



**Study Session Agenda
City of Council Bluffs, Iowa
April 21, 2025, 3:45 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street**

STUDY SESSION AGENDA

- A. Chris LaFerla - Community Action Initiative Update
- B. Review Agenda



**Council Agenda, City of Council Bluffs, Iowa
Regular Meeting April 21, 2025, 7:00 PM
Council Chambers, 2nd Floor, City Hall
209 Pearl Street**

AGENDA

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER

3. CONSENT AGENDA

- A. Approval of Agenda and tape recordings of these proceedings to be incorporated into the official minutes.
- B. Reading, correction and approval of the March 24, 2025 Special City Council meeting minutes, March 24, 2025 and April 7, 2025 regular City Council meeting minutes and April 9, 2025 Special City Council Meeting Minutes.
- C. Ordinance 6645
Ordinance to amend the zoning map as adopted by reference in Section 15.27.020, and setting a public hearing for May 5, 2025 at 7:00 p.m., by appending a PR-2/Planned Residential Overlay on property legally described as the west 110 feet of Lot 1, Block 5, Park Addition, as defined in Chapter 15.28. Location: 1003 High Street. PR-25-001
- D. Resolution 25-107
Resolution setting a public hearing for 7:00 p.m. on May 5, 2025 for the Southwest Pump Station Trash Rack Rehab. Project #PW25-17
- E. Resolution 25-108
Resolution accepting the bid of Bluffs Paving & Utility Co. Inc. for the Avenue B Reconstruction, Phase I. Project # PW25-13
- F. Resolutions 25-109 and 25-110
Resolution 25-109 approving request for proposals for approximately 8.5 acres of land south of Hwy 275 and between E. Manawa Drive and the Council Bluffs Country Club.

Resolution 25-110 approving minimum development requirements, competitive criteria, and procedures for disposition of certain property located within the urban renewal area; and soliciting proposals in accordance with the request for proposals and setting a public hearing for July 14, 2025 at 7:00 p.m. as the date of public hearing on the intent to accept the selected development proposal submitted.

- G. February 2025 Financial Reports
- H. Zoning Board of Adjustment 2024 Annual Report (R&F)
- I. Planning Commission 2024 Annual Report (R&F)
- J. Boards/Commissions
 - Parks and Recreation Commission
- K. Right of Redemption
- L. Claims

4. PUBLIC HEARINGS

- A. Resolution 25-111
 - Resolution approving the plans and specifications in connection with the Kenmore Avenue Sanitary Sewer Reconstruction. Project # PW25-24
- B. Resolution 25-112
 - Resolution approving and authorizing execution of a development agreement by and between the City of Council Bluffs and Cornerstone CB Power Drive Partners LP.
- C. Resolution 25-113
 - Resolution authorizing the City to apply for FY2026 State Transit Assistance through the Iowa Department of Transportation.

5. ORDINANCES ON 1ST READING

- A. Ordinance 6646
 - Ordinance to amend Title 9 "Traffic" of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Chapter 9.72.357 "Open Containers in Motor Vehicles" to differentiate between the driver and a passenger.

6. ORDINANCES ON 2ND READING

- A. Ordinance 6644
 - Ordinance providing that general property taxes levied and collected each year on all property located within the Kaneshville Urban Renewal Area, in City of Council Bluffs, County of Pottawattamie State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Kaneshville Urban Renewal Area (the Kaneshville Urban Renewal Plan.) URN-25-002

7. RESOLUTIONS

A. Resolution 25-114

Resolution to approve a change order in the amount of \$38,163.00 since it exceeds the approval threshold of a Director.

B. Resolution 25-115

Resolution adopting a site-specific development plan for a 'financial service' (Midland Credit Union) on property legally described as Lot 7, except the southeast corner thereof dedicated for right-of-way, and Lot 8, all in Block 20, Bayliss and Palmer's Addition. Location: 1900 West Broadway. MIS-25-001

C. Resolution 25-116

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.

D. Resolution 25-117

Resolution authorizing the Mayor to execute Iowa Department of Transportation Cooperative Agreement No. 2023-16-081 in connection with the Intelligent Transportation System (ITS).

E. Resolution 25-118

Resolution to adopt the current Schedule of Fees for 2025, Version 2, dated April 21, 2025.

8. APPLICATIONS FOR PERMITS AND CANCELLATIONS

A. Liquor Licenses

1. 1892 German Beer Haus, 142 West Broadway
2. Buffalo Wild Wings, 3701 Metro Drive
3. Dusty's Lounge, 1501 Avenue A
4. Godfather's Pizza, 3020 West Broadway
5. J&B's Lounge, 16 South 19th Street
6. Kikkers, 1503 Avenue C
7. T'z, 128 West Broadway

9. OTHER BUSINESS

10. CITIZENS REQUEST TO BE HEARD

11. ADJOURNMENT

DISCLAIMER:

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



City Council Meeting Minutes March 24, 2025

CALL TO ORDER

Mayor Walsh called the meeting to order at 7:00 p.m. on Monday March 24, 2025.

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

Council Member absent: Steve Gorman.

Staff present: Brandon Garrett, Jodi Quakenbush and Richard Wade.

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 10, 2025 City Council meeting minutes.

Ordinance 6642

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020 and setting a public hearing for April 7, 2025 at 7:00 p.m. for rezoning properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/General Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to P-C/Planned Commercial District, as set forth and defined in Chapters 15.18 and 15.21. Location: 2608 South 24th Street. ZC-25-001

Resolution 25-67

Resolution of intent to vacate and dispose of and setting a public hearing for April 7, 2025 at 7:00 p.m. for Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 2, Block 3, all in Oak Grove Addition.

Location: Immediately south of 724 Hazel Street. SAV-25-001

Resolution 25-68

Resolution setting a public hearing for April 7, 2025 at 7:00 p.m. on the City of Council Bluffs budget for the fiscal year ending June 30, 2026.

Resolution 25-69

Resolution directing the City Clerk to publish notice and setting a public hearing on April 7, 2025 at 7:00 p.m. on the plans, specifications and form of contract for the Mohawk Street phase of the E. Manawa Subdivision.

Boards/Commissions: Civil Service Commission and Claims

Roger Sandau and Jill Shudak moved and seconded approval of Consent Agenda. Unanimous, 4-0 vote. (Absent: Gorman)

PUBLIC HEARINGS

Resolution 25-70

Resolution granting final plat approval of a one-lot subdivision to be known as Benson's 2nd Addition Replat 1, being a replat of Lots 1 through 6, Block 8, Benson's 2nd Addition, except that part granted to the City of Council Bluffs for right-of-way described in warranty deed 2018-02870. Location: 2901 West Broadway. SUB-25-001

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-70. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-71

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$3,750,000 General Obligation Bonds, Series 2025 (ECP-1).

Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 25-71. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-72

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$910,000 General Obligation Bonds, Series 2025 (GCP-2).

Roger Sandau and Jill Shudak moved and seconded approval of Resolution 25-72. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-73

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$930,000 General Obligation Bonds, Series 2025 (GCP-3).

Joe Disalvo and Roger Sandau moved and seconded approval of setting a Public Hearing for Resolution 25-73 for April 9, 2025 at 9:00 a.m. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-74

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$850,000 General Obligation Bonds, Series 2025 (GCP-4).

Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 25-74. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-75

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$875,000 General Obligation Bonds, Series 2025 (GCP-5).

Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 25-75. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-76

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$910,000 General Obligation Bonds, Series 2025 (GCP-6).

Roger Sandau and Jill Shudak moved and seconded approval of Resolution 25-76. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-77

Resolution determining an area of the city to be an Economic Development Area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the city; designating such area as appropriate for Urban Renewal Projects; and adopting the Power Drive Housing Urban Renewal Plan. URN-25-001

Joe Disalvo and Roger Sandau moved and seconded approval of Resolution 25-77. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-78

Resolution determining an area of the city to be an Economic Development Area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the city; designating such area as appropriate for Urban Renewal Projects; and adopting the Kanesville Urban Renewal Plan. URN-25-002

Heard from Craig Sturm, 13575 220th Street and Bob Wombolt, 3342 Avenue B

Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 25-78. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-79

Resolution determining an area of the city to be an Economic Development Area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the city; designating such area as appropriate for Urban Renewal Projects; and adopting Amendment No. 2 to the Old Airport Urban Renewal Plan. URN-25-003

Jill Shudak and Chris Peterson moved and seconded approval of Resolution 25-79. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-80

Resolution granting final plat approval of a one-lot residential subdivision to be known as The Hills of Cedar Creek Phase 1 Replat 6, being a replat of Outlot 'J', the Hills of Cedar Creek Phase 1. Location: West of 1422 Abercorn Drive. SUB-25-002

Roger Sandau and Chris Peterson moved and seconded approval of Resolution 25-80. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-81

Resolution approving the plans, specifications and form of contract for the multi-family phase of the E. Manawa Subdivision.

Joe Disalvo and Chris Peterson moved and seconded approval of Resolution 25-81. Unanimous, 4-0 vote. (Absent: Gorman)

ORDINANCES ON 1ST READING

Ordinance 6643

Ordinance providing that general property taxes levied and collected each year on all property located within the Power Drive Housing Urban Renewal Area, in City of Council Bluffs, County of Pottawattamie State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Power Drive Housing Urban Renewal Area (the Power Drive Housing Urban Renewal Plan.) URN-25-001

Jill Shudak and Joe Disalvo moved and seconded approval of first consideration of Ordinance 6643, second consideration to be held April 7, 2025 at 7:00 p.m.. Unanimous, 4-0 vote. (Absent: Gorman)

Ordinance 6644

Ordinance providing that general property taxes levied and collected each year on all property located within the Kaneshville Urban Renewal Area, in City of Council Bluffs, County of Pottawattamie State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Kaneshville Urban Renewal Area (the Kaneshville Urban Renewal Plan.) URN-25-002

Joe Disalvo and Chris Peterson moved and seconded approval of first consideration of Ordinance 6643, second consideration to be held April 7, 2025 at 7:00 p.m. Unanimous, 4-0 vote. (Absent: Gorman)

ORDINANCES ON 2ND READING

Ordinance 6632

Ordinance to amend Title 3 Business Regulation and Licenses of the 2020 Municipal Code of Council Bluffs, Iowa by enacting new Chapter 3.20 "Massage Therapy".

Jill Shudak and Joe Disalvo moved and seconded approval of second consideration of Ordinance 6632. Unanimous, 4-0 vote. (Absent: Gorman)

Jill Shudak and Roger Sandau moved and seconded approval of Motion to waive third consideration of Ordinance 6632. Ordinance passes to law. Unanimous, 4-0 vote. (Absent: Gorman)

Ordinance 6633

An Ordinance to amend Chapter 17.01 "Housing Definitions" of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Section 17.01.040 "Punishment For Violations of CBMC 17".

Joe Disalvo and Chris Peterson moved and seconded approval of second consideration of Ordinance 6633. Unanimous, 4-0 vote. (Absent: Gorman)
Roger Sandau and Jill Shudak moved and seconded approval of Motion to waive third consideration of Ordinance 6633. Ordinance passes to law. Unanimous, 4-0 vote. (Absent: Gorman)

Ordinances 6634, 6635, 6636, 6637, 6638, 6639 and 6640

Amending Title 13 Buildings and Construction to enact new Chapter 13.45 "Insurance" and by amending several other Chapters to remove insurance requirements within each chapter.

Roger Sandau and Joe Disalvo moved and seconded approval of second consideration of Ordinances 6634, 6635, 6636, 6637, 6638, 6639 and 6640. Unanimous, 4-0 vote. (Absent: Gorman)

Roger Sandau and Joe Disalvo moved and seconded approval of Motion to waive third consideration of Ordinances 6634, 6635, 6636, 6637, 6638, 6639 and 6640. Ordinances pass to law. , 4-0 vote. (Absent: Gorman)

Ordinance 6641

Ordinance to amend Title 13 Buildings and Construction of the 2020 Municipal Code of Council Bluffs, Iowa by amending and repealing several sections in Chapter 13.17 "Licensing of the Electrical Trade".

Roger Sandau and Joe Disalvo moved and seconded approval of second consideration of Ordinance 6641. Unanimous, 4-0 vote. (Absent: Gorman)

Roger Sandau and Jill Shudak moved and seconded approval of Motion to waive third consideration of Ordinance 6641. Ordinance passes to law. Unanimous, 4-0 vote. (Absent: Gorman)

RESOLUTIONS

Resolution 25-82

Resolution authorizing the Mayor to execute the Order Accepting the Acknowledgment/Settlement Agreements from Casey's #6127, 2711 S. 24th Street, Council Bluffs, Iowa 51501 and Jerusalem Petroleum d/b/a Speedy Gas N Shop, 420 S. 35th Street #1, Council Bluffs, Iowa 51501, for violations of Iowa Code Section 453A.2.

Roger Sandau and Joe Disalvo moved and seconded approval of Resolution 25-82. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-83

Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects.

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-83. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-84

Resolution authorizing the issuance of \$7,855,000 General Obligation Bonds, Series 2025 and levying a tax for the payment thereof.

Jill Shudak and Roger Sandau moved and seconded approval of Motion to continue Resolution 25-84 to April 9, 2025 at 9:00 a.m.. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-85

Resolution authorizing the City Legal Department to proceed as proposed in Executive Session held on March 10, 2025.

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-85. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-86

Resolution accepting the bid of Engineered Controls Inc. in the amount of \$184,650.00 for the Council Bluffs Public Library Automation Upgrade. Project # BM-25-03

Joe Disalvo and Chris Peterson moved and seconded approval of Resolution 25-86. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-87

Resolution to amend the adopted planned commercial development plan relative to signage, for properties legally described as Lot 2, Lake Manawa Centre Subdivision Phase V and Lot 19, Lake Manawa Centre Subdivision Phase 3. Location: 3125 and 3145 Manawa Centre Drive. PC-25-001

Jill Shudak and Chris Peterson moved and seconded approval of Resolution 25-87. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-88

Resolution authorizing the mayor to execute an agreement for the consent to subdivision and petition for voluntary annexation of land legally described as the SE1/4 NE1/4 of Section 15-75-43, Garner Township, Pottawattamie County, Iowa. Location: 19638 225th Street, along with the undeveloped 36.62 acres of land to the immediate west. MIS-25-002

Jill Shudak and Roger Sandau moved and seconded approval of Resolution 25-88. Unanimous, 4-0 vote. (Absent: Gorman)

Resolution 25-89

Resolution approving the tentative agreement reached between the City of Council Bluffs and the Council Bluffs Association of Professional Firefighters, Local 15, for the period of July 1, 2025 through June 30, 2028

Jill Shudak and Chris Peterson moved and seconded approval of Resolution 25-89. Unanimous, 4-0 vote. (Absent: Gorman)

CITIZENS REQUEST TO BE HEARD

Heard from: Craig Sturm, 13575 220th Street, Robert Wombolt, 3342 Avenue B, Terry Ozwald, 1517 Chestnut Drive, Bailey Smith, 503 North 38th Street, Sophie Gravy, 3415 West Boradway, Ben Ozman, 426 N. 38th Street.

ADJOURNMENT

Mayor Walsh adjourned the meeting at 8:13 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



City Council Special Meeting Minutes March 24, 2025

CALL TO ORDER

Mayor Walsh called the meeting to order at 6:00 p.m. on Monday March 24, 2025.

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

Council Member absent: Steve Gorman.

Staff present: Jodi Quakenbush, Richard Wade, Brandon Garrett and Grant Duin.

PUBLIC HEARINGS

Resolution 25-66

Resolution approving the City of Council Bluffs Proposed Property Tax Levy for fiscal year ending June 30, 2026.

Joe Disalvo and Roger Sandau moved and seconded approval of Resolution 25-66. Unanimous, 4-0 vote. (Absent: Gorman)

ADJOURNMENT

Mayor Walsh Adjourned the meeting at 6:20 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



City Council Meeting Minutes April 7, 2025

CALL TO ORDER

Mayor Walsh called the meeting to order at 7:00 p.m. on Monday April 7, 2025.

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

Staff present: Brandon Garrett, Jodi Quakenbush and Richard Wade.

CONSENT AGENDA

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

Resolution 25-90

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

Resolution 25-91

Resolution accepting the work of Bluffs Paving & Utility Co. Inc. as complete and authorizing the release of retainage after 30 days if no claims are filed in connection with the Mid-America Center Parking Lots Rehab, Phase 4. Project # BM24-01

Resolution 25-92

Resolution setting a public hearing for 7:00 p.m. on April 21, 2025 in connection with the Kenmore Avenue Sanitary Sewer Reconstruction. Project # PW25-24

Resolution 25-97

Resolution setting a public hearing for April 21, 2025 at 7:00 p.m. on the proposal to enter into a Development Agreement with CB Power Drive Partners, LP for the construction of a multi-family housing development within the Power Drive Housing Urban Renewal Area.

Boards/Commissions, January 2025 Financial Reports, Claims and Right of Redemption

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

MAYORS PROCLAMATIONS

A. Child Abuse Prevention Month

PUBLIC HEARINGS

Ordinance 6642

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020 and setting a public hearing for April 7, 2025 at 7:00 p.m. for rezoning properties legally described as Lot 1, Sapp Bros. Truck Center from a mixture of I-2/General Industrial District and P-C/Planned Commercial District to I-2/General Industrial District; and Lot 2, Sapp Bros. Truck Center from a mixture of P-C/Planned Commercial District and C-2/Commercial District to P-C/Planned Commercial District, as set forth and defined in Chapters 15.18 and 15.21. Location: 2608 South 24th Street. ZC-25-001

Heard from John with Olsson Associates, 2111 S. 67th Street, Omaha, NE
Roger Sandau and Joe Disalvo moved and seconded approval of Second Consideration of Ordinance 6642. Unanimous, 5-0 vote.

Roger Sandau and Joe Disalvo moved and seconded approval of Motion to waive Third Consideration. Ordinance 6642 passes to law. Unanimous, 5-0 vote.

Resolutions 25-95 and 25-96

Resolution 25-95 approving request for proposals for approximately 2.22 acres of land at the southeast corner of Mohawk Street and Comanche Street.

Resolution 25-96 approving minimum development requirements, competitive criteria, and procedures for disposition of certain property located within the East Manawa Drive Housing Urban Renewal Area; and soliciting proposals in accordance with the request for proposals, and setting a public hearing for May 19, 2025 at 7:00 p.m. on the intent to accept the selected development proposal submitted.

Jill Shudak and Steve Gorman moved and seconded approval of Resolutions 25-95 and 25-96. Unanimous, 5-0 vote.

Resolution 25-98

Resolution to vacate and dispose of Lindberg Drive right-of-way adjacent to the easterly 80 feet of Lot 9, Block 1, and the westerly 30 feet of Lot 1 and all of Lot 2, Block 3, all in Oak Grove Addition.
Location: Immediately south of 724 Hazel Street. SAV-25-001

Steve Gorman and Chris Peterson moved and seconded approval of Resolution 25-98. Unanimous, 5-0 vote.

Resolution 25-99

Resolution approving the City of Council Bluffs Budget for Fiscal Year Ending June 30, 2026.

Heard from Sam Irwin, 321 Perrin Place. Sandau motioned to receive and file, seconded by Disalvo, Unanimous 5-0 vote.

Steve Gorman and Roger Sandau moved and seconded approval of Resolution 25-99. Unanimous, 5-0 vote.

Resolution 25-100

Resolution approving voluntary annexation with owners in opposition of approximately 473 acres (more/less) of land, legally described as being part of Sections 29-74-43 and 32-74-43, Pottawattamie County, Iowa and part of Sections 5-73-43 and 6-73-43, Mills County, Iowa, and being more particularly described in the case staff report. Location: Annexation area generally extending south from current City limits along South 192nd Street/BNSF Railroad right-of-way and South 189th Street, lying north of Bungee Avenue.

Heard from Sam Irwin, 321 Perrin Place and Jack Sayers, Mills County Board of Supervisors.

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-100. Unanimous, 5-0 vote.

ORDINANCES ON 1ST READING

Ordinance 6644

Ordinance providing that general property taxes levied and collected each year on all property located within the Kaneshville Urban Renewal Area, in City of Council Bluffs, County of Pottawattamie State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Kaneshville Urban Renewal Area (the Kaneshville Urban Renewal Plan.) URN-25-002

Steve Gorman and Joe Disalvo moved and seconded approval of First Consideration of Ordinance 6644. Second Consideration to be heard April 21, 2025. Unanimous, 5-0 vote.

ORDINANCES ON 2ND READING

Ordinance 6643

Ordinance providing that general property taxes levied and collected each year on all property located within the Power Drive Housing Urban Renewal Area, in City of Council Bluffs, County of Pottawattamie State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Power Drive Housing Urban Renewal Area (the Power Drive Housing Urban Renewal Plan.) URN-25-001

Jill Shudak and Joe Disalvo moved and seconded approval of Second Consideration of Ordinance 6643. Unanimous, 5-0 vote.

Roger Sandau and Joe Disalvo moved and seconded approval of Motion to waive Third Consideration. Ordinance 6643 passes to law.. Unanimous, 5-0 vote.

RESOLUTIONS

Resolution 25-101

Resolution accepting the bid of Compass Utility, LLC for the West Graham Reconstruction. Project #PW25-10

Chris Peterson and Steve Gorman moved and seconded approval of Resolution 25-101. Unanimous, 5-0 vote.

Resolution 25-102

Resolution authorizing the Mayor and City Clerk to execute an agreement with D&D Construction Services for the former Reliance Battery Factory lead-contaminated soil removal project.

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-102. Unanimous, 5-0 vote.

Resolution 25-103

Resolution temporarily vacating portions of West Broadway in connection with the Bikes on the 100 Block Special Event Application.

Roger Sandau and Steve Gorman moved and seconded approval of Resolution 25-103. Unanimous, 5-0 vote.

Resolution 25-104

Resolution temporarily vacating a portion of West Broadway in connection with the Cheers for Council Bluffs Schools Special Event Application.

Jill Shudak and Joe Disalvo moved and seconded approval of Resolution 25-104. Unanimous, 5-0 vote.

Resolution 25-105

Resolution nunc pro tunc correcting and modifying the legal description of the Kaneshville Urban Renewal Area for the Kaneshville Urban Renewal Plan. URN-25-002

Roger Sandau and Steve Gorman moved and seconded approval of Resolution 25-105. Unanimous, 5-0 vote.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor Licenses

1. 7 Days Mart, 501 South 21st Street
2. Barley's, 114 West Broadway (Special Event)
2. Lansky's, 1131 North Broadway
3. Maggie's Rodeo Saloon, 164 West Broadway
4. St. Alberts Catholic Schools, 400 Gleason Avenue (Special Event)
5. Sakura Sushi & Hibachi, 3502 Metro Drive

Noise Variance

The Dock - Live music on weekends May - October until 11:30pm.

Noise Variance

Bikes on The 100 Block - Live band until 10:30pm.

Joe Disalvo and Jill Shudak moved and seconded approval of Application for permits and cancellations Item 9A 1-5 & 9C. Unanimous, 5-0 vote.

Roger Sandau and Jill Shudak moved and seconded approval of Application for permits and cancellations Item 9B. Voice Vote, 4-0 vote. (Abstain: Disalvo)

ADJOURNMENT

Mayor Walsh Adjourned the meeting at 7:59 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



City Council Special Meeting Minutes April 9, 2025

CALL TO ORDER

Mayor Walsh called the meeting to order at 9:01 am on April 9, 2025.
Council Member present: Steve Gorman.
Council Members present via Zoom: Chris Peterson and Jill Shudak.
Council Members absent: Joe Disalvo and Roger Sandau.
Staff present: Danielle Bernis, Grant Duin, Vincent Martorello, Jodi Quakenbush and Richard Wade.

PUBLIC HEARINGS

Resolution 25-73

Resolution instituting proceedings to take additional action for the issuance of not to exceed \$930,000 General Obligation Bonds, Series 2025 (GCP-3).

Steve Gorman and Jill Shudak moved and seconded approval of Resolution 25-73. Unanimous, 3-0 vote. (Absent: Disalvo, Sandau)

RESOLUTIONS

Resolution 25-84

Resolution authorizing the issuance of \$7,855,000 General Obligation Bonds, Series 2025 and levying a tax for the payment thereof.

Steve Gorman and Chris Peterson moved and seconded approval of Resolution 25-84. Unanimous, 3-0 vote. (Absent: Disalvo, Sandau)

Resolution 25-106

Resolution that authorizes the Mayor and City Clerk to execute a contract in the amount of \$87,785.00 for the Pirate Cove Improvements, Project #R26-05 with Dostals Construction Co, Inc.

Steve Gorman and Chris Peterson moved and seconded approval of Resolution 25-106. Unanimous, 3-0 vote. (Absent: Disalvo, Sandau)

OTHER BUSINESS

Jill Shudak and Chris Peterson moved and seconded approval of Motion to defer any Dodge Park items to the May 5, 2025 meeting agenda..
Unanimous, 3-0 vote. (Absent: Disalvo, Sandau)

ADJOURNMENT

Mayor Walsh adjourned the meeting at 9:05 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.: PR-25-001

Submitted by: Christopher

Gibbons, AICP, Planning and

Code Compliance Manager

Ordinance 6645

ITEM 3.C.

Council Action: 4/21/2025

Description

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020, and setting a public hearing for May 5, 2025 at 7:00 p.m., by appending a PR-2/Planned Residential Overlay on property legally described as the west 110 feet of Lot 1, Block 5, Park Addition, as defined in Chapter 15.28. Location: 1003 High Street. PR-25-001

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	4/10/2025
Attachment A: Letter of Intent and 'The Upper Room' Program Information	Letter	4/10/2025
Attachment B: Location/zoning map	Map	4/10/2025
Attachment C: Amber and Ross Miller opposition email	Other	4/10/2025
Attachment D: Amber Dobbs opposition email	Other	4/10/2025
Attachment E: Nikki Ferguson support email	Other	4/10/2025
Attachment F: Existing site condition photographs	Other	4/10/2025
Exhibit A: Letters of support submitted by the applicant at the April 8, 2025 Planning Commission meeting	Letter	4/10/2025
Notice of Public Hearing	Notice	4/10/2025
Ordinance 6645	Ordinance	4/16/2025

City Council Communication

<p>Department: Community Development</p> <p>CASE #PR-25-001</p> <p>Applicant/Property Owner: Heidi Mazel 12618 Polo Place Broomfield, CO 80020</p> <p>Representative: Gabrielle (Gabby) Dowdy 1003 High Street Council Bluffs, IA 51503</p>	<p>Ordinance No. _____</p> <p>Resolution No. _____</p>	<p><u>City Council</u></p> <p>1st Consideration: 4/21/2025 2nd Consideration: 5/5/2025 3rd Consideration: 5/19/2025</p> <p>Planning Commission: 4/08/2025</p>
Subject/Title		
<p>Request: Public hearing on the request of Heidi Mazel, represented by Gabrielle Dowdy, to append a PR-2/Planned Residential Overlay and to adopt the associated development plan for a 'boarding, lodging, rooming house' on property legally described as the West 110 feet of Lot 1, Block 5, Park Addition, City of Council Bluffs, Pottawattamie County, Iowa.</p> <p>Location: 1003 High Street, Council Bluffs, Iowa 51503</p>		
Background/Discussion		
<p>The Community Development Department has received an application from Heidi Mazel, represented by Gabrielle Dowdy, to append a PR-2/Planned Residential Overlay onto property located at 1003 High Street and legally described as the west 110 feet of Lot 1, Block 5, Park Addition, City of Council Bluffs, Pottawattamie County, Iowa, and to adopt the associated development plan. The applicant operates a non-profit organization (The Upper Room) that provides structured support services and housing for single women and women with children who have experienced domestic violence, sexual exploitation, homelessness, and/or addictions. Per the applicant's letter of intent, a maximum of four women (with or without children) will live at 1003 High Street for six-months to two years and will commit to 'The Upper Room's' faith based programming and therapeutic environment. There will be one on-site staff member who will help the program participants accomplish their short-term and long-term goals relative to building life-skills, healthy habits, parenting, and mentorship. A full description of 'The Upper Room' program is included with this report as Attachment 'A'.</p> <p>The applicant is requesting approval to append a PR-2/Planned Residential Overlay to the subject property so that they can convert the property from a single-family residential dwelling into a four-unit 'boarding, lodging, rooming house'. The property is zoned R-3/Low Density Multifamily Residential District, which allows a 'boarding/rooming/lodging house' as a permitted use. However, as the site is only 7,480 square feet as opposed to the minimum 7,500 square feet required for a multi-family structure in the R-3 District, the applicant is requesting to append a PR-2 Overlay and to adopt an associated development plan to allow the proposed use at the subject property, with a non-conforming lot size for a multi-family structure.</p>		

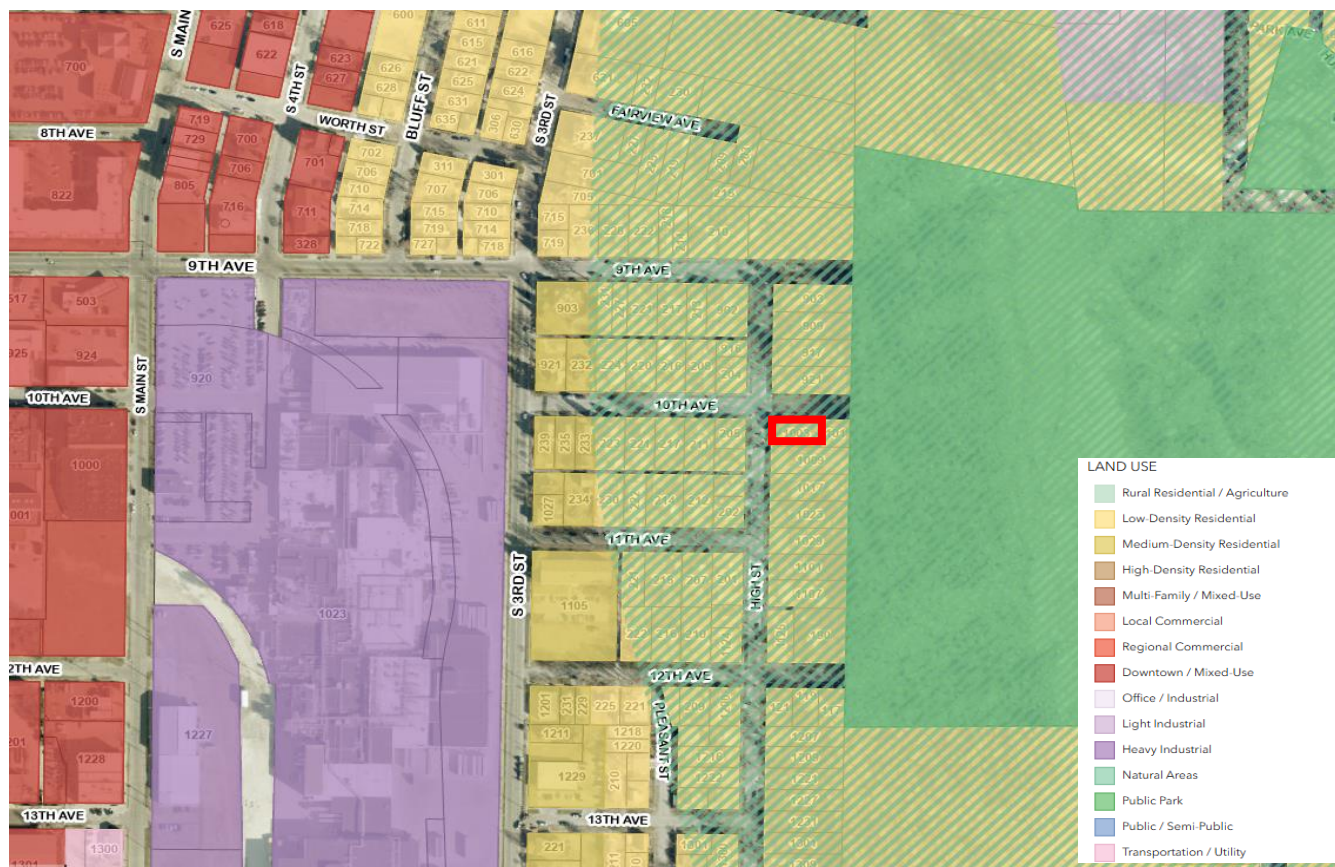
Land Use/Zoning

The subject property is zoned R-3/Low Density Multi-Family Residential District and contains an existing single-family residential dwelling. Surrounding land uses and zoning districts are summarized below:

Direction	Existing Zoning Districts	Existing Land Uses
North	R-3/Low Density Multi-Family Residential District	Single-family residential dwellings
South	R-3/Low Density Multi-Family Residential District	Single-family residential dwellings
East	R-3/Low Density Multi-Family Residential District and A-2/Parks, Estates, and Agricultural District	Single-family residential dwelling and Fairmount Park (City-owned)
West	R-3/Low Density Multi-Family Residential District	Single-family residential dwellings

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

The future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) designates the subject property as 'Medium Density Residential' and part of the 'Loess Hills Preservation Area' (see map below). The proposed 'boarding, lodging, rooming house' is consistent with the Medium Density Residential land use designation.



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

- A. Amber and Ross Miller, 1009 High Street, Council Bluffs, IA, stated they are opposed to the request due to concerns the proposed 'boarding, lodging, rooming house' will have a negative impact on their neighborhood. They are also opposed to the request due to negative online reviews about The Upper Room's affiliated company (Shannon's Hope) in Colorado (see Attachment C).
- B. Amber Dobbs, on behalf of Dobbs Holdings, LLC, 204 10th Avenue, Council Bluffs, IA, stated she is opposed to the request due to inadequate space for a 'boarding, lodging, rooming house' to operate on the subject property. Ms. Dobbs stated there are other areas of the city where this use can successfully operate. Ms. Dobbs is also concerned 'The Upper Room' is advertising their Council Bluffs site online when the proposed 'boarding, lodging, rooming house' has not been approved by the City of Council Bluffs (see Attachment D).
- C. Stanley Gregory, 101 10th Avenue, stated he is opposed to the request as it is not a compatible land use in the neighborhood. Mr. Gregory also stated the city should expand their 200' public notification boundary to include more landowners for similar type requests.
- D. Niki Ferguson, Manager, Entrepreneurial Development, Advance Southwest Iowa Corporation, provided the Community Development Department an email of support for the proposed request (see Attachment E).

City Departments and Utilities – All applicable City departments and utilities were notified of the proposed request and following comments were received:

A. Council Bluffs Community Development Department stated the following:

- 1. The applicant's letter of intent states the property will be used as a 'group home' for single women who have experienced domestic violence, sexual exploitation, homelessness, and/or addictions, and their children. Program participants will be living at this location for a period of time between six months to two years.

A 'group home' is defined in Section 15.03.320 of the Council Bluffs Zoning Ordinance as *"a boarding, lodging or rooming house operated by a nonprofit corporation, which provides shelter and personal care or counseling to families or individuals on a temporary emergency basis not to exceed ninety (90) days per roomer. However, the term shall not include any home which is required to be licensed pursuant to any state regulations"*.

A 'group care home' is a permitted use in the R-3 District; however, all program participants will be living at the subject property for longer than 90-days, which exceeds the maximum time allowed for a group care home. The use cannot be considered a 'group care home' based on the duration of time each program participant will be living at the subject property.

- 2. A 'boarding, lodging, rooming house' is a permitted use in the R-3 District and is defined in Section 15.03.080 of the Council Bluffs Zoning Ordinance as *"a rooming house, as defined CBMC 17.01"*.

Section 17.01.010, Definitions, of the Council Bluffs Housing Ordinance defines a 'rooming house' as *"any dwelling or that part of any dwelling containing one or more rooming units in which space is let by the owner or operator to one or more roomers"*.

Section 17.01.010, *Definitions*, of the Council Bluffs Housing Ordinance defines a ‘rooming unit’ as “Any room or group of rooms forming a single habitable unit in a rooming house, used or intended to be used for living or sleeping, but not for cooking or eating”.

The submitted floor plans (see Attachment A) shows the building is comprised of three separate levels. Level one is the basement is used for storage and utilities. No bedrooms and/or rooming units are proposed in the basement level. Level two serves as the primary shared living space and is comprised of kitchen/laundry room, dining room, living room, bathroom with a shower, and staff office. Level three is comprised of a bathroom with a shower, three bedrooms for program participants, and one staff bedroom with a walk-out deck. Based on the layout of the building and the use of each level, City staff determined the building will be converted from a single-family dwelling into a ‘boarding, lodging, rooming house’, which is considered a multi-family residential use.

3. The subject property is zoned R-3/Low Density Multi-Family Residential District and contains 7,480 square feet of land area, as per the Pottawattamie County Assessor’s Office. The minimum lot size for a 3-to-4-unit multi-family residential dwelling in an R-3 District is 7,500 square feet, as per Section 15.10.040 of the Council Bluffs Municipal Code (Zoning Ordinance). The subject property is 20 square feet under the minimum lot size (7,500 square feet) requirements for a multi-family residential use.

City staff advised the applicant of this deficiency and informed them they could not convert the building into a 'boarding, lodging, rooming house'. The applicant asked for options to allow the 'boarding, lodging, rooming house' with this deficiency and were provided the following information:

- Comment 1: Request a variance from Section 15.10.040, *Site development standards, R-3 District*, of the Council Bluffs Zoning Ordinance, relative to minimum lot size for a multi-family residential dwelling. This request would be reviewed by the Council Bluffs Zoning Board of Adjustment (ZBA) in accordance with the requirements outlined in Section 15.02.080, *Variances*, of the Council Bluffs Zoning Ordinance and would require the ZBA to make a determination that the property has an unnecessary hardship for complying with the lot size requirements stated said Section 15.10.040 of the Council Bluffs Zoning Ordinance, based on the below five findings of fact, as required by Iowa Code:
 - i. *The particular property, because of size, shape, topography or other physical conditions suffers singular disadvantage through the application of this ordinance, which does not apply to other properties in the vicinity.*
 - ii. *Because of such disadvantage, the owner is unable to make reasonable use of the affected property.*
 - iii. *The disadvantage does not exist because of conditions created by the owner or previous owners of the property.*
 - iv. *Granting the variance will not confer on the applicant any special privileges that are denied by this ordinance to other properties or structures in the same district.*
 - v. *Granting the variance will not be contrary to the public interest, will not adversely affect other property in the vicinity, and will be in harmony with the purpose and intent of this ordinance.*

- Comment 2: Request an amendment to Section 15.10.040, Site development standards, R-3 District, of the Council Bluffs Zoning Ordinance relative to minimum lot size for a multi-family residential dwelling. The process of approval includes public hearings at the City Planning Commission and City Council. If successful, the change would be applicable to all properties zoned R-3 District in the City of Council Bluffs.
- Comment 3: Request to append a PR-2/Planned Residential Overlay and to adopt a site-specific development plan for their proposed 'boarding, lodging, rooming house' for the subject property. The process of approval includes public hearings at the City Planning Commission and City Council, as well as, notifying all property owners within 200' of the subject property of the request. Additionally, the applicant must prepare a set of plans in accordance with Section 15.28, P-R/Planned Residential Overlay of the Council Bluffs Zoning Ordinance.

As per Section 15.28.020, PR/Planned Residential Overlay, of the Council Bluffs Municipal Code (Zoning Ordinance), a PR-2 Overlay for site-specific development may be applied to any property zoned R-1, R-1E, R-2, R-3, or R-4 if it contains no more than 1 ½ acres of total land area and includes one of the following:

- i. A minimum of two (2) residential structures.
- ii. A minimum of one (1) residential structure that contains a minimum of two (2) dwelling units.
- iii. A minimum of one (1) mixed commercial-residential structure.

The combination of the property size being less than 1 ½ acres and use of the property as a multi-family residential dwelling (boarding, lodging, rooming house) met the minimum threshold standards for being eligible for a PR-2 Overlay. City staff informed the applicant that the use of the PR-2 Overlay to circumvent the minimum lot size requirements for a multi-family residential dwelling, which is not part of a broader master-planned development, is concerning from a zoning administration standpoint as it could set a bad precedent for future multi-family projects in the city.

The applicant ultimately decided to pursue the PR-2 Overlay/development plan options rather than seek a variance or change the minimum lot size requirements for a multi-family residential dwelling in an R-3 District, as discussed above.

4. The subject property contains sufficient land area to be used as a single-family residential dwelling, two-family dwelling (duplex), or single-family attached dwelling, as per Section 15.10.040, Site development regulations, R-3/Low Density Multi-Family Residential District, of the Council Bluffs Municipal Code (Zoning Ordinance).
5. The minimum number of required off-street parking spaces for a single-family dwelling is two spaces and the minimum number of required off-street parking spaces for a 'boarding, lodging, rooming house' is one-half space for each rooming unit, as per Section 15.23.060, Parking Spaces Required, of the Council Bluffs Zoning Ordinance. The submitted floor plan shows a total of four rooming-units on the second floor (one of which is a staff bedroom). Based on the aforementioned parking calculation, a total of two off-street parking spaces are required for the proposed 'boarding, lodging, rooming house'.

The subject property has an existing one-stall garage and a driveway that measures 16 feet-wide

by 64 feet-deep. Additionally, on-street parking is available on High Street and 10th Avenue for overflow parking. The combination of the existing one-stall garage and the 16'x 64' concrete driveway provides conforming parking for the single-family dwelling. The driveway has sufficient space to provide two off-street parking spaces for proposed 'boarding, lodging, rooming house'; however, the driveway is not designed to comply with the parking requirements for a multi-family use, which requires a minimum five-foot setback from adjacent property lines, landscaping, handicap accessible stall(s), and a two-way drive aisle for traffic circulation. In addition to seeking relief from the minimum lot size requirement for a 'boarding, lodging, rooming house', the applicant is also seeking relief from having to provide a conforming parking lot for their proposed use through the adoption of a PR-2 development plan. This request is being made due to the topography of the site and existing site conditions which make it challenging to construct a conforming parking lot on the subject property. Additionally, the applicant wants to maintain a residential appearance to the property so that their 'boarding, lodging, rooming house' does not detract from the character of the surrounding neighborhood. An expansive parking lot on the subject property could potentially be perceived as being out of character for the surrounding neighborhood.

City staff also made the applicant aware that using the PR-2 Overlay/development plan process to circumvent parking lot design standards for a multi-family use, which is not part of a broader master planned development, could set a bad precedent for future multi-family projects in the city.

- B. Council Bluffs Public Works Department stated they have no comments for the proposed request.
- C. Council Bluffs Permits and Inspections Division stated the change of use from a single-family dwelling to a 'boarding, lodging, rooming house' will require a licensed Iowa architect to perform a code review, and a licensed general contractor must pull permits for any required new work.
- D. Council Bluffs Fire Department stated that anymore than five clients (not including staff) will require a fire sprinkler system to be installed in the proposed 'boarding, lodging, rooming house'.
- E. Council Bluffs Police Department stated they have no concerns or objections to the request.
- F. Council Bluffs Parks and Recreations Department stated they have no comments for the request.
- G. Council Bluffs Water Works stated they have no comments for the request.

Planned Residential Development Plan – Section 15.28.010, *Statement of Intent*, PR/Planned Residential Overlay, of the Council Bluffs Municipal Code (Zoning Ordinance) states that *“the Planned Residential Overlay is established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of requirements of the underlying zone would not be inconsistent with the comprehensive plan or harmful to the surrounding neighborhoods.”* The purpose of this request to convert a single-family residential dwelling in an R-3/Low Density Multi-Family Residential District into a 'boarding, lodging, rooming house'. Photographs that document the existing conditions of the property area included with this report as Attachment 'F'. The following standards shall only be applicable to the proposed multi-family residential dwelling conversion:

A. Site Development

1. The subject property contains an existing single-family dwelling that is being converted into a multi-family residential dwelling (boarding, lodging, rooming house). All uses on the subject property shall

comply with Chapter 15.10, *R-3/Low Density Multi-Family Residential District* and Chapter 15.28, *P-R/Planned Residential Overlay*, of the Council Bluffs Zoning Ordinance.

2. No new building additions and/or accessory structures are proposed at this time, as per the applicant's submitted application. Any new building additions/modification and/or accessory structures built on the property shall comply with Section 15.10.050, *Site Development Standards*, R-3/Low Density Multi-Family Residential District of the Council Bluffs Municipal Code.
3. The subject property has a six-foot tall wooden privacy fence around the existing residential dwelling. The portion of the within the fence that are located within the front and street side yards are non-conforming, as they exceed the maximum six feet allowed in said yards, as per Section 15.24.040, *Fence Regulations*, of the Council Bluffs Municipal Code (Zoning Ordinance). The fence was constructed prior to the applicant purchasing the subject property and they intend to keep it in order to provide privacy and security for their on-site program participants. The fence shall be allowed to remain in-place for safety and security purposes for the on-site program participants. In the event the property is no longer being used as a 'boarding, lodging, rooming house', the fence shall be retrofitted to comply with current fence regulations if it's destroyed by 50% or more of its replacement value. Any modifications to the existing fence and any new fencing added to the property shall comply with the standards stated in Section 15.24.040, *Fence Regulations*, of the Council Bluffs Municipal Code (Zoning Ordinance).

B. Off-Street Parking

1. The required number of off-street parking spaces for the subject property shall be based on the standards in Section 15.23.060, *Parking Spaces Required*, of the Municipal Code (Zoning Ordinance).
 - a. The total number of required off-street parking for a 'boarding, lodging, rooming house' is based on a calculation of one-half space per rooming unit, as per Section 15.23.060, *Parking Spaces Required*, of the Council Bluffs Municipal Code (Zoning Ordinance). Based on the number of rooming units (4) and said parking calculation, a minimum of two off-street parking spaces shall be required for the 'boarding, lodging, rooming house'. There is an existing one-stall garage and a 16' x 64' paved driveway that can be used to provide the required amount of off-street parking on-site (see Attachment F). Additionally, on-street parking is available on 10th Avenue and High Street for any overflow parking needs.
2. All off-street parking areas shall be designed to comply the standards for one-and-two family uses, as per Section 15.23, *Off-Street Parking, Loading, and Unloading* of the Council Bluffs Zoning Ordinance in order for the property to maintain a residential appearance that is compatible with the surrounding neighborhood.

C. Landscaping

1. All existing and proposed new landscaping on the property shall be maintained in accordance with all applicable City codes.
2. All proposed raised garden beds shall be kept behind the six-foot-tall privacy fence and shall be maintained in accordance with applicable City codes.

D. Architecture

1. Any additions/modifications to the existing residential dwelling and/or new accessory structures built on the subject property shall be designed with a residential appearance that is compatible with the architectural character/design of the surrounding neighborhood.

E. Signage

1. Only exempt signs and temporary signs shall be permitted on the subject property, in accordance with Sections 15.33.080 and 15.33.090 of the Council Bluffs Municipal Code (Zoning Ordinance).

F. Miscellaneous

1. The property shall not be used as an emergency shelter, as defined in Section 15.03.250, Emergency Shelter and Homeless Service Center, of the Council Bluffs Zoning Ordinance.
2. The conversion of the building from a single-family residential dwelling into a multi-family residential dwelling (boarding, lodging, rooming house) shall comply with all applicable Federal, State, and local codes and ordinances.
3. Any modifications to the approved development plan which substantially alters the design, layout, configuration, and/or appearance of the property and/or intensity of the 'boarding, lodging, rooming house' 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.

Recommendation

The Community Development Department recommends denial of the request from Heidi Mazel to append a PR-2/Planned Residential Overlay and to adopt the associated development plan for a 'boarding, lodging, rooming house' on property legally described as the West 110 feet of Lot 1, Block 5, Park Addition, City of Council Bluffs, Pottawattamie County, Iowa, based on staff comments above.

Public Hearing

Staff speakers for the request:

1. Christopher Gibbons, AICP. Planning and Code Compliance Manger, City of Council Bluffs, 209 Pearl Street, Council Bluffs IA, 51503

Speakers in favor:

1. Gabrielle Dowdy, 1003 High Street, Council Bluffs, IA 51503
2. Leslie Pottebaum, 16155 W. 74th Drive, Arvada, CO 80007
3. Camille Mandono, 9990 Jasper Street, Commerce City, CO 80022
4. Joseph Hall, 5322 Hardings Landing Road, Council Bluffs, IA 51501
5. Patti McAtee, 22465 Three Bridge Road, Council Bluffs, IA 51503
6. Bill Davis, 23521 Old Lincoln Highway, Crescent, IA 51526
7. Jensen Dowdy, 23521 Old Lincoln Highway, Crescent, IA 51526
8. Mary Cummings, 3529 11th Avenue, Council Bluffs, IA 51501
9. Jolene Lee, 8 Osage Street, Council Bluffs, IA 51501

10. Dave McAtee, 22493 Mudhollow Road, Council Bluffs, IA 51503
11. Cynthia Williams, 2363 Waubonsie Avenue, Thurman, IA 51654

Speakers against:

1. Ross Miller, 1009 High Street, Council Bluffs, IA 51503
2. Carolynn Storm, 921 High Street, Council Bluffs, IA 51503
3. Amy Guzman – 1023 High Street, Council Bluffs, IA 51503
4. Christine Merrill, 1023 High Street, Council Bluffs, IA 51503
5. Jason Kuehnhold, 2006 8th Avenue, Council Bluffs, IA 51501

The Planning Commission recommended denial to append a PR-2/Planned Residential Overlay and to adopt the associated development plan for a 'boarding, lodging, rooming house' on property legally described as the West 110 feet of Lot 1, Block 5, Park Addition, City of Council Bluffs, Pottawattamie County, Iowa, based on reasons stated above, and as per staff's recommendation.

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

Attachments

Attachment A: Letter of Intent and 'The Upper Room' Program Information

Attachment B: Location/zoning map

Attachment C: Amber and Ross Miller opposition email

Attachment D: Amber Dobbs opposition email

Attachment E: Nikki Ferguson support email

Attachment F: Existing site condition photographs

Exhibit A: Letters of support submitted by the applicant at the April 8, 2025 Planning Commission meeting

Prepared by: Christopher Gibbons, AICP, Planning and Code Compliance Manager



UPPER ROOM

Attachment A

✉ info@The-Upper-Room.org

☎ (712) 310 - 8572

March 11, 2025

City of Council Bluffs
Attn: City Council
209 Pearl Street
Council Bluffs, Iowa 51503

RE: Planned Residential Development Request Plan
- Reclassification of Single-Family Home to Boarding, Rooming, and
Lodging House
- The Upper Room, 1003 High Street, Council Bluffs, Iowa

Honorable City Council Members,

We are writing to express our interest in reclassifying 1003 High Street from a single-family home to a boarding, rooming, and lodging house for The Upper Room, a non-profit organization.

