO R-2/TWO-FAMILY RESIDENTIAL DISTRICT AS DEFINED IN CHAPTER 15.09 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, AND APPENDING A PLANNED RESIDENTIAL OVERLAY TO SAID PROPERTY, AS DEFINED IN CHAPTER 15.28 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA .

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

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning property legally described as Lot 1, Franklin Heights Subdivision from A-P/Administrative-Professional District to R-2/Two-Family Residential District as defined in Chapter 15.09 of the Municipal Code of Council Bluffs, Iowa, and appending a Planned Residential Overlay to said property, as defined in Chapter 15.28 of the Municipal Code of Council Bluffs, Iowa.

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

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

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

ADOPTED
AND
APPROVED

May 10, 2021.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 4-26-21
Second Consideration: 5-10-21
Public Hearing: 5-10-21
Third Consideration: _____

Council Communication

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

Resolution 21-114
ITEM 3.F.

Council Action: 4/26/2021

Description

Resolution setting a public hearing for May 10th, 2021 for the proposed amendment to the City's budget for the fiscal year ending June 30, 2021

Background/Discussion

It is requested the Council set a public hearing for persons to comment and discuss the amended budget for the City of Council Bluffs for the fiscal year ending June 30, 2021.

At your regular meeting of April 26, 2021, please establish Monday, May 10th, at 7:00 p.m. as the date, time and place for public input in the Council Chambers at City Hall.

Staff will be requesting approval of the amended budget at the May 10th, 2021 meeting

Recommendation

Approval of the Resolution

ATTACHMENTS:

Description	Type	Upload Date
Resolution 21-114	Resolution	4/20/2021

Resolution 21-114

A RESOLUTION TO SET A PUBLIC HEARING TO RECEIVE COMMENT REGARDING A PROPOSED AMENDMENT TO THE CURRENT CITY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2021. SAID HEARING TO TAKE PLACE ON MONDAY MAY 10, 2021 AT 7:00 P.M. IN COUNCIL CHAMBERS OF CITY HALL, 209 PEARL STREET IN COUNCIL BLUFFS.

WHEREAS, the city of Council Bluffs is proposing an amendment to the City of Council Bluffs budget for the year ending June 30, 2021, and

WHEREAS, the city wishes to obtain public comment on the proposed amendment, and

WHEREAS, notice of the proposed budget amendment must be published with sufficient notice in advance of the public hearing,

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

That the City of Council Bluffs set a public hearing regarding the proposed amendment to the current city budget for Monday May 10, 2021 at 7:00 p.m. in Council Chambers.

ADOPTED
AND
APPROVED:

April 26, 2021

Matthew J. Walsh,

Mayor

ATTEST;

Jodi Quakenbush,

City Clerk

STATE OF IOWA)
COUNTY OF _____)ss
POTTAWATTAMIE)

On this _____ day of _____, 2021 before me the undersigned, a Notary Public in and for said County and said State, personally appeared Matthew J. Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively, of the said City of Council Bluffs, Iowa, a Municipal Corporation, that the seal affixed hereto is the seal of said Municipal Corporation; that said instrument was signed and sealed on behalf of the said City of Council Bluffs, Iowa, by authority of its City Council; and that said Matthew J. Walsh and said Jodi Quakenbush, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said City, by it and by them voluntarily executed.

Council Communication

Department: Public Works Admin
Case/Project No.: PW22-09
Submitted by: Matthew Cox, Public Works
Director

Resolution 21-115
ITEM 3.G.

Council Action: 4/26/2021

Description

Resolution setting a public hearing for 7:00 p.m. on May 10, 2021 for the East Manawa Sewer Rehab, Phase X. Project # PW22-09

Background/Discussion

The area of East Manawa is very flat with open ditches. There are no storm sewers in this area and the streets are thin asphalt or seal-coated rock roads. During rainfall events, considerable surface ponding occurs due to the poor drainage.

Due to the narrow right-of-way (30 ft.) and the high water table in the area, conventional storm sewer construction is not practical. The use of porous pavement in conjunction with a drainable granular base and shallow subdrain/conveyance system was determined to be the most cost effective means available to improve the area drainage.

The rehab program also includes installation of new sanitary sewers utilizing a vacuum system.

Phase I and II of the program included Huron Circle from Navajo to north of Osage Street. Phase III of the program was construction of the sanitary sewer vacuum pump station. Phase IV was the first phase of vacuum sewer installation with the porous pavement and subdrain system on Huron Circle from Navajo to just west of Blackhawk Street. Phases V through IX continued the rehab and completed Huron Circle, Blackhawk Street, Osage Street, Victor Street, Aztec Street, East Navajo Street and extended the vacuum sewer along Navajo Street.

Phase X includes Pickard Lane from Hall Walk (Alley) south to Navajo Street.

This project is included in the FY22 CIP and includes a budget of \$1,200,000 in Sales Tax Funds.

The project schedule is as follows:	Set Public Hearing	April 26, 2021
	Hold Public Hearing	May 10, 2021
	Bid Letting	June 3, 2021
	Award	June 14, 2021
	Construction Start	July 2021

Recommendation

Approval of this resolution. This project continues the infrastructure improvements for the neighborhood.

ATTACHMENTS:

Description	Type	Upload Date
Location Map	Map	4/15/2021
Notice of Public Hearing	Other	4/15/2021
Resolution 21-115	Resolution	4/20/2021

PW 22-09
EAST MANAWA
SEWER REHAB PH X



Legend

 PW22-09

Notice of Public Hearing
on the
Plans, Specifications, Form of Contract and Cost Estimate
for the
East Manawa Sewer Rehab, Phase X
Project # PW22-09

A public hearing will be held on May 10, 2021, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract and cost estimate for the East Manawa Sewer Rehab, Phase X project. The project will include construction of 441 tons of asphalt, 1,093 square yards of concrete pavement, 703 lineal feet of storm sewer, and 864 lineal feet of sanitary sewer. At said hearing, any interested person may appear and file objections to such plans and specifications.

By Order of the City Council

of the

City of Council Bluffs, Iowa

Jodi Quakenbush, City Clerk

RESOLUTION
NO 21-115

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE
AND SETTING A PUBLIC HEARING ON THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
EAST MANAWA SEWER REHAB, PHASE X
PROJECT #PW22-09**

WHEREAS, the City wishes to make improvements known as the East Manawa Sewer Rehab, Phase X, within the City, as therein described; and

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

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

That the City Clerk is hereby ordered to set a public hearing on the plans, specifications, form of contract and cost estimate for the East Manawa Sewer Rehab, Phase X setting May 10, 2021, at 7:00 p.m. as the date and time of said hearing.

ADOPTED
AND
APPROVED

April 26, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: PW20-14
Submitted by: Matthew Cox, Public Works
Director

Resolution 21-116
ITEM 3.H.

Council Action: 4/26/2021

Description

Resolution accepting the work of Judds Bros. Construction Co. as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the 6th Avenue Pump Station Trash Rack Rehab. Project #PW20-14

Background/Discussion

The 6th Avenue sanitary sewer pump station is the third largest station in the sanitary collection system with nearly 35% of the City's sewage passing through this station.

The wastewater entering the pump station is screened for solids and debris. This removal process protects the pumps from clogging and limits the potential for damage. Larger stations, like 6th Avenue, utilize a mechanically operated trash rack to clean the screens.

The pump station still has the original bar screen units constructed in 1992. This project will replace the trash rack system which has reached its service life limit. The newer technology of a modern trash rack will provide reliable removal, handling, storage, and disposal of the screenings.

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

Supervisory and process control panels modified in 1992, with portions dating back to the early 1980's, will be removed and replaced.

This project was included in the FY20 CIP and included a budget of \$600,000 in sales tax funds.

	Division <u>General</u>	<u>Total</u>
Original Contract Amount	\$297,500.00	\$297,500.00
Change Orders (+5.33%)	\$15,845.01	\$15,845.01
Final Contract Amount	\$313,345.01	\$313,345.01
Less Previous Payments	\$297,677.76	\$297,677.76
Retainage Due Contractor	\$15,667.25	\$15,667.25

The Contractor completed the project on time and did not receive any non-compliance notices.

Recommendation

Approval of this resolution. This project replaced the aged trash rack and electronics with modern systems and technology.

ATTACHMENTS:

Description

[Resolution 21-116](#)

Type

Resolution

Upload Date

4/20/2021

**RESOLUTION
NO 21-116**

**RESOLUTION ACCEPTING THE WORK OF
JUDDS BROS. CONSTRUCTION CO. IN CONNECTION WITH THE
6TH AVENUE PUMP STATION TRASH RACK REHAB
AND AUTHORIZING THE FINANCE DIRECTOR TO ISSUE
A CITY CHECK IN THE AMOUNT OF \$15,667.25
PROJECT #PW20-14**

WHEREAS, the City of Council Bluffs, Iowa, entered into an agreement with Judds Bros. Construction Co., Lincoln, NE, for the 6th Avenue Pump Station Trash Rack 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 \$15,667.25 to Judds Bros. Construction Co. 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 \$15,667.25 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 \$15,667.25 payable to Judds Bros. Construction Co. from budget code Division I S36000-676000; Project #2014X.

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

April 26, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: PW22-12
Submitted by: Matthew Cox, Public Works
Director

Resolution 21-117
ITEM 3.I.

Council Action: 4/26/2021

Description

Resolution setting a public hearing for 7:00 p.m. on May 10, 2021 for the South 1st Street Neighborhood Rehab, Phase XII. Project # PW22-12

Background/Discussion

The South 1st Street neighborhood bounded by Pierce Street on the north, Palmer Avenue on the south, 1st 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 X 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, Iowa Avenue, Palmer Avenue, and Grove Street. Phase XI is substantially complete with only punch list items and seeding remaining and included portions of Franklin Avenue, Charles Street and Hazel Street.

Phase XII is scheduled for construction in 2021 and will complete the reconstruction of Grace Street from just north of Langstrom Street to Charles Street and Langstrom Street from Grace Street west approx. 200 feet. This is the final phase of the South 1st Street Neighborhood Rehabilitation program.

This project is included in the FY22 CIP and includes a budget of \$1,250,000 in Sales Tax Funds.

The project schedule is as follows:	Set Public Hearing	April 26, 2021
	Hold Public Hearing	May 10, 2021
	Bid Letting	June 1, 2021
	Award	June 14, 2021
	Construction Start	July 2021

Recommendation

Approval of this resolution. This project completes the infrastructure improvements for the neighborhood.

ATTACHMENTS:

Description	Type	Upload Date
Location Map	Map	4/15/2021
Notice of Public Hearing	Other	4/15/2021
Resolution 21-117	Resolution	4/20/2021

PW 22-12
S. 1ST NEIGHBORHOOD
REHAB PH 12

PROJECT LOCATION

LANGSTROM ST

FRANKLIN AVE

GRACE ST

CHARLES ST

KAPPELL AVE

Legend



PW22-12

Notice of Public Hearing
on the
Plans, Specifications, Form of Contract and Cost Estimate
for the
South 1st Street Neighborhood Rehab, Phase XII
Project #PW22-12

A public hearing will be held on May 10, 2021, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract and cost estimate for the South 1st Street Neighborhood Rehab, Phase XII project. The project will include construction of 3,390 square yards of concrete pavement, 405 lineal feet of storm sewer and 845 lineal feet of sanitary sewer. At said hearing, any interested person may appear and file objections to such plans and specifications.

By Order of the City Council

of the

City of Council Bluffs, Iowa

Jodi Quakenbush, City Clerk

RESOLUTION
NO 21-117

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE
AND SETTING A PUBLIC HEARING ON THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
SOUTH 1ST STREET NEIGHBORHOOD REHAB, PHASE XII
PROJECT #PW22-12**

WHEREAS, the City wishes to make improvements known as the
South 1st Street Neighborhood Rehab, Phase XII
within the City, as therein described; and

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

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

That the City Clerk is hereby ordered to set a public hearing on the plans, specifications, form of contract and cost estimate for the South 1st Street Neighborhood Rehab, Phase XII.

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

April 26, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.:
Submitted by: Courtney Harter, HED Manager

Resolution 21-119
ITEM 3.J.

Council Action: 4/26/2021

Description

Resolution determining the necessity and setting dates of a consultation and a public hearing on the New Horizon Urban Renewal Area for the City of Council Bluffs.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	4/16/2021
Site Map	Map	4/16/2021
New Horizons Urban Renewal Plan	Other	4/19/2021
Certificate of Publishers Affidavit	Other	4/19/2021
Notice of Public Hearing	Other	4/19/2021
Certificate of Mailing	Other	4/19/2021
Notice of Consultation	Other	4/19/2021
Resolution 21-119	Resolution	4/20/2021

Council Communication

Department: Community Development Case/Project No.: N/A	Ordinance No.: Resolution No.: 21-	City Council: 4-26-2021 Planning Commission: 5-11-2021 P.H. and First Reading: 5-24-2021 Second Reading: 6-14-2021 Third Reading: Request Waive
Subject/Title		
Resolution of Necessity for the New Horizon Urban Renewal Area		
Location		
Generally located along College Road: south of Iowa Western Community College and east of St. Patrick's Catholic Church		
Legal Description: Attached		
Background/Discussion		
<p><u>Background</u></p> <p>In 2020, the City began working with Bob McCarthy interested in constructing a 40-unit townhouse development along College Road. The project is primarily undeveloped land (greenspace) with an option to acquire one single-family house. City Council approved the preliminary plan known as New Horizon Subdivision, Replat 3 (Resolution 21-65) on February 22, 2021. Mr. McCarthy now requests the City form an urban renewal area for this development to assist in the payment of public improvements (extensions of road, water, stormwater, sanitary sewer). The estimated cost of these improvements is approximately \$500,000-\$575,000.</p> <p>The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new housing and residential development as defined in the Code of Iowa Section 403.17(12). With the adoption of this Plan, the City designates this Urban Renewal Area as an economic development area that is appropriate for the provision of public improvements related to housing and residential development.</p> <p><u>Discussion</u></p> <p>If the City Council concurs to utilize urban renewal powers for the area described above, a resolution will be necessary to cause several actions. These actions include the preparation of an urban renewal plan, establishing a date for consultation with other taxing jurisdictions, City Planning Commission hearing and review, setting a date for City Council hearing and other appropriate legal notices. A resolution, which calls for these activities, has been prepared and is attached for your review and consideration.</p> <p>This resolution establishes the following timeframe:</p> <div style="margin-left: 40px;"> 5-4-2021 Consultation meeting to be held with other taxing jurisdictions 5-11-2021 City Planning Commission hearing and review 5-24-2021 City Council public hearing on the proposed urban renewal plan </div>		
Staff Recommendation		
The Community Development Department recommends that City Council adopt a resolution of necessity setting the dates of a consultation and public hearing on the New Horizon Urban Renewal Area Plan for the City of Council Bluffs.		
Attachments		
1. Proposed New Horizon Urban Renewal Area Map 2. Resolution of Necessity 3. Notice of Consultation 4. Notice of Public Hearing 5. Draft New Horizon Urban Renewal Area Plan		

Prepared by: Courtney Harter, Housing & Economic Development Manager, Community Development Department
 Approved by: Courtney Harter, Housing & Economic Development Manager, Community Development Department

New Horizons URA



Legend

- World Imagery (Map Service)
- World Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 2.4m Resolution Metadata

8815

0 450 900
ft

Users of Pottawattamie County (The County) GIS data agree that he/she will at all times indemnify and hold The County and its officers, employees, and agents harmless from any damages, claims, lawsuits, costs, or liability arising from any act, omission, or commission with respect to the release and use of information in this Agreement and any of the terms thereof. The County makes no claim as to the accuracy of the spatial data and its associated data tables and assumes no responsibility for their positional or content accuracy. The County makes no claim as to the ability of the spatial data to fulfill the Contracting Organization's application requirements. In providing data (or access to data), The County assumes no obligation to assist in the use of the data, or in the development, use, or maintenance of any applications applied to the data. In no event shall The County be liable for any direct, indirect, incidental, consequential or special damages that may result from the use of the GIS data.

Pottawattamie County GIS
223 S 6th St.
Council Bluffs, IA 51501
(712) 328-4885
gis@pottcounty-ia.gov
<https://gis.pottcounty-ia.gov>



**NEW HORIZON
URBAN RENEWAL PLAN**

for the

**NEW HORIZON
URBAN RENEWAL AREA**

CITY OF COUNCIL BLUFFS, IOWA

May 2021

TABLE OF CONTENTS

SECTION

- A. INTRODUCTION
- B. DESCRIPTION OF THE URBAN RENEWAL AREA
- C. AREA DESIGNATION
- D. BASE VALUE
- E. DEVELOPMENT PLAN
- F. RESIDENTIAL DEVELOPMENT
- G. PLAN OBJECTIVES
- H. TYPES OF RENEWAL ACTIVITIES
- I. ELIGIBLE URBAN RENEWAL PROJECTS
- J. FINANCIAL INFORMATION
- K. URBAN RENEWAL FINANCING
- L. PROPERTY ACQUISITION/DISPOSITION
- M. RELOCATION
- N. STATE AND LOCAL REQUIREMENTS
- O. SEVERABILITY
- P. URBAN RENEWAL PLAN AMENDMENTS
- Q. EFFECTIVE PERIOD

EXHIBITS

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

**New Horizon Urban Renewal Plan
for the
New Horizon Urban Renewal Area
City of Council Bluffs, Iowa**

A. INTRODUCTION

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

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

B. DESCRIPTION OF THE URBAN RENEWAL AREA

The Urban Renewal Area is described in Exhibit “A” and illustrated in Exhibit “B.” The Urban Renewal Area has never previously been subject to the division of revenue under Iowa Code 403.19 as a residential project.

The City reserves the right to modify the boundaries of the Area at some future date.

C. AREA DESIGNATION

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

D. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) ordinance is adopted to establish a TIF district in the Area, and debt related to the Area is certified prior to December 1, 2021, the taxable valuation as of January 1, 2020, will be considered the frozen “base valuation” for the portion of the Urban Renewal Area identified in the TIF ordinance. If a TIF ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2021, the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt related to the Area, in accordance with Iowa Code Section 403.19. It may be that more than one ordinance will be adopted within the Area. If so, the frozen base values may vary among subareas of the Area.

E. DEVELOPMENT PLAN

Council Bluffs has a general plan for the physical development of the City as a whole, outlined in the Bluffs Tomorrow: 2030 Comprehensive Plan, adopted in 2014 and updated in 2015. The goals and objectives identified in this Plan, and the urban renewal projects described herein, are in conformance with the goals and land use policies identified in the Comprehensive Plan.

This Urban Renewal Plan does not in any way replace the City's current land use planning or zoning regulation process. The land within the Area is currently zoned as R-2.

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

F. RESIDENTIAL DEVELOPMENT

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

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

When a city utilizes tax increment financing to support residential development (such support is limited to reimbursement of "public improvement" costs, as defined by Iowa law), a percentage of the incremental revenues (or other revenues) generated by the development must be used to provide assistance to low and moderate income (LMI) families. LMI families are those whose incomes do not exceed 80% of the median Pottawattamie County income.

Unless a reduction is approved by the Iowa Economic Development Authority, the amount of incremental revenues (or other revenues) to be provided for low and moderate income family housing in the community shall be either equal to or greater than the percentage of the original project costs (i.e., the amount of TIF funds used to reimburse infrastructure costs serving the housing development in the Area) that is equal to the percentage of LMI families living in Pottawattamie County. That percentage is currently 46.14%.

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

1. Providing that at least 46.14% of the units constructed in the Area are occupied by residents and/or families whose incomes are at or below 80% of the median county income;

2. Setting aside an amount equal to or greater than 46.14% of the project costs to be used for LMI housing activities anywhere in the City; or
3. Ensuring that 46.14% of the houses constructed within the Area are priced at amounts affordable to LMI families.

If funds are set aside, as opposed to constructing a sufficient percentage of LMI housing in the Area, the assistance for LMI family housing may be provided anywhere within the City. The type of assistance provided must benefit LMI residents and/or families and may include, but is not limited to:

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

G. PLAN OBJECTIVES

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

1. To increase the availability of housing opportunities, which may, in turn, attract and retain area industries and commercial enterprises that will strengthen and revitalize the economy of the State of Iowa and the City of Council Bluffs.
2. To stimulate, through public action and commitment, private investment in new housing and residential development and redevelopment. The City realizes that the availability of affordable, decent, safe, and sanitary housing is important to the overall economic viability of the community.
3. To plan for and provide sufficient land for residential development in a manner that is efficient from the standpoint of providing municipal services.
4. To help finance the cost of constructing public utility and infrastructure extensions and improvements in support of residential development.

5. To improve housing conditions and increase housing opportunities, including LMI families and/or individuals.
6. To provide a more marketable and attractive investment climate through the use of various federal, state, and local incentives.
7. To encourage residential growth and expansion through governmental policies which make it economically feasible to do business.
8. To encourage residential development that meets the needs of a growing population, while preserving the character of the community.
9. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

H. TYPES OF RENEWAL ACTIVITIES

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

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To provide for the construction of site-specific improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
3. To arrange for, or cause to be provided, the construction or repair of public infrastructure in support of residential development, including, but not limited to, streets and sidewalks, traffic lights, water mains, sanitary sewers, storm sewers, public utilities, or other facilities in connection with urban renewal projects.
4. To make loans, forgivable loans, or other types of grants or incentives to private persons, organizations, or businesses for economic development purposes or residential projects, on such terms as may be determined by the City Council.
5. To use tax increment financing to facilitate urban renewal projects, including, but not limited to, financing to achieve a more marketable and competitive land offering price and to provide for necessary physical improvements and infrastructure.
6. To use tax increment for LMI housing assistance.
7. To borrow money and to provide security therefor.
8. To acquire and dispose of property.
9. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.

10. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Council Bluffs and the State of Iowa.

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

I. ELIGIBLE URBAN RENEWAL PROJECTS

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Urban Renewal Plan include:

1. ***Development Agreement with Robert McCarthy:*** The City expects to consider a development agreement with Robert McCarthy (or a related entity) (the “Developer”) for Developer to construct approximately 36 Housing Units and the public infrastructure improvements to support the development of those Housing Units within the Urban Renewal Area. The development agreement would provide detailed terms and conditions under which the City may make annual grant payments to the Developer in the amount of 100% of the Tax Increment generated by construction of the Housing Units remaining after any LMI assistance obligations have been satisfied for up to ten (10) fiscal years. The total amount of the grants is not to exceed the lesser of the amount calculated under the applicable formula during the ten fiscal years, \$600,000, or the actual costs incurred by the Developer in constructing the public infrastructure improvements.
2. **Planning, Engineering Fees (for Urban Renewal Plans), Attorney Fees, Administrative, and Other Related Costs to Support Urban Renewal Projects and Planning:**

Project	Estimated Date	Estimated Cost to be funded by TIF Funds
Fees and Costs	Undetermined	Not to Exceed \$50,000

J. FINANCIAL INFORMATION

1.	July 1, 2020, Constitutional Debt Limit	\$229,442,288
2.	Current Outstanding General Obligation Debt	\$51,170,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City’s constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City’s best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness,	<p>\$650,000 plus the applicable percentage of LMI set-aside.</p> <p>This amount does not include financing costs related to debt issuance, which may be</p>

	including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above to be funded by TIF Funds will be approximately as stated in the next column:	incurred over the life of the Area.
--	--	-------------------------------------

K. URBAN RENEWAL FINANCING

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

A. Tax Increment Financing.

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

B. General Obligation Bonds.

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

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

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

L. PROPERTY ACQUISITION/DISPOSITION

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

M. RELOCATION

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

N. STATE AND LOCAL REQUIREMENTS

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

O. SEVERABILITY

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

P. URBAN RENEWAL PLAN AMENDMENTS

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying objectives or types of renewal activities.

The City Council may amend this Plan in accordance with applicable State law.

Q. EFFECTIVE PERIOD

This Urban Renewal Plan will become effective upon its adoption by the City Council and shall remain in effect until terminated by the City Council.

With respect to property included within the Urban Renewal Area, which is also included in an ordinance which designates that property as a tax increment district (TIF district) and is designated based on an economic development finding to provide or to assist in the provision of public improvements related to housing and residential development, the use of incremental property tax revenues or the “division of revenue,” as those words are used in Chapter 403 of the *Code of Iowa*, is limited to ten (10) years beginning with the second fiscal year following the year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds

which qualify for payment from the incremental property tax revenues attributable to that property within the Urban Renewal Area.

Separate TIF ordinances or amendments thereto for separate parcel(s) or subareas may be adopted as development in the Area warrants. In that case, each subarea may have a separate base and separate sunset or expiration date.

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

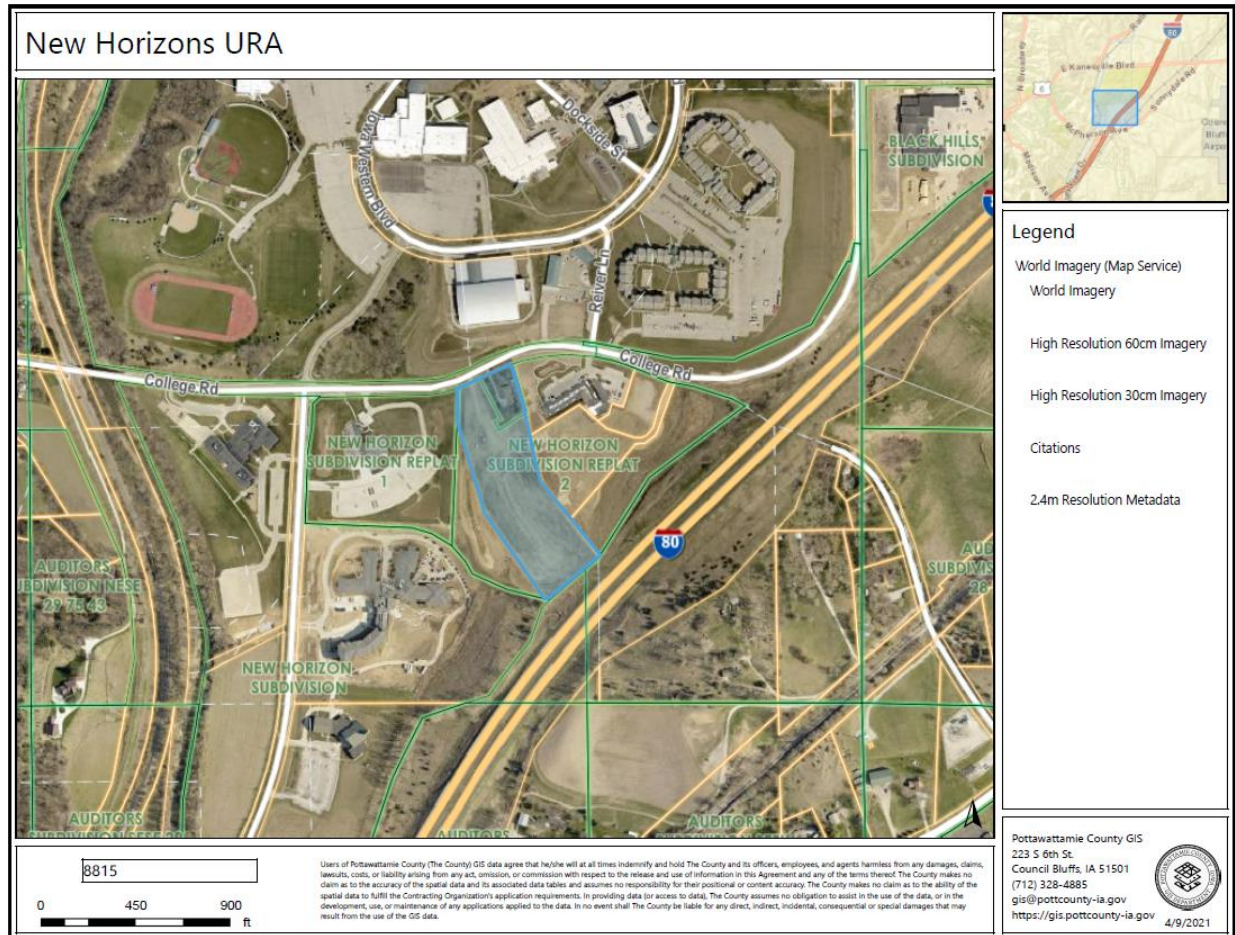
EXHIBIT A

LEGAL DESCRIPTION OF NEW HORIZON URBAN RENEWAL AREA

A PARCEL OF LAND BEING ALL LOT 5, NEW HORIZON SUBDIVISION REPLAT 2 AND A PORTION OF THE SW $\frac{1}{4}$ NW $\frac{1}{4}$ AND PART OF THE NW $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5th P.M., POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST $\frac{1}{4}$ CORNER OF SECTION 28, TOWNSHIP 75, RANGE 43, THENCE ALONG THE WEST LINE NW $\frac{1}{4}$ SECTION 28 N 01 DEGREES 42' 52"W 161.68 FEET TO THE CENTERLINE OF COLLEGE ROAD, THENCE ALONG SAID CENTERLINE N 89 DEGREES 05'05"E 171.06 FEET, THENCE N 87 DEGREES 23'24"E 369.82 FEET TO A POINT OF CURVATURE, THENCE ON A 532.30 FOOT RADIUS CURVE TO THE LEFT AN ARC LENGTH OF 240.45 FEET, THENCE N 61 DEGREES 30'30"E 33.00 FEET TO THE POINT OF BEGINNING, THENCE N 61 DEGREES 30'30"E 36.47 FEET TO A POINT OF CURVATURE, THENCE ON A 870.13 FOOT RADIUS CURVE TO THE RIGHT AN ARC LENGTH OF 141.00 FEET (CHORD BEARS N 66 DEGREES 09'02"E 140.85 FEET), THENCE S 17 DEGREES 06'28"E 272.07 FEET, THENCE S56 DEGREES 00'42"W 156.87 FEET, THENCE N28 DEGREES 29'30"W 43.14 FEET, THENCE N 61 DEGREES 30'30"E 33.00 FEET THENCE, N 28 DEGREES 29'30"W 250.00 FEET TO THE POINT OF BEGINNING, INCLUDING COLLEGE ROAD RIGHT OF WAY, ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

EXHIBIT B

MAP OF NEW HORIZON URBAN RENEWAL AREA



01866212-1\10342-167

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

NOTICE OF PUBLIC HEARING

_____, 2021.

WITNESS my official signature at Council Bluffs, Iowa, this _____ day of _____, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

(One publication required)

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

The City Council of the City of Council Bluffs, State of Iowa, will hold a public hearing before itself at its meeting which commences at 7:00 P.M. on May 24, 2021 in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, to consider adoption of a proposed New Horizon Urban Renewal Plan (the "Plan") concerning a proposed Urban Renewal Area in the City of Council Bluffs, State of Iowa.

The New Horizon Urban Renewal Area is proposed to contain the land legally described as follows:

A PARCEL OF LAND BEING ALL LOT 5, NEW HORIZON SUBDIVISION REPLAT 2 AND A PORTION OF THE SW $\frac{1}{4}$ NW $\frac{1}{4}$ AND PART OF THE NW $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5th P.M., POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST $\frac{1}{4}$ CORNER OF SECTION 28, TOWNSHIP 75, RANGE 43, THENCE ALONG THE WEST LINE NW $\frac{1}{4}$ SECTION 28 N 01 DEGREES 42' 52"W 161.68 FEET TO THE CENTERLINE OF COLLEGE ROAD, THENCE ALONG SAID CENTERLINE N 89 DEGREES 05'05"E 171.06 FEET, THENCE N 87 DEGREES 23'24"E 369.82 FEET TO A POINT OF CURVATURE, THENCE ON A 532.30 FOOT RADIUS CURVE TO THE LEFT AN ARC LENGTH OF 240.45 FEET, THENCE N 61 DEGREES 30'30"E 33.00 FEET TO THE POINT OF BEGINNING, THENCE N 61 DEGREES 30'30"E 36.47 FEET TO A POINT OF CURVATURE, THENCE ON A 870.13 FOOT RADIUS CURVE TO THE RIGHT AN ARC LENGTH OF 141.00 FEET (CHORD BEARS N 66 DEGREES 09'02"E 140.85 FEET), THENCE S 17 DEGREES 06'28"E 272.07 FEET, THENCE S56 DEGREES 00'42"W 156.87 FEET, THENCE N28 DEGREES 29'30"W 43.14 FEET, THENCE N 61 DEGREES 30'30"E 33.00 FEET THENCE, N 28 DEGREES 29'30"W 250.00 FEET TO THE POINT OF BEGINNING, INCLUDING COLLEGE ROAD RIGHT OF WAY, ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

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

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

The general scope of the urban renewal activities under consideration in the Plan is to stimulate, through public involvement and commitment, private investment in residential development in the Urban Renewal Area through various public purpose and special financing

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

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

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

Dated this _____ day of _____, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

01868758-1\10342-167

Instructions for the Certificate of Mailing of Notices
IMPORTANT

All three of the following documents must be signed, dated and MAILED to the taxing entities and attached to the Certificate of Mailing of Notices that should be immediately returned to our office:

- 1) The single page entitled "Notice of a Consultation" AND
- 2) The 2 page document entitled "Notice of Public Hearing" AND
- 3) The entire resolution with the Plan attached. (The Notice of a Consultation and the Notice of Public Hearing will be repeated in this document, but you will need to mail all three of the documents to the affected taxing entities.)

Make sure to address the envelopes to the county and the public school district(s) in the Urban Renewal Area as follows:

"Board of Supervisors of Pottawattamie County, c/o County Auditor"; and

"Council Bluffs Community School District, c/o President or Secretary of the Board of Directors."

Note: If we don't receive this Certificate (with attachments) back ASAP after it is mailed, we will not be able to determine that the appropriate notices have been sent to start the Plan process.

CERTIFICATE OF MAILING OF NOTICES OF
CONSULTATION AND HEARING

I, the undersigned, City Clerk of the City of Council Bluffs, State of Iowa, do hereby certify that on the _____ day of _____, 2021, I caused there to be deposited and mailed in the United States mail at Council Bluffs, Iowa, properly stamped and addressed, a copy of the following-described notices, each in the form attached hereto, to each school district, county or city, as applicable, which levied or certified for levy a property tax on any portion of the taxable property located within the proposed New Horizon Urban Renewal Area in the fiscal year beginning prior to the calendar year in which the Plan was submitted to the City Council for approval:

- 1) NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE CITY OF COUNCIL BLUFFS, STATE OF IOWA, AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED NEW HORIZON URBAN RENEWAL PLAN FOR THE CITY OF COUNCIL BLUFFS, STATE OF IOWA; AND
- 2) NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROPOSED NEW HORIZON URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY OF COUNCIL BLUFFS, STATE OF IOWA.
- 3) RESOLUTION SETTING DATES FOR CONSULTATION AND PUBLIC HEARING WITH PLAN ATTACHED AS EXHIBIT 1.

The affected taxing entities and their mailing addresses are as follows:

Council Bluffs Community School
District

c/o Secretary or Board President

(Insert address)

Board of Supervisors of Pottawattamie
County

c/o Pottawattamie County Auditor

(Insert address)

Note: Community College is not an "affected taxing entity" as of 7/1/2012.

Note: The City has confirmed that the above school(s) and county(ies) are the only entities within the entire urban renewal area. If this is not correct, the notices and resolution must be sent to **all** schools and counties within the **entire** urban renewal area.

WITNESS my hand and the seal of the City at Council Bluffs, Iowa, this _____ day
of _____, 2021.

City Clerk, City of Council Bluffs, State of
Iowa

(SEAL)

**Attach copies of the items listed above, that were mailed to
this Certificate and send the Certificate and attachments
to Ahlers & Cooney, P.C.**

01866281-1\10342-167

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

The City of Council Bluffs, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, as amended, commencing at 10:00 A.M. on May 4, 2021, in the Lower Level Conference Room, City Hall, 209 Pearl Street, Council Bluffs, Iowa concerning a proposed New Horizon Urban Renewal Plan for a proposed New Horizon Urban Renewal Area, a copy of which is attached hereto.

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

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

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

Dated this _____ day of _____, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

Resolution 21-119

ITEM TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

April 26, 2021

7:00 P.M.

New Horizon Urban Renewal Plan

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

IMPORTANT INFORMATION

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

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

April 26, 2021

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

Absent: _____

Vacant: _____

* * * * *

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

AYES: _____

NAYS: _____

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

RESOLUTION NO. 21-119

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

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

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

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

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

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

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

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

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

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

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

Section 1. That the consultation on the proposed Urban Renewal Plan required by Section 403.5(2), Code of Iowa, as amended, shall be held on the May 4, 2021, in the Lower Level Conference Room, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 10:00 A.M., and the Housing & Economic Development Manager, or her delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2), Code of Iowa.

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

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

The City of Council Bluffs, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1), Code of Iowa, as amended, commencing at 10:00 A.M. on May 4, 2021, in the Lower Level Conference Room, City Hall, 209 Pearl Street, Council Bluffs, Iowa concerning a proposed New Horizon Urban Renewal Plan for a proposed New Horizon Urban Renewal Area, a copy of which is attached hereto.

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

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

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

Dated this _____ day of _____, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

Section 3. That a public hearing shall be held on the proposed Urban Renewal Plan before the City Council at its meeting which commences at 7:00 P.M. on May 24, 2021, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa.

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

(One publication required)

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

The City Council of the City of Council Bluffs, State of Iowa, will hold a public hearing before itself at its meeting which commences at 7:00 P.M. on May 24, 2021 in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, to consider adoption of a proposed New Horizon Urban Renewal Plan (the "Plan") concerning a proposed Urban Renewal Area in the City of Council Bluffs, State of Iowa.

The New Horizon Urban Renewal Area is proposed to contain the land legally described as follows:

A PARCEL OF LAND BEING ALL LOT 5, NEW HORIZON SUBDIVISION REPLAT 2 AND A PORTION OF THE SW $\frac{1}{4}$ NW $\frac{1}{4}$ AND PART OF THE NW $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 28, TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5th P.M., POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST $\frac{1}{4}$ CORNER OF SECTION 28, TOWNSHIP 75, RANGE 43, THENCE ALONG THE WEST LINE NW $\frac{1}{4}$ SECTION 28 N 01 DEGREES 42' 52"W 161.68 FEET TO THE CENTERLINE OF COLLEGE ROAD, THENCE ALONG SAID CENTERLINE N 89 DEGREES 05'05"E 171.06 FEET, THENCE N 87 DEGREES 23'24"E 369.82 FEET TO A POINT OF CURVATURE, THENCE ON A 532.30 FOOT RADIUS CURVE TO THE LEFT AN ARC LENGTH OF 240.45 FEET, THENCE N 61 DEGREES 30'30"E 33.00 FEET TO THE POINT OF BEGINNING, THENCE N 61 DEGREES 30'30"E 36.47 FEET TO A POINT OF CURVATURE, THENCE ON A 870.13 FOOT RADIUS CURVE TO THE RIGHT AN ARC LENGTH OF 141.00 FEET (CHORD BEARS N 66 DEGREES 09'02"E 140.85 FEET), THENCE S 17 DEGREES 06'28"E 272.07 FEET, THENCE S56 DEGREES 00'42"W 156.87 FEET, THENCE N28 DEGREES 29'30"W 43.14 FEET, THENCE N 61 DEGREES 30'30"E 33.00 FEET THENCE, N 28 DEGREES 29'30"W 250.00 FEET TO THE POINT OF BEGINNING, INCLUDING COLLEGE ROAD RIGHT OF WAY, ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

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

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

The general scope of the urban renewal activities under consideration in the Plan is to stimulate, through public involvement and commitment, private investment in residential development in the Urban Renewal Area through various public purpose and special financing

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

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

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

Dated this _____ day of _____, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(End of Notice)

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

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

PASSED AND APPROVED this 26th day of April, 2021.

Mayor

ATTEST:

City Clerk

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

ATTACH THE PLAN LABELED AS
EXHIBIT 1 HERE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2021.

(SEAL)

198

Council Communication

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

Mayor's Appointment
ITEM 3.K.

Council Action: 4/26/2021

Description

Background/Discussion

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

Parks and Recreation Commission

Reappoint the following with the term expiring 05/01/2024:

David Stroebele
1613 Tipton Dr.
Council Bluffs, Iowa 51503

Library Board of Trustees:

Appoint the following with the term expiring 07/01/2024:

Nicole Juranek
1720 Fair Oaks
Council Bluffs, Iowa 51503

Recommendation

Council Communication

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

2020 City Planning Commission Annual Report
(R&F)
ITEM 3.L.

Council Action: 4/26/2021

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description

[Annual Report](#)

Type

Other

Upload Date

4/14/2021

2020

Planning Commission Annual Report

City of Council Bluffs, Iowa

Prepared by: Community Development Department
Address: 209 Pearl Street, Council Bluffs, IA 51503
Date: //2021





COMMUNITY DEVELOPMENT
(712) 890-5350

April 13, 2021

The Honorable Matthew J. Walsh, Mayor
and Members of the City Council

Mayor and Members of the City Council:

The City Planning Commission forwards this copy of the 2020 Annual Report for your information. This report contains a summary of the actions taken by the Commission in handling various cases referred to them during the year.

I would like to take this opportunity to thank the City Council, City Planning Commission members and the Community Development Department staff for their effort and support during the past year. I hope that together we can continue to serve the City of Council Bluffs in a program of progressive community development.

Respectfully Submitted,

David Stroebele, Chair
City Planning Commission
City of Council Bluffs, Iowa

MAYOR

Matthew J. Walsh

2020 CITY COUNCIL

Joe Disalvo

Chad Hannan

Melissa Head

Roger Sandau

Mike Wolf

2020 CITY PLANNING COMMISSION

Deborah Bass*

Lindsey Danielsen

Cati DeMasi*

Travis Halm (Vice-Chair)

Heath Haner

Tom Holm

Peter Hutcheson

Jody Rater

Douglas Rew

Darian Scott

David Stroebele (Chair)

Dan Van Houten

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Brandon Garrett, Director

Christopher Gibbons, Planning Manager

Christopher Meeks, Planner*

Moises Monroy, Planner

Tiffany Schmitt, Community Development Technician

Haley Weber, Zoning Enforcement Officer/Planner

*Indicates partial year of service

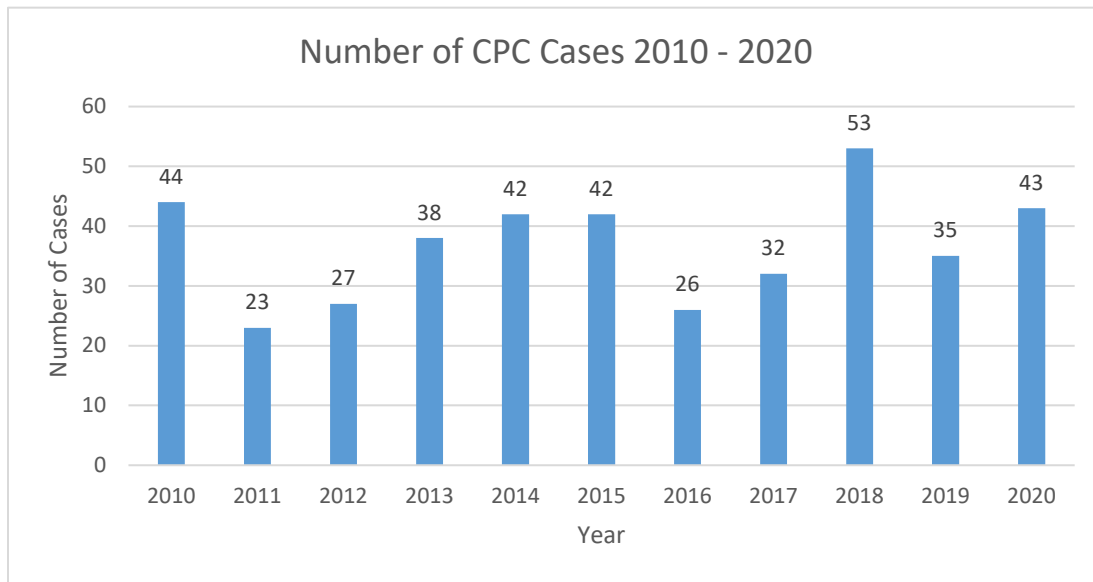
**2020 CITY PLANNING COMMISSION
MEMBERS, TERMS AND ATTENDANCE**

Commissioner	Term	Meeting Attendance		
		Present	Absent	Attendance %
Deborah Bass*	March 23, 2020 – April 1, 2025	8	0	100%
Lindsey Daniels	December 17, 2020 – April 1, 2025	8	1	89%
Cati DeMasi*	July 13, 2015 – April 1, 2020	1	0	100%
Travis Halm	September 24, 2018 – April 1, 2023	9	0	100%
Heath Haner	September 24, 2018 – April 1, 2023	7	2	78%
Tom Holm	March 13, 2017 – , 2021	8	1	89%
Peter Hutcheson	December 18, 2017 – April 1, 2022	8	1	89%
Jody Rater	March 12, 2019 – April 1, 2024	9	0	100%
Douglas Rew	March 23, 2020 – April 1, 2025	9	0	100%
Darian Scott	December 17, 2018 – April 1, 2023	8	1	89%
David Stroebele	December 17, 2018 – April 1, 2023	9	0	100%
Dan Van Houten	March 23, 2025 – April 1, 2025	9	0	100%

*Indicates partial year of service

SUMMARY OF ACTIVITIES

The chart below represents the total of number of cases heard by the City Planning Commission (CPC) beginning in 2010 through 2020. In 2020, the Commission heard a total of **43** cases.