Our Story

Founded in Arvada, Colorado in 1982, Shannon's Hope was created to provide a refuge for homeless pregnant women and become a voice for the unborn. Shannon's Hope has evolved to home, currently serving women and children coming out of crisis, which encompasses domestic violence, sexual exploitation, homelessness, and addictions. We are not a shelter but operate as a group home model offering a long-term program that allows women to find safety and begin a new life of healing and resiliency. Shannon's Hope has existed for 45 years, empowering approximately 2,250 families, and that number continues to grow. The Upper Room is the expansion into Council Bluffs and will be offering the same program.

Colorado to Council Bluffs

Beginning in 2017, Gabrielle (Gabby) Dowdy, began serving the Denver-area communities by working with Shannon's Hope and assisting with their anti-trafficking efforts. Gabby learned that one-third of the women in communities throughout the country are victims of domestic violence, one third are substance abusers, and the other third are homeless. Building upon the work being done in Colorado, Gabby's passion to serve women coming out of crisis brought her to Council Bluffs in 2024 when the concept of The Upper Room was born.

Who We Are / What To Know

The Upper Room is a branch of Shannon's Hope in Colorado - a home for women and children coming out of crisis, which encompasses domestic violence, sexual exploitation, homelessness, and addictions. Serving as a group home, The Upper Room is not a shelter. We are a Christian home that teaches women parenting, life skills, healthy habits, and much-needed Bible studies.

Safe Harbor for New Beginnings

www.The-Upper-Room.org



UPPER ROOM

✉ info@The-Upper-Room.org

☎ (712) 310 - 8572

What to Know / Services Offered

Our program is a six-month to two-year program. We offer a sober, faith-based and therapeutic environment for women and children. The program consists of setting and accomplishing short-term and long-term goals, life skills, health and safety plans, and mentorship. The goal for The Upper Room is to break generational dependencies to enable a brighter future for their children. Our mentorship provides them with the opportunity to grow into a healthy, more cohesive family in which they can succeed. The independence they gained will allow them to reenter the community as a stronger member of society.

Hours of Operation

Operating hours are twenty-four hours a day, three hundred and sixty-five days a year. We will have two staff members on site daily, and one will be our overnight staff. Adhering to the five people in the house who can stay overnight, we will have four clients, a combination of a single woman, or a woman with a child, to make the four clients. The fifth person will be the staff member who stays at the house with the clients.

Collaboration / Partnerships

In this program, we meet our clients where they are, and they will receive an individualized program to meet their specific needs in mental health support, addiction recovery, and medical support from local health providers and Heartland Family Services. We will also provide a four-level program where the clients complete weekly tasks, find a job to further their independence, and leave our program ready to live independently.

Financial Sustainability

The Upper Room is privately funded through donations to its nonprofit organization and contributions through Shannon's Hope. To stay enrolled in the program, our clients must pay their program fee, meet with staff weekly for program accountability, fulfill program requirements, remain sober and clean, and complete all mental, substance, and medical support conditions. We also have consequences for clients if they do not satisfy the program requirements.



UPPER ROOM

✉ info@The-Upper-Room.org

☎ (712) 310 - 8572

Need

We believe that opening this group home will offer the Council Bluffs community many opportunities to better the lives of its clients and aid those suffering from domestic violence, sexual exploitation, homelessness, and addictions. We also hope to encourage our clients to give back to the community, for example, volunteering at churches, within the neighborhood in which we live, and with other non-profit organizations.

Reclassification Request

The Upper Room is submitting this Letter of Intent for the Planned Residential Development Plan to reclassify the home from a single-family home to a boarding, rooming, and lodging house. **Currently, the City of Council Bluffs requires the lot to be 7,500 square feet for the house to be classified as a boarding, rooming, and lodging house. Unfortunately, the current single-family residential lot size at 1003 High Street is 7,480 square feet - only 20 square feet short of the required square footage needed to be reclassified.** Based on this lot's size, we kindly request you consider this reclassification request.

Please know that we understand that living in a close-knit community such as Council Bluffs requires us to continue building strong connections with our neighbors to create a safer and more pleasant living environment and help foster a sense of belonging. We want to be good neighbors, cultivate a strong community bond with those we live and work with, and expand our community partnerships.

Contact

We believe that God can turn beginnings into purpose and want to offer new beginnings to the women in the Council Bluffs community. Thank you for your time and consideration. If you have any questions, please contact The Upper Room Director Gabrielle (Gabby) Dowdy at 303-949-1158 or at gabbyd@the-upper-room.org. We look forward to discussing this opportunity with you further.

Blessings,

Gabby Dowdy

Shannon's Hope and The Upper Room

Safe Harbor for New Beginnings

www.The-Upper-Room.org

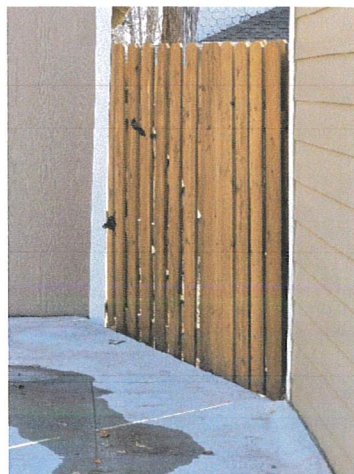
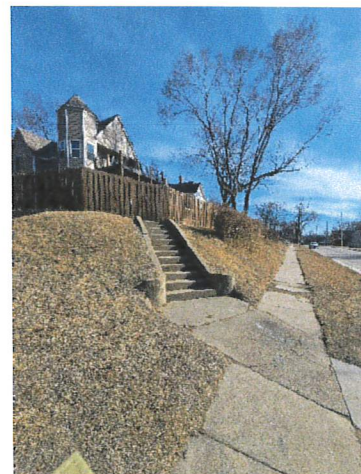
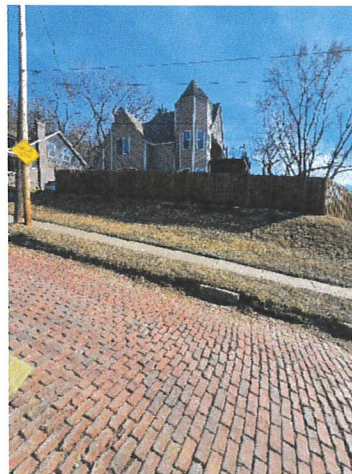
Landscape Plan

The Upper Room is excited to utilize the property at 1003 High St. This unique house has undergone significant renovations. It offers a sound structure that can become a Boarding, Rooming, and Lodging house. In the before and after photos, you can see significant changes. These changes also include a six-foot privacy fence that will afford our clients and neighbors fewer disruptions in our yards. The fenced area will also provide a protected area for the moms and children to play outside safely.

We plan to create a backyard gardening space for our clients to grow their food. We will also bring in a raised garden therapist to offer our clients therapy through gardening. This lot is therapeutic and an oasis for our clients to restructure and regain their lives.

The yard is pristine, and we plan to keep it that way. To maintain curb appeal, we will add more shrubs to the fence line facing 8th St. and add flowers to appeal to the neighborhood.

In the following pictures, you will see the fence around the yard.



The last picture shows the backyard where we will put our raised garden.



Parking Plan

The zoning and Codes require us to have one half of a parking space per living quarter/bedroom and a parking pad nine feet wide by fourteen feet deep. Our current driveway is sixteen feet wide and sixty-four feet deep. We can fit four cars in the driveway at any time. Most clients that come to us do not have a car. If they do have a car, they may park in the driveway. There is off-street parking on High Street for our short-term guests to use.

Typically, our guests consist of Case Workers, Volunteers, and other Service Providers. We plan to have only one staff member car at the house.



Driveway



Off street parking - High Street

OUR HISTORY

After 42 years of operating a safe house in Colorado, Shannon's Hope has decided to branch out into other states. The Upper Room is a safe home branch of Shannon's Hope serving Council Bluffs, Iowa, and the surrounding areas. The home will offer sober living, program work, and partnership with the community to provide safety, mental health resources, parenting support, and more. We strive to support women with or without children to reach their full potential and reenter society after experiencing crisis and trauma. The Upper Room will offer life skill classes, parenting classes, trauma-based classes, and group therapy in a family-style living opportunity.

CONTACT US

✉ info@the-upper-room.org

🌐 www.the-upper-room.org

☎ 712-310-0572

*Guided by Faith,
Driven by Compassion*



ABOUT US

The Upper Room is a crisis center for women and children coming out of crisis, domestic violence, exploitation, homelessness, and addictions. We strive to offer a haven for individuals to find mental health resources, life skill training, support, mentorship, and care through difficult times to find healing and help as they gain independence.

The Upper Room



I have heard your prayer and
seen your tears; I will heal you.

2 Kings 20:5

OUR MISSION

The Upper Room exists as a Christ-centered sober living refuge for single women, pregnant mothers, and mothers with children who are experiencing homelessness, battling addictions, domestic violence, and exploitation.

OUR SERVICES

- Life Planning
- Mentorship
- Resource Navigation
- Care and Support
- Life Skill Classes
- Job Readiness
- Prenatal Care
- Parenting Classes
- Community Resources
- Recovery Care

- UR Welcome
- UR Seen
- UR Cherished
- UR Loved
- UR Safe
- UR Home



*Now Serving
Council Bluffs,
Iowa*



Use of the House

The Upper Room plans to use the house in a community living arrangement. According to the Fire Marshall, we can house five people.

Kitchen: The kitchen will be a space for all our clients and staff to prepare meals.

First Level Bathroom: Community bathroom.

Dining Room: The dining room will host community meals, individual meals, group classes, and community meetings.

Office: Staff office and confidential one-on-one meetings.

Living Room: This is a shared area for relaxation and group meetings.

Foyer and Entry Closet: The foyer will house our communication boards and schedules. The Entry Closet contains strollers, car seats, and baby swings.

First Level Deck/Porch: Shared community area.

Second Level Deck/Porch: Staff Deck.

Bedroom Connected to the Upper Deck: This bedroom is the largest. We plan to convert the one room to two rooms. Converting the bedroom to two rooms will give us one small bedroom with access to the upper deck. The small bedroom will be the staff bedroom where one staff member can sleep. The second bedroom will be able to house one or two single women.

Bedroom Facing 8th St.: One mom and one child or two single women will stay in this room.

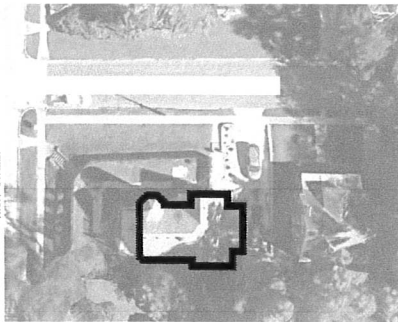
Bedroom Facing the Backyard: This room will accommodate one mom and one child or one single woman.

Second Level Bathroom: Community bathroom.

Basement: Storage.

Google Maps

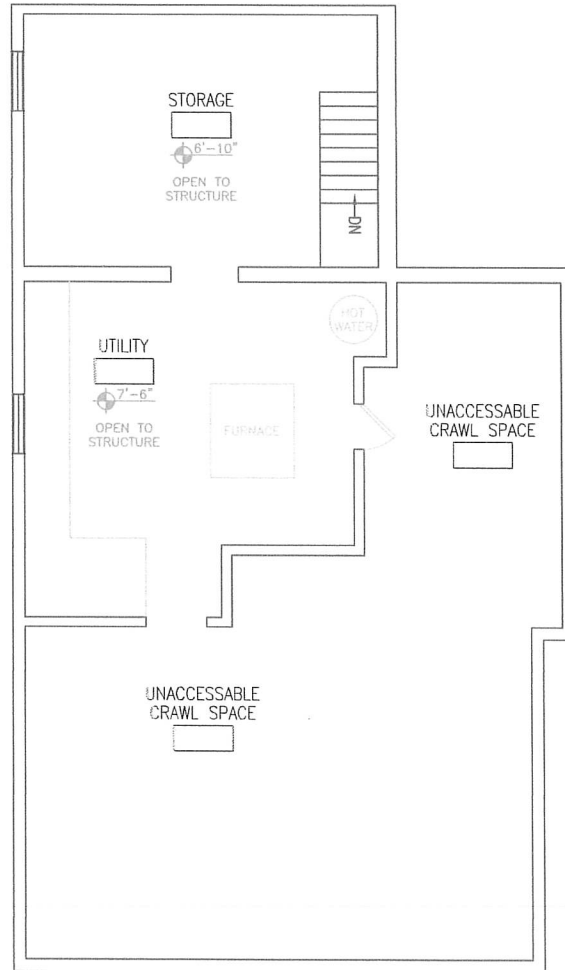
1003 High St



10TH AVENUE

HIGH STREET

Google

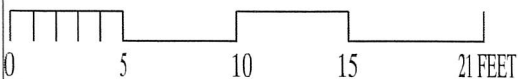


BASEMENT LEVEL

1/8" = 1'-0"

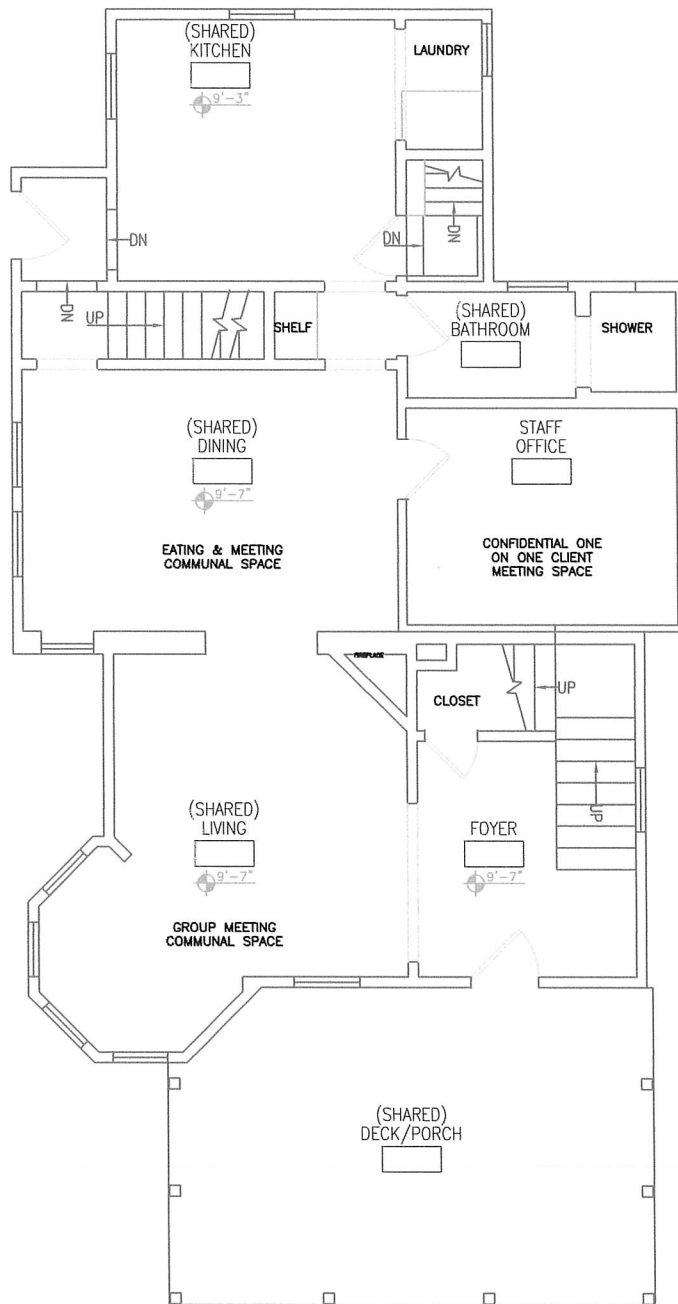
390 SQFT

1003 HIGH STREET
COUNCIL BLUFFS, IOWA, 51503




A-2.0

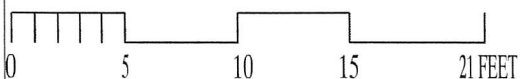
5 TOTAL OCCUPANTS
 1 STAFF MEMBER
 4 CLIENTS



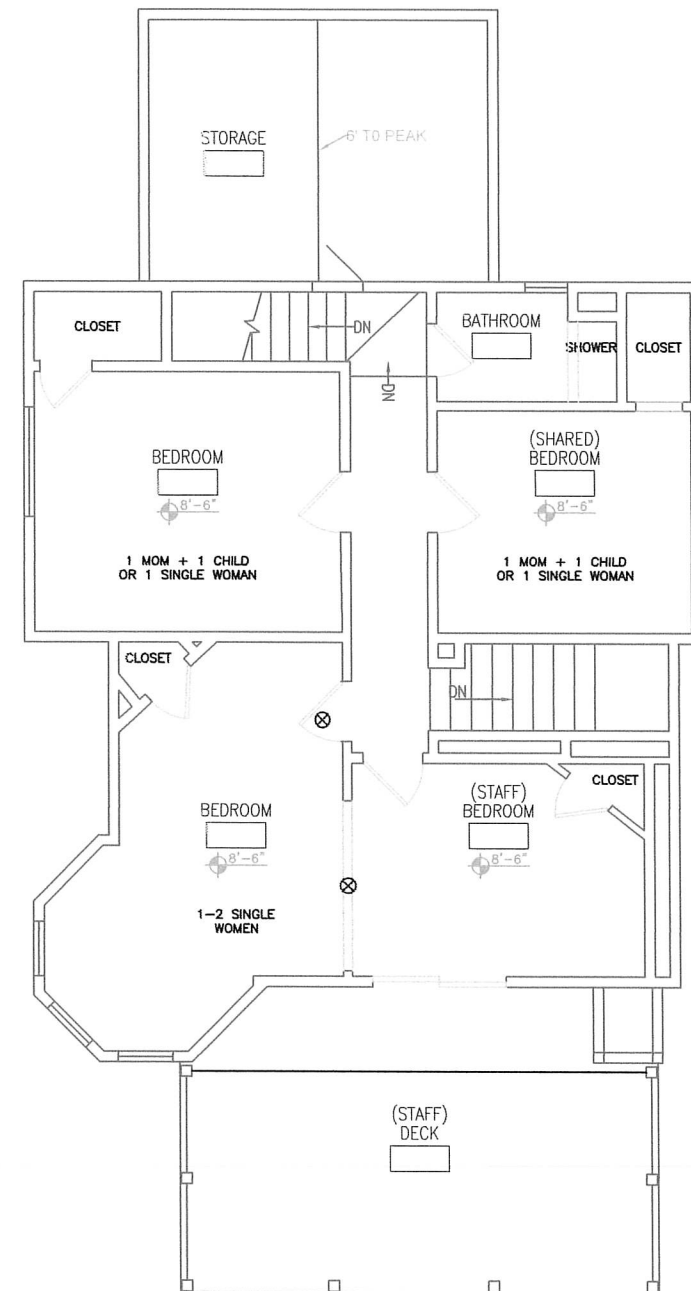
1,046 SQFT

 **1ST LEVEL**
 1/8" = 1'-0"
 NORTH


1003 HIGH STREET
 COUNCIL BLUFFS, IOWA, 51503



A-2.1

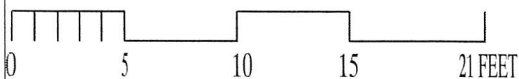


⊗ FUTURE: ADD A WALL
& DOOR TO DIVIDE
THIS ROOM INTO 2
SEPARATE SPACES.

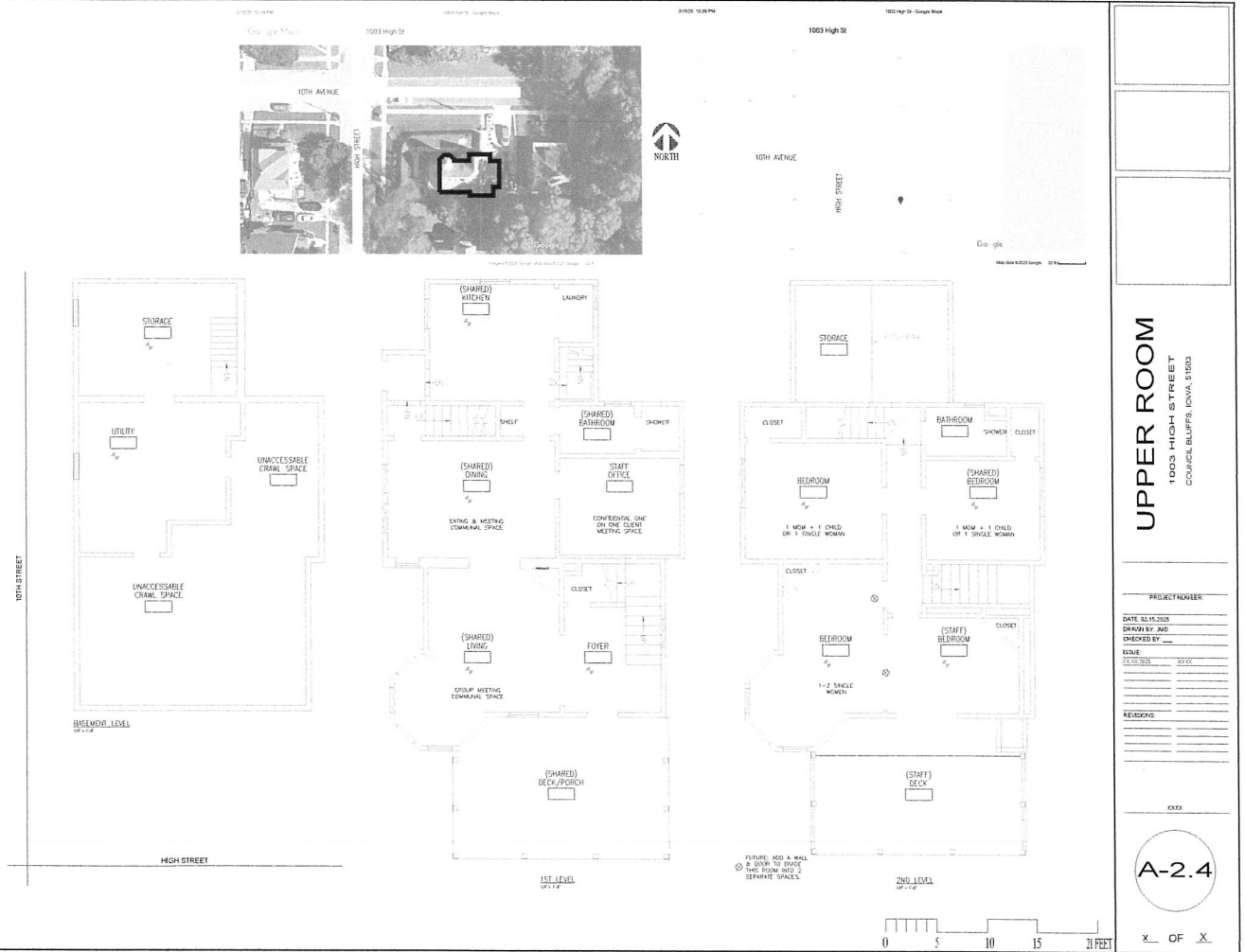
 **2ND LEVEL**
1/8" = 1'-0"
NORTH

1,034 SQFT

1003 HIGH STREET
COUNCIL BLUFFS, IOWA, 51503



A-2.2



2011:



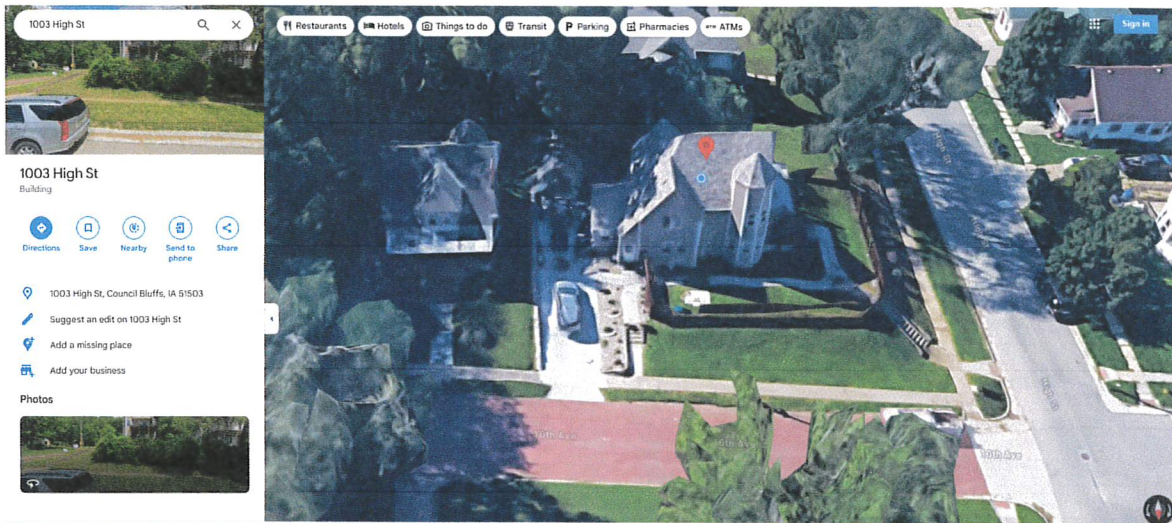




2021:








CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

CASE #PR-25-001 LOCATION/ZONING MAP

Attachment B

Legend

 Subject Property
Case #PR-25-001

0 20 40



1 inch = 30 feet

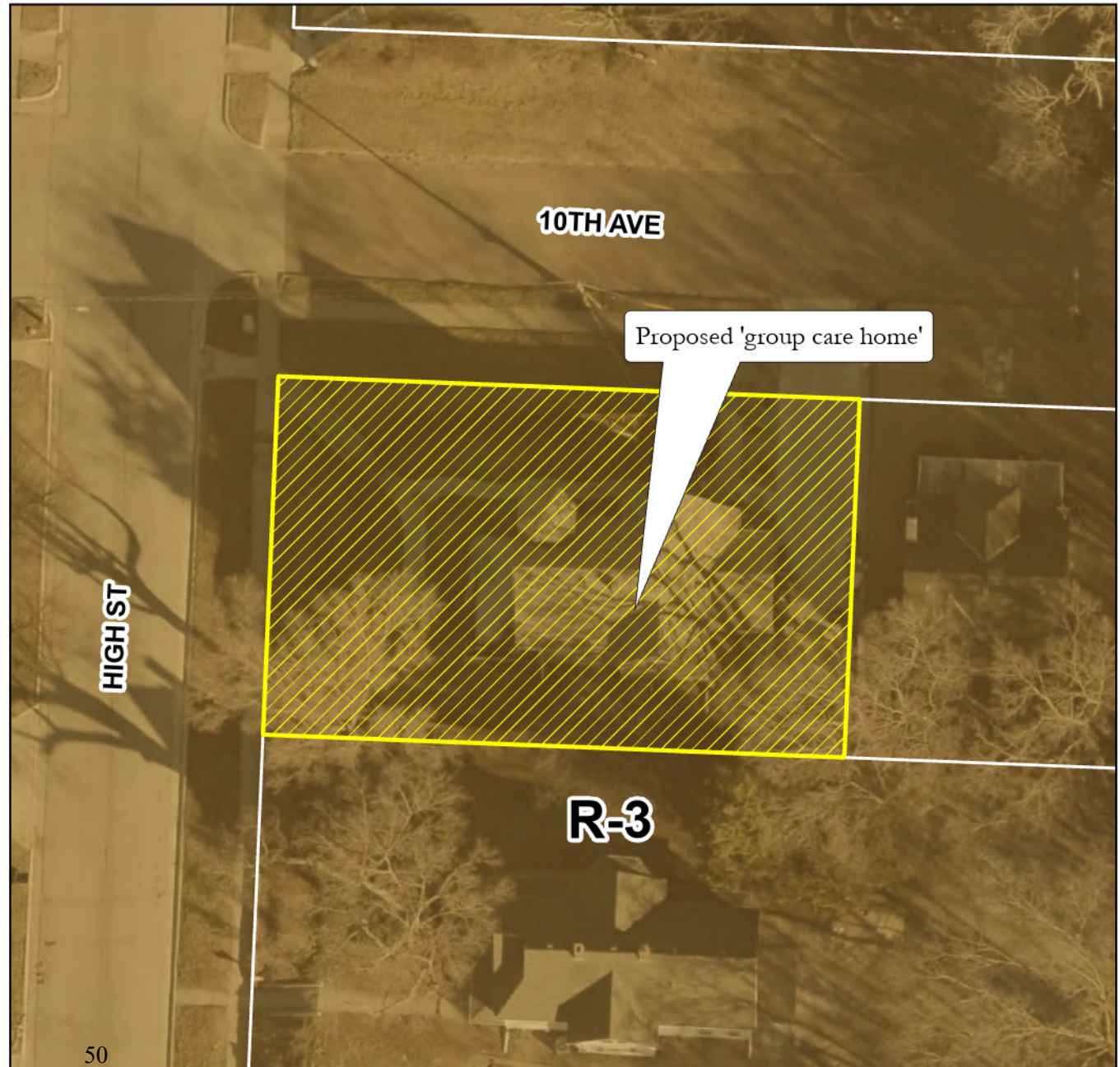


Last Amended: 3/17/2025



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

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



From: Amber Miller <amber.bc.miller@gmail.com>
Sent: Wednesday, March 26, 2025 10:41 AM
To: Christopher Gibbons
Subject: Case # PR-25-001
Attachments: IMG_9430.png; IMG_9431.png; IMG_9411.png; IMG_9412.png

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Hover over **LINKS** before clicking.

[Learn to spot a phishing message](#)

Good morning Christopher,

We spoke on the phone yesterday regarding the boarding house proposal for 1003 High St in Council Bluffs.

As mentioned, I'm attaching screen shots of negative Google reviews regarding the Shannon's Hope location in Colorado, the applicant's prior employer. These are an handful of reviews, if you look further, there are images of a filthy house, blood stains, holes in the wall, etc. Some even say the place doesn't exist. Google earth says it is "permanently closed." Obviously, this is not the kind of place I want next door to my home.

Over the last several years, the residents of High Street and the 712 have devoted a considerable amount of time and money to improving our street. We are, naturally, very concerned about the negative impact this type of establishment would have on our neighborhood.

We will be attending the planning meeting and the city council hearings regarding the proposal.

Thank you,

Amber Miller

**Alicia Del Valle**

12 reviews

 2 years ago

Came across this pinned on google. There is no shelter in this location. It is chase Bank!! The website to this place called Shannon's hope looks bogus. I have lived in this area for 6 years why does this show up on google maps



1

11:14
W 74th Ave

Shannon's Hope

Overview

Reviews

Photos

Updates

Abc

Q

Filter

✓ Relevance

pregnancy 2

n

nolan blackburn

1 review

...

★☆☆☆☆

10 months ago

This is a private residence

♡

🙏 1

Ashley Marie

8 reviews

...

★☆☆☆☆

6 years ago

They don't help you.

♡

🙏 4

Porshia King

Local Guide · 74 reviews

...

★☆☆☆☆

3 years ago

Never called back

♡

🙏 2

Call

Save

Share

53

**Chadell Hardwick (Angry Chef)**

Local Guide · 304 reviews · 216 photos



★☆☆☆☆ 7 years ago

Women often complain about rats. My was in the program and often told me about mice eating the rubber nipples off her baby bottles. The crazy rules to live in this place, if any normal person was able to look the handbook would recognize that it is a money trap. You pay rent fine, but you can't work between certain hours basically YOU ARE STUCK....



10





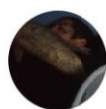
Reviews

Do you recommend Shannon's Hope Maternity Home?

Yes

No

Not yet rated (1 Review)



Trina Geyer recommends Shannon's Hope Maternity Home. ...

Jan 13, 2022 ·

they need to have certified staff to deal with the seriousness of certain types of residence make it 1 house mothers only or single women have realistic expectations better intake process drug test upon moving in to assure sobriety staff should be more aware and they need to understand not everyone parents the same and the 2 faced crap is childish and immature i don't recommend going there it's worse then prison a halfway house not ideal unless u r desperate and don't mind everyone in your business

1 comment



Like



Comment



Share



Home



Video



Friends



Marketplace



Notifications



Menu

Attachment D

From: Amber Dobbs <atdobbs76@gmail.com>
Sent: Monday, March 31, 2025 4:46 PM
To: Christopher Gibbons
Subject: Referring to 1003 High St.

THIS MESSAGE IS FROM AN EXTERNAL SENDER. Look closely at the SENDER address. Do not open ATTACHMENTS unless expected. Check for INDICATORS of phishing. Hover over LINKS before clicking. Learn to spot a phishing message

Hi Chris,

I wanted to follow up from our phone call to reach out to receive the FIF regarding the proposal of the property located at 1003 High St. Thanks again for the conversation and insight.

For all parties at large;

At this juncture we are not in support of this entity of lodging and having it being housed at 1003 High St. There is not adequate space for this type of housing in this area, to be able to accommodate Ms. Dowdy's request which is being made through Heidi Mazel. Having a direct experience with this type of institution: this gives us a unique perspective of why this location is not a best fit. There is space, safety and proper security are first concerns that come to mind. Now with that being said: I think there other areas that may fit her [Gabby] criteria more appropriately and on a better scale for what she is trying to achieve. Also another concern is she is already advertising that this is happening. When to our knowledge this has not been set in stone. IE-below.

*If further comment is wanted or needed we are happy to contribute as needed.

2:53

LTE

AA

the-upper-room.org



Gabby has worked in the anti-trafficking scene in Denver since 2017. Over the years, the understanding of the women being served through Shannon's Hope and the women Gabby has served has overlapped with the crisis. Shannon's Hope and Gabby began the journey to Council Bluffs in June of 2024 with the passion to serve women coming out of Crisis. The idea of The Upper Room has been formed, and we are honored to announce that our services in the Council Bluffs will begin in the fall of 2024.



Best Regards,
Randall and Amber Dobbs

Christopher Gibbons

From: Niki Ferguson <nferguson@selectgreateromaha.com>
Sent: Wednesday, March 26, 2025 4:11 PM
To: Christopher Gibbons
Subject: Project Upper Room

THIS MESSAGE IS FROM AN EXTERNAL SENDER.

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Hover over **LINKS** before clicking.

[Learn to spot a phishing message](#)

Hi Chris!

I know you've been in contact with Gabby who's opening the safe house over on High Street. Wanted to get your thoughts on potential roadblocks or ways to mitigate pushback. I definitely think it's an incredibly important work they're doing and have done in Denver, and it's obviously an issue here in the Midwest. Anonymity and keeping a low profile are, of course, paramount to the work they're doing, so maybe it comes down to education for the neighbor who is voicing opposition. I don't know. Anyway, thanks for your time. I value your knowledge and expertise and appreciate any input. Have a great evening!

Niki Ferguson (she/her)

Input – Belief – Connectedness – Ideation – Developer

Manager, Entrepreneurial Development

Advance Southwest Iowa Corporation

149 W. Broadway, Council Bluffs, IA 51503

402-720-8799

[Let's connect! Book a call!](#)

nferguson@selectgreateromaha.com

www.advancesouthwestiowa.com





View of 1003 High Street from intersection of High Street and 10th Avenue



View of existing driveway for off-street parking at 1003 High Street

Patti J. McAtee

April 8, 2025

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

RE: CASE #PR-24-001
Applicant/Property Owner: Heidi Mazel, 12618 Polo Place, Broomfield, CO 80020
Representative: Gabrielle (Gabby) Dowdy, 1003 High Street, Council Bluffs, IA 51503

Dear Mr. Gibbons,

As a lifelong resident of Council Bluffs, I would like to share my support for The Upper Room and the work Gabby Dowdy is doing in our community. I am writing in support of the request to allow a 'boarding, lodging, rooming house' at 1003 High Street.

I currently serve on the Council Bluffs Airport Authority board of directors, and have volunteered and served on several boards and advisory committees of non-profit organizations over the past 30 years. More recently, I have focused my career on promoting regional economic development in both Iowa and Nebraska.

Last year I met Gabby at Crossroads Church and learned about The Upper Room and the mission of this non-profit organization. I personally know how passionate Gabby is about making a positive impact on our community through this supportive housing initiative and the services they offer to help women transform their lives.

While I agree that Council Bluffs needs to continue to monitor future development plans for multi-family residential use, I disagree that this would set a bad precedent for future projects in the City. Gabby understands and recognizes that there are local regulations that she must be compliant with and has gone through the appropriate channels to get this multi-family housing project up and running to the best of her ability. This has included multiple meetings, phone calls and emails with city officials, community leaders, and other non-profit organizations.

As I have learned through the years city governments must be 'firm, but fair' with their development plans, but I also believe there is room for compromise with both parties. I am praying that the City of Council Bluffs makes a 'firm, but fair' decision when it comes to moving forward with the development plan for The Upper Room so that they may be able to help more women and their families in our community.

During my first conversation with Gabby she stated, "I praise God everyday that we live in this special city," and I could not agree with her more. We do live in a special city and I am reminded daily of the special people that work behind-the-scenes to make Council Bluffs a better place to live, work and play. Thank you for your time and consideration. I will continue to keep the faith and pray that the City of Council Bluffs approves this request.

Blessings,

Patti J. McAtee

22465 Three Bridge Road . Council Bluffs, Iowa 51503
402.968.8308 . pmcatee2@gmail.com

Patti J. McAtee

April 8, 2025

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Blessings,

Patti J. McAtee

22465 Three Bridge Road . Council Bluffs, Iowa 51503
402.968.8308 . pmcatee2@gmail.com



Town Council Meeting

Apr 7, 2025

Re: The Upper Room

1003 High Street

Council Bluffs, IA 51503

To Whom It May Concern,

I am writing on behalf of The Upper Room and Gabby Dowdy to express my unwavering support for their mission to establish a stabilization home at 1003 High Street, Council Bluffs, IA 51503. With over a decade of experience working alongside individuals emerging from crises involving addiction, trauma, and mental illness, I have witnessed firsthand the profound need for such homes across the United States. It is imperative to increase the availability of these residential stabilization homes to integrate these individuals into our communities, rather than marginalizing them due to unfounded fears.

Some may have concerns about the potential impact on neighborhood safety and crime rates. However, research indicates supportive housing programs significantly reduce emergency service utilization and interactions with the criminal justice system. For instance, Denver's Supportive Housing Social Impact Bond (SIB) initiative demonstrated a 40% reduction in arrests and a 34% decrease in police contacts among participants of stabilization homes over three years.

The women, who will be housed in The Upper Room stabilization home, will be held accountable for transforming their lives. Within these supportive environments, residents often achieve significant personal milestones: obtaining their GEDs, securing gainful employment, and accessing opportunities previously beyond their reach. Many experience genuine love and care for the first time, fostering healing and personal growth. These homes are sanctuaries where brokenness is mended, dreams are realized, and lives are profoundly transformed.

It should be recognized that one can never fully know the backgrounds of those who move into our neighborhoods. In this instance, neighbors are informed about the home's



purpose: to aid those who have experienced trauma and hardship. Our response should be one of support and inclusion, not exclusion based on personal discomfort or fear.

Studies have shown that supportive housing programs have high success rates in maintaining housing stability. For example, 86% of participants in Denver remained in stable housing one year after moving in, with rates of 81% after two years and 77% after three years. By welcoming a stabilization home into your neighborhood, you will be fostering an environment of support and unity, which can strengthen the fabric of your community.

Furthermore, supportive housing is a cost-effective solution for addressing chronic homelessness and associated challenges. In New York City, the average daily cost to house an individual in a homeless shelter is approximately \$124, while the price rises to \$201 per day for a family. In contrast, supportive housing reduces these expenses and alleviates the financial burden on emergency services and the criminal justice system. For instance, the cost of incarcerating an individual at Rikers Island is approximately \$1,525 per day, highlighting the economic advantage of providing supportive housing alternatives.

In conclusion, establishing The Upper Room's stabilization home represents a compassionate and pragmatic approach to addressing the needs of women striving to overcome adversity. By supporting this ministry, you aid these individuals on their recovery journey and enrich our community through increased cohesion, safety, and shared humanity. I urge you to approve the opening of this home and join us in embracing a future where our neighborhoods stand as a beacon of hope and support for those in need.

Thank you for your time and consideration.

Sincerely,

Jessi K. Burge

Founder, Executive Director

7173 S. Havana Street, Suite 600-305

Centennial, CO 80112



Sources:

Denver Supportive Housing Social Impact Bond Initiative (SIB):

- Urban Institute:
<https://www.urban.org/policy-centers/metropolitan-housing-and-communities-policy-center/projects/denver-supportive-housing-social-impact-bond-initiative>

New York City Supportive Housing & Cost Analysis:

- Columbia University Housing Lab:
<https://www.arch.columbia.edu/research/labs/15-housing-lab/question6>
- The Fortune Society:
https://fortunesociety.org/media_center/opinion-supportive-housing-can-help-break-the-cycle-between-homelessness-and-incarceration

Taletha Pettis
Case Consultant
Timlin & Rye P.C.
899 Logan st. Ste 203
Denver CO 80203

April 4, 2025

To Whom It May Concern:

My name is Taletha Pettis, and I am writing to express my wholehearted support for Shannon's Hope in Colorado. I have worked in the field of child protection for over 25 years, and in that time, I have been blessed to collaborate with Shannon's Hope on numerous occasions. I can attest that I have had many clients who would not have achieved success without the support and safety provided by this program.

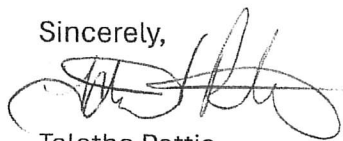
Shannon's Hope is instrumental in assisting women, who have typically experienced some type of trauma, in either keeping their children in their care or being reunified with their children. I have seen firsthand the positive impact they have on the lives of vulnerable families. I have had the pleasure of visiting this facility on many occasions, and I have never witnessed any concerns regarding interactions with the neighbors. The home is consistently kept clean and in a manner that is community friendly, reflecting the program's commitment to being a valuable and respectful member of the neighborhood.

What truly sets Shannon's Hope apart is their unique and effective approach. This facility excels at meeting people where they are, without resorting to shaming or blaming tactics. They understand and respect that we are all unique individuals with different needs and challenges. The opportunities offered through this community-based program remove some of the stigma often associated with asking for help. It fosters a supportive environment where individuals can grow and learn at their own pace, with the guidance of compassionate and skilled professionals.

In my professional experience, programs like Shannon's Hope are crucial to the well-being of our community. They provide essential services that empower families to overcome adversity and create brighter futures for themselves and their children.

I wholeheartedly support Shannon's Hope and believe their work is invaluable to the families and the community they serve. I urge you to consider their positive impact and lend your support to their mission.

Sincerely,



Taletha Pettis
303-345-7335

Respectfully to the members of Council Bluffs City Council, Council Bluffs Iowa

Re: Upper Room (and Shannon's Hope)

Even the best of our communities has challenges in helping its most vulnerable, which is too often homeless mothers and children and exploited individual women. Shannon's Hope has been successful for decades in offering an in-depth supportive program not only for individuals in need but also for tackling this critical local Community need. The success of coordinating volunteers and resources (including churches and service organizations) to help relieve this growing community concern is reflected in the accolades of many other community representatives.

Some of the benefits and extraordinary support of this program to qualified individuals and to our Community include:

1. Safety. Established protocols protect participants and the Community through a safe and loving environment from commencement through final completion and graduation from individualized programs.
2. Motivation and qualification of participants includes their willingness to pass initial protocol requirements and their commitment to an individualized program proven to be successful over the decades.
3. Opportunity for community volunteers, professionals, and public services for comprehensive and cooperative support as needed.
4. Assimilation of individuals into the local Community as active and productive citizens and family members
5. Growth of local Community members by an opportunity to participate in collaborative purpose-driven support

The Community also enjoys some relief from financial, organizational, and departmental pressures by *private funding and volunteer efforts*. The local neighborhood enjoys the more orderly flow of productive relationships. Program participants find strength and purpose in becoming vibrant members of our local Community.

The Upper Room and Shannon's Hope provide a proven Win-Win for all parties and have my full support and appreciation.

Rick Lunnon

720-363-6287

Arvada, Colorado

Personal Recommendation

I have known Gabby for more than four years now prior to the time that she came from Refined to work with us at Shannon's Hope. In her role as Programs Director, she plans for and facilitates educational training which provides a base for our client's future employment and life-skills necessities. She has proven to exceed all my expectations of leadership, reliability, and integrity. Her selfless devotion to our clients at Shannon's Hope has been mixed with powerful organizational and leadership skills that have benefited all. She is one of the best decision makers I have been around and shows wisdom in handling conflict. I am thrilled to see her step out in a foundational role with our new home in Council Bluffs. Over the last four years she has been invested with, not only the care of many individuals, but also the balance of being responsible to a larger group of under resourced, homeless women. Her honesty stands out as a powerful fundamental trait that allows for consistent care of individuals as well as a binding force for the staff and board members of Shannon's Hope. She has the mettle of an experience combat veteran as well as the deep sensitivity to share tears with women in need. I highly recommend her as a model citizen, a trustworthy, mentor, as an example of integrity that will benefit the council Bluffs community and her neighborhood in particular. I'm certain her beneficial impact to the community will be felt beyond the individuals rescued from the streets where less homelessness will be evidenced. Each person she rescues from homelessness is one more for whom Council Bluffs doesn't have to provide. As president of the having served as president of the Shannon's Hope board of directors for the last four years, and as a personal friend, I heartily recommend, without reservation, Gabby Dowdy as founder and director of the Upper Room.

Sincerely

Gary Tucker

President, Shannon's Hope Board of Directors

KEEPING IT CIMPLE | SHANNON WOODS

8910 Ralston Road, STE 102 | Arvada, CO 80002 | keepingcimple@gmail.com | 720-270-4899

April 7, 2025

Dear members of Iowa City Hall,

I'm Shannon Woods, Grants /Special Project Manager and small business owner, I would like to offer my endorsement of expanding the Ministry / Mission of Shannon's Hope in Colorado through the opening of the Upper Room in Iowa. The Upper Room will be able to offer your community resources and support specifically Women and Children in need of the options, resources, education and hope.

Shannon's Hope Ministry has more than forty (40) years of experience and has made a difference to innumerable women and their unborn/ born children. I am personally very proud to be in the community and witness "families" /women become success stories through the ministry. In fact, the first true success story is the founder of Shannon's Hope Ministry starting the ministry from her own personal tragedy and now the ministry has become a safe place for countless women and children; over the last four decades.

I believe I can provide significant assistance to this project by ensuring communication and transparency at the Upper Room. In addition, I will be offering my support finding grants and private donations for the Upper Room to become a safe place for women and children in need in your community.

In conclusion, I would like to endorse expanding Shannon's Hope Ministry in Colorado and the Upper Room of Iowa which will benefit the surrounding community of Iowa by offering key resources, options and education to Women in need. Ultimately the program will make a difference for your community through reducing domestic violence, mental health resources (including substance abuse), homelessness and unemployment.

Sincerely,



Shannon Woods

keepingcimple@gmail.com

720-270-4899

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 to append a PR-2/Planned Residential Overlay and to adopt an associated development plan to allow a 'boarding, lodging, rooming house' on property legally described as the West 110 feet of Lot 1, Block 5, Park Addition, City of Council Bluffs, Pottawattamie County, Iowa.

You are further notified that the public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 5th day of May, 2025 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. 6645

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.27.020 OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY APPENDING A PR-2/PLANNED RESIDENTIAL OVERLAY ON PROPERTY LEGALLY DESCRIBED AS THE WEST 110 FEET OF LOT 1, BLOCK 5, PARK ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, AS SET FORTH AND 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 appending a PR-2/Planned Residential Overlay on property legally described as the West 110 feet of Lot 1, Block 5, Park Addition, City of Council Bluffs, Pottawattamie County, Iowa and pursuant to all development standards set forth in attached “Planning Commission Communication” and “Attachments A-F”.

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 5, 2025.

MATTHEW J. WALSH

Mayor

Attest:

First Consideration: 4-21-25
Second Consideration: 5-5-25
Public Hearing: 5-5-25
Third Consideration: _____

JODI QUAKENBUSH

City Clerk

Council Communication

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

Resolution 25-107
ITEM 3.D.

Council Action: 4/21/2025

Description

Resolution setting a public hearing for 7:00 p.m. on May 5, 2025 for the Southwest Pump Station Trash Rack Rehab. Project #PW25-17

Background/Discussion

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

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

The pump station still has the original bar screen unit constructed in 1989. This project will replace the trash rack system which has reached its service life limit. The newer technology of a modern trash rack will provide reliable removal, handling, storage, and disposal of the screenings.

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

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

The project schedule is as follows:	Set Public Hearing	April 21, 2025
	Hold Public Hearing	May 5, 2025
	Bid Letting	June 5, 2025
	Award	June 23, 2025
	Construction Start	July 2025

Recommendation

Approval of this resolution to set the public hearing date.

ATTACHMENTS:

Description	Type	Upload Date
Notice of Public Hearing	Notice	4/9/2025
Resolution 25-107	Resolution	4/16/2025

Notice of Public Hearing
on the
Plans, Specifications, Form of Contract and Cost Estimate
for the
Southwest Pump Station Trash Rack Rehab
Project #PW25-17

A public hearing will be held on May 5, 2025, at 7:00 p.m. in the council chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract and cost estimate for the Southwest Pump Station Trash Rack Rehab project. The project will include demolition, and furnishing and installing a bar screen with associated controls and electrical modifications. 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

R E S O L U T I O N
NO 25-107

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE
AND SETTING A PUBLIC HEARING ON THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
SOUTHWEST PUMP STATION TRASH RACK REHAB
PROJECT #PW25-17**

WHEREAS, the City wishes to make improvements known as the Southwest Pump Station Trash Rack Rehab 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 Southwest Pump Station Trash Rack Rehab setting May 5, 2025, at 7:00 p.m. as the date and time of said hearing.

ADOPTED
AND
APPROVED

April 21, 2025

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Public Works Admin
Case/Project No.: PW25-13
Submitted by: Matthew Cox, Public Works Director

Resolution 25-108
ITEM 3.E.