Source: Community Development Department

Annexations:

There were no annexation cases in 2020.

Comprehensive Plan Amendments:

The Planning Commission heard two comprehensive plan amendment cases in 2020, as stated below:

- Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying multiple properties located in the West Broadway Corridor from Light Industrial to Multifamily/Mixed-Use; and
- Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying the old St. Patrick's Church site from Low Density Residential to Local Commercial.

The Planning Commission and City Council concurred with Staff's recommendation on Case #CP-21-001. On Case #CP-21-002, the Planning Commission voted against Staff's recommendation to approve the request to reclassify of the former St. Patrick's Church site from Low Density Residential to Local Commercial. City Council initially concurred with the Commission's recommendation, but reconsidered their decision at a subsequent meeting and approved the request.

Historic Preservation:

The Planning Commission heard one historic preservation case (Case #HP-20-005) in 2020, as stated below:

- Designate property commonly known as 530 West Broadway as a local historic landmark.

The Historic Preservation Commission, the Planning Commission and City Council all concurred with Staff's recommendation for this case.

Miscellaneous:

The Planning Commission heard four miscellaneous cases in 2020, as stated below:

- Release permanent and perpetual utility easements reserved over vacated east/west alleys in a parcel of land bounded by West Broadway, South 34th Street, 2nd Avenue and South 32nd Street;
- Adopt a site-specific signage plan for the Gerald W. Kirn Middle School campus;
- Adopt a site-specific development plan for the Lewis Central Middle School/High School campus; and
- Review and adopt the Capital Improvement Plan (CIP) for Fiscal Year 2022-2023 through Fiscal Year 2025-2026.

The Planning Commission and City Council concurred with Staff's recommendation on all cases.

Mixed Commercial-Residential District – Development Plan Review:

The Planning Commission heard one mixed commercial-residential district case in 2020, as stated below:

- Adopt a mixed commercial-residential development plan for Main Line Subdivision, a parcel of land bounded by West Broadway, South 34th Street, 2nd Avenue and South 32nd Street.

The Planning Commission and City Council concurred with Staff's recommendation for this case.

Planned Commercial District – Development Plan Review:

There were no planned commercial district cases in 2020.

Planned Industrial District – Development Plan Review:

There were no planned industrial district cases in 2020.

Planned Residential Overlay – Development Plan Review:

The Planning Commission heard three planned residential overlay cases in 2020, as stated below:

- Amend the adopted planned residential development plan on property legally described as Block 12, Bryant and Clark's Subdivision, located south of 1st Avenue between South 28th Street and South 29th Street;
- Append a Planned Residential Overlay and adopt the associated development plan for Grappler's Gate Apartments, located northeast of 830 Franklin Avenue; and
- Append a Planned Residential Overlay and adopt the associated development plan for The Landing on Lake Manawa, located north of Lake Manawa and west of 1113 42nd Avenue.

The Planning Commission and City Council concurred with Staff's recommendation on all cases.

Rezoning:

The Planning Commission heard 12 rezoning cases in 2020. The Planning Commission concurred with Staff's recommendation on all cases with the exception of Case #ZC-20-012. On this case,

the Planning Commission voted against Staff's recommendation to approve the request to rezone the old St. Patrick's Church site from R-3/Low Density Multifamily Residential District to A-P/Administrative-Professional District. City Council initially concurred with the Commission's recommendation, but reconsidered their decision at a subsequent meeting and approved the request.

On Case #ZC-20-011, the applicant withdrew their request to rezone properties addressed at 1500 Avenue 'O,' 1506 Avenue 'O' and 1501 Avenue 'P' prior to consideration by City Council.

City Council concurred with the recommendation of both Staff and the Commission on the remaining cases.

Street, Alley and Right-of-Way Vacations:

The Planning Commission heard seven public street, alley and right-of-way vacation cases in 2020. The Planning Commission concurred with Staff's recommendation on all cases with the exception of Case #SAV-20-004. On this case, the Planning Commission voted against Staff's recommendation to approve the request to vacate and dispose of Baughn Street. City Council initially concurred with the Commission's recommendation, but reconsidered their decision at a subsequent meeting and approved the request.

On Case #SAV-21-007, City Council voted against the recommendation of both Staff and the Commission and approved the request to vacate and dispose of the east/west alley abutting 904 North 16th Street.

City Council concurred with the recommendation of both Staff and the Commission on the remaining cases.

Subdivisions:

The Planning Commission heard two preliminary subdivision cases and two minor subdivision final plats in 2020. The Commission and City Council concurred with Staff's recommendation on all cases. A total of 207 lots received final plat approval by City Council in 2020.

Urban Renewal:

There were no urban renewal cases in 2020.

Urban Revitalization:

The Planning Commission heard four urban revitalization cases in 2020, as stated below:

- Create the Veterans Memorial Highway Urban Revitalization Area and adopt the required plan;
- Create the 5th & West Broadway Urban Revitalization Area and adopt the required plan;
- Create the 14th Avenue Urban Revitalization Area and adopt the required plan; and
- Amend the South Pointe Urban Revitalization Area to incorporate property addressed at 2105 Veterans Memorial Highway.

The Planning Commission and City Council concurred with Staff's recommendation on all cases.

Zoning Text Amendments:

The Planning Commission heard five zoning text amendment cases in 2020, as stated below:

- Amend Section 15.33.020(A), Off-Street Parking, Loading and Unloading, General Provisions, relative to the applicability of the off-street parking provisions contained in Chapter 15.23 of the Municipal Code;
- Amend Chapter 15.19, P-I/Planned Industrial District, by adding ‘manufacturing, general’ and ‘retail shopping establishment’ as principal uses in the P-I District;
- Amend Chapter 15.13.050, A-P/Administrative-Professional District, Site Development Regulations, by adding additional language that allows any property, or combination of contiguous properties owned by the same person or entity, which contains a minimum of one and one-half acres of total land area, to adopt a site specific development plan;
- Amend Title 15: Zoning of the Municipal Code by repealing Chapter 15.32, CDO/Corridor Design Overlay and replacing it with Chapter 15.32A, West Broadway Corridor Design Overlay; and
- Amend Section 15.26.030(B), Abandonment of Nonconforming Uses, to allow a nonconforming use to cease for a continuous period of twelve (12) months before the subject use shall be required to conform to the use regulations of Title 15: Zoning of the Municipal Code.

The Planning Commission and City Council concurred with Staff’s recommendation on all cases.

SUMMARY OF ACTIVITIES

COMPREHENSIVE PLAN AMENDMENTS – 2020

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
CP-20-001	Applicant: City of Council Bluffs Location: Generally lying between West Broadway and 2 nd Avenue from South 19 th Street to South 21 st Street Request: Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying multiple properties located in the West Broadway Corridor from Light Industrial to Multifamily/Mixed-Use	Approval	Approval	Final Action: Approved Resolution No. 20-249 Date: 10/12/2020
CP-20-002	Applicant: YMCA of Greater Omaha Location: West of 235 Harmony Street Request: Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying the old St. Patrick's Church site from Low Density Residential to Local Commercial	Approval	Denial	Final Action: Approved Resolution No. 20-289 Date: 1/25/2021

HISTORIC PRESERVATION – 2020

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
HP-20-005	Applicant: The 712 Initiative Location: 530 West Broadway Request: Local historic landmark designation of property commonly known as the 500 Block of West Broadway	Approval	Approval	Final Action: Approved Ordinance No. 6433 Date: 12/14/2020

SUMMARY OF ACTIVITIES

MISCELLANEOUS – 2020

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
MIS-20-001	<p>Applicant: Council Bluffs Community Development Department</p> <p>Location: A parcel of land bounded by West Broadway, South 34th Street, 2nd Avenue and South 32nd Street</p> <p>Request: Release permanent and perpetual utility easements reserved over vacated east/west alleys in a parcel of land bounded by West Broadway, South 34th Street, 2nd Avenue and South 32nd Street</p>	Approval	Approval	<p>Final Action: Approved</p> <p>Resolution No. 20-32</p> <p>Date: 2/10/2020</p>
MIS-20-003	<p>Applicant: Council Bluffs Community School District</p> <p>Location: 100 North Avenue</p> <p>Request: Adopt a site-specific signage plan for Gerald W. Kim Middle School</p>	Approval	Approval	<p>Final Action: Approved</p> <p>Resolution No. 20-136</p> <p>Date: 5/18/2020</p>
MIS-20-006	<p>Applicant: Lewis Central Community School District</p> <p>Location: 3504 and 3820 Harry Langdon Boulevard</p> <p>Request: Adopt a site-specific development plan for the Lewis Central Middle School/High School Campus</p>	Approval	Approval	<p>Final Action: Approved</p> <p>Resolution No. 20-191</p> <p>Date: 8/10/2020</p>
MIS-20-007	<p>Applicant: City of Council Bluffs</p> <p>Request: Review proposed Capital Improvement Plan (CIP) for FY 2022-23 through FY 2025-26 for consistency with the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan)</p>	Consistent w/ Bluffs Tomorrow: 2030 Plan	Consistent w/ Bluffs Tomorrow: 2030 Plan	<p>Final Action: Approved</p> <p>Resolution No. 20-280</p> <p>Date: 11/23/2020</p>

SUMMARY OF ACTIVITIES

MIXED COMMERCIAL-RESIDENTIAL DISTRICTS – 2020

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
MCR-20-001	<p>Applicant: Council Bluffs Community Development Department</p> <p>Location: A parcel of land bounded by West Broadway, South 34th Street, 2nd Avenue and South 32nd Street</p> <p>Request: Adopt a mixed commercial-residential development plan on Lots 1 through 3, Main Line Subdivision</p>	Approval	Approval	<p>Final Action: Approved</p> <p>Resolution No. 20-41</p> <p>Date: 2/10/2020</p>

PLANNED RESIDENTIAL OVERLAYS – 2020

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
PR-16-003(M)	<p>Applicant: Arun Agarwal</p> <p>Location: Undeveloped land lying south of 1st Avenue between South 28th Street and South 29th Street</p> <p>Request: Amend the adopted planned residential development plan for property legally described as Block 12, Bryant and Clark's Subdivision</p>	Approval	Approval	<p>Final Action: Approved</p> <p>Resolution No. 20-183</p> <p>Date: 7/27/2020</p>
PR-20-001	<p>Applicant: No Equity Homes</p> <p>Location: Undeveloped land located northeast of 830 Franklin Avenue</p> <p>Request: Adopt a planned residential development plan as required by the previously appended Planned Residential Overlay on property legally described as Lot 4, Auditor's Subdivision of the SE ¼ NE ¼ of Section 31-75-34, excluding City right-of-way</p>	Approval	Approval	<p>Final Action: Approved</p> <p>Resolution No. 20-241</p> <p>Date: 9/28/2020</p>

SUMMARY OF ACTIVITIES

PLANNED RESIDENTIAL OVERLAYS – 2020 (continued)

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
PR-20-002	Applicant: Knudson Companies Location: West of 1113 42 nd Avenue Request: Append a P-R/Planned Residential Overlay and adopt the associated planned residential development plan for The Landing on Lake Manawa	Approval	Approval	Final Action: Approved Resolution No. 20-225 Date: 9/14/2020

REZONINGS – 2020

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
ZC-20-001	Applicant: Council Bluffs Community Development Department Location: A parcel of land bounded by West Broadway, South 34 th Street, 2 nd Avenue and South 32 nd Street From: C-2/Commercial District To: MCR/Mixed Commercial-Residential District	Approval	Approval	Final Action: Approved Ordinance No. 6405 Date: 2/24/2020
ZC-20-002	Applicant: Council Bluffs Community School District Location: 1205 North Broadway and 100 North Avenue From: R-3/Low Density Multifamily Residential District To: A-P/Administrative-Professional District	Approval	Approval	Final Action: Approved Ordinances No. 6406 & 6407 Date: 5/18/2020

SUMMARY OF ACTIVITIES

REZONINGS – 2020 (continued)

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
ZC-20-003	Applicant: Cherry Ridge Construction Location: Northwest corner of South 35 th Street and 14 th Avenue From: P-C/Planned Commercial District To: C-2/Commercial District	Approval	Approval	Final Action: Approved Ordinance No. 6415 Date: 7/13/2020
ZC-20-004	Applicant: Dew Right Properties LLC Location: 1728 and 1730 3 rd Avenue From: R-2/Two-Family Residential District To: R-3/Low Density Multifamily Residential District	Approval	Approval	Final Action: Approved Ordinance No. 6408 Date: 6/8/2020
ZC-20-005	Applicant: Western Iowa Land Development and Authier Properties Location: Lying north of property commonly known as 5003 Council Pointe Road From: A-2/Parks, Estates and Agricultural District To: R-1/Single-Family Residential District	Approval	Approval	Final Action: Approved Ordinance No. 6430 Date: 10/26/2020
ZC-20-006	Applicant: No Equity Homes Location: Undeveloped land located northeast of 830 Franklin Avenue From: R-1/Single-Family Residential District To: R-3/Low Density Multifamily Residential District	Approval	Approval	Final Action: Approved Ordinance No. 6423 Date: 9/28/2020

SUMMARY OF ACTIVITIES

REZONINGS – 2020 (continued)

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
ZC-20-007	Applicant: City of Council Bluffs Location: Generally lying north of Harry Langdon Boulevard, south of West Graham Avenue and east of High Street From: C-2/Commercial District To: R-3/Low Density Multifamily Residential District	Approval	Approval	Final Action: Approved Ordinance No. 6421 Date: 8/10/2020
ZC-20-008	Applicant: Lewis Central Community School District Location: 3504 and 3820 Harry Langdon Boulevard From: R-1/Single-Family Residential District and C-2/Commercial District To: A-P/Administrative-Professional District	Approval	Approval	Final Action: Approved Ordinance No. 6420 Date: 8/10/2020
ZC-20-009	Applicant: Knudson Companies Location: West of 1113 42 nd Avenue From: R-1/Single-Family Residential District and R-3/Low Density Multifamily Residential District To: R-1/Single-Family Residential District and R-4/High Density Multifamily Residential District	Approval	Approval	Final Action: Approved Ordinance No. 6424 Date: 9/14/2020
ZC-20-010	Applicant: City of Council Bluffs Location: Generally along 1st Avenue, between South 13 th Street and South 16 th Street, between South 18 th Street and South 21 st Street, and between South 27 th Street and South 28 th Street From: I-1/Light Industrial District To: C-2/Commercial District	Approval	Approval	Final Action: Approved Ordinance No. 6426 Date: 10/26/2020

SUMMARY OF ACTIVITIES

REZONINGS – 2020 (continued)

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
ZC-20-011	Applicant: Caren C. Taylo Location: 1500 and 1506 Avenue ‘O’ and 1501 Avenue ‘P’ From: C-2/Commercial District To: R-2/Two-Family Residential District	Denial	Denial	Request withdrawn by applicant prior to consideration by City Council
ZC-20-012	Applicant: YMCA of Greater Omaha Location: West of 235 Harmony Street From: R-3/Low Density Multifamily Residential District To: A-P/Administrative-Professional District	Approval	Denial	Final Action: Approved Ordinance No. 6435 Date: 2/8/2021

STREET, ALLEY and RIGHT-OF-WAY VACATIONS – 2020

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
SAV-20-001	Applicant: Council Bluffs Community Development Department Location: A parcel of land bounded by West Broadway, South 34 th Street, 2 nd Avenue and South 32 nd Street Request: Vacate and dispose of South 33 rd Street right-of-way lying between Blocks 7 and 8, Bryant and Clark’s Subdivision	Approval	Approval	Final Action: Approved Resolution No. 20-33 Date: 2/10/2020
SAV-20-002	Applicant: Cherry Ridge Construction Location: Northwest corner of South 35 th Street and 14 th Avenue Request: Vacate and dispose of the east/west alley platted in Block 37, Brown’s Subdivision	Approval	Approval	Final Action: Approved Resolution No. 20-168 Date: 7/13/2020

SUMMARY OF ACTIVITIES

STREET, ALLEY and RIGHT-OF-WAY VACATIONS – 2020 (continued)

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
SAV-20-003	Applicant: John M. and Susan L. McKinley Location: 1615 Henry Street and 124 Elliot Street Request: Vacate and dispose of the east/west alley platted in Block 1, Mynster Place	Approval	Approval	Final Action: Approved Resolution No. 20-127 Date: 5/18/2020
SAV-20-004	Applicant: YMCA of Greater Omaha Location: Lying between Harmony Street and East Kanesville Boulevard Request: Vacate and dispose of Baughn Street right-of-way lying between Harmony Street and East Kanesville Boulevard	Approval	Denial	Final Action: Approved Resolution No. 20-290 Date: 1/25/2021
SAV-20-005	Applicant: Knudson Companies Location: Lying between South 13 th Street and Indian Creek Request: Vacate and dispose of 42 nd Avenue right-of-way lying between South 13 th Street and Indian Creek	Approval	Approval	Final Action: Approved Resolution No. 20-224 (Amended) Date: 9/28/2020
SAV-20-006	Applicant: Shoppes at Manawa LLC Location: East of 1030 Wright Road Request: Vacate and dispose of Michigan Avenue right-of-way abutting properties legally described as Lots 39 through 42, Raymona Subdivision	Approval	Approval	Final Action: Approved Resolution No. 20-218 (Amended) Date: 10/12/2020
SAV-20-007	Applicant: Gibbs Rental, LTD Location: North of 904 North 16 th Street Request: Vacate and dispose of the east/west alley abutting properties legally described as Lots 305 through 313 and Lots 332 through 340, all in Belmont Addition	Denial	Denial	Final Action: Approved Resolution No. 20-217 Date: 9/14/2020

SUMMARY OF ACTIVITIES

SUBDIVISIONS – 2020

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
SUB-20-001	<p>Applicant: TS Development LLC</p> <p>Location: A continuation of Balsam Street, Blackthorn Street, and Sycamore Street</p> <p>Request: Preliminary plan approval of two residential subdivisions to be known as Whispering Oaks Subdivision, Phases III and IV</p>	Approval	Approval	<p>Final Action: Approved</p> <p>Resolution No. 20-24</p> <p>Date: 1/27/2020</p>
SUB-20-002	<p>Applicant: Council Bluffs Community Development Department</p> <p>Location: A parcel of land bounded by West Broadway, South 34th Street, 2nd Avenue and South 32nd Street</p> <p>Request: Final plat approval for a three-lot subdivision to be known as Main Line Subdivision</p>	Approval	Approval	<p>Final Action: Approved</p> <p>Resolution No. 20-34</p> <p>Date: 2/10/2020</p>
SUB-20-004	<p>Applicant: Western Iowa Land Development and Authier Properties</p> <p>Location: Lying north of property commonly known as 5003 Council Pointe Road</p> <p>Request: Final plat approval for a two-lot residential subdivision to be known as Fox Run Landing, Replat 4</p>	Approval	Approval	<p>Final Action: Approved</p> <p>Resolution No. 20-256</p> <p>Date: 10/26/2020</p>
SUB-20-007	<p>Applicant: Knudson Companies</p> <p>Location: West of 1113 42nd Avenue</p> <p>Request: Preliminary plan approval of an 82-lot residential subdivision to be known as The Landing on Lake Manawa</p>	Approval	Approval	<p>Final Action: Approved</p> <p>Resolution No. 20-223</p> <p>Date: 9/14/2020</p>

SUMMARY OF ACTIVITIES

URBAN REVITALIZATION – 2020

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
URV-20-001	Applicant: City of Council Bluffs Location: 706 Veterans Memorial Highway Request: Create the Veterans Memorial Highway Urban Revitalization Area and adopt the required plan	Approval	Approval	Final Action: Approved Resolution No. 20-69 Date: 3/23/2020 Ordinance No. 6409 Date: 5/18/2020
URV-20-002	Applicant: City of Council Bluffs Location: An area generally bounded by West Kanesville Boulevard, West Broadway, North Main Street and South 6 th Street (excludes property commonly known as TS Bank) Request: Create the 5 th & West Broadway Urban Revitalization Area and adopt the required plan	Approval	Approval	Final Action: Approved Resolution No. 20-93 Date: 4/6/2020 Ordinance No. 6411 Date: 6/8/2020
URV-20-003	Applicant: City of Council Bluffs Location: Northwest corner of South 35 th Street and 14 th Avenue Request: Create the 14 th Avenue Urban Revitalization Area and adopt the required plan	Approval	Approval	Final Action: Approved Resolution No. 20-92 Date: 4/6/2020 Ordinance No. 6412 Date: 6/8/2020
URV-20-004	Applicant: City of Council Bluffs Location: 2105 Veterans Memorial Highway Request: Amend the South Pointe Urban Revitalization Area by adding property addressed at 2105 Veterans Memorial Highway	Approval	Approval	Final Action: Approved Resolution No. 20-126 Date: 5/18/2020 Resolution No. 20-156 Date: 6/22/2020

SUMMARY OF ACTIVITIES

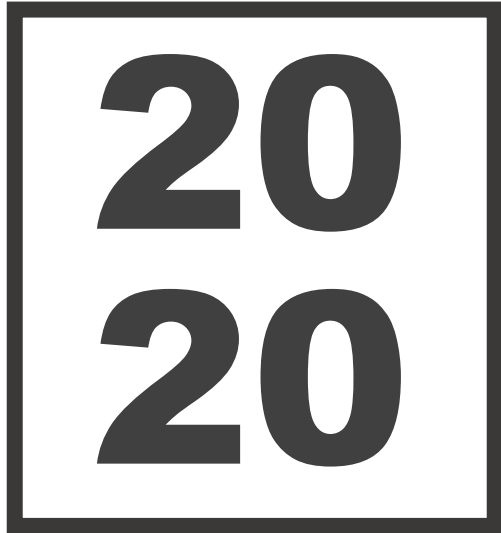
ZONING TEXT AMENDMENTS – 2020

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
ZT-20-001	Applicant: Council Bluffs Community Development Department Request: Amend Section 15.33.020(A), <u>Off-Street Parking, Loading and Unloading, General Provisions</u> , relative to the applicability of the off-street parking provisions contained in Chapter 15.23 of the Municipal Code	Approval	Approval	Final Action: Approved Ordinance No. 6414 Date: 6/22/2020
ZT-20-002	Applicant: Council Bluffs Community Development Department Request: Amend Chapter 15.19, <u>P-I/Planned Industrial District</u> , by adding ‘manufacturing, general’ and ‘retail shopping establishment’ as principal uses in the P-I District	Approval	Approval	Final Action: Approved Ordinance No. 6416 Date: 7/13/2020
ZT-20-003	Applicant: Lewis Central Community School District Request: Amend Chapter 15.13.050, <u>A-P/Administrative-Professional District, Site Development Regulations</u> , by adding additional language that allows any property, or combination of contiguous properties owned by the same person or entity, which contains a minimum of one and one-half acres of total land area, to adopt a site specific development plan	Approval	Approval	Final Action: Approved Ordinance No. 6422 Date: 8/10/2020
ZT-20-004	Applicant: City of Council Bluffs Request: Amend Title 15: <u>Zoning</u> of the Municipal Code by repealing Chapter 15.32, <u>CDO/Corridor Design Overlay</u> , and replacing it with Chapter 15.32A, <u>West Broadway Corridor Design Overlay</u>	Approval	Approval	Final Action: Approved Ordinance No. 6427 Date: 10/12/2020

SUMMARY OF ACTIVITIES

ZONING TEXT AMENDMENTS – 2020 (continued)

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
ZT-20-005	<p>Applicant: Council Bluffs Community Development Department</p> <p>Request: Amend Section 15.26.030(B), <u>Abandonment of Nonconforming Uses</u>, to allow a nonconforming use to cease for a continuous period of twelve (12) months before the subject use shall be required to conform to the use regulations of Title 15: Zoning of the Municipal Code</p>	Approval	Approval	<p>Final Action: Approved</p> <p>Ordinance No. 6434</p> <p>Date: 12/14/2020</p>



ZONING ENFORCEMENT SUMMARY REPORT

Prepared by: Community Development Department
Address: 209 Pearl Street, Council Bluffs, IA 51503
Date: April 21, 2021

OVERVIEW

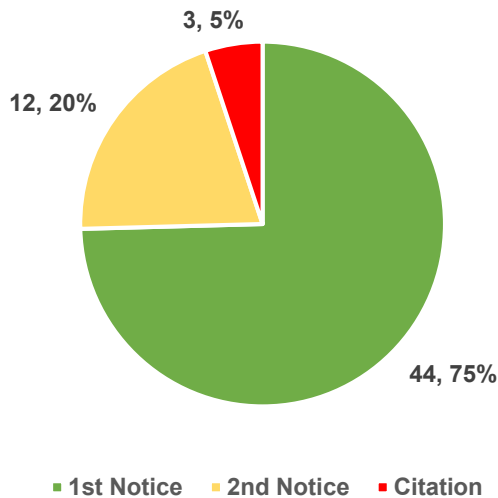
The 2020 Zoning Enforcement Summary Report provides an update on enforcement of the City's Zoning Ordinance. Zoning code enforcement is carried out by Community Development Department staff who oversee compliance with Title 15: Zoning of the Municipal Code. Some of the most common violation categories include: sign, parking, fence, lighting, and land use.

This document provides a summary of all zoning code enforcement cases in 2020, including all cases resulting from citizen complaints and observation by staff.

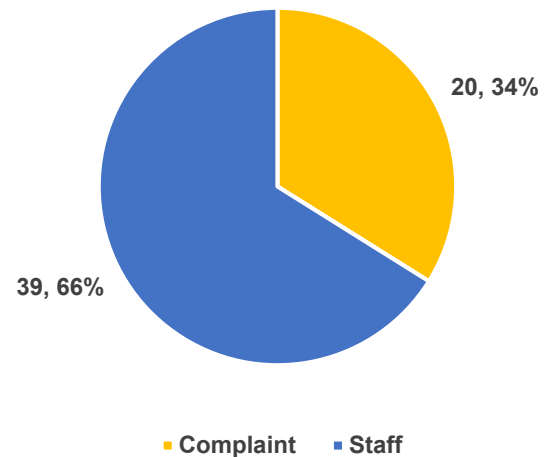
SUMMARY OF ENFORCEMENT

The figures below summarize the results of all closed zoning enforcement cases that were between January 1, 2020 and December 31, 2020. A total of 69 cases were opened, 86 percent of which were closed.

HIGHEST ENFORCEMENT ACTION TAKEN FOR COMPLIANCE



COMPLAINT V. STAFF OBSERVATION



SUMMARY OF CASES BY VIOLATION TYPE

Of the 59 cases that were closed, the majority of cases were closed after the first notice of violation (75 percent). Twenty percent were closed after the second notice of violation. Only three (3) citations were issued, resulting in a 95 percent voluntary compliance rate.

The 59 cases spanned over eight violation types, referred to throughout this report as: living in RV, vehicle, illegal use, illegal structure, fence, sign, RV and boat. These violation types are defined below:

Living in RV—a living in an RV violation occurs when a recreational vehicle is occupied for living, sleeping or housekeeping purposes for a period not exceeding seventy-two (72) consecutive hours and not more than fourteen (14) days in any calendar year.

Vehicle—a vehicle violation occurs when a vehicle is parked on an unpaved surface and/or in the front yard setback.

Illegal use—an illegal use violation occurs when any use outside those listed as principal or conditional in any given zoning district is present. Violations of conditional use permits are also included in this category.

Illegal structure—an illegal structure violation occurs when any structure is in violation of the site development regulations of the zoning ordinance, including: minimum required setbacks, maximum height restrictions, or lot coverage violations.

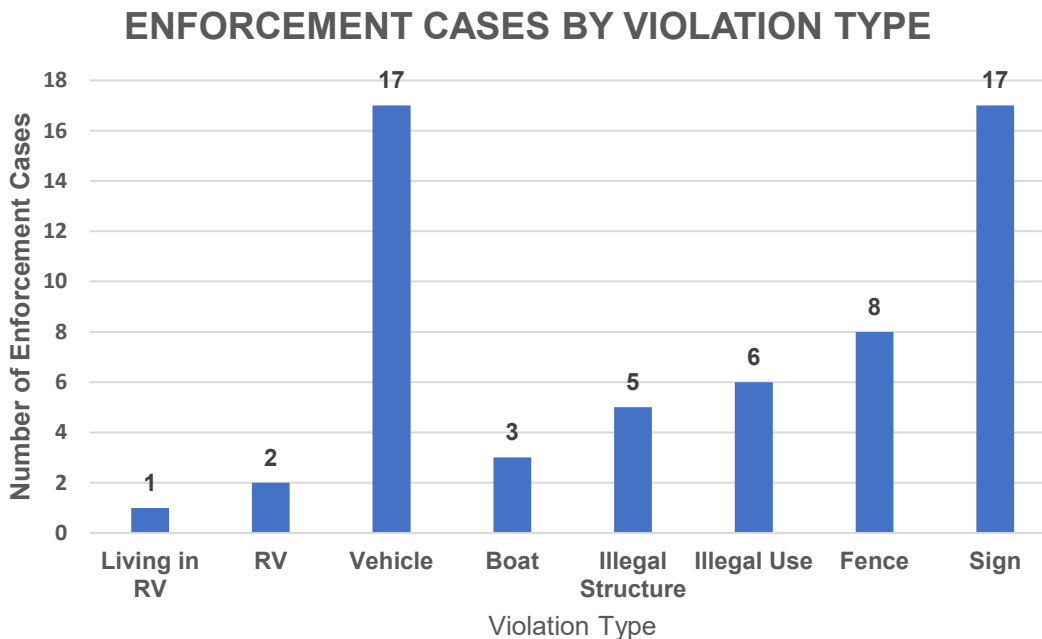
Fence—a fence violation occurs when a fence exceeds the maximum height allowed uses barbed wire or is electrically charged outside of the allowed zoning districts; is placed inside a sight triangle; has the finished side facing inward; or has not been properly maintained.

Sign—a sign violation includes the use of prohibited sign types (i.e. portable, above peak roof, off-premises, inflatable, etc.) and the installation of a sign without an approved permit.

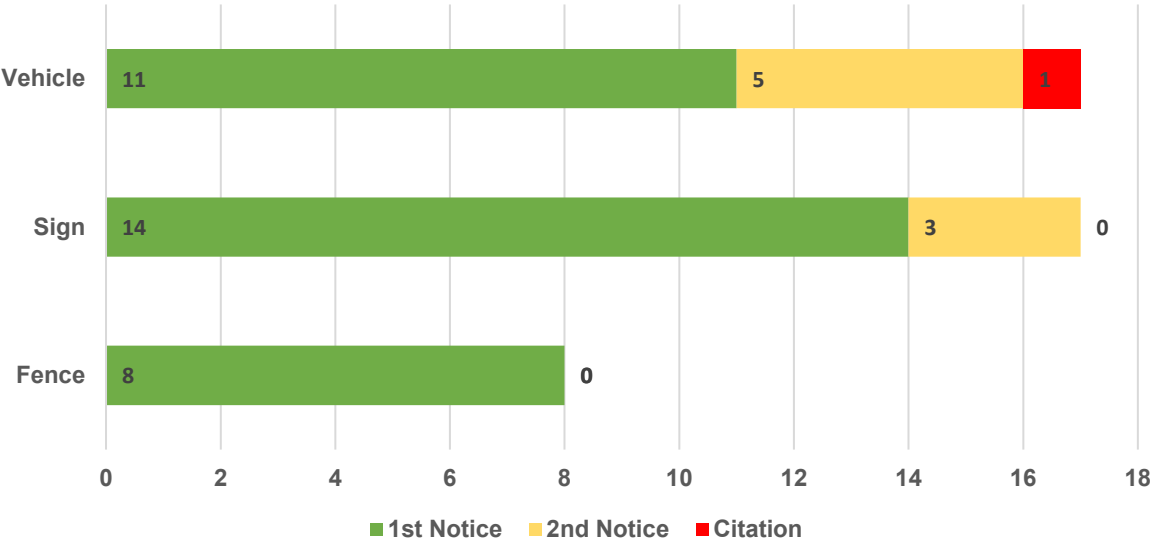
RV—a recreational vehicle (RV) violation occurs when a RV is parked on an unpaved surface and/or in the front yard setback.

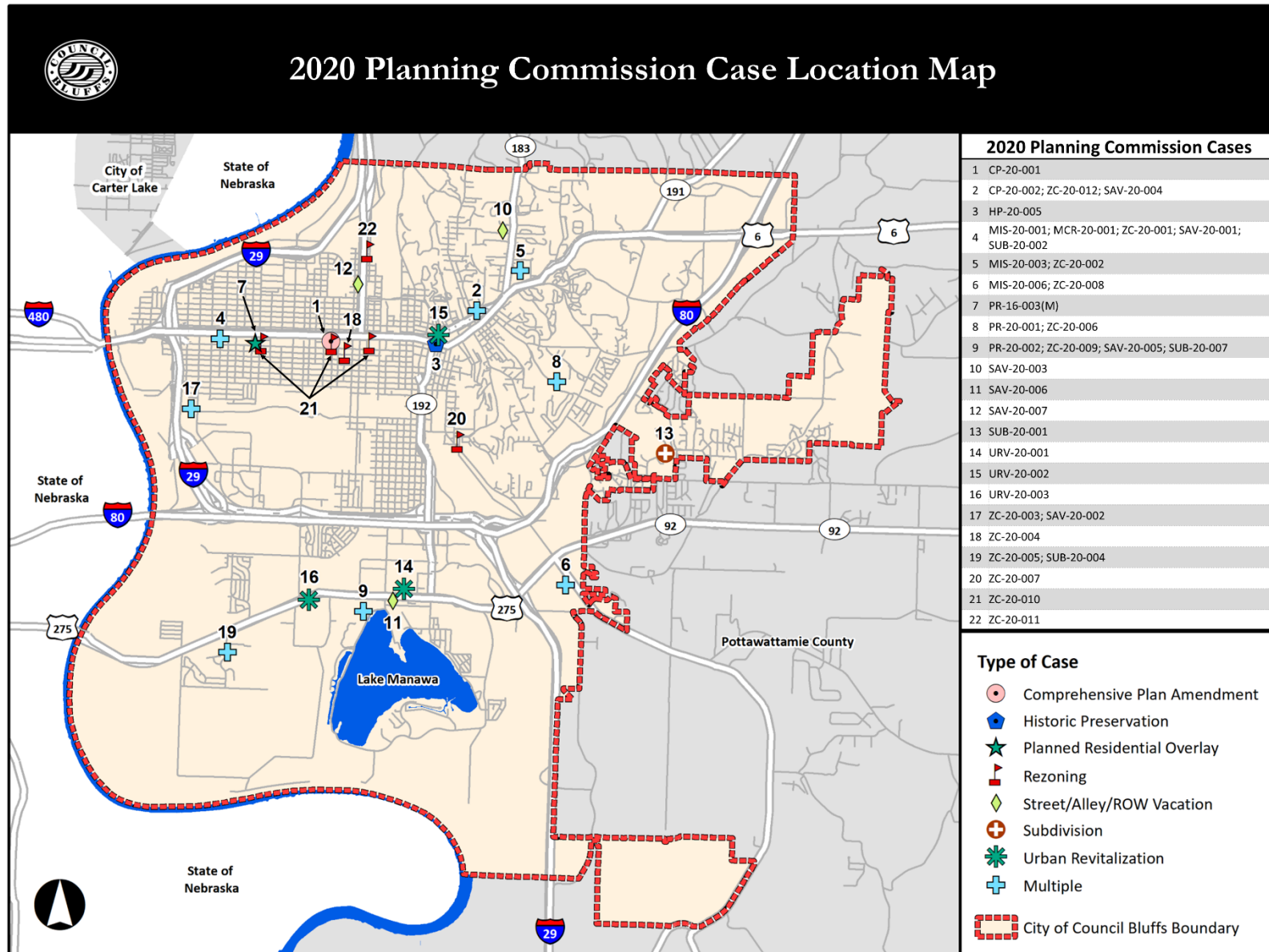
Boat—a boat violation occurs when a boat is parked on an unpaved surface and/or in the front yard setback

The top three violation types were: vehicles (28%), signs (28%), and fences (14%).



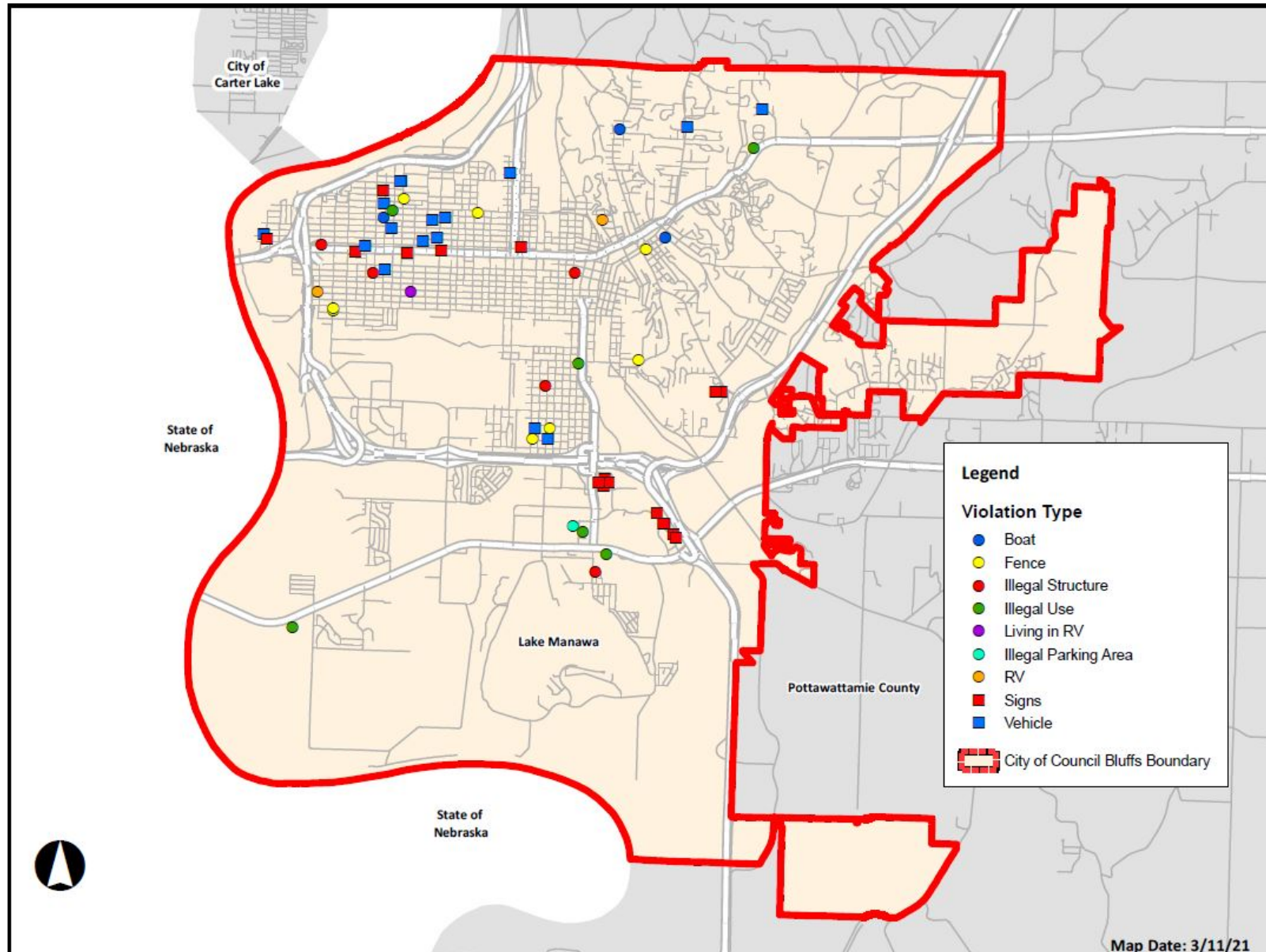
ENFORCEMENT ACTION FOR TOP 3 VIOLATIONS



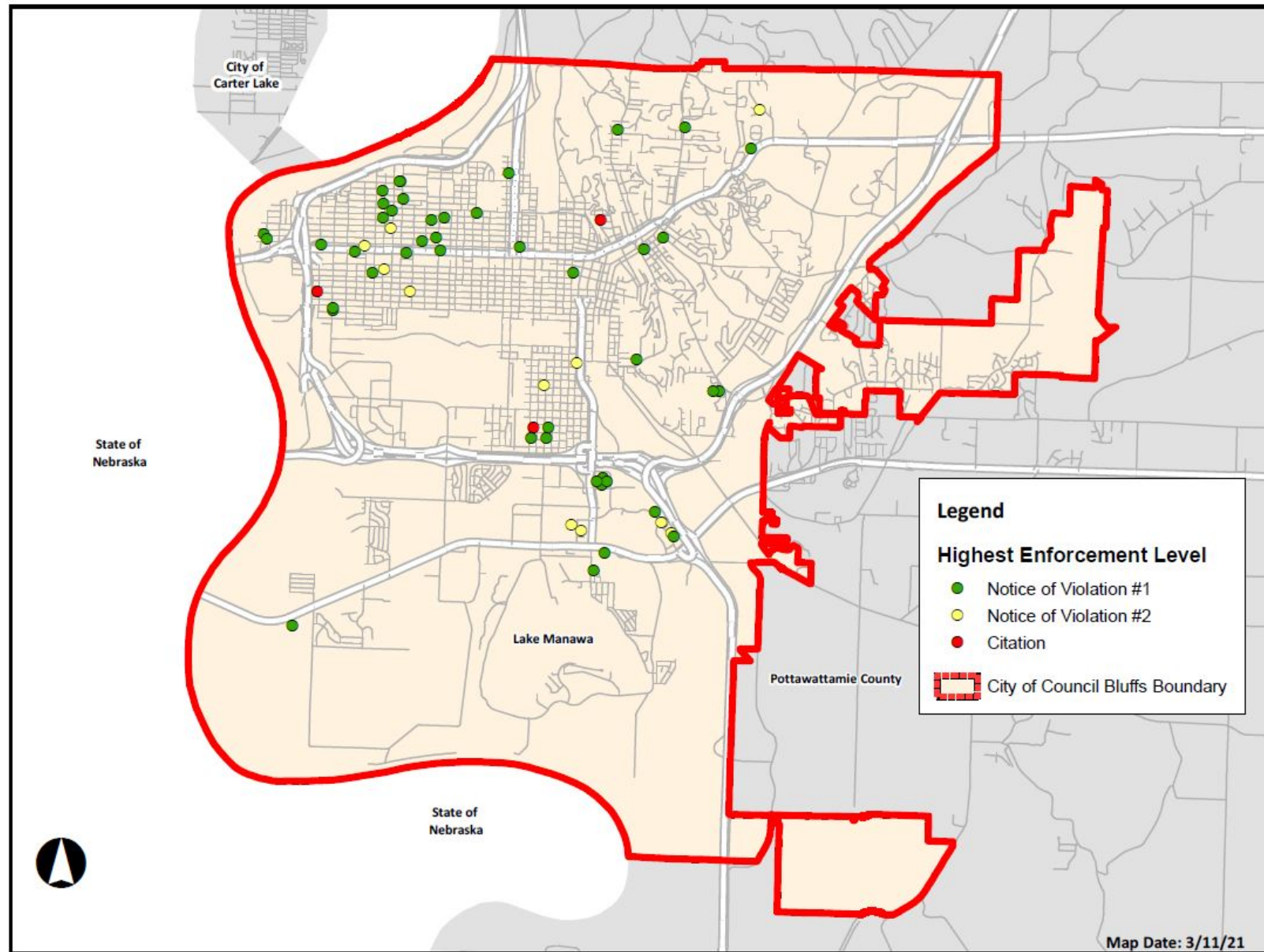


Map Date: 3/17/21

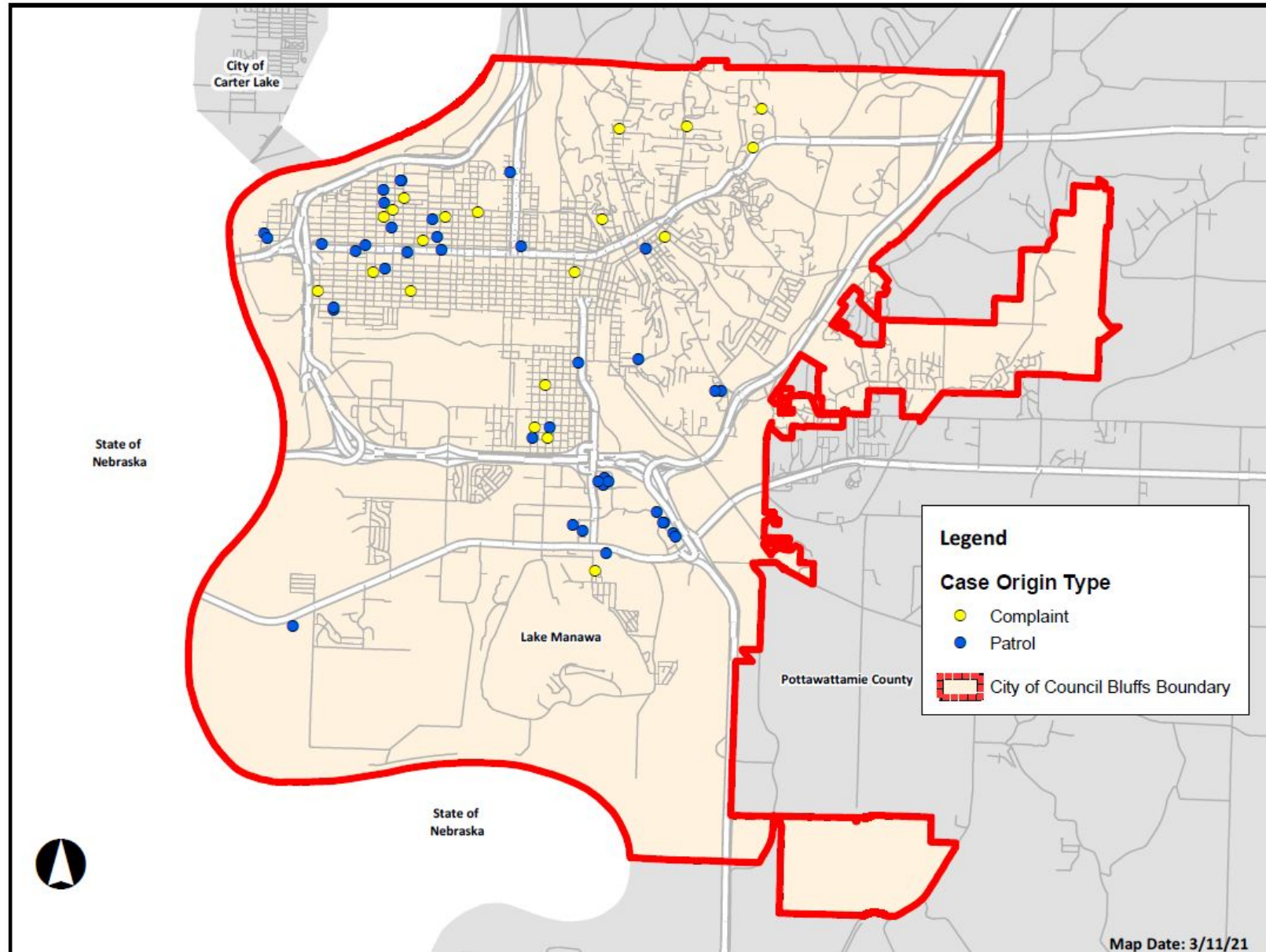
Zoning Enforcement Closed Cases 2020 - By Violation Type



Zoning Enforcement Closed Cases 2020 - By Enforcement Level



Zoning Enforcement Closed Cases 2020 - By Case Origin Type



Council Communication

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

February FY21 Financial Reports
ITEM 3.M.