Council Action: 4/21/2025

Description

Resolution accepting the bid of Bluffs Paving & Utility Co. Inc. for the Avenue B Reconstruction, Phase I. Project # PW25-13

Background/Discussion

On April 8, 2025 bids were received through the City bidding software Ion Wave as follows:

	Division I General	Division II Pavement	Division III Storm Sewer	Division IV San. Sewer	Division V Water Main	Division VI Traffic	Division VIII Misc.	Total
Bluffs Paving & Utility Co. Inc.	\$82,856.96	\$821,996.06	\$239,308.22	\$381,218.50	\$429,353.33	\$4,158.08	\$123,868.06	\$2,082,759.21
Crescent, IA								
Carley Construction, LLC	\$86,898.00	\$836,518.94	\$244,325.60	\$417,524.50	\$468,182.90	\$5,635.85	\$80,000.00	\$2,139,085.79
Council Bluffs, IA								
M.E. Collins Contracting Co., Inc.	\$135,743.75	\$909,841.29	\$269,615.50	\$458,955.10	\$610,641.20	\$4,539.66	\$181,800.00	\$2,571,136.50
Wahoo, NE								
K2 Construction	\$133,667.15	\$1,007,863.23	\$337,783.00	\$553,552.20	\$658,359.00	\$7,310.35	\$30,000.00	\$2,728,534.93
Lincoln, NE								
Engineer's Opinion	\$122,433.25	\$782,618.48	\$296,635.00	\$440,467.00	\$480,154.00	\$4,136.25	\$35,000.00	\$2,161,443.98

Avenue B from 8th Street to 13th Street is in need of reconstruction. The existing overlaid roadway is in poor condition, with little remaining curb for drainage. There is an existing 24" sanitary sewer constructed in the 1950's that it is in need of replacement. The existing storm sewer will be reconstructed to provide better drainage to the area. The Union Pacific Railroad and Canadian National Railroad both have at-grade crossings of Avenue B, within the project limits.

The first phase of the project will reconstruct Avenue B from 13th Street to just east of 10th Street. The project will include a new concrete roadway with new storm and sanitary sewers. The at-grade railroad crossings will be reconstructed, and the sidewalks will be replaced. The Council Bluffs Water Works will replace the water main as part of the project.

This project was included in the FY25 CIP and includes a budget of \$1,400,000 in Local Option Sales Tax funds and \$600,000 in sewer funds.

The project schedule is as follows:

Construction Start	May/June 2025
Construction End	November 2025

Recommendation

Approval of this resolution to accept the bid of Bluffs Paving & Utility Co. Inc. for the Avenue B Reconstruction, Phase I project.

ATTACHMENTS:

Description	Type	Upload Date
Map	Map	4/9/2025
Resolution 25-108	Resolution	4/16/2025

PW 25-13 PH I
AVENUE B RECONSTRUCTION
N.10TH ST. TO N.13TH ST.



RESOLUTION
NO 25-108

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO EXECUTE AN AGREEMENT WITH
BLUFFS PAVING & UTILITY CO. INC. FOR THE
AVENUE B RECONSTRUCTION, PHASE 1
PROJECT #PW25-13**

WHEREAS, the plans, specifications, and form of contract for the Avenue B Reconstruction, Phase 1 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 10, 2025, and the plans, specifications and form of contract were approved; and

WHEREAS, Bluffs Paving & Utility Co. Inc. has submitted a low bid in the amount of \$2,082,759.21 for this contract.

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

That the bid of Bluffs Paving & Utility Co. Inc. in the amount of \$2,082,759.21 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 Avenue B Reconstruction, Phase 1; and

BE IT FURTHER RESOLVED

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

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 21, 2025

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community
Development

Case/Project No.:
Submitted by: Dessie Redmond,
Housing & Economic Development
Planner

Resolutions 25-109 and 25-110
ITEM 3.F.

Council Action: 4/21/2025

Description

Resolution 25-109 approving request for proposals for approximately 8.5 acres of land south of Hwy 275 and between E. Manawa Drive and the Council Bluffs Country Club.

Resolution 25-110 approving minimum development requirements, competitive criteria, and procedures for disposition of certain property located within the urban renewal area; and soliciting proposals in accordance with the request for proposals and setting a public hearing for July 14, 2025 at 7:00 p.m. as the date of public hearing on the intent to accept the selected development proposal submitted.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	4/14/2025
Request for Proposals	Other	4/14/2025
Notice of Public Hearing	Notice	4/14/2025
Resolution 25-109	Resolution	4/16/2025
Resolution 25-110	Resolution	4/16/2025

Council Communication

Department: Community Development	Ordinance No.: N/A Resolution No.: 25-	City Council: April 21, 2025 Public Hearing: July 14, 2025
Subject/Title		
<ol style="list-style-type: none">1. Approval of the request for proposals (RFPs) for a new multi-family use development on a portion of property generally located on an 8.5-acre parcel of land situated south of Hwy 275 and between E. Manawa Drive and the Council Bluffs Country Club; and2. Approval of the minimum development requirements, competitive criteria and procedures for disposition of certain property located within the East Manawa Drive Housing Urban Renewal Area and soliciting proposals in accordance with the request for proposals, and setting a public hearing for July 14, 2025 as the date of public hearing on the intent to accept the selected development proposal submitted.		
Background The City of Council Bluffs is inviting proposals for the purchase and development of an approximate 8.5-acre parcel of land in the Lake Manawa Neighborhood of Council Bluffs. The property, situated south of Hwy 275 and between E. Manawa Drive and the Council Bluffs Country Club, is intended for the development of a multi-family housing project consisting of approximately 180 units. This opportunity is being managed by the city's Community Development Department, which is seeking developers interested in contributing to the area's residential growth.		
Discussion This parcel is located within the East Manawa Drive Housing Urban Renewal Area. In order to initiate the property disposal process, the City must undertake certain actions on the property to ensure reasonable competitive bidding procedures and allow 30 days to respond and to comply with Iowa urban renewal laws. This includes providing notice by publication in a newspaper having a general circulation to the community 30 days prior to the execution of a contract involving the transfer of property. Attached is a copy of the request for proposal that will be uploaded into the City's 'IONWAVE' bid letting web application and emailed to developers, real estate firms and other parties soliciting submissions. The proposal's availability will be published in the legal ad section of the Nonpareil and posted on the City's website. The attached resolution asks for City Council approval of this form and content. A separate resolution also directs the City Clerk to publish notice inviting development proposals to be submitted. Proposals are due by 10:00 a.m. on June 26, 2025 to the Community Development Department. Lastly, the resolution approves July 14, 2025 as the date of public hearing on the intent to accept the selected development proposal submitted.		
Staff Recommendation Staff recommends approval of the resolution for the approval of the request for proposals (RFPs) for a new multi-family use development on a portion of property generally located on an 8.5-acre parcel of land situated south of Hwy 275 and between E. Manawa Drive and the Council Bluffs Country Club; and Approval of the minimum development requirements, competitive criteria and procedures for disposition of certain property located within the East Manawa Drive Housing Urban Renewal Area and soliciting proposals in accordance with the request for proposals, and setting a public hearing for July 14, 2025 as the date of public hearing on the intent to accept the selected development proposal submitted.		
Attachment Request for Proposals Resolutions Notice of Public Hearing		

City of Council Bluffs, Iowa
Request for Proposals
Redevelopment of Land Located south of Hwy 275 and between E. Manawa Drive and the
Council Bluffs Country Club
Proposal Due Date: June 26, 2025

The City of Council Bluffs is inviting proposals for the purchase and development of an approximate 8.5 acre parcel of land in the Lake Manawa Neighborhood. The property, situated south of Hwy 275 and between E. Manawa Drive and the Council Bluffs Country Club, is intended for the development of a multi-family housing project consisting of approximately 180 units. This opportunity is being managed by the city's Community Development Department, which is seeking developers interested in contributing to the area's residential growth.

To align with the city's vision, the development should focus on creating a multi-family residential environment. This area should feature higher-density housing, establishing a distinct edge area within the overall 93 acre site that complements future phases of the development. The site is part of land that has been designated as the East Manawa Drive Residential Urban Renewal Area and has been prioritized for economic and housing development.

City Objectives

The city is seeking proposals to develop the site in conformance with applicable ordinances, as well as in compliance with the following stated objectives. These objectives include, but are not limited to:

- Proposals may be submitted for the development of multi-family residential.
- To cause the construction of new affordable housing units with occupancy on or before December 31, 2028.
- To provide a positive impact on the city resulting in increased tax revenues and contribute to the city's long term economic and community growth objectives.
- To implement the recommendations contained in the East Manawa Subdivision Planned Residential (PR) Development Plan. Information is available online at <https://www.councilbluffs-ia.gov/2535/E-Manawa-Subdivision>.

Site Description

The East Manawa subdivision is a 93-acre area purchased by the City in 2022 with the intention of creating a new, mix-income neighborhood with high-quality design, along with open spaces, a trail network and connections to nearby neighborhoods. The master planned development includes an estimated 900 housing units in various typologies that will allow respond to the needs of all types of housing in Council Bluffs. (Attachment A – E. Manawa Conceptual Layout).

This RFP is specific to the northeast section of the East Manawa subdivision and is approximately 8.5 acres abutting East Manawa Drive. Directly south of Veteran's Memorial Highway, the site is within 2.5 miles of the following local amenities:

- Lake Manawa City Park (0.5 miles)
- Council Bluffs Power Center and Metro Crossing (1.2 miles)
- Metro Area Transit Yellow Line (0.4 miles)

- Interstate-29 (0.8 miles)
- Lewis Central Community School District Campus (2.2 miles)
- Council Bluffs trail system (0.1 miles)

The overall East Manawa subdivision will be completed in phases to respond to market demand. It is the City's intent to complete a new extension along the southerly boundary of the property from East Manawa Drive to Mohawk Street to construct 40 new affordable, attached single-family units. An additional phase will construct approximately 24 attached single-family units along Mohawk Street.

Utilities

The parcel is served with water, sanitary sewer, storm sewer, and street paving, but individual service lines may need to be extended to accommodate the project.

Existing Zoning and Preferred Development

The property is currently zoned R-3 Low Density Multi-Family Residential District (Attachments B – Location Map with R-3 Zoning with a Planned Residential Overlay) with an appended Planned Residential Overlay. The selected developer will be required to submit a set of detailed development plans that address all R-3 District (Attachment C – Chapter 15.10/R-3 District), PR Overlay, and Development Standards (Attachment D – E. Manawa Subdivision Multi-Family/Townhome Development Standards), and said plans must be reviewed by the City Planning Commission and approved by City Council prior to any construction activity occurring on this site. The City will work with the developer to final plat the multi-family site as a preliminary subdivision plan has already been approved (Attachment E – Preliminary Plan).

Floodplain and Storm Detention

The property is located in the Zone X (protected by the levee). As part of the overall development, stormwater detention areas are currently under construction. The regional detentions will be maintained by the East Manawa Home Owners Association (HOA).

Home Owners Association (HOA)

All property owners will be required to contribute to the HOA to maintain storm water detention areas within the subdivision. The HOA Articles are currently in draft form.

Value of the Property

An appraisal is being completed setting the fair market value of the property for a price TBD. The City intends to sell the property for no less than fair market value. When the appraisal is completed, it will be provided as an addendum to the RFP in IonWave.

Site Restrictions and Conditions

An existing Iowa Department of Natural Resources (DNR) pipe, which runs diagonally across the site, will remain in place and provides water from Mosquito Creek to maintain Lake Manawa's water level.

A Phase I Environmental Site Assessment (ESA) was completed in 2021 and is available upon request.

Inquiries, Questions and Deadlines

All inquiries/questions regarding this RFP must be directed via the electronic submission system at <https://cbiabids.ionwave.net/>. Any changes or additions to the RFP information will be sent to via

Ion Wave. Any other contact in reference to this RFP prior to the time of an award decision will not be addressed.

RFP Issued: May 6, 2025 (CST)

Q&A Ends: June 12, 2025 at 3:00 pm (CST)

Answers to all questions will be posted no later than June 19, 2025 at 3:00 pm (CST).

RFP Due: June 26, 2025 by 10:00 a.m. (CST)

Proposals submitted in person, facsimile transmission (fax) or electronic mail (email) will *not* be accepted.

Proposal and Submittal Requirements

In a clear and concise manner, developers must submit proposals that demonstrate the developer's capacity to satisfy the requirements of this RFP. Proposals do not need to be elaborate or costly, but should be prepared in a professional manner. The following information to be submitted for consideration:

1. Application – must be completed and attached as proposal cover page (see Attachment F – Proposal Cover Page).
2. Project Summary – A brief written description of the project.
3. Project Plans – A scaled plot plan of the proposed development. The plot plan should illustrate the location of structures, parking areas, ingress and egress, open or landscape areas, etc. The developer must also submit additional information such as elevation drawings, photos of similar projects, typical floor plans, etc.
4. Developer Experience – Provide a listing of previous projects completed, especially with regard to projects that are relevant to the proposed development.
5. Project Timeline – A timeline for the project design, bidding, construction and occupancy.
6. Financial Summary – Developer must provide a proposed cost and source of funding for the project, including a minimum 10-year project pro forma. Developer must also outline expected funding sources and projected date all financing will be secured.
7. Project Contingencies – Indicate any special assistance needed to implement the project, such as financial assistance, state or federal applications, or other public participation.

Special Conditions

Any proposed construction project must adhere to the following requirements:

- The construction project is exempt from federal labor standards.
- A HUD environmental has been completed prior to construction commencement by the city and is available upon request.

- All newly constructed housing must meet all locally adopted and enforced building codes, standards and ordinances of the City of Council Bluffs.
- All newly constructed housing must meet the requirements of the 2012 International Energy Conservation Code as adopted and amended.

Proposal Evaluation

The project proposals will be reviewed based on the following evaluation criteria:

1. Design, Aesthetics and Quality of Construction Materials and Landscaping (40%): As an affordable redevelopment project in the E. Manawa area, the quality of design and materials is essential. A combination of durable materials and transparency with an urban appearance must be utilized. Preference will be given to developers that:
 - a. Create a multi-family environment following the R-3 zoning district and the applicable Overlay Standards.
 - b. Utilize architectural details such as color changes, material changes, minor wall offsets, height variations, wall setbacks, accent lines and upper floor step back to articulate building elevations. A list of acceptable building materials is outlined in the “Architecture” section of the of the East Manawa PR Development Standards. A list of materials and visual renderings of the site layout, units and exterior design must be provided as a part of this submittal.
2. Developer’s Experience and Capacity (30%): The makeup/description of the developer’s project team. The preferred developer will have significant experience in the construction of multi-family complexes. The names of individuals involved and the roles they will perform must be listed. Provide a description of the qualifications and experience of the specific individuals who will be involved in the work described in this RFP, including staff and other professionals.
3. Number of Units Proposed, Unit Sizes and Timeline (15%):
 - a. Preference will be given to developers who maximize the number of units as well as the number of market rate units. Affordable is defined as at or below 80% of the median family income. Provide a target resident type (senior, family, etc.) if applicable.
 - b. Proposals will also be scored on the length of time it will take to construct and occupy the project.
4. Funding Sources (15%): Preference will be given to Developers not utilizing either 4% or 9% Low Income Housing Tax Credits (LIHTC). Provide a list of proposed funding sources and when the funds are expected to be awarded/confirmed.

The above information will be used to select qualified developers. Upon developer selection, development agreements will be negotiated and executed.

Potential Development Incentives Available

The City will work to support the selected developer in applying for any and all applicable federal, state or local incentive applications. These applications must be completed by the selected developer with assistance from the City. The contractor is required to be registered in sam.gov.

- Thriving Communities Designation provides an additional point toward Work Force Housing tax credit application through Iowa Economic Development Authority (IEDA).
- Possible energy incentives may be obtained from MidAmerican Energy and Black Hills Energy depending on project design. Consultation should be initiated with each company prior to final design.
- The property may be eligible for Tax Increment Financing and/or property tax exemption, and will be negotiated by the city on a project specific basis.
- The City of Council Bluffs also entered into a HOME consortium agreement with the City of Omaha, which results in receiving annual funds from the Home Investment Partnership Program (HOME).
- The property also may be eligible for grant(s) from the City's Housing Development Program. Guidelines can be found on the City's website at: <https://www.councilbluffs-ia.gov/2554/Housing-Development-Program>

General Provisions

- 1) Submittal Ownership/Costs: Upon submission, all information becomes the property of the City of Council Bluffs. The City has the right to use any or all ideas presented in any submission in the response to this RFP, whether or not the submittal results in a contract with the submitting Developer. All costs for development of the written submittal and any oral presentation are entirely the obligation of the Developer and shall not be reimbursed.
- 2) Non-Warranty of Request for Qualifications: The City shall not be responsible for any error or omission in this RFP, nor for the failure on the part of the Developers to ensure that they have all the information necessary to affect their submittals.
- 3) Request for Clarification: The City reserves the right to request clarification of information submitted and to request additional information of one or more Developers, either orally or in writing.
- 4) Acceptance/Rejection of Submittals: The City reserves the right to accept or reject any or all submittals in whole or in part, with or without cause, to waive technicalities, or to accept submittals or portions thereof, which, in the City's judgment, best serve the interest of the City of Council Bluffs.

The City reserves the right to allow alterations, modifications or revisions to individual elements of the Scope of Services any time during the period of contract, which results from this RFP.

- 5) Indemnification: The selected Developer shall: (1) faithfully perform said Contract on City's part and satisfy all claims and demands incurred for the same; (2) fully indemnify and save harmless the City from all costs and damages which said City may suffer by reason of failure to do so; and (3) fully reimburse and repay said City all outlay and expenses which said City may incur in making good any default.

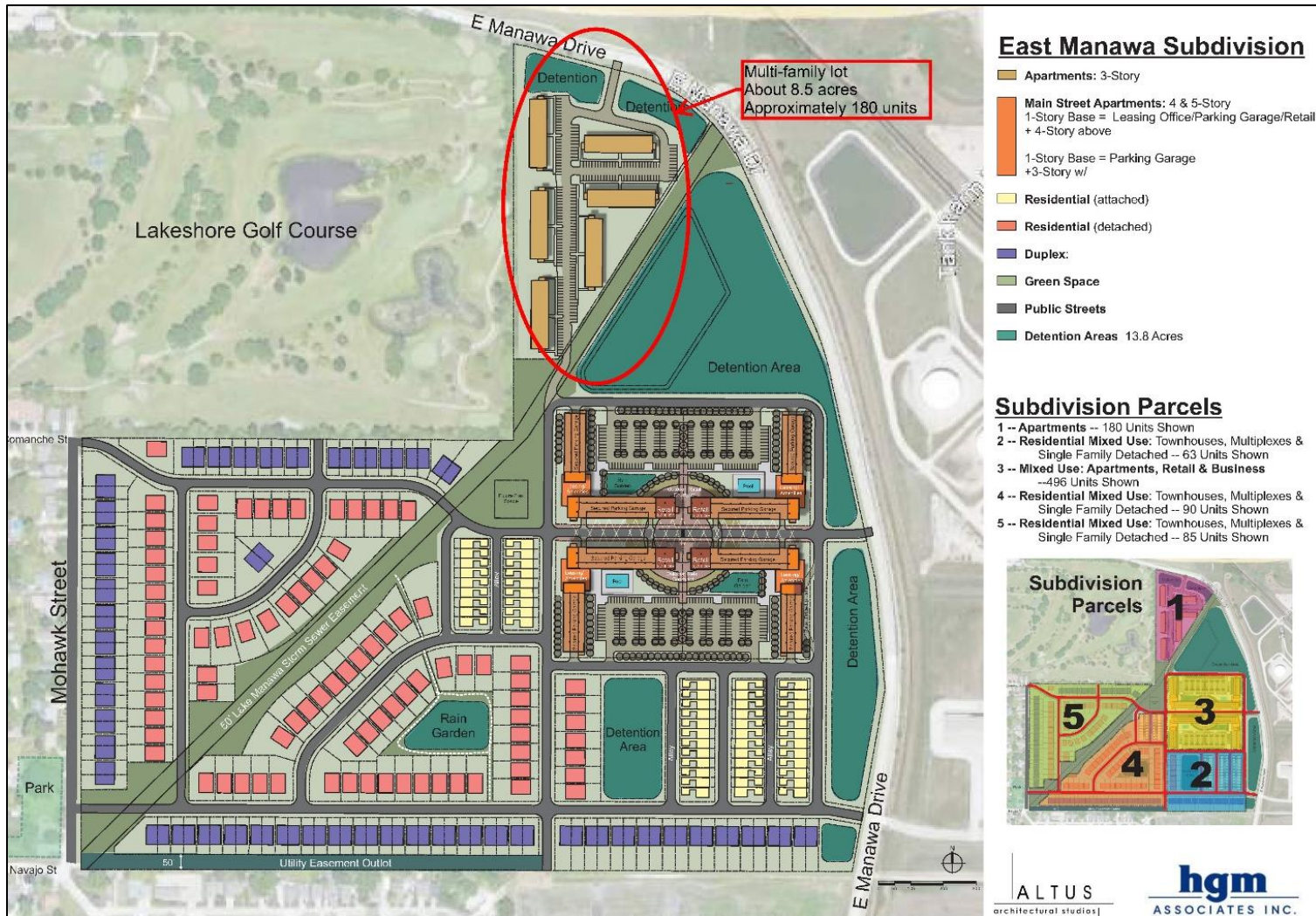
The selected Developer shall protect, defend, indemnify and save harmless the City, its agents, boards and employees, collectively referred to as "Indemnitees", from and against costs and suits,

actions, claims, losses, liability or damage of any character, and from and against costs and expenses, including in part attorney fees, incidental to the defense of such suits, actions, claims, sickness, including death, to any person, or damage to property, including in part the loss of use resulting there from, arising from any act or omission of the Developer, or his employees, servants, agents, subcontractors or suppliers, or anyone else under the Developer's direction and control, and arising out of, occurring in failure of performance of any work or services called for by the Contract, or from conditions created by the performance or non-performance of said work or services. The Developer's indemnification hereunder shall apply without regard to whether acts or omissions of one or more of the Indemnitees would otherwise have made them jointly or derivatively negligent or liable for such damage or injury, expecting only that the Developer shall not be obligated to so protect, defend, indemnify and save harmless if such damage or injury is due to the sole negligence of one or more of the Indemnitees.

- 6) Insurance: The selected Developer shall carry and maintain during the life of the contract insurance as deemed appropriate by the City of Council Bluffs. Specific amounts and types of insurance will be detailed in the negotiated development agreement.
- 7) Collusion: The Developer, by submitting a Proposal, declares that the submission is made without any previous understanding, agreement or connections with any persons, Developers or corporations making a competing submission on the same project, and that it is in all respects, fair and in good faith without any outside control, collusion or fraud.
- 8) Consideration of Submittals: Proposals will be considered from Developers normally engaged in providing and performing services as specified in this RFP. The Developer must have adequate organization, facilities, equipment and personnel to ensure prompt and efficient service to the City. The City reserves the right to inspect the facilities and organization or to take any other action necessary to determine the ability to perform in accordance with specifications, terms and conditions before recommending any award.
- 9) Discrimination Clause: According to the City of Council Bluffs Municipal Code 1.40, discrimination of race, color, religion, creed, sex, sexual orientation, gender identity, national origin, age or mental or physical disability is prohibited in any form. This extends to any and all partner agencies and contractual obligations.

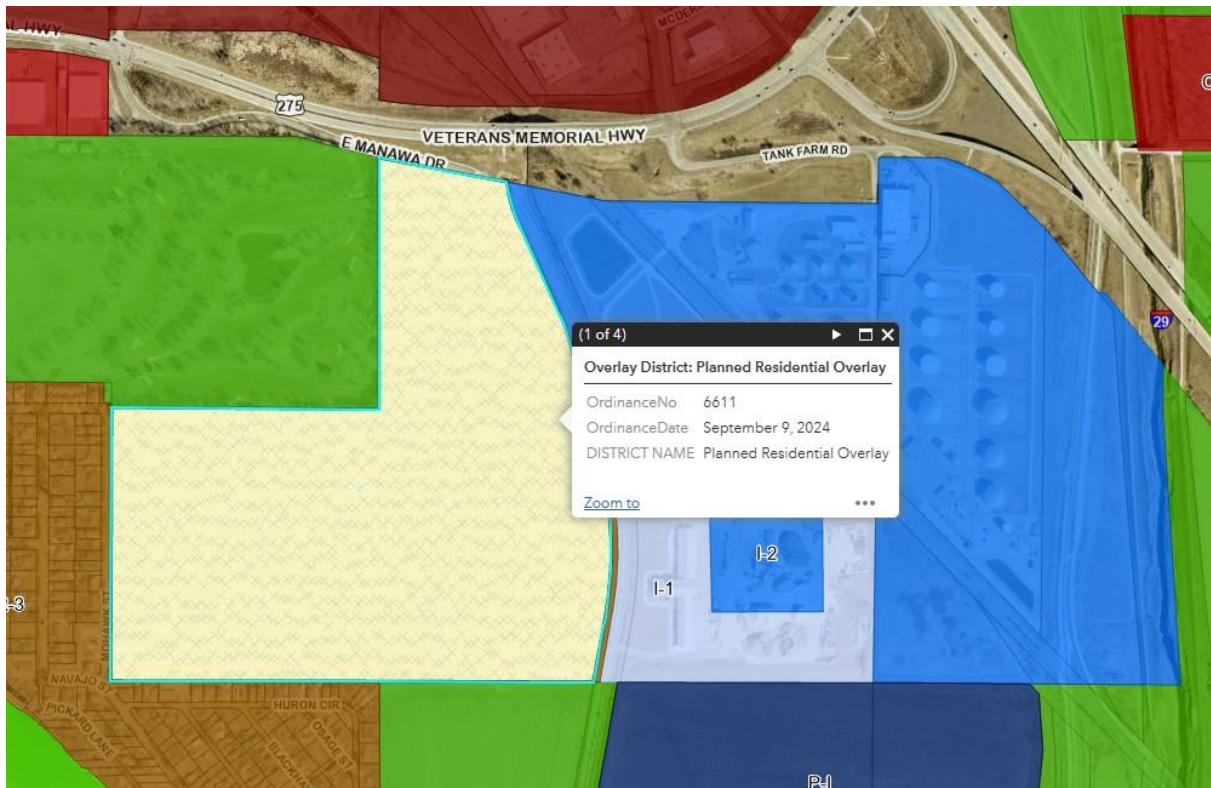
Attachment A

E. Manawa Conceptual Layout



Attachment B

Location Map with R-3 Zoning with a Planned Residential Overlay



Attachment C

Chapter 15.10 - R-3/LOW DENSITY MULTIFAMILY RESIDENTIAL DISTRICT

Sections:

15.11.010 - Statement of intent.

This district is intended to provide for development of high density multiple-family housing. This district allows for a mixture of compatible uses with high density urban neighborhoods. This district is most appropriate in central areas of the community or in areas which have full services.

(Ord. 5308 § 1 (part), 1996).

15.11.020 - Principal uses.

The following principal uses shall be permitted outright in an R-4 district:

- (1) Boarding, lodging rooming house, or bed and breakfast;
- (2) Business, professional office;
- (3) Community recreation services;
- (4) Congregate housing, life care facility or nursing home;
- (5) Consumer service establishment;
- (6) Day care services;
- (7) Dwelling, multifamily;
- (8) Dwelling, single-family attached;
- (9) Dwelling, single-family detached;
- (10) Dwelling, townhouse;
- (11) Dwelling, two-family;
- (12) Family home;
- (13) Group care home;
- (14) Local utility services;
- (15) Park and recreation services;
- (16) Private parking lot;
- (17) Public parking lot;
- (18) Public safety services;
- (19) Religious assembly;
- (20) School.

(Ord. 5918 § 1, 2007).

15.11.030 - Conditional uses.

The following conditional uses shall be permitted in an R-4 district, when authorized in accordance with the requirements set forth in Chapter 15.21:

- (1) Cemetery;
- (2) College or universities;
- (3) Commercial recreation (indoor and outdoor);
- (4) Cultural service;
- (5) Commercial storage;
- (6) Governmental maintenance facility.

(Ord. 5918 § 2, 2007).

15.11.040 - Accessory uses.

The following uses shall be permitted in an R-4 district:

01. Uses of land or structures customarily incidental and subordinate to one of the principal uses, unless otherwise excluded.

(Ord. 5308 § 1 (part), 1996).

15.11.050 - Site development regulations.

Minimum Lot Size

Use	Lot Area
Single-family detached	5,000 square feet
Single-family attached and two-family dwellings	5,000 square feet except when a single-family attached or two-family dwelling is divided by a lot line coinciding with the common wall separating the two units. The minimum lot area shall be 2,500 square feet.
Townhouse dwelling	7,500 square feet except when a townhouse dwelling unit is divided by a lot line coinciding with the common wall separating the units, the minimum lot area shall be 2,500 square feet
Multifamily dwelling	
(3 to 4 units)	7,500 square feet

(5 or more units)	9,000 square feet plus an increase of 750 square feet per each additional unit
-------------------	--

Minimum Setbacks	Principal Structure	Accessory Structure
Front yard:	20 feet	Greater of 20 feet or existing front setback line of principal structure
Street side yard:	15 feet	15 feet
Interior side yard:	5 feet with one foot indentation for every story above the first floor	3 feet
Rear yard:	20 feet	3 feet
Maximum height:	100 feet	18 feet
Lot coverage: all structures	60% maximum	

(Ord. 5308 § 1 (part), 1996).

15.11.060 - Additional regulations.

01. Reserved.

(Ord. 5308 § 1 (part), 1996).

15.11.070 - Signs.

Signage in this district shall comply with Chapter 15.33, "Signs."

(Ord. 5308 § 1 (part), 1996).

Attachment D

Multifamily and Townhome Residential Development

Site Development

1. Min lot size: R-3 district standards
2. All multifamily development shall comply with the site development standards listed in the table below:

Building Placement	
Front (min max)*	10' 20'**
Street-Side (min max)	10' 15'
Interior Side (min)	5' with a 1' indentation for every story above the first floor
Rear (min)	10'
Accessory Structure	3'
Building Coverage	
Lot Coverage (max)	45%
No accessory structure shall exceed the ground floor coverage of the principal structure.	
Building Height	
Principal Structure (max)	60'
Accessory Structure (max)	18'

*For planning and zoning purposes, the front yard of any property with frontage along a “Main Street” shall be considered the side abutting the “Main Street.”

**For multifamily and mixed commercial/residential properties, a front yard setback greater than 20 feet may be permitted for the purpose of accommodating outdoor dining, recreation areas, or other types of activated public spaces.

3. Lot Configuration

Lot Size	
Lot Area (min)	5,000 sf (2,000 sf for townhome units)
Lot Width (min)	50' (20' for townhome units)
Lot Depth (min)	100'
Residential Density	
Dwelling Units per Acre (net min)	8

4. All outdoor trash receptacles shall be enclosed on three sides with a masonry, wood, or vinyl fence and shall have a lockable gate that when closed completely eliminates view of the dumpster.
5. All fences/walls shall be installed in compliance with Section 15.24.040, Fence Regulations, of the Council Bluffs Municipal Code.

6. 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.
7. All grading and drainage activity shall be completed in accordance with approved final plans.
8. Outdoor lighting shall be installed in accordance with Section 12.54.050, Lighting Controls, of the Council Bluffs Municipal Code. Additionally, any outdoor light poles shall be constructed of painted or finished aluminum or steel. Wood poles shall not be allowed. The maximum height of any light pole shall not exceed 25 feet. All outdoor luminaires shall be “full cutoff” style, meaning that each luminaire shall be designed such that they do not directly emit light above the horizontal plane, and the correlated color temperature rating of each luminaire shall not exceed 3,000 Kelvin. Luminaires recognized as “Dark Sky Compliant” by the DarkSky organization shall be used whenever feasible.
9. Any installation of a solar energy conversion system(s) shall be in accordance with the standards in Chapter 15.34, Renewable Energy, of the Council Bluffs Municipal Code.

Parking and Access

1. Off-street parking shall conform to the standards of Chapter 15.23, *Off-Street Parking, Loading and Unloading*, with the following exceptions:
 - a. The minimum number of parking spaces required for townhomes shall be one (1) space per dwelling unit
 - b. The maximum number of parking spaces for any multifamily development shall not exceed 150% of the required minimum parking amount
 - c. To the extent feasible, parking associated with any multifamily apartment development shall not be located between the front of a building and a public or private street.
 - d. Off-street parking for townhomes may be permitted in the required front yard setback on a hard surface designed in accordance with Section 15.23, *Off-Street Parking Loading and Unloading* of the Council Bluffs Municipal Code (Zoning Ordinance). Vehicles shall be parked and stored in such a manner that does not obstruct pedestrian or vehicular circulation or the use of the public right-of-way, including sidewalks, trails, bike lanes and alleys.
 - e. If an alley is present and open to traffic, all vehicular access shall take place from the alley. When an alley is not present, access to corner lots from a secondary street shall be preferable to access from the primary street.
 - f. Alleys, if constructed, shall be paved in accordance with Public Works standards.
 - g. Shared driveways. Shared driveways between abutting lots are encouraged. Proof of access through copies of signed and recorded shared driveway access easements or similar documentation shall be provided to the City prior to construction of a shared driveway.
2. All off-street parking shall comply with Chapter 661—18, Parking for Persons with Disabilities, of the Iowa Administrative Code.
3. Electric vehicle parking.
 - a. All townhome and multifamily residential uses are encouraged to provide electric vehicle charging capabilities in on-site parking areas, though no minimum number of vehicle chargers are required. Any electric vehicle charging stations provided shall count toward required parking space ratios.
 - b. Electric vehicle charging units and supporting equipment shall not impede

- pedestrian pathways, vehicle circulation routes, drive aisles, or other parking stalls.
- c. Transformer boxes and other above-ground supporting equipment shall be screened in accordance with the standards for ground-mounted mechanical equipment in the architecture section of this development plan.
- d. Electric vehicle charging shall occur entirely within the boundary of the property on which the charging unit is installed and shall not extend into the public right-of-way or adjacent properties.
- 4. A public sidewalk at least five (5) feet in width shall be provided along all frontages.
- 5. The public entrance(s) to the principal structure(s) shall be clearly distinguished using covered walkways, awnings, canopies, porches, and/or projected or recessed building mass.
- 6. On-site bicycle parking shall be provided for all multifamily and mixed commercial/residential developments containing ten (10) or more dwelling units, subject to the following standards:
 - a. Minimum bicycle parking ratios:
 - i. For residential use components: One (1) space per eight (8) dwelling units
 - ii. For commercial use components: One (1) space per 10,000 square feet of gross floor area OR two (2) spaces, whichever is greater
 - b. Outdoor bicycle parking shall be provided in the form of securely anchored bicycle racks of any of the following standard designs: U-racks, staple racks, circle racks, post-and-ring racks, or any other bicycle rack design which provides two points of contact with the bicycle frame and allows for both the bicycle frame and one wheel to be locked to the rack using a standard U-lock.
 - c. Bicycle parking shall be located within 100 feet of the building entrance it serves or in another location approved by the Community Development Director.
 - d. Bicycle parking racks shall be of solid construction and resistant to rust, corrosion, hammers, and saws.
 - e. Indoor, secure bicycle parking located within dedicated bicycle storage rooms accessible to residents may be used to satisfy up to 80% of the total required residential bicycle parking.

Architecture

1. A minimum of 30% of the total square footage of each building façade that faces a street frontage shall consist of durable materials. Acceptable durable materials may include the following:
 - a. Brick, tile, and stone masonry;
 - b. Glass (non-mirrored, non-tinted);
 - c. Native stone or synthetic equivalent
 - d. Architectural metal (non-corrugated metal); and
 - e. Other durable materials determined by the Community Development Director
2. Any building façade or section thereof greater than 40 feet in width shall be constructed with architectural details such as color changes, material changes, minor wall offsets, height variations, wall setbacks, accent lines, colonnades, façade ornamentation, and/or upper floor step backs to articulate building elevations.
3. Except when a building façade is 100% brick masonry, the base of each façade shall be

comprised of a different material than the rest of the façade. The base materials shall be a minimum of two (2) feet in height from the established grade, span the entire width of the building, and be comprised of one of the following materials:

- a. Architectural concrete masonry unit (CMU) block (no smooth or flat faced block);
 - b. Brick masonry;
 - c. Stone masonry; or
 - d. Tile masonry.
4. Transparency. A minimum of 40% of any section of ground floor street-facing façade on a multifamily or mixed commercial/residential building, behind which is any commercial, property management/leasing office, or tenant amenity space, shall consist of transparent windows or doors. A minimum of 15% of the remaining primary façade and 10% of the remaining street-facing elevations shall consist of similar transparent materials.
 5. The public entrance(s) to the principal structure(s) shall be clearly distinguished using covered walkways, awnings, canopies, porches, and/or recessed building mass.
 6. Awnings and other decorative architectural features may be allowed on the façade of any building. Such features shall be at least eight (8) feet above any pedestrian way and may not project over drive aisles or parking lot areas.
 7. For structures containing ten (10) or more apartment homes, at least 50% of units shall have a balcony measuring at least 4 feet deep by 6 feet wide. Balconies may be cantilevered, semi-recessed, or fully recessed.
 8. Plain exposed concrete parking structures shall not be permitted. All above-ground parking structures shall be designed with complementary architectural screening materials, vegetative green facades, murals, or a combination thereof.
 9. All rooftop mounted mechanical equipment that is visible from an adjacent street, sidewalk, or trail shall be screened from view using architectural design features.
 10. All ground-mounted mechanical equipment that is visible from an adjacent street, sidewalk, or trail shall be completely screened from view using architectural design features, fencing, masonry wall, landscaping, or a combination thereof. As an alternative, transformer boxes visible from an adjacent street, sidewalk, or trail may be decorated with permanent art.

Landscaping

1. A landscaping plan shall be submitted with every building permit application. The plan shall clearly identify plant species, quantity, and size and shall show dimensions of all areas to be landscaped.
2. Landscaping is required on each lot. For townhomes, foundation plantings shall be provided at a minimum rate of one plant per linear foot of front and street side façade, excluding entryways and garage doors, and one tree shall be planted in the frontage area of each unit. For multifamily and mixed commercial/residential development, not less than 10% of the total area of each lot shall be landscaped with trees, shrubs, perennials, ornamental grasses, or other plant materials. Native species suitable for growth in local climate conditions and supportive of pollinator species are preferred.
3. A minimum of one large, deciduous shade tree shall be planted per 3,000 square feet of paved vehicle parking area (including parking stalls, driveways, drive aisles, and loading areas). Trees shall be incorporated into all parking lot islands and endcaps
4. For multifamily and mixed commercial/residential developments, a minimum five-foot wide landscape buffer shall be provided between all parking surfaces and each abutting property

line, except where parking lot design and cross access easements allow for internal circulation between lots. The landscape buffer may be included in the 10% landscaping requirement.

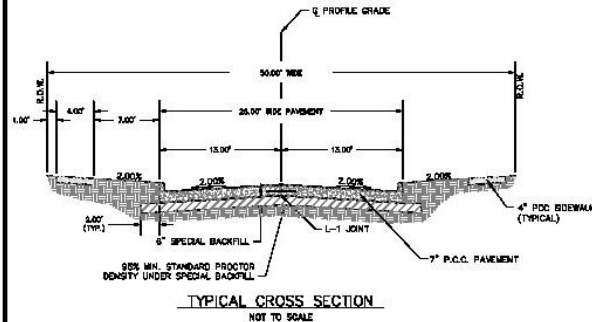
5. In any instance where a multifamily residential use directly abuts a one-family, two-family, or townhome use and the mechanical equipment or utility meters serving the multifamily property will be visible from the other property, a landscape screening buffer shall be provided.
6. Street trees shall be provided along the frontage of all lots. Street tree species shall be any of those designated “medium” or “large” on the Council Bluffs Street Tree Species Guide, and tree spacing shall be determined by the guide. All street trees shall be planted within the right-of-way between the sidewalk and back of curb.
7. All deciduous trees shall have a minimum caliper width of two (2) inches at the time of planting.
8. All disturbed areas without a specific landscape design shall be seeded or sodded with turf and/or prairie grass.
9. Not more than 10% of the landscaped area shall be of inorganic materials such as brick, stone, aggregate, metal, or artificial turf.
10. All landscaping shall be appropriately maintained, and dead plant material shall be replaced at a time appropriate to planting season(s) but in all cases shall be replaced within one year.

Signage

1. Any signage shall comply with the PR Overlay signage standards listed in Section 15.33.160, *Residential District Signs*, of the Municipal Code and shall be designed with colors and materials compatible with the architectural style and materials of the development.

Attachment E
Preliminary Plan

PRELIMINARY PLAN EAST MANAWA SUBDIVISION



TYPICAL CROSS SECTION
NOT TO SCALE

VERTICAL CONTROL

BENCHMARK OF ORIGIN: NGS W 131 NAVD '88 ELEV. = 979.50

2.25 MILES SOUTHERLY ALONG THE BURLINGTON NORTHERN RAILROAD FROM THE JUNCTION OF 10TH AVENUE IN COUNCIL BLUFFS, IN THE SOUTHEAST CORNER OF AN ABANDONED PILE CAP THAT PROJECTS 2.6 FT ABOVE THE GROUND SURFACE, 10.2 FT SOUTHEAST OF THE CENTER OF STATE HIGHWAY 82, 9.2 FT SOUTHWEST OF THE NEAR RAIL, 5.6 FT NORTHWEST OF THE WEST CORNER OF A SMALL RAILROAD BRIDGE, AND LEVEL WITH THE TRACK.



LOCATION MAP
SCALE: 1"=2000'

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4 NW1/4) AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4 NW1/4) AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4 NW1/4) OF SECTION 18, TOWNSHIP 74 NORTH, RANGE 43 WEST AND A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4 NE1/4) OF SECTION 13, TOWNSHIP 74 NORTH, RANGE 44 WEST ALL IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAME COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4 NW1/4) OF SECTION 18;

THENCE ON SAID WESTERLY SECTION LINE, NORTH 00 DEGREES 01 MINUTE 02 SECONDS WEST, 1,218.63 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF EAST MANAWA DRIVE;

THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES:

- 1) SOUTH 79 DEGREES 28 MINUTES 56 SECONDS EAST, 39.07 FEET;
- 2) SOUTH 75 DEGREES 21 MINUTES 21 SECONDS EAST, 309.25 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 633.69 FEET;
- 3) SOUTHEASTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 46 DEGREES 31 MINUTES 36 SECONDS, 433.38 FEET;
- 4) NORTH 89 DEGREES 34 MINUTES 41 SECONDS EAST, 4.88 FEET;
- 5) SOUTH 24 DEGREES 28 MINUTES 30 SECONDS EAST, 582.03 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 658.93 FEET;
- 6) SOUTHEASTERLY ON SAID CURVE THROUGH A CENTRAL ANGLE OF 12 DEGREES 05 MINUTES 32 SECONDS, 181.49 FEET;
- 7) SOUTH 12 DEGREES 23 MINUTES 58 SECONDS EAST, 658.03 FEET;
- 8) SOUTH 04 DEGREES 55 MINUTES 48 SECONDS EAST, 331.20 FEET;
- 9) SOUTH 10 DEGREES 10 MINUTES 56 SECONDS WEST, 558.60 FEET;
- 10) SOUTH 10 DEGREES 10 MINUTES 56 SECONDS WEST, 10.74 TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4 NW1/4) OF SECTION 18;

THENCE ON SAID QUARTER SECTION LINE, NORTH 88 DEGREES 44 MINUTES 53 SECONDS WEST, 1,040.38 FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4 NE1/4) OF SECTION 13;

THENCE ALONG SAID SOUTH QUARTER SECTION LINE, NORTH 88 DEGREES 52 MINUTES 54 SECONDS WEST, 1,327.44 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4 NE1/4) OF SECTION 13;

THENCE ALONG SAID WEST QUARTER SECTION LINE, NORTH 00 DEGREES 11 MINUTES 13 SECONDS EAST, 1,328.28 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4 NE1/4) OF SECTION 13;

THENCE ALONG SAID NORTH QUARTER SECTION LINE, SOUTH 89 DEGREES 39 MINUTES 13 SECONDS EAST, 1,323.80 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 94.686 ACRES (INCLUDING 3.990 ACRES FOR SUBDIVISION STREET RIGHT-OF-WAY), MORE OR LESS, SUBJECT TO EASEMENT OF RECORD.

CURRENT OWNER/DEVELOPER:

CITY OF COUNCIL BLUFFS
208 PEARL STREET
COUNCIL BLUFFS, IA 51903

ZONING:

EXISTING ZONING OF PROPOSED SUBDIVISION IS CLASS A-2.
PROPOSED ZONING OF PROPOSED SUBDIVISION IS R-3 DISTRICT WITH PR OVERLAY.

NOTES:

PROPOSED SEWER: CONSTRUCT NEW SANITARY SEWER, WITH PRIVATE LATERAL CONNECTIONS. CONSTRUCT NEW STORM SEWER AND INTAKES. NEW SEWER TO BE DEDICATED TO CITY OF COUNCIL BLUFFS.

PROPOSED WATER: CITY WATER CONNECTIONS TO BE DESIGNED BY CERNW

DEDICATION OF R-O-W: YES
2.94 ACRES OF 90' WIDE R-O-W WILL BE DEDICATED TO CITY OF COUNCIL BLUFFS.

SURFACE RUNOFF: STORM SEWER TO PROPOSED SUBDIVISION DETENTION.

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

ENGINEER:

HGM ASSOCIATES INC.
640 FIFTH AVENUE
COUNCIL BLUFFS, IOWA 51501

EXISTING FLOOD PLAIN:

MISSOURI RIVER FLOOD PLAIN
FEMA FLOOD ZONE - AREA WITH REDUCED FLOOD RISK DUE TO LEVEE - ZONE X

STORM WATER DETENTION:

DETENTION TO BE LOCATED IN OUTLOTS

BOUNDARY SURVEY:

BOUNDARY SURVEY WILL BE PROVIDED BY HGM ASSOCIATES INC.

INDEX

PAGE NO.	DESCRIPTION
A.01	TITLE SHEET
A.02	AREA MAP
G.01	OVERALL LOT LAYOUT
G.02	PHASE 1 PLAN

SPECIFICATIONS

THE URBAN STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, 2024, AND CITY OF COUNCIL BLUFFS SUPPLEMENTAL SPECIFICATIONS 2024, SHALL APPLY TO THIS PROJECT.

I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Iowa.

PAUL J. GONZALES
My Comm. Expires December 31, _____

Signature of client covered by this seal:
A.01, A.02, G.01 AND G.02

PROGRESS SET
A4 18, 2004
NOT FOR
CONSTRUCTION

hgm
ASSOCIATES INC.
ENGINEERING ARCHITECTURE SURVEYING
CREATED IN THE CLOUD

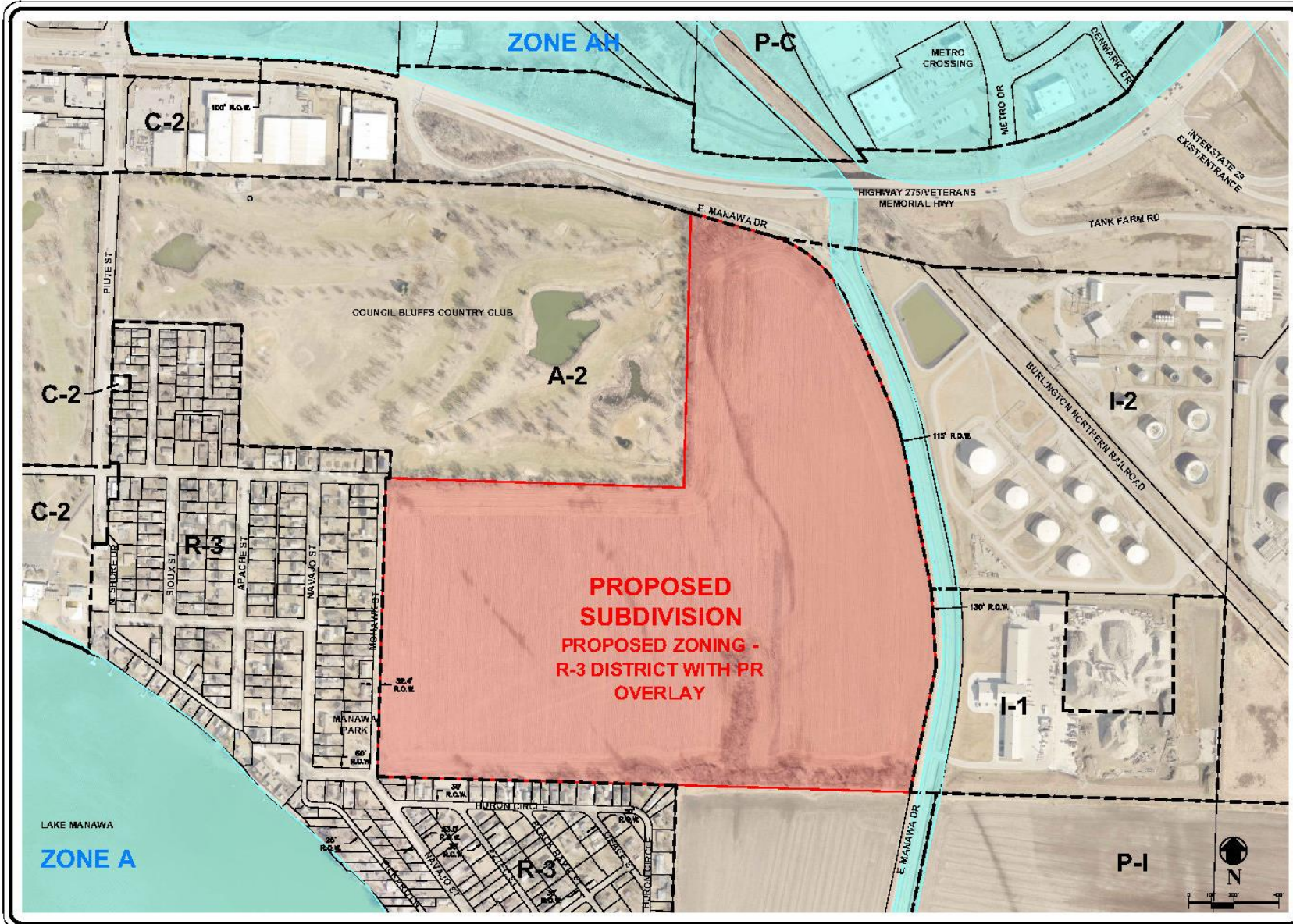
This drawing is being made for the use of the project in accordance with the provisions of the Engineering Code of Ethics. It is not to be used for any other purpose without the written consent of the engineer.