Council Action: 4/26/2021

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Expenditures by Vendor	Other	4/15/2021
Expenditures by Amount	Other	4/15/2021
Receipts and Expenditures by Fund	Other	4/15/2021

CITY OF COUNCIL BLUFFS
EXPENDITURES
FEBRUARY FY21
(\$'S)

VENDOR	AMOUNT	DESCRIPTION
2ND WIND EXERCISE EQUIPMENT INC	\$370.00	EQUIPMENT/PARTS
A + UNITED RADIATOR REPAIR INC.	\$550.00	REPAIRS & MAINTENANCE
ABLE LOCKSMITHS	\$1,910.00	PROFESSIONAL SVCS
ACTION TARGET	\$295,483.00	EQUIPMENT/PARTS
AGRIVISION EQUIPMENT GROUP	\$1,513.83	EQUIPMENT/PARTS
AHLERS & COONEY P.C	\$2,759.50	LEGAL SERVICES
AIR CLEANING TECHNOLOGIES INC	\$554.75	EQUIPMENT/PARTS
ALEGENT CREIGHTON HEALTH	\$16,367.62	PROFESSIONAL SVCS
ALEXIA J GREGG	\$3,500.00	LEGAL CLAIM
ALLEY POYNER MACCHIETTO ARCHITECTURE INC	\$1,220.00	REPAIRS & MAINTENANCE
ALLIED ELECTRONICS INCORPORATED	\$1,729.00	SUPPLIES
ALLIED OIL & TIRE COMPANY	\$1,143.58	SUPPLIES
ALUMITANK INCORPORATED	\$864.90	EQUIPMENT/PARTS
ALVARADO UPHOLSTERING	\$775.00	REPAIRS & MAINTENANCE
AMERICAN FENCE STORE INC	\$1,261.56	REPAIRS & MAINTENANCE
AMERICAN NATIONAL BANK	\$58.25	BANK SERVICES
AMERITAS LIFE INS CORP	\$32.35	DODGE OPERATING EXPENSE
AQSEPTENCE GROUP INC	\$1,716.53	EQUIPMENT/PARTS
ARNOLD MOTOR SUPPLY, LLP	\$6,343.43	EQUIPMENT/PARTS
ATHLETICO EXCEL NEBRASKA LLC	\$35.00	PROFESSIONAL SVCS
B & K MECHANICAL CONTRACTORS LLC	\$649.50	REPAIRS & MAINTENANCE
B G PETERSON COMPANY	\$351.40	SUPPLIES
BAKER & TAYLOR INC	\$6,727.63	BOOKS/PERIODICALS/SUB
BARNHART CRANE & RIGGING	\$2,760.00	EQUIPMENT/PARTS
BAUM HYDRAULICS CORP	\$26.46	EQUIPMENT/PARTS
BENJAMIN VAN RAALTE	\$375.00	PROFESSIONAL SVCS
BGNE INC.	\$373.26	SUPPLIES
BLACK HILLS UTILITY HOLDINGS, INC.	\$22,888.19	NATURAL GAS
BLACKSTONE AUDIO INC	\$1,153.33	BOOKS/PERIODICALS/SUB
BLUFFS ELECTRIC INC	\$18,220.13	ELECTRICAL REPAIR
BLUFFS TAXI & COURIER	\$565.20	TRANSIT SERVICES
BOBCAT OF OMAHA	\$1,884.31	EQUIPMENT/PARTS
BOFA	\$163.69	MAC OPERATING EXPENSE
BOLTON & MENK	\$1,385.75	CONSULTANT
BOMGAARS SUPPLY INC	\$276.16	SUPPLIES
BOUND TO STAY BOUND BOOKS INC	\$576.15	BOOKS/PERIODICALS/SUB
BOUND TREE MEDICAL LLC	\$2,075.84	MEDICAL SUPPLIES
BRADLEY DEAN WILKENING	\$200.00	PROFESSIONAL SVCS
BRETT MCGEE	\$149.00	REIMB EMPLOYEE EXPENSE
BROADWAY PLAZA LLC	\$6,326.00	PROPERTY ACQUISITION
BROOMERS INC	\$450.00	RE PARKING GARAGE EXPENSE
BUCK'S INC.	\$556.46	VEHICLE WASH
C & J INDUSTRIAL SUPPLY	\$383.50	JANITORIAL SERVICE
CABANA COFFEE	\$480.92	MAC OPERATING EXPENSE
CAESARS ENTERTAINMENT	\$70,000.00	MAC OPERATING EXPENSE
CALEB RAINEY	\$150.00	PROFESSIONAL SVCS
CANON SOLUTIONS AMERICA INC	\$146.10	COPY/PRINTER MAINTANCE

CARLEY CONSTRUCTION LLC	\$55,256.81	CONSTRUCTION
CAROLINA SOFTWARE INC	\$169.53	HARDWARE/SOFTWARE
CATHERINE L PRUCHA	\$1,250.00	LEGAL CLAIM
CAVENDISH SQUARE PUBLISHING LLC	\$195.54	BOOKS/PERIODICALS/SUB
CENTER POINT LARGE PRINT	\$269.64	BOOKS/PERIODICALS/SUB
CENTURYLINK	\$714.45	TELEPHONE
CERTIFIED TRANSMISSION	\$3,355.55	REPAIRS & MAINTENANCE
CHAMPLIN TIRE RECYCLING INC	\$1,852.50	TIRE DISPOSAL
CHEMSEARCH FE	\$528.39	SUPPLIES
CHILD SUPPORT SERVICES DIVISION	\$514.32	PAYROLL RELATED
CHRISTINE D ANDERSON	\$15.12	REIMB EMPLOYEE EXPENSE
CITY OF COUNCIL BLUFFS-DEPENDENT	\$3,966.62	PAYROLL RELATED
CITY OF COUNCIL BLUFFS-FLEX	\$8,180.12	PAYROLL RELATED
CITY OF OMAHA	\$130,000.00	CONTRACT AGREEMENT
CITY TREASURER	\$2,738.12	DODGE OPERATING EXPENSE
CIVICPLUS	\$1,134.35	HARDWARE/SOFTWARE
CLARK EQUIPMENT COMPANY	\$8,581.59	EQUIPMENT/PARTS
CLOVERLEAF TOOL CO	\$1,529.42	SUPPLIES
COLLECTION SERVICES CENTER	\$8,186.68	PAYROLL RELATED
COMPASSCOM SOFTWARE CORPORATION	\$6,208.27	HARDWARE/SOFTWARE
CONCRETE HOLDINGS OMAHA, INC	\$1,446.25	STREET MAINTENANCE SUPLS
CONTINENTAL ALARM & DETECTION CO	\$460.00	REPAIRS & MAINTENANCE
CORNHUSKER INTERNATIONAL TRUCKS	\$2,078.93	EQUIPMENT/PARTS
COUNCIL BLUFFS AIRPORT AUTHORITY	\$5,502.58	AIRPORT AUTH TAX
COUNCIL BLUFFS WATER WORKS	\$5,994.94	WATER
COUNCIL BLUFFS WINSUPPLY	\$52.17	SUPPLIES
COX BUSINESS	\$126.18	DODGE OPERATING EXPENSE
COX COMMUNICATION INC	\$16,525.58	PHONE/INTERNET SVC
COX SUBSCRIPTIONS	\$126.48	SUBSCRIPTION
CREDIT BUREAU OF COUNCIL BLUFFS, INC	\$11.00	PROFESSIONAL SVCS
CSI/SSP INC	\$670.88	PRINTING/BINDING
D & D CONSTRUCTION SERVICES INC	\$29,050.00	CONSTRUCTION
D&K PROJECTS	\$295.21	DODGE OPERATING EXPENSE
DAILY NONPAREIL	\$144.53	ADVERTISEMENT
DALES TRASH SERVICE INC	\$143.00	RENTAL EXPS
DAVID C ANDERSEN	\$572.00	CONSTRUCTION
DAVID W WOODY	\$149.50	SUPPLIES
DAVID'S ELECTRIC INC	\$2,100.00	ELECTRICAL REPAIR
DAVIS EQUIPMENT CORPORATION	\$302.80	EQUIPMENT/PARTS
DELL MARKETING L P	\$4,086.90	HARDWARE/SOFTWARE
DEX MEDIA, INC.	\$1,067.50	ADVERTISEMENT
DH PACE COMPANY INC	\$11,986.39	REPAIRS & MAINTENANCE
DIAMOND MARKETING SOLUTIONS GROUP, INC.	\$13,104.40	POSTAGE & PRINTING
DIANA PEREZ	\$200.00	DODGE OPERATING EXPENSE
DMG INC	\$12,412.46	ELECTRICAL REPAIR
DODGE BANK & CR CARD FEES	\$125.77	DODGE OPERATING EXPENSE
DODGE RIVERSIDE PAYROLL	\$16,084.01	DODGE OPERATING EXPENSE
DODGE RIVERSIDE SALES TAX	\$391.00	DODGE OPERATING EXPENSE
DOLL DISTRIBUTING LLC	\$387.30	DODGE OPERATING EXPENSE
DONALD W MATHEWS	\$1,608.16	VEHICLE REPAIR
DONS PIONEER UNIFORMS	\$1,033.70	UNIFORMS
DRAKE-WILLIAMS STEEL INC	\$300.00	REPAIRS & MAINTENANCE
DUANE D FOSTER	\$10,000.00	BUSINESS ASSISTANCE PROGRAM
DUKE RENTALS	\$462.70	RENTAL EXPS
DULTMEIER SALES LLC	\$80.00	SUPPLIES

ECHO GROUP	\$9,991.05	SUPPLIES
ECOSOLUTIONS INC	\$714.75	SUPPLIES
EDWARD JAMES BREWSTER JR	\$150.00	PROFESSIONAL SVCS
EDWARDS CHEVROLET-CADILLAC INC	\$2,847.88	EQUIPMENT/PARTS
EFTPS	\$574,841.70	PAYROLL RELATED
EHRHART GRIFFIN & ASSOCIATES INC	\$42,951.25	CONSULTANT
ELAVON INC	\$5,885.97	FEES
ELECTRIC PUMP	\$10,999.27	EQUIPMENT/PARTS
EMPLOYERS MUTUAL CASUALTY COMPANY	\$107,717.36	INSURANCE
ENDRESS & HAUSER	\$1,887.12	SUPPLIES
ENTERPRISE FM TRUST	\$699.88	RENTAL EXPS
ERRIN GUNDERSON	\$105.00	MOWING/GROUNDS MAINT
FACTORY MOTOR PARTS	\$1,625.54	EQUIPMENT/PARTS
FAMILY HOUSING ADVISORY SERVICES, INC.	\$30,000.00	GRANT REIMBURSEMENT
FED EX	\$18.07	DODGE OPERATING EXPENSE
FEH ASSOCIATES INC	\$20,167.75	CONSULTANT
FELD FIRE	\$125.22	EQUIPMENT/PARTS
FELSBURG HOLT & ULLEVIG INC	\$21,426.66	PROFESSIONAL SVCS
FIRST NATIONAL BANK PCARDS	\$576.69	DODGE OPERATING EXPENSE
FORCE AMERICA DISTRIBUTING LLC	\$39.41	EQUIPMENT/PARTS
FORTE PAYMENT SYSTEMS INC	\$355.52	EQUIPMENT/PARTS
FOSTERS INC	\$3,056.30	EQUIPMENT/PARTS
FOUNTAIN PEOPLE INC	\$2,591.00	EQUIPMENT/PARTS
FUNNEL CAKE	\$466.64	MAC OPERATING EXPENSE
GALLS PARENT HOLDING, LLC	\$318.09	EQUIPMENT/PARTS
GARAGE DOOR SERVICES	\$85.00	REPAIRS & MAINTENANCE
GELCO SUPPLY INC	\$945.92	EQUIPMENT/PARTS
GENIE PEST CONTROL	\$35.00	DODGE OPERATING EXPENSE
GENIE SERVICES LLC	\$238.40	PEST CONTROL
GREAT AMERICA FINANCIAL SERV	\$123.38	DODGE OPERATING EXPENSE
GREATAMERICA FINANCIAL SERVICES CORP	\$291.09	LEASE
GRP & ASSOCIATES	\$123.00	SUPPLIES
HACH COMPANY	\$831.00	EQUIPMENT/PARTS
HARBIN CONSTRUCTION INC	\$32,243.25	CONSTRUCTION
HARRIS GOLF CARS	\$250.00	DODGE OPERATING EXPENSE
HDR ENGINEERING INC	\$55,247.92	PROFESSIONAL SVCS
HEARTLAND CO-OP	\$38.00	FUEL
HEARTLAND DOCUMENT SERVICES INC.	\$1,289.00	JANITORIAL SERVICE
HEARTLAND FAMILY SERVICES	\$16,951.50	CONSULTANT
HEARTLAND TIRES & TREADS INC	\$4,488.73	TIRE REPLACEMENT/REPAIR
HGM ASSOCIATES INC	\$75,295.15	CONSULTANT
HISTORIC GENERAL DODGE HOUSE INC	\$18,750.00	CONTRIBUTIONS
HUMAN SERVICES ADVISORY COUNCIL INC	\$50.00	DUES/MEMBERSHIP
I-80 LIQUOR & TOBACCO	\$300.95	DODGE OPERATING EXPENSE
IA INSPECTION & APPEALS	\$300.00	DODGE OPERATING EXPENSE
ICMA RETIREMENT TRUST - 457	\$14,027.48	PAYROLL RELATED
IMPACT7G INC	\$3,800.00	PROFESSIONAL SVCS
INFO USA MARKETING INC	\$270.00	FEES
INLAND TRUCK PARTS COMPANY INC	\$624.25	EQUIPMENT/PARTS
INTERSTATE INDUSTRIAL INSTR., INC.	\$259.31	SUPPLIES
IOWA DEPARTMENT OF HUMAN SERVICES	\$2,413.16	AMBULANCE BILLING FEE
IOWA DEPARTMENT OF NATURAL RESOURCE	\$59,415.00	FEES
IOWA DEPARTMENT OF PUBLIC HEALTH	\$750.00	TRAINING
IOWA DEPARTMENT OF REVENUE	\$528.81	PAYROLL RELATED
IOWA DEPT OF INSPECTIONS & APPEALS	\$300.00	TRAINING

IOWA DEPT OF REVENUE	\$120,339.00	PAYROLL RELATED
IOWA DEPT OF REVENUE	\$7,571.00	MAC OPERATING EXPENSE
IOWA DEPT OF TRANSPORTATION	\$7,630.00	CONSULTANT
IOWA DIVISION OF LABOR SERVICES	\$200.00	FEES
IOWA GOLF ASSOCIATION	\$690.00	DODGE OPERATING EXPENSE
IOWA HAZARDOUS MATERIALS TASK FORCE	\$100.00	DUES/MEMBERSHIP
IOWA LAW ENFORCEMENT ACADEMY	\$6,875.00	TRAINING
IOWA LEAGUE OF CITIES	\$30.00	FEES
IOWA MUNICIPAL FINANCE OFFICERS ASSOC	\$50.00	DUES/MEMBERSHIP
IOWA PARK & RECREATION ASSOCIATION	\$60.00	TICKET SALES
IOWA PRISON INDUSTRIES	\$7,554.71	SUPPLIES
IOWA WASTE SERVICES HOLDINGS INC	\$42,918.41	SOLID WASTE DISPOSAL
IOWA WORKFORCE DEVELOPMENT	\$24,169.49	UNEMPLOYEMENT
IPERS	\$212,318.73	PAYROLL RELATED
IPFS CORPORATION	\$598.11	DODGE OPERATING EXPENSE
JEFFREY T KOUBA	\$114.85	PROFESSIONAL SVCS
JEO CONSULTING GROUP INC	\$33,956.76	CONSULTANT
JERICO SERVICES INC	\$2,156.04	SUPPLIES
JERRY KENNEDY	\$600.00	RENTAL EXPS
JIM HAWK TRUCK TRAILERS INC.	\$185.50	EQUIPMENT/PARTS
JON NELSON	\$10,000.00	BUSINESS ASSISTANCE PROGRAM
JONES AUTOMOTIVE	\$3,318.33	EQUIPMENT/PARTS
KELLY SUPPLY COMPANY	\$317.98	EQUIPMENT/PARTS
KELTEK, INCORPORATED	\$5,016.80	EQUIPMENT/PARTS
KEVIN J WOOD	\$250.00	PROFESSIONAL SVCS
KONICA MINOLTA BUSINESS SOLUTIONS USA	\$812.00	LEASE
KRONOS INCORPORATED	\$2,000.00	HARDWARE/SOFTWARE
KYLE RODENBURG	\$16.57	REIMB EMPLOYEE EXPENSE
LANDSCAPES GOLF MANAGEMENT	\$11,080.45	DODGE OPERATING EXPENSE
LAWSON PRODUCTS INC	\$2,984.92	SUPPLIES
LINKEDIN CORP	\$6,440.00	DUES/MEMBERSHIP
LOGAN CONTRACTORS SUPPLY INC	\$521.53	SUPPLIES
LORA FLOM	\$80.95	REIMB EMPLOYEE EXPENSE
LORETTA GOESCHEL	\$19.04	REIMB EMPLOYEE EXPENSE
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$3,680.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$280.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$4,350.00	PAYROLL RELATED
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$1,250.00	PAYROLL RELATED
MARCO HOLDINGS, LLC	\$37,371.88	COPY/PRINTER MAINTANCE
MATHESON TRI GAS INC.	\$937.42	SUPPLIES
MATTHEW BALL	\$250.00	PROFESSIONAL SVCS
MATTHEW KUHLMANN	\$1,040.00	MAC OPERATING EXPENSE
MAX I WALKER UNIFORM & APPAREL	\$918.37	UNIFORMS
MCINTOSH PLUMBING INC	\$557.00	PLUMBING NEW OR REPAIR
MCMULLEN FORD INC	\$1,074.59	EQUIPMENT/PARTS
MECHANICAL SALES INC.	\$165.00	SUPPLIES
METRO COALITION	\$4,057.37	FEES
MFPRSI	\$467,784.32	PAYROLL RELATED
MICHAEL O'BRADOVICH	\$2,400.00	PROFESSIONAL SVCS
MICHAEL TODD AND COMPANY INC	\$1,590.79	EQUIPMENT/PARTS
MID AMERICAN ENERGY CO	\$1,431.33	RE PARKING GARAGE EXPENSE
MID STATES BANK	\$219.72	MAC OPERATING EXPENSE
MIDAMERICAN ENERGY COMPANY	\$5.33	ELECTRICITY
MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACT AGREEMENT
MIDSTATES BANK, NA	\$174.80	BANK SERVICES

MIDWEST BOX COMPANY	\$127.88	SUPPLIES
MIDWEST DCM INC	\$395.00	RE PARKING GARAGE EXPENSE
MIDWEST DCM INC	\$790.00	RE PARKING GARAGE EXPENSE
MIDWEST RESEARCH & SETTLEMENT SERVICES,	\$200.00	PROFESSIONAL SVCS
MIDWEST TAPE, LLC	\$1,245.63	DVD/AUDIO/CD
MIDWEST TITLE INC	\$86,491.45	PROPERTY ACQUISITION
MIDWEST TURF & IRRIGATION	\$5,348.10	EQUIPMENT/PARTS
MOBOTREX INC	\$8,111.38	STREET MAINTENANCE SUPLS
MONROE TRUCK EQUIPMENT, INC.	\$1,634.34	EQUIPMENT/PARTS
MUNICIPAL CODE CORPORATION	\$350.00	SUBSCRIPTION
MUNICIPAL EMERGENCY SERVICES INC	\$4,332.00	EQUIPMENT/PARTS
MURPHY TRACTOR & EQUIPMENT CO CORP	\$8,881.87	EQUIPMENT/PARTS
NAPA AUTO PARTS	\$3,256.53	EQUIPMENT/PARTS
NATIONWIDE RETIREMENT SOLUTIONS INC	\$66,747.06	PAYROLL RELATED
NEBRASKA AIR FILTER INC	\$2,297.16	SUPPLIES
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$496.62	PAYROLL RELATED
NEBRASKA GOLF AND TURF	\$536.99	DODGE OPERATING EXPENSE
NEBRASKA IOWA SUPPLY CO INC	\$8,505.00	FUEL
NEW VISIONS HOMELESS SERVICES	\$28,545.53	GRANT REIMBURSEMENT
NMC INC.	\$2,787.91	EQUIPMENT/PARTS
NODDLE DEVELOPMENT CO	\$2,061.92	RE PARKING GARAGE EXPENSE
NOODLE SERVICES LLC	\$220.06	RE PARKING GARAGE EXPENSE
O KEEFE ELEVATOR CO INC	\$184.04	RE PARKING GARAGE EXPENSE
OCLC INC	\$1,255.86	SUBSCRIPTION
OMAHA DOOR & WINDOW CO INC	\$205.75	REPAIRS & MAINTENANCE
OMNI ENGINEERING	\$2,488.87	STREET MAINTENANCE SUPLS
ONE SOURCE THE BACKGROUND CHECK COMPANY	\$379.30	CONSULTANT
O'REILLY AUTOMOTIVE INC	\$661.59	EQUIPMENT/PARTS
OVERDRIVE INC	\$2,203.93	BOOKS/PERIODICALS/SUB
PARAMOUNT GAS PRODUCTS LLC	\$2,500.00	SAFETY EQUIP & MAINTENANCE
PARAMOUNT LINEN & UNIFORMS	\$83.31	DODGE OPERATING EXPENSE
PAY-LESS OFFICE PRODUCTS INC	\$114.16	SUPPLIES
PAYROLL	\$1,962,029.92	CITY EMPLOYEE PAYROLL
PAYROLL	\$59,844.58	MAC OPERATING EXPENSE
PEERLESS WIPING CLOTH CO	\$292.00	SUPPLIES
PER MAR SECURITY & RESEARCH CORP	\$399.24	ALARM SECURITY
PITNEY BOWES INC.	\$3,126.65	POSTAGE & PRINTING
PIX4D INC	\$499.00	EQUIPMENT/PARTS
PLEIGER PLASTICS COMPANY	\$2,229.70	SUPPLIES
POTTAWATTAMIE COUNTY CLERK OF COURT	\$1,070.87	COURT COSTS
POTTAWATTAMIE COUNTY TREASURER	\$38,132.18	FEES
PREMIER GLAZER'S BEVS	\$179.90	DODGE OPERATING EXPENSE
PREMIER MIDWEST BEVERAGE	\$293.60	MAC OPERATING EXPENSE
PRIME COMMUNICATIONS INC	\$400.53	HARDWARE/SOFTWARE
PROTECH COMMERCIAL VEHICLE OUTFITTERS INC	\$5,260.24	EQUIPMENT/PARTS
RASMUSSEN MECHANICAL SERVICES INC	\$5,045.16	EQUIPMENT/PARTS
RECORCE CETNER	\$360.00	DODGE OPERATING EXPENSE
RELIANCE STANDARD LIFE INSURANCE CO	\$20,163.71	PAYROLL RELATED
RELIANT FIRE APPARATUS INC	\$1,295.86	EQUIPMENT/PARTS
RICK IDEAS INC	\$360.00	PROFESSIONAL SVCS
RICOH USA INC	\$28.16	LEASE
RIVERS EDGE BANK FEES	\$45.30	RE PARKING GARAGE EXPENSE
RIVERS EDGE MASTER PROPERTY OWNERS ASSOC	\$1,122.83	RE PARKING GARAGE EXPENSE
ROBERT PRACHT	\$1,920.00	PROFESSIONAL SVCS
ROSE EQUIPMENT, LLC	\$754.94	EQUIPMENT/PARTS

RYNE JEFFRIES	\$4,860.00	CONSTRUCTION
SAFETY GUARD INC	\$3,680.00	REPAIRS & MAINTENANCE
SANDRY FIRE SUPPLY LLC	\$384.00	SUPPLIES
SAPP BROTHERS INC	\$57,975.27	FUEL
SCHINDLER ELEVATOR CORPORATION	\$361.48	REPAIRS & MAINTENANCE
SECURITY EQUIPMENT INCORPORATED	\$26,513.50	ALARM SECURITY
SILVERSTONE GROUP INC.	\$22,211.00	INSURANCE
SIRSI CORPORATION	\$54,832.20	HARDWARE/SOFTWARE
SJ ELECTRO SYSTEMS INC	\$9,534.00	EQUIPMENT/PARTS
SNYDER & ASSOCIATES INC	\$22,707.05	CONSULTANT
SOLARWINDS INC	\$1,185.60	HARDWARE/SOFTWARE
SOUTHWEST IOWA PLANNING COUNCIL	\$25,818.17	TRANSIT SERVICES
SPRINT SOLUTIONS INC	\$60.02	CELL PHONE
STATE OF IOWA	\$789.70	TRAINING
STERN OIL CO INC	\$852.76	SUPPLIES
STOP STICK LTD	\$4,559.00	SUPPLIES
STUDIO 15 COMMERCIAL INTERIORS INC	\$45,028.05	PROFESSIONAL SVCS
SWAGIT PRODUCTIONS LLC	\$1,375.00	PROFESSIONAL SVCS
SYSCO-LINCOLN	\$646.08	DODGE OPERATING EXPENSE
TECH INC	\$827.00	SUPPLIES
TED'S MOWER SALES & SERVICE INC	\$266.49	EQUIPMENT/PARTS
THE ABY MANUFACTURING GROUP INC	\$660.90	SUPPLIES
THE DAVEY TREE EXPERT COMPANY	\$2,875.00	TREE WORK
THERMAL SERVICES	\$31.20	REPAIRS & MAINTENANCE
THERMO KING CHRISTENSEN	\$3,200.00	SUPPLIES
TOMASEK MACHINE SHOP INC	\$1,707.52	REPAIRS & MAINTENANCE
TOYNE INC	\$3,395.37	EQUIPMENT/PARTS
TRAFFIC & PARKING CONTROL CO	\$5,156.00	HARDWARE/SOFTWARE
TRANSIT AUTHORITY OF THE CITY OF OMAHA	\$96,410.00	BUS SERVICE
TREASURER STATE OF IOWA/SALES TAX	\$15,815.00	SALES TAX
TRU PRO CONSTRUCTION INC	\$36,400.00	CONSTRUCTION
TRUCK EQUIPMENT INC	\$27.63	EQUIPMENT/PARTS
TS DEVELOPMENT LLC	\$14,025.00	DEVLPMNT CONTRACT
TWO RIVERS INSURANCE COMPANY, INC.	\$895,202.43	EMPLOYEE INSURANCE
U.S. VENTURE, INC.	\$2,291.56	EQUIPMENT/PARTS
UNION BANK & TRUST/OMNIFY	\$9.00	DODGE OPERATING EXPENSE
UNITED PARCEL SERVICE	\$71.23	FREIGHT/POSTAGE
UNITED PHOENIX FIREFIGHTERS ASSOCIATION	\$1,500.00	SUBSCRIPTION
UNIVERSITY OF IOWA	\$220.00	PROFESSIONAL SVCS
UNIVERSITY OF NEBRASKA AT OMAHA	\$75.00	TRAINING
US BANK	\$120,096.26	CREDIT CARD PURCHASES
VANDER HAAG'S INCORPORATED	\$2,121.22	EQUIPMENT/PARTS
VERIZON WIRELESS SERVICES LLC	\$6,014.67	CELL PHONE
VERMEER SALES & SERVICE INC	\$2,803.42	EQUIPMENT/PARTS
VISION INDUSTRIAL SALES INC	\$5,599.35	SUPPLIES
VOICE & DATA SYSTEMS INC	\$228.00	TELEPHONE
VOYA RETIREMENT INSURANCE & ANNUITY	\$8,140.00	PAYROLL RELATED
W.W. GRAINGER, INC.	\$1,691.21	EQUIPMENT/PARTS
WALDSTEIN HVAC LLC	\$111,880.00	EQUIPMENT/PARTS
WASTE CONNECTIONS	\$256.50	DODGE OPERATING EXPENSE
WASTE CONNECTIONS OF IOWA	\$222,890.90	HOUSEHOLD TRASH
WATER ENGINEERING INC	\$254.57	MOWING/GROUNDS MAINT
WEST PUBLISHING CORPORATION	\$716.33	SUBSCRIPTION
WILLIAM E CARPENTER JR	\$92.00	REIMB EMPLOYEE EXPENSE

WINDSTREAM CORPORATION	\$2,500.00	TELEPHONE
WINTER EQUIPMENT COMPANY INC	\$3,036.36	EQUIPMENT/PARTS
WOLSELEY INVESTMENTS INC	\$1,890.91	EQUIPMENT/PARTS
WOODHOUSE FORD CHRYLSEY INC	\$1,585.33	EQUIPMENT/PARTS
YANT EQUIPMENT	\$358.88	REPAIRS & MAINTENANCE
YMCA OF GREATER OMAHA	\$520.00	DUES/MEMBERSHIP
TOTAL	\$7,236,386.03	

CITY OF COUNCIL BLUFFS
EXPENDITURES
FEBRUARY FY21
(\$'S)

VENDOR	AMOUNT	DESCRIPTION
PAYROLL	\$1,962,029.92	CITY EMPLOYEE PAYROLL
TWO RIVERS INSURANCE COMPANY, INC.	\$895,202.43	EMPLOYEE INSURANCE
EFTPS	\$574,841.70	PAYROLL RELATED
MFPRSI	\$467,784.32	PAYROLL RELATED
ACTION TARGET	\$295,483.00	EQUIPMENT/PARTS
WASTE CONNECTIONS OF IOWA	\$222,890.90	HOUSEHOLD TRASH
IPERS	\$212,318.73	PAYROLL RELATED
CITY OF OMAHA	\$130,000.00	CONTRACT AGREEMENT
IOWA DEPT OF REVENUE	\$120,339.00	PAYROLL RELATED
US BANK	\$120,096.26	CREDIT CARD PURCHASES
WALDSTEIN HVAC LLC	\$111,880.00	EQUIPMENT/PARTS
EMPLOYERS MUTUAL CASUALTY COMPANY	\$107,717.36	INSURANCE
TRANSIT AUTHORITY OF THE CITY OF OMAHA	\$96,410.00	BUS SERVICE
MIDWEST TITLE INC	\$86,491.45	PROPERTY ACQUISITION
HGM ASSOCIATES INC	\$75,295.15	CONSULTANT
CAESARS ENTERTAINMENT	\$70,000.00	MAC OPERATING EXPENSE
NATIONWIDE RETIREMENT SOLUTIONS INC	\$66,747.06	PAYROLL RELATED
PAYROLL	\$59,844.58	MAC OPERATING EXPENSE
IOWA DEPARTMENT OF NATURAL RESOURCE	\$59,415.00	FEES
SAPP BROTHERS INC	\$57,975.27	FUEL
CARLEY CONSTRUCTION LLC	\$55,256.81	CONSTRUCTION
HDR ENGINEERING INC	\$55,247.92	PROFESSIONAL SVCS
SIRSI CORPORATION	\$54,832.20	HARDWARE/SOFTWARE
STUDIO 15 COMMERCIAL INTERIORS INC	\$45,028.05	PROFESSIONAL SVCS
EHRHART GRIFFIN & ASSOCIATES INC	\$42,951.25	CONSULTANT
IOWA WASTE SERVICES HOLDINGS INC	\$42,918.41	SOLID WASTE DISPOSAL
POTTAWATTAMIE COUNTY TREASURER	\$38,132.18	FEES
MARCO HOLDINGS, LLC	\$37,371.88	COPY/PRINTER MAINTANCE
TRU PRO CONSTRUCTION INC	\$36,400.00	CONSTRUCTION
JEO CONSULTING GROUP INC	\$33,956.76	CONSULTANT
HARBIN CONSTRUCTION INC	\$32,243.25	CONSTRUCTION
FAMILY HOUSING ADVISORY SERVICES, INC.	\$30,000.00	GRANT REIMBURSEMENT
D & D CONSTRUCTION SERVICES INC	\$29,050.00	CONSTRUCTION
NEW VISIONS HOMELESS SERVICES	\$28,545.53	GRANT REIMBURSEMENT
SECURITY EQUIPMENT INCORPORATED	\$26,513.50	ALARM SECURITY
SOUTHWEST IOWA PLANNING COUNCIL	\$25,818.17	TRANSIT SERVICES
IOWA WORKFORCE DEVELOPMENT	\$24,169.49	UNEMPLOYEMENT
BLACK HILLS UTILITY HOLDINGS, INC.	\$22,888.19	NATURAL GAS
SNYDER & ASSOCIATES INC	\$22,707.05	CONSULTANT
SILVERSTONE GROUP INC.	\$22,211.00	INSURANCE
FELSBURG HOLT & ULLEVIG INC	\$21,426.66	PROFESSIONAL SVCS
FEH ASSOCIATES INC	\$20,167.75	CONSULTANT
RELIANCE STANDARD LIFE INSURANCE CO	\$20,163.71	PAYROLL RELATED
HISTORIC GENERAL DODGE HOUSE INC	\$18,750.00	CONTRIBUTIONS
BLUFFS ELECTRIC INC	\$18,220.13	ELECTRICAL REPAIR
HEARTLAND FAMILY SERVICES	\$16,951.50	CONSULTANT

COX COMMUNICATION INC	\$16,525.58	PHONE/INTERNET SVC
ALEGENT CREIGHTON HEALTH	\$16,367.62	PROFESSIONAL SVCS
DODGE RIVERSIDE PAYROLL	\$16,084.01	DODGE OPERATING EXPENSE
TREASURER STATE OF IOWA/SALES TAX	\$15,815.00	SALES TAX
ICMA RETIREMENT TRUST - 457	\$14,027.48	PAYROLL RELATED
TS DEVELOPMENT LLC	\$14,025.00	DEVLPMNT CONTRACT
DIAMOND MARKETING SOLUTIONS GROUP, INC.	\$13,104.40	POSTAGE & PRINTING
DMG INC	\$12,412.46	ELECTRICAL REPAIR
DH PACE COMPANY INC	\$11,986.39	REPAIRS & MAINTENANCE
LANDSCAPES GOLF MANAGEMENT	\$11,080.45	DODGE OPERATING EXPENSE
ELECTRIC PUMP	\$10,999.27	EQUIPMENT/PARTS
MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACT AGREEMENT
DUANE D FOSTER	\$10,000.00	BUSINESS ASSISTANCE PROGRAM
JON NELSON	\$10,000.00	BUSINESS ASSISTANCE PROGRAM
ECHO GROUP	\$9,991.05	SUPPLIES
SJ ELECTRO SYSTEMS INC	\$9,534.00	EQUIPMENT/PARTS
MURPHY TRACTOR & EQUIPMENT CO CORP	\$8,881.87	EQUIPMENT/PARTS
CLARK EQUIPMENT COMPANY	\$8,581.59	EQUIPMENT/PARTS
NEBRASKA IOWA SUPPLY CO INC	\$8,505.00	FUEL
COLLECTION SERVICES CENTER	\$8,186.68	PAYROLL RELATED
CITY OF COUNCIL BLUFFS-FLEX	\$8,180.12	PAYROLL RELATED
VOYA RETIREMENT INSURANCE & ANNUITY	\$8,140.00	PAYROLL RELATED
MOBOTREX INC	\$8,111.38	STREET MAINTENANCE SUPLS
IOWA DEPT OF TRANSPORTATION	\$7,630.00	CONSULTANT
IOWA DEPT OF REVENUE	\$7,571.00	MAC OPERATING EXPENSE
IOWA PRISON INDUSTRIES	\$7,554.71	SUPPLIES
IOWA LAW ENFORCEMENT ACADEMY	\$6,875.00	TRAINING
BAKER & TAYLOR INC	\$6,727.63	BOOKS/PERIODICALS/SUB
LINKEDIN CORP	\$6,440.00	DUES/MEMBERSHIP
ARNOLD MOTOR SUPPLY, LLP	\$6,343.43	EQUIPMENT/PARTS
BROADWAY PLAZA LLC	\$6,326.00	PROPERTY ACQUISITION
COMPASSCOM SOFTWARE CORPORATION	\$6,208.27	HARDWARE/SOFTWARE
VERIZON WIRELESS SERVICES LLC	\$6,014.67	CELL PHONE
COUNCIL BLUFFS WATER WORKS	\$5,994.94	WATER
ELAVON INC	\$5,885.97	FEES
VISION INDUSTRIAL SALES INC	\$5,599.35	SUPPLIES
COUNCIL BLUFFS AIRPORT AUTHORITY	\$5,502.58	AIRPORT AUTH TAX
MIDWEST TURF & IRRIGATION	\$5,348.10	EQUIPMENT/PARTS
PROTECH COMMERCIAL VEHICLE OUTFITTERS INC	\$5,260.24	EQUIPMENT/PARTS
TRAFFIC & PARKING CONTROL CO	\$5,156.00	HARDWARE/SOFTWARE
RASMUSSEN MECHANICAL SERVICES INC	\$5,045.16	EQUIPMENT/PARTS
KELTEK, INCORPORATED	\$5,016.80	EQUIPMENT/PARTS
RYNE JEFFRIES	\$4,860.00	CONSTRUCTION
STOP STICK LTD	\$4,559.00	SUPPLIES
HEARTLAND TIRES & TREADS INC	\$4,488.73	TIRE REPLACEMENT/REPAIR
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$4,350.00	PAYROLL RELATED
MUNICIPAL EMERGENCY SERVICES INC	\$4,332.00	EQUIPMENT/PARTS
DELL MARKETING L P	\$4,086.90	HARDWARE/SOFTWARE
METRO COALITION	\$4,057.37	FEES
CITY OF COUNCIL BLUFFS-DEPENDENT	\$3,966.62	PAYROLL RELATED
IMPACT7G INC	\$3,800.00	PROFESSIONAL SVCS
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$3,680.00	PAYROLL RELATED
SAFETY GUARD INC	\$3,680.00	REPAIRS & MAINTENANCE
ALEXIA J GREGG	\$3,500.00	LEGAL CLAIM

TOYNE INC	\$3,395.37	EQUIPMENT/PARTS
CERTIFIED TRANSMISSION	\$3,355.55	REPAIRS & MAINTENANCE
JONES AUTOMOTIVE	\$3,318.33	EQUIPMENT/PARTS
NAPA AUTO PARTS	\$3,256.53	EQUIPMENT/PARTS
THERMO KING CHRISTENSEN	\$3,200.00	SUPPLIES
PITNEY BOWES INC.	\$3,126.65	POSTAGE & PRINTING
FOSTERS INC	\$3,056.30	EQUIPMENT/PARTS
WINTER EQUIPMENT COMPANY INC	\$3,036.36	EQUIPMENT/PARTS
LAWSON PRODUCTS INC	\$2,984.92	SUPPLIES
THE DAVEY TREE EXPERT COMPANY	\$2,875.00	TREE WORK
EDWARDS CHEVROLET-CADILLAC INC	\$2,847.88	EQUIPMENT/PARTS
VERMEER SALES & SERVICE INC	\$2,803.42	EQUIPMENT/PARTS
NMC INC.	\$2,787.91	EQUIPMENT/PARTS
BARNHART CRANE & RIGGING	\$2,760.00	EQUIPMENT/PARTS
AHLERS & COONEY P.C	\$2,759.50	LEGAL SERVICES
CITY TREASURER	\$2,738.12	DODGE OPERATING EXPENSE
FOUNTAIN PEOPLE INC	\$2,591.00	EQUIPMENT/PARTS
PARAMOUNT GAS PRODUCTS LLC	\$2,500.00	SAFETY EQUIP & MAINTENANCE
WINDSTREAM CORPORATION	\$2,500.00	TELEPHONE
OMNI ENGINEERING	\$2,488.87	STREET MAINTENANCE SUPLS
IOWA DEPARTMENT OF HUMAN SERVICES	\$2,413.16	AMBULANCE BILLING FEE
MICHAEL OBRADOVICH	\$2,400.00	PROFESSIONAL SVCS
NEBRASKA AIR FILTER INC	\$2,297.16	SUPPLIES
U.S. VENTURE, INC.	\$2,291.56	EQUIPMENT/PARTS
PLEIGER PLASTICS COMPANY	\$2,229.70	SUPPLIES
OVERDRIVE INC	\$2,203.93	BOOKS/PERIODICALS/SUB
JERICO SERVICES INC	\$2,156.04	SUPPLIES
VANDER HAAG'S INCORPORATED	\$2,121.22	EQUIPMENT/PARTS
DAVID'S ELECTRIC INC	\$2,100.00	ELECTRICAL REPAIR
CORNHUSKER INTERNATIONAL TRUCKS	\$2,078.93	EQUIPMENT/PARTS
BOUND TREE MEDICAL LLC	\$2,075.84	MEDICAL SUPPLIES
NODDLE DEVELOPMENT CO	\$2,061.92	RE PARKING GARAGE EXPENSE
KRONOS INCORPORATED	\$2,000.00	HARDWARE/SOFTWARE
ROBERT PRACHT	\$1,920.00	PROFESSIONAL SVCS
ABLE LOCKSMITHS	\$1,910.00	PROFESSIONAL SVCS
WOLSELEY INVESTMENTS INC	\$1,890.91	EQUIPMENT/PARTS
ENDRESS & HAUSER	\$1,887.12	SUPPLIES
BOBCAT OF OMAHA	\$1,884.31	EQUIPMENT/PARTS
CHAMPLIN TIRE RECYCLING INC	\$1,852.50	TIRE DISPOSAL
ALLIED ELECTRONICS INCORPORATED	\$1,729.00	SUPPLIES
AQSEPTENCE GROUP INC	\$1,716.53	EQUIPMENT/PARTS
TOMASEK MACHINE SHOP INC	\$1,707.52	REPAIRS & MAINTENANCE
W.W. GRAINGER, INC.	\$1,691.21	EQUIPMENT/PARTS
MONROE TRUCK EQUIPMENT, INC.	\$1,634.34	EQUIPMENT/PARTS
FACTORY MOTOR PARTS	\$1,625.54	EQUIPMENT/PARTS
DONALD W MATHEWS	\$1,608.16	VEHICLE REPAIR
MICHAEL TODD AND COMPANY INC	\$1,590.79	EQUIPMENT/PARTS
WOODHOUSE FORD CHRYLSEY INC	\$1,585.33	EQUIPMENT/PARTS
CLOVERLEAF TOOL CO	\$1,529.42	SUPPLIES
AGRIVISION EQUIPMENT GROUP	\$1,513.83	EQUIPMENT/PARTS
UNITED PHOENIX FIREFIGHTERS ASSOCIATION	\$1,500.00	SUBSCRIPTION
CONCRETE HOLDINGS OMAHA, INC	\$1,446.25	STREET MAINTENANCE SUPLS
MID AMERICAN ENERGY CO	\$1,431.33	RE PARKING GARAGE EXPENSE
BOLTON & MENK	\$1,385.75	CONSULTANT