DATE: 10/10/2024
BY: [Signature]
CHECKED: [Signature]
SCALE: AS SHOWN

EAST MANAWA SUBDIVISION
PHASE 1 LAYOUT
CITY OF COUNCIL BLUFFS
89 PEARL STREET, COUNCIL BLUFFS, IA 51501
PROJECT: [Blank]
SHEET: [Blank]

PROJECT NO.
150023
SHEET
A.01

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PROGRESS SET
 JUL 18, 2024
 CONSTRUCTION

hgm
 ASSOCIATES INC.
 ENGINEERING ARCHITECTURE SURVEYING
 1000 10th St. NW
 Grand Rapids, MI 49503

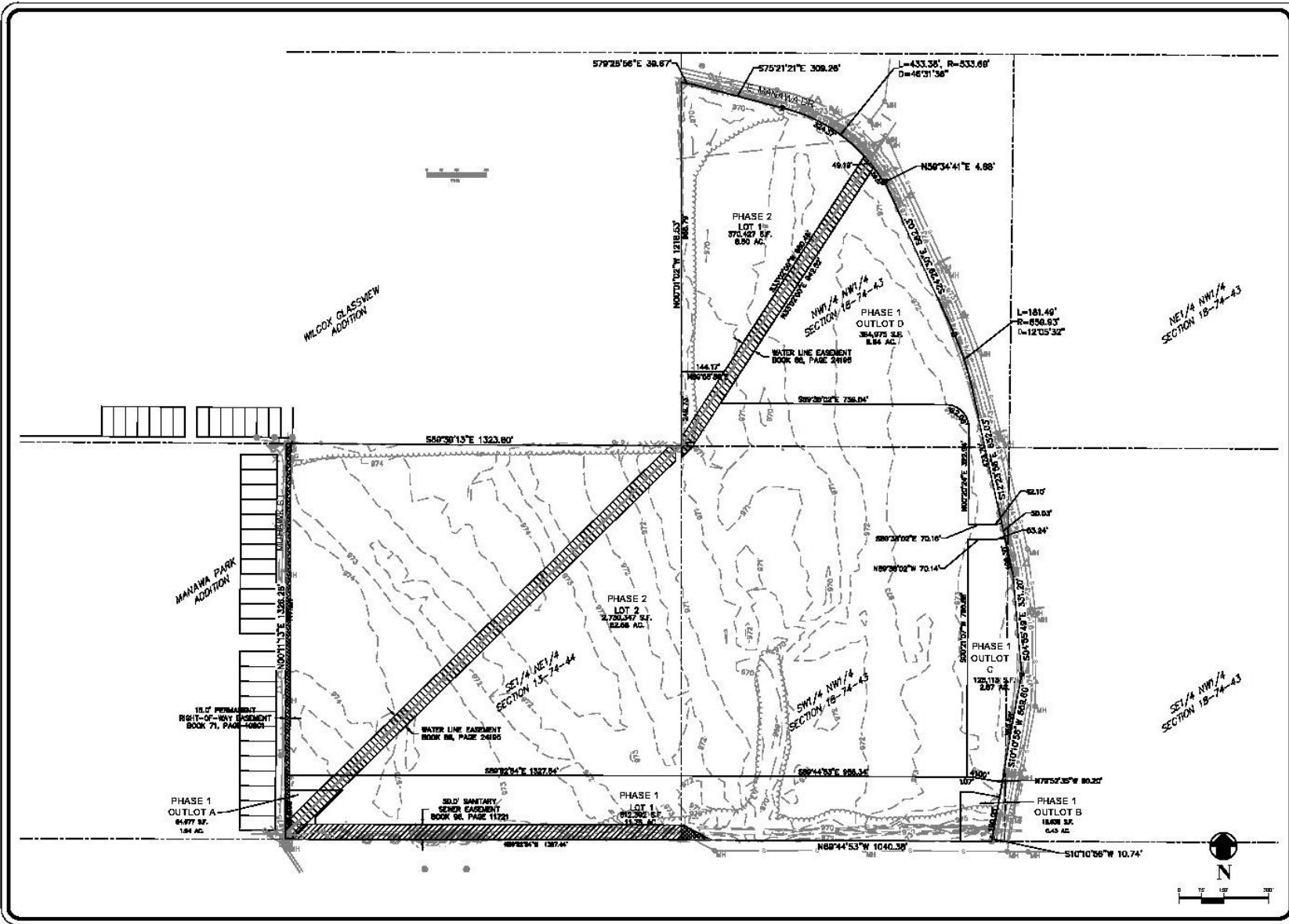
THIS DRAWING IS A PRELIMINARY DESIGN. IT IS NOT TO BE USED FOR CONSTRUCTION OR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF HGM ASSOCIATES INC. ANY CHANGES TO THIS DRAWING MUST BE APPROVED BY HGM ASSOCIATES INC. IN WRITING.

DATE	BY	CHKD	APPD
7/18/24	Jm		
7/18/24	Jm		
7/18/24	Jm		

PROJECT: EAST MANAWA SUBDIVISION
 PHASE: LAYOUT
 CLIENT: CITY OF COUNCIL BLUFFS
 200 PEARL STREET, COUNCIL BLUFFS, IA 51501
 AREA MAP

150023
 A.02

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PROGRESS SET
 Jul 11, 2024
 NOT FOR
 CONSTRUCTION

hgm
 ASSOCIATES INC.
 ENGINEERING ARCHITECTURE SURVEYING
 created with: cadent

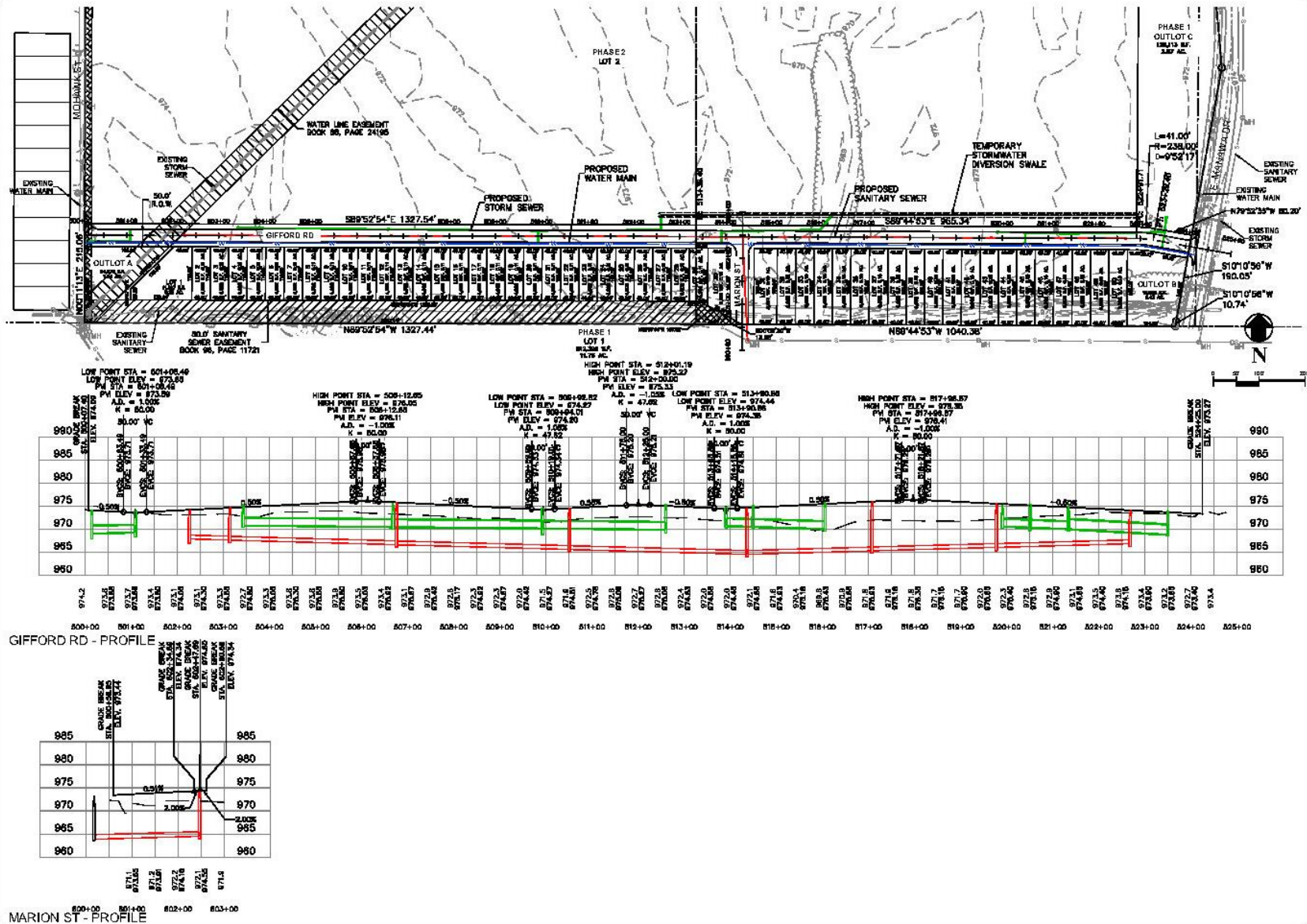
THE COMPANY IS NOT PROVIDING THIS INFORMATION FOR ANY OTHER PURPOSES THAN THE ONE SPECIFIED HEREIN. THE COMPANY IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS INFORMATION. THE COMPANY IS NOT PROVIDING THIS INFORMATION FOR ANY OTHER PURPOSES THAN THE ONE SPECIFIED HEREIN.

DATE	BY	CHKD	APPD
7/11/24	JAW		
7/11/24	JAW		
7/11/24	JAW		
7/11/24	JAW		

PROJECT: EAST MANAWA SUBDIVISION
 PHASE 1 LAYOUT
 CITY OF COUNCIL BLUFFS
 209 PEARL STREET, COUNCIL BLUFFS, IA 51501
 SHEET: 150023
 OVERALL LOT LAYOUT

PROJECT NO: 150023
 SHEET: G.01

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PROGRESS SET
 JUL 11, 2024
 NOT FOR
 CONSTRUCTION

ASSOCIATES INC.
 ENGINEERING ARCHITECTURE SURVEYING
 CONSULTANTS

This drawing is a preliminary plan and should not be used for construction without the approval of the engineer. It is the responsibility of the user to verify all data and dimensions.

DATE	DESCRIPTION
7/11/2024	PRELIM PLATTING

PROJECT: EAST MANAWA SUBDIVISION
 PHASE: PHASE 1 LAYOUT
 CITY OF COUNCIL BLUFFS
 209 PEARL STREET, COUNCIL BLUFFS, IA 51501
 SHEET: G.02

Attachment F

Proposal Cover Page

Project Information

Project Name _____

Organization Information

Name of Developer _____

Mailing Address _____

Contact Person _____

Telephone _____ Fax _____

Email Address _____

Employer Identification Number _____ MBE/WBE Owned?

DUNS Number _____

Partners

Type	Name and Address	Contact Person
Project Development		
Architectural Firm		
Engineering Firm		
Lender		
Other (specify)		
Other (specify)		

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 to select a qualified firm(s) to dispose of City-owned property in the East Manawa Drive Housing Urban Renewal Area, being legally described as an approximate 8.5 acre portion of a parcel of land being a portion of northwest quarter of the northwest quarter (nw1/4 nw1/4) and the southwest quarter of the northwest quarter (sw1/4 nw1/4) and the southeast quarter of the northwest quarter (se1/4 nw1/4) of section 18, township 74 north, range 43 west and a portion of the southeast quarter of the northeast quarter (se1/4 ne1/4) of section 13, township 74 north, range 44 west all in the City of Council Bluffs, Pottawattamie county, Iowa. You are further notified that the public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 14th day of July, 2025 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

RESOLUTION NO. 25-109

RESOLUTION APPROVING REQUEST FOR PROPOSALS FOR APPROXIMATELY 8.5 ACRES OF LAND SOUTH OF HWY 275 AND BETWEEN E. MANAWA DRIVE AND THE COUNCIL BLUFFS COUNTRY CLUB

WHEREAS, this Council has previously found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and, by Resolution No. 24-243 in 2024, approved and adopted the East Manawa Drive Housing Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the East Manawa Drive Housing Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Pottawattamie County; and

WHEREAS, the City owns certain real property located within the Urban Renewal Area (the "Development Property"); and

WHEREAS, the Plan provides for, among other things, the disposition of properties for development or redevelopment as an urban renewal project; and

WHEREAS, the City desires to sell the Development Property to a private developer(s) for development into multi-family residential; and

WHEREAS, City staff has caused a Request for Proposals to be prepared, attached hereto as Exhibit 1 and made a part hereof, which sets forth information regarding the Development Property and requirements and evaluation criteria for proposals to develop the Development Property; and

WHEREAS, this Council believes it is in the best interest of the City and the Plan to act as expeditiously as possible to offer the Development Property for redevelopment as set out herein.

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

1. That the form and content of the Request for Proposal attached hereto, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed.
2. That City staff is are hereby authorized, empowered, and directed to do all such acts and things as may be necessary to carry out and comply with the provisions of the Request for Proposals, and the City's receipt of proposals thereunder.
3. The Development Property offered for sale and redevelopment in accordance with the Request for Proposals is legally described as follows:

An approximate 8.5 acre portion of a parcel of land being a portion of northwest quarter of the northwest quarter (nw1/4 nw1/4) and the southwest quarter of the northwest quarter (sw1/4 nw1/4) and the southeast quarter of the northwest quarter

(se1/4 nw1/4) of section 18, township 74 north, range 43 west and a portion of the southeast quarter of the northeast quarter (se1/4 ne1/4) of section 13, township 74 north, range 44 west all in the City of Council Bluffs, Pottawattamie county, Iowa.

PASSED AND APPROVED this 21st day of April, 2025.

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

WITNESS my hand and the seal of said Council hereto affixed this _____ day of _____, 2025.

City Clerk, City of Council Bluffs, Iowa

(SEAL)

ATTACH REQUEST FOR
PROPOSALS AS
EXHIBIT 1

01623253-1\10342-101

RESOLUTION NO. 25-110

RESOLUTION APPROVING MINIMUM DEVELOPMENT
REQUIREMENTS, COMPETITIVE CRITERIA, AND PROCEDURES
FOR DISPOSITION OF CERTAIN PROPERTY LOCATED WITHIN
THE URBAN RENEWAL AREA; AND SOLICITING PROPOSALS IN
ACCORDANCE WITH THE REQUEST FOR PROPOSALS

WHEREAS, this Council has previously found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and, by Resolution No. 24-243 in 2024, approved and adopted the East Manawa Drive Housing Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the East Manawa Drive Housing Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Pottawattamie County; and

WHEREAS, the City owns certain real property located within the Urban Renewal Area consisting of a property south of Hwy 275 and between E. Manawa Drive and the Council Bluffs Country Club, approximately 8.5 acres in size (the "Development Property"); and

WHEREAS, the Plan provides for, among other things, the disposition of properties for development or redevelopment as an urban renewal project; and

WHEREAS, the City desires to sell the Development Property to a private developer(s) for new multi-family residential use development in accordance with the provisions of the Request for Proposals approved by this Council on May 5, 2025 for the Development Property, which sets forth minimum requirements for proposals to develop the Development Property and evaluation criteria for such proposals; and

WHEREAS, in order to comply with Iowa Code Section 403.8, the City is establishing reasonably competitive bidding procedures for the disposition of the Development Property and all developers interested in submitting a proposal to compete for the sale and redevelopment of the Development Property must submit a proposal meeting the requirements set forth in the Request for Proposal and set forth herein; and

WHEREAS, to give full and fair opportunity for developers interested in submitting a proposal for the sale and redevelopment of the Development Property, this Council should by this Resolution:

1. Approve the minimum requirements for the sale of and redevelopment of the Development Property.
2. Set a date for receipt of competing proposals and the opening thereof; and provide for review of such proposals with recommendations to this Council in accordance with established procedures.

3. Approve and direct publication of a notice to advise any would-be bidders of the opportunity to compete for the sale of the Development Property on the terms and conditions set forth herein.

WHEREAS, this Council believes it is in the best interest of the City and the Plan to act as expeditiously as possible to offer the Development Property for redevelopment as set out herein.

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

1. The Development Property offered for sale and redevelopment in accordance with the terms and conditions contained in this Resolution, the Plan, and the Request for Proposals is legally described as follows:

An 8.5 acre portion of a parcel of land being a portion of northwest quarter of the northwest quarter (nw1/4 nw1/4) and the southwest quarter of the northwest quarter (sw1/4 nw1/4) and the southeast quarter of the northwest quarter (se1/4 nw1/4) of section 18, township 74 north, range 43 west and a portion of the southeast quarter of the northeast quarter (se1/4 ne1/4) of section 13, township 74 north, range 44 west all in the City of Council Bluffs, Pottawattamie county, Iowa.

2. It is hereby determined that the requirements set forth in the Request for Proposals shall be considered the minimum development requirements, which requires that each proposal must (1) provide for a minimum of 150 multi-family residential units, (2) include and provide for the developer's purchase of the Development Property at not less than the fair value for use in accordance with the Plan, and (3) include the following information:

- a. Application – Included in the Request for Proposals;
- b. Project Summary – A brief written description of the project;
- c. Project Plans – A scaled plot plan of the proposed development. The plot plan should illustrate the location of structures, parking areas, ingress and egress, open or landscape areas, etc. The developer must also submit additional information such as elevation drawings, photos of similar projects, typical floor plans, etc.;
- d. Developer Experience – Provide a listing of previous projects completed, especially with regard to projects that are relevant to the proposed development;
- e. Project Timeline – A timeline for the project design, bidding, construction and occupancy;

- f. Financial Summary – Developer(s) must provide a proposed cost and source of funding for the project, including a 10-year project proforma. Developer(s) must also outline expected funding sources and projected date all financing will be secured; and
 - g. Project Contingencies – Indicate any special assistance needed to implement the project, such as financial assistance, state or federal applications, or other public participation;
3. It is hereby determined that the evaluation criteria set forth in the Request for Proposals shall constitute the competitive criteria by which any proposals submitted shall be evaluated, which includes the following criteria:
- a. Design, Aesthetics and Quality of Construction Materials and Landscaping (40%): The quality of design and materials is essential. A combination of durable materials and transparency with an urban appearance must be utilized. Preference will be given to developers that:
 - i. Create a single-family attached environment following the R-3 zoning district and the applicable Overlay Standards.
 - ii. Utilize architectural details such as color changes, material changes, minor wall offsets, height variations, wall setbacks, accent lines and upper floor step back to articulate building elevations. A list of acceptable building materials is outlined in the “Architecture” section of the of the East Manawa PR Development Standards. A list of materials and visual renderings of the site layout, units and exterior design must be provided as a part of this submittal.
 - b. Developer’s Experience and Capacity (30%): The makeup/description of the developer’s project team. The preferred developer will have significant experience in the construction of multi-family units. The names of individuals involved and the roles they will perform must be listed. Provide a description of the qualifications and experience of the specific individuals who will be involved in the work described in this RFP, including staff and other professionals.
 - c. Number of Units Proposed, Unit Sizes and Timeline (15%)
 - i. Preference will be given to developers who maximize the number of units as well as the number of market rate units. Affordable is defined as at or below 80% of the median family income. Provide a target resident type (senior, family, etc.) if applicable.
 - ii. Proposals will also be scored on the length of time it will take to construct and occupy the project.
 - d. Funding Sources (15%): Preference will be given to Developers not utilizing either 4% or 9% Low Income Housing Tax Credits (LIHTC). Provide a list of

proposed funding sources and when the funds are expected to be awarded/confirmed.

4. This action of the Council shall be considered to be and does hereby constitute notice to all concerned of the intention of this Council to accept proposals for the sale and redevelopment of the Development Property in accordance with the procedures set forth in this Resolution and in the Request for Proposals, which Request for Proposals is on file for public inspection at the office of the City Clerk, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503.
7. The City Clerk is authorized and directed to secure immediate publication of the text of this Resolution in the NonPareil, a newspaper having general circulation in the community.
8. Proposals for the purchase of the Development Property must be received by the City's electronic submission system at <https://cbiabids.ionwave.net/> on or before 10:00 A.M. on June 26, 2025. Said proposals must be electronically submitted in accordance with the instructions set forth in the Request for Proposals. The Community Development Director, or his designee, is hereby authorized and directed to make a preliminary analysis of each such proposal for compliance with the minimum requirements established by this Resolution and by the Request for Proposals, and to advise the Council with respect thereto. Proposals meeting the minimum requirements will then be presented to the City Council at 7:00 P.M. on July 14, 2025 at its meeting to be held in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503. The Council shall judge the strength of the proposals meeting the foregoing minimum requirements by the criteria set forth above and shall make the final evaluation and selection of a proposal.
9. The minimum development requirements, competitive criteria, and procedures set forth in this Resolution and in the Request for Proposals are hereby determined to be "reasonable competitive bidding procedures" in substantial conformance with the provisions of Iowa Code Section 403.8. If there is any discrepancy between this Resolution and the Request for Proposal, the more detailed Request for Proposal shall control.
10. In the event qualified proposals are timely submitted and the City Council accepts a proposal, the City will file or publish notice of the intent of the City of Council Bluffs, Iowa to accept a proposal, to the extent required by law.

PASSED AND APPROVED this 21st day of April 2025.

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

WITNESS my hand and the seal of said Council hereto affixed this _____ day of _____, 2025.

City Clerk, City of Council Bluffs, Iowa

(SEAL)

Council Communication

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

February 2025 Financial Reports
ITEM 3.G.

Council Action: 4/21/2025

Description

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
February 2025 Receipts & Expenditures by Fund	Other	4/11/2025
February FY25 Expenditures by Vendor	Other	4/17/2025

City of Council Bluffs

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

General Fund	2,752,580.41
Special Revenue	2,885,845.91
Debt Service	98,166.48
Capital Project	1,526,655.87
Enterprise	2,248,591.33
Total Receipts	9,511,840.00

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

General Fund	6,748,170.23
Special Revenue	503,805.52
Debt Service	600.00
Capital Project	4,277,809.33
Enterprise	887,276.67
Total Expenditures	12,417,661.75

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

to Mid America Center	0.00
to Dodge Riverside	0.00
to RE Parking Garage	14,000.00
Total Transfers	14,000.00

CITY OF COUNCIL BLUFFS
AP POST BY VENDOR
FEBRAURY 2025
(\$'S)

VENDOR	AMOUNT	DESCRIPTION	BUSINESS PURPOSE
2ND WIND EXERCISE EQUIPMENT INC	\$1,569.60	EQUIPMENT/PARTS	City Expenditure
A + UNITED RADIATOR REPAIR INC.	\$185.00	REPAIRS & MAINTENANCE	City Expenditure
ABC ELECTRIC INC.	\$18,705.00	REPAIRS & MAINTENANCE	City Expenditure
ABLE LOCKSMITHS	\$383.75	PROFESSIONAL SVCS	City Expenditure
AGRIVISION EQUIPMENT GROUP	\$1,175.61	EQUIPMENT/PARTS	City Expenditure
AHLERS & COONEY P.C	\$879.50	LEGAL SERVICES	City Expenditure
ALEGENT CREIGHTON HEALTH	\$2,000.00	PROFESSIONAL SVCS	City Expenditure
ALEX AIR APPARATUS 2 LLC	\$1,392.02	EQUIPMENT/PARTS	City Expenditure
ALL COPY PRODUCTS INC	\$903.15	LEASE	City Expenditure
ALL TRAFFIC DATA LLC	\$2,900.00	EQUIPMENT/PARTS	City Expenditure
ALLDATA LLC	\$1,500.00	EQUIPMENT/PARTS	City Expenditure
ALLIED OIL & TIRE COMPANY	\$240.00	SUPPLIES	City Expenditure
AMERICAN MESSAGING SERVICES LLC	\$16.26	PHONE/INTERNET SVC	City Expenditure
AMERICAN NATIONAL BANK	\$65.00	BANK SERVICES	City Expenditure
AMERICAN TRAFFIC SOLUTIONS, INC.	\$35,612.00	PROFESSIONAL SVCS	City Expenditure
AMERICAN WATER WORKS ASSOCIATION	\$55.00	TRAINING	City Expenditure
AMERITAS LIFE INS CORP	\$32.90	DODGE OPERATING EXPENSE	Dodge Expenditure
AMEX	\$75.24	MAC OPERATING EXPENSE	MAC Exditure
ARNOLD MOTOR SUPPLY, LLP	\$2,757.54	EQUIPMENT/PARTS	City Expenditure
ARROW TOWING	\$7,036.50	TOWING/STORAGE/AUCTION	City Expenditure
ATHENS TECHNICAL SPECIALISTS INC	\$731.68	REPAIRS & MAINTENANCE	City Expenditure
AUDITOR OF STATE	\$850.00	AUDIT	City Expenditure
BAKER & TAYLOR INC	\$5,511.73	BOOKS/PERIODICALS/SUB	City Expenditure
BARNHART CRANE & RIGGING	\$2,225.00	EQUIPMENT/PARTS	City Expenditure
BERT GURNEY & ASSOCIATES INC	\$20,402.24	EQUIPMENT/PARTS	City Expenditure
BGNE INC.	\$608.68	SUPPLIES	City Expenditure
BH MEDIA GROUP INC.	\$1,520.84	ADVERTISEMENT	City Expenditure
BLACK HILLS UTILITY HOLDINGS, INC.	\$44,666.13	NATURAL GAS	City Expenditure
BLUFFS ELECTRIC INC	\$8,624.07	ELECTRICAL REPAIR	City Expenditure
BOFA	\$77.19	MAC OPERATING EXPENSE	MAC Exditure
BOO, INC.	\$3,999.46	EQUIPMENT/PARTS	City Expenditure
BOOKED AUTHORS LLC	\$3,350.00	PUBLIC EVENTS	City Expenditure
C & J INDUSTRIAL SUPPLY	\$604.00	JANITORIAL SERVICE	City Expenditure
CAESARS ENTERTAINMENT	\$143,304.88	MAC OPERATING EXPENSE	MAC Exditure
CANON SOLUTIONS AMERICA INC	\$336.55	COPY/PRINTER MAINTANCE	City Expenditure
CAVENDISH SQUARE PUBLISHING LLC	\$186.03	BOOKS/PERIODICALS/SUB	City Expenditure
CENGAGE LEARNING INC	\$420.36	BOOKS/PERIODICALS/SUB	City Expenditure
CENTER POINT LARGE PRINT	\$292.44	BOOKS/PERIODICALS/SUB	City Expenditure
CENTURY ASPHALT CORPORATION	\$100.00	REPAIRS & MAINTENANCE	City Expenditure
CENTURYLINK	\$1,615.47	PHONE/INTERNET SVC	City Expenditure
CERRIS SYSTEMS NORTH CENTRAL INC	\$6,230.00	SERVICE LABOR	City Expenditure
CERTIFIED POWER INC	\$1,984.59	EQUIPMENT/PARTS	City Expenditure
CERTIFIED TRANSMISSION	\$3,045.27	REPAIRS & MAINTENANCE	City Expenditure
CFI TIRE SERVICE	\$342.50	TIRE REPLACEMENT/REPAIR	City Expenditure
CHAMPLIN TIRE RECYCLING INC	\$5,040.00	TIRE DISPOSAL	City Expenditure
CHARLES VRANA & SON CONSTRUCTION CO	\$192,383.78	CONSTRUCTION	City Expenditure
CHPPR ACQUISITIONCO INC	\$1,080.00	TRAINING	City Expenditure
CHRISTINE D ANDERSON	\$30.80	REIMB EMPLOYEE EXPENSE	City Expenditure
CITY EMPLOYEE PAYROLL	\$2,276,023.65	CITY EMPLOYEE PAYROLL	City Expenditure
CITY OF COUNCIL BLUFFS-DEPENDENT	\$3,623.66	PAYROLL RELATED	City Expenditure
CITY OF COUNCIL BLUFFS-FLEX	\$10,708.48	PAYROLL RELATED	City Expenditure
CITY OF OMAHA	\$130,000.00	CONTRACT AGREEMENT	City Expenditure
CITY TREASURER	\$6,053.54	DODGE OPERATING EXPENSE	Dodge Expenditure
CIVICPLUS	\$350.00	HARDWARE/SOFTWARE	City Expenditure
CLEAN HARBORS ENVIRONMENTAL SERVICES INC	\$32,489.91	SERVICE LABOR	City Expenditure
CLERK OF THE DISTRICT COURT	\$885.08	PAYROLL RELATED	City Expenditure
COLLECTION SERVICES CENTER	\$7,220.54	PAYROLL RELATED	City Expenditure
COLUMN SOFTWARE PBC	\$154.18	LEGAL SERVICES	City Expenditure
COMMUNICATION INNOVATORS	\$8,297.50	CONSTRUCTION	City Expenditure
CONFLUENCE INC	\$1,035.00	CONSULTANT	City Expenditure
CONTINENTAL FIRE/ALARM	\$2,573.60	PROFESSIONAL SVCS	City Expenditure
CONTINENTAL WESTERN GROUP	\$4,343.99	DODGE OPERATING EXPENSE	Dodge Expenditure
CORNHUSKER INTERNATIONAL TRUCKS	\$5,090.97	EQUIPMENT/PARTS	City Expenditure
COUNCIL BLUFFS AIRPORT AUTHORITY	\$8,227.14	AIRPORT AUTH TAX	City Expenditure
COUNCIL BLUFFS AREA PICKLEBALL CLUB	\$871.20	FEES	City Expenditure
COUNCIL BLUFFS CHAMBER OF COMMERCE	\$225.00	CONTRACT AGREEMENT	City Expenditure

COUNCIL BLUFFS WATER WORKS	\$17,682.30	WATER	City Expenditure
COUNCIL BLUFFS WINSUPPLY	\$1,568.00	SUPPLIES	City Expenditure
COX BUSINESS	\$724.72	DODGE OPERATING EXPENSE	Dodge Expenditure
COX BUSINESS SERVICES	\$332.71	RIVERS EDGE GARAGE EXPENSE	Rivers Edge Garage Expenditure
COX COMMUNICATION INC	\$13,070.23	PHONE/INTERNET SVC	City Expenditure
CRISP INC	\$9,853.00	EQUIPMENT/PARTS	City Expenditure
CTBOOK HOLDINGS LLC	\$4,747.20	BOOKS/PERIODICALS/SUB	City Expenditure
D & E LLC	\$16,425.00	MOWING/GROUNDS MAINT	City Expenditure
DAKOTA SUPPLY GROUP	\$6,746.11	EQUIPMENT/PARTS	City Expenditure
DALES TRASH SERVICE INC	\$153.00	RENTAL EXPS	City Expenditure
DAN BECKMANN	\$1,416.00	JANITORIAL SERVICE	City Expenditure
DATA POWER TECHNOLOGY LLC	\$470.00	REPAIRS & MAINTENANCE	City Expenditure
DATASHIELD CORPORATION	\$67.50	SERVICE LABOR	City Expenditure
DAVID C ANDERSEN	\$3,010.00	CONSTRUCTION	City Expenditure
DAVIS EQUIPMENT CORPORATION	\$191.31	EQUIPMENT/PARTS	City Expenditure
DEMCO INC	\$1,072.56	SUPPLIES	City Expenditure
DIGITECH COMPUTER LLC	\$30,312.77	AMBULANCE BILLING FEE	City Expenditure
DMG INC	\$4,344.53	ELECTRICAL REPAIR	City Expenditure
DODGE BANK & CR CARD FEES	\$440.87	DODGE OPERATING EXPENSE	Dodge Expenditure
DODGE RIVERSIDE PAYROLL	\$28,852.48	DODGE OPERATING EXPENSE	Dodge Expenditure
DODGE RIVERSIDE SALES TAX	\$442.11	DODGE OPERATING EXPENSE	Dodge Expenditure
DOLL DISTRIBUTION	\$2,886.81	MAC OPERATING EXPENSE	MAC Exenditure
DUKE RENTALS	\$621.20	RENTAL EXPS	City Expenditure
DUNCAN PARKING TECHNOLOGIES INC	\$257.00	EQUIPMENT/PARTS	City Expenditure
DXP ENTERPRISES INC	\$337.00	EQUIPMENT/PARTS	City Expenditure
EAGLE TIRE DISTRIBUTORS	\$6,228.00	TIRE REPLACEMENT/REPAIR	City Expenditure
ECHO GROUP	\$4,499.65	SUPPLIES	City Expenditure
ECOSOLUTIONS INC	\$561.85	SUPPLIES	City Expenditure
ECO-STORAGE INVESTMENTS INC	\$25,647.21	SOLID WASTE DISPOSAL	City Expenditure
EDWARDS CHEVROLET-CADILLAC INC	\$1,588.09	EQUIPMENT/PARTS	City Expenditure
EFTPS	\$594,798.18	PAYROLL RELATED	City Expenditure
ELAVON INC	\$2,139.83	FEES	City Expenditure
ELEDGE PLUMBING INC	\$1,350.00	REPAIRS & MAINTENANCE	City Expenditure
EMMONS & OLIVIER RESOURCES, INC.	\$3,550.00	PROFESSIONAL SVCS	City Expenditure
EMPLOYERS MUTUAL CASUALTY COMPANY	\$192,488.84	INSURANCE	City Expenditure
ENTERPRISE FM TRUST	\$729.75	RENTAL EXPS	City Expenditure
EOCENE ENVIRONMENTAL GROUP INC	\$4,191.75	PROFESSIONAL SVCS	City Expenditure
ERIC OR DEZERAI RENSHAW	\$63.00	REFUND	City Expenditure
ERIN M MCCARTNEY	\$394.00	PAYROLL RELATED	City Expenditure
FACTORY MOTOR PARTS	\$1,709.10	EQUIPMENT/PARTS	City Expenditure
FASTENAL COMPANY	\$38.40	SUPPLIES	City Expenditure
FBI-LEEDA INC	\$795.00	TRAINING	City Expenditure
FELD FIRE	\$4,723.07	EQUIPMENT/PARTS	City Expenditure
FELSBURG HOLT & ULLEVIG INC	\$7,492.50	PROFESSIONAL SVCS	City Expenditure
FINTECH	\$20.00	DODGE OPERATING EXPENSE	Dodge Expenditure
FIRESPRING PRINT INC	\$273.07	PRINTING/BINDING	City Expenditure
FIRST NATIONAL BANK P CARDS	\$3,636.28	DODGE OPERATING EXPENSE	Dodge Expenditure
FORVIS MAZARS LLP	\$24,225.00	PROFESSIONAL SVCS	City Expenditure
FOSTER & FREEMAN USA INC	\$439.88	EQUIPMENT/PARTS	City Expenditure
FOSTERS INC	\$5,980.50	EQUIPMENT/PARTS	City Expenditure
GALLS PARENT HOLDING, LLC	\$3,314.57	EQUIPMENT/PARTS	City Expenditure
GAMES ON TAP LLC	\$230.00	PUBLIC EVENTS	City Expenditure
GENERAL TRAFFIC CONTROLS INC	\$46,014.00	CONTRACT AGREEMENT	City Expenditure
GENIE SERVICES LLC	\$510.00	PEST CONTROL	City Expenditure
GERMANIA SEED COMPANY	\$431.14	SUPPLIES	City Expenditure
GLOBAL PAYMENTS DIRECT, INC	\$11,285.10	CREDIT CARD CHGS	City Expenditure
GRACIE HAYS	\$180.00	UMPIRE/PARKS	City Expenditure
GREAT AMERICA FINANCIAL SERV	\$234.14	DODGE OPERATING EXPENSE	Dodge Expenditure
GREAT PLAINS COMMUNICATIONS HOLDINGS LLC	\$4,758.00	PHONE/INTERNET SVC	City Expenditure
GREAT PLAINS UNIFORMS	\$4,197.56	UNIFORMS	City Expenditure
GREEN ACRES NATURAL FOODS	\$15.00	REFUND	City Expenditure
GRP & ASSOCIATES	\$87.00	SUPPLIES	City Expenditure
HACHETTE BOOK GROUP	\$5,000.00	PUBLIC EVENTS	City Expenditure
HARMS OIL COMPANY	\$51,235.70	FUEL	City Expenditure
HARVEYS BR MANAGEMENT CO INC	\$750.00	FEES	City Expenditure
HDR ENGINEERING INC	\$64,796.07	PROFESSIONAL SVCS	City Expenditure
HEARTLAND BUSINESS SYSTEMS LLC	\$415.80	HARDWARE/SOFTWARE	City Expenditure
HEARTLAND CO-OP	\$105.00	FUEL	City Expenditure
HEARTLAND TIRES & TREADS INC	\$4,907.32	TIRE REPLACEMENT/REPAIR	City Expenditure
HEARTLAND TOXICOLOGY	\$392.00	PROFESSIONAL SVCS	City Expenditure
HGM ASSOCIATES INC	\$58,305.02	CONSULTANT	City Expenditure
HISTORIC GENERAL DODGE HOUSE INC	\$25,000.00	CONTRIBUTIONS	City Expenditure

HOMER T ROBBYN K CAVE	\$108.00	REFUND	City Expenditure
HOTSYS EQUIPMENT COMPANY	\$336.50	REPAIRS & MAINTENANCE	City Expenditure
HUBWISE TECHNOLOGY INC	\$318.86	RIVERS EDGE GARAGE EXPENSE	Rivers Edge Garage Expenditure
HY VEE, INC.	\$1,620.00	PROPERTY ACQUISITION	City Expenditure
ICMA RETIREMENT TRUST - 457	\$11,828.00	PAYROLL RELATED	City Expenditure
IMAGE TREND LLC	\$15,600.00	HARDWARE/SOFTWARE	City Expenditure
INFOSAFE SHREDDING LLC	\$125.00	PROFESSIONAL SVCS	City Expenditure
INLAND TRUCK PARTS COMPANY INC	\$932.62	EQUIPMENT/PARTS	City Expenditure
IOWA CHAPTER OF IAPMO	\$30.00	DUES/MEMBERSHIP	City Expenditure
IOWA COMMUNICATIONS NETWORK	\$300.00	PHONE/INTERNET SVC	City Expenditure
IOWA DEPARTMENT OF HUMAN SERVICES	\$106,507.60	AMBULANCE BILLING FEE	City Expenditure
IOWA DEPARTMENT OF REVENUE	\$10,470.44	MAC OPERATING EXPENSE	MAC Expenditure
IOWA DEPT OF INSPECTIONS & APPEALS	\$705.00	TRAINING	City Expenditure
IOWA DEPT OF REVENUE	\$96,765.00	PAYROLL RELATED	City Expenditure
IOWA DEPT OF TRANSPORTATION	\$1,865.00	CONSULTANT	City Expenditure
IOWA LAW ENFORCEMENT ACADEMY	\$41,000.00	TRAINING	City Expenditure
IOWA PRISON INDUSTRIES	\$1,446.96	SUPPLIES	City Expenditure
IOWA WASTE SERVICES HOLDINGS INC	\$163.88	SOLID WASTE DISPOSAL	City Expenditure
IPERS	\$247,904.08	PAYROLL RELATED	City Expenditure
IPSF CORPORATION	\$567.86	DODGE OPERATING EXPENSE	Dodge Expenditure
ISU EXTENSION	\$2,703.50	TRAINING	City Expenditure
J & R LIQUOR	\$1,141.18	MAC OPERATING EXPENSE	MAC Expenditure
JAMES E HALL	\$21,725.00	CONTRACT AGREEMENT	City Expenditure
JEFFREY A BALLENGER	\$80.00	REFUND	City Expenditure
JEFFREY T KOUBA	\$308.30	PROFESSIONAL SVCS	City Expenditure
JEFF'S WASH & GLO LTD	\$864.00	REPAIRS & MAINTENANCE	City Expenditure
JENNA JAFFERY	\$1,000.00	PUBLIC EVENTS	City Expenditure
JEO CONSULTING GROUP INC	\$76,668.41	CONSULTANT	City Expenditure
JIM HAWK TRUCK TRAILERS INC.	\$303.02	EQUIPMENT/PARTS	City Expenditure
JOHNSON CONTROLS INC.	\$637.50	EQUIPMENT/PARTS	City Expenditure
JONES AUTOMOTIVE	\$36,243.19	EQUIPMENT/PARTS	City Expenditure
JONES BARREL CO.	\$711.50	SUPPLIES	City Expenditure
JOSEPH TRUMBULL	\$945.00	UMPIRE/PARKS	City Expenditure
JULIANNE M JOHNSON	\$6.23	REIMB EMPLOYEE EXPENSE	City Expenditure
KEVIN MICHAEL JONES	\$2,800.00	CONSULTANT	City Expenditure
KEVIN OR CATLIN DILLION	\$63.00	REFUND	City Expenditure
KLASS LAW FIRM LLP	\$1,755.78	CONTRACT AGREEMENT	City Expenditure
KOSISKI AUTO PARTS INC	\$250.00	EQUIPMENT/PARTS	City Expenditure
KRISTINA D REICKS	\$290.00	PROPERTY ACQUISITION	City Expenditure
KRISTINE L SINCLAIR	\$75.00	LIBRARY PREFORMANCES	City Expenditure
LANDSCAPES GOLF MANAGEMENT	\$14,072.54	DODGE OPERATING EXPENSE	Dodge Expenditure
LANG DIESEL INC.	\$745.72	EQUIPMENT/PARTS	City Expenditure
LAWSON PRODUCTS INC	\$2,111.84	SUPPLIES	City Expenditure
LEAH WRIGHT	\$50.00	PUBLIC EVENTS	City Expenditure
LIGHTSPEED	\$212.93	DODGE OPERATING EXPENSE	Dodge Expenditure
LKQ CORPORATION	\$720.71	EQUIPMENT/PARTS	City Expenditure
LORETTA GOESCHEL	\$42.70	REIMB EMPLOYEE EXPENSE	City Expenditure
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$149,498.24	PAYROLL RELATED	City Expenditure
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$27,274.47	PAYROLL RELATED	City Expenditure
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$36,550.00	PAYROLL RELATED	City Expenditure
LSNB AS TRUSTEE FOR POST EMPLOY HLTH PLAN	\$25,400.00	PAYROLL RELATED	City Expenditure
LUCAS HOLDINGS LLC	\$832.50	SUPPLIES	City Expenditure
LYNCH DALLAS, P.C.	\$5,680.00	ATTORNEY FEES	City Expenditure
M & R WELDING	\$1,061.00	WELDING SUPPLIES/SERVICE	City Expenditure
MACQUEEN EQUIPMENT, LLC	\$5,794.58	EQUIPMENT/PARTS	City Expenditure
MAGNET FORENSICS USA, INC.	\$5,799.40	HARDWARE/SOFTWARE	City Expenditure
MARCO HOLDINGS, LLC	\$3,962.97	COPY/PRINTER MAINTANCE	City Expenditure
MARTIN RESOURCE MANAGEMENT	\$200.00	SUPPLIES	City Expenditure
MATERIAL MATTERS INC	\$517.50	HARDWARE/SOFTWARE	City Expenditure
MATHESON TRI GAS INC.	\$585.48	SUPPLIES	City Expenditure
MAX I WALKER UNIFORM & APPAREL	\$4,819.02	UNIFORMS	City Expenditure
MCCLURE ENGINEERING CO	\$42,481.25	ENGINEERING	City Expenditure
MCINTOSH PLUMBING INC	\$1,300.00	PLUMBING NEW OR REPAIR	City Expenditure
MCMULLEN FORD INC	\$852.96	EQUIPMENT/PARTS	City Expenditure
MELLEN & ASSOCIATES INC	\$647.54	EQUIPMENT/PARTS	City Expenditure
MENARD INC.	\$37.94	SUPPLIES	City Expenditure
METOLIUS LLC	\$919.00	DODGE OPERATING EXPENSE	Dodge Expenditure
METRO WASTE AUTHORITY	\$7,166.40	SERVICE LABOR	City Expenditure
MFRSI	\$522,744.66	PAYROLL RELATED	City Expenditure
MICHAEL O'BRADOVICH	\$2,400.00	LEGAL SERVICES	City Expenditure
MICHAEL TODD AND COMPANY INC	\$454.58	EQUIPMENT/PARTS	City Expenditure
MID AMERICAN ENERGY CO	\$1,135.18	RIVERS EDGE GARAGE EXPENSE	Rivers Edge Garage Expenditure

MIDAMERICAN ENERGY COMPANY	\$96,876.08	ELECTRICITY	City Expenditure
MIDLANDS HUMANE SOCIETY	\$10,328.17	CONTRACT AGREEMENT	City Expenditure
MIDLANDS PRINTING & BUSINESS FORMS	\$21,256.92	PRINTING/BINDING	City Expenditure
MIDWEST GLASS	\$5,588.00	REPAIRS & MAINTENANCE	City Expenditure
MIDWEST MEDICAL & SAFETY INC	\$1,099.00	MEDICAL SERVICES	City Expenditure
MIDWEST STORAGE SOLUTIONS INC	\$0.00	EQUIPMENT/PARTS	City Expenditure
MIDWEST TAPE, LLC	\$5,889.04	DVD/AUDIO/CD	City Expenditure
MIDWEST TURF & IRRIGATION	\$8,907.34	EQUIPMENT/PARTS	City Expenditure
MIDWEST TURF & IRRIGATION	\$78.00	DODGE OPERATING EXPENSE	Dodge Expenditure
MIDWEST WHEEL COMPANIES	\$365.04	EQUIPMENT/PARTS	City Expenditure
MONROE TRUCK EQUIPMENT, INC.	\$296.06	EQUIPMENT/PARTS	City Expenditure
MOORE'S SERVICE INCORPORATED	\$4,850.00	SERVICE LABOR	City Expenditure
MUNICIPAL EMERGENCY SERVICES INC	\$68.45	EQUIPMENT/PARTS	City Expenditure
MURPHY TRACTOR & EQUIPMENT CO CORP	\$23,679.74	EQUIPMENT/PARTS	City Expenditure
NAPA AUTO PARTS	\$6,355.27	EQUIPMENT/PARTS	City Expenditure
NATIONWIDE RETIREMENT SOLUTIONS INC	\$79,019.32	PAYROLL RELATED	City Expenditure
NCH CORPORATION	\$772.43	SUPPLIES	City Expenditure
NEBRASKA AIR FILTER INC	\$5,467.80	SUPPLIES	City Expenditure
NEBRASKA CHILD SUPPORT PAYMENT CTR	\$1,325.56	PAYROLL RELATED	City Expenditure
NEBRASKA GOLF AND TURF	\$1,385.97	DODGE OPERATING EXPENSE	Dodge Expenditure
NEBRASKA IOWA SUPPLY CO INC	\$1,928.16	FUEL	City Expenditure
NEBRASKA TEXTILE AND SUPPLY	\$176.50	DODGE OPERATING EXPENSE	Dodge Expenditure
NEUVIRTH CONSTRUCTION INC	\$317,142.37	CONSTRUCTION	City Expenditure
NMC INC.	\$3,364.90	EQUIPMENT/PARTS	City Expenditure
NODDLE DEVELOPMENT CO	\$2,875.00	RIVERS EDGE GARAGE EXPENSE	Rivers Edge Garage Expenditure
NODDLE DEVELOPMENT CO	\$1,000.00	RIVERS EDGE GARAGE EXPENSE	Rivers Edge Garage Expenditure
NODDLE SERVICES LLC	\$2,904.62	RIVERS EDGE GARAGE EXPENSE	Rivers Edge Garage Expenditure
NUCO PUMP SALES AND SERVICE	\$80.25	DODGE OPERATING EXPENSE	Dodge Expenditure
OMAHA DOOR & WINDOW CO INC	\$2,092.23	REPAIRS & MAINTENANCE	City Expenditure
OMAHA TRUCK CENTER COMPANY INC.	\$323.36	EQUIPMENT/PARTS	City Expenditure
OMNI ENGINEERING	\$2,998.31	STREET MAINTENANCE SUPLS	City Expenditure
ONE SOURCE THE BACKGROUND CHECK COMPANY	\$58.00	CONSULTANT	City Expenditure
O'REILLY AUTOMOTIVE INC	\$291.16	EQUIPMENT/PARTS	City Expenditure
OVERDRIVE INC	\$2,724.71	BOOKS/PERIODICALS/SUB	City Expenditure
PASSPORT LABS INC	\$685.00	PARKING FEES	City Expenditure
PAYROLL	\$115,384.19	MAC OPERATING EXPENSE	MAC Expenditure
PEERLESS WIPING CLOTH CO	\$420.00	SUPPLIES	City Expenditure
PENGUIN RANDOM HOUSE LLC	\$7,500.00	PROFESSIONAL SVCS	City Expenditure
PEPSI BEVERAGES CO	\$526.41	DODGE OPERATING EXPENSE	Dodge Expenditure
PETERSON CONTRACTORS INC	\$341,110.53	CONSTRUCTION	City Expenditure
PFM FINANCIAL ADVISORS LLC	\$2,000.00	PROFESSIONAL SVCS	City Expenditure
PITNEY BOWES INC.	\$3,006.25	POSTAGE & PRINTING	City Expenditure
POM INCORPORATED	\$1,548.00	EQUIPMENT/PARTS	City Expenditure
POTTAWATTAMIE COUNTY SHERIFF	\$6,630.00	INMATE COST	City Expenditure
POTTAWATTAMIE COUNTY TREASURER	\$450.00	FEES	City Expenditure
POWERTECH	\$16,640.00	ELECTRICAL REPAIR	City Expenditure
PPE INC	\$2,600.00	EQUIPMENT/PARTS	City Expenditure
PREMIER GLAZERS	\$1,601.40	MAC OPERATING EXPENSE	MAC Expenditure
PRINCIPAL	\$523.38	DODGE OPERATING EXPENSE	Dodge Expenditure
PROTECH COMMERCIAL VEHICLE OUTFITTERS INC	\$119.78	EQUIPMENT/PARTS	City Expenditure
RAPIDSCALE INC	\$1,754.95	SUBSCRIPTION	City Expenditure
RASMUSSEN MECHANICAL SERVICES INC	\$27,915.71	EQUIPMENT/PARTS	City Expenditure
RDG PLANNING & DESIGN	\$3,320.00	REFUND	City Expenditure
RDK INC	\$10.00	REFUND	City Expenditure
RED LIGHT REFUNDS	\$200.00	REFUND	City Expenditure
RELIANCE STANDARD LIFE INSURANCE CO	\$27,323.64	PAYROLL RELATED	City Expenditure
RELIANT FIRE APPARATUS INC	\$402.63	EQUIPMENT/PARTS	City Expenditure
RICHARD HARRISON	\$2,000.00	PUBLIC EVENTS	City Expenditure
RIVERS EDGE BANK CHARGES	\$50.65	RIVERS EDGE GARAGE EXPENSE	Rivers Edge Garage Expenditure
RJN GROUP	\$1,086.10	ENGINEERING	City Expenditure
RMC IMAGING INC	\$2,310.00	HARDWARE/SOFTWARE	City Expenditure
RODNEY JOHNSON	\$9,166.66	SERVICE LABOR	City Expenditure
ROSE HOLDING, INC.	\$4,317.60	EQUIPMENT/PARTS	City Expenditure
RS AMERICAS, INC.	\$12,131.20	SUPPLIES	City Expenditure
RTG BUILDING SERVICES INC	\$9,411.60	JANITORIAL SERVICE	City Expenditure
SAPP BROTHERS INC	\$2,720.16	FUEL	City Expenditure
SCALES SALES & SERVICE LLC	\$391.00	EQUIPMENT/PARTS	City Expenditure
SCHINDLER ELEVATOR CORPORATION	\$415.88	REPAIRS & MAINTENANCE	City Expenditure
SECURITY EQUIPMENT INCORPORATED	\$2,129.04	ALARM SECURITY	City Expenditure
SEILER INSTRUMENT AND MANUFACTURING CO INC	\$275.00	SUBSCRIPTION	City Expenditure
SJ ELECTRO SYSTEMS INC	\$23,452.00	EQUIPMENT/PARTS	City Expenditure
SMA ENTERPRISES INC.	\$378.07	EQUIPMENT/PARTS	City Expenditure