SWAGIT PRODUCTIONS LLC	\$1,375.00	PROFESSIONAL SVCS
RELIANT FIRE APPARATUS INC	\$1,295.86	EQUIPMENT/PARTS
HEARTLAND DOCUMENT SERVICES INC.	\$1,289.00	JANITORIAL SERVICE
AMERICAN FENCE STORE INC	\$1,261.56	REPAIRS & MAINTENANCE
OCLC INC	\$1,255.86	SUBSCRIPTION
CATHERINE L PRUCHA	\$1,250.00	LEGAL CLAIM
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$1,250.00	PAYROLL RELATED
MIDWEST TAPE, LLC	\$1,245.63	DVD/AUDIO/CD
ALLEY POYNER MACCHIETTO ARCHITECTURE INC	\$1,220.00	REPAIRS & MAINTENANCE
SOLARWINDS INC	\$1,185.60	HARDWARE/SOFTWARE
BLACKSTONE AUDIO INC	\$1,153.33	BOOKS/PERIODICALS/SUB
ALLIED OIL & TIRE COMPANY	\$1,143.58	SUPPLIES
CIVICPLUS	\$1,134.35	HARDWARE/SOFTWARE
RIVERS EDGE MASTER PROPERTY OWNERS	\$1,122.83	RE PARKING GARAGE EXPENSE
MCMULLEN FORD INC	\$1,074.59	EQUIPMENT/PARTS
POTTAWATTAMIE COUNTY CLERK OF COURT	\$1,070.87	COURT COSTS
DEX MEDIA, INC.	\$1,067.50	ADVERTISEMENT
MATTHEW KUHLMANN	\$1,040.00	MAC OPERATING EXPENSE
DONS PIONEER UNIFORMS	\$1,033.70	UNIFORMS
GELCO SUPPLY INC	\$945.92	EQUIPMENT/PARTS
MATHESON TRI GAS INC.	\$937.42	SUPPLIES
MAX I WALKER UNIFORM & APPAREL	\$918.37	UNIFORMS
ALUMITANK INCORPORATED	\$864.90	EQUIPMENT/PARTS
STERN OIL CO INC	\$852.76	SUPPLIES
HACH COMPANY	\$831.00	EQUIPMENT/PARTS
TECH INC	\$827.00	SUPPLIES
KONICA MINOLTA BUSINESS SOLUTIONS USA	\$812.00	LEASE
MIDWEST DCM INC	\$790.00	RE PARKING GARAGE EXPENSE
STATE OF IOWA	\$789.70	TRAINING
ALVARADO UPHOLSTERING	\$775.00	REPAIRS & MAINTENANCE
ROSE EQUIPMENT, LLC	\$754.94	EQUIPMENT/PARTS
IOWA DEPARTMENT OF PUBLIC HEALTH	\$750.00	TRAINING
WEST PUBLISHING CORPORATION	\$716.33	SUBSCRIPTION
ECOSOLUTIONS INC	\$714.75	SUPPLIES
CENTURYLINK	\$714.45	TELEPHONE
ENTERPRISE FM TRUST	\$699.88	RENTAL EXPS
IOWA GOLF ASSOCIATION	\$690.00	DODGE OPERATING EXPENSE
CSI/SSP INC	\$670.88	PRINTING/BINDING
O'REILLY AUTOMOTIVE INC	\$661.59	EQUIPMENT/PARTS
THE ABY MANUFACTURING GROUP INC	\$660.90	SUPPLIES
B & K MECHANICAL CONTRACTORS LLC	\$649.50	REPAIRS & MAINTENANCE
SYSCO-LINCOLN	\$646.08	DODGE OPERATING EXPENSE
INLAND TRUCK PARTS COMPANY INC	\$624.25	EQUIPMENT/PARTS
JERRY KENNEDY	\$600.00	RENTAL EXPS
IPFS CORPORATION	\$598.11	DODGE OPERATING EXPENSE
FIRST NATIONAL BANK PCARDS	\$576.69	DODGE OPERATING EXPENSE
BOUND TO STAY BOUND BOOKS INC	\$576.15	BOOKS/PERIODICALS/SUB
DAVID C ANDERSEN	\$572.00	CONSTRUCTION
BLUFFS TAXI & COURIER	\$565.20	TRANSIT SERVICES
MCINTOSH PLUMBING INC	\$557.00	PLUMBING NEW OR REPAIR
BUCK'S INC.	\$556.46	VEHICLE WASH
AIR CLEANING TECHNOLOGIES INC	\$554.75	EQUIPMENT/PARTS
A + UNITED RADIATOR REPAIR INC.	\$550.00	REPAIRS & MAINTENANCE
NEBRASKA GOLF AND TURF	\$536.99	DODGE OPERATING EXPENSE

IOWA DEPARTMENT OF REVENUE	\$528.81	PAYROLL RELATED
CHEMSEARCH FE	\$528.39	SUPPLIES
LOGAN CONTRACTORS SUPPLY INC	\$521.53	SUPPLIES
YMCA OF GREATER OMAHA	\$520.00	DUES/MEMBERSHIP
CHILD SUPPORT SERVICES DIVISION	\$514.32	PAYROLL RELATED
PIX4D INC	\$499.00	EQUIPMENT/PARTS
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$496.62	PAYROLL RELATED
CABANA COFFEE	\$480.92	MAC OPERATING EXPENSE
FUNNEL CAKE	\$466.64	MAC OPERATING EXPENSE
DUKE RENTALS	\$462.70	RENTAL EXPS
CONTINENTAL ALARM & DETECTION CO	\$460.00	REPAIRS & MAINTENANCE
BROOMERS INC	\$450.00	RE PARKING GARAGE EXPENSE
PRIME COMMUNICATIONS INC	\$400.53	HARDWARE/SOFTWARE
PER MAR SECURITY & RESEARCH CORP	\$399.24	ALARM SECURITY
MIDWEST DCM INC	\$395.00	RE PARKING GARAGE EXPENSE
DODGE RIVERSIDE SALES TAX	\$391.00	DODGE OPERATING EXPENSE
DOLL DISTRIBUTING LLC	\$387.30	DODGE OPERATING EXPENSE
SANDRY FIRE SUPPLY LLC	\$384.00	SUPPLIES
C & J INDUSTRIAL SUPPLY	\$383.50	JANITORIAL SERVICE
ONE SOURCE THE BACKGROUND CHECK	\$379.30	CONSULTANT
BENJAMIN VAN RAALTE	\$375.00	PROFESSIONAL SVCS
BGNE INC.	\$373.26	SUPPLIES
2ND WIND EXERCISE EQUIPMENT INC	\$370.00	EQUIPMENT/PARTS
SCHINDLER ELEVATOR CORPORATION	\$361.48	REPAIRS & MAINTENANCE
RECORCE CETNER	\$360.00	DODGE OPERATING EXPENSE
RICK IDEAS INC	\$360.00	PROFESSIONAL SVCS
YANT EQUIPMENT	\$358.88	REPAIRS & MAINTENANCE
FORTE PAYMENT SYSTEMS INC	\$355.52	EQUIPMENT/PARTS
B G PETERSON COMPANY	\$351.40	SUPPLIES
MUNICIPAL CODE CORPORATION	\$350.00	SUBSCRIPTION
GALLS PARENT HOLDING, LLC	\$318.09	EQUIPMENT/PARTS
KELLY SUPPLY COMPANY	\$317.98	EQUIPMENT/PARTS
DAVIS EQUIPMENT CORPORATION	\$302.80	EQUIPMENT/PARTS
I-80 LIQUOR & TOBACCO	\$300.95	DODGE OPERATING EXPENSE
DRAKE-WILLIAMS STEEL INC	\$300.00	REPAIRS & MAINTENANCE
IA INSPECTION & APPEALS	\$300.00	DODGE OPERATING EXPENSE
IOWA DEPT OF INSPECTIONS & APPEALS	\$300.00	TRAINING
D&K PROJECTS	\$295.21	DODGE OPERATING EXPENSE
PREMIER MIDWEST BEVERAGE	\$293.60	MAC OPERATING EXPENSE
PEERLESS WIPING CLOTH CO	\$292.00	SUPPLIES
GREATAMERICA FINANCIAL SERVICES CORP	\$291.09	LEASE
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$280.00	PAYROLL RELATED
BOMGAARS SUPPLY INC	\$276.16	SUPPLIES
INFO USA MARKETING INC	\$270.00	FEES
CENTER POINT LARGE PRINT	\$269.64	BOOKS/PERIODICALS/SUB
TED'S MOWER SALES & SERVICE INC	\$266.49	EQUIPMENT/PARTS
INTERSTATE INDUSTRIAL INSTR., INC.	\$259.31	SUPPLIES
WASTE CONNECTIONS	\$256.50	DODGE OPERATING EXPENSE
WATER ENGINEERING INC	\$254.57	MOWING/GROUNDS MAINT
HARRIS GOLF CARS	\$250.00	DODGE OPERATING EXPENSE
KEVIN J WOOD	\$250.00	PROFESSIONAL SVCS
MATTHEW BALL	\$250.00	PROFESSIONAL SVCS
GENIE SERVICES LLC	\$238.40	PEST CONTROL
VOICE & DATA SYSTEMS INC	\$228.00	TELEPHONE

NOODLE SERVICES LLC	\$220.06	RE PARKING GARAGE EXPENSE
UNIVERSITY OF IOWA	\$220.00	PROFESSIONAL SVCS
MID STATES BANK	\$219.72	MAC OPERATING EXPENSE
OMAHA DOOR & WINDOW CO INC	\$205.75	REPAIRS & MAINTENANCE
BRADLEY DEAN WILKENING	\$200.00	PROFESSIONAL SVCS
DIANA PEREZ	\$200.00	DODGE OPERATING EXPENSE
IOWA DIVISION OF LABOR SERVICES	\$200.00	FEES
MIDWEST RESEARCH & SETTLEMENT SERVICES,	\$200.00	PROFESSIONAL SVCS
CAVENDISH SQUARE PUBLISHING LLC	\$195.54	BOOKS/PERIODICALS/SUB
JIM HAWK TRUCK TRAILERS INC.	\$185.50	EQUIPMENT/PARTS
O KEEFE ELEVATOR CO INC	\$184.04	RE PARKING GARAGE EXPENSE
PREMIER GLAZER'S BEVS	\$179.90	DODGE OPERATING EXPENSE
MIDSTATES BANK, NA	\$174.80	BANK SERVICES
CAROLINA SOFTWARE INC	\$169.53	HARDWARE/SOFTWARE
MECHANICAL SALES INC.	\$165.00	SUPPLIES
BOFA	\$163.69	MAC OPERATING EXPENSE
CALEB RAINEY	\$150.00	PROFESSIONAL SVCS
EDWARD JAMES BREWSTER JR	\$150.00	PROFESSIONAL SVCS
DAVID W WOODY	\$149.50	SUPPLIES
BRETT MCGEE	\$149.00	REIMB EMPLOYEE EXPENSE
CANON SOLUTIONS AMERICA INC	\$146.10	COPY/PRINTER MAINTANCE
DAILY NONPAREIL	\$144.53	ADVERTISEMENT
DALES TRASH SERVICE INC	\$143.00	RENTAL EXPS
MIDWEST BOX COMPANY	\$127.88	SUPPLIES
COX SUBSCRIPTIONS	\$126.48	SUBSCRIPTION
COX BUSINESS	\$126.18	DODGE OPERATING EXPENSE
DODGE BANK & CR CARD FEES	\$125.77	DODGE OPERATING EXPENSE
FELD FIRE	\$125.22	EQUIPMENT/PARTS
GREAT AMERICA FINANCIAL SERV	\$123.38	DODGE OPERATING EXPENSE
GRP & ASSOCIATES	\$123.00	SUPPLIES
JEFFREY T KOUBA	\$114.85	PROFESSIONAL SVCS
PAY-LESS OFFICE PRODUCTS INC	\$114.16	SUPPLIES
ERRIN GUNDERSON	\$105.00	MOWING/GROUNDS MAINT
IOWA HAZARDOUS MATERIALS TASK FORCE	\$100.00	DUES/MEMBERSHIP
WILLIAM E CARPENTER JR	\$92.00	REIMB EMPLOYEE EXPENSE
GARAGE DOOR SERVICES	\$85.00	REPAIRS & MAINTENANCE
PARAMOUNT LINEN & UNIFORMS	\$83.31	DODGE OPERATING EXPENSE
LORA FLOM	\$80.95	REIMB EMPLOYEE EXPENSE
DULTMEIER SALES LLC	\$80.00	SUPPLIES
UNIVERSITY OF NEBRASKA AT OMAHA	\$75.00	TRAINING
UNITED PARCEL SERVICE	\$71.23	FREIGHT/POSTAGE
SPRINT SOLUTIONS INC	\$60.02	CELL PHONE
IOWA PARK & RECREATION ASSOCIATION	\$60.00	TICKET SALES
AMERICAN NATIONAL BANK	\$58.25	BANK SERVICES
COUNCIL BLUFFS WINSUPPLY	\$52.17	SUPPLIES
HUMAN SERVICES ADVISORY COUNCIL INC	\$50.00	DUES/MEMBERSHIP
IOWA MUNICIPAL FINANCE OFFICERS ASSOC	\$50.00	DUES/MEMBERSHIP
RIVERS EDGE BANK FEES	\$45.30	RE PARKING GARAGE EXPENSE
FORCE AMERICA DISTRIBUTING LLC	\$39.41	EQUIPMENT/PARTS
HEARTLAND CO-OP	\$38.00	FUEL
ATHLETICO EXCEL NEBRASKA LLC	\$35.00	PROFESSIONAL SVCS
GENIE PEST CONTROL	\$35.00	DODGE OPERATING EXPENSE
AMERITAS LIFE INS CORP	\$32.35	DODGE OPERATING EXPENSE
THERMAL SERVICES	\$31.20	REPAIRS & MAINTENANCE

IOWA LEAGUE OF CITIES	\$30.00	FEES
RICOH USA INC	\$28.16	LEASE
TRUCK EQUIPMENT INC	\$27.63	EQUIPMENT/PARTS
BAUM HYDRAULICS CORP	\$26.46	EQUIPMENT/PARTS
LORETTA GOESCHEL	\$19.04	REIMB EMPLOYEE EXPENSE
FED EX	\$18.07	DODGE OPERATING EXPENSE
KYLE RODENBURG	\$16.57	REIMB EMPLOYEE EXPENSE
CHRISTINE D ANDERSON	\$15.12	REIMB EMPLOYEE EXPENSE
CREDIT BUREAU OF COUNCIL BLUFFS, INC	\$11.00	PROFESSIONAL SVCS
UNION BANK & TRUST/OMNIFY	\$9.00	DODGE OPERATING EXPENSE
MIDAMERICAN ENERGY COMPANY	\$5.33	ELECTRICITY
TOTAL	\$7,236,386.03	

City of Council Bluffs

**Receipts by Fund
For the Month of February FY21**

General Fund	1,227,395.88
Special Revenue	660,971.63
Debt Service	63,288.75
Capital Project	49,029.21
Enterprise	1,448,621.19
Total Receipts	<u>3,449,306.66</u>

**Expenditures by Fund
For the Month of February FY21**

General Fund	5,200,317.17
Special Revenue	728,766.67
Debt Service	0.00
Capital Project	714,820.35
Enterprise	592,481.84
Total Expenditures	<u>7,236,386.03</u>

Transfer from City Operating Accounts

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

Council Communication

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

Claims
ITEM 3.N.

Council Action: 4/26/2021

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Claims, 4.26.21	Other	4/20/2021

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

CITY CLAIM NO. 21-PD-2111

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Leroy Wilson DAY PHONE: _____
ADDRESS: 3341 11th Ave DOB: _____
DATE & TIME OF LOSS/ACCIDENT: 3/22/2002 11:19 PM
LOCATION OF LOSS/ACCIDENT: 3341 11th Ave C.B. Iowa
DESCRIPTION OF LOSS/ACCIDENT: Officer Back Truck Dented the Back
Panel

TOTAL DAMAGES CLAIMED: \$ See Estimates (USE BACK OF FORM, IF NECESSARY)
WITNESS(ES) (Name(s), Address(es), Phone No(s)) _____

WAS POLICE REPORT FILED ☐ YES ☒ NO Dent know

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

HAVE YOU RESUMED NORMAL ACTIVITIES? ☒ YES ☐ NO

IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY
OTHER RELEVANT INFORMATION: Damage on back of Truck, See Estimates

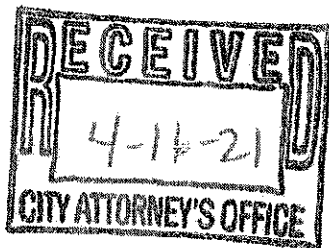
LIST INSURANCE PROVIDER AND COVERAGE: Auto Owners Insurance

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

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

DATE 3/16/2002

Leroy Wilson
CLAIMANT'S SIGNATURE



CLERK RCVD

19 APR '21

AM 10:26

Action by Council:

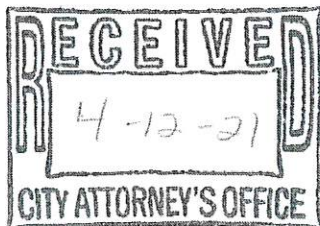
Receive & File:

Date: 4.26.21

RETURN TO: CITY OF COUNCIL BLUFFS, IOWA CITY CLAIM NO. 21-PW-2110 ATTN: CITY LEGAL DEPARTMENT
OR CITY CLERK
209 PEARL STREET
COUNCIL BLUFFS, IA 51503

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Mark D Holt DAY PHONE: _____
ADDRESS: 2411 Eagle Ridge Drive COUNCIL BLUFFS IA 51503 DOB: _____
DATE & TIME OF LOSS/ACCIDENT: 02 - 13 - 2021 at 9:30am
LOCATION OF LOSS/ACCIDENT: 2411 Eagle Ridge Drive Council Bluffs IA
DESCRIPTION OF LOSS/ACCIDENT: Public Sanitary Backup that affected 2411 and 2407 Eagle Ridge Drive. Raw sewerage was entering our house (2411) through a basement floor drain, 2 basement showers and 2 basement toilets. This sewer damaged all flooring, baseboard, door casings and bottom 2 feet of all finished walls in 1 bedroom, laundry room, 1 bathroom and portions of the open family room in our fully finished basement. Roto Rooter assessed our property and found no blockages within our property. Furthermore, we experienced the same backup to a lesser degree in June of 2019. We were refused compensation at this point, see claim made 08-27-2019, and are extremely disappointed that the city has neglected this to such a degree it has happened again. Public Works Sewer Division has acknowledged in a e-mail conversation March 10, 2021 that there is a belly/ low spot in the sewer in front of our house. (USE BACK OF FORM, IF NECESSARY)
TOTAL DAMAGES CLAIMED: \$ 32,745.97
WITNESS(ES) (Name(s), Address(es), Phone No(s)) 1. Reg Symington 16500 Irwindale Way, LAKEVILLE MN 55044 C Our Son and Daughter
that were visiting for the weekend) 2. Dustin Holt 2144 Greenview Road COUNCIL BLUFFS son that visited our house during the clean up)
3. Roto-Rooter Services Company 5711 F Street OMAHA NE 68117 Contact: Tim
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: See attached Invoice from Roto-Rooter for Clean up and Estimate from American Water Damage for Restoration Services. I have also attached photographs of the damage.
LIST INSURANCE PROVIDER AND COVERAGE: Safeco Insurance Coverage: \$5,000.00
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)
Mark Holt DATE CLAIMANT'S SIGNATURE



CLERK RCVD
13 APR '21

AM9:17

Action by Council:

Receive & File:

Date: 4.26.21

Council Communication

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

Resolution 21-118
ITEM 4.A.

Council Action: 4/26/2021

Description

Resolution authorizing an application to apply for FY2022 State Transit Assistance through the Iowa Department of Transportation.

Background/Discussion

Every year the City of Council Bluffs is required to submit an Authorizing Resolution for State Transit Assistance (STA) for transit operations with the Iowa Department of Transportation's Joint Participation Agreement to provide Transit Assistance to Iowa's public transit system.

Prior to receiving the funding, the City is required to submit to the Iowa DOT Office of Public Transit a notice of public hearing on the use of STA funds for the City's public transit systems, the Authorizing Resolution for Transit Assistance with the Iowa Department of Transportation, and a copy of city council minutes of the meeting where the public hearing is held.

The State Transit Assistance formula is based on ridership, revenue miles, operating expense and local match.

The Iowa Department of Transportation has indicated that the City will be eligible for an estimated \$238,631 in STA payments for FY2022. Currently the 2021 STA payments are anticipated to total approximately \$230,000 which was estimated last year at this time to be \$222,249. Application for the assistance has been prepared by city staff and must be submitted to the Iowa DOT.

The projected FY2022 budget for transit is \$1,873,616 in expenditures and projected revenues of \$1,323,921 in transit tax levy, \$238,631 in State Transit Assistance, \$144,000 from Metro Area Transit in reimbursement, \$44,520 in Enhanced Mobility of Seniors and Individuals with Disabilities Grants (5310), \$43,000 in Special Transit Assistance fares and \$92,000 in Metro fares.

Recommendation

Approval of this resolution to continue receiving state funding for transit operations.

ATTACHMENTS:

Description

[Resolution 21-118](#)

Type

Resolution

Upload Date

4/20/2021

R E S O L U T I O N
NO. 21-118

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION
FOR FY2022 STATE TRANSIT ASSISTANCE.

WHEREAS, the City of Council Bluffs will be eligible for an estimated amount of \$238,631 in State Transit Assistance for use in operating its transit system during FY2022; and

WHEREAS, a public hearing notice was published as required by law, and the Public Hearing was held on April 26, 2021; and

WHEREAS, the City Council of the City of Council Bluffs believes that it is in the best interest of the City to submit an Authorizing Resolution for State Transit Assistance to the Iowa DOT; and

.

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 submit an Authorizing Resolution for FY2022 State Transit Assistance and to enter into any necessary related contracts with the Iowa DOT.

ADOPTED
AND
APPROVED

April 26, 2021

Matthew J Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community Development
Case/Project No.:
Submitted by: Courtney Harter, HED Manager

Resolution 21-120
ITEM 4.B.

Council Action: 4/26/2021

Description

Resolution approving the plans and specifications and form of contract for the Hillside Estates Subdivision Infrastructure Project.

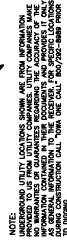
Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Site Map	Map	4/19/2021
Staff Report	Staff Report	4/19/2021
Resolution 21-120	Resolution	4/20/2021



 PROJECT BOUNDARY LINE
 PROPERTY LINE
 PROPOSED PAVEMENT
 PROPOSED SIDEWALK
 BUILDING LINE
 SETBACK LINE
 B.L.

- ENGINEERING
- PLANNING
- LAND SURVEYING

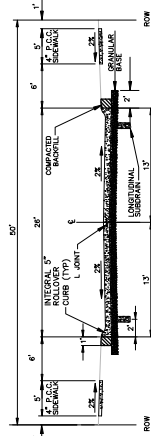
DATE: 3/3/21
DESIGNED BY: TLM
DRAWN BY: JRB
CHECKED BY: TLM

SHEET NO. C1.1

LOCAL STREET CROSS SECTION
NO PARKING BAY NO SCALE

NOTES:

1. ON GRADES GREATER THAN 3% GRANULAR BASE, TRANSVERSE SUBDRAIN, AND DRAINAGE WALLS SHALL BE CONSTRUCTED OF GRAVELS LESS THAN 3% GRANULAR BASE AND LONGITUDINAL SUBDRAIN WILL BE REQUIRED AT THE DIRECTION OF THE CITY ENGINEER.
2. MINIMUM THICKNESS OF 6" MEET SOI GROUND #12 OR #18 AND MAY BE INCREASED TO 8" FOR LONGITUDINAL SUBDRAIN.
3. SUBDRAIN SHALL BE PER SDAS FIGURE 404-231 AND THE CITY OF CHICAGO BLUITS TRANSVERSE SUBDRAIN SHALL BE PER SDAS FIGURE 404-231.
4. P.C.C. FILLMENT SHALL HAVE 7" THICKNESS.
5. ALL JOINTS SHALL BE PER SDAS FIGURE 7010-101.

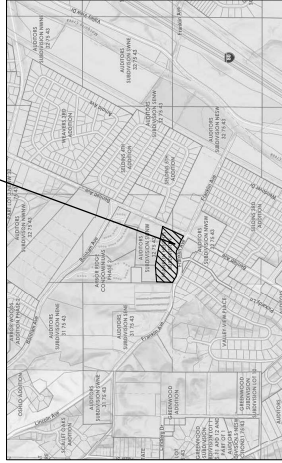


NOTES:

1. ON GRADES GREATER THAN 2% GRANULAR BASE, TRANSVERSE SUBDRAIN, AND CURTAIN WALLS SHALL BE REQUIRED ON GRADES LESS THAN 5% GRANULAR BASE AND LONGITUDINAL SUBDRAIN WILL BE REQUIRED AT THE DIRECTION OF THE CITY ENGINEER.
2. GRANULAR BASE SHALL HAVE A MINIMUM THICKNESS OF 6". MEET DOT GRADATION #12A OR #12B AND MAY BE USED UNDER ANY ENGINEERING FABRIC.
3. SUBDRAIN SHALL BE PER SDAS FIGURE 4040.231 AND THE CITY OF COUNCIL BLUFFS TRANSVERSE SUBDRAIN DETAIL.
4. P.C.C. PAVEMENT SHALL HAVE 7" THICKNESS.
5. ALL JOINTS SHALL BE PER SDAS FIGURE 7010.101.

NORTH
NOT TO SCALE

NORTH
NOT TO SCALE



Council Communication

Department: Community Development	Ordinance No.: N/A Resolution No.: 21-	Public Hearing: April 26, 2021 Contract Award: May 24, 2021
Subject/Title		
Public hearing to approve the plans, specifications and form of contract for the Hillside Estates Subdivision Infrastructure Project.		
Location		
The northeast corn of the Franklin and Bennett Avenue		
Legally described as: Lot 1, Franklin Heights Subdivision, City of Council Bluffs, Pottawattamie County, Iowa.		
Background/Discussion		
<u>Background</u> In 2020, the City began working with Turn the Paige Development on a proposed subdivision on a city-owned parcel located on the corner of Franklin and Bennett Avenues. The original proposal consisted of 25-35 homes consisting of single-family attached and detached units. City Council approve the sale of the property (Resolution 20-235) for the appraised value of \$275,000.		
As part of the proposed project, the developer wished to utilize Community Development Block Grant (CDBG) funds to complete the needed infrastructure improvements. The developer committed to 51% of the units being sold to households earning at or below 80% of the median family income (MFI), which meets the requirements set by the Department of Housing and Urban Development (HUD) for the use of CDBG funds support for persons of low-to-moderate income. City Council approved the FY2021 CDBG budget (Resolution 20-259) which included an allocation to this project of \$1 million.		
<u>Discussion</u> The City wishes to construct the infrastructure for the 27-unit subdivision that will include 14 units sold to households with incomes at or below 80% MFI. This will include 14 attached and 13 detached single-family units. The infrastructure is funded through the Community Development Block Grant (CDBG) allocation of \$1 million for FY2021. Additional costs incurred shall be funded through CDBG or additional sources identified locally.		
The timeline shall be as follows:		
Public Hearing	April 26, 2021	
Distribute Bid Documents	April 27, 2021	
Bid Opening	May 14, 2021	
City Council Award Contract	May 24, 2021	
Start	June 1, 2021	
Because CDBG funds are being used on the property, the infrastructure project must be completed by the City prior to transfer to the developer. Upon completion, the offer to buy process will be completed.		
Staff Recommendation		
Staff recommends approval of the resolution approving the plans, specifications and form of contract for the Hillside Estates Infrastructure Project.		
Attachment		
1. Site Plan		
Plans are on file with the City Clerk’s Office.		

Submitted by: Courtney Harter, Housing & Economic Development Manager, Community Development Department

Approved by: Courtney Harter, Housing & Economic Development Manager, Community Development Department

RESOLUTION NO. 21-120

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE HILLSIDE ESTATES INFRASTRUCTURE PROJECT AND DIRECTING THE CITY CLERK TO ADVERTISE FOR BIDS SETTING MAY 14, 2021 AT 10:00 A.M. AS THE DATE AND TIME FOR THE BID OPENING FOR THE PROJECT.

WHEREAS, The City wishes to undertake a project known as the Hillside Estates Infrastructure Project within the City; and

WHEREAS, this project will involve the construction of a new public road and utilities to; and

WHEREAS, such project is required to accommodate the construction of a 27-unit single-family subdivision; and

WHEREAS, The plans, specifications and form of contract for the Hillside Estates Infrastructure Project 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 26, 2021.

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

That the plans, specifications and form of contract for the Hillside Estates Infrastructure Project are hereby approved and the City Clerk is hereby authorized to advertise for bids for such project, setting May 14, 2021 at 10:00 a.m. as the date and time for the bid opening. Bids will be opened in the IonWave System.

ADOPTED
AND
APPROVED:

April 26, 2021

Matthew J. Walsh

Mayor

ATTEST:

Jodi Quakenbush

City Clerk

Council Communication

Department: City Clerk
Case/Project No.: URV-21-006
Submitted by: Courtney Harter, Housing &
Economic Development Manager

Ordinance 6449
ITEM 5.A.

Council Action: 4/26/2021

Description

Ordinance approving the 2021 Amendment to the South Pointe Urban Revitalization Area. Location: The northwest corner of the intersection of South 24th Street and Veterans Memorial Highway. URV-21-006

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	4/1/2021
Attachment A - Boundary Map	Map	4/1/2021
Attachment B - Draft Urban Revitalization Plan	Other	4/1/2021
Ordinance 6449	Resolution	4/7/2021

Council Communication

Department: Community Development Case No.: URV-21-006 Submitted by: Housing & Economic Development	Resolution No. _____ Ordinance No. _____	Resolution of Intent: 2/22/2021 Planning Commission: 3/9/2021 Public Hearing & First Reading: 4/12/2021 Second Reading: 4/26/2021 Third Reading: Request to Waive
Subject/Title		
Establishment of the 2021 Amendment to the South Pointe Urban Revitalization Area		
Background/Discussion		
<p><u>Background</u></p> <p>Chapter 404 of the Iowa Code authorizes a City to designate an area as an urban revitalization area. Improvements to qualified real estate within designated areas may then be eligible to receive a total or partial exemption from property taxes for a specified number of years. The exemptions are intended to stimulate private investment by reducing the tax increase that would normally result from making improvements to real estate property.</p> <p>Urban revitalization tax abatement incentives can apply to residential, commercial and industrial development. Both new construction on vacant or unimproved land and rehabilitation of existing structures are eligible for tax abatement.</p> <p>On November 26, 2018, City Council adopted Resolution No. 18-325 approving the South Pointe Urban Revitalization Plan. Subsequent to this action, Ordinance No. 6375 was adopted on December 27, 2018, which established the South Pointe Urban Revitalization Area. On May 18, 2020, City Council adopted Resolution No. 20-126 amending the South Pointe Urban Revitalization Plan, and on July 13, 2020, Ordinance No. 6418 was adopted to amend the Urban Revitalization Area.</p> <p>The Community Development Department wishes to again amend the Urban Revitalization Area by adding additional parcels with redevelopment potential. Staff has prepared amendments to the Plan in accordance with Section 404.2 of the Iowa Code. The amendment consists of adding approximately 124.2 acres northwest of the existing Area.</p> <p><u>Discussion</u></p> <p>Iowa Code permits the City to establish urban revitalization areas, which satisfy one of the five conditions outlined in Section 404.1.</p> <p>Staff believes this project meets the criteria under 404.1.4: An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states “an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.”</p> <p>The original Plan and Area was also established under economic development. Staff believes an economic development finding is appropriate for the new properties, which are currently vacant.</p>		

Council Communication

On February 22, 2021, City Council approved Resolution 21-49, which directed staff to initiate the process of amending the South Pointe Urban Revitalization Plan and Area. This resolution set April 12, 2021 as the date of the public hearing.

This matter was brought before the City Planning Commission at their March 9, 2021 meeting. The Commission found the following: 1) That the proposed Amended South Pointe Urban Revitalization Plan and Area furthers the goals of the City's Comprehensive Plan; and 2) That the Amended South Pointe Urban Revitalization Area is an area appropriate for urban revitalization designation as specified in Iowa Code Section 404.1.4 which discusses areas that are appropriate for economic development as defined by Section 403.17.

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

Staff Recommendation

The Community Development Department recommends approval of the 2021 Amendment to the South Pointe Urban Revitalization Plan and Area and 1st consideration of the ordinance.

Planning Commission Public Hearing

Staff speakers for the request:

1. Christopher Gibbons, Planning Manager, City of Council Bluffs

Speakers in favor: None

Speakers in opposition: None

Planning Commission Recommendation

The Planning Commission recommended approval of the Amended South Pointe Urban Revitalization Plan and Area.

Vote: 10-0 (1 vacant)

A YE – Bass, Danielsen, Halm, Haner, Hutcheson, Rater, Rew, Scott, Stroebele and Van Houten

NAY – None

ABSTAIN – None

Motion: Carried

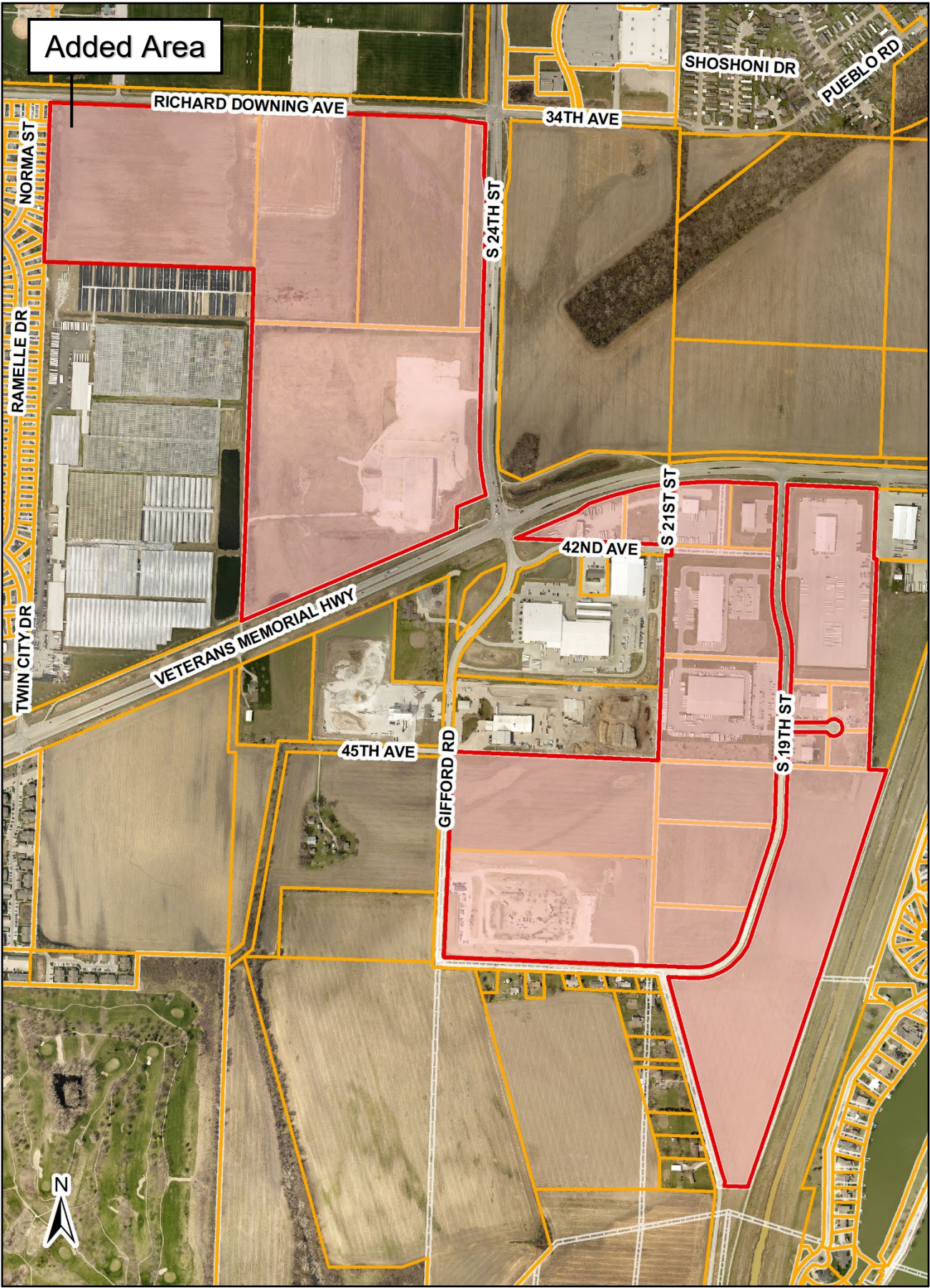
Attachments

Attachment A - Boundary Map

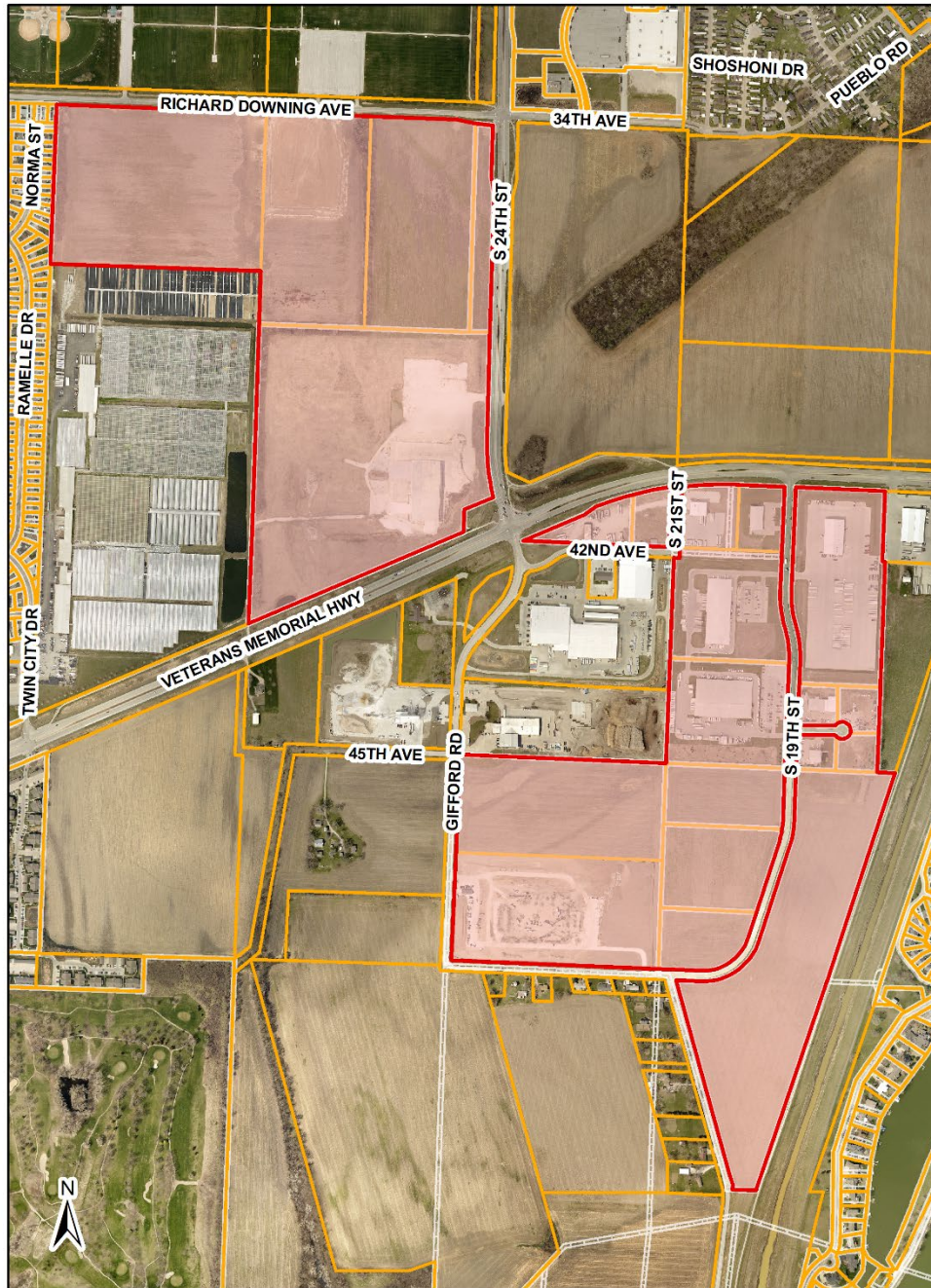
Attachment B - Draft of the 2021 Amendment to the South Pointe Urban Revitalization Plan

Prepared by: Tiffany Schmitt, Community Development Technician, Community Development Department
Submitted by: Courtney Harter, Housing & Economic Development Manager, Community Development Department

2021 Amended South Pointe Urban Revitalization Area - Boundary Map



2021 Amendment to the South Pointe Urban Revitalization Plan



Prepared by

Community Development Department
City of Council Bluffs, Iowa

Original Area Adopted by
City Council on December 27, 2018
Amended July 13, 2020
Amended _____, 2021

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
INTRODUCTION.....	3-7
LEGAL DESCRIPTION OF AREA.....	8-9
PROPERTY OWNERS & ASSESSED VALUATIONS	10
EXISTING ZONING & PROPOSED LAND USE	10-17
PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES.....	18
RELOCATION PROVISIONS.....	18
OTHER PUBLIC ASSISTANCE	18
APPLICABILITY & TAX EXEMPTION SCHEDULE	19-20
APPLICATION AND REVIEW PROCESS	20
ATTACHMENT A: ORIGINAL TAX PARCEL INFORMATION	21
ATTACHMENT B: ADDED TAX PARCEL INFORMATION (2020 AMENDMENT) ..	22
ATTACHMENT C: ADDED TAX PARCEL INFORMATION (2021 AMENDMENT) ..	23

INTRODUCTION

On November 22, 2004, the Council Bluffs City Council adopted Ordinance No. 5823, which established the South 19th Urban Revitalization Area. This revitalization area consisted of eight parcels of land that were located west of Indian Creek, south of Veterans Memorial Highway (US 275/92) and east of Gifford Road and totaled 80.09 acres in size. The plan was valid was 10 years from the date of City Council adoption and helped attract new economic development projects in the South Pointe Industrial Park and along Gifford Road. In 2018, the Industrial Foundation expressed the need for additional assistance to attract new businesses to the industrial park and the South Pointe Urban Revitalization Plan was adopted (Ordinance 6375). In 2020, the plan was amended to include an additional parcel in order to attract new development directly adjacent to Veterans Memorial Highway (Ordinance 6418).

The proposed amendment will add 5 additional parcels to the existing South Pointe Urban Revitalization Plan to attract new development adjacent to Veterans Memorial Highway.

The Urban Revitalization Act empowers a municipality to designate an area appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization act to facilitate the development of new commercial and industrial land uses. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

Section 404.1 of the Iowa Code stipulates that the Council may, by ordinance, designate an area of the City as the revitalization area, if that area is classified as any of the following:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare.
2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards

the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety or welfare in its present condition and use.

3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.

4. An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states “an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.”

5. An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.

In December 2018, the City of Council Bluffs adopted the South Pointe Urban Revitalization Plan and established the South Pointe Urban Revitalization Area under the criteria of element 4. Element 4 was also invoked for the 2020 amendment to the plan, and the City now again desires to amend the Plan and Area (herein referred to as the “Amended Plan” and “Amended Area”) to include additional commercial property under the criteria of element 4 .

**Amended South Pointe Urban Revitalization Plan
Illustration 1 – Original Resolution**

RESOLUTION NO. 18-282

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH THE SOUTH POINTE REVITALIZATION AREA LEGALLY DESCRIBED AS LOTS 1, 2, 4 AND 5, SOUTH POINTE SUBDIVISION; LOTS 2-5, SOUTH POINTE SUBDIVISION, REPLAT 1; LOT 1, SOUTH POINTE SUBDIVISION, REPLAT 2; AND ALL OF SOUTH POINTE SUBDIVISION, PHASE 2), CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.4 of the Iowa Code; and

WHEREAS, the Council Bluffs Industrial Foundation and others have properties available for economic development in this area; and

WHEREAS, a plan for the area must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

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

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.4.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by October 25, 2018.

BE IT FURTHER RESOLVED

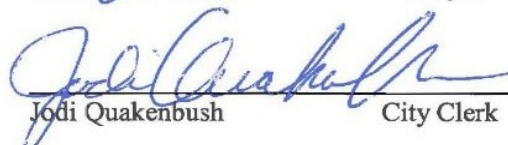
That the City Council directs the City Clerk to set this matter for public hearing on November 26, 2018.

**ADOPTED
AND
APPROVED:**

October 8, 2018


Matthew J. Walsh Mayor

ATTEST:


Jodi Quakenbush City Clerk

**Amended South Pointe Urban Revitalization Plan
Illustration 2 – Amended Plan Resolution**

RESOLUTION NO. 20-126

A RESOLUTION OF NECESSITY AND INTENT TO AMEND THE SOUTH POINTE URBAN REVITALIZATION AREA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.4 of the Iowa Code; and

WHEREAS, on November 26, 2018, City Council adopted Resolution No. 18-325 approving the South Pointe Urban Revitalization Plan; and

WHEREAS, the Community Development Department recommends amending the plan to add an additional parcel to the revitalization area; and

WHEREAS, an amended plan must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days' notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

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

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.4.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by May 22, 2020.

BE IT FURTHER RESOLVED

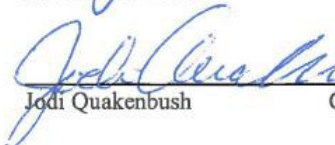
That the City Council directs the City Clerk to set this matter for public hearing on June 22, 2020.

**ADOPTED
AND
APPROVED:**

May 18, 2020


Matthew J. Walsh Mayor

ATTEST:


Jodi Quakenbush City Clerk

**Amended South Pointe Urban Revitalization Plan
Illustration 3 – Amended Plan Resolution**

RESOLUTION NO. 21-49

A RESOLUTION OF NECESSITY AND INTENT TO AMEND THE SOUTH POINTE URBAN REVITALIZATION AREA.

WHEREAS, the subject area is an appropriate area as defined in Section 404.1.4 of the Iowa Code; and

WHEREAS, on November 26, 2018, City Council adopted Resolution No. 18-325 approving the South Pointe Urban Revitalization Plan; and

WHEREAS, on May 18, 2020, City Council adopted Resolution No. 20-126 amending the South Pointe Urban Revitalization Plan; and

WHEREAS, the Community Development Department recommends amending the plan to add an additional parcel to the revitalization area; and

WHEREAS, an amended plan must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days' notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

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

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.4.

BE IT FURTHER RESOLVED

That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by March 12, 2021.

BE IT FURTHER RESOLVED

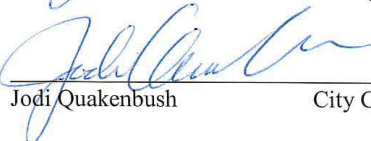
That the City Council directs the City Clerk to set this matter for public hearing on April 12, 2021.

**ADOPTED
AND
APPROVED:**

February 22, 2021


Matthew J. Walsh Mayor

ATTEST:


Jodi Quakenbush City Clerk

LEGAL DESCRIPTION

The original South Pointe Urban Revitalization Area is a tract of land containing the following legally described parcels:

Lots 1, 2, 4, and 5, South Pointe Subdivision; Lots 2 through 5, South Pointe Subdivision, Replat 1; Lot 1, South Pointe Subdivision, Replat 2; and of proposed South Pointe Subdivision, Phase 2, all in the City of Council Bluffs, Pottawattamie County, Iowa.

The area added in 2020 included the following legally described parcel:

A parcel of land located in part of the Southwest Quarter of the Southwest Quarter of Section 11, Township 74, Range 44, Pottawattamie County, Council Bluffs, Iowa, more particularly described as follows:

Commencing at the Southwest corner of said Section 11; thence North 93° 31' 40" East, along the South line of said Southwest Quarter of the Southwest Quarter, a distance of 252.18 feet to a point on the Southeasterly right of way line of U.S. Highway No. 275 and Point of Beginning; thence North 63° 02' 45" East, along said Southeasterly right of way line, a distance of 76.70 feet to a point on the North right of way line of 42nd Avenue, said point being 33.00 feet normally distant Northerly from the centerline of said 42nd Avenue; thence North 88° 31' 40" East, along said North right of way line and parallel with said centerline of 42nd Avenue, a distance of 46.49 feet to a point on the Southeasterly right of way line of said U.S Highway No. 275, said point being 70.00 feet normally distant Southeasterly from the centerline of said U.S. Highway No. 275; thence North 63° 02' 45" East, along said Southeasterly right of way line and parallel with said centerline of U.S. Highway No. 275, a distance of 428.10 feet; thence North 51° 05' 43" East, along said Southeasterly right of way line, a distance of 87.35 feet to a point being 50.00 feet normally distant Southeasterly from said centerline of U.S. Highway No. 275 at Stat on 169+00.00, said point being on a non-tangent curve concave Southeasterly and having a radius of 2241.83 feet, a radial line of said curve through said point bearing North 24° 35' 14" West; thence Northeasterly along said Southeasterly right of way line, and parallel with said centerline of U.S. Highway No. 275 and along said curve an arc length of 513.65 feet and having a chord bearing and distance of North 71° 58' 36" East, 512.52 feet to a point on the East line of said Southwest Quarter of the Southwest Quarter, said point being on the centerline of a city street and 50.00 feet normally distant Southeasterly from said centerline of U.S. Highway No. 275; thence South 2° 01' 19" East, along the East line of said Southwest Quarter of the Southwest Quarter and along the centerline of said city street, a distance of 416.30 feet to the Southeast corner of said Southwest Quarter of the Southwest Quarter; thence South 88° 31' 40" West, along the South line of said Southwest Quarter of the Southwest Quarter and along the centerline of 42nd Avenue, a distance of 1066.83 feet to the Point of Beginning. The East 33.00 feet of said parcel is subject to an easement for city street right of way, and the South 33.00 feet of said parcel is subject to an easement for 42nd Avenue right of way.

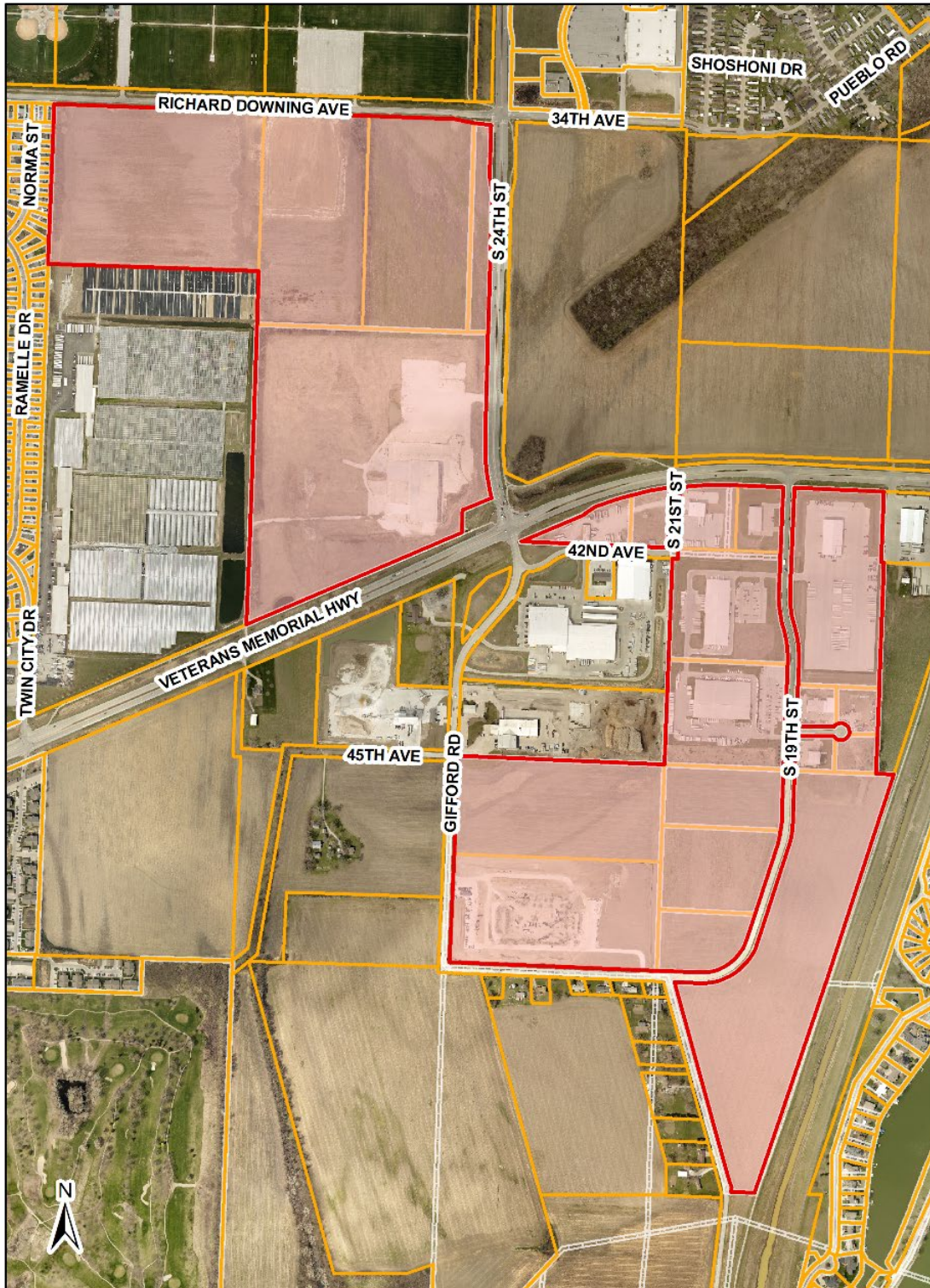
NOTE: The South line of the Southwest Quarter of the Southwest Quarter of said Section 11 is assumed to bear North 88° 31' 40" East for this description.

The 2021 proposed Added Area includes the following legally described parcels:

Lots 1 and 2, South 24th and Highway 275 Industrial Subdivision, along with the North ½ of the SE ¼ of Section 10-74-44, except the south 10.01 acres of said NW ¼ SE ¼ in Section 10-74-44 and Richard Downing Avenue right-of-way, all in the City of Council Bluffs, Pottawattamie County, Iowa.

The existing Amended South Pointe Road Urban Revitalization Area is approximately 142.00 acres in size. The 2021 proposed Added Area consists of 124.02 acres, for a total Amended Area of 266.02 acres.

Amended South Pointe Road Urban Revitalization Area Illustration 4 – Amended Boundary



PROPERTY OWNERS AND ASSESSED VALUES

The 2021 Amended South Pointe Urban Revitalization Area contains 19 parcels of land that total 266.02 acres in size. The total valuation (\$) for all land, dwellings, and buildings in this urban revitalization area are as follows:

Land Valuation: \$10,131,500.00
Dwelling Valuation: \$0
Building Valuation: \$9,560,200.00
Total Valuation: \$19,691,700.00

A listing of the original parcels, ownership, land/dwelling/building valuation, and acreage information is outlined in the attachment titled *Attachment A – South Pointe Urban Revitalization Area Plan – Property Owners List*. The 2020 Added Area's parcel, ownership, land/dwelling/building valuation, and acreage information is outlined in the attachment titled *Attachment B – Amended South Pointe Urban Revitalization Area Plan – Added Property Owners List*. The 2021 Added Area's parcels, ownership, land/dwelling/building valuation, and acreage information is outlined in the attachment titled *Attachment C – 2021 Amended South Pointe Urban Revitalization Area Plan – Added Property Owners List*. The information stated in these attachments was obtained from records in the Pottawattamie County Assessor's Office.

On November 22, 2004, the Council Bluffs City Council adopted Ordinance No. 5823, which established the South 19th Urban Revitalization Area. This revitalization area consisted of eight parcels of land that were located west of Indian Creek, south of Veterans Memorial Highway (US 275/92) and east of Gifford Road and totaled 80.09 acres in size. The plan was valid 10 years from the date of City Council adoption and helped attract new economic development projects in the South Pointe Industrial Park and along Gifford Road. The Amended South Pointe Urban Revitalization Area will include land that was located in the former South 19th Street Urban Revitalization Area.

EXISTING ZONING AND PROPOSED LAND USE

The 2021 Amended South Pointe Urban Revitalization Area is zoned I-1/Light Industrial District, I-2/General Industrial District, and A-2/Parks, Estates and Agricultural District (see Illustration 5). The I-1/Light Industrial District is intended to provide for the development of light manufacturing and industrial areas. This district also accommodates a mixture of commercial services and light industrial uses with relatively limited external effects. The I-2/General Industrial District is intended to provide for the development of general manufacturing and industrial areas. This district is designed to accommodate industrial uses with moderate external effects.

The A-2/Parks, Estates and Agricultural District is intended to preserve lands best suited for agricultural, recreational and large-parcel residential uses. It is also intended to preserve land suited for eventual development, pending proper timing for economical and practical provisions of streets, utilities, schools and other facilities so that reasonably compact development will occur. Properties currently zoned A-2 in the Amended Area will need be rezoned at the time of development.

The 2021 Amended South Pointe Urban Revitalization Area is partially located within a designated Recreational-Tourism Overlay (RO) (see Illustration 6). The Recreation-Tourism Overlay (RO) is intended to maintain and enhance the aesthetic quality of areas around the National Historic Trails Center and land-based and riverboat gaming facilities. This Overlay is intended to mitigate any negative impact associated with these facilities.

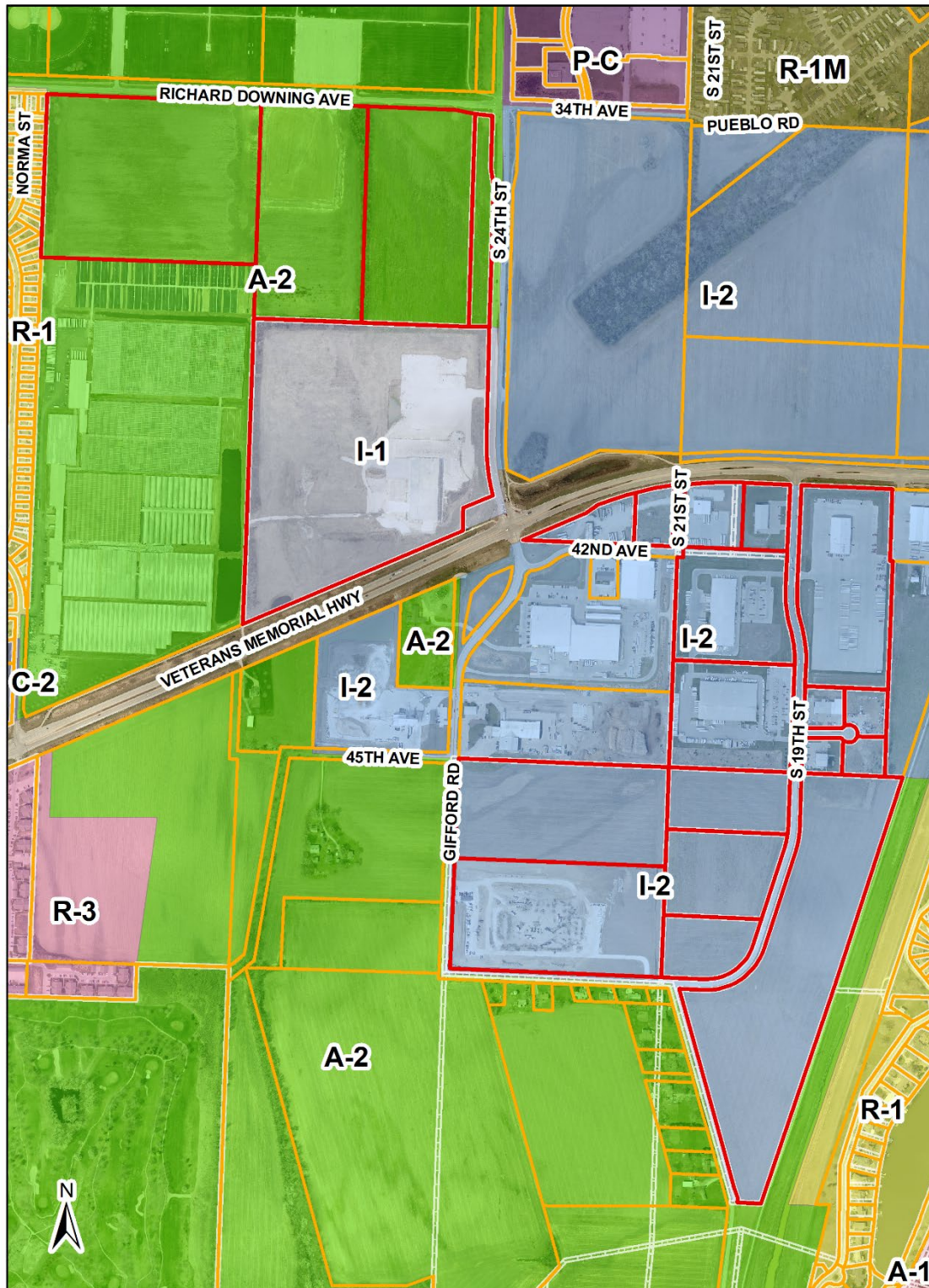
Surrounding zoning in the general vicinity of the 2021 Amended South Pointe Urban Revitalization area includes: I-2/General Industrial District and A-2/Parks, Estates, and Agricultural District to the north; I-2/General Industrial District, C-2/Commercial District, R-1/Single Family Residential District, and R-3/Low Density Multi-Family Residential District to the east; I-2/General Industrial District and A-2/Parks, Estates, and Agricultural District to the south; along with R-1/Single Family Residential District, I-2/General Industrial District and A-2/Parks, Estates, and Agricultural District to the west.

The 2021 Amended South Pointe Urban Revitalization Area contains a mixture of industrial, undeveloped, and agricultural land uses. Existing businesses within this urban revitalization area include the following:

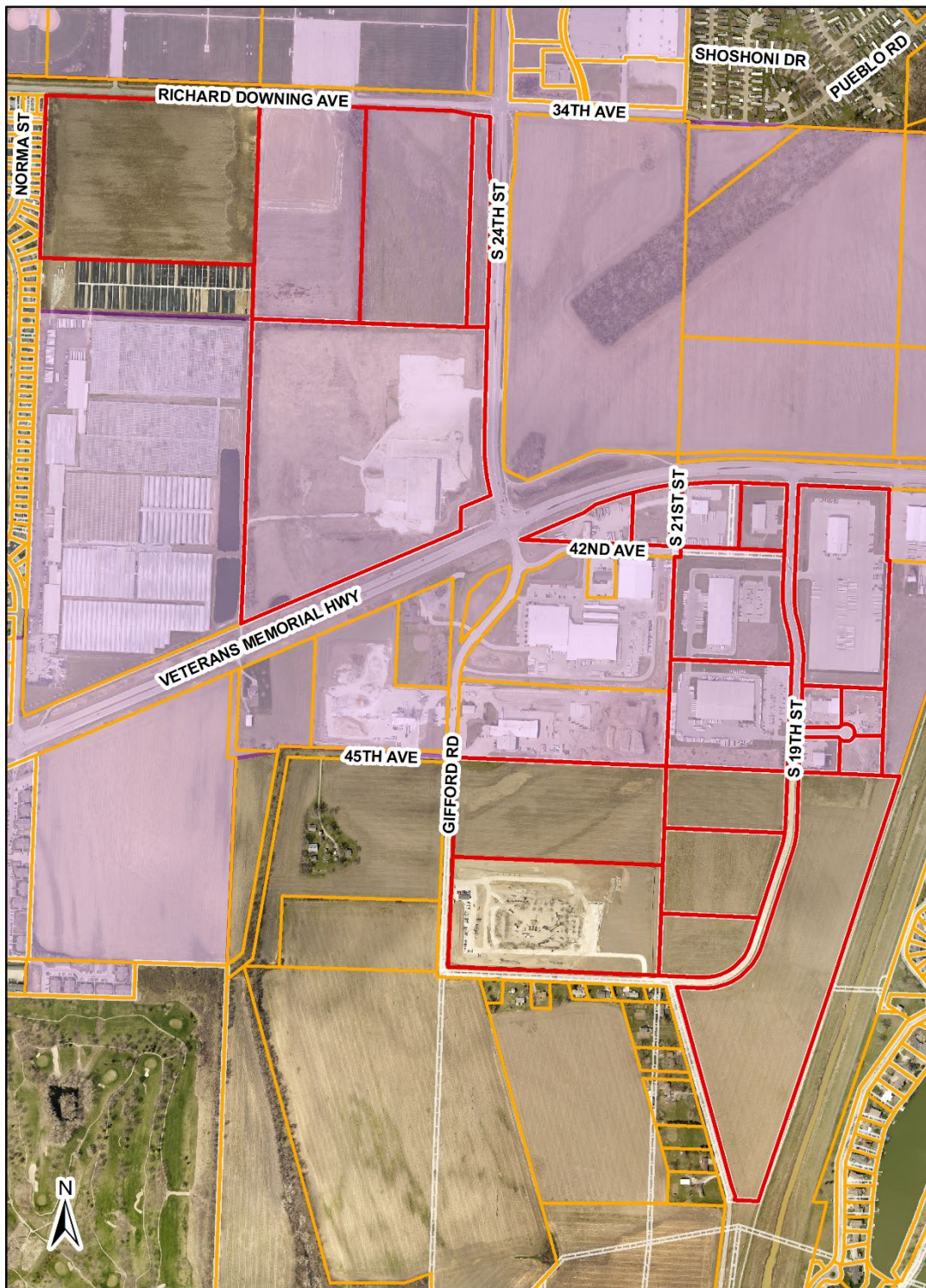
1. Matheson Tri-Gas – 4106 South 19th Street (PIN #744411377004)
2. Fremont Contract Carriers (FCC) – 4303 South 19th Street (PIN #744411379001)
3. FedEx Freight – 4306 South 19th Street (PIN #744414126003)
4. FedEx Freight – 4406 South 19th Street (PIN #744414126002)
5. Pro-Tech Sales – 4343 South 19th Street (PIN #744414127003)
6. TEQ Supply Inc. – 4405 South 19th Street (PIN #744414127005)
7. Rogers Auto – 2105 Veterans Memorial Hwy (PIN # 744411352002)
8. Loffredo Fresh Produce – 4105 S 21st Street (PIN # 744411377007)
9. CyrusOne – 4700 Gifford Road (PIN # 744414176009)

The remaining properties in the proposed South Pointe Urban Revitalization Area are undeveloped. All land uses in the proposed Amended South Pointe Urban Revitalization Area will be commercial or industrial.

Amended South Pointe Urban Revitalization Plan
Illustration 5 – Amended Zoning Map



Amended South Pointe Urban Revitalization Plan
Illustration 6 – Recreation-Tourism Overlay



 RO/Recreation-Tourism Overlay

FINAL PLAT SOUTH POINTE SUBDIVISION



Amended South Pointe Urban Revitalization Plan

Illustration 8 – South Pointe Subdivision, Phase 2 Final Plat

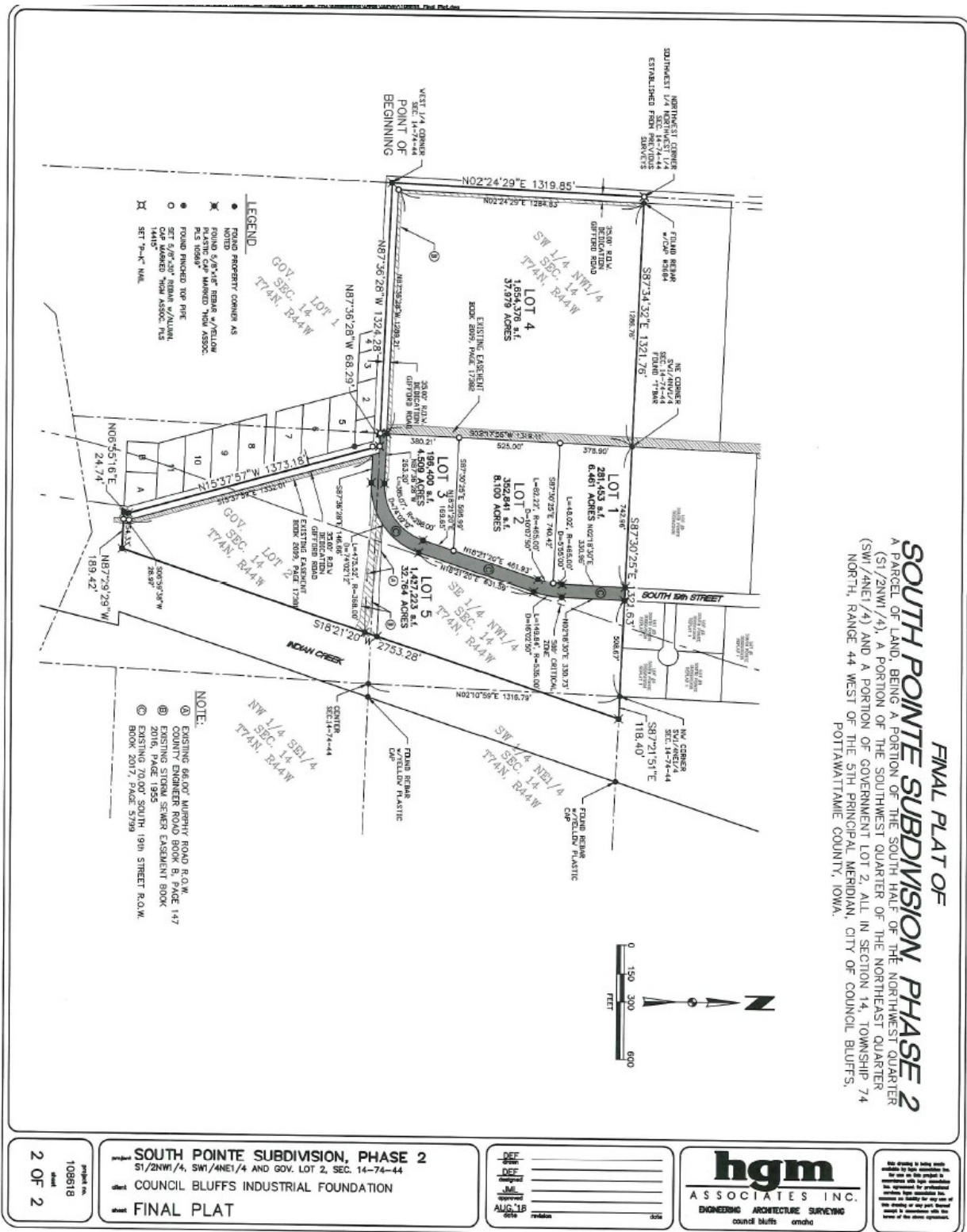


Illustration 9 – Rogers Auto Subdivision Final Plat



[illegible]

PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed 2021 Amended South Pointe Urban Revitalization Area is served with all municipal utilities (sanitary sewer, water, and storm sewer) as well as electricity and gas. The area is accessible by seven public roadways, as follows: Veterans Memorial Highway (US 275/92), South 24th Street, South 21st Street, South 19th Street, 44th Avenue, Gifford Road, and Richard Downing Avenue. In the last five years the City and/or other private entities have reconstructed portions of Gifford Road, South 21st Street, and South 19th Street to meet current City standards. Most said roadways operate at a level of service (LOS) that can adequately handle additional traffic generated by new projects in this proposed urban revitalization area. A right turn lane will be added to South 24th Street. A traffic study will be done to determine if the street will also need to be widened.

RELOCATION PROVISIONS

Relocation is not anticipated with the implementation of this plan. However, if either a residential or non-residential tenant relocation occurs as a result of actions taken by a developer qualifying for the benefits under the Urban Revitalization Act, the tenant shall receive compensation from the developer of one month's rent and actual moving expenses, provided that the tenant has occupied the same unit continuously for a one year period prior to the adoption of this plan.

OTHER PUBLIC ASSISTANCE

The City anticipates the use of other public assistance may be necessary for development of this area. This assistance may include:

1. Property tax exemption
2. Continued use of Capital Improvement Program funds for the improvement or reconstruction of streets, sanitary sewer, storm sewer systems, and railroad crossings.
3. Funding from the State of Iowa (Economic Development Authority, Finance Authority, and Department of Transportation) to provide assistance to qualified businesses locating or expanding in the area or to cause the construction of infrastructure to support economic development projects.
4. Funding from the U.S. Government (Department of Housing and Urban Development, Economic Development Administration, and Federal Highway Administration) to acquire and prepare for private redevelopment or to cause the construction of infrastructure to support economic development projects.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility - The 2021 Amended South Pointe Urban Revitalization Plan will apply to commercial and industrial land uses.

Both new construction and rehabilitation of existing structures will be eligible for tax abatement under the plan. Rehabilitation may include renovation of a structure to bring it to code standards, remodeling and expansion.

2. Term - The term of this Plan shall be until December 31, 2041 or as amended by City Council.

3. Commercial and Industrial

Ten Year - All eligible commercial and industrial real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows:

- a. For the first year, eighty percent.
- b. For the second year, seventy percent.
- c. For the third year, sixty percent.
- d. For the fourth year, fifty percent.
- e. For the fifth year, forty percent.
- f. For the sixth year, forty percent.
- g. For the seventh year, thirty percent.
- h. For the eighth year, thirty percent.
- i. For the ninth year, twenty percent.
- j. For the tenth year, twenty percent.

-OR-

Three Year - All eligible commercial and industrial real estate is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years.

6. Improvements - Improvements shall include commercial and industrial rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures

- For non-residential property, improvements must increase the actual value of the structure by at least 15%. If more than one building is located on the property, the 15% increase requirement applies only to the structure or structures upon which the improvements were made.
- If no structures were located on the property prior to the improvements, any improvements may qualify.

7. Actual Value - Actual value added by the improvements means the actual value added as of the first year for which the exemption was received. However, if such construction was begun one year prior to the adoption by the City of a Plan of Urban Revitalization pursuant to Chapter 404 of the Iowa Code, the value added by such construction, shall not constitute an increase in value for purposes of qualifying for the exemptions listed in this section.

APPLICATION AND REVIEW PROCESS

Upon completion of all improvements made within the assessment year for which the exemption is first claimed, the owner shall use the following procedure to secure the tax exemption.

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.
2. The applicant completes the required forms and submits them along with all required data by February 1st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.
3. The Department shall review the application according to the following criteria:
1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.
4. Upon review of the application, the Community Development Department will prepare a recommendation and schedule the proposal for City Council consideration.
5. By resolution, the City Council will accept the application and improvements as consistent with the intent of this plan and state law.
6. The City Council will then direct the Community Development Department to transmit a copy of the case file to the Assessor's Office by March 1st as required by Chapter 404 of the Iowa Code.

Attachment A

Attachment A - South Pointe Urban Revitalization Area Plan - Property Owners List						
Parcel Number	Owner & Tax Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation	Acreage
744411377007	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502 R A H Council Bluffs LLC	\$290,200.00	\$0	\$0	\$290,200.00	3.28
744411377004	c/o Matheson Tri Gas Inc. 155 Allen Road, Suite 302 Basking Ridge, NJ 07920 J A K K Investments LLC	\$263,000.00	\$0	\$489,200.00	\$752,200.00	2.63
744411379001	865 Bud Boulevard Fremont, NE 68025 ARC Fechnia001 LLC	\$1,474,000.00	\$0	\$3,704,600.00	\$5,178,600.00	14.74
744414126003	c/o American Realty Capital 200 Dryden Road, Suite 1100 Dresher, PA 19025 ARC Fechnia001 LLC	\$1,101,000.00	\$0	\$1,394,800.00	\$2,495,800.00	11.01
744414126002	38 Washington Square Newport, RI 02840 McAllen Properties Omaha	(address updated 10-25-18 from original plan draft)				
744414127003	18045 Bent Tree Ridge Council Bluffs, IA 51503 Glenn, Ross B-Patricia E	\$150,000.00	\$0	\$420,800.00	\$570,800.00	1.50
744414127004	4343 S 19th Street Council Bluffs, IA 51501 TEQ Properties, LLC	\$144,000.00	\$0	\$0.00	\$144,000.00	1.60
744414127005	c/o Greg Petersen 11664 Pierce Street Omaha, NE 68144	\$124,000.00	\$0	\$403,700.00	\$527,700.00	1.24
744414127006	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$121,500.00	\$0	\$0	\$121,500.00	1.35
744414176001	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$75,700.00	\$0	\$0	\$75,700.00	34.42
744414151002	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$70,100.00	\$0	\$0	\$70,100.00	36.24
744414151001	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$15,800.00	\$0	\$0	\$15,800.00	1.66
	Council Bluffs Industrial Foundation PO Box 1565, Council Bluffs, IA 51502	\$35,800.00	\$0	\$0	\$35,800.00	16.00
		\$4,988,100.00	\$0	\$9,318,500	\$14,306,600.00	136.90

Attachment B - Amended South Pointe Urban Revitalization Area Plan - Added Property Owners List

Parcel Number	Owner & Tax Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation	Acreage
744411352002	Rogers, Terry W Rogers Auto 2301 Veterans Memorial Hwy Council Bluffs, IA 51503	\$510,000.00	\$0	\$241,700.00	\$751,700.00	5.10
	Original Area	\$4,988,100.00	\$0	\$9,318,500.00	\$14,306,600.00	136.90
	Amended Area Total	\$5,498,100.00	\$0	\$9,560,200.00	\$15,058,300.00	142.00

Attachment B

Attachment C - 2021 Amended South Pointe Urban Revitalization Area Plan - Added Property Owners List

Parcel Number	Owner & Tax Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation	Acreage
744410400006	80/29 Access LLC 950 S 10th St Ste 100 Omaha, NE 68108	\$4,545,400.00	\$0.00	\$0.00	\$4,545,400.00	50.56
744411301004	C F Realty Group LLC 6457 Frances St Ste 100 Omaha, NE 68106	\$4,600.00	\$0.00	\$0.00	\$4,600.00	3.53
744410400003	C F Realty Group LLC 6457 Frances St Ste 100 Omaha, NE 68106	\$22,200.00	\$0.00	\$0.00	\$22,200.00	19.94
744410400002	Krejci, Frank R Trust 1505 N 203rd St Elkhorn, NE 68022	\$22,400.00	\$0.00	\$0.00	\$22,400.00	20.00
744410400007	T D J Holdings LLC 2802 Twin City Dr Council Bluffs, IA 51501	\$38,800.00	\$0.00	\$0.00	\$38,800.00	29.99
2020 Amended Area		\$5,498,100.00	\$0.00	\$9,560,200.00	\$15,058,300.00	142.00
Total with 2021 Amendment		\$10,131,500.00	\$0.00	\$9,560,200.00	\$19,691,700.00	266.02

ORDINANCE NO. 6449

AN ORDINANCE AMENDING THE SOUTH POINTE URBAN REVITALIZATION AREA WITHIN THE CITY OF COUNCIL BLUFFS.

- WHEREAS,** the City of Council Bluffs has the authority under Chapter 404 of the Code of Iowa to declare an area as an urban revitalization area to be known as the “South Pointe Urban Revitalization Area;” and
- WHEREAS,** the City of Council Bluffs is contemplating amending the current Plan to include the area legally described as Lots 1 and 2, South 24th and Highway 275 Industrial Subdivision, along with the North $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 10-74-44, except the south 10.01 acres of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 10-74-44 and Richard Downing Avenue right-of-way, all in the City of Council Bluffs, Pottawattamie County, Iowa, as an urban revitalization area, thus allowing tax abatement for qualified projects; and
- WHEREAS,** this City Council of the City of Council Bluffs, Iowa, finds that the subject area is appropriate as an urban revitalization area as outlined in Section 404.1(4) of the Iowa Code; and
- WHEREAS,** on February 22, 2021, the City Council passed a Resolution of Necessity and Intent to establish an amended urban revitalization plan for the South Pointe Urban Revitalization Area, directing staff to prepare the required revitalization plan and a public hearing was set for April 12, 2021; and
- WHEREAS,** the Revitalization Plan has been written and packaged, notification sent to all the property owners and tenants affected and published notification has appeared in the daily newspaper; and
- WHEREAS,** at its March 9, 2021 meeting, the City Planning Commission reviewed the amended plan for the South Pointe Urban Revitalization Area and has forwarded its recommendation to this City Council.

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

SECTION 1. That the amended urban revitalization plan for the South Pointe Urban Revitalization Area, known as the "2021 Amendment to the South Pointe Urban Revitalization Plan," attached hereto and made a part hereof, is hereby approved as to form and content.

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

SECTION 3. EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED
AND
APPROVED

April 26, 2021

Matthew J. Walsh

Mayor

ATTEST:

Jodi Quakenbush

City Clerk

PUBLIC HEARING: N/A

FIRST CONSIDERATION: 4-12-2021

SECOND CONSIDERATION: 4-26-2021

THIRD CONSIDERATION: REQUEST TO WAIVE

Council Communication

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

Ordinance 6450
ITEM 5.B.

Council Action: 4/26/2021

Description

An Ordinance to amend Chapter 9.16 "Signs and Signals" of the 2020 Municipal Code of Council Bluffs, Iowa, by Section 9.16.055 "Automated Red Light Enforcement".

Background/Discussion

This Ordinance is outdated with regard to the actual process for the penalty/appeals for the red light enforcement program. These proposed changes will accurately reflect the current administrative process being utilized within the City.

Recommendation

Recommendation of this Ordinance is recommended.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance-red line version	Other	4/1/2021
Ordinance 6450	Ordinance	4/7/2021

9.16.055 Automated Red Light Enforcement

- A. General. The city of Council Bluffs, in accordance with the police powers authorized it by the state of Iowa for governing safe traffic flow, may erect or cause to have erected an automated traffic enforcement system for making photographs, video, or digital images of vehicles that fail to obey red light traffic signals at intersections designated by the mayor or his/her designee. The system may be managed by the private contractor that owns and operates the requisite equipment with supervisory control vested in the city's police department. Photographs, video, or digital images shall be provided to the police department by the contractor for review. The police department will determine which vehicle owners are in violation of the city's red light ordinance and are to receive a notice of violation for the offense.
- B. Definitions.
Automated traffic enforcement system: An electronic system consisting of a photographic, video, or electronic camera and a vehicle sensor installed to work in conjunction with an official traffic controller and to automatically produce photographs, video, or digital images of each vehicle violating a standard traffic control.
- C. Vehicle owner: The person or entity identified by the Iowa Department of Transportation, or registered with any other state vehicle registration office, as the registered owner of a vehicle.
- D. Offense.
 - 1. The vehicle owner shall be liable for a fine as imposed below if such vehicle crosses a marked stop line or the intersection plane at a system location when the traffic signal for that vehicle's direction is emitting a steady red light or red arrow.
 - 2. The violation may be rebutted by a showing that a stolen vehicle report was made on the vehicle encompassing the period in question.
 - 3. The citation will in no event be sent or reported to the Iowa Department of Transportation or similar department of any other state for the purpose of being added to the vehicle owner's driving record.
- E. Penalty and Appeal.
 - 1. Any violation of paragraph C,1 shall be considered a civil violation for which a penalty of one hundred dollars (\$100.00) shall be imposed, payable as directed on the citation.
 - 2. A recipient of an automated red light citation may dispute the citation by requesting an administrative review of the citation by the Council Bluffs City Attorney's Office, or their designee. Any such request for administrative review shall comply with the written instructions as designated on the citation, including any stated deadline for submission. Such administrative review shall be in person, and at a set date and time, as determined by the Council Bluffs City Attorney's Office. As a result of the appeal herein, the citation may be dismissed, paid by the appellant, or may result in the issuance of a municipal infraction citation, at the request of the appellant, pursuant to Iowa Code 364.22 and Council Bluffs Municipal Code 1.95.

Such municipal infraction citation will result in a required court appearance by the recipient and in the scheduling of a trial before a judge or magistrate at the Pottawattamie County Courthouse. The issuance of a municipal infraction citation will cause the imposition of state mandated court costs to be added to the amount of the violation.

3. If a recipient of an automated right light citation does not pay the fine, or request administrative review, by the stated due date or request a trial before a judge or magistrate, the citation shall be referred by the private contractor to a collection agency for collection in accordance with the laws of the State of Iowa, including any applicable fees or costs that may be associated with such collection..

(Ord. 5870 § 1, 2005)

(Ord. No. 6036, § 1, 8-24-2009; Ord. No. 6121, § 1, 2-28-2011)

ORDINANCE NO. 6450

AN ORDINANCE TO AMEND CHAPTER 9.16 “SIGNS AND SIGNALS” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 9.16.055 “AUTOMATED RED LIGHT ENFORCEMENT”.

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

SECTION 1. That Chapter 9.16 “Signs and Signals” of the 2020 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Chapter 9.16.055 “Automated Red Light Enforcement” as follows:

9.16.055 Automated Red Light Enforcement

- A. General. The city of Council Bluffs, in accordance with the police powers authorized it by the state of Iowa for governing safe traffic flow, may erect or cause to have erected an automated traffic enforcement system for making photographs, video, or digital images of vehicles that fail to obey red light traffic signals at intersections designated by the mayor or his/her designee. The system may be managed by the private contractor that owns and operates the requisite equipment with supervisory control vested in the city's police department. Photographs, video, or digital images shall be provided to the police department by the contractor for review. The police department will determine which vehicle owners are in violation of the city's red light ordinance and are to receive a notice of violation for the offense.
- B. Definitions.
- Automated traffic enforcement system: An electronic system consisting of a photographic, video, or electronic camera and a vehicle sensor installed to work in conjunction with an official traffic controller and to automatically produce photographs, video, or digital images of each vehicle violating a standard traffic control.
- Vehicle owner: The person or entity identified by the Iowa Department of Transportation, or registered with any other state vehicle registration office, as the registered owner of a vehicle.
- C. Offense.
1. The vehicle owner shall be liable for a fine as imposed below if such vehicle crosses a marked stop line or the intersection plane at a system location when the traffic signal for that vehicle's direction is emitting a steady red light or red arrow.
 2. The violation may be rebutted by a showing that a stolen vehicle report was made on the vehicle encompassing the period in question.
 3. The citation will in no event be sent or reported to the Iowa Department of Transportation or similar department of any other state for the purpose of being added to the vehicle owner's driving record.
- D. Penalty and Appeal.
1. Any violation of paragraph C,1 shall be considered a civil violation for which a penalty of one hundred dollars (\$100.00) shall be imposed, payable as directed on the citation.

2. A recipient of an automated red light citation may dispute the citation by requesting an administrative review of the citation by the Council Bluffs City Attorney's Office, or their designee. Any such request for administrative review shall comply with the written instructions as designated on the citation, including any stated deadline for submission. Such administrative review shall be in person, and at a set date and time, as determined by the Council Bluffs City Attorney's Office. As a result of the appeal herein, the citation may be dismissed, paid by the appellant, or may result in the issuance of a municipal infraction citation, at the request of the appellant, pursuant to Iowa Code 364.22 and Council Bluffs Municipal Code 1.95. Such municipal infraction citation will result in a required court appearance by the recipient and in the scheduling of a trial before a judge or magistrate at the Pottawattamie County Courthouse. The issuance of a municipal infraction citation will cause the imposition of state mandated court costs to be added to the amount of the violation.
3. If a recipient of an automated right light citation does not pay the fine, or request administrative review, by the stated due date or request a trial before a judge or magistrate, the citation shall be referred by the private contractor to a collection agency for collection in accordance with the laws of the State of Iowa, including any applicable fees or costs that may be associated with such collection..

(Ord. 5870 § 1, 2005)

(Ord. No. 6036, § 1, 8-24-2009; Ord. No. 6121, § 1, 2-28-2011)

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

April 26, 2021.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 4-12-21

Second Consideration: 4-26-21

Public Hearing: N/A

Third Consideration:

Council Communication

Department: City Clerk
Case/Project No.:
Submitted by: Courtney Harter, HED Manager

Ordinance 6451
ITEM 5.C.

Council Action: 4/26/2021

Description

Ordinance amending the South Main Urban Renewal Area to removing the “2021 Removal Parcel” from the TIF District.

Background/Discussion

Please see attached staff report.