SNYDER & ASSOCIATES INC	\$5,150.00	CONSULTANT	City Expenditure
SOUTHWEST IOWA NARCOTICS	\$2,040.81	FEES	City Expenditure
SOUTHWEST IOWA NONPROFIT FOR COLLECTIVE	\$3,166,667.00	GRANT REIMBURSEMENT	City Expenditure
STAPLES INC	\$831.43	SUPPLIES	City Expenditure
STATE FARM	\$4,646.12	REFUND	City Expenditure
STATE OF IOWA	\$700.00	TRAINING	City Expenditure
STEARNS CONRAD AND SCHMIDT	\$1,400.00	CONSULTANT	City Expenditure
STEFANIE NELSON	\$350.00	PUBLIC EVENTS	City Expenditure
STEVE ANDREWS	\$4,200.00	CONSULTANT	City Expenditure
STUDIO 15 COMMERCIAL INTERIORS INC	\$58,113.17	PROFESSIONAL SVCS	City Expenditure
SUNOCO LP	\$38,126.96	FUEL	City Expenditure
SYSCO LINCOLN	\$748.95	DODGE OPERATING EXPENSE	Dodge Expenditure
T HALL ABC INC	\$80.85	SUPPLIES	City Expenditure
TED'S MOWER SALES & SERVICE INC	\$1,064.15	EQUIPMENT/PARTS	City Expenditure
THE ABY MANUFACTURING GROUP INC	\$5,548.50	SUPPLIES	City Expenditure
THE DAVEY TREE EXPERT COMPANY	\$11,350.00	TREE WORK	City Expenditure
THE DOLLYWOOD FOUNDATION	\$4,336.07	BOOKS/PERIODICALS/SUB	City Expenditure
THE RETROFIT COMPANIES INC	\$2,960.15	SERVICE LABOR	City Expenditure
THE WALMAN OPTICAL COMPANY	\$105.00	SAFETY EQUIP & MAINTENANCE	City Expenditure
THERESA DEWITT	\$38.50	REIMB EMPLOYEE EXPENSE	City Expenditure
THERMAL SERVICES	\$13,684.00	REPAIRS & MAINTENANCE	City Expenditure
THERMO KING CHRISTENSEN	\$292.20	SUPPLIES	City Expenditure
THOMAS RYAN	\$14.77	REIMB EMPLOYEE EXPENSE	City Expenditure
THRYV, INC.	\$1,088.47	ADVERTISEMENT	City Expenditure
TIREHUB, LLC	\$1,659.00	EQUIPMENT/PARTS	City Expenditure
TITAN MACHINERY INC	\$191.60	EQUIPMENT/PARTS	City Expenditure
TK ELEVATOR CORPORATION	\$645.21	RIVERS EDGE GARAGE EXPENSE	Rivers Edge Garage Expenditure
TORO COMPANY	\$175.96	DODGE OPERATING EXPENSE	Dodge Expenditure
TOYNE INC	\$5,383.75	EQUIPMENT/PARTS	City Expenditure
TRANSIT AUTHORITY OF THE CITY OF OMAHA	\$133,485.00	BUS SERVICE	City Expenditure
TRAQNOLOGY NORTH AMERICA	\$1,140.00	SUBSCRIPTION	City Expenditure
TREASURER STATE OF IOWA/SALES TAX	\$39,952.02	SALES TAX	City Expenditure
TREEHOUSE PHASE I LLC	\$96,725.16	GRANT REIMBURSEMENT	City Expenditure
TROWBRIDGE ELECTRICAL & PROPERTY MANAGEMENT	\$470.35	REFUND	City Expenditure
TROY TORGERSON	\$134.26	REIMB EMPLOYEE EXPENSE	City Expenditure
TURNER MORGAN	\$3,420.00	PROFESSIONAL SVCS	City Expenditure
TWO RIVERS INSURANCE COMPANY, INC.	\$1,167,486.29	EMPLOYEE INSURANCE	City Expenditure
TYLER TECHNOLOGIES INC	\$7,978.50	HARDWARE/SOFTWARE	City Expenditure
U.S. VENTURE, INC.	\$633.84	EQUIPMENT/PARTS	City Expenditure
UKG KRONOS SYSTEMS	\$2,120.00	HARDWARE/SOFTWARE	City Expenditure
ULTIMATE TRAINING MUNITIONS INC	\$5,764.03	SUPPLIES	City Expenditure
UMB BANK N.A.	\$600.00	BOND PAYMENT	City Expenditure
UMR	\$1,388.10	DODGE OPERATING EXPENSE	Dodge Expenditure
UNBOUND EVENTS INC.	\$5,100.00	LIBRARY PREFORMANCES	City Expenditure
UNDERGROUND LOCATION COMPANY	\$763.00	PROFESSIONAL SVCS	City Expenditure
UNITED LABORATORIES INC	\$1,164.00	SUPPLIES	City Expenditure
UNITED PARCEL SERVICE	\$171.05	FREIGHT/POSTAGE	City Expenditure
US BANK	\$117,702.51	CREDIT CARD PURCHASES	City Expenditure
US MARSHALS SERVICE	\$3,377.00	REFUND	City Expenditure
USGA CLUB MEMBERSHIP	\$175.00	DODGE OPERATING EXPENSE	Dodge Expenditure
VEENSTRA & KIMM INC	\$4,966.00	PROFESSIONAL SVCS	City Expenditure
VERIZON WIRELESS SERVICES LLC	\$40,840.76	CELL PHONE	City Expenditure
VERMEER SALES & SERVICE INC	\$1,357.51	EQUIPMENT/PARTS	City Expenditure
VIKING AUTOMATIC SPRINKLER CO	\$1,927.07	RIVERS EDGE GARAGE EXPENSE	Rivers Edge Garage Expenditure
VOYA RETIREMENT INSURANCE & ANNUITY COMPANY	\$12,224.00	PAYROLL RELATED	City Expenditure
VULCAN INDUSTRIES INCORPORATED	\$4,372.38	SUPPLIES	City Expenditure
W.W. GRAINGER, INC.	\$3,533.00	EQUIPMENT/PARTS	City Expenditure
WASTE CONNECTIONS OF IOWA	\$275,392.50	HOUSEHOLD TRASH	City Expenditure
WASTE CONNECTIONS OF IOWA	\$261.28	DODGE OPERATING EXPENSE	Dodge Expenditure
WASTE CONNECTIONS OF NEBRASKA INC	\$2,217.20	SOLID WASTE DISPOSAL	City Expenditure
WATER ENGINEERING INC	\$300.03	MOWING/GROUNDS MAINT	City Expenditure
WELLS FARGO FINANCIAL LEASING INC	\$364.00	LEASE	City Expenditure
WEST BROADWAY CLINIC P C	\$260.00	MEDICAL SERVICES	City Expenditure
WEST PUBLISHING CORPORATION	\$1,275.00	SUBSCRIPTION	City Expenditure
WHITE CAP, LP	\$1,192.80	SUPPLIES	City Expenditure
WILLIAM E CARPENTER JR	\$22.40	REIMB EMPLOYEE EXPENSE	City Expenditure
YMCA OF GREATER OMAHA	\$450.00	DUES/MEMBERSHIP	City Expenditure
ZOHO CORPORATION	\$7,680.00	HARDWARE/SOFTWARE	City Expenditure
TOTAL	\$12,417,661.75		



ZONING BOARD OF ADJUSTMENT

ANNUAL REPORT

2024

PREPARED BY:
COMMUNITY DEVELOPMENT DEPARTMENT
ADDRESS:
209 PEARL STREET, COUNCIL BLUFFS, IA 51503
DATE:
APRIL 15, 2025





April 15, 2024

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

Mayor and Members of the City Council:

The Zoning Board of Adjustment forwards this copy of the 2024 Annual Report for your information. This report contains a summary of the actions taken by the Board in handling various cases referred to them during the year.

I would like to take this opportunity to thank the City Council and 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,

Jesse Skudler, Chair
Zoning Board of Adjustment
City of Council Bluffs, Iowa

MAYOR

Matthew J. Walsh

2024 CITY COUNCIL

Joe Disalvo

Steve Gorman

Chris Peterson

Roger Sandau

Jill Shudak

2024 ZONING BOARD OF ADJUSTMENT

Bobbette Behrens, Chair

Jared Olson

Jesse Skudler, Vice Chair

David Tritsch

Pedro Vargas

COMMUNITY DEVELOPMENT DEPARTMENT**Planning and Code Compliance Division**

Courtney Harter, Director

Christopher Gibbons, Planning Manager

Jaimi Miller, Community Development Technician*/Code Compliance Officer*

Moises Monrroy, Planner

Haley Weber, Planner

Chris Kates, Code Compliance Officer*

Bart Nighswonger, Code Compliance Officer*

Chris Williams, Code Compliance Officer

*Indicates partial year of service

2024 ZONING BOARD OF ADJUSTMENT
MEMBERS, TERMS AND ATTENDANCE

Commissioner	Term	Meeting Attendance		
		Present	Absent	Attendance %
Bobbette Behrens	March 28, 2022 – April 1, 2027	11	0	100%
Jared Olson	June 24, 2024 – April 1, 2029	9	2	82%
Jesse Skudler	March 8, 2021 – April 1, 2026	10	1	91%
David Tritsch	March 27, 2023 – April 1, 2028	7	4	64%
Pedro Vargas	March 23, 2020 – April 1, 2025	10	1	91%

SUMMARY OF ACTIVITIES

The Zoning Board of Adjustment consist of five members appointed by the Mayor to staggered five-year terms. The Board has the power to hear and decide appeals where there is alleged to be an error in any order, requirement, decision or determination made in the enforcement of Title 15 of the Municipal Code (Zoning Ordinance). Appeals to the Board may be taken by any person or organization that believes that they have been aggrieved by an officer, department, or board of the municipality. Persons may apply to the Board in an effort to seek relief from any requirement of the Zoning Ordinance as set forth by State law. The Board also hears and decides requests for conditional use permits.

The chart below represents the total of number of cases heard by the Zoning Board of Adjustment (ZBA) from 2014 through 2024. In 2024, the Board heard a total of **23** cases.



Source: Community Development Department

Administrative Appeals:

The Zoning Board of Adjustment heard no administrative appeals in 2024.

Variances:

The Zoning Board of Adjustment heard eleven (11) variances cases in 2024, as stated below:

- A variance from Section 15.05.050, Site Development Regulations, A-2/Parks, Estates and Agricultural District, of the Council Bluffs Zoning Ordinance to allow a residential building addition to have a 5-foot interior side yard setback, as opposed to the required 14.7 feet, on property legally described as Lot 11, Government Lot Subdivision, located in the SW ¼ of Section 14-74-44, City of Council Bluffs, Pottawattamie County, Iowa;
- A variance from Section 15.09.050, Site Development Regulations, R-2/Two-Family Residential District, of the Council Bluffs Zoning Ordinance for a 17-foot (more/less) front yard setback variance to allow an accessory structure to be located closer to the front property line than the principal structure and a variance from Section 15.23.030, Design Standards, Off-Street Parking,

Loading, and Unloading, to allow off-street parking to be located within a required front yard on property legally described as Lot 4 and the northerly 3 feet of Lot 5, Block 10, Mid City Addition, City of Council Bluffs, Pottawattamie County, Iowa;

- A variance from Section 15.09.050, *R-2/Two-Family Residential District, Site Development Regulations*, to allow an accessory structure to be located closer to the front property line than the principal structure on property legally described as Lot 30, Deerfield, City of Council Bluffs, Pottawattamie County, Iowa;
- A variance from Section 15.21.050, *Site Development Regulations, I-2/General Industrial District*, of the Council Bluffs Municipal Code (Zoning Ordinance) to allow an accessory structure to be constructed one-foot from a rear property line on property legally described in Attachment 'D', located in the Council Bluffs Community Development Department;
- A variance from Section 15.08B.050, *R-1/Single-Family Residential District, Site Development Regulations*, to allow an accessory structure to be located closer to the front property line than the principal structure on property legally described as Lots 1 through 3 and vacated north/south alley adjoining along with the East 41.5 feet of Lots 10 and 11, all in Block 3, Mynster Place, City of Council Bluffs, Pottawattamie County, Iowa;
- A variance from Section 15.10.050, *Site Development Regulations, R-3/Low Density Multifamily Residential District*, of the Council Bluffs Municipal Code (Zoning Ordinance) to allow an accessory structure (garage) to be constructed zero feet from a street side property line; and a 169-square-foot lot coverage variance from Section 15.10.050, *Site Development Regulations, R-3/Low Density Multifamily Residential District*, of the Council Bluffs Municipal Code (Zoning Ordinance) to allow for a 52% lot coverage, as opposed to the maximum 45% lot coverage, all on property legally described as the East 56 feet of Lot 4, Block 1, Williams 1st Addition, City of Council Bluffs, Pottawattamie County, Iowa;
- A variance from Section 15.08B.050, *Site Development Regulations, R-1/Single-Family Residential District*, of the Council Bluffs Municipal Code (Zoning Ordinance) to allow an accessory structure (swimming pool) to be located in front of the existing front setback line of the principal structure on property legally described as being part of the West ½ of the NW ¼ of Section 24-75-43, lying East of North 8th Street, West of Delong Avenue and South of the flow line of the creek, City of Council Bluffs, Pottawattamie County, Iowa;
- A variance from Section 15.23.030(C)(5) to allow off-street parking within the required front-yard setback on property legally described as being the south 41.8 feet of the northerly 83.3 feet of Lots 3 and Lot 4, all in Home Place Addition, City of Council Bluffs, Pottawattamie County, Iowa;
- A variance from Section 15.23.020(G), *Off-Street Parking, Loading and Unloading* of the Council Bluffs Municipal Code (Zoning Ordinance), to allow a zero setback, as opposed to the required five feet, for paving and parking adjacent to a property line on property legally described as Lots 9 and 10, Block 14, Bayliss First Addition, City of Council Bluffs, Pottawattamie County, Iowa;
- A variance from Section 15.08C.050, *Site Development Regulations, R-1M/Single-Family Manufactured Housing District*, of the Council Bluffs Municipal Code (Zoning Ordinance) to allow a building addition to be constructed 3.6 feet from the rear property line, as opposed to the required 10-feet; and a 205-square foot variance from Section 15.08C.050, *Site Development Regulations, R-1M/Single-Family Manufactured Housing District*, of the Council Bluffs Municipal Code (Zoning Ordinance) to allow a 40% lot coverage, as opposed to the maximum 35% lot coverage allowed, on property legally described as Lot 10, Block 1, Moore's Addition, City of Council Bluffs, Pottawattamie County, Iowa; and
- A variance from Section 15.23.020(G), *Off-Street Parking, Loading and Unloading* of the Council Bluffs Municipal Code (Zoning Ordinance), to allow a zero setback, as opposed to the required five feet, for paving and parking adjacent to a street side property line on property

legally described as Lot 4 and the East 14 feet of Lot 1, Block 5, Eubanks Second Addition, City of Council Bluffs, Pottawattamie County, Iowa.

The Zoning Board of Adjustment concurred with staff's recommendation on ten (10) of the eleven (11) cases (see summary of activities below).

Conditional Use Permits:

The Zoning Board of Adjustment heard nine (9) conditional use permit cases in 2024, as stated below:

- A modification to an approved conditional use permit to allow the expansion of a 'salvage operation' in an I-2/Industrial District, including variances to allow for sub-standard pavement and an extended time-period to install hard-surface pavement on property legally described as Part of the NW ¼ of the SW ¼ (excluding state right of way) of Section 17-74-43, City of Council Bluffs, Pottawattamie County, Iowa;
- A conditional use permit to allow a 'storage yard' in an I-2/General Industrial District on property legally described as Lots 4 through 14, Block 25, Fleming and Davis Addition, along with the portion of the vacated east/west alley adjoining said Lots 4 through 14, and Lots 1 through 4, Block G, Riddle's Subdivision, along with the portion of the vacated east/west alley adjoining said Lots 1 through 4, City of Council Bluffs, Pottawattamie County, Iowa;
- A conditional use permit to allow a 'day care services' establishment, as defined in Section 15.03.180 of the Council Bluffs Municipal Code (Zoning Ordinance), in an R-1/Single-Family Residential District on property legally described as Part of Lot 1, Auditor's Subdivision of the NW1/4 NW1/4 and part of Lot 3, Auditor's Subdivision of the NE1/4 NW1/4, all in Section 32-75-43, City of Council Bluffs, Pottawattamie County, Iowa;
- A conditional use permit to allow an 'infill dwelling structure' in the R-3/Low Density Multifamily Residential District on property legally described as Lot 1, Block 3, Grimes Addition, excluding the westerly 84.6 feet, City of Council Bluffs, Pottawattamie County, Iowa;
- A conditional use permit to allow an 'infill dwelling structure' in the R-3/Low Density Multifamily Residential District on property legally described as the westerly 84.6 feet of Lot 1, Block 3, Grimes Addition, City of Council Bluffs, Pottawattamie County, Iowa;
- A conditional use permit to allow an 'infill dwelling structure' in the R-3/Low Density Multifamily Residential District on property legally described as Lot 1, Block 3, Grimes Addition, excluding the westerly 84.6 feet, City of Council Bluffs, Pottawattamie County, Iowa;
- A conditional use permit to allow a 'contractor yard', as defined in Section 15.03.172b of the Council Bluffs Municipal Code (Zoning Ordinance), in an I-2/General Industrial District on property legally described as Part of Lot 5, South Pointe Subdivision, Phase 2, City of Council Bluffs, Pottawattamie County, Iowa;
- A conditional use permit to allow a 'storage yard' in an I-2/General Industrial District on property legally described as Lots 13 and 14, Block 6, Fleming and Davis Addition and the south ½ of the vacated east/west alley adjacent, City of Council Bluffs, Pottawattamie County, Iowa; and
- A conditional use permit to allow the continuance of a nonconforming 'contractor yard' in a C-2/Commercial District on property legally described as a part of the SE ¼ NW ¼ and a part of the NE ¼ NW ¼ of Section 15-74-44, City of Council Bluffs, Pottawattamie County, Iowa.

The Zoning Board of Adjustment concurred with Staff's recommendation on all nine (9) cases (see summary of activities below).

Conditional Use Permit Revocations:

The Zoning Board of Adjustment revoked three (3) conditional use permit in 2024, as stated below:

- Revoke a conditional use permit, approved on June 21, 2011 for a correctional placement residential facility in an I-2/General Industrial District at 1310 South 17th Street;
- Revoke a conditional use permit, approved on October 18, 2011 to allow a salvage operation (asphalt shingle recycling) in an I-2/General Industrial District at 1319 South 17th Street (Parcel # 754435452002); and
- Revoke a conditional use permit, approved on November 21, 2023, and later amended on February 20, 2024, for a ‘day care services’ establishment in an R-1/Single-Family Residential District at 162 North Linden Avenue.

The Board concurred with staff’s recommendation on all three (3) requests (see summary of activities below).

SUMMARY OF ACTIVITIES

VARIANCES – 2024

Case #	Request	Recommended Action by CD Staff	ZBA Decision
BA-24-001	Applicant: Manuel and Fabiola Contreras Martinez Location: 5019 Gifford Road Request: Variance to allow a residential building addition to have a 5-foot interior side yard setback, as opposed to the required 14.7 feet	Denial	Denied
BA-24-002	Applicant: Bailey and Erika LaBreck Location: 610 N. 39 th Street Request: Variances to permit an accessory structure to be located closer to the front property line than the principal structure and to allow off-street parking to be located within the front yard setback	Denial	Denied
BA-24-003	Applicant: Timothy and Kristine Plunkett Location: 2333 Valley View Drive Request: Variance to allow an accessory structure to be located closer to the front property line than the principal structure	Approval	Approved

BA-24-004	Applicant: Ron Hackett Location: 2200 South Avenue Request: Variance to allow an accessory structure to be constructed one-foot from a rear property line	Approval	Approved
BA-24-005	Applicant: Jonathan Hallstrom Location: 204 W. Orchard Avenue Request: Variance to allow an accessory structure to be constructed in front of the existing front setback line of the principal structure	Approval	Approved
BA-24-006	Applicant: Miles Eckmann Location: 722 Bluff Street Request: Variances to allow an accessory structure to be constructed zero feet from a street side property line and to allow for a 52% lot coverage, as opposed to the maximum 45% lot coverage	Approval	Approved
BA-24-007	Applicant: JP Management Location: 2505 N. 8 th Street Request: Variance to allow an accessory structure to be located in front of the existing front setback line of a principal structure	Approval	Approved
BA-24-008	Applicant: Nicholas and Leah Gallo Location: 419 N. 34 th Street Request: Variance to allow off-street parking within the required front-yard setback	Approval	Approved
BA-24-009	Applicant: Pottawattamie County Location: 227 South 6 th Street Request: Variance to allow a new parking lot to have a zero setback from the northwesterly property line abutting an east/west alley	Denial	Denied

BA-24-010	Applicant: Victor Almanza Location: 3510 Scott Drive Request: Variance to allow a building addition to be constructed 3.6 feet from the rear property line, as opposed to the required 10 feet and to allow a 40% lot coverage, as opposed to the 35% maximum allowed	Denial	Denied
BA-24-011	Applicant: Kevin Durner Location: 400 Franklin Avenue Request: Variance to allow a new parking lot to have a zero setback from the northerly property line abutting Carson Avenue right-of-way	Approval	Denied

SUMMARY OF ACTIVITIES

CONDITIONAL USE PERMITS – 2024

Case #	Request	Recommended Action by CD Staff	ZBA Decision
CU-17-003(M)	Applicant: Steve and Jane Morris Location: 13500 192 nd Street Request: Modification to an approved conditional use permit to allow the expansion of a 'salvage operation' in an I-2/General Industrial District, including variances to allow sub-standard pavement and an extended time-period to install hard-surface pavement	Approval, with conditions	Approved, with conditions
CU-24-001	Applicant: Jose Lorenzo Perez Location: Undeveloped land lying north of 14 th Avenue and west of Indian Creek Request: Conditional use permit to allow a 'storage yard' in an I-2/General Industrial District	Approval, with conditions	Approved, with conditions
CU-24-002	Applicant: Shala Tolle Location: 24 Bennett Avenue	Approval, with conditions	Approved, with conditions

	Request: Conditional use permit to allow a 'day care services' establishment in an R-1/Single-Family Residential District		
CU-24-003	Applicant: Habitat for Humanity of Council Bluffs Location: The northeast corner of the intersection of North 8 th Street and Mynster Street Request: Conditional use permit to allow an 'infill dwelling structure' in an R-3/Low Density Multifamily Residential District	Approval, with conditions	Approved, with conditions
CU-24-004	Applicant: The 712 Initiative Location: Property immediately west of 738 Mynster Street Request: Conditional use permit to allow an 'infill dwelling structure' in the R-3/Low Density Multifamily Residential District	Approval, with conditions	Approved, with conditions
CU-24-005	Applicant: New Community Development Corporation d/b/a NeighborWorks Home Solutions Location: The southwest corner of the intersection of North 8 th Street and Mynster Street Request: Conditional use permit to allow an 'infill dwelling structure' in the R-3/Low Density Multifamily Residential District	Approval, with conditions	Approved, with conditions
CU-24-006	Applicant: L&W Supply Corporation Location: 4525 South 19 th Street Request: Conditional use permit to allow a 'contractor yard' in an I-2/General Industrial District	Approval, with conditions	Approved, with conditions
CU-24-007	Applicant: Dave P. Ayala Location: Undeveloped property located immediately east of 1610 10 th Avenue	Approval, with conditions	Approved, with conditions

	Request: Conditional use permit to allow a 'storage yard' in an I-2/General Industrial District		
CU-24-008	Applicant: Tony Nano Location: 3020 Veterans Memorial Highway Request: Conditional use permit to allow the continuance of a nonconforming 'contractor yard' in a C-2/Commercial District	Approval, with conditions	Approved, with conditions

CONDITIONAL USE PERMIT REVOCATIONS – 2024

Case #	Request	Recommended Action by CD Staff	ZBA Decision
CU-11-004	Applicant: Community Development Department Location: 1109 N. 15 th Street Request: Revoke conditional use permit approved on April 13, 2016 to allow small engine repair in an R-3/Multi-family Residential District	Approval	Approved
CU-11-007	Applicant: Community Development Department Location: Parcel #754435452002 – Formerly known as 1319 South 17 th Street Request: Revoke conditional use permit approved on October 18, 2011 to allow a salvage operation (asphalt shingle recycling) in an I-2/General Industrial District	Approval	Approved
CU-23-005	Applicant: Community Development Department Location: 162 North Linden Avenue Request: Revoke conditional use permit approved on November 21, 2023 and later amended on February 20, 2024 for a 'day care services' establishment in an R-1/Single-Family Residential District	Approval	Approved



PLANNING COMMISSION

ANNUAL REPORT

2024

PREPARED BY:
COMMUNITY DEVELOPMENT DEPARTMENT
ADDRESS:
209 PEARL STREET, COUNCIL BLUFFS, IA 51503
DATE:
APRIL 8, 2025





April 8, 2025

*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 2024 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,

Susan Freund
Chair, City Planning Commission
City of Council Bluffs, Iowa

City of Council Bluffs – Community Development Department

209 Pearl Street | Council Bluffs, IA 51503 | (712) 890-5350 | councilbluffs-ia.gov
Equal Opportunity Employer

MAYOR

Matthew J. Walsh

2024 CITY COUNCIL

Joe Disalvo
Steve Gorman
Chris Peterson
Roger Sandau
Jill Shudak

2024 CITY PLANNING COMMISSION

Lindsey Bailey*
Deborah Bass*
Peter Hutcheson
Kami Knauss
Susan Freund (Chair)
Jody Rater
Douglas Rew
David Stroebele
Dan Van Houten
Bridgette Watson

COMMUNITY DEVELOPMENT DEPARTMENT**Planning and Code Compliance Division**

Courtney Harter, Director
Christopher Gibbons, Planning and Code Compliance Manager
Jaimi Miller, Community Development Technician/Code Compliance Officer
Heather Johnston, Community Development Technician*
Moises Monrroy, Planner
Haley Weber, Planner
Eli Flekemma, Planner Intern*
Bart Nighswonger, Code Compliance Officer*
Chris Williams, Code Compliance Officer
Chris Kates, Code Compliance Officer*

*Indicates partial year of service

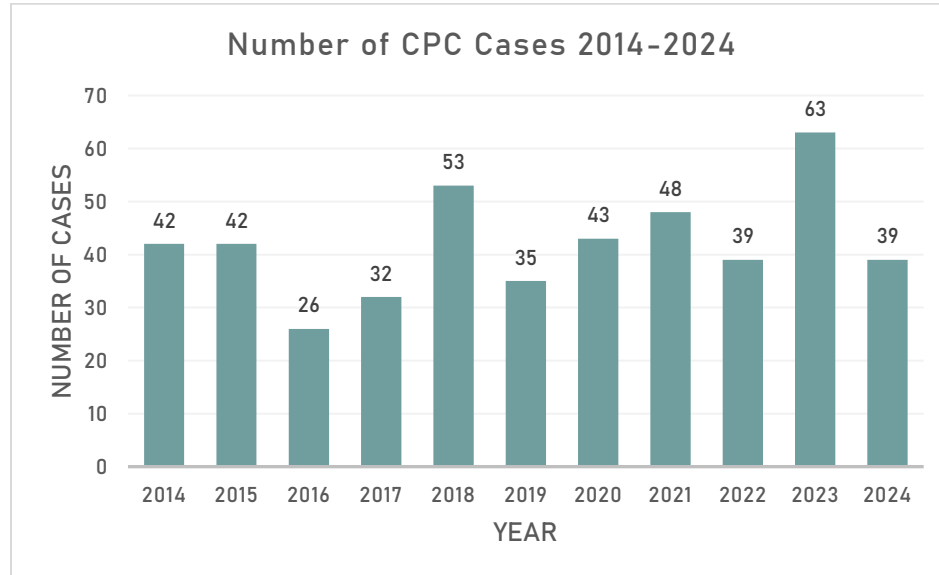
2024 CITY PLANNING COMMISSION MEMBERS, TERMS AND ATTENDANCE

Commissioner	Term	Meeting Attendance		
		Present	Absent	Attendance %
Lindsey Bailey*	December 17, 2019 – March 12, 2024	0	3	0%
Deborah Bass*	March 23, 2020 – March 12, 2024	1	2	33%
Susan Freund	March 14, 2022 – April 1, 2027	11	0	100%
Peter Hutcheson	March 14, 2022 – April 1, 2027	11	0	100%
Kami Knauss	June 13, 2022 – April 1, 2028	9	2	82%
Jody Rater	June 24, 2024 – April 1, 2029	9	2	82%
Douglas Rew	March 23, 2020 – April 1, 2025	10	1	91%
David Stroebele	April 24, 2023 – April 1, 2028	10	1	91%
Dan Van Houten	March 23, 2020 – April 1, 2025	11	0	100%
Bridgette Watson	August 14, 2024 – April 1, 2028	7	4	64%

*Indicates partial year of service

SUMMARY OF ACTIVITIES

The chart below represents the total of number of cases submitted for review to the City Planning Commission (CPC) from 2014 through 2024. In 2024, the Commission received a total of **39** requests.



Source: Community Development Department

Annexations:

There were no annexation requests in 2024.

Comprehensive Plan Amendments:

The Planning Commission received five comprehensive plan amendment requests in 2024 (only four cases were reviewed by the Commission; the applicant for Case #CP-24-003 withdrew their request prior to the Planning Commission meeting held in August). The Planning Commission and City Council concurred with Staff's recommendation on three of the four cases reviewed (see summary of activities below).

Historic Preservation:

There were no historic preservation requests in 2024.

Miscellaneous:

The Planning Commission received one miscellaneous request in 2024, as stated below:

- Review and adopt the Fiscal Year 2026-2027 through Fiscal Year 2029-2030 Capital Improvement Plan (CIP) (Case # MIS-24-006).

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

Mixed Commercial-Residential District – Development Plan Review:

There were no mixed commercial-residential district requests in 2024.

Planned Commercial District – Development Plan Review:

The Planning Commission received two planned commercial district requests in 2024, as stated below:

- Amend the adopted planned commercial development plan at 3825 Denmark Drive (Metro Crossing) relative to signage (Case #PC-24-001); and
- Adopt a planned commercial development plan for a 280-unit multi-family housing development (Case #PC-24-002).

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

Planned Industrial District – Development Plan Review:

The Planning Commission received one planned industrial district request in 2024, as stated below:

- Adopt a planned industrial development plan for a new data center (Case #PI-24-001).

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

Planned Residential Overlay – Development Plan Review:

The Planning Commission received five planned residential overlay requests in 2024. The Planning Commission and City Council concurred with Staff's recommendation on four of the five cases (see summary of activities below).

Rezoning:

The Planning Commission received nine rezoning requests in 2024 (only eight cases were reviewed by the Commission; the applicant for Case #ZC-24-007 withdrew their request prior to the Planning Commission meeting held in August). The Planning Commission and City Council concurred with Staff's recommendation on seven of the eight cases reviewed (see summary of activities below).

On Case #ZC-24-006, City Council passed Ordinance No. 6610, which approved the request of Nyles R. Lehn to rezone undeveloped land lying northwest of 1424 Harrison Street from R-1/Single-Family Residential District to A-2/Parks, Estates, and Agricultural District. At the time of voting, City Council assumed their motion to pass Ordinance No. 6610 would have denied the applicant's request in accordance with the recommendations of Staff and the Commission. City Council was later informed their action had actually approved the proposed rezoning. City Council reconsidered this action and passed Ordinance No. 6620 to revert the zoning designation of the subject property back to the R-1 District.

Street, Alley and Right-of-Way Vacations:

The Planning Commission received three public street, alley and right-of-way vacation requests in 2024, as stated below:

- Vacate and dispose of the east/west alley abutting Lots 5 and 6, Block 2, Bayliss 2nd Addition (Case #SAV-24-001);
- Vacate and dispose of the east/west alley abutting Lots 19 through 23, Belmont Addition (Case #SAV-24-002); and
- Vacate and dispose of 9th Avenue right-of-way adjacent to Lot 1, Block 2, Park Addition (Case #SAV-24-003).

On Case #SAV-24-001, the City of Council Bluffs did not complete the process to vacate and dispose of the subject alley after being informed by the Pottawattamie County Auditor's Office that the alley is a privately owned driveway for the benefit of all three abutting properties and is

not public right-of-way. Staff and the Commission had originally recommended approval of the request. The Planning Commission and City Council concurred with Staff's recommendation on the other two cases (see summary of activities below).

Subdivisions:

The Planning Commission received four preliminary subdivision plan requests and two final plat requests in 2024. The Planning Commission and City Council concurred with Staff's recommendation on all cases. A total of 71 lots received final plat approval by City Council in 2024.

Urban Renewal:

The Planning Commission received one urban renewal request in 2024, as stated below:

- Create the East Manawa Drive Residential Urban Renewal Area and Plan (Case #URN-24-009).

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

Urban Revitalization:

The Planning Commission received two urban revitalization requests in 2024, as stated below:

- Consolidate all current Urban Revitalization Areas and add an additional area to be known as South Expressway Urban Revitalization Area (Case #URV-24-001); and
- Update the abatement period for new construction on multi-family residential property from six years to 10 years and add an additional area, 1st Avenue & 17th Street Urban Revitalization Area to the Consolidated Urban Revitalization Plan (Case #URV-24-009).

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

Zoning Text Amendments:

The Planning Commission received four zoning text amendment requests in 2024, as stated below:

- Amend Section 15.09.030 of the Council Bluffs Municipal Code (Zoning Ordinance) by adding 'boarding, lodging, rooming house or bed and breakfast' as a conditional use in the R-2/Two-Family Residential District (Case #ZT-24-001);
- Amend Section 15.28.020, Applicability, of the P-R/Residential Overlay District and Section 15.08B.020, Principal Uses, of the R-1/Single-Family Residential District to allow the PR-2 Overlay to be utilized for development of residential structures with a minimum of two (2) dwelling units (Case #ZT-24-002);
- Amend several sections of Title 15: Zoning of the Council Bluffs Municipal Code (Zoning Ordinance) as follows: adding Section 15.33.090(F) to allow certain temporary business signs in the City of Council Bluffs; removing 'portable or wheeled signs' and 'portable swinger signs' and "A' frame/sandwich board signs from Sections 15.33.070(K) and 15.33.070(L), Prohibited Signs; adding Section 15.32A.140(G) to prohibit temporary business signs over three feet in height in the West Broadway Corridor Design Overlay; adding Section 15.33.130(H) to prohibit temporary business signs over three feet in height within the West Broadway Corridor Design Overlay; adding Section 15.16.070 Signs to the C-3/Commercial District to prohibits temporary business signs over three feet in height;

and adding Section 15.17.070 Signs to the C-4/Commercial District to prohibits temporary business signs over three feet in height (Case #ZT-24-003); and

- Amend Section 15.15.030, Conditional Uses, of the Council Bluffs Municipal Code (Zoning Ordinance) by adding 'equipment sales and rental' as a conditional use in the C-2/Commercial District; and amend Section 15.32A.060, Prohibited Land Uses, of the Council Bluffs Municipal Code (Zoning Ordinance), to include 'equipment sales and rental' as a prohibited use within the West Broadway Corridor Design Overlay (Case #ZT-24-004).

The Planning Commission and City Council concurred with Staff's recommendation on three of the four cases (see summary of activities below). On Case #ZT-24-003, Staff maintained a neutral position on the proposed text amendment as the request came directly from City Council.

SUMMARY OF ACTIVITIES

COMPREHENSIVE PLAN AMENDMENTS – 2024

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
CP-24-001	Applicant: Neal S. Drickey Location: Undeveloped property lying at the northwest corner of the intersection of College Road and Railroad Highway Request: Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying the subject property from 'Medium Density Residential' to 'Local Commercial'	Approval	Denial	Final Action: Denied Date: 3/11/2024
CP-24-002	Applicant: Justin Insinger Location: 2127, 2129 and 2139 Avenue A Request: Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying the subject properties from 'Low Density Residential' to 'Local Commercial'	Approval	Approval	Final Action: Approved Resolution No. 24-182 Date: 6/24/2024
CP-24-003	Applicant: JNJ Properties, LLC Location: 205 South 27 th Street Request: Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying the subject property from 'Low Density Residential' to 'Local Commercial'	Request withdrawn by applicant prior to CPC meeting	N/A	N/A
CP-24-004	Applicant: D&E LLC Location: Undeveloped land lying northeast of the intersection of Harry Langdon Boulevard and South Avenue and northwest of I-80 Request: Amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying the subject property from 'Rural Residential/Agricultural' to 'Light Industrial'	Approval	Approval	Final Action: Approved Resolution No. 24-281 Date: 10/7/2024

SUMMARY OF ACTIVITIES

COMPREHENSIVE PLAN AMENDMENTS – 2024 (continued)

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
CP-24-005	Applicant: Volker Development, Inc. Location: Undeveloped property lying immediately south of 2201 West Broadway Request: Amend the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying the subject property from 'Local Commercial' to 'Multi-Family/Mixed Use'	Approval	Approval	Final Action: Approved Resolution No. 25-36 Date: 2/10/2025

MISCELLANEOUS – 2024

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
MIS-24-006	Applicant: City of Council Bluffs Request: Review and adopt the Fiscal Year 2026-2027 through Fiscal Year 2029-2030 Capital Improvement Plan (CIP)	Approval	Approval	Final Action: Approved Resolution No. 24-328 Date: 12/16/2024

PLANNED COMMERCIAL DISTRICT – 2024

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
PC-24-001	Applicant: Little Deep Pasta Co. d/b/a Noodles & Company Location: 3825 Denmark Drive Request: Amend the adopted planned commercial development plan at 3825 Denmark Drive (Metro Crossing) relative to signage	Approval	Approval	Final Action: Approved Resolution No. 24-265 Date: 9/23/2024

SUMMARY OF ACTIVITIES

PLANNED COMMERCIAL DISTRICT – 2024 (continued)

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
PC-24-002	Applicant: Cornerstone Housing Group, LLC Location: Undeveloped land located immediately east of 100 Power Drive Request: Adopt a planned commercial development plan for a 280-unit multi-family housing development	Approval	Approval	Final Action: Approved Resolution No. 24-362 Date: 12/16/2024

PLANNED INDUSTRIAL DISTRICT – 2024

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
PI-24-001	Applicant: EDC Omaha LLC Location: Undeveloped land at the southeast corner of the intersection of College Road and East Kanesville Boulevard (U.S. Highway 6) Request: Adopt a planned industrial development plan for a new data center	Approval	Approval	Final Action: Approved Resolution No. 24-166 Date: 6/10/2024

PLANNED RESIDENTIAL OVERLAYS – 2024

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
PR-20-001(M)	Applicant: Scott Porter Location: Undeveloped land lying north of 830 Franklin Avenue and west of 901 Franklin Avenue Request: Amend the adopted planned residential development plan for Grapplers Gate	Approval	Approval	Final Action: Approved Resolution No. 25-21 Date: 1/27/2025

SUMMARY OF ACTIVITIES

PLANNED RESIDENTIAL OVERLAYS – 2024 (continued)

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
PR-21-001(R)	Applicant: Neal S. Drickey Location: Undeveloped property lying at the northwest corner of the intersection of College Road and Railroad Highway Request: Repeal the PR/Planned Residential Overlay appended to the subject property via Ordinance No. 6415	Approval	Denial	Final Action: Denied Date: 3/11/2024
PR-23-002(M)	Applicant: Josies Development LLC Location: Undeveloped land lying north of 14 th Avenue, between South 16 th Street and South 17 th Street Request: Amend the adopted planned residential development plan for Josie's Development Addition	Approval	Approval	Final Action: Approved Resolution No. 25-08 Date: 1/13/2025
PR-24-001	Applicant: City of Council Bluffs Location: The 94.65 acres west of 4875 East Manawa Drive Request: Append a PR/Planned Residential Overlay and adopt the associated planned residential development plan for a 94.65-acre master planned development to be known as East Manawa Subdivision	Approval	Approval	Final Action: Approved Ordinance No. 6611 Date: 9/9/2024 Resolution No. 24-262 Date: 9/23/2024
PR-24-002	Applicant: Yoder Construction, Inc. Location: 1441 McPherson Avenue Request: Append a PR/Planned Residential Overlay and adopt the associated planned residential development plan for an accessory dwelling unit (ADU)	Approval	Approval	Final Action: Approved Ordinance No. 6621 Date: 1/27/2025 Resolution No. 25-18 Date: 1/27/2025

SUMMARY OF ACTIVITIES

REZONINGS – 2024

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
ZC-24-001	Applicant: Neal S. Drickey Location: Undeveloped property lying at the northwest corner of the intersection of College Road and Railroad Highway From: R-2/Two-Family Residential District To: C-1/Commercial District	Approval	Denial	Final Action: Denied Date: 3/11/2024
ZC-24-002	Applicant: Luke A. and Natalie R. Norville Location: Undeveloped land located north of 1102 State Orchard Road From: A-2/Parks, Estates, and Agricultural District To: R-1E/Single-Family Residential Estates District	Approval	Approval	Final Action: Approved Ordinance No. 6601 Date: 4/1/2024
ZC-24-003	Applicant: Lochland Holdings. Ltd. Location: 2100 South 6 th Street From: C-2/Commercial District To: R-2/Two-Family Residential District	Approval	Approval	Final Action: Approved Ordinance No. 6604 Date: 5/6/2024
ZC-24-004	Applicant: Justin Insigner Location: 2127, 2129 and 2139 Avenue A From: R-3/Low Density Multifamily Residential District To: C-2/Commercial District	Approval	Approval	Final Action: Approved Ordinance No. 6608 Date: 6/24/2024
ZC-24-005	Applicant: City of Council Bluffs Location: The 94.65 acres west of 4875 East Manawa Drive From: A-2/Parks, Estates, and Agricultural District To: R-3/Low Density Multifamily Residential District	Approval	Approval	Final Action: Approved Ordinance No. 6612 Date: 9/9/2024

SUMMARY OF ACTIVITIES

REZONINGS – 2024 (continued)

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
ZC-24-006	Applicant: Nyles R. Lehen Location: Undeveloped land lying northwest of 1424 Harrison Street From: R-1/Single-Family Residential District To: A-2/Parks, Estates, and Agricultural District	Denial	Denial	Final Action: Approved Ordinance No. 6610 9/9/2024
ZC-24-006 (reconsideration)	Applicant: City of Council Bluffs Location: Undeveloped land lying northwest of 1424 Harrison Street From: A-2/Parks, Estates, and Agricultural District To: R-1/Single-Family Residential District	Approval	Approval	Final Action: Approved Ordinance No. 6620 1/27/2025
ZC-24-007	Applicant: JNJ Properties, LLC Location: 205 South 27 th Street From: R-3/Low Density Multifamily Residential District To: C-1/Commercial District	Request withdrawn by applicant prior to CPC meeting	N/A	N/A
ZC-24-008	Applicant: D&E LLC Location: Undeveloped land lying northeast of the intersection of Harry Langdon Boulevard and South Avenue and northwest of I-80 From: R-1/Single-Family Residential District To: I-2/General Industrial District	Approval	Approval	Final Action: Approved Ordinance No. 6613 Date: 10/21/24
ZC-24-009	Applicant: Volker Development, Inc. Location: Undeveloped property lying immediately south of 2201 West Broadway From: C-2/Commercial District To: R-4/High Density Multifamily Residential District	Approval	Approval	Final Action: Approved Ordinance No. 6624 Date: 2/10/25

SUMMARY OF ACTIVITIES

STREET, ALLEY and RIGHT-OF-WAY VACATIONS – 2024

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
SAV-24-001	Applicant: Monte Wilson Location: 129 South 8th Street, 732 and 734 Willow Avenue Request: Vacate and dispose of the east/west alley abutting Lots 5 and 6, Block 2, Bayliss 2nd Addition	Approval	Approval	Final Action: Withdrew Resolution No. 24-187 and cancelled public hearing Date: 7/8/2024
SAV-24-002	Applicant: Alexander Giron Rivera Location: 1704, 1708, 1714, and 1720 Avenue P Request: Vacate and dispose of the east/west alley abutting Lots 19 through 23, Belmont Addition	Denial	Denial	Final Action: Denied Date: 1/27/2025
SAV-24-003	Applicant: Parker Smith Location: 903 High Street Request: Vacate and dispose of 9 th Avenue right-of-way adjacent to Lot 1, Block 2, Park Addition	Approval	Approval	Final Action: Approved Resolution No. 25-31 Date: 2/10/2025

SUBDIVISIONS – 2024

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
SUB-24-001	Applicant: Luke A. and Natalie R. Norville Location: Undeveloped land located north of 1102 State Orchard Road Request: Final plat approval of a four-lot residential subdivision to be known as Oak View Estates	Approval	Approval	Final Action: Approved Resolution No. 24-116 Date: 4/22/2024
SUB-24-004	Applicant: Justin Insigner Location: 2127, 2129 and 2139 Avenue A & 2146 West Broadway Request: Final plat approval of a two-lot commercial subdivision to be known as HRH Replat 1	Approval	Approval	Final Action: Approved Resolution No. 24-186 Date: 7/8/2024

SUMMARY OF ACTIVITIES

SUBDIVISIONS – 2024 (continued)

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
SUB-24-005	Applicant: City of Council Bluffs Location: The 94.65 acres west of 4875 East Manawa Drive Request: Preliminary plan approval of a 94.65 acre (more/less) master-planned residential subdivision to be known as East Manawa Subdivision	Approval	Approval	Final Action: Approved Resolution No. 24-263 Date: 9/23/2024
SUB-24-008	Applicant: Cornerstone Housing Group, LLC Location: Undeveloped land located immediately east of 100 Power Drive Request: Preliminary plan approval to dedicate 1.8 acres of land to the City for the future extension of Power Drive and widening of 35 th Avenue	Approval	Approval	Final Action: Approved Resolution No. 24-361 Date: 12/16/2024
SUB-24-010	Applicant: Scott Porter Location: Undeveloped land lying north of 830 Franklin Avenue and west of 901 Franklin Avenue Request: Preliminary plan approval of a 13-lot residential subdivision to be known as Grapplers Gate, along with variances to exceed the maximum 3:1 lot depth-to-width ratio	Approval	Approval	Final Action: Approved Resolution No. 25-20 Date: 1/27/2025
SUB-24-011	Applicant: TS Development LLC Location: Undeveloped tracts of land lying north of Sycamore Street and west of Franklin Avenue, and immediately south of Green Meadows South Subdivision Request: Preliminary plan approval of a 71-lot residential subdivision to be known as Whispering Oaks, Phase VI	Approval	Approval	Final Action: Approved Resolution No. 25-19 Date: 1/27/2025

SUMMARY OF ACTIVITIES

URBAN RENEWAL – 2024

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
URN-24-009	Applicant: City of Council Bluffs Location: The 94.65 acres west of 4875 East Manawa Drive Request: Create the East Manawa Drive Residential Urban Renewal Area and Plan	Consistent w/ Bluffs Tomorrow: 2030 Plan	Consistent w/ Bluffs Tomorrow: 2030 Plan	Final Action: Approved Resolution No. 24-243 Date: 9/23/2024

URBAN REVITALIZATION – 2024

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
URV-24-001	Applicant: City of Council Bluffs Location: Council Bluffs, Iowa Request: Consolidate all current Urban Revitalization Areas and add an additional area to be known as South Expressway Urban Revitalization Area	Approval	Approval	Final Action: Approved Resolution No. 24-103 Date: 4/1/2024 Ordinance No. 6603 Date: 4/22/2024
URV-24-009	Applicant: City of Council Bluffs Location: 1700, 1722, 1726, 1728 and 1730 2 nd Avenue & 106 and 108 South 17 th Street Request: Update the abatement period for new construction on multi-family residential property from six years to 10 years and add an additional area, 1 st Avenue & 17 th Street Urban Revitalization Area to the Consolidated Urban Revitalization Plan	Approval	Approval	Final Action: Approved Resolution No. 24-225 Date: 8/26/2024 Ordinance No. 6614 Date: 10/21/2024

SUMMARY OF ACTIVITIES

ZONING TEXT AMENDMENTS – 2024

Case #	Request	Recommendation		Final Action
		CD	CPC	City Council
ZT-24-001	Applicant: Just Wright Investments Request: Amend CBMC Chapter 15.09 by adding 'boarding, lodging, rooming house or bed and breakfast' as a conditional use in the R-2 District	Approval	Approval	Final Action: Approved Ordinance No. 6597 Date: 4/1/2024
ZT-24-002	Applicant: City of Council Bluffs Request: Amend CBMC Chapters 15.28 and 15.08B relative to residential structures containing at least two (2) dwelling units within a PR-2 Overlay	Approval	Approval	Final Action: Approved Ordinance No. 6605 and Ordinance No. 6606 Date: 5/6/2024
ZT-24-003	Applicant: City of Council Bluffs Request: Amend several sections of Title 15: <u>Zoning</u> of the Council Bluffs Municipal Code relative to temporary business signs	None	Denial	Final Action: Denied Date: 12/16/2024
ZT-24-004	Applicant: Resource Rental Center, Inc. & City of Council Bluffs Request: Amend CBMC Chapters 15.15 and 15.32A relative to 'equipment sales and rental'	Approval	Approval	Final Action: Approved Ordinance No. 6622 and Ordinance No. 6623 Date: 2/10/2025

Council Communication

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

Boards/Commissions
ITEM 3.J.

Council Action: 4/21/2025

Description

Parks and Recreation Commission

Background/Discussion

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

Recommendation

Reappoint the following with term expiring 05/01/2028:

Antonia Krupicka-Smith
1500 Skyline Dr

Jeff Martinez
317 W Ferndale Dr

NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

Iowa Code § 447.9

Certificate of Purchase No. REG Tax Sale – 22-0161 (Pottawattamie County)

2022 JUN 20 10 30 AM
COUNCIL BLUFFS, IA

To: ANY AND ALL PERSONS OR ENTITIES IN POSSESSION OF THE PARCEL HEREINAFTER DESCRIBED and located in Pottawattamie County, Iowa, and without limitation as follows:

Parties in Possession 2826 6 th Avenue Council Bluffs, IA 51501	Richard C. Jones and Laura L. Jones 2826 6 th Avenue Council Bluffs, IA 51501
City of Council Bluffs, Iowa Attn: Community Development Dept. & City Clerk 209 Pearl Street Council Bluffs, IA 51503 RE: Mortgages, filed as Instrument Nos.: 2021-12127; 2021-12128; and 2021-12129.	Adair Asset Management, L.L.C. Attn: John E. Wunder, Registered Agent 610 Cedar Street Muscatine, IA 52761 RE: Tax Sale Certificate Number 23-0654
City of Council Bluffs c/o City Treasury 209 Pearl Street #103 Council Bluffs, IA 51503 RE: Unpaid Municipal Special Assessments	Iowa Trust and Savings Bank 2101 10 th Street Emmetsburg, IA 50536 RE: Restitution owed Case No. 0862 3:14CR03061-001
Iowa Trust and Savings Bank 200 North 10 th Centerville, IA 52544 RE: Restitution owed Case No. 0862 3:14CR03061-001	United States of America United States Attorney for the Southern District of Iowa 110 E Court Ave. #286 Des Moines, IA 50309 RE: Case No. 0862 3:14CR03061-001
United States of America Office of the Attorney General 950 Pennsylvania Ave, NW Washington, DC 20530 RE: Case No. 0862 3:14CR03061-001	
City of Council Bluffs, Iowa Attn: Office of the City Clerk 209 Pearl St. Suite 102 Council Bluffs, IA 51503	Pottawattamie County Auditor Attn: Mary Ann Hanusa 227 S 6 th St. P.O. Box 649 Council Bluffs, IA 51501

and all of the heirs, spouses, assignees, grantees, transferees, legatees, devisees and successors in interest, both known and unknown of the foregoing; and all claimants claiming to have any recorded or unrecorded right, title or interest of any kind whatsoever in and to the parcel herein described.

YOU ARE HEREBY NOTIFIED that on **June 20, 2022**, the following described real property, situated in Pottawattamie County, Iowa to wit:

Legal Description: OMAHA ADD LT 16 & W52/3 FT LT 17 BLK

Also described as:

Lot 16 and the West 5 2/3 feet of Lot 17, Block 12, OMAHA
ADDITION, Pottawattamie County, Iowa.

Parcel Number: 754434181011

was sold at tax sale by the Treasurer of Pottawattamie County, Iowa, for the then delinquent and unpaid taxes and/or special assessments against the property, that a Certificate of Purchase was duly purchased by **M6K SERIES LLC 6137 PS** and sealed by the Treasurer of Pottawattamie County, Iowa, pursuant to said tax sale, which Certificate of Purchase is now lawfully held and owned by **M6K SERIES LLC 6137 PS**, and **THE RIGHT OF REDEMPTION WILL EXPIRE AND A DEED FOR SAID PROPERTY WILL BE MADE UNLESS REDEMPTION FROM SAID TAX SALE IS MADE WITHIN NINETY (90) DAYS FROM THE COMPLETED SERVICE OF THIS NOTICE.**

For information about your rights concerning a tax sale redemption and what steps are needed to redeem the tax sale certificate, please contact the Pottawattamie County Treasurer's office.

Date of Regular and Certified Mailing: April 10, 2025.

M6K SERIES LLC 6137 PS

By: Katie M. Tegtmeier

Katie M. Tegtmeier, as Attorney and Agent
for M6K SERIES LLC 6137 PS
Brown, Winick, Graves, Gross, and Baskerville, P.L.C.
666 Grand Ave, Suite 2000
Des Moines, Iowa 50309
(515) 242-2433
katie.tegtmeier@brownwinick.com

07/24
02:30 PM
06/23/22
1500255
CLERK

NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION

Iowa Code § 447.9

Certificate of Purchase No. REG Tax Sale – 22-0146 (Pottawattamie County)

To: ANY AND ALL PERSONS OR ENTITIES IN POSSESSION OF THE PARCEL HEREINAFTER DESCRIBED and located in Pottawattamie County, Iowa, and without limitation as follows:

Parties in Possession 1430 Ave C Council Bluffs, IA 51501	Blaine Bergantzel, as Heir of Leland Lynn Bergantzel and Nancy Jo Gatrost-Bergantzel 2821 N 81 st Street Lincoln, NE 68507
Misty Woodward, as Heir of Leland Lynn Bergantzel and Nancy Jo Gatrost-Bergantzel 7615 Ali Drive Lincoln, NE 68507	Travis Gatrost, as Heir of Leland Lynn Bergantzel and Nancy Jo Gatrost-Bergantzel 621 Arthur Street, Apartment 3 Beatrice, NE 68310
US Bank National Association Attn: Chief Executive Officer 800 Nicollet Mall Minneapolis, MN 55402	ACC 1978 LLC Attn: Todd Queck, Registered Agent 3161 SE 22 nd Street Des Moines, IA 50320
RE: Mortgage filed in Book 2010, Page 010692	RE: Tax sale certificate #23-0251
City of Council Bluffs c/o City Treasury 209 Pearl Street #103 Council Bluffs, IA 51503 RE: Unpaid Municipal Special Assessments	US Bank National Association c/o U.S. Bankcorp Attn: CT Corporation Systems, Inc., Registered Agent 1010 Dale Street N St. Paul, MN 5517-5603 RE: Mortgage filed in Book 2010, Page 010692
City of Council Bluffs, Iowa Attn: Office of the City Clerk 209 Pearl St. Suite 102 Council Bluffs, IA 51503	Pottawattamie County Auditor Attn: Mary Ann Hanusa 227 S 6 th St. P.O. Box 649 Council Bluffs, IA 51501

and all of the heirs, spouses, assignees, grantees, transferees, legatees, devisees and successors in interest, both known and unknown of the foregoing; and all claimants claiming to have any recorded or unrecorded right, title or interest of any kind whatsoever in and to the parcel herein described.

YOU ARE HEREBY NOTIFIED that on **June 20, 2022**, the following described real property, situated in Pottawattamie County, Iowa to wit:

Legal Description: BEERS SUB LT 5 BLK 2

Also described as:

Lot Five (5) in Block Two (2), BEER'S SUBDIVISION to the City of Council Bluffs, Pottawattamie County, Iowa.

Parcel Number: 754426465001

was sold at tax sale by the Treasurer of Pottawattamie County, Iowa, for the then delinquent and unpaid taxes and/or special assessments against the property, that a Certificate of Purchase was duly purchased by **M4K SERIES LLC 4138 PS** and sealed by the Treasurer of Pottawattamie County, Iowa, pursuant to said tax sale, which Certificate of Purchase is now lawfully held and owned by **M4K SERIES LLC 4138 PS**, and **THE RIGHT OF REDEMPTION WILL EXPIRE AND A DEED FOR SAID PROPERTY WILL BE MADE UNLESS REDEMPTION FROM SAID TAX SALE IS MADE WITHIN NINETY (90) DAYS FROM THE COMPLETED SERVICE OF THIS NOTICE.**

For information about your rights concerning a tax sale redemption and what steps are needed to redeem the tax sale certificate, please contact the Pottawattamie County Treasurer's office.

Date of Regular and Certified Mailing: April 10, 2025

M4K SERIES LLC 4138 PS

By: Katie M. Tegtmeier

Katie M. Tegtmeier, as Attorney and Agent
for M4K SERIES LLC 4138 PS
Brown, Winick, Graves, Gross, and Baskerville, P.L.C.
666 Grand Ave, Suite 2000
Des Moines, Iowa 50309
(515) 242-2433
katie.tegtmeier@brownwinick.com

NOTICE OF EXPIRATION OF RIGHT OF REDEMPTION FROM TAX SALE

312
322
332
342
352
362
372
382
392
402

TO: Marvin Rohm 914 7th Avenue, Council Bluffs, IA 51501- Owner (Deceased)
Bonnie Rohm 914 7th Avenue, Council Bluffs, IA 51501- Owner
Person in Possession 914 7th Avenue, Council Bluffs, IA 51501- Person in Possession
Jeremy McCain 12817 E. 47th St S, Lot 118, Independence, MO 64055- Heir
Lois King 610 3rd Avenue, Malvern, IA 51551- Heir
City of Council Bluffs c/o City Clerk, 209 Pearl Street, Council Bluffs, IA 51503- City Limits

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

In accordance with Iowa Code Section 447.9 you are hereby notified that on the 19th day of June, 2023, the following described parcel, situated in Pottawattamie County, Iowa, to-wit:

Lot Nine (9) Block J, Curtis and Ramsey's Addition, City of Council Bluffs, Pottawattamie County, Iowa a/k/a
PARCEL # 754436158015 Certificate No: 23-0443

Was sold at tax sale by the Treasurer of Pottawattamie County for the then delinquent and unpaid taxes against the parcel, which a Certificate of Purchase was duly issued by the County Treasurer of Pottawattamie County, Iowa, to ACC 6 LLC pursuant to said tax sale, which Certificate is now lawfully held and owned by ACC 6 LLC, and that the right of redemption will expire and a deed to the said parcel will be made unless redemption from said tax sale is made within ninety (90) days from the completed service of this Notice.

Chris Newhouse

Chris Newhouse, Member
SCC Holding LLC,
Agent for ACC 6 LLC
Pottawattamie 23-0443

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

CITY CLAIM NO. 25-PK-2290

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Brandon Tompkins DAY PHONE: [REDACTED]

ADDRESS: [REDACTED] DOB: [REDACTED]

DATE & TIME OF LOSS/ACCIDENT: 2-28-25 @ 1:30pm

LOCATION OF LOSS/ACCIDENT: 1030 6th Ave

DESCRIPTION OF LOSS/ACCIDENT: City tree branch broke and fell on my van, breaking the windshield on passenger side, denting roof & fender; possible damage to the A pillar. City employee came out took his own pictures, removed the tree branch. (USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$1,000-\$1500

WITNESS(ES) (Name(s), Address(es), Phone No(s)): Caught on Home Camera

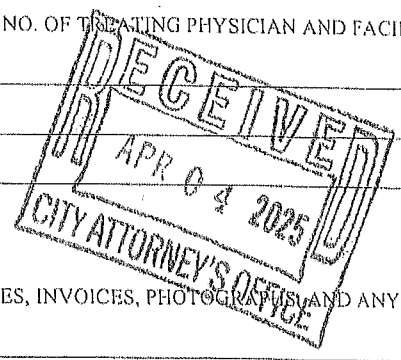
WAS POLICE REPORT FILED ☐ YES ☒ NO

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

HAVE YOU RESUMED NORMAL ACTIVITIES? ☐ YES ☒ NO

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

OTHER RELEVANT INFORMATION:



LIST INSURANCE PROVIDER AND COVERAGE [REDACTED]

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)

3-17-25
DATE

Brandon Tompkins
CLAIMANT'S SIGNATURE

PM2:15

7:00PM

CLERK ROOM

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

CITY CLAIM NO. 25-PW-2291

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Peter Hutcheson

DAY PHONE: [REDACTED]

ADDRESS: [REDACTED]

DOB: [REDACTED]

DATE & TIME OF LOSS/ACCIDENT: September 2024 through Present

LOCATION OF LOSS/ACCIDENT: 268 Kenmore Ave

DESCRIPTION OF LOSS/ACCIDENT: In September 2024, the City of Council Bluffs contracted Compass Utility to replace the curb and resurface the street.

Through the process of this work, Compass Utility damaged 285' of frontage along our front and side yard in addition to utilizing our yard as the "parking lot"

for their equipment. As it stands, I have calculated that I will need 7-8 cu. yds. of top soil to level out the yard and repair the damage done. In talking with

Dennis Dofner in the fall, Compass Utility would return property to the previous condition. It is not in equal condition. (PLEASE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$625 (8 cu. yds. of high quality top soil @ \$80/yd + \$100 delivery per Maple85)

WITNESS(ES) (Name(s), Address(es), Phone No(s)): [REDACTED]

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: 285' of the frontage of our yard was torn up, rutted, and unleveled. Based off the length x width of this area,

I have calculated that it will take up to 8 cu. yds. of high quality top soil to return the yard to healthy condition and to become a level surface.

I am not asking for the city to do any of the work, simply to reimburse me for the cost of the materials.

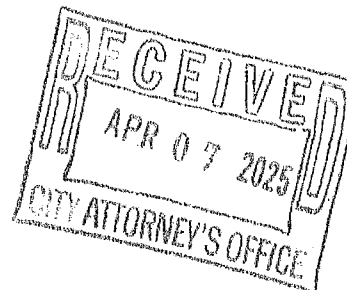
LIST INSURANCE PROVIDER AND COVERAGE: [REDACTED]

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

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

4/4/2025
DATE

Peter A. Hutcheson
CLAIMANT'S SIGNATURE



APR 15

APR 25

CLERK

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

CITY CLAIM NO. 25-PW-2287

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: EMC Insurance

DAY PHONE: [REDACTED]

ADDRESS: [REDACTED]

DOB: _____

DATE & TIME OF LOSS/ACCIDENT: 1/23/2025 2:00 AM

LOCATION OF LOSS/ACCIDENT: 5 Lillian Lane Council Bluffs

DESCRIPTION OF LOSS/ACCIDENT: City plow driver backed into legally parked vehicle.

(USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ 2,843.14- damages to 2015 Chevy Express

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

WAS POLICE REPORT FILED ☒ YES ☐ NO

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

HAVE YOU RESUMED NORMAL ACTIVITIES? ☐ YES ☐ NO

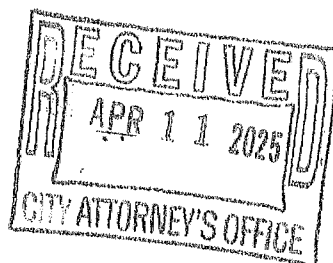
IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY OTHER RELEVANT INFORMATION: Damage to 2015 Chevy Express

LIST INSURANCE PROVIDER AND COVERAGE: [REDACTED]

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

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

DATE 4/10/2025



Alyssa Mallory EMC Insurance
CLAIMANT'S SIGNATURE

11 APR 25

11 APR 25

PM 2:06

Council Communication

Department: Public Works Admin
Case/Project No.: PW25-24
Submitted by: Matthew Cox, Public
Works Director

Resolution 25-111
ITEM 4.A.

Council Action: 4/21/2025

Description

Resolution approving the plans and specifications in connection with the Kenmore Avenue Sanitary Sewer Reconstruction. Project # PW25-24

Background/Discussion

The sanitary sewer in Kenmore Avenue from 105 Kenmore to 134 Kenmore is failing and in need of replacement. It has been discovered that there are several sanitary sewer pipes in this street segment that are undersized and in poor condition. The existing pipes will be replaced with a single sewer main constructed with appropriate materials in the correct size, allowing all adjacent lots to be served.

This project was added to the FY25 CIP. The estimated cost of the project is \$300,000, which includes engineering. Local Option Sales Tax funds will be used.

The project schedule is as follows:	Hold Public Hearing	April 21, 2025
	Bid Letting	May 8, 2025
	Award	May 19, 2025
	Construction Start	June 2025

Recommendation

Approval of this resolution to hold the public hearing.

ATTACHMENTS:

Description	Type	Upload Date
Map	Map	4/9/2025
Resolution 25-111	Resolution	4/16/2025

PW 25-24
KENMORE AVE.
SANITARY SEWER RECONSTRUCTION



134 KENMORE AVE

121 KENMORE AVE

128 KENMORE AVE

PROJECT LOCATION

111 KENMORE AVE

120 KENMORE AVE

105 KENMORE AVE

KENMORE AVE

KENMORE AVE

Legend



PW25-24

RESOLUTION
NO 25-111

**RESOLUTION APPROVING THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
KENMORE AVENUE SANITARY SEWER RECONSTRUCTION
PROJECT #PW25-24**

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the City Clerk of the City of Council Bluffs, Iowa for the Kenmore Avenue Sanitary Sewer Reconstruction Project; and

WHEREAS, a Notice of Public Hearing was published as required by law, and a public hearing was held on April 21, 2025.

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

That the plans, specifications, form of contract and cost estimate are hereby approved for the Kenmore Avenue Sanitary Sewer Reconstruction Project.

AND BE IT FURTHER RESOLVED

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

ADOPTED
AND
APPROVED

April 21, 2025

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community
Development

Case/Project No.:

Submitted by: Courtney Harter,
Director, Community Development
Department

Resolution 25-112
ITEM 4.B.

Council Action: 4/21/2025

Description

Resolution approving and authorizing execution of a development agreement by and between the City of Council Bluffs and Cornerstone CB Power Drive Partners LP.

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Resolution	4/11/2025
Development Agreement	Other	4/11/2025
Resolution 25-112	Resolution	4/16/2025

Council Communication

Department: Community Development	Ordinance No.: Resolution No.: 25-	Public Hearing: 4-21-2025
Case/Project No.: N/A		
Subject/Title Resolution to enter into a Development Agreement with CB Power Drive Partners, LP for the construction of a multi-family housing development within the Power Drive Housing Urban Renewal Area.		
Location Generally located along 35 th Avenue and Power Drive (south of Sam's Club)		
Background/Discussion <u>Background</u> In 2024, the City began working with Cornerstone Development to construct a 280 unit multi-family development at the intersection of 35 th Avenue and Power Drive. Currently the project is vacant. City Council adopted the Power Drive Housing Urban Renewal Plan on March 24, 2025 (Resolution 25-77). <u>Discussion</u> Cornerstone is now ready to proceed with the multi-family project. The propose project will be 100% affordable serving households at or below 60% of the median family income. The project has been awarded 4% tax credits by the Iowa Finance Authority. Because the project is serving 100% LMI households, the City is able to provide up to 20 years of TIF by State Code. The total project cost is approximately \$30 million. Staff believes that the project will not proceed without assistance provided by the City for development costs. Therefore, an agreement for private development has been prepared which commits a 15-year tax increment financing rebate for the development in the amount of 75% of the attributable property taxes with a maximum incentive of \$9 million. Additionally, the City will extend Power Drive from 35 th Avenue to Veteran's Memorial Highway to assist with additional traffic flow in the area.		
Staff Recommendation The Community Development Department recommends approval of resolution authorizing the Mayor to execute an agreement for private development with CB Power Drive Partners, LP providing tax increment financing assistance for the construction of a 280 unit multi-family development.		
Attachments <ol style="list-style-type: none">1. Notice of Public Hearing2. Development Agreement3. Resolution		

Submitted by: Courtney Harter, Director, Community Development Department

AGREEMENT FOR PRIVATE DEVELOPMENT

By and between

CITY OF COUNCIL BLUFFS, IOWA

AND

CORNERSTONE CB POWER DRIVE PARTNERS LP

_____, 2025

AGREEMENT
FOR
PRIVATE DEVELOPMENT

THIS AGREEMENT FOR PRIVATE DEVELOPMENT (“Agreement”), is made on or as of _____, 2025, by and between the CITY OF COUNCIL BLUFFS, IOWA, a municipality (“City”), established pursuant to the Code of Iowa of the State of Iowa and acting under the authorization of Chapters 15A and 403 of the Code of Iowa, 2025, as amended (“Urban Renewal Act”) and CORNERSTONE CB POWER DRIVE PARTNERS LP, an Iowa limited partnership, having offices for the transaction of business at 209 South 19th Street, Suite 100, Omaha, NE (“Developer”).

WITNESSETH:

WHEREAS, in furtherance of the objectives of the Urban Renewal Act, the City has undertaken a program for the development of an economic development area for the development of LMI housing units in the City and has established the Power Drive Housing Urban Renewal Area (the “Urban Renewal Area”), which is described in the Power Drive Housing Urban Renewal Plan (the “Urban Renewal Plan”); and

WHEREAS, a copy of the foregoing Urban Renewal Plan has been or will be recorded among the land records in the office of the Recorder of Pottawattamie County, Iowa; and

WHEREAS, Developer is, or will be, the owner of certain real property located in the foregoing Urban Renewal Area and as more particularly described in Exhibit A attached hereto and made a part hereof (which property as so described is hereinafter referred to as the “Development Property”); and

WHEREAS, Developer is willing to cause certain Minimum Improvements to be constructed on the Development Property and Developer will thereafter cause the same to be made available for rent to low and moderate income households in accordance with this Agreement; and

WHEREAS, Developer has been awarded Low-Income Housing Tax Credits for the Project and, accordingly, the City is willing to provide a local match incentive for the Project, pursuant to the terms and conditions set forth in this Agreement; and

WHEREAS, the City believes that the development of the Development Property pursuant to this Agreement and the fulfillment generally of this Agreement are in the vital and best interests of the City and in accord with the public purposes and provisions of the applicable State and local laws and requirements under which the foregoing project has been undertaken and is being assisted.

NOW, THEREFORE, in consideration of the promises and the mutual obligations of the parties hereto, each of them does hereby covenant and agree with the other as follows:

ARTICLE I. DEFINITIONS

Section 1.1. Definitions. In addition to other definitions set forth in this Agreement, all capitalized terms used and not otherwise defined herein shall have the following meanings unless a different meaning clearly appears from the context:

Agreement means this Agreement and all exhibits and appendices hereto, as the same may be from time to time modified, amended, or supplemented.

Assessor means the assessor for Pottawattamie County, Iowa.

Certificate of Completion means a certification in the form of the certificate attached hereto as Exhibit C and hereby made a part of this Agreement.

City means the City of Council Bluffs, Iowa, or any successor to its functions.

Code means the Code of Iowa, 2025, as amended.

Commencement Date means the date of this Agreement.

Construction Plans means the plans, specifications, drawings, and related documents reflecting the construction work to be performed by the Developer on the Development Property; the Construction Plans shall be as detailed as the plans, specifications, drawings and related documents which are submitted to the building inspector of the City as required by applicable City codes.

Cornerstone CB Power Drive Partners LP TIF Account means a separate account within the Power Drive Housing Urban Renewal Tax Increment Revenue Fund of the City, in which there shall be deposited Tax Increments received by the City with respect to the Minimum Improvements and the Development Property.

County means the County of Pottawattamie, Iowa.

Developer means Cornerstone CB Power Drive Partners LP, an Iowa limited partnership, and its permitted successors and assigns.

Development Property means that portion of the Urban Renewal Area described in Exhibit A.

Economic Development Grants means the payments to be made by the City to Developer under Article VIII of this Agreement.

Event of Default means any of the events described in Section 10.1 of this Agreement.

First Mortgage means any Mortgage granted to secure any loan made pursuant to either a mortgage commitment obtained by Developer from a commercial lender or other financial institution to fund any portion of the construction costs and initial operating capital requirements of the Minimum Improvements or Infrastructure Improvements or all such Mortgages as appropriate.

Infrastructure Improvements means the construction of an approximately 1700 linear foot sanitary sewer line extension and related infrastructure improvements planned to be constructed by the Developer on the Development Property to serve the Housing Units, and intended to be dedicated to the City pursuant to Section 3.5 of this Agreement.

LMI Housing Unit means a multifamily housing unit that is affordable to families, including single person households, who earn no more than eighty percent (80%) of the higher of the median

family income of Pottawattamie County or the state-wide non-metropolitan area as determined by the latest United States Department of Housing and Urban Development, Section 8 income guidelines.

Minimum Improvements means the LMI Housing Units, the Infrastructure Improvements, and all related site improvements to be constructed by the Developer on the Development Property, as further described in Exhibit B and depicted in Exhibit B-1. For the point of clarification, the Power Drive Extension as defined herein and depicted in Exhibit B-1 is not part of the Minimum Improvements to be constructed by Developer.

Mortgage means any mortgage or security agreement in which Developer has granted a mortgage or other security interest in the Development Property or Infrastructure Improvements, or any portion or parcel thereof, or any improvements constructed thereon.

Net Proceeds means any proceeds paid by an insurer to Developer under a policy or policies of insurance required to be provided and maintained by Developer, as the case may be, pursuant to Article V of this Agreement and remaining after deducting all expenses (including fees and disbursements of counsel) incurred in the collection of such proceeds.

Ordinance means the Ordinance of the City under which the taxes levied on the taxable property in the Urban Renewal Area shall be divided and a portion paid into the Power Drive Housing Urban Renewal Tax Increment Revenue Fund under the provisions of Section 403.19 of the Code.

Power Drive Extension means the construction of 2,200 lineal feet of new concrete roadway, with curb and gutter and storm sewer as depicted in Exhibit B-1.

Power Drive Housing Urban Renewal Tax Increment Revenue Fund means the special fund of the City created under the authority of Section 403.19(2) of the Code and the Ordinance, which fund was created in order to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed, or otherwise, including bonds or other obligations issued under the authority of Chapters 15A, 403, or 384 of the Code, incurred by the City to finance or refinance in whole or in part projects undertaken pursuant to the Urban Renewal Plan for the Urban Renewal Area.

Project means the construction and operation of the Minimum Improvements on the Development Property, as described in this Agreement.

State means the State of Iowa.

Tax Increments means the property tax revenues on the Minimum Improvements divided and made available to the City for deposit in the Cornerstone CB Power Drive Partners LP TIF Account of the Power Drive Housing Urban Renewal Tax Increment Revenue Fund under the provisions of Section 403.19 of the Code, as amended, and the Ordinance.

Termination Date means the date of termination of this Agreement, as established in Section 11.8 of this Agreement.

Unavoidable Delays means delays resulting from acts or occurrences outside the reasonable control of the party claiming the delay including but not limited to storms, floods, fires, explosions or other casualty losses, unusual weather conditions, strikes, boycotts, lockouts or other labor disputes,

delays in transportation or delivery of material or equipment, litigation commenced by third parties, or the acts of any federal, State or local governmental unit (other than the City).

Urban Renewal Area means the area known as the Power Drive Housing Urban Renewal Area.

Urban Renewal Plan means the Power Drive Housing Urban Renewal Plan, as amended, approved with respect to the Urban Renewal Area, described in the preambles hereof.

ARTICLE II. REPRESENTATIONS AND WARRANTIES

Section 2.1. Representations and Warranties of the City. The City makes the following representations and warranties:

a. The City is a municipal corporation and municipality organized under the provisions of the Constitution and the laws of the State and has the power to enter into this Agreement and carry out its obligations hereunder.

b. The execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, and the fulfillment of or compliance with the terms and conditions of this Agreement are not prevented by, limited by, in conflict with, or result in a breach of, the terms, conditions, or provisions of any contractual restriction, evidence of indebtedness, agreement, or instrument of whatever nature to which the City is now a party or by which it is bound, nor do they constitute a default under any of the foregoing.

c. All covenants, stipulations, promises, agreements, and obligations of the City contained herein shall be deemed to be the covenants, stipulations, promises, agreements, and obligations of the City only, and not of any governing body member, officer, agent, servant, or employee of the City in the individual capacity thereof.

Section 2.2. Representations and Warranties of Developer. Developer makes the following representations and warranties:

a. Cornerstone CB Power Drive Partners LP is an Iowa limited partnership duly organized and validly existing under the laws of the State of Iowa, and has all requisite power and authority to own and operate its properties, to carry on its business as now conducted and as presently proposed to be conducted, and to enter into and perform its obligations under this Agreement.

b. This Agreement has been duly and validly authorized, executed, and delivered by Developer and, assuming due authorization, execution, and delivery by the City, is in full force and effect and is a valid and legally binding instrument of Developer enforceable in accordance with its terms, except as the same may be limited by bankruptcy, insolvency, reorganization, or other laws relating to or affecting creditors' rights generally.

c. The execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, and the fulfillment of or compliance with the terms and conditions of this Agreement are not prevented by, limited by, in conflict with, or result in a violation or breach of, the terms, conditions, or provisions of the governing documents of Developer or of any contractual restriction, evidence of indebtedness, agreement, or instrument of whatever nature to which Developer is

now a party or by which it or its property is bound, nor do they constitute a default under any of the foregoing.

d. There are no actions, suits, or proceedings pending or threatened against or affecting the Developer in any court or before any arbitrator or before or by any governmental body in which there is a reasonable possibility of an adverse decision which could materially adversely affect the business (present or prospective), financial position, or results of operations of the Developer or which in any manner raises any questions affecting the validity of the Agreement or the Developer's ability to perform its obligations under this Agreement.

e. Developer shall cause the Minimum Improvements to be constructed on the Development Property in accordance with the terms of this Agreement, the Urban Renewal Plan, and all local, State, and federal laws and regulations.

f. Developer will use its best efforts to obtain, or cause to be obtained, in a timely manner, all required permits, licenses, and approvals, and will meet, in a timely manner, all requirements of all applicable local, State, and federal laws and regulations which must be obtained or met before the Minimum Improvements may be lawfully constructed.

g. The construction of the Minimum Improvements will require a total investment of approximately \$30,000,000.

h. Developer expects that, barring Unavoidable Delays, the Minimum Improvements will be completed by December 31, 2028.

i. Developer has not received any notice from any local, State, or federal official that the activities of the Developer with respect to the Development Property may or will be in violation of any environmental law or regulation (other than those notices, if any, of which the City has previously been notified in writing). The Developer is not currently aware of any State or federal claim filed or planned to be filed by any party relating to any violation of any local, State, or federal environmental law, regulation, or review procedure applicable to the Development Property, and the Developer is not currently aware of any violation of any local, State, or federal environmental law, regulation, or review procedure which would give any person a valid claim under any State or federal environmental statute with respect thereto.

j. Developer shall obtain and expects to obtain firm commitments for construction or acquisition and permanent financing in an amount sufficient, together with equity commitments, to successfully complete the Minimum Improvements in accordance with the Construction Plans contemplated in this Agreement and to provide the performance and maintenance bonds required under Section 3.6 hereof. Furthermore, Developer shall provide written proof of such commitments to the City by no later than July 31, 2025.

k. Developer will cooperate fully with the City in resolution of any traffic, parking, trash removal, or public safety problems which may arise in connection with the construction and operation of the Minimum Improvements and Infrastructure Improvements.

l. Developer would not undertake its obligations under this Agreement without the payment by the City of the Economic Development Grants being made to Developer pursuant to this Agreement.

ARTICLE III. CONSTRUCTION OF MINIMUM IMPROVEMENTS

Section 3.1. Construction of Minimum Improvements. Developer agrees that it will cause the Minimum Improvements to be constructed on the Development Property in conformance with the Construction Plans submitted to the City. Developer agrees that the scope and scale of the Minimum Improvements to be constructed shall not be significantly less than the scope and scale of the Minimum Improvements as detailed and outlined in the Construction Plans, and shall require a total investment of approximately \$30,000,000.

Section 3.2. Construction Plans. Developer shall cause Construction Plans to be provided for the Minimum Improvements, which shall be subject to approval by the City as provided in this Section 3.2, which approval shall not be unreasonably withheld, delayed or conditioned. The Construction Plans shall be in conformity with the Urban Renewal Plan, this Agreement, and all applicable federal, State, and local laws and regulations. The City shall approve the Construction Plans in writing if: (i) the Construction Plans conform to the terms and conditions of this Agreement; (ii) the Construction Plans conform to the terms and conditions of the Urban Renewal Plan; (iii) the Construction Plans conform to all applicable federal, State, and local laws, ordinances, rules, and regulations, and City permit requirements; (iv) the Construction Plans are adequate to provide for the construction of the Minimum Improvements and; and (v) no Event of Default under the terms of this Agreement has occurred and is continuing beyond any applicable cure period; provided, however, that any such approval of the Construction Plans pursuant to this Section 3.2 shall constitute approval for the purposes of this Agreement only and shall not be deemed to constitute approval or waiver by the City with respect to any building, fire, zoning or other ordinances or regulations of the City, and shall not be deemed to be sufficient plans to serve as the basis for the issuance of a building permit if the Construction Plans are not as detailed or complete as the plans otherwise required for the issuance of a building permit. The site plans submitted to the building official of the City for the Development Property and Minimum Improvements shall be adequate to serve as the Construction Plans, if such site plans are approved by the building official.

Approval of the Construction Plans by the City shall not relieve Developer of any obligation to comply with the terms and provisions of this Agreement, or the provision of applicable federal, State, and local laws, ordinances, and regulations, nor shall approval of the Construction Plans by the City be deemed to constitute a waiver of any Event of Default.

Approval of Construction Plans hereunder is solely for purposes of this Agreement, and shall not constitute approval for any other City purpose nor subject the City to any liability for the Minimum Improvements or Infrastructure Improvements as constructed.

Section 3.3. Commencement and Completion of Construction. Subject to Unavoidable Delays, Developer shall cause construction of the Minimum Improvements to be undertaken and completed: (i) by no later than December 31, 2028; or (ii) by such other date as the parties shall mutually agree upon in writing. Time lost as a result of Unavoidable Delays shall be added to extend this date by a number of days equal to the number of days lost as a result of Unavoidable Delays. All work with respect to the Minimum Improvements shall be in conformity with the Construction Plans approved by the building official or any amendments thereto as may be approved by the building official.

Developer agrees that it shall permit designated representatives of the City, upon reasonable notice (which does not have to be written), to enter upon the Development Property during the construction of the Minimum Improvements to inspect such construction and the progress thereof.

Section 3.4. Certificate of Completion. Upon written request of the Developer after completion of the Minimum Improvements (as evidenced by the issuance of an occupancy permit for the LMI Housing Units, and the dedication of the Infrastructure Improvements to the City and the City's acceptance thereof), the City will furnish the Developer with a Certificate of Completion for the Minimum Improvements in recordable form, in substantially the form set forth in Exhibit C attached hereto. Such Certificate of Completion shall be a conclusive determination of satisfactory termination of the covenants and conditions of this Agreement solely with respect to the obligations of the Developer to construct the Minimum Improvements.

The Certificate of Completion may be recorded in the proper office for the recordation of deeds and other instruments pertaining to the Development Property at the Developer's sole expense. If the City shall refuse or fail to provide a Certificate of Completion in accordance with the provisions of Section 3.4, the City shall, within twenty (20) calendar days after written request by the Developer, provide the Developer with a written statement indicating in adequate detail in what respects the Developer has failed to complete the Minimum Improvements in accordance with the provisions of this Agreement, or is otherwise in default under the terms of this Agreement, and what measures or acts will be necessary, in the reasonable opinion of the City, for the Developer to take or perform in order to obtain such Certificate of Completion.

Issuance by the City of the Certificate of Completion pursuant to this Section 3.4 is solely for the purposes of this Agreement, and shall not constitute approval for any other City purpose nor shall it subject the City to any liability for the Development Property, Minimum Improvements, or Infrastructure Improvements as constructed.

Section 3.5. Dedication of Infrastructure Improvements. Upon completion of the Infrastructure Improvements and upon acceptance of such Infrastructure Improvements by the City, the Developer shall, to the extent not already done, cause the same to be dedicated to the City. Developer shall provide all reasonable documentation requested by the City to evidence such transfer of ownership to the City.

Section 3.6. Bonding Requirements. Developer shall obtain, or require each of its general contractors to obtain, one or more bonds that guarantee the faithful performance of this Agreement for, in the aggregate, the anticipated full value of the completed Infrastructure Improvements and that further guarantee the prompt payment of all materials and labor. The performance bond shall remain in effect until dedication of the Infrastructure Improvements are completed, at which time a two-year maintenance bond shall be substituted for the performance bond. The bonds shall clearly specify the Developer and City as joint obligees. The Developer shall also comply with all City requirements for the construction of the Infrastructure Improvements.

ARTICLE IV. REAL PROPERTY TAXES

Section 4.1. Real Property Taxes. Developer, or its successors shall pay or cause to be paid, when due, all real property taxes and assessments payable with respect to all and any parts of the Development Property acquired and owned or leased by them and pursuant to the provisions of this Agreement. Until Developer's obligations have been assumed by any other person or legal title to the

property is vested in another person, all pursuant to the provisions of this Agreement, Developer and shall be solely responsible for all assessments and taxes.

Developer and its permitted successors and assigns agree that prior to the Termination Date:

a. They will not seek administrative review or judicial review of the applicability or constitutionality of any tax statute relating to the taxation of real property contained on the Development Property determined by any tax official to be applicable to the Development Property or Minimum Improvements, or raise the inapplicability or constitutionality of any such tax statute as a defense in any proceedings, including delinquent tax proceedings; and

b. They will not seek any tax exemption, deferral, or abatement either presently or prospectively authorized under any State, federal, or local law with respect to taxation of real property contained on the Development Property between the Commencement Date and the Termination Date.

ARTICLE V. INSURANCE

Section 5.1. Insurance Requirements.

a. Developer will provide and maintain or cause to be maintained at all times during the process of constructing the Minimum Improvements (and, from time to time at the request of the City, furnish the City with proof of payment of premiums on):

i. Builder's risk insurance, written on the so-called "Builder's Risk– Completed Value Basis," in an amount equal to one hundred percent (90%) of the insurable value of the Minimum Improvements at the date of completion, and with coverage available in non-reporting form on the so-called "all risk" form of policy.

ii. Comprehensive general liability insurance (including operations, contingent liability, operations of subcontractors, completed operations, and contractual liability insurance) with limits against bodily injury and property damage of at least \$1,000,000 for each occurrence. The City shall be named as an additional insured for the City's liability or loss arising out of or in any way associated with the Project and arising out of any act, error, or omission of Developer, its directors, officers, shareholders, members, contractors, and subcontractors or anyone else for whose acts the City may be held responsible (with coverage to the City at least as broad as that which is provided to Developer and not lessened or avoided by endorsement). The policy shall contain a "severability of interests" clause and provide primary insurance over any other insurance maintained by the City.

iii. Workers' compensation insurance with at least statutory coverage.

b. Upon completion of construction of the Minimum Improvements and at all times prior to the Termination Date, Developer shall maintain or cause to be maintained, at its cost and expense (and from time to time at the request of the City shall furnish proof of the payment of premiums on), insurance as follows:

i. Insurance against loss and/or damage to the Minimum Improvements under a policy or policies covering such risks as are ordinarily insured against by similar businesses, including (without limiting the generality of the foregoing) fire, extended coverage, vandalism and malicious

mischievous, explosion, water damage, demolition cost, debris removal, and collapse in an amount not less than the full insurable replacement value of the Minimum Improvements, but any such policy may have a deductible amount of not more than \$50,000 or self-insurance up to not more than \$1,000,000. No policy of insurance shall be so written that the proceeds thereof will produce less than the minimum coverage required by the preceding sentence, by reason of co-insurance provisions or otherwise, without the prior consent thereto in writing by the City, which consent shall not be unreasonably withheld, delayed or conditioned. The term "full insurable replacement value" shall mean the actual replacement cost of the Minimum Improvements (excluding foundation and excavation costs and costs of underground flues, pipes, drains, and other uninsurable items) and equipment, and shall be determined from time to time at the request of the City, but not more frequently than once every three years, by an insurance consultant or insurer selected and paid for by Developer and approved by the City.

ii. Comprehensive general public liability insurance, including personal injury liability for injuries to persons and/or property, including any injuries resulting from the operation of automobiles or other motorized vehicles on or about the Development Property, in the minimum amount for each occurrence and for each year of \$1,000,000.

iii. Such other insurance, including workers' compensation insurance respecting all employees of Developer, in such amount as is customarily carried by like organizations engaged in like activities of comparable size and liability exposure; provided that Developer may be self-insured with respect to all or any part of its liability for workers' compensation.

c. All insurance required by this Article V to be provided prior to the Termination Date shall be taken out and maintained in responsible insurance companies selected by Developer, which are authorized under the laws of the State to assume the risks covered thereby. Developer will deposit annually with the City copies of policies evidencing all such insurance, or a certificate or certificates or binders of the respective insurers stating that such insurance is in force and effect. Unless otherwise provided in this Article V, each policy shall contain a provision that the insurer shall not cancel or modify it without giving written notice to Developer and the City at least thirty (30) days before the cancellation or modification becomes effective. Not less than fifteen (15) days prior to the expiration of any policy, Developer shall furnish the City evidence satisfactory to the City that the policy has been renewed or replaced by another policy conforming to the provisions of this Article V, or that there is no necessity therefor under the terms hereof. In lieu of separate policies, Developer may maintain a single policy, or blanket or umbrella policies, or a combination thereof, which provide the total coverage required herein, in which event Developer shall deposit with the City a certificate or certificates of the respective insurers as to the amount of coverage in force upon the Minimum Improvements.

d. Developer agrees to notify the City immediately in the case of damage exceeding \$100,000 in amount to, or destruction of, the Minimum Improvements or any portion thereof resulting from fire or other casualty. Net Proceeds of any such insurance shall be paid directly to Developer, and Developer will forthwith repair, reconstruct, and restore the Minimum Improvements to substantially the same or an improved condition or value as they existed prior to the event causing such damage and, to the extent necessary to accomplish such repair, reconstruction, and restoration, Developer will apply the Net Proceeds of any insurance relating to such damage received by Developer to the payment or reimbursement of the costs thereof.

e. Developer shall complete the repair, reconstruction, and restoration of the Minimum Improvements, whether or not the Net Proceeds of insurance received by Developer for such purposes are sufficient.

f. Notwithstanding anything to the contrary in the foregoing, the parties agree that the Developer shall have no obligations under this Article V with respect to: (i) any Infrastructure Improvements which have been dedicated to and accepted by the City and for which the Developer has provided the required maintenance bonds, consistent with Sections 3.5 and 3.6 of this Agreement, or (ii) any housing units/lots on the Development Property that are sold to homebuyers.

ARTICLE VI. FURTHER COVENANTS OF DEVELOPER

Section 6.1. Maintenance of Properties. Developer will maintain, preserve, and keep its properties within the City (whether owned in fee or a leasehold interest), including but not limited to the Minimum Improvements, in good repair and working order, ordinary wear and tear excepted, and from time to time will make all necessary repairs, replacements, renewals, and additions, based upon Developer's reasonable judgment.

Section 6.2. Maintenance of Records. Developer will keep at all times proper books of record and account in which full, true, and correct entries will be made of all dealings and transactions of or in relation to the business and affairs of Developer relating to this Project in accordance with generally accepted accounting principles, consistently applied throughout the period involved, and Developer will provide reasonable protection against loss or damage to such books of record and account.

Section 6.3. Compliance with Laws. Developer will comply with all State, federal and local laws, rules and regulations relating to the Development Property, Minimum Improvements, and this Project.

Section 6.4. Non-Discrimination. In the construction and operation of the Minimum Improvements, the Developer shall not discriminate against any applicant, employee, homebuyer, or tenant because of age, color, creed, national origin, race, religion, marital status, sex, physical disability, or familial status. Developer shall ensure that applicants, employees, homebuyers, and tenants are considered and are treated without regard to their age, color, creed, national origin, race, religion, marital status, sex, physical disability, or familial status.

Section 6.5. Available Information. Upon request, Developer shall promptly provide the City with copies of information reasonably requested by City that are related to this Agreement so that City can determine compliance with this Agreement.

Section 6.6. Annual Certification. To assist the City in monitoring this Agreement and the performance of Developer hereunder, a duly authorized officer of Developer shall annually provide to the City: (i) proof that all ad valorem taxes on the Development Property and Minimum Improvements owned by the Developer have been paid for the prior fiscal year and any taxes due and payable for the current fiscal year as of the date of certification; (ii) certification of the number of housing units on the Development Property that have been rented as LMI Housing Units and copies of any written reports provided to the Iowa Finance Authority or other governmental body under the LIHTC Program; and (iii) certification that such officer has re-examined the terms and provisions of this Agreement and that at the date of such certificate, and during the preceding twelve (12) months, Developer is not, or was not, in

default in the fulfillment of any of the terms and conditions of this Agreement and that no Event of Default (or event which, with the lapse of time or the giving of notice, or both, would become an Event of Default) is occurring or has occurred as of the date of such certificate or during such period, or if the signer is aware of any such default, event or Event of Default, said officer shall disclose in such statement the nature thereof, its period of existence and what action, if any, has been taken or is proposed to be taken with respect thereto. Such statement, proof and certificate shall be provided not later than October 15 of each year, commencing October 15, 2029 (or the October 15th in the calendar immediately following completed construction of the Minimum Improvements, if the Minimum Improvements are completed sooner than 2028) and continuing through the Termination Date. Developer shall provide supporting information for its Annual Certifications upon request of the City. See Exhibit E for form required for Developer's Annual Certification.

Section 6.7. LMI Housing Units. The Minimum Improvements are being constructed with the expectation that 100% of the included Housing Units will qualify as LMI Housing Units. To qualify as an LMI Housing Unit, Developer shall verify, at the time of move in, that the proposed tenant's household income qualifies as a Low or Moderate Income Family. Developer shall verify the tenant family's income according to U.S. Department of Housing and Urban Development (HUD)'s Technical Guide for Determining Income in effect at the time the income is verified. Notwithstanding anything to the contrary in the foregoing, the Developer shall rent the Housing Units constructed as part of the Project consistently with all requirements of the Low-Income Housing Tax Credits Program.

Section 6.8. Developer Completion Guarantee. By signing this Agreement, Developer hereby guarantees to the City performance by Developer of all the terms and provisions of this Agreement pertaining to Developer's obligations with respect to the construction of the Minimum Improvements. Without limiting the generality of the foregoing, Developer guarantees that: (a) construction of the Minimum Improvements shall commence and be completed within the time limits set forth herein; (b) the Minimum Improvements shall be constructed and completed in accordance with the Construction Plans; (c) the Minimum Improvements shall be constructed and completed free and clear of any mechanic's liens, materialman's liens and equitable liens; and (d) all costs of constructing the Minimum Improvements shall be paid when due.

ARTICLE VII. PROHIBITION AGAINST ASSIGNMENT AND TRANSFER

Section 7.1. Status of Developer; Transfer of Substantially All Assets; Assignment. As security for the obligations of Developer under this Agreement, Developer represents and agrees that, prior to the Termination Date, Developer will maintain existence as a company and will not wind up or otherwise dispose of all or substantially all of its assets or transfer, convey, or assign its interest in the Development Property, Minimum Improvements, or this Agreement to any other party (except with respect to dedication of Infrastructure Improvements to the City or the sale of individual parcels or LMI Housing Units to homebuyers) unless: (i) the transferee partnership, corporation, limited liability company or individual assumes in writing all of the obligations of Developer under this Agreement; and (ii) the City consents thereto in writing in advance thereof, which consent shall be given or withheld in the reasonable discretion of the City.

In the event that Developer wishes to assign this Agreement, including its rights and duties hereunder, Developer and transferee individual or entity shall request that the City and Developer consent to an amendment of this Agreement to accommodate the transfer and to provide for the assumption of all Developer obligations under this Agreement. Such transfer shall not be effective

unless and until the City and Developer consent in writing to an amendment of this Agreement authorizing the transfer, which consent shall be given or withheld in the reasonable discretion of the City.

Notwithstanding the foregoing paragraphs, nothing in this Section 7.1 shall prohibit the Developer from providing collateral assignments of its rights to receive Economic Development Grants hereunder in connection with the financing of the Project provided that: (a) the City consents thereto in writing in advance thereof, which consent shall not be unreasonably withheld, conditioned or delayed; (b) Developer is in compliance with the terms of the Agreement at the time of such collateral assignment; and (c) Developer remains responsible for performing all obligations hereunder after such collateral assignment.

Section 7.2. Prohibition Against Use as Non-Taxable or Centrally Assessed Property. During the term of this Agreement, the Developer, or its successors, or assigns agree that the Development Property cannot be transferred or sold to a non-profit entity or used for a purpose that would exempt the Development Property or Minimum Improvements from property tax liability; provided, however, that the Developer may dedicate portions of the Development Property and Minimum Improvements to the City to be owned by the City as public infrastructure. Nor can the Development Property or Minimum Improvements be used as centrally assessed property (including but not limited to, Iowa Code § 428.24 to 428.29 (Public Utility Plants and Related Personal Property); Chapter 433 (Telegraph and Telephone Company Property); Chapter 434 (Railway Property); Chapter 437 (Electric Transmission Lines); Chapter 437A (Property Used in the Production, Generation, Transmission or Delivery of Electricity or Natural Gas); and Chapter 438 (Pipeline Property)).

ARTICLE VIII. ECONOMIC DEVELOPMENT GRANTS

Section 8.1. Economic Development Grants. For and in consideration of the obligations being assumed by Developer hereunder, and in furtherance of the goals and objectives of the Urban Renewal Plan for the Urban Renewal Area and the Urban Renewal Act, the City agrees, subject to Developer being and remaining in compliance with the terms of this Agreement, to make up to fifteen (15) years of consecutive annual payments of Economic Development Grants to Developer up to a total amount not to exceed Nine Million Dollars (\$9,000,000) under the following formula:

Assuming the completion of the Minimum Improvements by December 31, 2028 and full assessment of the Minimum Improvements on January 1, 2029, and debt certification by the City to the Auditor prior to December 1, 2029, the Economic Development Grants shall commence on June 1, 2031 and end on June 1, 2045 pursuant to Section 403.19 of the Urban Renewal Act in the following amounts:

<u>Date</u>	<u>Amount of Economic Development Grants</u>
June 1, 2031	75% of Tax Increments for Fiscal Year 30-31
June 1, 2032	75% of Tax Increments for Fiscal Year 31-32
June 1, 2033	75% of Tax Increments for Fiscal Year 32-33
June 1, 2034	75% of Tax Increments for Fiscal Year 33-34
June 1, 2035	75% of Tax Increments for Fiscal Year 34-35
June 1, 2036	75% of Tax Increments for Fiscal Year 35-36
June 1, 2037	75% of Tax Increments for Fiscal Year 36-37
June 1, 2038	75% of Tax Increments for Fiscal Year 37-38

June 1, 2039	75% of Tax Increments for Fiscal Year 38-39
June 1, 2040	75% of Tax Increments for Fiscal Year 39-40
June 1, 2041	75% of Tax Increments for Fiscal Year 40-41
June 1, 2042	75% of Tax Increments for Fiscal Year 41-42
June 1, 2043	75% of Tax Increments for Fiscal Year 42-43
June 1, 2044	75% of Tax Increments for Fiscal Year 43-44
June 1, 2045	75% of Tax Increments for Fiscal Year 44-45

If the completion of the Minimum Improvement occurs by December 31, 2027, such that the first full assessment of the Minimum Improvements occurs on January 1, 2028, then the above scheduled shall be advanced by one year, such that the first Economic Development Grant would be paid on June 1, 2030.