Recommendation

ATTACHMENTS:

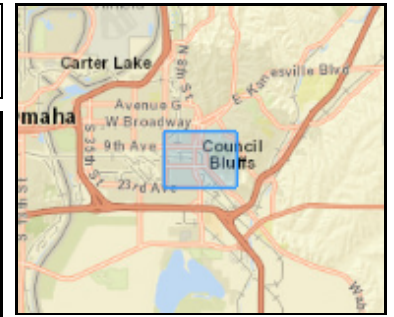
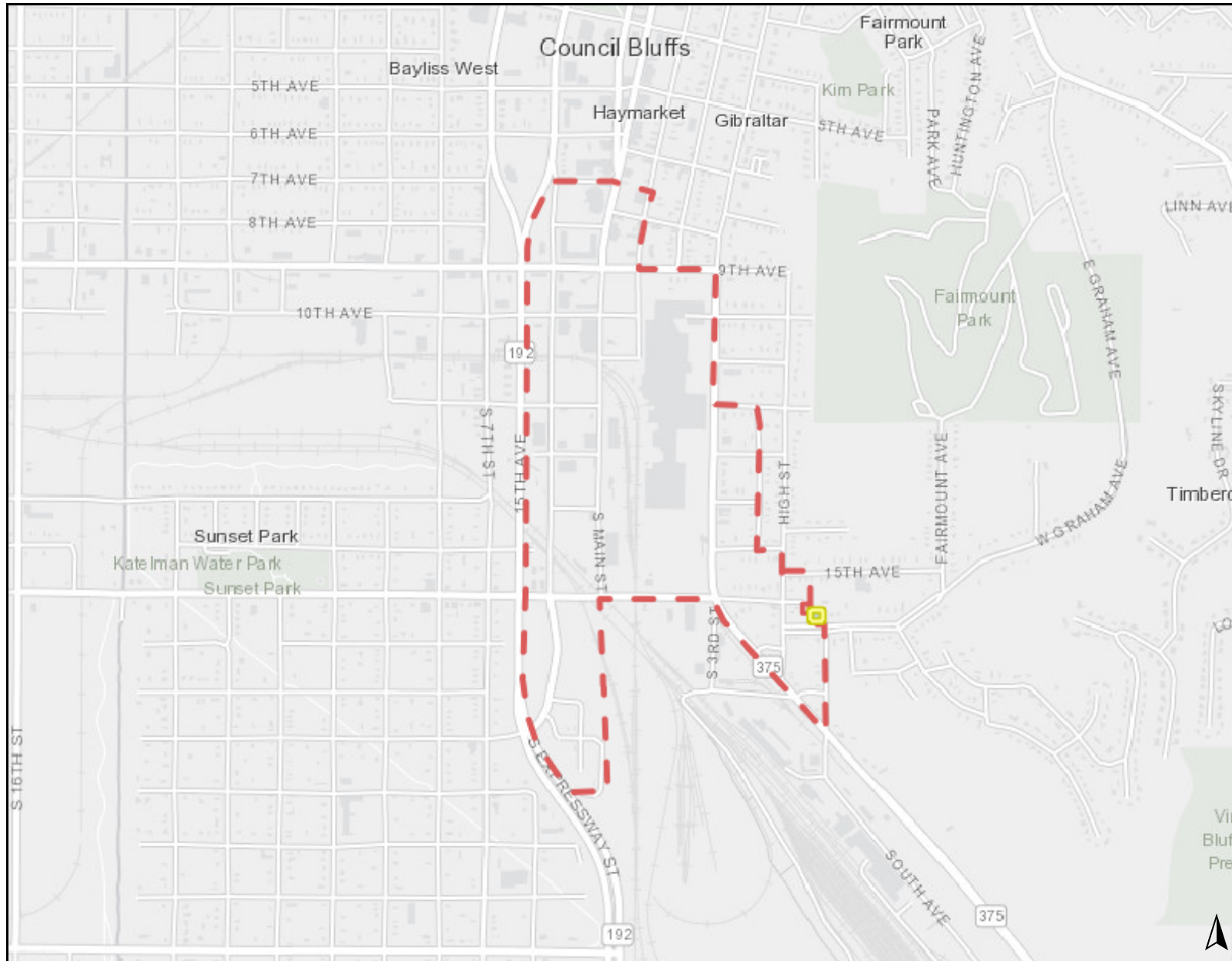
Description	Type	Upload Date
Staff Report	Staff Report	4/2/2021
South Main Urban Renewal Area and TIF District	Map	4/2/2021
Site Map	Map	4/2/2021
Ordinance - Certificate	Ordinance	4/2/2021
Ordinance - Auditors Certificate	Ordinance	4/2/2021
Ordinance 6451	Ordinance	4/7/2021

Council Communication

Department: Community Development	Ordinance No.: ____ Resolution No.: N/A	City Council 1 st Reading: April 12, 2021 2 nd Reading: April 26, 2021 3 rd Reading: Request to be Waived
Subject/Title		
Adoption of ordinance amending the South Main Urban Renewal Area to removing the “2021 Removal Parcel” from the TIF District.		
Location		
Legally described as the North ½ of Lot 13, Chapman’s Addition Generally located on 16 th Avenue east of High Street		
Background/Discussion		
<u>Background</u> In 1998, the South Main Urban Renewal Area was passed as part of the revitalization for the area generally located from 6 th Avenue (north), 20 th Avenue (south), South Expressway (west) and Tostevin Street (east). The corresponding tax increment financing (TIF) district follows the same boundaries.		
<u>Discussion</u> On October 20, 2020, the property owner was granted a variance by the Zoning Board of Adjustment to construct an accessory structure in front of their dwelling. The variance was granted based on the configuration of the lots and as part of the approval they are required to combine both lots into one parcel. The property owner has attempted to combine both lots with the County; however, the properties cannot be combined as one is located (Lot 13) within the South Main TIF District and the other parcel (178 West Graham) is not. TIF law requires boundaries follow lot lines. This means the owner cannot proceed with the proposed project until Lot 13 is either removed from the TIF district or 178 West Graham is added to the district. The TIF district does not expire until 2030 so the decision was made to remove the parcel and keep the remaining district.		
Staff Recommendation		
Staff adoption of the ordinance amending the South Main TIF District to remove the “2021 Removal Parcel.”		
Attachment		
1. Location Map 2. Ordinance 3. Ordinance Certificate 4. URA Ordinance – Auditors Certificate		

Submitted by: Courtney Harter, Housing & Economic Development Manager, Community Development Department
 Approved by: Courtney Harter, Housing & Economic Development Manager, Community Development Department

South Main Urban Renewal Area and TIF District



Legend

World_Light_Gray_Reference
Light Gray Canvas Reference

World_Light_Gray_Base
Light Gray Canvas Base

17629

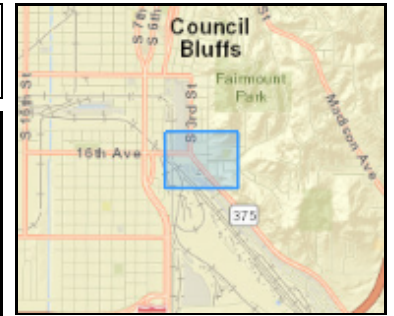
0 500 1000
ft

Users of Pottawattamie County (The County) GIS data agree that he/she will at all times indemnify and hold The County and its officers, employees, and agents harmless from any damages, claims, lawsuits, costs, or liability arising from any act, omission, or commission with respect to the release and use of information in this Agreement and any of the terms thereof. The County makes no claim as to the accuracy of the spatial data and its associated data tables and assumes no responsibility for their positional or content accuracy. The County makes no claim as to the ability of the spatial data to fulfill the Contracting Organization's application requirements. In providing data (or access to data), The County assumes no obligation to assist in the use of the data, or in the development, use, or maintenance of any applications applied to the data. In no event shall The County be liable for any direct, indirect, incidental, consequential or special damages that may result from the use of the GIS data.

Pottawattamie County GIS
223 S 6th St.
Council Bluffs, IA 51501
(712) 328-4885
gis@pottcounty-ia.gov
<https://gis.pottcounty-ia.gov>



South Main Urban Renewal Area and TIF District - Zoomed In



Legend

World Imagery (Map Service)
1.2m Resolution Metadata

4407

0 200 400
ft

Users of Pottawattamie County (The County) GIS data agree that he/she will at all times indemnify and hold The County and its officers, employees, and agents harmless from any damages, claims, lawsuits, costs, or liability arising from any act, omission, or commission with respect to the release and use of information in this Agreement and any of the terms thereof. The County makes no claim as to the accuracy of the spatial data and its associated data tables and assumes no responsibility for their positional or content accuracy. The County makes no claim as to the ability of the spatial data to fulfill the Contracting Organization's application requirements. In providing data (or access to data), The County assumes no obligation to assist in the use of the data, or in the development, use, or maintenance of any applications applied to the data. In no event shall The County be liable for any direct, indirect, incidental, consequential or special damages that may result from the use of the GIS data.

292

Pottawattamie County GIS
223 S 6th St.
Council Bluffs, IA 51501
(712) 328-4885
gis@pottcounty-ia.gov
<https://gis.pottcounty-ia.gov>



4/2/2021

ORDINANCE CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

1. I certify that Ordinance Number _____, of which a true copy is attached, was duly adopted by the City Council of the City of Council Bluffs, State of Iowa, signed by the Mayor and published as required by law and is now in effect. I further certify that the consideration(s) and votes taken for the enactment of the Ordinance were as follows:

- a. First consideration - Date: _____
Vote: In favor _____, Opposed _____,
Absent or Abstain _____.
- b. Second consideration - Date: _____
Vote: In favor _____, Opposed _____,
Absent or Abstain _____.
- c. Final Consideration - Date: _____
Vote: In favor _____, Opposed _____,
Absent or Abstain _____.
- d. Publication Date: _____.

2. The Ordinance was not considered on any date after its first consideration as shown above when it did not receive an affirmative vote for passage.

3. On the date of _____, 2021, the City Council adopted a motion for the suspension of the rule requiring separate consideration at three meetings and voted the final adoption of the Ordinance. The vote for suspension of the rules was by three-fourths of the full City Council, voting ____ in favor, ____ opposed and ____ absent, vacant or abstaining and was duly recorded.

4. I further certify that each meeting for the consideration of the Ordinance was duly and publicly held, with a notice of the meeting and tentative agenda naming the consideration of the Ordinance timely posted and upon reasonable advance notice to the media as required by the Chapter 21 of the Code of Iowa and rules of the Council then governing.

5. 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 _____, 2021.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

**(Attach Affidavit of Publication to this Certificate
and send Certificate and Affidavit to Ahlers & Cooney, P.C.)**

01844623-1\10342-069

CITY CLERK'S CERTIFICATION TO COUNTY AUDITOR

I hereby certify that attached hereto is a true and correct copy of the Tax Increment Ordinance approved by the City Council of the City of Council Bluffs, State of Iowa, designated as Ordinance Number _____, entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 5889
AND PROVIDING THAT GENERAL PROPERTY TAXES
SHALL NO LONGER BE DIVIDED **ON CERTAIN
PROPERTY** LOCATED WITHIN THE SOUTH MAIN
URBAN RENEWAL PROJECT AREA, IN THE CITY OF
COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE,
STATE OF IOWA (**REMOVING "2021 REMOVAL
PARCEL" FROM DIVISION OF TAXES ONLY**)

approved by the City Council on the _____ day of _____, 2021, and duly published on the _____ day of _____, 2021, the original of which is on file in the records of the undersigned.

Dated this _____ day of _____, 2021.

Clerk of the City of Council Bluffs

(CITY SEAL)

COUNTY AUDITOR'S CERTIFICATE

I, _____, County Auditor of Pottawattamie County, Iowa, hereby certify that on the _____ day of _____, 2021, there was filed in my office a copy of the Tax Increment Ordinance of the City of Council Bluffs, State of Iowa, Ordinance Number _____, approved by the City Council on the _____ day of _____, 2021, all duly certified upon the form attached above.

County Auditor of Pottawattamie County, Iowa

(COUNTY SEAL)

01844618-1\10342-069

-1-
ORDINANCE NO. 6451

AN ORDINANCE AMENDING ORDINANCE NO. 5889 AND PROVIDING THAT GENERAL PROPERTY TAXES SHALL NO LONGER BE DIVIDED **ON CERTAIN PROPERTY** LOCATED WITHIN THE SOUTH MAIN URBAN RENEWAL PROJECT AREA, IN THE CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE, STATE OF IOWA (**REMOVING "2021 REMOVAL PARCEL" FROM DIVISION OF TAXES ONLY**)

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, in 1998, adopted an Urban Renewal Plan for an urban renewal area known as the South Main Urban Renewal Project Area ("Urban Renewal Area"), amended the Urban Renewal Plan in 2003, and, in Ordinance No. 5889, adopted in 2006, provided for the division of taxes within the Urban Renewal Area, pursuant to Iowa Code Section 403.19; and

WHEREAS, due to changes in property lot lines, the City Council of the City of Council Bluffs has determined that certain property in the Urban Renewal Area should be removed from Ordinance No. 5889 and should cease being subject to the division of taxes under Ordinance No. 5889 and under Iowa Code Section 403.19.

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

Section 1: That the following portion of the Urban Renewal Area (the "2021 Removal Parcel") shall be removed from the application of Ordinance No. 5889 and shall no longer be subject to the division of taxes under Iowa Code Section 403.19 under said Ordinance:

North ½ of Lot 13, Chapman's Addition

Section 2. That nothing herein shall be interpreted as altering the boundaries of, or removing any property from, the Urban Renewal Area (for purposes of clarity, while the 2021 Removal Parcel is no longer subject to the division of revenue provided for in Iowa Code Section 403.19, the 2021 Removal Parcel will remain a part of the South Main Urban Renewal Project Area).

Section 3. That the portion of the Urban Renewal Area that is not being removed from Ordinance No. 5889 by this Ordinance shall be and remains subject to all of the provisions of Ordinance No. 5889 and shall retain its previously established base value.

Section 4. That if any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 26th day of April, 2021.

Mayor

ATTEST:

City Clerk

Read First Time: April 12, 2021

Read Second Time: April 26, 2021

Read Third Time: request to waive

PASSED AND APPROVED: _____, 2021.

I, _____, City Clerk of the City of Council Bluffs, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. _____ passed and approved by the City Council of the City at a meeting held _____, 2021, signed by the Mayor on _____, 2021, and published in The Daily Nonpareil on _____, 2021.

City Clerk, City of Council Bluffs, State of
Iowa

(SEAL)

01844624-1\10342-069

Council Communication

Department: City Clerk
Case/Project No.: ZC-21-001
Submitted by: Moises Monrroy, Planner

Ordinance 6447
ITEM 6.A.

Council Action: 4/26/2021

Description

Ordinance to amend the zoning map as adopted by reference in section 15.02.070 by rezoning property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE 1/4 SE 1/4 of Section 36-75-44, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District as defined in Chapter 15.10. Location: 147 15th Avenue. ZC-21-001

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/12/2021
Attachment A - Location and Zoning Map	Map	3/12/2021
Attachment B - Letter of Intent	Letter	3/12/2021
Public Hearing Notice	Notice	3/12/2021
Ordinance 6447	Ordinance	3/17/2021

City Council Communication

Department: Community Development CASE # ZC-21-001 Applicant/Property Owner: Triple Play Holdings, LLC 101 North 69 th Street, Apt. 31 Omaha, NE 68132	Ordinance No. _____	1 st Consideration: 3/22/2021 2 nd Consideration: 4/12/2021 3 rd Consideration: 4/26/2021 Planning Commission: 3/9/2021
<p style="text-align: center;">Subject/Title</p> <p>Request: Public hearing on the request of Triple Play Holdings, LLC, represented by Deric Poldberg, to rezone property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE ¼ SE ¼ of Section 36-75-44, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District.</p> <p>Location: 147 15th Avenue</p>		
<p style="text-align: center;">Background</p> <p>The Community Development Department has received an application from Triple Play Holdings, LLC, represented by Deric Poldberg, to rezone property addressed at 147 15th Avenue and legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE ¼ SE ¼ of Section 36-75-44, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District. The applicant is requesting the proposed rezoning in order to obtain a conditional use permit for the baseball training facility at this site.</p> <p>The subject property, formerly used as Pusey Elementary School, is split-zoned R-1/Single-Family Residential District and R-3/Low Density Multifamily Residential District. The school building is located in the R-1 District, and the associated parking lot and playground are located in the R-3 District. After the school closed down in 2010, the previous property owner, the Council Bluffs Community School District, leased the subject property to Heartland Family Service until 2014. In January 2015, the applicant began leasing the subject property from the school district to operate a baseball training facility (Triple Play Sports) at the former school building. The applicant also maintained the building safe from vandalism during this time on behalf of the school district. The applicant purchased the subject property in October 2020. The applicant intends to rezone the subject property and obtain a conditional use permit from the Zoning Board of Adjustment in order to bring the baseball training facility into conformance with Title 15: <u>Zoning</u> of the Council Bluffs Municipal Code.</p> <p><u>Land Use and Zoning</u></p> <p>The following zoning and land uses surround the subject properties:</p> <ul style="list-style-type: none"> North: Residential properties that are zoned R-1/Single-Family Residential District. South: Residential properties that are zoned R-1/Single-Family Residential District and R-3/Low Density Multifamily Residential District. East: Residential properties that are zoned R-1/Single-Family Residential District. West: Residential properties that are zoned R-1/Single-Family Residential District and R-3/Low Density Multifamily Residential District. 		

The future land use plan of the Bluffs Tomorrow: 2030 (Comprehensive Plan) designates the subject properties as Public/Semi-Public.

Public notices were mailed to all property owners within 200 feet of the request. The Community Development Department received the following comments:

- Bryce Triplett, owner of 110 15th Avenue, stated that approval of the proposed rezoning should be subject to a condition which requires the subject property to revert to the R-1/Single-Family Residential District if the existing baseball training facility ceases to operate. The purpose of this request is to avoid the subject property being developed as multifamily housing.

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

- The Public Works Department stated they have no comments on the request.
- The Fire Department stated they have no comments on the request.
- Council Bluffs Water Works stated they have no comments on the request.
- Mid-American Energy Company stated they have no conflict with the request. They also stated that the developer or their agents should contact Mid-American Energy directly and provide finalized plans to identify costs and timelines associated with any relocation or extension of new electric facilities to accommodate the proposed uses of the site.

Discussion

1. The subject property is currently split-zoned R-1/Single-Family Residential District and R-3/Low Density Multifamily Residential District. If approved, the proposed rezoning will provide one consistent zoning classification for the entire premises.
2. The baseball training facility located on the subject property is considered a ‘commercial recreation’ establishment, as defined in Sections 15.03.156 and 15.03.157 of the Council Bluffs Municipal Code (Zoning Ordinance). While ‘commercial recreation (indoor and outdoor)’ is a conditional use in the R-3 District, it is not permitted in the R-1 District. As such, the baseball training facility is an existing illegal use since it was established after the effective date of the current Zoning Ordinance without the necessary regulatory approval. The Community Development Department communicated this information to the applicant prior to them purchasing the subject property.
3. The proposed rezoning is the first step in the process to bring the existing baseball training facility into conformance with Title 15: Zoning of the Council Bluffs Municipal Code.
4. If the proposed rezoning is approved, the applicant shall obtain a conditional use permit (CUP) from the Zoning Board of Adjustment to allow ‘commercial recreation (indoor and outdoor)’ in the R-3 District. Site development regulations and off-street parking standards will be addressed as part of the CUP review process.
5. The subject property exceeds the minimum lot size requirements of the R-3 District.
6. As per the submitted letter of intent (see Attachment ‘B’), the applicant plans to lease part of the former school building to other businesses and/or non-profit organizations in order to generate additional revenue. Only land uses allowed in the R-3 District shall occur on the subject property.
7. The Bluffs Tomorrow: 2030 (Comprehensive Plan) designates the subject property as Public/Semi-Public, which is intended for larger areas that support activities for the benefit of the general public. The R-3 District and the existing ‘commercial recreation’ establishment on the subject property are generally consistent with the intent of the Public/Semi-Public land use designation. The Comprehensive Plan also indicates that the City should work to adaptively reuse schools, local libraries, churches and other supporting uses that have since been vacated and left behind structures that may become dilapidated. If the existing baseball training facility were to cease operations, the subject property could accommodate other uses, such as housing, social

services, local offices or other institutional uses that complement the surrounding neighborhood. The proposed rezoning would facilitate the adaptive reuse of the subject property.

8. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-3 District.

Recommendation

The Community Development Department recommends approval of the request of Triple Play Holdings, LLC, represented by Deric Poldberg, to rezone property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE ¼ SE ¼ of Section 36-75-44, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District.

Public Hearing

Staff speaker for the request:

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

Speakers in favor:

1. Deric Poldberg, Triple Play Holdings, LLC, 101 North 69th Street, Apt. 31, Omaha, NE 68132

Speakers against: None

Planning Commission Recommendation

The Planning Commission recommended approval of the request of Triple Play Holdings, LLC, represented by Deric Poldberg, to rezone property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE ¼ SE ¼ of Section 36-75-44, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District.

VOTE: AYE – Bass, Daniels, Halm, Haner, Hutcheson, Rater, Rew, Scott, Stroebele, and VanHouten
NAY - None ABSTAIN - None ABSENT – None VACANT - One Motion: Carried.

Attachments

Attachment A: Location/Zoning Map
Attachment B: Letter of Intent

Prepared by: Moises Monrroy, Planner, Community Development Department

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #ZC-21-001 LOCATION/ZONING MAP

Legend

Subject Property

0 40 80
1 Inch = 83 Feet



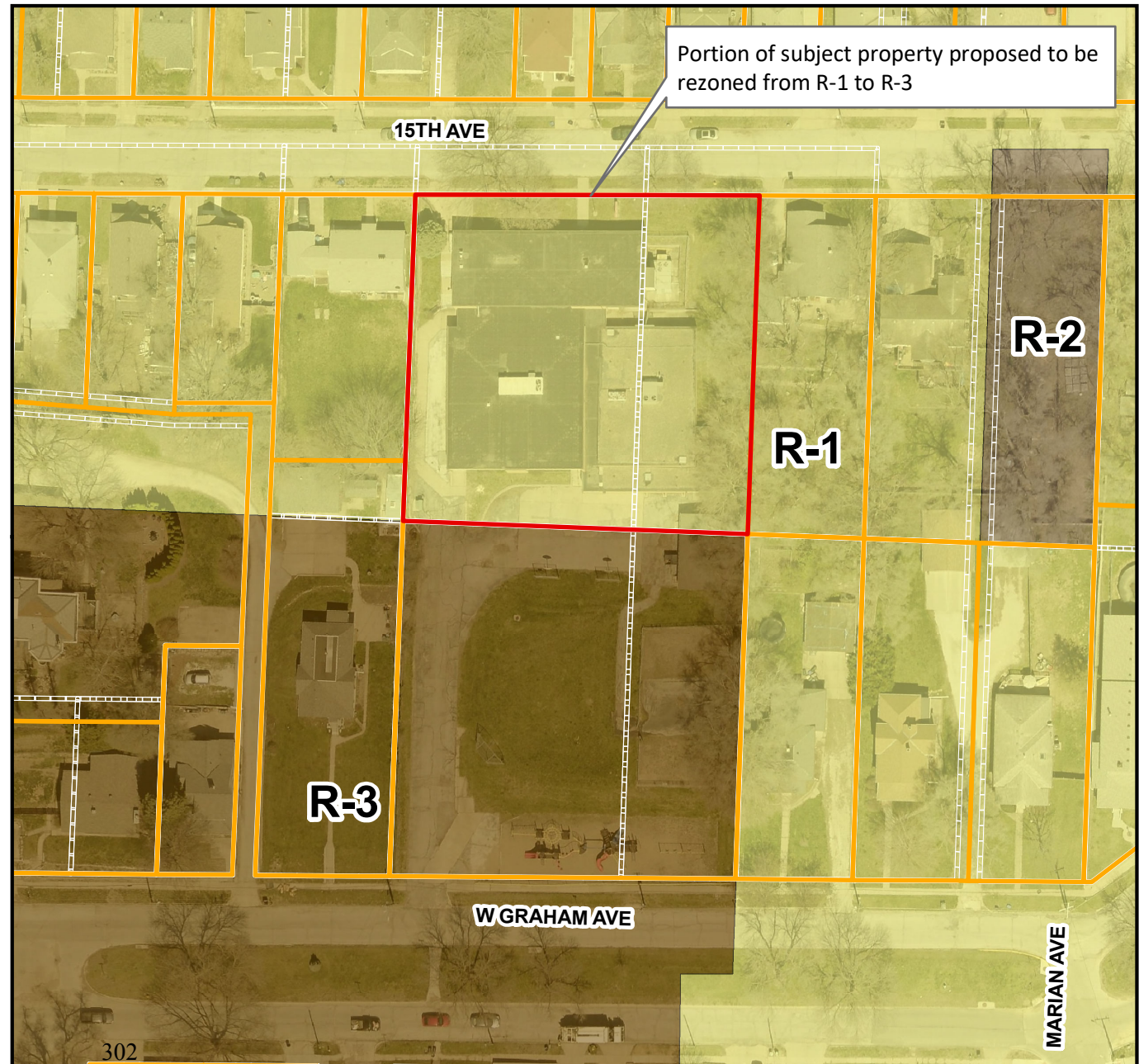
Last Amended: 2/11/2021



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

DISCLAIMER

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



Attachment B



City of Council Bluffs, Iowa
Attn: Moises Monrroy
209 Pearl Street
Council Bluffs, IA 51503

January 19, 2021

RE: Statement of Intent

Dear Mr. Monrroy,

Triple Play Holdings, LLC is dedicated to providing a world-class baseball and softball training facility for the student athletes of Southwest Iowa. Our facility provides those students athletes with an opportunity to reach their highest level of personal growth, athletic achievement, and a chance to compete for college scholarships.

Triple Play Holdings, LLC is committed to making sure our primary lessor, Triple Play Sports, has every opportunity to succeed and sustain the property year over year. We will utilize our R-3 zoning distinction to pursue other lease opportunities with those businesses/non-profits that offer complimentary services or continue to improve the overall health and well-being of the Council Bluffs community.

If you have any further questions, please do not hesitate to call me at 402-709-3335 or email me at dpoldberg@gmail.com. We truly appreciate the City of Council Bluffs' continued support of us and our organization.

Sincerely,

A handwritten signature in blue ink, appearing to read "Deric Poldberg", with a long, sweeping flourish extending to the right.

Deric Poldberg
Managing Member
Triple Play Holdings

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request of Triple Play Holdings, LLC to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE ¼ SE ¼ of Section 36-75-44, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District, as defined in Chapter 15.10 of the Municipal Code of Council Bluffs, Iowa.

You are further notified that the public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 12th day of April, 2021 in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

Jodi Quakenbush, City Clerk

ORDINANCE NO. 6447

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY LEGALLY DESCRIBED AS LOT 3 AND THE WESTERLY 60 FEET OF LOT 5, AUDITOR'S SUBDIVISION OF THE SE ¼ SE ¼ OF SECTION 36-75-44, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, FROM R-1/SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-3/LOW-DENSITY MULTIFAMILY RESIDENTIAL DISTRICT, AS DEFINED IN CHAPTER 15.10 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.

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

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2020 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning property legally described as Lot 3 and the Westerly 60 feet of Lot 5, Auditor's Subdivision of the SE ¼ SE ¼ of Section 36-75-44, City of Council Bluffs, Pottawattamie County, Iowa, from R-1/Single-Family Residential District to R-3/Low-Density Multifamily Residential District, as defined in Chapter 15.10 of the Municipal Code of Council Bluffs, Iowa.

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

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

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

ADOPTED
AND
APPROVED

April 12, 2021.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 3-22-21
Second Consideration: 4-12-21
Public Hearing: 4-12-21
Third Consideration: _____

Council Communication

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

Ordinance 6448
ITEM 6.B.

Council Action: 4/26/2021

Description

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

Background/Discussion

On October 26, 2020, Ordinance 6425 was approved to amend Title 2 Revenue and Finance, Chapter 2.08 “Schedule of Fees” by amending Section 2.08.050 “Fees and charges authorized in Title 5 Sewers”.

The ordinance updated sewer rates for residential, commercial, and industrial customers to address increases in operation and maintenance costs and the replacement of aging infrastructure.

Included in the updates were increases to the monthly residential flat rate sewerage service charge and residential minimum sewerage service charge. The units of measure were inadvertently changed to per 100 cubic feet, but should have remained as per residential unit.

Due to the timing of this amendment and the required city council hearings, the April 1, 2021 effective date for the rate increase is no longer feasible. For consistency, the new proposed effective date for all residential sewer rate increases for the first year have been revised to May 1, 2021.

It is requested that the 3rd Reading be waived due to the minor correction that is proposed.

Recommendation

Approval of this ordinance to amend the unit of measure and effective date of residential sewer rate increases.

ATTACHMENTS:

Description	Type	Upload Date
Notice of Public Hearing	Notice	3/11/2021
Ordinance - redlined	Ordinance	3/11/2021
Ordinance 6448 Clean	Ordinance	3/17/2021

Notice of Public Hearing

for

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

Of the 2020 Municipal Code of Council Bluffs, Iowa

By amending Section 2.08.050

A public hearing will be held on April 12, 2021, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, for amending Title 2 - Revenue and Finance Chapter 2.08.050 - Fees and charges authorized in Title 5 - Sewers. At said hearing, any interested person may appear and file objections to such plans.

By Order of the City Council

of the

City of Council Bluffs, Iowa

Jodi Quakenbush, City Clerk

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND TITLE 2 REVENUE AND FINANCE, CHAPTER 2.08
“SCHEDULE OF FEES” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS,
IOWA, BY AMENDING SECTION 2.08.050.**

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

SECTION 1. That Chapter 2.08 “Schedule of Fees” of the 2020 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 2.08.050 to read as follows:

2.08.050 - Fees and charges authorized in Title 5.

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

	For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March.	
	New service charge, rate or rental, outside the city limits:	
	Rate per hundred cubic feet per month	April <u>May</u> 1, 2021 - \$4.48/100 cubic ft. July 1, 2022 - \$4.85/100 cubic ft. July 1, 2023 - \$5.25/100 cubic ft. July 1, 2024 - \$5.69/100 cubic ft. July 1, 2025 - \$6.16/100 cubic ft.
	Sewer service charge based upon monthly average	
	For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March.	
5.22.020	Flat rate sewerage service charge per month	April <u>May</u> 1, 2021 - \$28.80/ 100 cubic ft. <u>Residential unit</u> July 1, 2022 - \$28.80/ 100 cubic ft. <u>Residential unit</u> July 1, 2023 - \$28.80/ 100 cubic ft. <u>Residential unit</u> July 1, 2024 - \$28.80/ 100 cubic ft. <u>Residential unit</u>

		July 1, 2025 - \$28.80/ 100 cubic ft. <u>Residential unit</u>
	Minimum sewerage service charge per month	April <u>May</u> 1, 2021 - \$12.50/ 100 cubic ft. <u>Residential unit</u> July 1, 2022 - \$13.08/ 100 cubic ft. <u>Residential unit</u> July 1, 2023 - \$13.69/ 100 cubic ft. <u>Residential unit</u> July 1, 2024 - \$14.33/ 100 cubic ft. <u>Residential unit</u> July 1, 2025 - \$15.00/ 100 cubic ft. <u>Residential unit</u>
5.22.050	Administrative assessment fee for collection of delinquent sewer bills	\$50.00
5.22.060	Special rates for users who are defined as significant users under the city's pretreatment program based on concentration of raw flow prior to pretreatment shall be as follows:	
	Flow rate (inside city limits):	April 1, 2021 - \$3.20/100 cubic ft. July 1, 2022 - \$3.46/100 cubic ft. July 1, 2023 - \$3.73/100 cubic ft. July 1, 2024 - \$4.03/100 cubic ft. July 1, 2025 - \$4.35/100 cubic ft.
	Flow rate (outside city limits) :	April 1, 2021 - \$4.52/100 cubic ft. July 1, 2022 - \$4.88/100 cubic ft. July 1, 2023 - \$5.27/100 cubic ft.

		<p>July 1, 2024 - \$5.69/100 cubic ft.</p> <p>July 1, 2025 - \$6.14/100 cubic ft.</p>
	Surcharges(inside city):	
	For biochemical oxygen demand (BOD) over 350 parts per million, by weight	<p>April 1, 2021 - \$.291 per pound</p> <p>July 1, 2022 - \$.291 per pound</p> <p>July 1, 2023 - \$.291per pound</p> <p>July 1, 2024 - \$.291per pound</p> <p>July 1, 2025 - \$.291per pound</p>
	For suspended solids over 350 parts per million, by weight	<p>April 1, 2021 - \$.596 per pound</p> <p>July 1, 2022 - \$.596 per pound</p> <p>July 1, 2023 - \$.596 per pound</p> <p>July 1, 2024 - \$.596 per pound</p> <p>July 1, 2025 - \$.596 per pound</p>
	For recoverable oil and grease over 100 parts per million, by weight	<p>April 1, 2021 - \$.291 per pound</p> <p>July 1, 2022 - \$.291 per pound</p> <p>July 1, 2023 - \$.291 per pound</p> <p>July 1, 2024 - \$.291 per pound</p> <p>July 1, 2025 - \$.291 per pound</p>
	Surcharge (outside city):	
	For biochemical oxygen demand (BOD) over 350 parts per million, by weight	<p>April 1, 2021 - \$.375 per pound</p> <p>July 1, 2022 - \$. 375 per pound</p> <p>July 1, 2023 - \$. 375 per pound</p> <p>July 1, 2024 - \$. 375 per pound</p> <p>July 1, 2025 - \$.375 per pound</p>
	For suspended solids over 350 parts per million, by weight	<p>April 1, 2021 - \$.684 per pound</p> <p>July 1, 2022 - \$. 684 per pound</p> <p>July 1, 2023 - \$. 684 per pound</p>

		July 1, 2024 - \$. 684 per pound July 1, 2025 - \$.684 per pound
	For recoverable oil and grease over 100 parts per million, by weight	April 1, 2021 - \$.375 per pound July 1, 2022 - \$. 375 per pound July 1, 2023 - \$. 375 per pound July 1, 2024 - \$. 375 per pound July 1, 2025 - \$.375 per pound
5.23.020	Disposal fees for septic tank refuse	\$30.00/1,000 gallons

(Ord. 5825 § 1, 2004).

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

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

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

PASSED
AND
APPROVED

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

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

ORDINANCE NO. 6448

**AN ORDINANCE TO AMEND TITLE 2 REVENUE AND FINANCE, CHAPTER 2.08
“SCHEDULE OF FEES” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS,
IOWA, BY AMENDING SECTION 2.08.050.**

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

SECTION 1. That Chapter 2.08 “Schedule of Fees” of the 2020 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Section 2.08.050 to read as follows:

2.08.050 - Fees and charges authorized in Title 5.

Municipal Code Section Authorizing License, Fee or Permit	Description of License, Fee, or Permit	Charge
5.22.010	New service charge, rate or rental, inside the city limits:	
	Rate per hundred cubic feet per month	May 1, 2021 - \$3.60/100 cubic ft. July 1, 2022 - \$3.90/100 cubic ft. July 1, 2023 - \$4.22/100 cubic ft. July 1, 2024 - \$4.57/100 cubic ft. July 1, 2025 - \$4.95/100 cubic ft.
	Sewer service charge based upon monthly average	
	For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic	

	feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March.	
	New service charge, rate or rental, outside the city limits:	
	Rate per hundred cubic feet per month	May 1, 2021 - \$4.48/100 cubic ft. July 1, 2022 - \$4.85/100 cubic ft. July 1, 2023 - \$5.25/100 cubic ft. July 1, 2024 - \$5.69/100 cubic ft. July 1, 2025 - \$6.16/100 cubic ft.
	Sewer service charge based upon monthly average	
	For residential and commercial users whose total metered water usage is less than 2,000 hundred cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March.	
5.22.020	Flat rate sewerage service charge per month	May 1, 2021 - \$28.80/Residential unit July 1, 2022 - \$28.80/Residential unit July 1, 2023 - \$28.80/Residential unit July 1, 2024 - \$28.80/Residential unit July 1, 2025 - \$28.80/Residential unit

	Minimum sewerage service charge per month	May 1, 2021 - \$12.50/Residential unit July 1, 2022 - \$13.08/Residential unit July 1, 2023 - \$13.69/Residential unit July 1, 2024 - \$14.33/Residential unit July 1, 2025 - \$15.00/Residential unit
5.22.050	Administrative assessment fee for collection of delinquent sewer bills	\$50.00
5.22.060	Special rates for users who are defined as significant users under the city's pretreatment program based on concentration of raw flow prior to pretreatment shall be as follows:	
	Flow rate (inside city limits):	April 1, 2021 - \$3.20/100 cubic ft. July 1, 2022 - \$3.46/100 cubic ft. July 1, 2023 - \$3.73/100 cubic ft. July 1, 2024 - \$4.03/100 cubic ft. July 1, 2025 - \$4.35/100 cubic ft.
	Flow rate (outside city limits) :	April 1, 2021 - \$4.52/100 cubic ft. July 1, 2022 - \$4.88/100 cubic ft. July 1, 2023 - \$5.27/100 cubic ft. July 1, 2024 - \$5.69/100 cubic ft. July 1, 2025 - \$6.14/100 cubic ft.

	Surcharges(inside city):	
	For biochemical oxygen demand (BOD) over 350 parts per million, by weight	April 1, 2021 - \$.291 per pound July 1, 2022 - \$.291 per pound July 1, 2023 - \$.291per pound July 1, 2024 - \$.291per pound July 1, 2025 - \$.291per pound
	For suspended solids over 350 parts per million, by weight	April 1, 2021 - \$.596 per pound July 1, 2022 - \$.596 per pound July 1, 2023 - \$.596 per pound July 1, 2024 - \$.596 per pound July 1, 2025 - \$.596 per pound
	For recoverable oil and grease over 100 parts per million, by weight	April 1, 2021 - \$.291 per pound July 1, 2022 - \$.291 per pound July 1, 2023 - \$.291 per pound July 1, 2024 - \$.291 per pound July 1, 2025 - \$.291 per pound
	Surcharge (outside city):	
	For biochemical oxygen demand (BOD) over 350 parts per million, by weight	April 1, 2021 - \$.375 per pound July 1, 2022 - \$. 375 per pound July 1, 2023 - \$. 375 per pound July 1, 2024 - \$. 375 per pound July 1, 2025 - \$.375 per pound
	For suspended solids over 350 parts per million, by weight	April 1, 2021 - \$.684 per pound July 1, 2022 - \$. 684 per pound July 1, 2023 - \$. 684 per pound July 1, 2024 - \$. 684 per pound July 1, 2025 - \$.684 per pound
	For recoverable oil and grease over 100 parts per million, by weight	April 1, 2021 - \$.375 per pound July 1, 2022 - \$. 375 per pound July 1, 2023 - \$. 375 per pound July 1, 2024 - \$. 375 per pound July 1, 2025 - \$.375 per pound
5.23.020	Disposal fees for septic tank refuse	\$30.00/1,000 gallons

(Ord. 5825 § 1, 2004).

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

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

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

PASSED AND APPROVED April 12, 2021

MATTHEW J. WALSH Mayor

Attest:

JODI QUAKENBUSH City Clerk

First Consideration: 3-22-21
Second Consideration: 4-12-21
Public Hearing: 4-12-21
Third Consideration:

Council Communication

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

Resolution 21-121
ITEM 7.A.

Council Action: 4/26/2021

Description

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

Background/Discussion

Unpaid solid waste abatements that remain unpaid. Please see attached 2021 1st Quarter Lien list

Recommendation

Approval

ATTACHMENTS:

Description	Type	Upload Date
2021 1st quarter lien list	Other	4/21/2021
Resolution 21-121	Resolution	4/20/2021

RESOLUTION NO. 21-121

A RESOLUTION AUTHORIZING THE CITY CLERK TO CERTIFY ASSESSMENTS AGAINST PROPERTIES TO THE POTTAWATTAMIE COUNTY TREASURER FOR UNREIMBURSED COSTS INCURRED BY THE CITY FOR THE ABATEMENT OF WEEDS AND THE REMOVAL OF SOLID WASTE NUISANCES UPON PROPERTIES AND DIRECTING THEM TO BE COLLECTED IN THE SAME MANNER AS A PROPERTY TAX.

- WHEREAS,** Council Bluffs' City Ordinance No. 4849, passed and approved by the Council Bluffs City Council on April 15, 1988, requires all property owners within the City of Council Bluffs, Iowa, to cut or destroy all weeds exceeding 18 inches in height; and
- WHEREAS,** Council Bluffs' City Ordinance No. 5219 and 5220, passed and approved by the Council Bluffs City Council on May 22, 1995, requires all property owners to abate any solid waste nuisance upon public right-of-way of materials stored for more than 24 hours, or materials stored on private property for more than 3 days; and
- WHEREAS,** all property owners in Council Bluffs were notified of the above requirements by ordinance and failed to abate or remove the nuisances in the allotted time; and
- WHEREAS,** the City, through its contractors, has attempted to cut or destroy all weeds exceeding 18 inches and/or has removed all solid waste materials in violation; and
- WHEREAS,** more than ten days have elapsed since the City has billed each property owner by mail for the cost of abatement of weeds or solid waste materials from their properties; and
- WHEREAS,** the cost of abatement or removal on these properties has been incurred by the City and remains unpaid; and
- WHEREAS,** the City Council may have these unpaid costs assessed against the properties pursuant to CBMC 4.19.030 and 10.02.070 as authorized by Iowa Code §364.

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

That the unreimbursed costs incurred by the City for the abatement of weeds and solid waste materials found upon the properties be assessed against said properties; and

BE IT FURTHER RESOLVED

That the City Clerk is hereby authorized, empowered and directed to certify assessments against said properties to the Pottawattamie County Treasurer to be collected in the same manner as a property tax.

ADOPTED
AND
APPROVED

April 26, 2021.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

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

Resolution 21-122
ITEM 7.B.

Council Action: 4/26/2021

Description

Resolution authorizing the Mayor to execute the Order assessing a civil penalty of \$300.00 to Tobacco Vape and Food Mart for violation of Iowa Code Section 453A.2(1) on January 27, 2021.

Background/Discussion

The Iowa Alcoholic Beverages Division has enacted a comprehensive program aimed at reducing underage tobacco use and compliance checks in Council Bluffs earlier this year resulted in a citation being issued to an employee of Tobacco Vape and Food Mart, 1531 2nd Avenue, Council Bluffs, IA 51501. A hearing was held before this Council on April 12, 2021 and the permit holder failed to appear for the hearing.

Recommendation

It is recommended that this Resolution be approved and the Order be executed.

ATTACHMENTS:

Description	Type	Upload Date
Proposed Order	Other	4/15/2021
Resolution 21-122	Resolution	4/20/2021

BEFORE THE CITY COUNCIL
FOR THE CITY OF COUNCIL BLUFFS, IOWA

IN RE:

Tobacco Vape and Food Mart
1531 2nd Avenue
Council Bluffs, IA 51501

ORDER

A hearing was held on April 12, 2021, regarding the mandatory \$300.00 civil penalty against this business as prescribed by Iowa Code Section 453A.22(2)(a).

Notice of the hearing was sent to the Legal Owner's Mailing Address of 1531 2nd Avenue, Council Bluffs, IA 51501 on or about February 26, 2021 and March 29, 2021 and neither the business owner nor a legal representative appeared for the hearing.

The City Council FINDS that a first violation of Iowa Code section 453A.2(1), "selling, giving, or otherwise supplying any tobacco, tobacco products, or cigarettes to any person under eighteen years of age" occurred on January 27, 2021 at this business.

IT IS THEREFORE ORDERED that the permit holder is RESPONSIBLE for the mandatory sanction for this violation of \$300.00 civil penalty to be paid by May 10, 2021.

IT IS FURTHER ORDERED that according to Iowa Code Section 453A.22(2)(a), failure to pay the civil penalty shall result in automatic suspension of the permit for fourteen (14 days).

IT IS FURTHER ORDERED this sanction is consistent with the Iowa Code Section 453A.22(2)(a) for a first violation of Iowa Code Section 453A.2(1).

MATTHEW J. WALSH Mayor

Attest:

JODI QUAKEBUSH City Clerk

RESOLUTION NO. 21-122

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ORDER ASSESSING A CIVIL PENALTY OF \$300.00 TO TOBACCO VAPE AND FOOD MART FOR VIOLATION OF IOWA CODE SECTION 453A.2(1) ON JANUARY 27, 2021.

WHEREAS, the Iowa Alcoholic Beverages Division has enacted a comprehensive program aimed at reducing underage tobacco use; and

WHEREAS, compliance checks in Council Bluffs earlier this year resulted in a citation being issued to an employee of Tobacco Vape and Food Mart, 1531 2nd Avenue, Council Bluffs, IA 51501; and

WHEREAS, the permit holder's employee was in violation of Iowa Code Section 453A.2(1) on January 27, 2021 and this business is responsible for the civil penalty; and

WHEREAS, due to permit holder's failure to pay the civil penalty and sign and return the Acknowledgment/Settlement Agreement, a hearing was scheduled to be held before City Council on April 12, 2021 and the permit holder failed to appear; and

WHEREAS, It is in the best interest of the City to execute an Order assessing the \$300.00 civil penalty against Tobacco Vape and Food Mart, 1531 2nd Avenue, Council Bluffs, IA 51501.