Each annual payment shall be equal in amount to the above percentages of the Tax Increments collected by the City with respect to the Minimum Improvements on the Development Property under the terms of the Ordinance and deposited into the Cornerstone CB Power Drive Partners LP TIF Account (without regard to any averaging that may otherwise be utilized under Section 403.19 and excluding any interest that may accrue thereon prior to payment to Developer) during the preceding twelve-month period in respect of the Minimum Improvements, but subject to limitation and adjustment as provided in this Article (such payments being referred to collectively as the “Economic Development Grants”).

Section 8.2. Payment Schedule. After the Minimum Improvements are first fully assessed and if in compliance with this Agreement, if Developer’s Annual Certification is timely filed and contains the information required under Section 6.6 and the Council approves of the same, then the City shall certify to the County prior to December 1 of that year its request for the available Tax Increments resulting from the assessments imposed by the County as of January 1 of that year, to be collected by the County and paid to the City as taxes are paid during the following fiscal year and which shall thereafter be disbursed to Developer on the following June 1. (Example: assuming first full assessment of the Minimum Improvements on January 1, 2029, if Developer submits its Annual Certification in October 2029 and the City certifies to the County by December 1, 2029, the first Economic Development Grants would be paid to Developer on June 1, 2031 (for 75% of the Tax Increment for fiscal year 2030-2031).) The schedule of the payments for Economic Development Grants set forth in Section 8.1 is based on the first full assessment of the Minimum Improvements being January 1, 2029. If the completion of the Minimum Improvements is delayed so that the Minimum Improvements are not fully assessed as of January 1, 2029, then the first Economic Development Grant will not begin as scheduled, but will be delayed one year. However, in no event shall the schedule of Economic Development Grants be delayed more than one year, meaning that the latest potential date for Developer’s first Economic Development Grant, if eligible, is June 1, 2032.

Section 8.3. Maximum Amount of Grants. The aggregate amount of the Economic Development Grants that may be paid to Developer under this Agreement shall be equal to the sum of the total amount of the applicable percentage of Tax Increments collected in respect of the assessments imposed on the Minimum Improvements over the specified time period, but in no event shall exceed Nine Million Dollars (\$9,000,000) over fifteen (15) years.

Section 8.4. Limitations. The Economic Development Grants are only for the Minimum Improvements described in this Agreement (building/improvement increase value only) and not any future expansions which, to be eligible for Economic Development Grants, would be the subject of an amendment or new agreement, at the sole discretion of the City Council.

Section 8.5. Conditions Precedent. Notwithstanding the provisions of Section 8.1 above, the obligation of the City to make an Economic Development Grant in any year shall be subject to and conditioned upon the following:

- a. Developer shall have completed construction of the Minimum Improvements in accordance with all terms of this Agreement;
- b. The housing units constructed as part of the Minimum Improvements continue to be leased as LMI Housing Units;
- c. Developer's compliance with the terms of this Agreement at the time of payment; and
- d. No Event of Default has occurred and is continuing.

In the event that an Event of Default occurs or any certification filed by Developer under Section 6.6 (or other information) discloses the existence or prior occurrence of an Event of Default that was not cured or cannot reasonably be cured, the City shall have no obligation thereafter to make any payments to Developer in respect of the Economic Development Grants and the provisions of this Article shall terminate and be of no further force or effect.

Each Annual Certification filed by Developer under Section 6.6 hereof shall be considered separately in determining whether the City shall make any of the Economic Development Grant payments available to Developer under this Section. Under no circumstances shall the failure by Developer to qualify Developer for an Economic Development Grant in any year serve to extend the term of this Agreement beyond the Termination Date or the years during which Economic Development Grants may be awarded to Developer or the total amount thereof, it being the intent of parties hereto to provide Developer with an opportunity to receive Economic Development Grants only if Developer fully complies with the provisions hereof and becomes entitled thereto, up to the maximum aggregate amount set forth in Sections 8.1 and 8.3.

Section 8.6. Source of Grant Funds Limited.

- a. The Economic Development Grants shall be payable from and secured solely and only by amounts deposited and held in the Cornerstone CB Power Drive Partners LP TIF Account of the Power Drive Housing Urban Renewal Tax Increment Revenue Fund of the City. The City hereby covenants and agrees to maintain the Ordinance in force during the term hereof and to apply the appropriate percentage of Tax Increments collected in respect of the Development Property and Minimum Improvements and allocated to the Cornerstone CB Power Drive Partners LP TIF Account to pay the Economic Development Grants, as and to the extent set forth in this Article. The Economic Development Grants shall not be payable in any manner by other tax increment revenues or by general taxation or from any other City funds. Any tax replacement or "backfill" monies that may be received by the City under Iowa Code Chapter 441.21A, Iowa Code Chapter 426C, or similar provisions of the Code

shall not be included in the calculation to determine the amount of Tax Increments for Economic Development Grants for which Developer is eligible.

b. Each Economic Development Grant is subject to annual appropriation by the City Council each fiscal year. The City has no obligation to make any payments to Developer as contemplated under this Agreement until the City Council annually appropriates the funds necessary to make such payments. The right of non-appropriation reserved to the City in this Section is intended by the parties, and shall be construed at all times, so as to ensure that the City's obligation to make future Economic Development Grants shall not constitute a legal indebtedness of the City within the meaning of any applicable constitutional or statutory debt limitation prior to the adoption of a budget which appropriates funds for the payment of that installment or amount. In the event that any of the provisions of this Agreement are determined by a court of competent jurisdiction or by the City's bond counsel to create, or result in the creation of, such a legal indebtedness of the City, the enforcement of the said provision shall be suspended, and the Agreement shall at all times be construed and applied in such a manner as will preserve the foregoing intent of the parties, and no Event of Default by the City shall be deemed to have occurred as a result thereof. If any provision of this Agreement or the application thereof to any circumstance is so suspended, the suspension shall not affect other provisions of this Agreement which can be given effect without the suspended provision. To this end the provisions of this Agreement are severable.

c. Notwithstanding the provisions of Section 8.1 hereof, the City shall have no obligation to make an Economic Development Grant to Developer if at any time during the term hereof (i) the City fails to appropriate funds for payment; (ii) the City receives an opinion from its legal counsel to the effect that the use of Tax Increments resulting from the Development Property and Minimum Improvements to fund an Economic Development Grant to Developer, as contemplated under said Section 8.1, is not, based on a change in applicable law or its interpretation since the date of this Agreement, authorized or otherwise an appropriate urban renewal activity permitted to be undertaken by the City under the Urban Renewal Act or other applicable provisions of the Code, as then constituted or under controlling decision of any Iowa Court having jurisdiction over the subject matter hereof; or (iii) the City's ability to collect Tax Increment from the Minimum Improvements and Development Property is precluded or terminated by legislative changes to Iowa Code Chapter 403 or by application of a decision of any Iowa Court having jurisdiction over the subject matter hereof. Upon occurrence of any of the foregoing circumstances, the City shall promptly forward notice of the same to Developer. If the circumstances continue for a period during which two (2) annual Economic Development Grants would otherwise have been paid to Developer under the terms of Section 8.1, the City may terminate this Agreement, without penalty or other liability to the City, by written notice to Developer.

Section 8.7. Use of Other Tax Increments. The City shall be free to use any and all Tax Increments above and beyond the percentages to be given to Developer in this Agreement, or any available Tax Increments resulting from the suspension or termination of the Economic Development Grants, for any purpose for which the Tax Increments may lawfully be used pursuant to the provisions of the Urban Renewal Act (including an allocation of all or any portion thereof to the reduction of any eligible City costs), and the City shall have no obligations to Developer with respect to the use thereof.

Section 8.8. Reduction of Initial Grant for City Costs. Developer shall pay to the City an amount equal to the actual costs incurred by the City, but not to exceed \$5,000, in connection with the drafting and adoption of the Urban Renewal Plan and the negotiation, drafting and adoption of this Agreement, including, but not limited to, publication fees for legal notices, actual costs associated with

City Council meetings, and reasonable legal fees of the City. Payment of such costs will be made by the Developer to the City within 30 days of the Agreement's Commencement Date. If the Developer fails to timely make this payment to the City, then the amount of the City's costs shall be deducted from the amount of the first Economic Development Grant.

Section 8.9. Local Match. The Economic Development Grants described in Article VIII of this Agreement are intended to serve as the local match for the LIHTC Program incentives for the Project. The Economic Development Grants described in this Agreement will be the only local match provided to the Developer, absent an amendment to this Agreement or a subsequent agreement executed by the parties.

Section 8.10. Hold City Harmless. Developer shall hold harmless the City from any loss arising out of or related to Developer's failure to fulfill the requirements of the LIHTC Program or failure of the Project to receive the LIHTC Program incentives.

ARTICLE IX. INDEMNIFICATION

Section 9.1. Release and Indemnification Covenants.

a. Developer releases the City and the governing body members, officers, agents, servants and employees thereof (hereinafter, for purposes of this Article IX, the "Indemnified Parties") from, covenants and agrees that the Indemnified Parties shall not be liable for, and agrees to indemnify, defend, and hold harmless the Indemnified Parties against, any loss or damage to property or any injury to or death of any person occurring at or about or resulting from any defect in the Minimum Improvements or Development Property.

b. Except for any willful misrepresentation or any willful or wanton misconduct or any unlawful act of the Indemnified Parties, Developer agrees to protect and defend the Indemnified Parties, now or forever, and further agrees to hold the Indemnified Parties harmless, from any claim, demand, suit, action or other proceedings whatsoever by any person or entity whatsoever arising or purportedly arising from: (i) any violation of any agreement or condition of this Agreement (except with respect to any suit, action, demand or other proceeding brought by Developer against the City to enforce its rights under this Agreement); (ii) the acquisition and condition of the Development Property and the construction, installation, ownership, and operation of the Minimum Improvements (with respect to the Infrastructure Improvements, arising prior to the time such Infrastructure Improvements are dedicated to the City); or (iii) any hazardous substance or environmental contamination located in or on the Development Property.

c. The Indemnified Parties shall not be liable for any damage or injury to the persons or property of Developer or their officers, agents, servants, or employees or any other person who may be about the Minimum Improvements or Development Property due to any act of negligence of any person, other than any act of negligence on the part of any such Indemnified Party or its officers, agents, servants or employees.

d. All covenants, stipulations, promises, agreements, and obligations of the City contained herein shall be deemed to be the covenants, stipulations, promises, agreements, and obligations of the City, and not of any governing body member, officer, agent, servant, or employee of the City in the individual capacity thereof.

- e. The provisions of this Article IX shall survive the termination of this Agreement.

ARTICLE X. DEFAULT AND REMEDIES

Section 10.1. Events of Default Defined. The following shall be “Events of Default” under this Agreement and the term “Event of Default” shall mean, whenever it is used in this Agreement, any one or more of the following events during the term of this Agreement:

- a. Failure by Developer to cause the construction of the Minimum Improvements to be completed and the operations to continue pursuant to the terms and conditions of this Agreement;
- b. Transfer of Developer’s interest in the Development Property, Minimum Improvements, or this Agreement or the assets of Developer in violation of the provisions of this Agreement;
- c. Failure by Developer to timely pay ad valorem taxes on the Development Property and Minimum Improvements owned by Developer;
- d. Failure by Developer to substantially observe or perform any covenant, condition, obligation, or agreement on its part to be observed or performed under this Agreement;
- e. The holder of any Mortgage on the Development Property, or any improvements thereon, or any portion thereof, commences foreclosure proceedings as a result of any default under the applicable Mortgage documents;
- f. Developer:
 - i. files any petition in bankruptcy or for any reorganization, arrangement, composition, readjustment, liquidation, dissolution, or similar relief under the United States Bankruptcy Act of 1978, as amended, or under any similar federal or state law; or
 - ii. makes an assignment for the benefit of its creditors; or
 - iii. admits in writing its inability to pay its debts generally as they become due; or
 - iv. is adjudicated as bankrupt or insolvent; or if a petition or answer proposing the adjudication of Developer as a bankrupt or its reorganization under any present or future federal bankruptcy act or any similar federal or state law shall be filed in any court and such petition or answer shall not be discharged or denied within ninety (90) days after the filing thereof; or a receiver, trustee or liquidator of Developer or the Minimum Improvements, or part thereof, shall be appointed in any proceedings brought against Developer, and shall not be discharged within ninety (90) days after such appointment, or if Developer shall consent to or acquiesce in such appointment; or
- g. Any representation or warranty made by Developer in this Agreement or in any written statement or certificate furnished by Developer pursuant to this Agreement, shall prove to have been incorrect, incomplete or misleading in any material respect on or as of the date of the issuance or making thereof.

Section 10.2. Remedies on Default. Whenever any Event of Default referred to in Section 10.1 of this Agreement occurs and is continuing, the City may take any one or more of the following actions after giving thirty (30) days' written notice to Developer and the holder of the First Mortgage (but only to the extent the City has been informed in writing of the existence of a First Mortgage and been provided with the address of the holder thereof) of the Event of Default, but only if the Event of Default has not been cured to the satisfaction of the City within said thirty (30) days, or if the Event of Default cannot reasonably be cured within thirty (30) days and Developer does not provide assurances reasonably satisfactory to the City that the Event of Default will be cured as soon as reasonably possible:

- a. The City may suspend its performance under this Agreement until it receives assurances from Developer, deemed adequate by the City, that Developer will cure the default and continue its performance under this Agreement;
- b. The City may terminate this Agreement;
- c. The City may withhold the Certificate of Completion;
- d. The City may enforce the performance or maintenance bonds;
- e. The City may take any action, including legal, equitable or administrative action, which may appear necessary or desirable to enforce performance and observance of any obligation, agreement, or covenant of Developer, as the case may be, under this Agreement; or
- f. The City shall have no obligation to make payment of Economic Development Grants to Developer subsequent to an Event of Default and shall be entitled to recover from the Developer, and the Developer shall repay to the City, an amount equal to the full amount of the Economic Development Grants previously made to Developer under Article VIII hereof, with interest thereon at the highest rate permitted by State law. The City may take any action, including any legal action it deems necessary, to recover such amount from Developer. The City may demand such payment at any time following its determination that Developer is in default under this Agreement.

Section 10.3. No Remedy Exclusive. No remedy herein conferred upon or reserved to the City is intended to be exclusive of any other available remedy or remedies, but each and every remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient.

Section 10.4. No Implied Waiver. In the event any agreement contained in this Agreement should be breached by any party and thereafter waived by any other party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other concurrent, previous or subsequent breach hereunder.

Section 10.5. Agreement to Pay Attorneys' Fees and Expenses. Whenever any Event of Default occurs and the City employs attorneys or incurs other expenses for the collection of payments due or to become due or for the enforcement or performance or observance of any obligation or agreement on the part of Developer herein contained, Developer agrees that it shall, on demand therefor, pay to the City

the reasonable fees of such attorneys and such other expenses as may be reasonably and appropriately incurred by the City in connection therewith.

ARTICLE XI. MISCELLANEOUS

Section 11.1. Conflict of Interest. Developer represents and warrants that, to its best knowledge and belief after due inquiry, no officer or employee of the City, or their designees or agents, nor any consultant or member of the governing body of the City, and no other public official of the City who exercises or has exercised any functions or responsibilities with respect to the Project during his or her tenure, or who is in a position to participate in a decision-making process or gain insider information with regard to the Project, has had or shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work or services to be performed in connection with the Project, or in any activity, or benefit therefrom, which is part of the Project at any time during or after such person's tenure.

Section 11.2. Notices and Demands. A notice, demand or other communication under this Agreement by any party to the other shall be sufficiently given or delivered if it is dispatched by registered or certified mail, postage prepaid, return receipt requested, or delivered personally, and

- a. In the case of Developer, is addressed or delivered personally to Cornerstone CB Power Drive Partners LP at 209 South 19th Street, Suite 100, Omaha, NE 68102, Attn: Bobbi Jo Lucas Eisold, President;
- b. In the case of the City, is addressed to or delivered personally to the City of Council Bluffs at the City Hall, 209 Pearl Street, Council Bluffs, Iowa 51503; Attn: City Clerk;

or to such other designated individual or officer or to such other address as any party shall have furnished to the other in writing in accordance herewith.

Section 11.3. Titles of Articles and Sections. Any titles of the several parts, Articles, and Sections of this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.

Section 11.4. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall constitute one and the same instrument.

Section 11.5. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the State of Iowa.

Section 11.6. Entire Agreement. This Agreement and the exhibits hereto reflect the entire agreement among the parties regarding the subject matter hereof, and supersedes and replaces all prior agreements, negotiations or discussions, whether oral or written. This Agreement may not be amended except by a subsequent writing signed by all parties hereto.

Section 11.7. Successors and Assigns. This Agreement is intended to and shall inure to the benefit of and be binding upon the parties hereto and their respective permitted successors and assigns.

Section 11.8. Termination Date. This Agreement shall terminate and be of no further force or effect on and after the earlier of: (i) December 31, 2046, or (ii) the December 31st immediately following the payment of the 15th Grant under the terms of Section 8.1, unless terminated earlier under the provisions of this Agreement.

Section 11.9. Memorandum of Agreement. The parties agree to execute and record a Memorandum of Agreement for Private Development, in substantially the form attached as Exhibit D, to serve as notice to the public of the existence and provisions of this Agreement, and the rights and interests held by the City by virtue hereof. The City shall pay for all costs of recording.

Section 11.10. No Third-Party Beneficiaries. No rights or privileges of either party hereto shall inure to the benefit of any landowner, contractor, subcontractor, material supplier, or any other person or entity, and no such contractor, landowner, subcontractor, material supplier, or any other person or entity shall be deemed to be a third-party beneficiary of any of the provisions contained in this Agreement.

IN WITNESS WHEREOF, the City has caused this Agreement to be duly executed in its name and behalf by its Mayor and its seal to be hereunto duly affixed and attested by its City Clerk, and Developer has caused this Agreement to be duly executed in its name and behalf by its authorized representatives, all on or as of the day first above written.

[Signature pages follow]

(SEAL)

CITY OF COUNCIL BLUFFS, IOWA

By: _____
Matt Walsh, Mayor

ATTEST:

By: _____
Jodi Quakenbush, City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

On this _____ day of _____, 2025, before me a Notary Public in and for said State, personally appeared Matt Walsh and Jodi Quakenbush, to me personally known, who being duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Council Bluffs, Iowa, a Municipality created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipality, and that said instrument was signed and sealed on behalf of said Municipality by authority and resolution of its City Council, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipality by it voluntarily executed.

Notary Public in and for the State of Iowa

[Signature page to Agreement for Private Development – City of Council Bluffs]

CORNERSTONE CB POWER DRIVE
PARTNERS LP, an Iowa limited partnership

By: Cornerstone Housing Group, LLC, a Nebraska
limited liability company, the General Partner

By: _____
Bobbi Jo Lucas Eisold, President

STATE OF _____)
) SS
COUNTY OF _____)

This record acknowledged before me on _____, 2025 by Bobbi Jo Lucas Eisold as
the President of Cornerstone Housing Group, LLC, a Nebraska limited liability company, the general
partner of Cornerstone CB Power Drive Partners LP.

Notary Public in and for said state

My commission expires: _____

[Signature page to Agreement for Private Development – Cornerstone CB Power Drive Partners LP]

EXHIBIT A
DEVELOPMENT PROPERTY

The Development Property is legally described as follows:

LOT 10, LAKE MANAWA CENTRE SUBDIVISION, A SUBDIVISION LOCATED IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

EXCEPT

PARCEL "A", RECORDED IN THE RECORDER'S OFFICE OF POTTAWATTAMIE COUNTY IN BOOK 95, PAGE 5798, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 10, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF 35TH AVENUE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 217.00 FEET, AN ARC LENGTH OF 85.91 FEET AND A LONG CHORD BEARING OF SOUTH 77°19'31" EAST FOR 85.35 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 525.00 FEET, AN ARC DISTANCE OF 248.15 FEET AND A LONG CHORD BEARING OF SOUTH 19°34'49" WEST FOR 245.85 FEET; THENCE NORTH 83°57'39" WEST FOR 2.11 FEET TO A POINT ON THE WEST LINE OF SAID LOT 10; THENCE NORTH 00°16'49" EAST FOR 250.14 FEET ALONG THE WEST LINE OF SAID LOT 10 TO THE POINT OF BEGINNING.

EXHIBIT B
MINIMUM IMPROVEMENTS

The Minimum Improvements will include four (4) four-story residential buildings, creating a total of 280 multifamily residential units. All of the constructed residential units are expected to be LMI Housing Units. In addition to construction of the residential units, the Minimum Improvements include an office/clubhouse building, detached garages, on-site storage units, and outdoor recreational space on the Development Property and the construction/installation of the Infrastructure Improvements and all general site improvements on the Development Property. See Exhibit B-1 for renderings of the planned improvements.

The Infrastructure Improvements will include the extension of water main, sanitary sewer, and related public infrastructure that will serve the Housing Units on the Development Property.

The construction of the Minimum Improvements will be completed by no later than December 31, 2028.

Execution Version

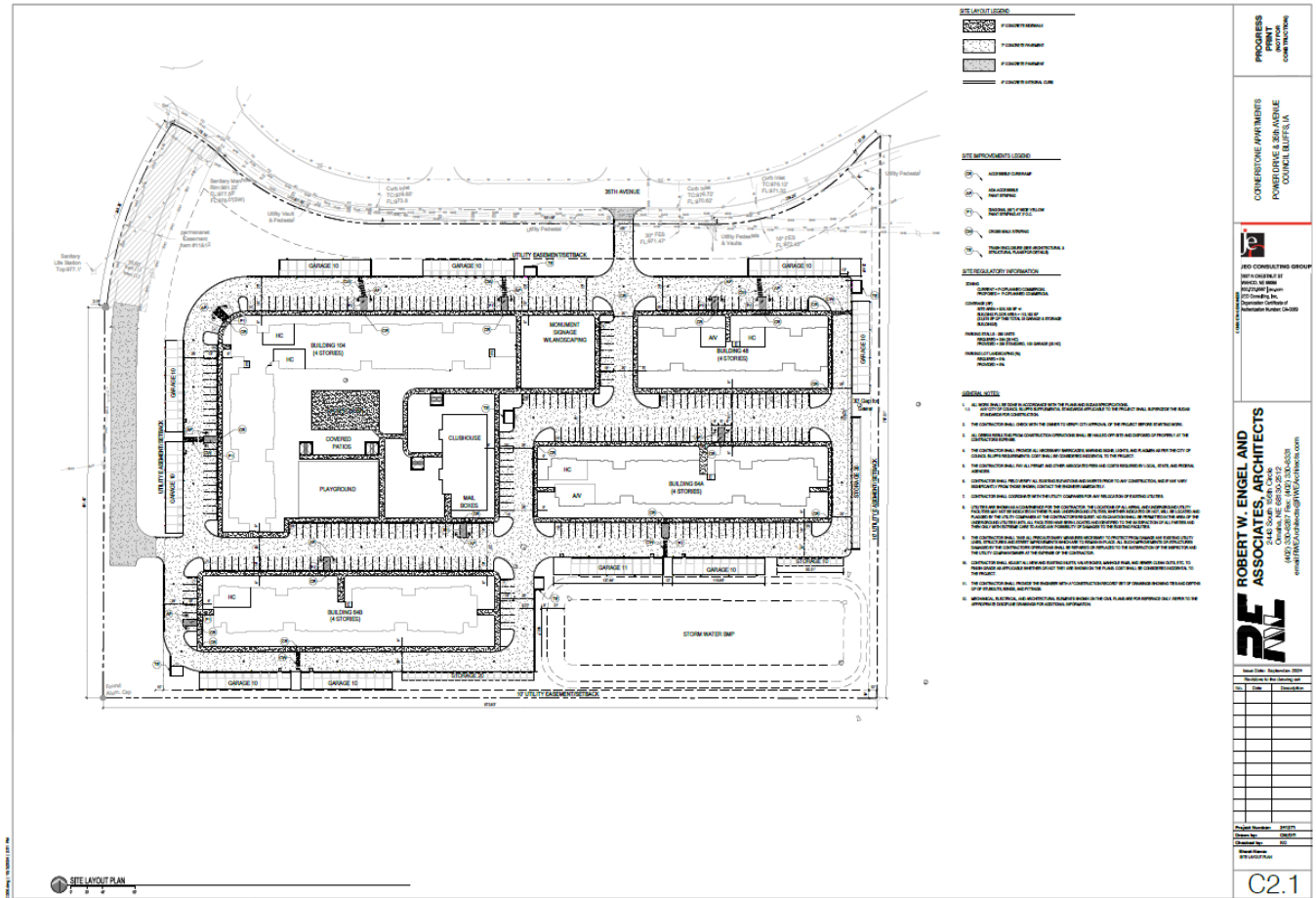


EXHIBIT B-1 PROPOSED FLOOR PLANS

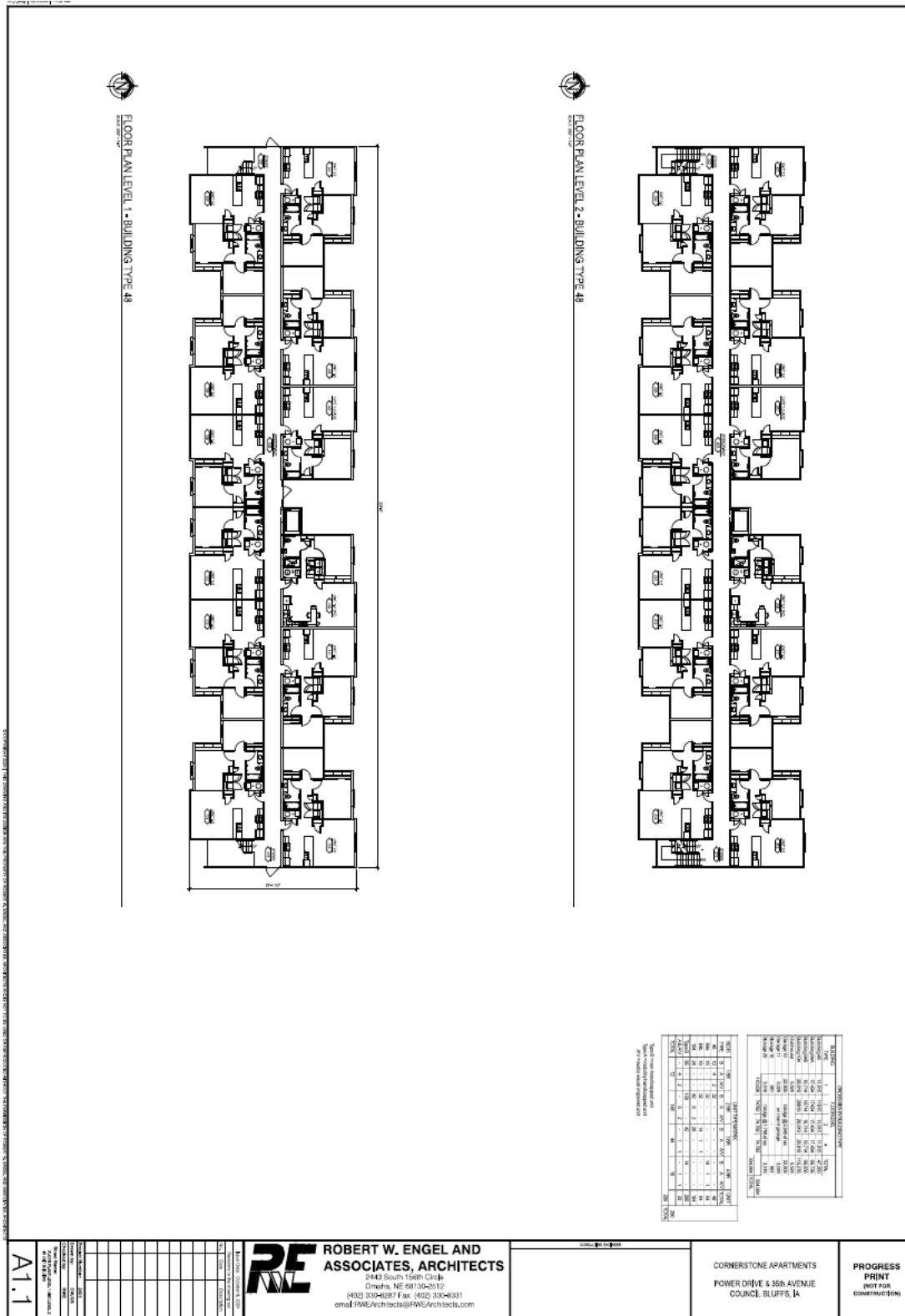


Exhibit B-3

EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)

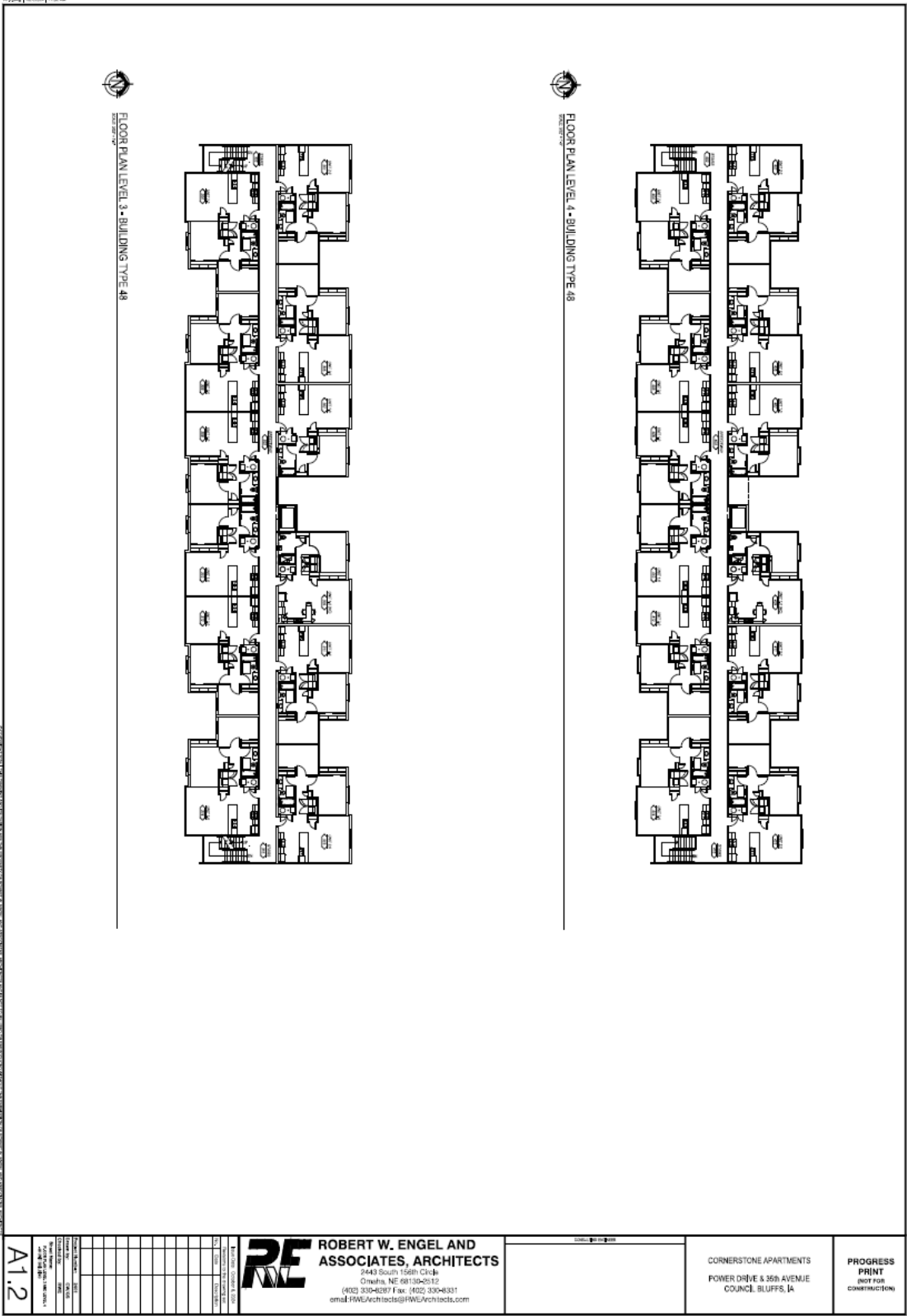


EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)

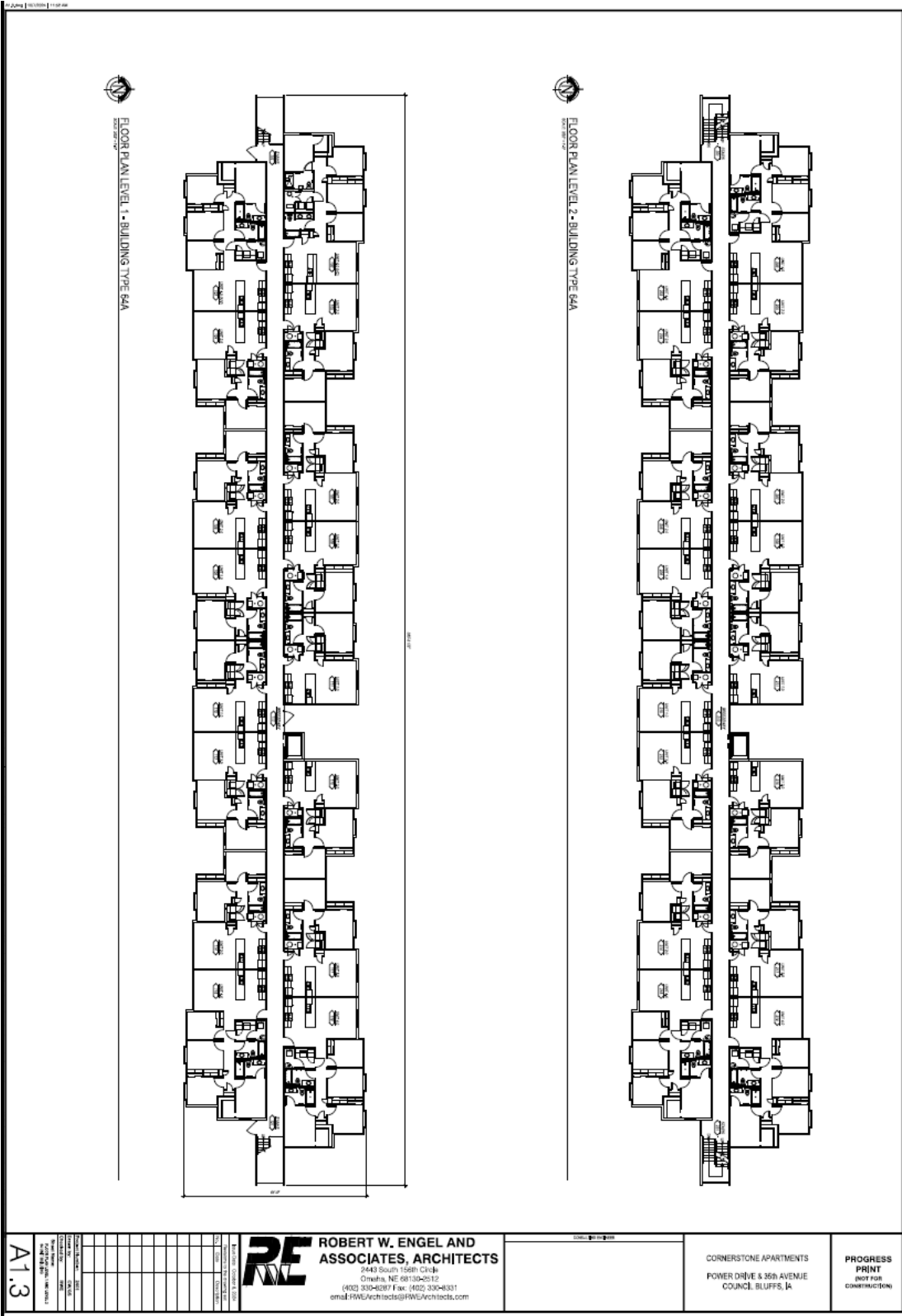


Exhibit B-5

EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)

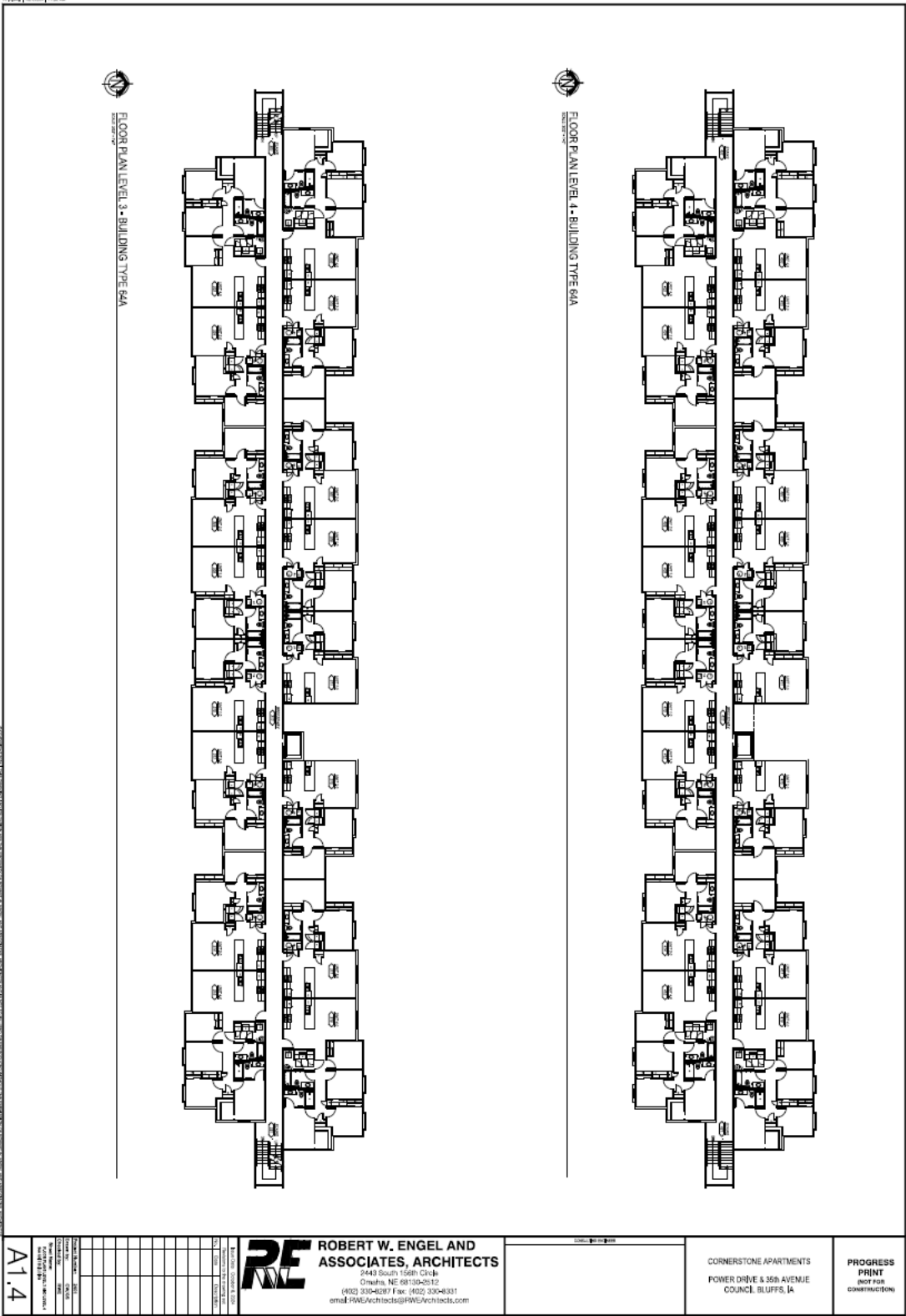


EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)

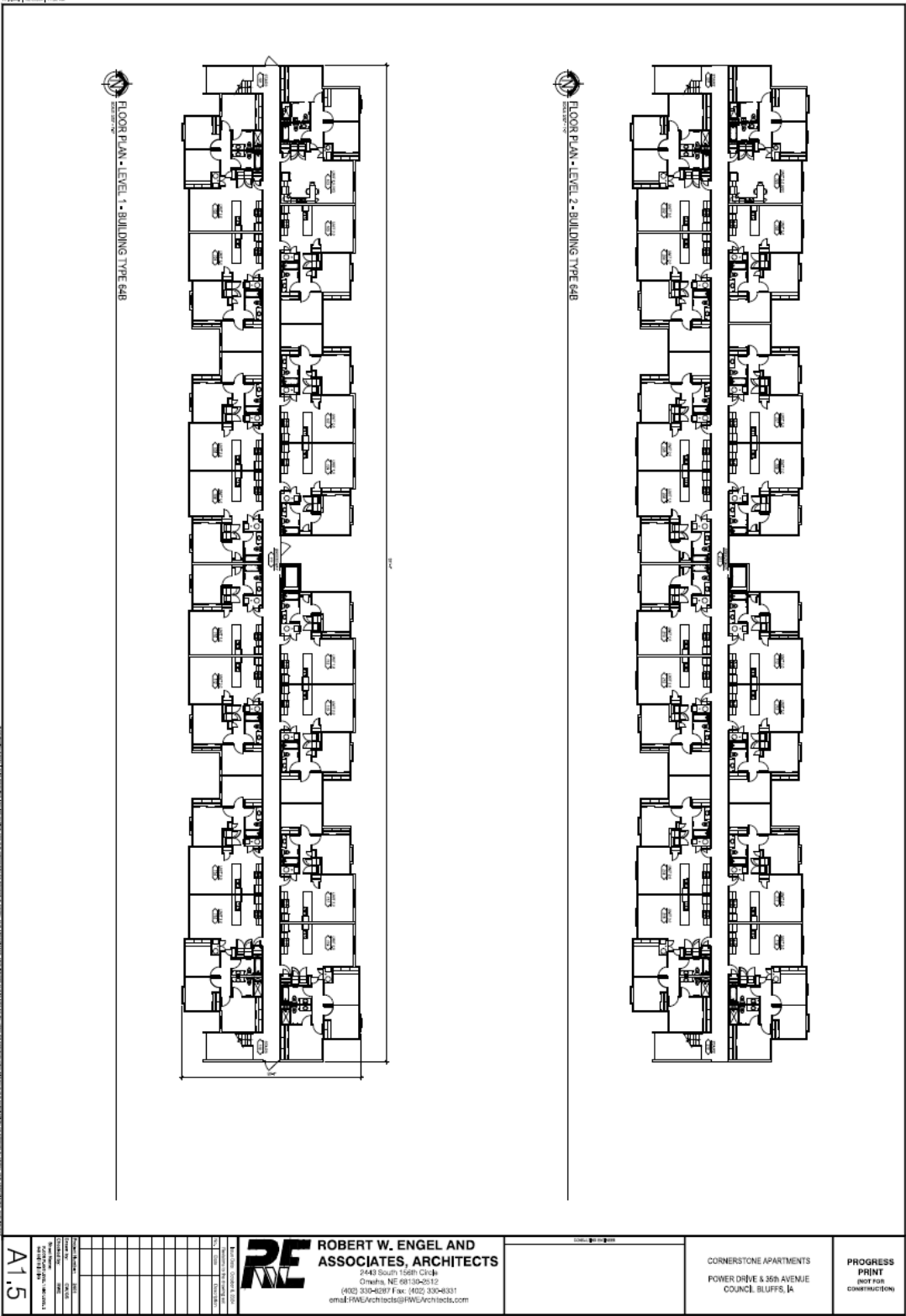
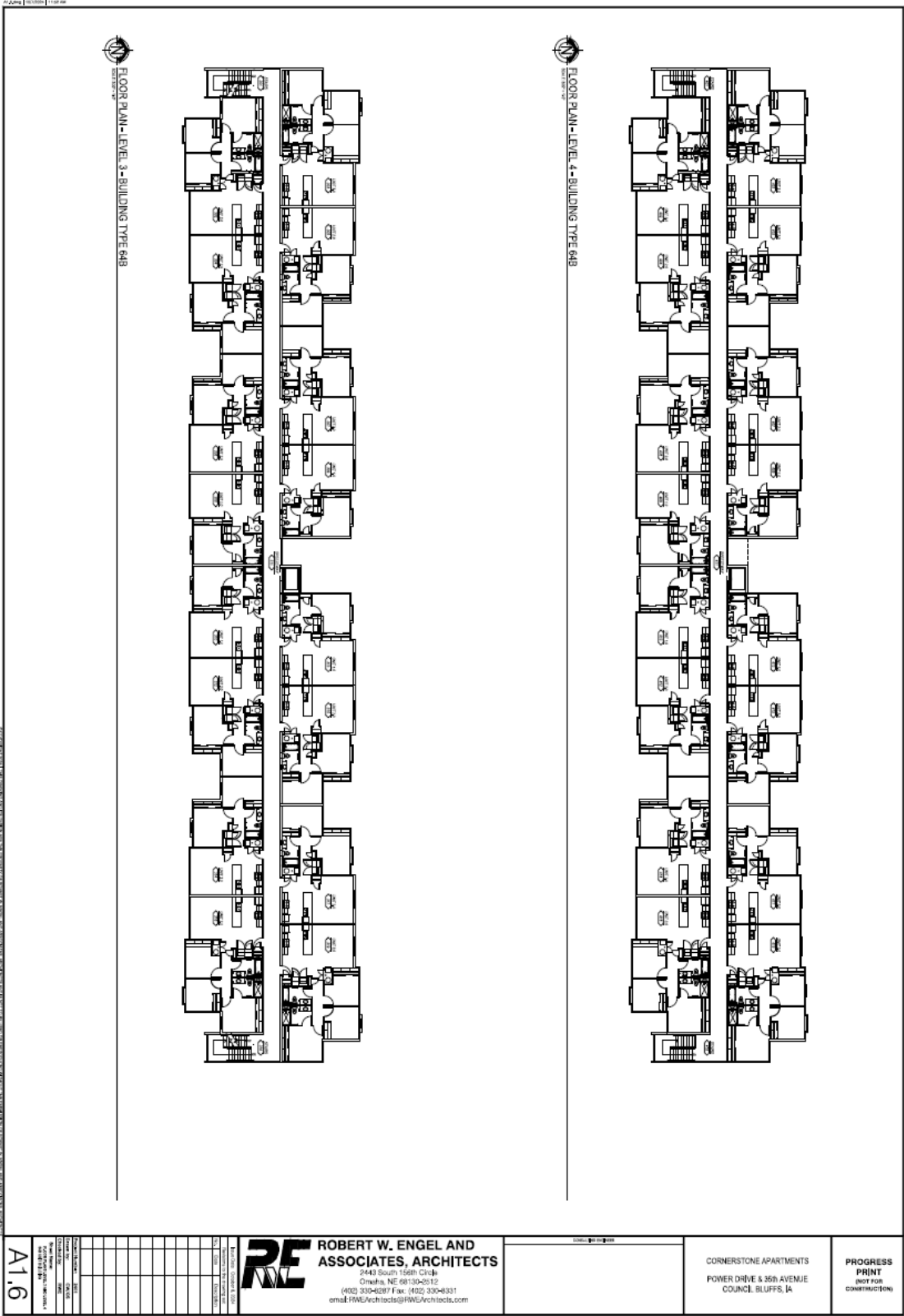


EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)



FLOOR PLAN - LEVEL 1 - BUILDING TYPE 101

100'0"

100'0"

RE
ROBERT W. ENGEL AND
ASSOCIATES, ARCHITECTS
2443 South 156th Circle
Cincinnati, NE 68133-0512
(402) 330-6287 Fax: (402) 330-6331
email: RWE@Architects@RWEArchitects.com

CORNERSTONE APARTMENTS
POWER DRIVE & 36th AVENUE
COUNCIL BLUFFS, IA

PROGRESS
PRINT
NOT FOR
CONSTRUCTION

A1.7

EXHIBIT B-1 PROPOSED FLOOR PLANS (cont.)

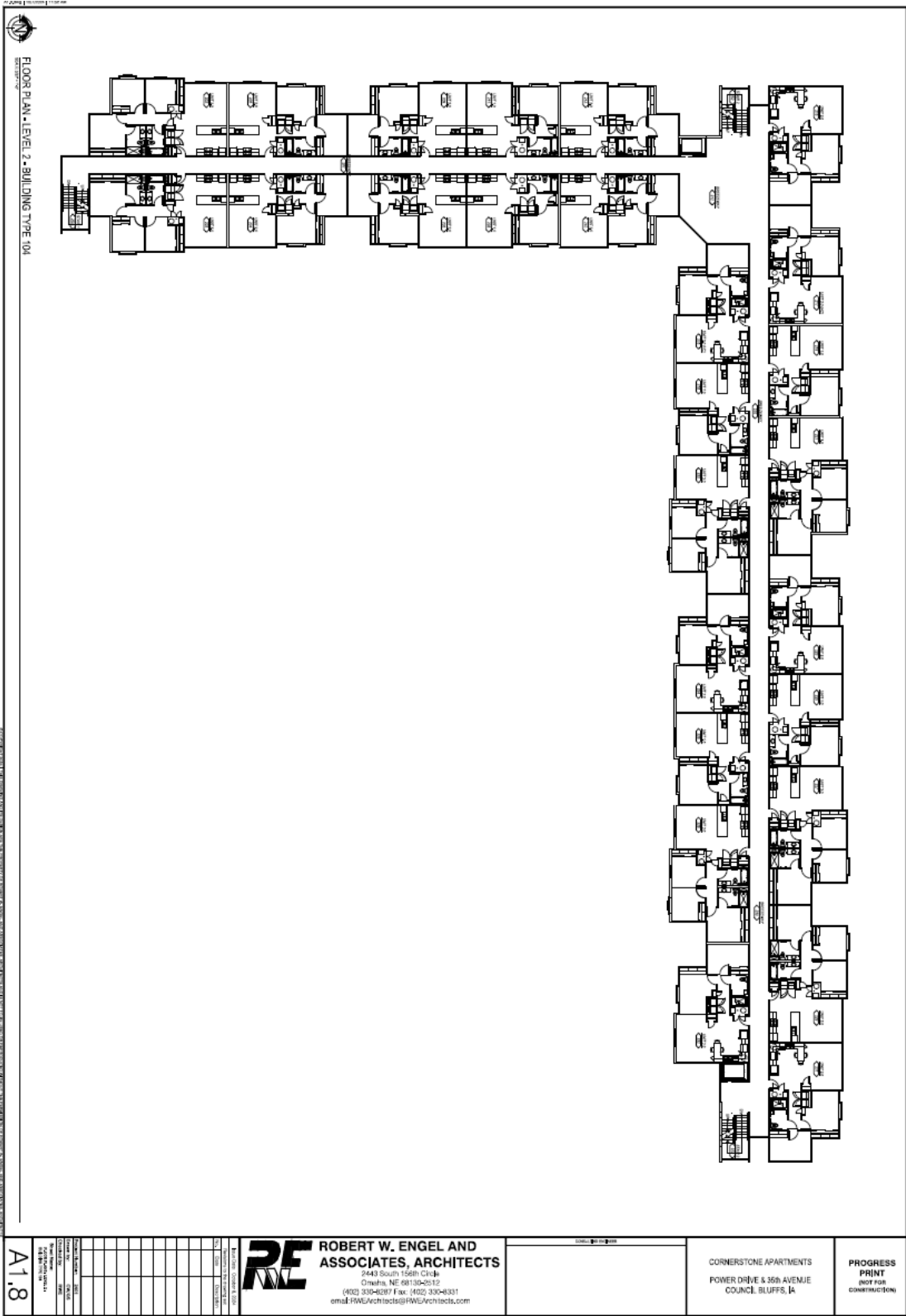


Exhibit B-10

EXHIBIT B-1
PROPOSED FLOOR PLANS (cont.)