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

That the Mayor is hereby authorized to execute the Order assessing the civil penalty against Tobacco Vape and Food Mart, 1531 2nd Avenue, Council Bluffs, IA 51501 for violation of Iowa Code Section 453A.2.

ADOPTED
AND
APPROVED

April 26, 2021.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Community Development
Case/Project No.:
Submitted by: Courtney Harter, HED Manager

Resolution 21-123
ITEM 7.C.

Council Action: 4/26/2021

Description

Resolution approving the reallocation of Capital Improvement Program (CIP) Funds for the South 19th Street Infrastructure Project to the Hillside Estates Infrastructure Project.

Background/Discussion

see attached report.

Recommendation

ATTACHMENTS:

Description

[Staff Report](#)

[Preliminary Site Layout](#)

[Resolution 21-123](#)

Type

Staff Report

Map

Resolution

Upload Date

4/20/2021

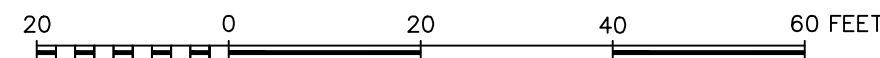
4/16/2021

4/20/2021

Council Communication

Department: Community Development Case/Project No.: N/A	Ordinance No.: Resolution No.: 21-	City Council: 4-26-2021								
Subject/Title										
Resolution approving reprogramming of CIP project CD-20-02 and CD-22-03 from the South 19 th Street Extension Project to the Hillside Estates Infrastructure Project.										
Location										
The intersection of Pickardy Lane and Franklin Avenue										
Background/Discussion										
<p><u>Background</u></p> <p>City Council adopted the FY20-FY24 and FY22-FY26 Capital Improvement Programs (CIP) which included a road extension and intersection reconstruction projects along South 19th Street from 25th to 26th Avenues (CD-20-02 and CD-22-03). The projects outlined \$250,000 from the City's Community Development Block Grant (CDBG) entitlement funds and \$100,000 from general obligation (GO) funding. An additional CDBG allocation was made in 2022 for \$400,000 with a request of \$150,000 from General Fund-Other to meet the estimated construction cost of approximately \$900,000.</p> <p>This funding for this project was made contingent by the Community Development Department on the development of Beacon 2. This contingency requirement would ensure the City met its CDBG requirements for creation of low-to-moderate income housing. In March 2021, it was determined the development would not meet the needed timeline for spending requirements. Funding must now be reprogrammed.</p> <p><u>Discussion</u></p> <p>Staff wishes to reprogram the CD-20-02 allocation of \$100,000 and the CD-22-03 allocation of \$150,000 made to South 19th Street to the Hillside Estates Infrastructure Project. The proposed project will reconstruct Franklin Ave adjacent to Pickardy Lane to create an intersection and extend new infrastructure into the city-owned parcel to the north. This will accommodate the Hillside Estates Development, a 27-unit single-family housing project.</p> <p>Staff believes the transfer of these funds meet the original intent of funding as both projects include affordable housing. Hillside Estates will include at least 14 owner-occupied units that will be sold to households at or below 80% of the median family income.</p> <p>The total infrastructure cost for this project is approximately \$745,000. Public Works has agreed to provide \$150,000 in Local Option Sales Tax (LOST) dollars to assist with the reconstruction of Franklin Avenue. An additional \$100,000 will be used to construct a retaining wall on the property. The remaining balance will be paid through CDBG funds. Project funding will be as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">CD-20-02 GO Bonding</td> <td style="text-align: right;">\$100,000</td> </tr> <tr> <td>LOST (CD-22-03)</td> <td style="text-align: right;">150,000</td> </tr> <tr> <td><u>CDBG</u></td> <td style="text-align: right;"><u>595,000</u></td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right;">\$845,000</td> </tr> </table> <p>Public Works has confirmed that the LOST funding is available and supports reallocation to the Hillside Estates project. Reprogramming of CDBG funds will occur during the regular program cycle.</p>			CD-20-02 GO Bonding	\$100,000	LOST (CD-22-03)	150,000	<u>CDBG</u>	<u>595,000</u>	TOTAL	\$845,000
CD-20-02 GO Bonding	\$100,000									
LOST (CD-22-03)	150,000									
<u>CDBG</u>	<u>595,000</u>									
TOTAL	\$845,000									
Staff Recommendation										
Approval of the reallocation of CIP projects CD-20-02 and CD-22-03 funding from South 19 th Street to the Hillside Estates Infrastructure Project.										
Attachments										
Site Map										

Prepared by: Courtney Harter, Housing & Economic Development Manager, Community Development Department
 Approved by: Courtney Harter, Housing & Economic Development Manager, Community Development Department



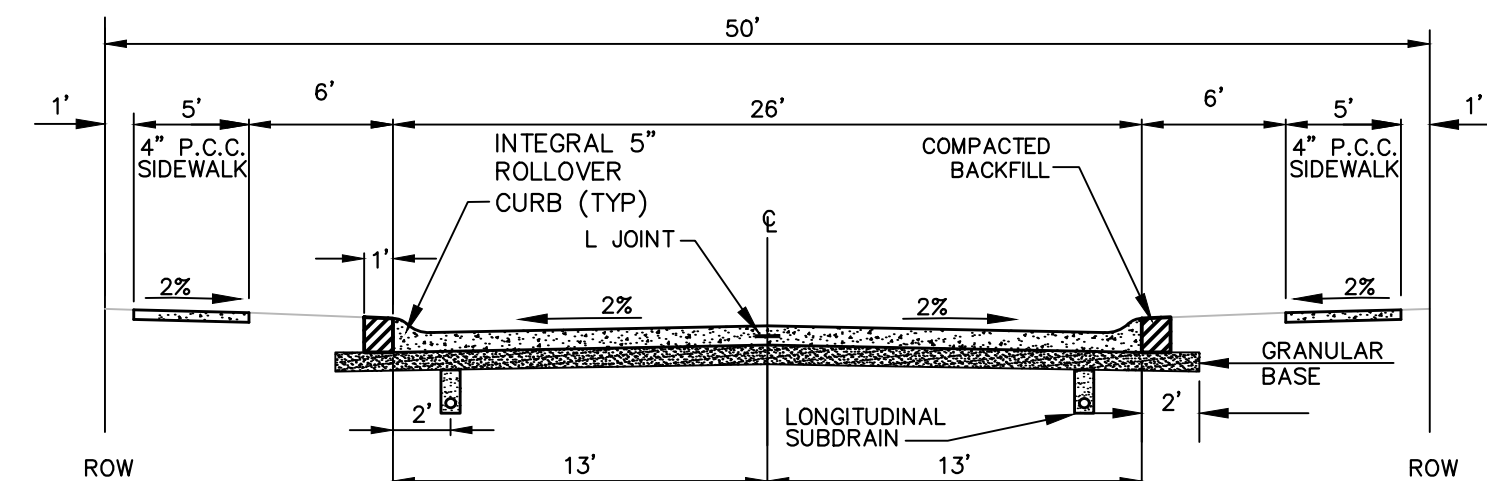
NOTE:
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "IOWA ONE CALL" 800/292-8989 PRIOR TO DIGGING.

LEGEND

- PROJECT BOUNDARY LINE
- PROPERTY LINE
- PROPOSED PAVEMENT
- PROPOSED SIDEWALK
- B.L. --- BUILDING LINE
- SETBACK LINE



VICINITY MAP



- NOTES:
- ON GRADES GREATER THAN 5%, GRANULAR BASE, TRANSVERSE SUBRAIN, AND CURTAIN WALLS SHALL BE REQUIRED. ON GRADES LESS THAN 5%, GRANULAR BASE AND LONGITUDINAL SUBRAIN WILL BE REQUIRED AT THE DIRECTION OF THE CITY ENGINEER.
 - GRANULAR BASE SHALL HAVE A MINIMUM THICKNESS OF 6", MEET IDOT GRADATION #12A OR #12B AND MAY REQUIRE USE OF ENGINEERING FABRIC.
 - SUBRAIN SHALL BE PER SUDAS FIGURE 4040.231 AND THE CITY OF COUNCIL BLUFFS TRANSVERSE SUBRAIN DETAIL.
 - P.C.C. PAVEMENT SHALL HAVE 7" THICKNESS.
 - ALL JOINTS SHALL BE PER SUDAS FIGURE 7010.101.
 - CURBS SHALL BE 5" ROLLOVER CURB.

LOCAL STREET CROSS SECTION
NO PARKING BAY NO SCALE

OWNER/DEVELOPER
CHRISTOPHER GIBBONS
CITY OF COUNCIL BLUFFS
COMMUNITY DEVELOPMENT DEPT.
209 PEARL STREET
COUNCIL BLUFFS, IA. 51503

ENGINEER
TERRY MORRISON, P.E.
EHRHART GRIFFIN & ASSOCIATES
142 WEST BROADWAY, SUITE 136
COUNCIL BLUFFS, IOWA
(712) 256-5248

PROJECT NO.
EGA201169

REVISONS	DESCRIPTION	DATE	BY						
NO.									

EHRHART
GRIFFIN &
ASSOCIATES

142 West Broadway
Suite 136
Council Bluffs, Iowa 51503
712 / 256-5248

- ENGINEERING
- PLANNING
- LAND SURVEYING

PRELIMINARY SITE LAYOUT PLAN
HILLSIDE ESTATES SUBDIVISION
FRANKLIN AND BENNETT AVE.
COUNCIL BLUFFS, IOWA

DATE: 4/7/21
DESIGNED BY: TLM

DRAWN BY: JRB
CHECKED BY: TLM

SHEET NO.
C1.1

RESOLUTION NO. 21-123

A RESOLUTION APPROVING THE REALLOCATION OF CAPITAL IMPROVEMENT PROGRAM (CIP) FUNDS FOR THE SOUTH 19TH STREET INFRASTRUCTURE PROJECT TO THE HILLSIDE ESTATES INFRASTRUCTURE PROJECT.

- WHEREAS,** In 2019, the City Council adopted the FY20-FY24 Capital Improvement Program (CIP) which included a road extension and intersection reconstruction project along South 19th Street from 25th to 26th Avenues (CD-20-02); and
- WHEREAS,** funding for this project includes Community Development Block Grant CDBG and Capital Improvement Program (CIP) General Obligation Bonds; and
- WHEREAS,** In 2021, the City Council adopted the FY22-FY26 Capital Improvement Program (CIP) which included a road extension and intersection reconstruction project along South 19th Street from 25th to 26th Avenues (CD-22-03); and
- WHEREAS,** funding for this project includes Community Development Block Grant CDBG and Capital Improvement Program (CIP) General Obligation Bonds-Other; and
- WHEREAS,** this project has been delayed and is unable to meet spending deadlines; and
- WHEREAS,** the City wishes to reallocate CD-20-02 and CD-22-03 funding from this project to an infrastructure project known as the Hillside Estates Infrastructure Project located at the intersection of Pickardy Lane and Franklin Avenue; and
- WHEREAS,** such improvements are required to accommodate the construction of a 27-unit subdivision that will include both attached and detached single-family housing units; and
- WHEREAS,** 51% of the units will be sold to households at or below 80% of the median family income to increase the number of affordable housing options in the City; and
- WHEREAS,** General Obligation Bonds, Local Option Sales Tax and Community Development Block Grant funds will be used to complete this project; and
- WHEREAS,** it is the opinion of the City Council that it would be in the best interest of the City to reallocate CIP funds from the South 19th Street Infrastructure Project to the Hillside Estates Infrastructure Project.

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

That the reallocation of Capital Improvement Program (CIP) projects CD-20-02 and CD22-03 are reprogrammed from the South 19th Street Infrastructure Project to the Hillside Estates Infrastructure Project is hereby approved.

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 project is an appropriate expenditure of the Local Option Sales Tax Revenues.

ADOPTED

AND
APPROVED:

April 26, 2021

Mathew J. Walsh

Mayor

ATTEST:

Jodi Quakenbush

City Clerk

Council Communication

Department: Community Development
Case/Project No.: PC-21-003
Submitted by: Moises Monrroy, Planner

Resolution 21-124
ITEM 7.D.

Council Action: 4/26/2021

Description

Resolution adopting the planned commercial development plan on property legally described as being the West 200 feet of the North 290 feet of the NW 1/4 SE 1/4 of Section 3-74-44, more specifically described in the Council packet. Location: 2747 23rd Avenue. PC-21-003

Background/Discussion

See attachments

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	4/15/2021
Attachment A - Location and Zoning Map	Map	4/15/2021
Attachment B - Site Plan	Other	4/15/2021
Attachment C - Legal Description	Other	4/15/2021
Attachment D - Lumen Technologies Utility Location Map	Map	4/15/2021
Resolution	Resolution	4/15/2021
Resolution 21-124	Resolution	4/20/2021

City Council Communication

Department: Community Development CASE #PC-21-003 Applicant/Property Owner: MidAmerican Energy Company c/o Mark Peterson PO Box 657 Des Moines, IA 50306 Engineer: Civil Engineering Consultants, Inc. c/o Marty Dostalík 2400 86 th Street #12 Urbandale, IA 50322	Resolution No. _____	City Council: 4/26/2021 Planning Commission: 4/13/2021
<p style="text-align: center;">Subject/Title</p> <p>Request: Public hearing on the request of MidAmerican Energy, represented by Mark Peterson, to adopt a planned commercial development plan on property legally described as being the west 200 feet of the north 290 feet of the NW ¼ SE ¼ of Section 3-74-44, lying south of 23rd Avenue, except the north 8.5 feet thereof, City of Council Bluffs, Pottawattamie County, Iowa.</p> <p>Location: 2747 23rd Avenue</p>		
<p style="text-align: center;">Background</p> <p>The Community Development Department has received an application from MidAmerican Energy, represented by Mark Peterson, to adopt a planned commercial development plan on property addressed at 2747 23rd Avenue and legally described in Attachment ‘C.’</p> <p>The subject property is located in the general vicinity of the Mid-America Center and is used as an electrical substation. The applicant intends to remove the existing fence along the perimeter of the site and replace it with a ten-foot tall masonry wall and a new chain link fence. Since the subject property is zoned P-C/Planned Commercial District, a development plan must be adopted for these improvements.</p> <p style="text-align: center;">Comments</p> <p>All City Departments and local utilities were notified of the proposed development plan. The following comments were received:</p> <ul style="list-style-type: none"> • The Public Works Department stated that a curb would need to be installed in place of the existing driveway approach along 23rd Avenue that is proposed to be removed. They also noted that the proposed sidewalk would not extend into the neighboring property located to the east (Horseshoe Casino), and asked for clarification regarding the purpose of the existing landscaped corner. • The Parks and Recreation Department expressed support for the proposed five-foot sidewalk along the northerly property line. They also stated they have no additional recommendations on the request. • The Fire Department stated they have no comments on the request. • Council Bluffs Water Works stated they have no comments on the request. 		

- Lumen Technologies provided a map of Lumen utilities located in the general vicinity of the subject property (see Attachment ‘D’). It appears that there are no conflicts between existing Lumen utilities and the proposed improvements to the site.

Development Plan – The existing layout of the electrical substation, including the gravel surface, shall be approved as part of this development plan. The site development standards outlined below shall be applicable to the proposed improvements on the subject property.

1. The submitted site plan (see Attachment ‘B’) shows a security wall constructed out of precast concrete wall panels with a cobblestone pattern will be installed along the northerly, easterly and westerly property lines. The proposed security wall is generally acceptable and shall be adopted as proposed.
2. The submitted site plan (see Attachment ‘B’) shows a chain link fence constructed out of galvanized metal mesh will be installed along the southerly property line. A 24-foot wide gate will be installed over the existing driveway for access purposes. Since the proposed fence will not be visible from the public right-of-way, it is generally acceptable and shall be adopted as proposed.
3. The maximum height of the proposed security wall and fence shall not exceed ten feet, as measured from grade to the highest point of the structure. As per Section 15.24.040(C), the maximum height of a fence in a commercial district is limited to four feet if located in a front yard or a street side yard, and six feet if located in an interior side yard or a rear yard. Although the proposed security wall and fence exceed these requirements, the subject property is located in a P-C/Planned Commercial District. The P-C District is intended to provide flexible design and site development standards through the adoption of a development plan to address the unique characteristics of each property. In this regard, a ten-foot wall/fence is appropriate at the subject property is appropriate as it provides security to the existing electrical substation while screening it from public view.
4. No portion of the proposed security wall or fence shall project over the property line or be placed in the public right-of-way.
5. No barbed wire shall be allowed on the proposed security wall or fence.
6. The existing landscape trees along the southerly property line are generally acceptable. All disturbed areas without a specific landscape design shall be seeded with sod, turf, and/or prairie grass.
7. The submitted site plan (see Attachment ‘B’) shows a five-foot sidewalk will be constructed along the northerly property line. The proposed sidewalk is generally acceptable as it provides a future connection point to the existing trail/sidewalk network in the Mid-America Center area and will therefore improve pedestrian traffic circulation and connectivity. All sidewalks shall be built to City standards. All costs associated with the installation of sidewalks shall be the responsibility of the developer and not the City.
8. The submitted site plan (see Attachment ‘B’) shows that the existing driveway on the south side of the subject property will be expanded to measure 30 feet in width. Since this driveway will be the main access point to the substation, it shall be hard surfaced in accordance with the standards in Chapter 15.23, *Off-Street Parking, Loading and Unloading*, of the Council Bluffs Municipal Code (Zoning Ordinance).
9. The submitted site plan (see Attachment ‘B’) indicates parking will be available for service vehicles within the area enclosed by the proposed security wall and fence. Since this site is not intended to be accessible to the public, no parking spaces are required to be installed.
10. No exterior storage shall be allowed. This includes the temporary and/or permanent placement of inter-modal storage containers.
11. All exterior lighting shall conform to Section 15.24.050, *Lighting Controls*, of the Council Bluffs Municipal Code (Zoning Ordinance).

Recommendation

The Community Development Department recommends approval of the request to adopt a planned commercial development plan on property legally described above, subject to the following condition:

- a. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

Public Hearing

Staff speakers for the request:

1. Moises Monrroy, Planner, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA, 51501

Speakers in favor:

1. Marty Dostalík, Civil Engineering Consultants, Inc., 2400 86th Street #12, Urbandale, IA 50322
2. Trudy Johannsen, Mid-American Energy, 3003 South 11th Street, Council Bluffs, IA 51501

Speakers against: None

Planning Commission Recommendation

The Planning Commission recommended approval of the request to adopt a planned commercial development plan on property legally described above, subject to the following condition:

- a. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

VOTE: AYE – Bass, Danielsen, Halm, Haner, Hutcheson, Rater, Rew, Scott, Stroebele and Van Houten.
NAY - None ABSTAIN - None ABSENT – None. VACANT - One Motion: Carried.

Attachments

Attachment A: Location/Zoning Map
Attachment B: Site Plan
Attachment C: Legal Description
Attachment D: Lumen Technologies Utility Location Map

Prepared by: Moises Monrroy, Planner, Community Development Department

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #PC-21-003 LOCATION/ZONING MAP

Legend

 Subject Property

0 40 80
1 Inch = 83 Feet



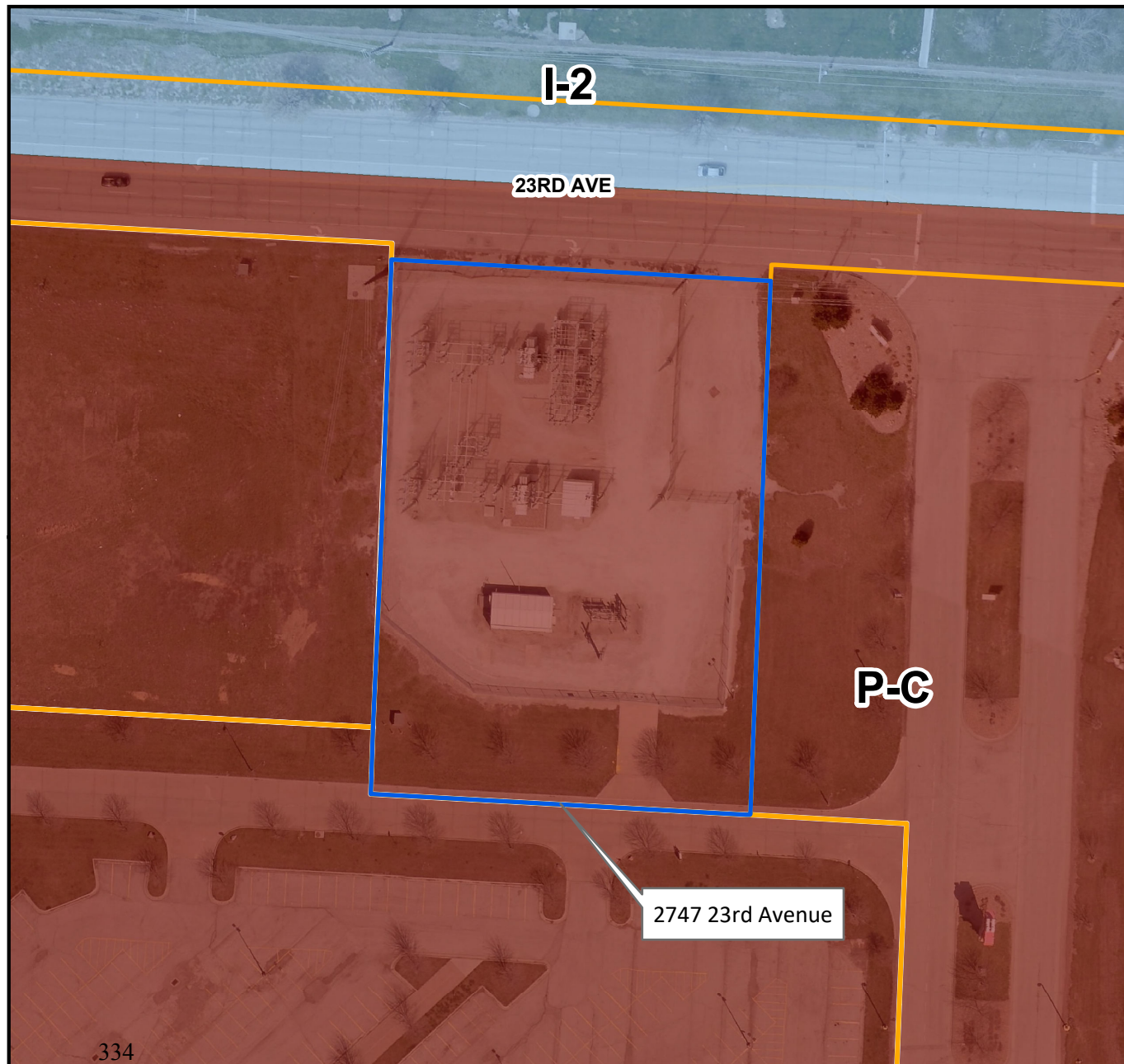
Last Amended: 3/22/2021



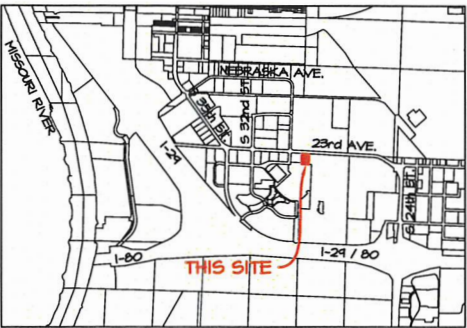
Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 890-5350

DISCLAIMER

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



Q:\E-FILES\80001E8398_C3D Drawings\Construction Plans\8398 Site Layout.dwg, 3/8/2021 10:48:15 AM, mdostalik, 1:2



OWNER/APPLICANT
MIDAMERICAN ENERGY COMPANY
P.O. BOX 657
DES MOINES, IOWA 50306-0657
563-333-8840
Jon.Austheim@midamerican.com

SITE ADDRESS
2141 23rd AVE.
COUNCIL BLUFFS, IA

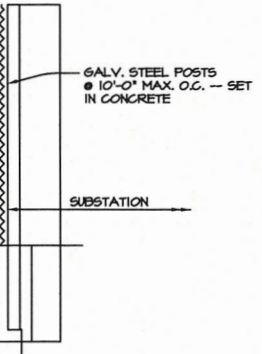
ZONING
P-C PLANNED COMMERCIAL

LEGAL DESCRIPTION
A PART OF THE NW 1/4, SE 1/4 OF SECTION 3, TOWNSHIP 14 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, IN THE CITY OF COUNCIL BLUFFS, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF THE SAID NW 1/4, SE 1/4 OF SECTION 3, TOWNSHIP 14 NORTH, RANGE 44 WEST; THENCE ALONG THE NORTH LINE OF SAID NW 1/4, SE 1/4 OF SECTION 3, 588'23'25\"/>

FENCE NOTES

- ALL FENCES SHALL BE BUILT IN ACCORDANCE WITH MIDAMERICAN ENERGY COMPANY'S SPECIFICATIONS AND DETAILS.
- THE SECURITY FENCE SHALL BE 16' L.F. INCLUDING THE VEHICLE GATE, OF 10 FEET HIGH GALVANIZED AMIGUARD 1100 HIGH SECURITY MESH.
- THE DRIVEWAY GATE SHALL BE A SLIDING, 24' WIDE GATE.
- SEE FENCE DETAIL AT BELOW.

10'-0" AMICO "AMIGUARD" FENCE SYSTEM WITH ANTI-CLIMB EXPANDED METAL MESH



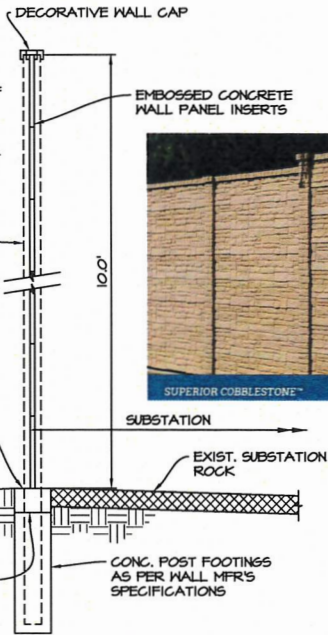
CHAIN LINK FENCE DETAIL
SCALE: 1/4" = 1'-0"

SCREEN WALL NOTES

- THE SECURITY WALL SHALL BE BUILT IN ACCORDANCE WITH SUPERIOR CONCRETE PRODUCT SPECIFICATIONS AND DETAILS.
- THE SECURITY WALL SHALL BE 505 L.F. OF 10 FEET HIGH CONCRETE PANELS.

NOTE: NO BARBED WIRE WILL BE USED IN CONJUNCTION WITH THE WALL.

CONCRETE POSTS SET IN CONCRETE @ 5'-0" O.C.



NOTE: THE WALL INSERTS AND POSTS ARE MADE WITH COLORED CONCRETE - SUPERIOR CONCRETE COBBLESTONE PATTERN, BUFF COLOR

SECURITY FENCE DETAIL
SCALE: 3/8" = 1'-0"

NOTES & DETAILS SHOWN ON ONE DRAWING APPLY TO ALL DRAWINGS INSOFAR AS THEY MAY APPLY.



Civil Engineering Consultants, Inc.

2400 86th Street, Unit 12, Des Moines, Iowa 50322
515.276.4884 • Fax: 515.276.7084 • mail@cecinc.com

1st CITY
SUBMITTAL
03-08-2021

- LEGEND
- PROPERTY BOUNDARY
 - FOUND SECTION CORNER
 - SET / FOUND PROPERTY CORNER
 - SECTION LINE
 - BUILDING SETBACK / EASEMENT LINE
 - NEW SUBSTATION SECURITY WALL
 - NEW SUBSTATION SECURITY FENCE
 - EXISTING SUBSTATION FENCE TO BE REMOVED
 - EXIST. STORM SEWER
 - WALL MOUNTED SITE LIGHT
 - POWER POLE
 - EXIST. WATER MAIN

LIST OF SITE PLAN DRAWINGS

SHEET NO.	DESCRIPTION
C21-40	SUBSTATION OVERALL LAYOUT & NOTES

CERTIFICATIONS



I HEREBY CERTIFY THAT THE PORTION OF THIS TECHNICAL SUBMISSION DESCRIBED BELOW WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF IOWA.
BY: *Martin M. Dostalik* DATE: 03-08-2021
MARTIN M. DOSTALIK, IOWA REG. NO. 344
MY LICENSE RENEWAL DATE IS: JUNE 30, 2022
PAGES OR SHEETS COVERED BY THIS SEAL:
AS NOTED IN LIST OF SITE PLAN DRAWINGS

SUBSTATION 705
COUNCIL BLUFFS, IOWA

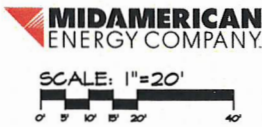
SITE
OVERALL LAYOUT PLAN & NOTES

SWF
C21-40

REV	DATE	DFTR	APP	DESCRIPTION	REV	DATE	DFTR	APP	DESCRIPTION
10					05				
09					04				
08					03				
07					02				
06					01				
335									



CONFIDENTIAL:
THIS DOCUMENT SHALL BE MAINTAINED CONFIDENTIALLY AS CRITICAL ENERGY INFRASTRUCTURE INFORMATION AND IS AVAILABLE TO MIDAMERICAN ENERGY COMPANY EMPLOYEES, BUT NOT TO MIDAMERICAN ENERGY COMPANY EMPLOYEES WORKING IN THE UNREGULATED RETAIL SERVICES DIVISION. PRIOR WRITTEN AUTHORIZATION IS REQUIRED FOR ACCESS BY ANY OTHER PERSON.



DATE: 03-08-2021
DESIGNED: MMD
DRAWN: MMD
APPROVED: JWA
SCALE: 1" = 20'

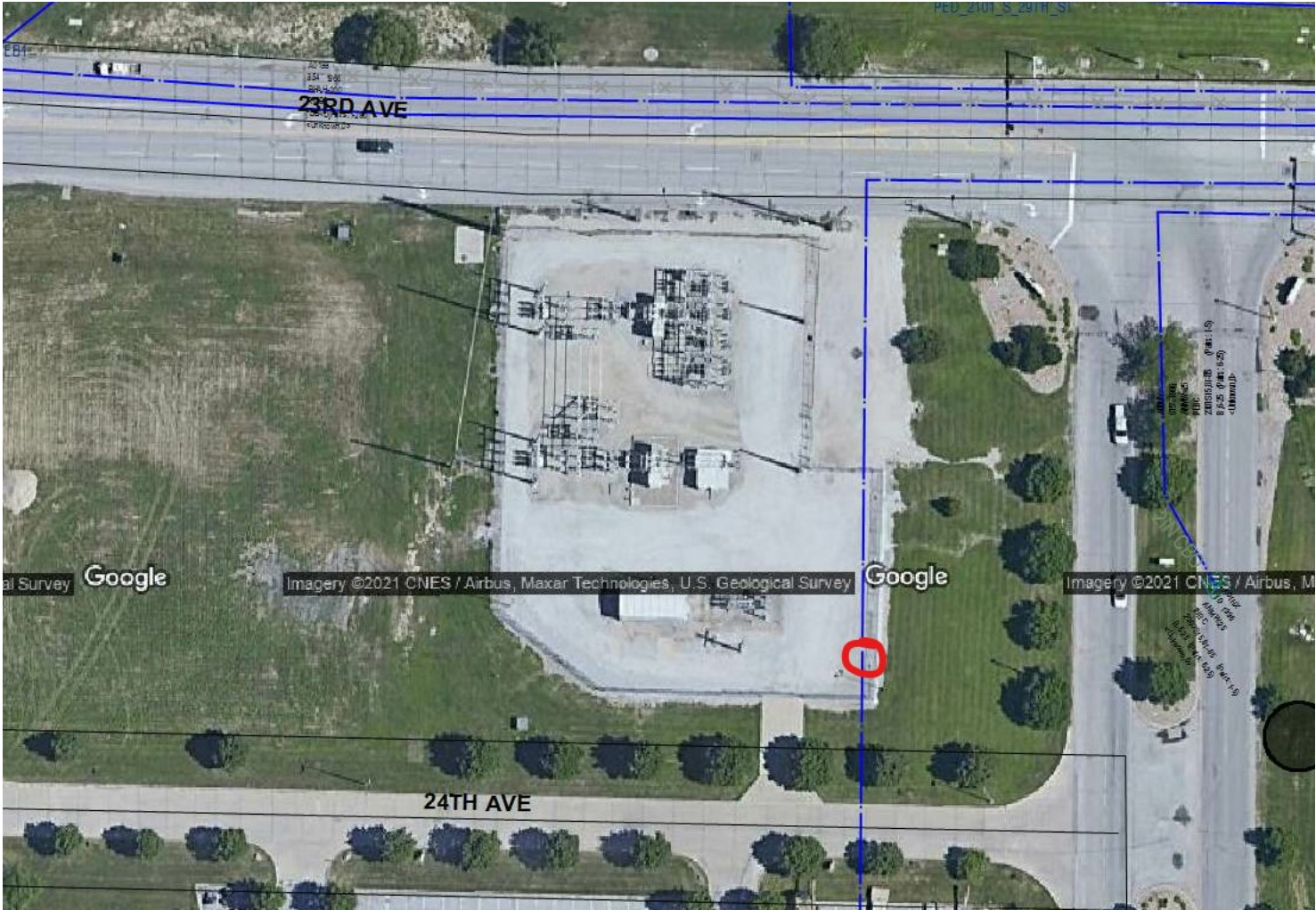
Attachment C

Substation 705 – Council Bluffs, Iowa

Property Legal Description

A part of the NW 1/4, SE 1/4 of Section 3, Township 74 North, Range 44 West of the 5th P.M., Pottawattamie County, Iowa, in the City of Council Bluffs, which is more particularly described as follows:

Beginning at the Northwest corner of the said NW 1/4, SE 1/4 of Section 3, Township 74 North, Range 44 West; thence along the North line of said NW 1/4, SE 1/4 of Section 3, S88°23'25"E, 200.00 feet; thence S00°39'35"W, 330.00 feet; thence N88°23'25"W, 200.00 feet; thence along the West line of said NW 1/4, SE 1/4 of Section 3, N00°39'35"E, 330.00 feet to the point or beginning, except therefrom the North 48.5 feet for roadway purposes.



RESOLUTION NO. _____

A RESOLUTION ADOPTING THE PLANNED COMMERCIAL DEVELOPMENT PLAN ON PROPERTY LEGALLY DESCRIBED AS BEING THE WEST 200 FEET OF THE NORTH 290 FEET OF THE NW ¼ SE ¼ OF SECTION 3-74-44, LYING SOUTH OF 23RD AVENUE, EXCEPT THE NORTH 8.5 FEET THEREOF, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, MidAmerican Energy, represented by Mark Peterson, is requesting adoption of a planned commercial development plan on property addressed at 2747 23rd Avenue and legally described as being the west 200 feet of the north 290 feet of the NW ¼ SE ¼ of Section 3-74-44, lying south of 23rd Avenue, except the north 8.5 feet thereof, City of Council Bluffs, Pottawattamie County, Iowa, and more particularly described in Attachment ‘C’; and

WHEREAS, All City Departments and local utilities were notified of the proposed development plan. The following comments were received:

- A. The Public Works Department stated that a curb would need to be installed in place of the existing driveway approach along 23rd Avenue that is proposed to be removed. They also noted that the proposed sidewalk would not extend into the neighboring property located to the east (Horseshoe Casino), and asked for clarification regarding the purpose of the existing landscaped corner.
- B. The Parks and Recreation Department expressed support for the proposed five-foot sidewalk along the northerly property line. They also stated they have no additional recommendations on the request.
- C. Lumen Technologies provided a map of Lumen utilities located in the general vicinity of the subject property (see Attachment ‘D’). It appears that there are no conflicts between existing Lumen utilities and the proposed improvements to the site; and

WHEREAS, The existing layout of the electrical substation, including the gravel surface, shall be approved as part of this development plan. The site development standards outlined below shall be applicable to the proposed improvements on the subject property.

- A. The submitted site plan (see Attachment ‘B’) shows a security wall constructed out of precast concrete wall panels with a cobblestone pattern will be installed along the northerly, easterly and westerly property lines. The proposed security wall is generally acceptable and shall be adopted as proposed.
- B. The submitted site plan (see Attachment ‘B’) shows a chain link fence constructed out of galvanized metal mesh will be installed along the southerly property line. A 24-foot wide gate will be installed over the existing driveway for access purposes. Since the proposed fence will not be

visible from the public right-of-way, it is generally acceptable and shall be adopted as proposed.

- C. The maximum height of the proposed security wall and fence shall not exceed ten feet, as measured from grade to the highest point of the structure. As per Section 15.24.040(C), the maximum height of a fence in a commercial district is limited to four feet if located in a front yard or a street side yard, and six feet if located in an interior side yard or a rear yard. Although the proposed security wall and fence exceed these requirements, the subject property is located in a P-C/Planned Commercial District. The P-C District is intended to provide flexible design and site development standards through the adoption of a development plan to address the unique characteristics of each property. In this regard, a ten-foot wall/fence is appropriate at the subject property is appropriate as it provides security to the existing electrical substation while screening it from public view.
- D. No portion of the proposed security wall or fence shall project over the property line or be placed in the public right-of-way.
- E. No barbed wire shall be allowed on the proposed security wall or fence.
- F. The existing landscape trees along the southerly property line are generally acceptable. All disturbed areas without a specific landscape design shall be seeded with sod, turf, and/or prairie grass.
- G. The submitted site plan (see Attachment 'B') shows a five-foot sidewalk will be constructed along the northerly property line. The proposed sidewalk is generally acceptable as it provides a future connection point to the existing trail/sidewalk network in the Mid-America Center area and will therefore improve pedestrian traffic circulation and connectivity. All sidewalks shall be built to City standards. All costs associated with the installation of sidewalks shall be the responsibility of the developer and not the City.
- H. The submitted site plan (see Attachment 'B') shows that the existing driveway on the south side of the subject property will be expanded to measure 30 feet in width. Since this driveway will be the main access point to the substation, it shall be hard surfaced in accordance with the standards in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance).
- I. The submitted site plan (see Attachment 'B') indicates parking will be available for service vehicles within the area enclosed by the proposed security wall and fence. Since this site is not intended to be accessible to the public, no parking spaces are required to be installed.
- J. No exterior storage shall be allowed. This includes the temporary and/or permanent placement of inter-modal storage containers.
- K. All exterior lighting shall conform to Section 15.24.050, Lighting Controls, of the Council Bluffs Municipal Code (Zoning Ordinance); and

WHEREAS, The Community Development Department recommends approval of the request to adopt a planned commercial development plan on property legally described above, subject to comments above and the following condition:

- A. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

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

That the Planned Commercial Development Plan for property legally described as being the west 200 feet of the north 290 feet of the NW ¼ SE ¼ of Section 3-74-44, lying south of 23rd Avenue, except the north 8.5 feet thereof, City of Council Bluffs, Pottawattamie County, Iowa and more particularly described on is hereby approved and will be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED
AND _____, 2021.
APPROVED

MATTHEW J. WALSH Mayor

Attest:

JODI QUAKENBUSH City Clerk

RESOLUTION NO. 21-124

A RESOLUTION ADOPTING THE PLANNED COMMERCIAL DEVELOPMENT PLAN ON PROPERTY LEGALLY DESCRIBED AS BEING THE WEST 200 FEET OF THE NORTH 290 FEET OF THE NW ¼ SE ¼ OF SECTION 3-74-44, LYING SOUTH OF 23RD AVENUE, EXCEPT THE NORTH 8.5 FEET THEREOF, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, MidAmerican Energy, represented by Mark Peterson, is requesting adoption of a planned commercial development plan on property addressed at 2747 23rd Avenue and legally described as being the west 200 feet of the north 290 feet of the NW ¼ SE ¼ of Section 3-74-44, lying south of 23rd Avenue, except the north 8.5 feet thereof, City of Council Bluffs, Pottawattamie County, Iowa, and more particularly described in Attachment 'C'; and

WHEREAS, All City Departments and local utilities were notified of the proposed development plan. The following comments were received:

- A. The Public Works Department stated that a curb would need to be installed in place of the existing driveway approach along 23rd Avenue that is proposed to be removed. They also noted that the proposed sidewalk would not extend into the neighboring property located to the east (Horseshoe Casino), and asked for clarification regarding the purpose of the existing landscaped corner.
- B. The Parks and Recreation Department expressed support for the proposed five-foot sidewalk along the northerly property line. They also stated they have no additional recommendations on the request.
- C. Lumen Technologies provided a map of Lumen utilities located in the general vicinity of the subject property (see Attachment 'D'). It appears that there are no conflicts between existing Lumen utilities and the proposed improvements to the site; and

WHEREAS, The existing layout of the electrical substation, including the gravel surface, shall be approved as part of this development plan. The site development standards outlined below shall be applicable to the proposed improvements on the subject property.

- A. The submitted site plan (see Attachment 'B') shows a security wall constructed out of precast concrete wall panels with a cobblestone pattern will be installed along the northerly, easterly and westerly property lines. The proposed security wall is generally acceptable and shall be adopted as proposed.
- B. The submitted site plan (see Attachment 'B') shows a chain link fence constructed out of galvanized metal mesh will be installed along the southerly property line. A 24-foot wide gate will be installed over the existing driveway for access purposes. Since the proposed fence will not be

visible from the public right-of-way, it is generally acceptable and shall be adopted as proposed.

- C. The maximum height of the proposed security wall and fence shall not exceed ten feet, as measured from grade to the highest point of the structure. As per Section 15.24.040(C), the maximum height of a fence in a commercial district is limited to four feet if located in a front yard or a street side yard, and six feet if located in an interior side yard or a rear yard. Although the proposed security wall and fence exceed these requirements, the subject property is located in a P-C/Planned Commercial District. The P-C District is intended to provide flexible design and site development standards through the adoption of a development plan to address the unique characteristics of each property. In this regard, a ten-foot wall/fence is appropriate at the subject property is appropriate as it provides security to the existing electrical substation while screening it from public view.
- D. No portion of the proposed security wall or fence shall project over the property line or be placed in the public right-of-way.
- E. No barbed wire shall be allowed on the proposed security wall or fence.
- F. The existing landscape trees along the southerly property line are generally acceptable. All disturbed areas without a specific landscape design shall be seeded with sod, turf, and/or prairie grass.
- G. The submitted site plan (see Attachment 'B') shows a five-foot sidewalk will be constructed along the northerly property line. The proposed sidewalk is generally acceptable as it provides a future connection point to the existing trail/sidewalk network in the Mid-America Center area and will therefore improve pedestrian traffic circulation and connectivity. All sidewalks shall be built to City standards. All costs associated with the installation of sidewalks shall be the responsibility of the developer and not the City.
- H. The submitted site plan (see Attachment 'B') shows that the existing driveway on the south side of the subject property will be expanded to measure 30 feet in width. Since this driveway will be the main access point to the substation, it shall be hard surfaced in accordance with the standards in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning Ordinance).
- I. The submitted site plan (see Attachment 'B') indicates parking will be available for service vehicles within the area enclosed by the proposed security wall and fence. Since this site is not intended to be accessible to the public, no parking spaces are required to be installed.
- J. No exterior storage shall be allowed. This includes the temporary and/or permanent placement of inter-modal storage containers.
- K. All exterior lighting shall conform to Section 15.24.050, Lighting Controls, of the Council Bluffs Municipal Code (Zoning Ordinance); and

WHEREAS, The Community Development Department recommends approval of the request to adopt a planned commercial development plan on property legally described above, subject to comments above and the following condition:

- A. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

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

That the Planned Commercial Development Plan for property legally described as being the west 200 feet of the north 290 feet of the NW ¼ SE ¼ of Section 3-74-44, lying south of 23rd Avenue, except the north 8.5 feet thereof, City of Council Bluffs, Pottawattamie County, Iowa and more particularly described on is hereby approved and will be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED
AND
APPROVED

April 26, 2021.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

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

Resolution 21-125
ITEM 7.E.

Council Action: 4/26/2021

Description

Resolution authorizing the City of Council Bluffs' Information Technology Department to provide Private Cloud Hosting Services to other state agencies or political subdivisions in our community.

Background/Discussion

The City has been in communication with Green Hills AEA to discuss whether the City can provide a cloud hosting service for them. It is anticipated that our IT Dept. would have the ability to provide these services to them as well as the potential to provide services to school districts and other political subdivisions in the area for a charge of \$60-\$100/month depending upon which service package is being provided.

Recommendation

It is recommended to approve this Resolution.

ATTACHMENTS:

Description	Type	Upload Date
Hosting Services Flyer	Other	4/15/2021
Resolution 21-125	Resolution	4/20/2021



CITY OF COUNCIL BLUFFS PRIVATE CLOUD HOSTING SERVICES

FOR A SUCCESSFUL PRIVATE CLOUD



Zero Trust is a security design philosophy that assumes any network, application, server, or user could be compromised.



Network Microsegmentation is the key to the application of "Zero Trust" at the network level.



Configurable easily managed infrastructure foundation.



Whether its data loss prevention or compliance with regulatory mandates, data encryption is key to cybersecurity strategy.

STANDARD

\$60/ MONTH

2 CORES @ 2.2 GHZ
500 GB RAID STORAGE
4 GB RAM
1 GB BANDWIDTH

ENHANCED

\$80/ MONTH

4 CORES @ 2.2 GHZ
500 GB RAID STORAGE
8 GB RAM
1 GB BANDWIDTH
BACKUP INCLUDED (90 DAYS RETENTION)
8AM-5PM ONSITE SUPPORT
24X7 MONITORING

PREMIUM

\$100/ MONTH

4 CORES @ 2.2 GHZ
500 GB RAID STORAGE
16 GB RAM
1 GB BANDWIDTH
BACKUP INCLUDED (90 DAYS RETENTION)
8AM-5PM ONSITE SUPPORT
24X7 MONITORING

BACKUP DATA STORAGE

3TB: \$180/ month
6TB: \$340/ month
9TB: \$480/ month
18TB: \$960/ month

Mark Howard, CIO City of Council Bluffs | 712-890-5330

www.councilbluffs-ia.gov

RESOLUTION NO. 21-125

A RESOLUTION AUTHORIZING THE CITY OF COUNCIL BLUFFS' INFORMATION TECHNOLOGY DEPARTMENT TO PROVIDE PRIVATE CLOUD HOSTING SERVICES TO OTHER STATE AGENCIES OR POLITICAL SUBDIVISIONS IN OUR COMMUNITY.

WHEREAS, The City of Council Bluffs' Information Technology Department has the ability to provide private cloud hosting services to other entities, and

WHEREAS, Iowa Code Chapter 23A restricts a political subdivision from offering or providing goods or services which may be offered by private enterprise, unless the political subdivision is specifically authorized to do so by their governing body through statute, rule, ordinance or regulation; and

WHEREAS, It is in the best interest of the City of Council Bluffs and the surrounding community to allow the City's Information Technology Department to provide Private Cloud Hosting Services to other entities, so long as they limit their business to other state agencies or political subdivisions as defined in Iowa Code Chapter 23A.

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

That the Information Technology Department for the City of Council Bluffs is hereby authorized to provide Private Cloud Hosting Services to other political subdivisions or governmental agencies in this community, as defined in Iowa Code Chapter 23A.

ADOPTED
AND
APPROVED

April 26, 2021.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Finance
Case/Project No.:
Submitted by: Finance Dept/Kathy Knott

Resolution 21-126
ITEM 7.F.

Council Action: 4/26/2021

Description

Resolution authorizing and setting the Drainage District annual assessment for Mosquito Creek #22, Sieck #32, and West Lewis #35 for fiscal year 2022.

Background/Discussion

The City of Council Bluffs has authority over the following drainage districts to provide maintenance and establish a special assessment to procure funds to pay the costs and expenses for general upkeep and maintenance within the drainage districts and to create a sinking fund. The City is required to certify the assessments for fiscal year 2022 with Pottawattamie County prior to May 31, 2021.

Mosquito Creek #22	\$71,229
Sieck #32	\$36,330
West Lewis #35	\$63,742

Recommendation

Council approval of the resolution setting the annual assessments for the drainage districts for fiscal year 2022.

ATTACHMENTS:

Description	Type	Upload Date
Council Communication	Resolution	4/16/2021
Resolution 21-126	Resolution	4/20/2021

Council Communication

Department: Finance	Resolution No. 21-____	Council: April 26, 2021								
Subject/Title										
Drainage District Assessments.										
Background/Discussion										
<p>The City of Council Bluffs has authority over the following drainage districts to provide maintenance and establish a special assessment to procure funds to pay the costs and expenses for general upkeep and maintenance within the drainage districts and to create a sinking fund. The City is required to certify the assessments for fiscal year 2022 with Pottawattamie County prior to May 31, 2021.</p> <p>The following is the breakdown on the special assessments for the drainage districts.</p> <table style="margin-left: auto; margin-right: auto; border: none;"><tr><td></td><td style="text-align: right;"><u>2022 Assessment</u></td></tr><tr><td style="text-align: right;">Mosquito Creek #22</td><td style="text-align: right;">\$71,229</td></tr><tr><td style="text-align: right;">Sieck #32</td><td style="text-align: right;">\$36,330</td></tr><tr><td style="text-align: right;">West Lewis #35</td><td style="text-align: right;">\$63,742</td></tr></table>				<u>2022 Assessment</u>	Mosquito Creek #22	\$71,229	Sieck #32	\$36,330	West Lewis #35	\$63,742
	<u>2022 Assessment</u>									
Mosquito Creek #22	\$71,229									
Sieck #32	\$36,330									
West Lewis #35	\$63,742									
Recommendation										
Council approval of the resolution setting the annual assessments for the drainage districts.										

Department Head Signature

Mayor Signature

RESOLUTION NO. 21-126

A RESOLUTION AUTHORIZING AND SETTING THE DRAINAGE DISTRICT ANNUAL ASSESSMENT FOR MOSQUITO CREEK #22, SIECK #32, AND WEST LEWIS #35 FOR FISCAL YEAR 2021.

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

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

WHEREAS, the current indebtedness of Mosquito Creek #22 is \$71,229, Sieck #32 is \$36,330, and West Lewis #35 is \$63,742 as of April 26, 2021, and payable to the City of Council Bluffs in one installment for year 2022 paid in full prior to September 30, 2021 without interest.

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

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

ADOPTED
AND
APPROVED:

April 26, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

STATE OF IOWA)
COUNTY OF)ss
POTTAWATTAMIE)

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

Notary Public in and for said State

Council Communication

Department: Public Works Admin
Case/Project No.: CD21-01
Submitted by: Matthew Cox, Public Works
Director

Resolution 21-127
ITEM 7.G.

Council Action: 4/26/2021

Description

Resolution accepting the bid of Compass Utility, LLC, for the Lake Manawa Power Center Entrance Enhancement. Project # CD21-01

Background/Discussion

On April 13, 2021 bids were received through the City bidding software Ion Wave as follows:

	<u>Division General</u>	<u>Division II Pavement</u>	<u>Division III Storm Sewer</u>	<u>Division VI Traffic Signals</u>	<u>Total</u>
Compass Utility, LLC Council Bluffs, IA	\$56,999.22	\$278,122.55	\$30,525.86	\$49,189.91	\$414,837.54
Carley Construction, LLC Council Bluffs, IA	\$62,272.00	\$327,932.80	\$30,378.00	\$51,934.00	\$472,516.80
Engineer's Opinion	\$85,250.00	\$361,790.00	\$36,640.00	\$19,890.00	\$503,570.00

The Lake Manawa Power Center is a large development with several retail and restaurant destinations near I-80/I-29. 32nd Avenue is one of two main entrances into the shopping center and there is a desire to update the entrance. As part of the Council Bluffs Interstate and Railroad Consolidation projects, the railroad tracks that were located between the South Expressway and Power Center have been removed and relocated. The elimination of the tracks will allow the street to be lowered resulting in an improved street profile.

The project will reconstruct 225 feet of 32nd Avenue from the South Expressway to the east. The project will also construct a sidewalk on the south side of 32nd Ave. from the South Expressway to Manawa Centre Drive and along the west side of Manawa Centre Drive from 32nd Avenue to the existing bus stop just north of the Menard's driveway. Trail stub outs north and south of 32nd Avenue will be constructed for future trail expansion along the South Expressway. The traffic signal at 32nd Avenue will be modified to provide a north-south pedestrian crossing on the east side of the South Expressway.

This project was included in the FY21 CIP and includes a budget of \$150,000 in GO Bond funds and the balance in Sales Tax funds and SSMID funding. The City portion of the construction costs are \$318,816.31 and the SSMID portion is \$96,021.23.

The project schedule is as follows: Construction Start May\June 2021

Recommendation

Approval of this resolution. This project will improve the street profile by removing the existing railroad crossing along 32nd Ave. and provide additional sidewalk for the Lake Manawa Power Center.

ATTACHMENTS:

Description	Type	Upload Date
Location Map	Map	4/16/2021
Resolution 21-127	Resolution	4/20/2021

CD 21-01 LAKE MANAWA POWER CENTER ENTRANCE ENHANCEMENT



Legend

 CD21-01

RESOLUTION
NO 21-127

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO EXECUTE AN AGREEMENT WITH
COMPASS UTILITY, LLC, FOR THE
LAKE MANAWA POWER CENTER ENTRANCE ENHANCEMENT
PROJECT #CD21-01**

WHEREAS, the plans, specifications, and form of contract for the Lake Manawa Power Center Entrance Enhancement 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 March 22, 2021, and the plans, specifications and form of contract were approved; and

WHEREAS, Compass Utility, LLC, has submitted a low bid in the amount of \$414,837.54 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 \$414,837.54 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 Lake Manawa Power Center Entrance Enhancements; 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

April 26, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

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

Resolution 21-128 & Resolution 21-129
ITEM 7.H.

Council Action: 4/26/2021

Description

Resolution 21-128, abolishing one Street and Sewer Supervisor II position and one Street Foreman position and creating two new Street and Sewer Supervisor positions

Resolution 21-129, abolishing one Fleet Foreman position and creating one Fleet Supervisor position within the Public Works Department.

Background/Discussion

Public Works is proposing to adjust supervisor positions within the Street and Fleet Divisions. The changes will create uniform levels of supervision within the department and appropriately allocates staff to accomplish the work more effectively.

The new positions will be Non-Union Grade 22. The abolished positions were previously included in CWA at Grade 21.

The job descriptions for each Supervisor position are attached.

The Street positions are funded with Road Use Tax and with the elimination of the two other positions, the difference in cost is estimated to be a savings of \$1,525 annually.

The Fleet positions are funded with General Funds and the estimated annual increase in salary costs is \$13,070. The additional cost was included in the FY22 Budget.

Recommendation

Approval of this resolution. The proposed position changes will align supervisor roles across the Divisions within Public Works.

ATTACHMENTS:

Description	Type	Upload Date
Job Description - Street & Sewer Supervisor	Other	4/16/2021
Job Description - Fleet Supervisor	Other	4/16/2021
Resolution 21-128	Resolution	4/20/2021
Resolution 21-129	Resolution	4/20/2021



City of Council Bluffs

Job Description

Street & Sewer Supervisor

Department: Public Works

Supervisor: Manager of Streets & Sewers

Location: Public Works Operations

FLSA Status: Non-Exempt

Prepared By: Mallory Davis, Recruiter

Prepared Date: April 2021

Union: Non-Union

Pay Grade: 22

Summary: Under the direction of the Manager of Streets & Sewers, supervises the daily activities of personnel within the Streets & Sewer Divisions of Public Works Operations.

Essential Duties and Responsibilities:

- Plans, directs, and organizes the daily activities of the Streets & Sewer Divisions of Public Works Operations:
 - Plans and schedules the repair and maintenance of City streets, alley, bridges, sewers, street cleaning, or related areas
 - Inspects public areas and provides input on what projects need to be scheduled
 - Reviews daily progress reports from designated crew leaders to ensure projects are being completed on a timely basis and investigates any delays
 - Sets job priorities and time frames for completion with assigned personnel
 - Determines when additional staff and resources are necessary to complete duties in a timely manner and coordinates needs with others
 - Keeps immediate supervisor and designated others fully and accurately informed concerning work progress including present and potential work problems and suggestions for new or improved ways of addressing such problems
 - Provides input and implements maintenance programs, policies, and procedures to meet goals of the division
 - Coordinates division manpower and equipment to provide a comprehensive program for snow and ice removal
- Maintains appropriate records:
 - Assures division compliance with City reporting procedures
 - Maintains records of work rule infraction, employee counseling, and other personnel actions

- Maintains complete records of the maintenance activities of the division including computer data input of maintenance programs for the City's Pavement Management Program
- Maintains records of complaints received concerning operation of the division
- Prepares reports and/or presentations using computer programs such as Microsoft Office Word and PowerPoint and the EAM Asset Management System
- Assists in administering the activities of the Operations Division:
 - Provides recommendations, both orally and in writing, in assigned area of authority and expertise
 - Serve as an active member of departmental and City-wide management staff teams created to deal with specific problem issues
 - Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities
 - Coordinates division activities with other divisions and departments of the City
 - Attends meetings, conferences, workshops, and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices, and new developments in assigned work areas
- Deals with the public and other agencies:
 - Handles public complaints and inquiries on an individual basis
 - Serves as liaison to internal and external customers and responds to requests and inquiries concerning programs, policies, procedures, and timelines for construction, maintenance, and repair projects
 - Coordinates activities of the division with other agencies
- Makes budget recommendations and monitors applicable budget
- Regular and predictable attendance is required
- Other duties as assigned

Supervisory Responsibilities:

Directly supervises the employees within Public Works Operations. Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

Qualifications:

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience:

- High School Diploma or General Education Degree (GED)
- Five (5) years' work experience in an area related to street or sewer maintenance
- Two (2) years of supervisory experience
- Any equivalent combination of education and experience which provides the required knowledge, skills, and abilities necessary to perform the work.

Certificates, Licenses, Registrations:

- Valid Class A Commercial Driver's License with Tanker Endorsement

Physical Demands:

- While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; and see, talk, and hear.
- The employee must be able to occasionally lift and work with up to ninety (90) pounds.
- The employee must be able to frequently lift and work with up to twenty (20) pounds.
- The employee must be able to continuously lift and work with up to ten (10) pounds.
- The employee must be able to work both in and out of doors, in all weather conditions, in high places, in confined spaces, in dusty environments, in high noise levels, and in heavy traffic.

Other Skills and Abilities:

- Considerable knowledge of methods, materials, and techniques used in roadway and/or sewer maintenance
- Demonstrated ability to plan, schedule, assign, and supervise the work of others
- Ability to communicate effectively both orally and in writing
- Ability to maintain effective working relations with supervisors, subordinates, and the general public
- Knowledge and understanding of basic safety principles from the division and Occupational Safety and Health Administration (OSHA)
- Thorough knowledge of traffic hazards and traffic safety principles, practices, and procedures



City of Council Bluffs

Job Description

Fleet Supervisor

Department: Public Works

Supervisor: Superintendent of Equipment Maintenance

Location: Equipment/Fleet Maintenance

FLSA Status: Non-Exempt

Prepared By: Mallory Davis, Recruiter

Prepared Date: April 2021

Union: Non-Union

Pay Grade: 22

Summary: Under direction of the Superintendent of Equipment Maintenance, supervises and participates in all activities of Fleet Maintenance. Work involves repair work on automobiles; light and heavy trucks; tractors; construction equipment; street sweepers; and firefighting, police, and other related auxiliary equipment.

Essential Duties and Responsibilities:

- Plans, directs, and organizes the daily activities of the Fleet Maintenance Division:
 - Supervises and participates in vehicle maintenance and repair
 - Facilitates fabrication and up-fitting of equipment as necessary
 - Ensures that maintenance practices, policies, and procedures of the division are followed
 - Schedules, prioritizes, and assigns work to be performed
 - Maintains current knowledge on the latest technology regarding maintenance and repair of all equipment
 - Provides technical advice in complex repair situations
- Assures appropriate use and care of equipment utilized by employees under his/her direction
- Oversees comprehensive fleet preventative maintenance and corrective maintenance programs
- Assists with equipment accident reports and repairs
- Supervises the activities related to maintaining the Fleet Division records:
 - Assures City compliance with City reporting procedures
 - Ensures a proper inventory of repair parts and replacement equipment
 - Tracks warranty information and maintains information system database in a standard information management system
 - Creates and checks work orders for accuracy and closes them

- Maintains appropriate records pertaining to equipment and parts inventories, timecards, etc.
- Assists in administering the activities of the Fleet Maintenance Division:
 - Provides recommendations, both orally and in writing, in assigned area of authority and expertise
 - Serve as an active member of departmental and City-wide management staff teams created to deal with specific problem issues
 - Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities
 - Coordinates division activities with other divisions and departments of the City
 - Attends meetings, conferences, workshops, and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices, and new developments in fleet maintenance
- Serves as liaison to internal customers and responds to requests and inquiries concerning programs, policies, procedures, and timelines for maintenance and repair projects
- Makes budget recommendations to the Superintendent
- Regular and predictable attendance is required
- Other duties as assigned

Supervisory Responsibilities:

Directly supervises the employees within the Equipment Maintenance Division to include Equipment Mechanics. Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

Qualifications:

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience:

- Associate's Degree or graduation from an accredited technical school with major work in Auto or Diesel Mechanics or a related field
- Five (5) years' mechanical experience
- Two (2) years of supervisory experience
- Any equivalent combination of education and experience which provides the required knowledge, skills, and abilities necessary to perform the work.

Certificates, Licenses, Registrations:

- Certification by the National Institute for Automotive Service Excellence as a Master Mechanic, preferred
- Must possess or be able to obtain a Class A Commercial Driver's License with Tanker Endorsement within six months of hire

Physical Demands:

- While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; and see, talk, and hear.
- The employee must be able to occasionally lift and work with up to seventy (70) pounds.
- The employee must be able to frequently lift and work with up to fifty (50) pounds.
- The employee must be able to continuously lift and work with up to twenty (20) pounds.
- The employee must be able to work both in and out of doors, in all weather conditions, in high places, in confined spaces, in small areas with their arms extended over their head for long periods of time, in dusty environments, and in high noise levels.
- Must be able to work from a ladder at heights greater than four (4) feet and from a lift at heights greater than twenty (20) feet.

Other Skills and Abilities:

- Ability to operate heavy equipment
- Knowledge and understanding of basic safety principles from the division and Occupational Safety and Health Administration (OSHA)
- Thorough knowledge of gas and diesel engine repair
- Basic stick and gas welding skills
- Thorough knowledge of hydraulics as it applies to trucks and construction maintenance equipment
- Working knowledge of electrical and electronic circuitry with the ability to track complex circuitry on a schematic
- Ability to safely operate hand and power tools and equipment
- Computer competency including the ability to enter, retrieve, and compile data utilizing an Asset Management program
- Ability to communicate effectively both orally and in writing
- Ability to maintain effective working relations with supervisors, subordinates, and the general public

RESOLUTION
NO 21-128

**RESOLUTION ABOLISHING ONE STREET & SEWER SUPERVISOR II
POSITION AND ONE FOREMAN POSITION AND
CREATING TWO NEW STREET & SEWER SUPERVISOR POSITIONS
WITHIN THE PUBLIC WORKS DEPARTMENT**

WHEREAS, Public Works relies on supervisory staff to manage the work in each division within the Department; and

WHEREAS, restructuring the Street Division to establish two new Supervisor positions will create uniform levels of supervision within the department and allocates staff to accomplish the work more effectively; and

WHEREAS, the new positions will be Non-Union Grade 22 to align with other comparable supervisors within the Public Works leadership team; and

WHEREAS, the cost of the new positions will be offset by the Elimination of the Supervisor II and Foreman positions.

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

That 1 FTE position of Street & Sewer Supervisor II and 1 FTE position of Foreman shall be abolished effective upon the filling of the two new Street & Sewer Supervisor positions.

AND BE IT FURTHER RESOLVED

That 2 FTE positions of Street & Sewer Supervisor are created within the Public Works Department.

ADOPTED
AND
APPROVED

April 26, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

RESOLUTION
NO 21-129

**RESOLUTION ABOLISHING ONE FLEET FOREMAN POSITION AND
CREATING A NEW FLEET SUPERVISOR POSITION
WITHIN THE PUBLIC WORKS DEPARTMENT**

WHEREAS, Public Works relies on supervisory staff to manage the work in each division within the Department; and

WHEREAS, restructuring the Fleet Division to establish a new Supervisor position will create uniform levels of supervision within the department and allocates staff to accomplish the work more effectively; and

WHEREAS, the new position will be Non-Union Grade 22 to align with other comparable supervisors within the Public Works leadership team; and

WHEREAS, the additional cost for the Fleet Supervisor position was included in the approved FY22 budget.

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

That 1 FTE position of Fleet Foreman shall be abolished effective upon the filling of the Fleet Supervisor position.

AND BE IT FURTHER RESOLVED

That 1 FTE position of Fleet Supervisor is created within the Public Works Department.

ADOPTED
AND
APPROVED

April 26, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Legal
Case/Project No.:
Submitted by: Sara Bauer, Legal Department

Resolution 21-130
ITEM 7.I.

Council Action: 4/26/2021

Description

Resolution authorizing the City of Council Bluffs Legal Department to proceed as proposed in executive session held on April 12, 2021.

Background/Discussion

The City has come to a settlement agreement within the parameters discussed during said Executive Session.

Recommendation

Approval of this Resolution.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 21-130	Resolution	4/20/2021

RESOLUTION NO. 21-130

A RESOLUTION AUTHORIZING THE CITY OF COUNCIL BLUFFS LEGAL DEPARTMENT TO PROCEED AS PROPOSED IN EXECUTIVE SESSION HELD ON APRIL 12, 2021.

WHEREAS, the City's Legal Department has been in mediation to settle a matter against the City of Council Bluffs; and

WHEREAS, direction and parameters were provided to the City's Legal Department at the City Council's Executive Session held on April 12, 2021; and

WHEREAS, the City's Legal Department has come to a settlement agreement within the parameters discussed during said Executive Session; and

WHEREAS, it is in the best interest of the City of Council Bluffs to settle this matter.

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

That the City's Legal Department is hereby authorized to proceed forward with the discussed course of action regarding the matter.

ADOPTED
AND
APPROVED

April 26, 2021.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

Department: Parks and Recreation
Case/Project No.: City-Wide Trail System
Upgrade
Submitted by: Vincent M Martorello

Resolution 21-131
ITEM 7.J.

Council Action: 4/26/2021

Description

Resolution to award contract to Oldcastle Materials Midwest co. dba Omni Engineering in the amount of \$292,199.30 for the city wide trail system upgrade project.

Background/Discussion

The City has approximately 41 miles of trail within city limits. These trails provide both recreational and alternative transportation value to the community. In 2019, the Parks and Recreation Department completed a condition assessment of the entire trail system in order to prepare a long term capital repair strategy, which prioritizes the portion of the trail system rated either in poor or good. The existing asphalt portions of the trail system is 3"- 4" in depth and this thickness does not lend itself to a grind and inlay method of repair. Instead, an overlay of asphalt 2" in thickness will be placed over the existing trail. Along Valley View Trail, where an overlay cannot be placed on the existing trail due to existing street elevations and drainage pattern, the existing trail will be removed and replaced.

The City bid the project twice because the first bid resulted in the City receiving bids that exceed the project budget. The scope was modified to only include Valley View Trail. On April 16, 2021, the City received one (1) bid from Oldcastle Materials Midwest co. dba Omni Engineering for an amount of \$292,199.30.

Recommendation

Approve resolution and award the contract to Oldcastle Materials Midwest co. dba Omni Engineering in the amount of \$292,199.30 for the city wide trail system upgrade project.

ATTACHMENTS:

Description

[Bid Tabulation](#)

[Resolution 21-131](#)

Type

Resolution

Resolution

Upload Date

4/19/2021

4/20/2021

Event Number	2021 - 82	Organization	City of Council Bluffs Purchasing
Event Title	Trail System Repair Re-bid, PR21-05, PR22-0	Workgroup	Purchasing
Event Description	The City of Council Bluffs Public Works Engi	Event Owner	Kim Riebe
Event Type	Public Improvement Project - Bid	Email	kriebe@councilbluffs-ia.gov
Issue Date	4/5/2021 03:52:07 PM (CT)	Phone	
Close Date	4/19/2021 10:00:00 AM (CT)	Fax	

Responding Supplier	City	State	Response Submitted	Lines Responded	Response Total
Oldcastle Materials Midwest Co Omaha		NE	4/16/2021 02:34:01 PM (CT)	30	\$387,591.25

Please note: Lines Responded and Response Total only includes responses to specification. No alternate response data is included.

RESOLUTION
NO 21-131

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER
INTO AN AGREEMENT AND AWARD A CONTRACT IN THE AMOUNT OF \$
\$292,199.30 TO OLDCASTLE MATERIALS MIDWEST CO. DBA OMNI
ENGINEERING FOR THE CITY WIDE TRAIL SYSTEM UPGRADE PROJECT**

- WHEREAS, certain portions of the trail system were rated with a condition assessment of either poor or fair, and
- WHEREAS, the City Council has approved funding for reinvestment in trail system within the City's FY 2021 and FY 2022 Capital Improvement Program, and
- WHEREAS, available funding is approximately \$298,000 and the initial investment is proposed to be used to upgrade a significant portion of Valley View Trail from Hwy 92 to Franklin Blvd.
- WHEREAS, the City held a public hearing on the matter March 8, 2021 and the project bid was issued on March 9, 2021; and
- WHEREAS the bid closed on March 26, 2021, and all the bids received exceeded the project budget; and
- WHEREAS the city rebid the project and on April 16, 2021 received one (1) bid from Oldcastle Materials Midwest co. dba Omni Engineering for an amount of \$292,199.30; and
- WHEREAS; the city council deems approval of said agreement to be in the best interest of the City of Council Bluffs.

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

That the Mayor and City Clerk are hereby authorized, empowered and directed to execute a contract in the amount of \$292,199.30 to Oldcastle Materials Midwest co. dba Omni Engineering for the city wide trail system upgrade project.

ADOPTED AND APPROVED

April 26, 2021

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

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

Resolution 21-132
ITEM 7.K.

Council Action: 4/26/2021

Description

Resolution setting the dates and times to permit the discharge of consumer fireworks for the 2021 season.

Background/Discussion

Recommendation

ATTACHMENTS:

Description

[Resolution 21-132](#)

Type

Resolution

Upload Date

4/20/2021

RESOLUTION NO. 21-132

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 2021 shall be _____ from noon until 11:00 p.m. on both 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 on _____, from noon until 11:00 p.m. on both 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

April 26, 2021.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

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

Resolution 21-133
ITEM 7.L.

Council Action: 4/26/2021

Description

Resolution temporarily vacating portions of First Avenue and West Broadway in connection with special event applications.

Background/Discussion

Recommendation

ATTACHMENTS:

Description

[Resolution 21-133](#)

Type

Resolution

Upload Date

4/21/2021

RESOLUTION NO. 21-133

**RESOLUTION TEMPORARILY VACATING PORTIONS OF FIRST AVENUE
AND WEST BROADWAY IN CONNECTION WITH A SPECIAL EVENT
APPLICATIONS.**

WHEREAS, The City has reviewed special event application “Drag Yourself to Pride” proposed to take place on West Broadway between 1st Street and The Hughes Iron Parking Lot Entrance (half of the 100 Block) on Saturday June 12, 2021 from 8:00 am to 3:00 pm;

WHEREAS, The City has reviewed another special event application “Farmer’s Market” proposed to take place on First Avenue between South 6th Street and Pearl Street every Thursday beginning May 6, 2021 through September 23, 2021 from 4:30 pm to 8:30 pm;

WHEREAS, The City has reviewed another special event application “100 Block Bike Nights” proposed to take place on Broadway between First Street and Fourth Street on Thursdays May 20, 2021, June 17, 2021, July 15, 2021 and August 19, 2021, from 3:00 p.m. to 11:30 p.m.;

WHEREAS, The proposed activities would be inconsistent with City and State law if West Broadway in these location were not temporarily vacated.

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

That First Avenue and West Broadway be temporarily vacated as described above in connection with the approved special event applications.

ADOPTED
AND
APPROVED

April 26, 2021

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

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

Resolution 21-134
ITEM 7.M.

Council Action: 4/26/2021

Description

Resolution confirming the appointment of Kristi Meckna in the position of Director of Finance the City of Council Bluffs and approving the wage and benefit package offered to her

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Resolution 21-134	Resolution	4/21/2021

A RESOLUTION CONFIRMING THE APPOINTMENT OF KRISTI MECKNA IN THE
POSITION OF DIRECTOR OF FINANCE THE CITY OF COUNCIL BLUFFS AND
APPROVING THE WAGE AND BENEFIT PACKAGE OFFERED TO HER

WHEREAS, the City Council has been advised as to the contents of this offer and find it to be in the best interest of the City of Council Bluffs.

That effective on or about April 30, 2021, Kristi Meckna is hereby appointed as Director of Finance the salary of Non-union Pay Grade 34, Step 3, with all other benefits as provided under the City's Personnel Policies.

Matthew J. Walsh, Mayor

Jodi Quakenbush, City Clerk

Council Communication

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

Resolution 21-135
ITEM 7.N.

Council Action: 4/26/2021

Description

Resolution authorizing the Mayor to proceed with the acquisition of certain properties as proposed in executive session held on April 12, 2021.

Background/Discussion

Council presented a list of properties and the City would like to acquire these properties. These properties were previously discussed at Executive Session on April 12, 2021.

Recommendation

ATTACHMENTS:

Description

[Resolution 21-135](#)

Type

Resolution

Upload Date

4/21/2021

RESOLUTION NO. 21-135

A RESOLUTION AUTHORIZING THE CITY OF COUNCIL BLUFFS MAYOR TO PROCEED WITH THE ACQUISITION OF CERTAIN PROPERTIES AS PROPOSED IN EXECUTIVE SESSION HELD ON APRIL 12, 2021.

WHEREAS, the City would like to acquire certain properties; and

WHEREAS, the particular properties were discussed at the City Council's Executive Session held on April 12, 2021 and direction was provided to the Mayor; and

WHEREAS, it is in the best interest of the City of Council Bluffs to acquire these properties at this time.

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

That the Mayor is hereby authorized to proceed with acquiring the properties as discussed.

ADOPTED
AND
APPROVED

April 26, 2021.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

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

Liquor Licenses
ITEM 8.A.

Council Action: 4/26/2021

Description

1. Council Bluffs Country Club, 4500 Piute Street
2. Dusty's Lounge, 1501 Avenue A
3. 1892 German Beer Haus, 142 W Broadway
4. Full Fledged Brewing Co., 40 Arena Way (Special Event – 8 month license)

Background/Discussion

There were no alcohol related incidents/arrests at any of the listed businesses this licensing period.

Recommendation

ATTACHMENTS:

Description

[Liquor Licenses, 4.26.21](#)

Type

Other

Upload Date

4/20/2021

Services <https://directory.iowa.gov/service/Index?_ga=1.101492737.1604613096.1488473035&ia_slv=1618838140989>

Agencies <https://directory.iowa.gov/?ia_slv=1618838140989>

There is a known issue happening to some users when trying to upload documents. We are aware of this issue and are working to resolve it as soon as possible.

Social <https://directory.iowa.gov/social/Index?ia_slv=1618838140989>

<https://www.iowa.gov/search/google?ia_slv=1618838140989>

(App-137585)

Exit (/)

Save and Exit

- ✓ License or Permit Type
- ✓ Privileges / Sub-Permits
- Premises**
- ✓ Ownership
- ✓ Criminal History / Violations
- ✓ Dramshop Verification
- ✓ Document Upload
- Local Authority
- Review
- Attestation / Endorsement

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <i>on</i>	Local Amt _____	
FIRE <i>AP</i>	Endorsed _____	
BUILDING <i>JS</i>	Issued _____	
ZONING <i>JS</i>	Expires _____	
Council _____		

Renewal Date 5.6.21

Step 3 of 10

Premises

NEED HELP ?

Business Information

* (required) Name of Legal Entity (The name of the individual, partnership, corporation or other similar legal entity that is receiving the income from the alcoholic beverages sold)

Council Bluffs Country Club, LLC

* (required) Name of Business (D/B/A)

Council Bluffs Country Club

Indicate how the business will be operated

Limited Liability Company

* (required) Federal Employer ID #

20-2777448

* (required) Business Number of Secretary of State

310924

Tentative Expiration Date

May 5, 2022

CHAT WITH AN EXPERT

Services <https://directory.iowa.gov/service/Index?_ga=1.101492737.1604613096.1488473035&ia_slv=1618334785894>Agencies <https://directory.iowa.gov/?ia_slv=1618334785894>Social <https://directory.iowa.gov/social/Index?ia_slv=1618334785894><https://www.iowa.gov/search/google?ia_slv=1618334785894>

(App-003448)

Exit (/)

Save and Exit

- ✓ License or Permit Type
- ✓ Privileges / Sub-Permits
- Premises**
- ✓ Ownership
- ✓ Criminal History / Violations
- ✓ Dramshop Verification
- ✓ Document Upload
- Local Authority
- Review
- Attestation / Endorsement

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

Renewal Date 4-15-21

Step 3 of 10

Premises

NEED HELP ?

Business Information

* (required) Name of Legal Entity (The name of the individual, partnership, corporation or other similar legal entity that is receiving the income from the alcoholic beverages sold)

Dusty's Lounge, LLC

* (required) Name of Business (D/B/A)

Dusty's Lounge

Indicate how the business will be operated

Limited Liability Company

* (required) Federal Employer ID #

27-2070236

* (required) Business Number of Secretary of State

394311

Tentative Expiration Date

Apr 14, 2022

CHAT WITH AN EXPERT

Services <https://directory.iowa.gov/service/Index?_ga=1.101492737.1604613096.1488473035&ia_slv=1618334731723>Agencies <https://directory.iowa.gov/?ia_slv=1618334731723>Social <https://directory.iowa.gov/social/Index?ia_slv=1618334731723><https://www.iowa.gov/search/google?ia_slv=1618334731723>

(App-137314)

Exit (/)

Save and Exit

- ✓ License or Permit Type
- ✓ Privileges / Sub-Permits
- Premises**
- ✓ Ownership
- ✓ Criminal History / Violations
- ✓ Dramshop Verification
- ✓ Document Upload
- Local Authority
- Review
- Attestation / Endorsement

<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>CB</u>	Expires _____	
Council _____		

Renewal Date 5.1.21

Step 3 of 10

Premises

NEED HELP ?

Business Information

* (required) Name of Legal Entity (The name of the individual, partnership, corporation or other similar legal entity that is receiving the income from the alcoholic beverages sold)

Quebueno LLC

* (required) Name of Business (D/B/A)

1892 German Beer Haus

Indicate how the business will be operated

Limited Liability Company

* (required) Federal Employer ID #

26-3695128

* (required) Business Number of Secretary of State

370973

Tentative Expiration Date

Apr 30, 2022

CHAT WITH AN EXPERT

Services <https://directory.iowa.gov/service/Index?_ga=1.101492737.1604613096.1488473035&ia_slv=1617989833087>Agencies <https://directory.iowa.gov/?ia_slv=1617989833087>Social <https://directory.iowa.gov/social/Index?ia_slv=1617989833087><https://www.iowa.gov/search/google?ia_slv=1617989833087>

(App-137177)

Exit (/)

Save and Exit

- ✓ License or Permit Type
- ✓ Privileges / Sub-Permits
- Premises**
- ✓ Business Demographics
- ✓ Criminal History / Violations
- ✓ Dramshop Verification
- ✓ Document Upload
- Local Authority
- Review
- Attestation / Endorsement
- Action Items

<input type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input checked="" type="checkbox"/> SPECIAL EVENT
POLICE <u>CLM</u>	Local Amt	
FIRE <u>AT</u>	Endorsed	
BUILDING <u>CLM</u>	Issued	
ZONING <u>CLM</u>	Expires	
	Council	<u>4-26-21</u>

Step 3 of 11

Premises

NEED HELP ?

Indicate how the business will be operated

Limited Liability Company

* (required) Business Number of Secretary of State

552786

* (required) Corporation Name

FUNDAMENTAL BREWING COMPANY, LLC

* (required) Federal Employer ID #

82-2498000

* (required) Name of Business (D/B/A)

Full Fledged Brewing Co.

* (required) Business Phone

(712) 201-6520

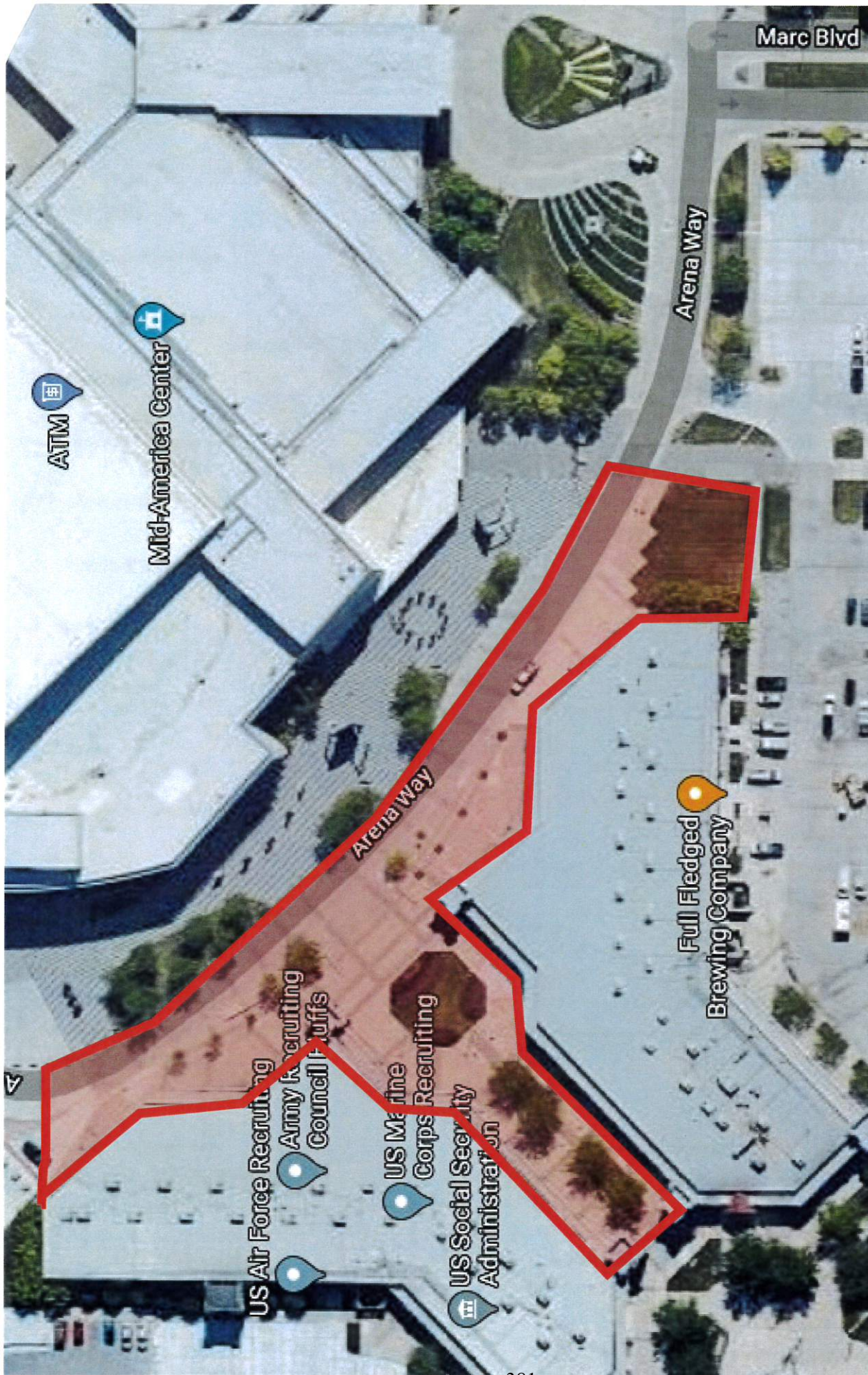
* (required) Tentative Effective Date

May 1st, 2021

380

* (required) Contact Name

CHAT WITH AN EXPERT



Council Communication

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

Cigarette Permits
ITEM 8.B.

Council Action: 4/26/2021

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description

[Cigarette Permit Applications, 04.26.21](#)

Type

Other

Upload Date

4/19/2021

Instructions on the reverse sideFor period (MM/DD/YYYY) 7 / 1 / 2021 through June 30, 2022

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

Business Information:

Trade Name/DBA CASEY'S MARKETING COMPANY/DBA-CASEY'S #2284

Physical Location Address 1030 VETERAN MEMORIAL HWY City COUNCIL BLUFFS ZIP 51501

Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021

Business Phone Number 7123660960

Legal Ownership Information:

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

Name of sole proprietor, partnership, corporation, LLC, or LLP CASEY'S GENERAL STORES, INC.

Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021

Phone Number 515-446-6404 Fax Number 515-965-6205 Email JESSICA.FISHER@CASEYS.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) JULIA L. JACKOWSKI, CASEY'S MARKETING SECRETARY Name (please print) _____

Signature  Signature _____

Date 4/20/2021 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: 4.26.21
- ☐ Fill in the permit number issued by the city/county: 898332
- ☐ Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

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

☐ Email: iapledge@iowaabd.com

☐ Fax: 515-281-7375

Instructions on the reverse sideFor period (MM/DD/YYYY) 7 / 1 / 2021 through June 30, 2022

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

Business Information:

Trade Name/DBA CASEY'S MARKETING COMPANY/DBA-CASEY'S #3050

Physical Location Address 510 23RD AVE City COUNCIL BLUFFS ZIP 51503

Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021

Business Phone Number 7122420640

Legal Ownership Information:

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

Name of sole proprietor, partnership, corporation, LLC, or LLP CASEY'S GENERAL STORES, INC.

Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021

Phone Number 515-446-6404 Fax Number 515-965-6205 Email JESSICA.FISHER@CASEYS.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) JULIA L. JACKOWSKI, CASEY'S MARKETING SECRETARY

Name (please print) _____

Signature Julia L. Jackowski

Signature _____

Date 4/20/2021

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: 4-26-21
- ☐ Fill in the permit number issued by the city/county: 898506
- ☐ Fill in the name of the city or county issuing the permit: Council Bluffs
- New ☐ Renewal ☒

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

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

Instructions on the reverse sideFor period (MM/DD/YYYY) 7 / 1 / 2021 through June 30, 2022

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

Business Information:Trade Name/DBA CASEY'S MARKETING COMPANY/DBA-CASEY'S #3201Physical Location Address 701 32ND AVE City COUNCIL BLUFFS ZIP 51501Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021Business Phone Number 7123665453**Legal Ownership Information:**Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐Name of sole proprietor, partnership, corporation, LLC, or LLP CASEY'S GENERAL STORES, INC.Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021Phone Number 515-446-6404 Fax Number 515-965-6205 Email JESSICA.FISHER@CASEYS.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) JULIA L. JACKOWSKI, CASEY'S MARKETING SECRETARY

Name (please print) _____

Signature Julia L. Jackowski

Signature _____

Date 4/20/2021

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: 4-26-21☐ Fill in the permit number issued by the city/county: 898333☐ Fill in the name of the city or county issuing the permit: Council Bluffs• New ☐ Renewal ☒

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

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

Instructions on the reverse sideFor period (MM/DD/YYYY) 7 / 1 / 2021 through June 30, 2022

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

Business Information:Trade Name/DBA CASEY'S MARKETING COMPANY/DBA-CASEY'S #3203Physical Location Address 1928 SHERWOOD DR City COUNCIL BLUFFS ZIP 51503Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021Business Phone Number 7123289684**Legal Ownership Information:**Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐Name of sole proprietor, partnership, corporation, LLC, or LLP CASEY'S GENERAL STORES, INC.Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021Phone Number 515-446-6404 Fax Number 515-965-6205 Email JESSICA.FISHER@CASEYS.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) JULIA L. JACKOWSKI, CASEY'S MARKETING SECRETARY

Name (please print) _____

Signature Julia L. Jackowski

Signature _____

Date 4/20/2021

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: 4.26.21☐ Fill in the permit number issued by the city/county: 898334☐ Fill in the name of the city or county issuing the permit: Council Bluffs☒ New ☐ Renewal

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

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

Council Communication

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

Noise Variance Request
ITEM 8.C.

Council Action: 4/26/2021

Description

Noise Variance Request for extension until 11:30p for the annual summer Bikes on the 100 Block event nights. Dates requested are: Thursdays on May 20, June 17, July 15, and August 19.

Background/Discussion

Recommendation

ATTACHMENTS:

Description

[Bike Night noise variance request](#)

Type

Other

Upload Date

4/21/2021

NOISE VARIANCE REQUEST

APPLICATION DATE: _____
REQUESTING PERSON: _____
NAME: Bobby Edwards % CB 100 Block Edwards Motorsports
MAILING ADDRESS: 1010 34th Ave
PHONE NUMBER: 402.881.1335
EMAIL: bobby.edwards82@gmail.com
ORGANIZATION/EVENT: Bikes on the 100 Block 2021
EVENT LOCATION: Downtown CB 100 Block
EVENT DATE: May 20th, June 17th, July 15th, August 19th
EVENT TIME: 10:00a - 11:30p

EXPLAIN SOURCE OF NOISE AND SPECIFIC HOURS OF NOISE:

Live band on street

Please return to the City Clerk's Office, 209 Pearl Street, Ste 102, Council Bluffs, IA 51503
Phone Number: 712-890-5261

Please Note: This application is approved/disapproved by the City Council. Applications **MUST** be received 15 days before the event, to ensure enough time to be reviewed by City Council.

City Council met on _____, 20____, regarding this application requesting noise variance as described above.

APPROVED ()

DISAPPROVED ()

APPROVED WITH STIPULATION ()

The Police have the authority to cease music or require reduction of volume for the remainder of event if complaints are received.

City Clerk

Date