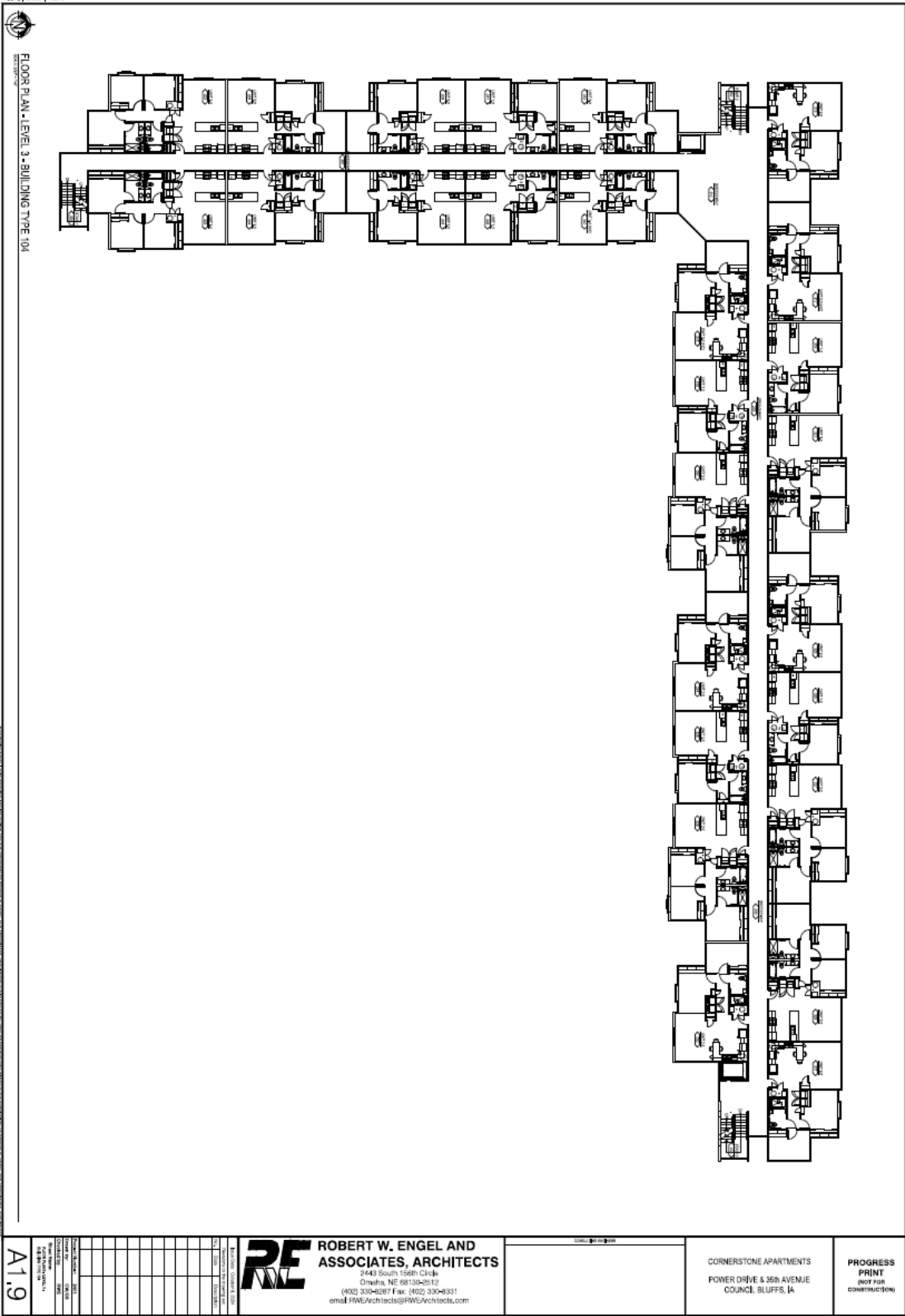


Exhibit B-11

FLOOR PLAN • LEVEL 4 • BUILDING TYPE 10A

RE ROBERT W. ENGEL AND ASSOCIATES, ARCHITECTS
2143 South 156th Circle
Omaha, NE 68130-2512
(402) 330-6267 Fax: (402) 330-8331
email: RWEArchitects@RWEArchitects.com

CORNERSTONE APARTMENTS
POWER DRIVE & 36th AVENUE
COUNCIL BLUFFS, IA

PROGRESS
PRINT
NOT FOR
CONSTRUCTION

A1.10

EXHIBIT C
CERTIFICATE OF COMPLETION FOR MINIMUM IMPROVEMENTS

WHEREAS, the City of Council Bluffs, Iowa, (the “City”) and Cornerstone CB Power Drive Partners LP, an Iowa limited partnership, (“Developer”), did on or about _____, 2025, make, execute and deliver, each to the other, an Agreement for Private Development (the “Agreement”), wherein and whereby Developer agreed, in accordance with the terms of the Agreement, to develop and maintain certain real property located within the City and as more particularly described as follows:

LOT 10, LAKE MANAWA CENTRE SUBDIVISION, A SUBDIVISION
LOCATED IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE
COUNTY, IOWA.

EXCEPT

PARCEL "A", RECORDED IN THE RECORDER'S OFFICE OF
POTTAWATTAMIE COUNTY IN BOOK 95, PAGE 5798, MORE
PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE
NORTHWESTERLY CORNER OF SAID LOT 10, SAID POINT BEING ON
THE SOUTH RIGHT-OF-WAY LINE OF 35TH AVENUE; THENCE ALONG
SAID SOUTH RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT
HAVING A RADIUS OF 217.00 FEET, AN ARC LENGTH OF 85.91 FEET
AND A LONG CHORD BEARING OF SOUTH 77°19'31" EAST FOR 85.35
FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT
HAVING A RADIUS OF 525.00 FEET, AN ARC DISTANCE OF 248.15 FEET
AND A LONG CHORD BEARING OF SOUTH 19°34'49" WEST FOR 245.85
FEET; THENCE NORTH 83°57'39" WEST FOR 2.11 FEET TO A POINT ON
THE WEST LINE OF SAID LOT 10; THENCE NORTH 00°16'49" EAST FOR
250.14 FEET ALONG THE WEST LINE OF SAID LOT 10 TO THE POINT OF
BEGINNING.

(the “Development Property”); and

WHEREAS, the Agreement incorporated and contained certain covenants and restrictions with respect to the development of the Development Property, and obligated the Developer to construct certain Minimum Improvements in accordance with the Agreement (as defined therein); and

WHEREAS, Developer has to the present date performed said covenants and conditions insofar as they relate to the construction of said Minimum Improvements in a manner deemed by the City to be in conformance with the Agreement to permit the execution and recording of this certification.

NOW, THEREFORE, this is to certify that all covenants and conditions of the Agreement with respect to the obligations of Developer and its successors and assigns, to construct the Minimum Improvements on the Development Property have been completed and performed by Developer and are hereby released absolutely and forever terminated insofar as

EXHIBIT D
MEMORANDUM OF AGREEMENT FOR PRIVATE DEVELOPMENT

WHEREAS, the City of Council Bluffs, Iowa (the “City”) and Cornerstone CB Power Drive Partners LP, an Iowa limited partnership (the “Developer”), did on or about _____, 2025, make, execute, and deliver an Agreement for Private Development (the “Agreement”), wherein and whereby the Developer agreed, in accordance with the terms of the Agreement, to develop and maintain certain real property located within the City and as more particularly described as follows:

LOT 10, LAKE MANAWA CENTRE SUBDIVISION, A SUBDIVISION
LOCATED IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE
COUNTY, IOWA.

EXCEPT

PARCEL "A", RECORDED IN THE RECORDER'S OFFICE OF
POTTAWATTAMIE COUNTY IN BOOK 95, PAGE 5798, MORE
PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE
NORTHWESTERLY CORNER OF SAID LOT 10, SAID POINT BEING ON
THE SOUTH RIGHT-OF-WAY LINE OF 35TH AVENUE; THENCE ALONG
SAID SOUTH RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT
HAVING A RADIUS OF 217.00 FEET, AN ARC LENGTH OF 85.91 FEET
AND A LONG CHORD BEARING OF SOUTH 77°19'31" EAST FOR 85.35
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AND A LONG CHORD BEARING OF SOUTH 19°34'49" WEST FOR 245.85
FEET; THENCE NORTH 83°57'39" WEST FOR 2.11 FEET TO A POINT ON
THE WEST LINE OF SAID LOT 10; THENCE NORTH 00°16'49" EAST FOR
250.14 FEET ALONG THE WEST LINE OF SAID LOT 10 TO THE POINT OF
BEGINNING.

(the “Development Property”); and

WHEREAS, the term of this Agreement commences on the date first set forth above and terminates on or before December 31, 2046, as set forth in the Agreement; and

WHEREAS, the City and Developer desire to record a Memorandum of the Agreement referring to the Development Property and their respective interests therein.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. That the recording of this Memorandum of Agreement for Private Development shall serve as notice to the public that the Agreement contains provisions restricting development and use of the Development Property and the improvements located and operated on such Development Property.

2. That all of the provisions of the Agreement and any subsequent amendments thereto, if any, even though not set forth herein, are by the filing of this Memorandum of Agreement for Private Development made a part hereof by reference, and that anyone making any claim against any of said Development Property in any manner whatsoever shall be fully advised as to all of the terms and conditions of the Agreement, and any amendments thereto, as if the same were fully set forth herein.

3. That a copy of the Agreement and any subsequent amendments thereto, if any, shall be maintained on file for public inspection during ordinary business hours in the office of the City Clerk, City Hall, Council Bluffs, Iowa.

IN WITNESS WHEREOF, the City and Developer have executed this Memorandum of Agreement for Private Development as of the dates set forth below.

[Rest of page intentionally left blank; Signature pages to follow]

CITY OF COUNCIL BLUFFS, IOWA

ATTEST:

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

Notary Public in and for the State of Iowa

[Signature page to Memorandum of Agreement for Private Development – City of Council Bluffs]

CORNERSTONE CB POWER DRIVE
PARTNERS LP, an Iowa limited
partnership

By: Cornerstone Housing Group, LLC, a
Nebraska limited liability company, the
General Partner

By: _____
Bobbi Jo Lucas Eisold, President

STATE OF _____)
) SS
COUNTY OF _____)

This record acknowledged before me on _____, 2025 by Bobbi Jo Lucas
Eisold as the President of Cornerstone Housing Group, LLC, a Nebraska limited liability
company, the general partner of Cornerstone CB Power Drive Partners LP.

Notary Public in and for said state

My commission expires: _____

*[Signature page to Memorandum of Agreement for Private Development – Cornerstone CB
Power Drive Partners LP]*

EXHIBIT E
DEVELOPER ANNUAL CERTIFICATION
(due before October 15th as required under terms of Development Agreement)

During the time period covered by this Certification, the Developer certifies that it is and was in compliance with the Agreement as follows:

(i) All ad valorem taxes on the Development Property then owned by the Developer in the Urban Renewal Area have been timely paid for the prior fiscal year (and for the current year, if due) and attached to this Annual Certification are proof of payment of said taxes;

(ii) 100% of the Housing Units on the Development Property qualify as LMI Housing Units in conformance with the Agreement and the LIHTC Program. Attached are copies of any reports supplied to State or federal officials under the LIHTC Program since the last certification.

(iii) The undersigned officer of Developer has re-examined the terms and provisions of the Agreement and certifies that at the date of such certificate, and during the preceding twelve (12) months, the Developer is not, or was not, in default in the fulfillment of any of the terms and conditions of the Agreement and that no Event of Default (or event which, with the lapse of time or the giving of notice, or both, would become an Event of Default) is occurring or has occurred as of the date of such certificate or during such period, or if the signer is aware of any such default, event or Event of Default, said officer shall disclose in such statement the nature thereof, its period of existence and what action, if any, has been taken or is proposed to be taken with respect thereto.

I certify under penalty of perjury and pursuant to the laws of the State of Iowa that the preceding is true and correct to the best of my knowledge and belief.

Signed this _____ day of _____, 20____.

CORNERSTONE CB POWER DRIVE PARTNERS LP,
an Iowa limited partnership

By: _____

Name: _____

Title: _____

Attachments: Proof of payment of taxes

[Signature page to Developer Annual Certification – Cornerstone CB Power Drive Partners LP]

4902-7608-1970-1\10342-204

Resolution 25-112

ITEMS TO INCLUDE ON AGENDA

CITY OF COUNCIL BLUFFS, IOWA

April 21, 2025

7:00 P.M.

Power Drive Housing Urban Renewal Plan

- Public hearing on the proposal to enter into a Development Agreement with Cornerstone CB Power Drive Partners LP.
- Resolution approving and authorizing execution of a Development Agreement by and between the City of Council Bluffs and Cornerstone CB Power Drive Partners LP.

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 21, 2025

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

Absent: _____

Vacant: _____

* * * * *

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the proposal to approve and authorize execution of a Development Agreement by and between the City of Council Bluffs and Cornerstone CB Power Drive Partners LP, and that notice of the proposed action by the Council to enter into said Agreement had been published pursuant to the provisions of Section 362.3, Code of Iowa.

The Mayor then asked the Clerk whether any written objections had been filed by any City resident or property owner to the proposed action. The Clerk advised the Mayor and the Council that _____ written objections had been filed. The Mayor then called for oral objections and _____ were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

(Attach here a summary of objections received or made, if any)

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member _____ introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF COUNCIL BLUFFS AND CORNERSTONE CB POWER DRIVE PARTNERS LP", and moved:

- ☐ that the Resolution be adopted.
- ☐ to defer action on the Resolution and the proposal to the meeting to be held at _____ .M. on the _____ day of _____, 2025, at this place.

Council Member _____ seconded the motion. The roll was called, and the vote was:

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 25-112

RESOLUTION APPROVING AND AUTHORIZING
EXECUTION OF A DEVELOPMENT AGREEMENT BY AND
BETWEEN THE CITY OF COUNCIL BLUFFS AND
CORNERSTONE CB POWER DRIVE PARTNERS LP

WHEREAS, by Resolution No. 25-77, adopted March 24, 2025, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Power Drive Housing Urban Renewal Plan (the "Urban Renewal Plan" or "Plan") for the Power Drive Housing Urban Renewal Area (the "Urban Renewal Area" or "Area") described therein, which Plan is, or will be, on file in the office of the Recorder of Pottawattamie County; and

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

WHEREAS, the City has received a proposal from Cornerstone CB Power Drive Partners LP (the "Developer"), in the form of a proposed Development Agreement (the "Agreement") by and between the City and the Developer, pursuant to which, among other things, the Developer would agree to construct certain Minimum Improvements (as defined in the Agreement) including LMI Housing Units and certain Infrastructure Improvements to serve the housing units, including an approximately 1700 linear foot sanitary sewer line extension and related infrastructure improvements, and all related site improvements, on certain real property located within the Urban Renewal Area as defined and legally described in the Agreement (the "Development Property"), all as outlined in the proposed Agreement; and

WHEREAS, the Developer has been awarded Low-Income Housing Tax Credits for the Project and, accordingly, the City is willing to provide a local match incentive for the Project, pursuant to the terms and conditions set forth in this Agreement; and

WHEREAS, the Agreement further proposes that the City will make up to fifteen (15) consecutive annual payments of Economic Development Grants to Developer consisting of 75% of the Tax Increments generated by the construction of the Minimum Improvements and collected pursuant to Section 403.19, Code of Iowa; the cumulative total for all such payments not to exceed the lesser of \$9,000,000, or the amount accrued under the formula outlined in the proposed Agreement, under the terms and following satisfaction of the conditions set forth in the Agreement; and

WHEREAS, Chapters 15A and 403, Code of Iowa, authorize cities to make grants for economic development, including the development of low and moderate income housing, in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapters, and to levy taxes and assessments for such purposes; and

WHEREAS, the Council has determined that the Agreement is in the best interests of the City and the residents thereof and that the performance by the City of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and,

further, that the Agreement and the City's performance thereunder is in furtherance of appropriate economic development activities and objectives of the City within the meaning of Chapters 15A and 403, Code of Iowa, taking into account any or all of the factors set forth in Chapter 15A, Code of Iowa, to wit:

- a. Businesses that add diversity to or generate new opportunities for the Iowa economy should be favored over those that do not.
- b. Development policies in the dispensing of the funds should attract, retain, or expand businesses that produce exports or import substitutes, or which generate tourism-related activities.
- c. Development policies in the dispensing or use of the funds should be targeted toward businesses that generate public gains and benefits, which gains and benefits are warranted in comparison to the amount of the funds dispensed.
- d. Development policies in dispensing the funds should not be used to attract a business presently located within the state to relocate to another portion of the state unless the business is considering in good faith to relocate outside the state or unless the relocation is related to an expansion which will generate significant new job creation. Jobs created as a result of other jobs in similar Iowa businesses being displaced shall not be considered direct jobs for the purpose of dispensing funds; and

WHEREAS, pursuant to notice published as required by law, this Council has held a public meeting and hearing upon the proposal to approve and authorize execution of the Agreement and has considered the extent of objections received from residents or property owners as to said proposed Agreement; and, accordingly the following action is now considered to be in the best interests of the City and residents thereof.

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

Section 1. That the performance by the City of its obligations under the Agreement, including but not limited to making of grants to the Developer in connection with the development of the Development Property under the terms set forth in the Agreement, be and is hereby declared to be a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement and the City's performance thereunder is in furtherance of appropriate economic development activities and objectives of the City within the meaning of Chapters 15A and 403, Code of Iowa, taking into account the factors set forth therein.

Section 2. That the form and content of the Agreement, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the Mayor and the City Clerk be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver the Agreement for and on behalf of the City in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the Agreement, the Mayor and the City Clerk are hereby authorized,

empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement as executed.

PASSED AND APPROVED this 21st day of April, 2025.

Mayor

ATTEST:

City Clerk

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

WITNESS my hand and the seal of the Council hereto affixed this 22nd day of April, 2025.

(SEAL)

214

Council Communication

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

Resolution 25-113
ITEM 4.C.

Council Action: 4/21/2025

Description

Resolution authorizing the City to apply for FY2026 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 \$285,507 in STA payments for FY2026. The City has received \$237,486.80 in FY2025 STA payments to date. The application for future assistance has been prepared by city staff and must be submitted to the Iowa DOT.

The projected FY2026 budget for transit is \$2,263,600 in expenditures and projected revenues of \$1,370,399 in transit tax levy, \$285,507 in State Transit Assistance, \$87,780 from Metro in reimbursement, \$87,500 in Enhanced Mobility of Seniors and Individuals with Disabilities Grants (5310), \$40,000 in Special Transit Service fares, and \$115,000 in Metro fixed-route fares.

Recommendation

Approval of this resolution to continue receiving state funding for transit operations.

ATTACHMENTS:

Description	Type	Upload Date
Authorizing Resolution	Resolution	4/11/2025
Resolution	Resolution	4/11/2025
Resolution 25-113	Resolution	4/16/2025

Authorizing Resolution

We, hereby, authorize Matthew J. Walsh
(Name of Authorized Signatory)

on behalf of City of Council Bluffs
(Legal Name of Applicant)

to apply for financial assistance as noted below and to enter into related contract(s) with the Iowa Department of Transportation.

From the State Transit Assistance Program:

1.47567492 % of formula funds;
\$ _____ of Special Project funds

From federal funds for transit in non-urbanized areas and/or for transit serving primarily elderly persons and person with disabilities:

\$ _____

From statewide federal capital assistance for transit:

\$ _____

We understand acceptance of federal transit assistance involves an agreement to comply with certain labor protection provisions.

We certify that City of Council Bluffs
(Legal Name of Applicant)

has sufficient non-federal funds to provide required local match for capital projects and at time of delivery will have the funds to operate and maintain vehicles and equipment purchased under this project.

We request that State Transit Assistance formula funding be advanced as allowed by law, to improve transit system cash flow.

Adopted the _____ day of _____, _____

Name: Council Bluffs City Council
(Applicant's Governing Body)

By: _____
(Signature of Chief Executive Officer) Matthew J. Walsh
(Printed Name of Chief Executive Officer)

Title: Mayor

Address: 209 Pearl Street, Council Bluffs, IA 51503

Telephone: (712) 890-5264 Email Address: mwalth@councilbluffs-ia.gov
(E-mail address of Chief Executive Officer)

RESOLUTION
NO. _____

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION FOR FY2026 STATE TRANSIT ASSISTANCE

WHEREAS, the City of Council Bluffs will be eligible for an estimated amount of \$285,507 in State Transit Assistance for use in operating its transit system during FY2026; and

WHEREAS, a public hearing notice was published as required by law, and the Public Hearing was held on April 21, 2025; 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 FY2026 State Transit Assistance and to enter into any necessary related contracts with the Iowa DOT.

ADOPTED
AND
APPROVED

April 21, 2025

Matthew J Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

R E S O L U T I O N
NO. 25-113

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION
FOR FY2026 STATE TRANSIT ASSISTANCE

- WHEREAS, the City of Council Bluffs will be eligible for an estimated amount of \$285,507 in State Transit Assistance for use in operating its transit system during FY2026; and
- WHEREAS, a public hearing notice was published as required by law, and the Public Hearing was held on April 21, 2025; 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 FY2026 State Transit Assistance and to enter into any necessary related contracts with the Iowa DOT.

ADOPTED
AND
APPROVED

April 21, 2025

Matthew J Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Legal
Case/Project No.:
Submitted by: Graham Jura on
behalf of PD

Ordinance 6646
ITEM 5.A.

Council Action: 4/21/2025

Description

Ordinance to amend Title 9 "Traffic" of the 2020 Municipal Code of Council Bluffs, Iowa, by amending Chapter 9.72.357 "Open Containers in Motor Vehicles" to differentiate between the driver and a passenger.

Background/Discussion

Iowa Code designates 2 different code sections for Open Container in Motor Vehicle. Iowa Code Section 321.284 identifies the driver and Iowa Code Section 321.282A identifies the passenger, making it clear to all parties when which role was played when issuing and filing the citations. PD and Legal have reviewed the Iowa Code and our current CBMC 9.72.357 and have determined that it is best to be consistent with Iowa Code and differentiate between parties as well.

Recommendation

Approval is recommended.

ATTACHMENTS:

Description	Type	Upload Date
Ordinance-red line version	Other	4/8/2025
Ordinance 6646	Ordinance	4/16/2025

9.72.357 Open Containers In Motor Vehicles

- A. A driver ~~or passenger~~ of a motor vehicle upon a public street or highway shall not possess in the passenger area of the motor vehicle an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage. "Passenger area" means the area designed to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in their seating positions, including the glove compartment. An open or unsealed receptacle containing an alcoholic beverage may be transported in the trunk of the motor vehicle. An unsealed receptacle containing an alcoholic beverage may be transported behind the last upright seat of the motor vehicle if the motor vehicle does not have a trunk. **A person convicted of a violation of this Section is guilty of a simple misdemeanor punishable as a scheduled violation under Iowa Code Section 805.8A.**
- B. **A passenger of a motor vehicle upon a public street or highway shall not possess in the passenger area of the motor vehicle an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage. "Passenger area" means the area designed to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in their seating positions, including the glove compartment. An open or unsealed receptacle containing an alcoholic beverage may be transported in the trunk of the motor vehicle. An unsealed receptacle containing an alcoholic beverage may be transported behind the last upright seat of the motor vehicle if the motor vehicle does not have a trunk. A person convicted of a violation of this Section is guilty of a simple misdemeanor punishable as a scheduled violation under Iowa Code Section 805.8A.**

(Ord. 5379 § 1, 1998)

HISTORY

Amended by Ord. [6559](#) on 5/8/2023

ORDINANCE NO. 6646

AN ORDINANCE TO AMEND TITLE 9 “TRAFFIC” OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING CHAPTER 9.72.357 “OPEN CONTAINERS IN MOTOR VEHICLES” TO DIFFERENTIATE BETWEEN THE DRIVER AND A PASSENGER.

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

SECTION 1. That Title 9 “Traffic” of the 2020 Municipal Code of Council Bluffs, Iowa, is hereby amended “Chapter 9.72.357 Open Containers in Motor Vehicles” to read as follows:

9.72.357 Open Containers In Motor Vehicles

- A. A driver of a motor vehicle upon a public street or highway shall not possess in the passenger area of the motor vehicle an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage. “Passenger area” means the area designed to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in their seating positions, including the glove compartment. An open or unsealed receptacle containing an alcoholic beverage may be transported in the trunk of the motor vehicle. An unsealed receptacle containing an alcoholic beverage may be transported behind the last upright seat of the motor vehicle if the motor vehicle does not have a trunk. A person convicted of a violation of this Section is guilty of a simple misdemeanor punishable as a scheduled violation under Iowa Code Section 805.8A.
- B. A passenger of a motor vehicle upon a public street or highway shall not possess in the passenger area of the motor vehicle an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage. “Passenger area” means the area designed to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in their seating positions, including the glove compartment. An open or unsealed receptacle containing an alcoholic beverage may be transported in the trunk of the motor vehicle. An unsealed receptacle containing an alcoholic beverage may be transported behind the last upright seat of the motor vehicle if the motor vehicle does not have a trunk. A person convicted of a violation of this Section is guilty of a simple misdemeanor punishable as a scheduled violation under Iowa Code Section 805.8A.

(Ord. 5379 § 1, 1998)

HISTORY

Amended by Ord. 6559 on 5/8/2023

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

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

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

PASSED
AND
APPROVED

May 5, 2025.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

First Consideration: 4-21-25
Second Consideration: 5-5-25
Public Hearing: n/a
Third Consideration: _____

Council Communication

Department: City Clerk
Case/Project No.: URN-25-002
Submitted by: Marianne Collins,
Housing & Economic Development
Planner

Ordinance 6644
ITEM 6.A.

Council Action: 4/21/2025

Description

Ordinance providing that general property taxes levied and collected each year on all property located within the Kanesville Urban Renewal Area, in City of Council Bluffs, County of Pottawattamie State of Iowa, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and other taxing districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Kanesville Urban Renewal Area (the Kanesville Urban Renewal Plan.) URN-25-002

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	3/28/2025
Attachment 1 - Kanesville Urban Renewal Area Plan	Other	3/28/2025
Attachment 2 – Kanesville -Map ED Area - Revised	Map	3/28/2025
Ordinance 6644	Ordinance	4/4/2025

Council Communication

Department: Community Development Case/Project No.: URN-25-002	Ordinance No.: Resolution No.: 25-	City Council: 2-24-2025 Planning Commission: 3-11-2025 P.H. and First Reading: 4-07-2025 2 nd Reading: 4-21-2025 3 rd Reading: 5-05-2025
Subject/Title		
Adoption of the Kanesville Urban Renewal Plan		
Location		
Generally located south of Yellow Pole Road and north of College Road and east of College Road/Washboard Road and west of Hampton Lane		
Background/Discussion		
<p><u>Background</u> Several developers have approached the City about developing parcels of land included in the proposed Kanesville Urban Renewal Area for commercial uses. It has been determined the proposed area meets the definition of “economic development area.” This determination is based on Chapter 403.19 of the Iowa Code.</p> <p>In order to invoke its urban renewal powers, the City Council must agree to designate the subject property an Urban Renewal Area, adopt an Urban Renewal Plan and negotiate a development agreement with the Developer. Assistance in the form of an urban renewal project area, conforming to the Section 403 of Iowa Code, is necessary to acquire land; improve regulatory control; improve public infrastructure and facilities; and to allow for private development of vacant land.</p> <p><u>Discussion</u> The City is removing parcel # 754321400008, the owner is not agreeing to have this agriculture land included in the Kanesville Urban Renewal Plan. A corrected map is attached showing this parcel removed from the Kanesville Urban Renewal Area</p> <p>On February 24, 2025, the City Council passed a resolution of necessity, which directed staff to initiate the process of creating the Kanesville Urban Renewal Plan and Area. This resolution establishes the following timeframe:</p> <div style="margin-left: 40px;"> <p>3-05-2025 Consultation meeting to be held with other taxing jurisdictions</p> <p>3-11-2025 City Planning Commission hearing and review</p> <p>3-24-2025 City Council public hearing on the proposed urban renewal plan</p> </div> <p>The consultation hearing was held on March 5, 2025 and no public attended. Additionally, no written correspondence has been received by the Community Development Department either in support or against the proposed plan.</p> <p>Iowa statutes require the City Planning Commission to review the plan for conformity to the comprehensive plan and to forward a recommendation to City Council prior to the public hearing. This was held 03-11-2025 and Planning Commission recommended approval of the Kanesville URN with a 8-0-3 vote. An urban renewal plan conforming to the requirements of Chapter 403 of the Iowa Code has been prepared and is attached for your review.</p> <p>The Kanesville Urban Renewal Area is being designated as an economic development area that is appropriate for the promotion of economic development, commercial and industrial development, conforming to Chapter 403.19 of the Iowa Code. Designation is necessary to assist and promote local commercial enterprises to strengthen and revitalize the economy. Tax Increment Financing (TIF) will be utilized to provide assistance to the City for the infrastructure costs that will be incurred.</p>		
Staff Recommendation		
The Community Development Department recommends concurrence that the Kanesville Urban Renewal Plan and		

Council Communication

Area is in conformity with the *Bluffs Tomorrow: 2030 Comprehensive Plan*.

Planning Commission Recommendation

The City Planning Commission recommended approval of the Kanesville URN with a 8-0-3 vote. VOTE: AYE – Freund, Hutcheson, Knauss, Rater, Rew, Stroebele Van Houten and Watson. NAY – None. ABSTAIN – None. ABSENT – None. VACANT – Three. Motion carried.

Attachments

Attachment 1 - Kanesville Urban Renewal Area Plan

Attachment 2 – Ordinance

Attachment 3 – Kanesville -Map ED Area - Revised

Prepared by: Marianne Collins, Housing & Economic Development Planner

Submitted by: Courtney Harter, Director of Community Development

**KANESVILLE
URBAN RENEWAL PLAN**

for the

**KANESVILLE
URBAN RENEWAL AREA**

CITY OF COUNCIL BLUFFS, IOWA

March 2025

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**Kanesville Urban Renewal Plan
for the
Kanesville Urban Renewal Area**

City of Council Bluffs, Iowa

A. INTRODUCTION

The Kanesville Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Kanesville Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials promote commercial and industrial economic development in the City of Council Bluffs, Iowa (the “City”). In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 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 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 area appropriate for the promotion of economic development (commercial and industrial development).

D. BASE VALUE

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) Ordinance is adopted, and debt is certified prior to December 1, 2025, the taxable valuation as of January 1, 2024, will be considered the frozen “base valuation” of the taxable property within that area covered by the TIF ordinance. If a TIF Ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2025, 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 on the Area.

E. DEVELOPMENT PLAN/ZONING

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 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. PLAN OBJECTIVES

Renewal activities are designed to provide opportunities, incentives, and sites to promote economic development (commercial and industrial development). More specific objectives for the development, redevelopment, and rehabilitation within the Urban Renewal Area are as follows:

1. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.
2. To plan for and provide sufficient land for commercial and industrial development in a manner that is efficient from the standpoint of providing municipal services.
3. To provide for the installation of public works and facilities including, but not limited to, water, sanitary sewer, roadways, and other public improvements, which contribute to the revitalization of the area and to the sound development of the entire City.
4. To encourage commercial growth and expansion through governmental policies which make it economically feasible to do business.
5. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives.
6. To stimulate, through public action and commitment, private investment in new and expanded commercial and industrial development.
7. To improve the conditions and opportunities for commercial and industrial economic development.
8. To help develop a sound economic base that will serve as the foundation for future growth and development.
9. To enhance the City by fostering an entrepreneurial climate, diversifying the local economy, encouraging opportunities for new businesses, and supporting retention of existing businesses.

10. To enhance the health, safety, living environment, general character, and general welfare of Council Bluffs, Iowa.
11. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

G. TYPES OF RENEWAL ACTIVITIES

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

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curb and gutter, street lighting, water, sanitary sewer, public utilities or other facilities in connection with urban renewal projects.
3. To make loans, forgivable loans, grants, tax rebate payments or other types of economic development grants or incentives to private persons, local development organizations, or businesses for economic development purposes on such terms as may be determined by the City Council.
4. To borrow money and to provide security therefor.
5. To acquire or dispose of property.
6. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
7. To acquire property through a variety of means (purchase, lease, option, etc.) and to hold, clear, or prepare the property for redevelopment.
8. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
9. 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.

H. 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. Public Improvements

Project	Estimated Project Date	Estimated Cost	How Project Advances Objectives of Plan
Kanesville Sanitary Sewer Extension PH I – PW 24-21	2025	\$2,500,000	Constructing sewer from west of railroad tracks south of Kanesville to the east, just west of the westbound interstate on-ramp to help facilitate commercial and industrial development in the Area
Kanesville Sanitary Sewer Extension PH II	2025-2026	\$1,500,000	Continues the extension of the sewer line to the east, ending at the east side of the interstate interchange to help facilitate commercial and industrial development in the Area
Roadway and utility improvements to that portion of Hunt Avenue from Kanesville north to the City limits	2026	\$3,000,000	Road and utility improvements will help facilitate commercial and industrial development in the Area
	Total:	\$7,000,000	

2. Development Agreements

A. *Development Agreement with KCI Council Bluffs Land, LLC (or a related entity):* The proposed urban renewal project anticipates the City entering into a development agreement with KCI Council Bluffs Land, LLC (or a related entity) to provide for the construction of a warehouse distribution park. Construction is expected to be completed in 2028 and the project will result in the creation and/or retention of jobs in the Urban Renewal Area. The City expects to make annual grants to KCI Council Bluffs Land, LLC (or a related entity) in the form of rebates of incremental taxes generated by the increased assessed value created by the project. The cost of such grants are not expected to exceed

\$2,000,000 and will be subject to the terms and conditions of a detailed development agreement between the parties.

B. *Development Agreement with EDC Omaha Hold Co, LLC (or a related entity):* The proposed urban renewal project anticipates the City entering into a development agreement with EDC Omaha Hold Co, LLC (or a related entity) to provide for the construction of a data center. Construction is expected to be completed in 2032, and the project will result in the creation and/or retention of jobs in the Urban Renewal Area. The City expects to make annual grants to EDC Omaha Hold Co, LLC (or a related entity) in the form of rebates of incremental taxes generated by the increased assessed value created by the project. The cost of such grants are not expected to exceed \$65,000,000 and will be subject to the terms and conditions of a detailed development agreement between the parties.

C. *Future Development Agreements:* The City expects to consider requests for development agreements for projects that are consistent with this Plan, in the City's sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such development agreements will not exceed \$5,000,000.

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

Project	Date	Estimated cost
Fees and costs	Undetermined	Not to exceed \$50,000

I. FINANCIAL DATA

1.	Current constitutional debt limit:	\$354,283,045
2.	Current outstanding general obligation debt:	\$71,190,000
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, 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	\$79,050,000 This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.

	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:	
--	---	--

J. 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.

K. PROPERTY ACQUISITION/DISPOSITION

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

L. 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.

M. PROPERTY WITHIN AN URBAN REVITALIZATION AREA

The Urban Renewal Area may (now or in the future) also be located within an established Urban Revitalization Area. Properties within the Urban Renewal Area shall not be eligible for tax abatement under an Urban Revitalization Plan without the City Council's specific approval. The City Council, at its sole discretion, shall determine which incentives, if any, are available through either: (a) this Plan for urban renewal incentives, if any urban renewal incentives are offered by the City, at the City Council's sole discretion; or (b) tax abatement incentives through the City's Urban Revitalization Plan; or (c) a combination of urban renewal incentives and tax abatement incentives.

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 will remain in effect as a Plan until it is repealed by the City Council.

With respect to the property included within the Urban Renewal Area, which is also included in a TIF Ordinance that provides for the “division of revenue” as those words are used in Chapter 403 of the Code of Iowa, the division of revenue is limited to twenty (20) years beginning with the first calendar year following the calendar 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 TIF Ordinance of the Urban Renewal Area. The division of revenues shall continue on the Urban Renewal Area, for the maximum period allowed by law.

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

R. AGRICULTURAL LAND

Because the Urban Renewal Area contains land that is defined as “agricultural land” by Iowa Code Section 403.17(3), the City must acquire consent from the owner(s) of the agricultural land prior to including such land in the Urban Renewal Area. The City has requested consent from the owner(s) of agricultural land proposed to be included in the Urban Renewal Area. A copy of the agricultural landowner agreements is, or will be, attached hereto as Exhibit “C.” The original signed agreement(s) will be placed on file in the City Clerk’s office.

EXHIBIT A

LEGAL DESCRIPTION OF KANESVILLE URBAN RENEWAL AREA

A PARCEL OF LAND BEING A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 21, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION 22, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22, ALL OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 28 AND A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 28, ALL IN TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE

5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) AND ON ITS SOUTHERLY PROLONGATION, 2,220 FEET MORE OR LESS TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID SOUTH RIGHT-OF-WAY LINE AND ON ITS WESTERLY PROLONGATION, 3,267 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80;

THENCE SOUTHWESTERLY ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,806 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 1, BLACK HILLS SUBDIVISION IN SAID CITY OF COUNCIL BLUFFS;

THENCE WEST ON THE NORTH LINE OF SAID LOT 1, 876 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD;

THENCE NORTH ON SAID EAST RIGHT-OF-WAY LINE, 2,371 FEET MORE OR LESS TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID EASTERLY PROLONGATION AND ON SAID SOUTH RIGHT-OF-WAY LINE, 4,161 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20;

THENCE NORTH ON SAID WEST LINE, 286 FEET MORE OR LESS TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID HIGHWAY 6;

THENCE EAST ON SAID NORTH RIGHT-OF-WAY LINE, 4,087 FEET MORE OR LESS TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WASHBOARD ROAD;

THENCE NORTH ON SAID WEST RIGHT-OF-WAY LINE, 2,100 FEET MORE OR LESS TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID WASHBOARD ROAD;

THENCE NORTHEASTERLY ON SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ON IT'S NORTHEASTERLY PROLONGATION 1,370 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF YELLOW POLE ROAD;

THENCE EASTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE AND ON IT'S EASTERLY PROLONGATION 4,467 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON SAID EAST LINE, 86 FEET MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPT:

A TRACT OF LAND IN PART OF THE NW1/4 SE1/4 S21, T75, R43, POTTAWATTAMIE COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF THE NE 1/4 SE 1/4 SEC. 21; THENCE NORTHLY ALONG THE EAST LINE OF THE SE 1/4 OF SAID SEC. 21 A DISTANCE OF 375.54 FEET; THENCE WESTERLY A DISTANCE OF 1419.00 FEET; THENCE NORTH 0°20'57" W (ASSUMED BEARING) TO A POINT 160 FEET NORTHERLY OF MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF RELOCATED U.S. HIGHWAY 6, A DISTANCE OF 93.43 FEET TO THE POINT OF BEGINNING; THENCE S 78°55'33"W ALONG THE U.S. HIGHWAY 6 RIGHT-OF-WAY A DISTANCE OF 321.70 FEET; THENCE NORTH 81°30'19"W A DISTANCE OF 256.35 FEET; THENCE S83°10'41"W A DISTANCE OF 299.70 FEET; THENCE S77°02'41"W A DISTANCE OF 151.24 FT; THENCE S89°23'04"W A DISTANCE OF 49.42 FT; THENCE N40°21'33"W A DISTANCE OF 134.24 FT; THENCE N7°10'26"W A DISTANCE OF 215.74 FT. TO A POINT 2013.01 FEET NORTHERLY OF AND 31.62 FT. EASTERLY OF THE S1/4 CORNER OF SAID SEC. 21; THENCE N90°00'00"E A DISTANCE OF 1176.15 FEET; THENCE S0°20'57"E A DISTANCE OF 222.38 FT. TO THE POINT OF BEGINNING, CONTAINING 7.145 ACRES MORE OR LESS

SAID PARCEL CONTAINS AN AREA OF 434.6 ACRES, MORE OR LESS.

MAP OF KANESVILLE URBAN RENEWAL AREA



EXHIBIT C
AGRICULTURAL LAND CONSENT

AGREEMENT TO INCLUDE AGRICULTURAL LAND IN
THE KANESVILLE URBAN RENEWAL AREA

WHEREAS, the City of Council Bluffs, Iowa, (the "City") has proposed to establish an Urban Renewal Plan ("Plan") for the Kaneshville Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, it has been proposed that the boundaries of land included in the Urban Renewal Area will contain certain property owned by the undersigned Agricultural Land Owner; and

WHEREAS, Section 403.17(10) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in Section 403.17(3) of "agricultural land" until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that a portion of the property located within the Urban Renewal Area and owned by the Agricultural Land Owner listed below meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa.

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property within the proposed Urban Renewal Area and agrees that the City of Council Bluffs, Iowa, may include such property within the Urban Renewal Area.

2. The Agricultural Land Owner further authorizes the governing body of the City of Council Bluffs, Iowa, to pass any resolution or ordinance necessary to designate property as part of the Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED _____, 20____

Agricultural Land Owner's Name (print): _____

Signature: _____

Print Name of Signatory: _____



project KANESVILLE – ED AREA
client C.B. COMMUNITY DEVELOPMENT DEPARTMENT
209 PEARL STREET, COUNCIL BLUFFS, IA 51503
sheet **EXHIBIT**

project no.
150425
sheet
1 OF 1

JDD	drawn	date
JDD	designed	revision
DEF	approved	date
MAR '25	date	revision

hgm
A S S O C I A T E S I N C .
640 FIFTH AVENUE COUNCIL BLUFFS, IOWA
PHONE: (712) 323-0530

This drawing is being made for use on this project in accordance with the professional engineering seal of the engineer who has prepared this drawing or any part thereof except in accordance with the terms of the above agreement.

ORDINANCE NO. 6644

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE KANESVILLE URBAN RENEWAL AREA, IN CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF COUNCIL BLUFFS, COUNTY OF POTTAWATTAMIE, COUNCIL BLUFFS COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE KANESVILLE URBAN RENEWAL AREA (**THE KANESVILLE URBAN RENEWAL PLAN**)

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, after public notice and hearing as prescribed by law and pursuant to Resolution No. 25-78 passed and approved on the 24th day of March, 2025, adopted an Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the Kaneshville Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, by Resolution No. 25-105, the City Council approved a modification in the legal description of the Urban Renewal Area; and

WHEREAS, the Urban Renewal Area includes the lots and parcels located within the area legally described as follows:

A PARCEL OF LAND BEING A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2SW1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE

SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 21, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4NE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 21, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4SE1/4) OF SECTION 21, A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION 22, ALL OF THE AUDITOR'S SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4NW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4SW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22, ALL OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22, A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE1/4SW1/4) OF SECTION 22, A PORTION OF THE AUDITOR'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW1/4NE1/4) OF SECTION 28 AND A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION 28, ALL IN TOWNSHIP 75 NORTH, RANGE 43 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) AND ON IT'S SOUTHERLY PROLONGATION, 2,220 FEET MORE OR LESS TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID SOUTH RIGHT-OF-WAY LINE AND ON IT'S WESTERLY PROLONGATION, 3,267 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 80;

THENCE SOUTHWESTERLY ON SAID WESTERLY RIGHT-OF-WAY LINE, 2,806 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 1, BLACK HILLS SUBDIVISION IN SAID CITY OF COUNCIL BLUFFS;

THENCE WEST ON THE NORTH LINE OF SAID LOT 1, 876 FEET MORE OR LESS TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COLLEGE ROAD;

THENCE NORTH ON SAID EAST RIGHT-OF-WAY LINE, 2,371 FEET MORE OR LESS TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 6;

THENCE WEST ON SAID EASTERLY PROLONGATION AND ON SAID SOUTH RIGHT-OF-WAY LINE, 4,161 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID AUDITOR'S SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE1/4SE1/4) OF SECTION 20;

THENCE NORTH ON SAID WEST LINE, 286 FEET MORE OR LESS TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID HIGHWAY 6;

THENCE EAST ON SAID NORTH RIGHT-OF-WAY LINE, 4,087 FEET MORE OR LESS TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WASHBOARD ROAD;

THENCE NORTH ON SAID WEST RIGHT-OF-WAY LINE, 2,100 FEET MORE OR LESS TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID WASHBOARD ROAD;

THENCE NORTHEASTERLY ON SAID NORTHWESTERLY RIGHT-OF-WAY LINE AND ON IT'S NORTHEASTERLY PROLONGATION 1,370 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF YELLOW POLE ROAD;

THENCE EASTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE AND ON IT'S EASTERLY PROLONGATION 4,467 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 22;

THENCE SOUTH ON SAID EAST LINE, 86 FEET MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPT:

A TRACT OF LAND IN PART OF THE NW1/4 SE1/4 S21, T75, R43, POTTAWATTAMIE COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF THE NE 1/4 SE 1/4 SEC. 21; THENCE NORTHLY ALONG THE EAST LINE OF THE SE 1/4 OF SAID SEC. 21 A DISTANCE OF 375.54 FEET; THENCE WESTERLY A DISTANCE OF 1419.00 FEET; THENCE NORTH 0°20'57" W (ASSUMED BEARING) TO A POINT 160 FEET NORTHERLY OF MEASURED AT RIGHT ANGLES FROM

THE CENTERLINE OF RELOCATED U.S. HIGHWAY 6, A DISTANCE OF 93.43 FEET TO THE POINT OF BEGINNING; THENCE S 78°55'33"W ALONG THE U.S. HIGHWAY 6 RIGHT-OF-WAY A DISTANCE OF 321.70 FEET; THENCE NORTH 81°30'19"W A DISTANCE OF 256.35 FEET; THENCE S83°10'41"W A DISTANCE OF 299.70 FEET; THENCE S77°02'41"W A DISTANCE OF 151.24 FT; THENCE S89°23'04"W A DISTANCE OF 49.42 FT; THENCE N40°21'33"W A DISTANCE OF 134.24 FT; THENCE N7°10'26"W A DISTANCE OF 215.74 FT. TO A POINT 2013.01 FEET NORTHERLY OF AND 31.62 FT. EASTERLY OF THE S1/4 CORNER OF SAID SEC. 21; THENCE N90°00'00"E A DISTANCE OF 1176.15 FEET; THENCE S0°20'57"E A DISTANCE OF 222.38 FT. TO THE POINT OF BEGINNING, CONTAINING 7.145 ACRES MORE OR LESS

SAID PARCEL CONTAINS AN AREA OF 434.6 ACRES, MORE OR LESS.

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Council Bluffs, State of Iowa, in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Council Bluffs, State of Iowa, desires to provide for the division of revenue from taxation in the Urban Renewal Area, as above described, in accordance with the provisions of Section 403.19, Code of Iowa, as amended.

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

Section 1. That the taxes levied on the taxable property in the Urban Renewal Area legally described in the preamble hereof, by and for the benefit of the State of Iowa, City of Council Bluffs, County of Pottawattamie, Council Bluffs Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2. That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Council Bluffs, State of Iowa, certifies to the Auditor of Pottawattamie County, Iowa the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid.

Section 3. That portion of the taxes each year in excess of the base period taxes determined as provided in Section 2 of this Ordinance shall be allocated to and when collected be paid into a special tax increment fund of the City of Council Bluffs, State of Iowa, hereby established, to pay the principal of and interest on loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds or obligations issued under the authority of Section 403.9 or 403.12, Code of Iowa, as amended, incurred by the City of Council Bluffs, State of Iowa, to

finance or refinance, in whole or in part, urban renewal projects undertaken within the Urban Renewal Area pursuant to the Urban Renewal Plan, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2, Code of Iowa, and taxes for the instructional support program of a school district imposed pursuant to Section 257.19, Code of Iowa, (but in each case only to the extent required under Section 403.19(2), Code of Iowa); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Section 346.27(22), Code of Iowa, related to joint county-city buildings; and (iv) any other exceptions under Section 403.19, Code of Iowa, shall be collected against all taxable property within the Urban Renewal Area without any limitation as hereinabove provided.

Section 4. Unless or until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in the Urban Renewal Area as shown by the assessment roll referred to in Section 2 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5. At such time as the loans, advances, indebtedness, bonds and interest thereon of the City of Council Bluffs, State of Iowa, referred to in Section 3 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to fully implement the provisions of Section 403.19, Code of Iowa, as amended, with respect to the division of taxes from property within the Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law, it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19, Code of Iowa, with reference to the Urban Renewal Area and the territory contained therein.

Section 7. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 21st day of April, 2025.

Mayor

ATTEST:

City Clerk

Read First Time: April 7, 2025

Read Second Time: April 21, 2025

Read Third Time: _____, 2025

PASSED AND APPROVED: _____, 2025.

I, Jodi Quakenbush, 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. 6644 passed and approved by the City Council of the City at a meeting held _____, 2025, signed by the Mayor on _____, 2025, and published in The Daily Nonpareil on _____, 2025.

City Clerk, City of Council Bluffs, State of Iowa

(SEAL)

4928-6948-9967-1\10342-184

Council Communication

Department: Parks and Recreation
Case/Project No.: Approve Change
Order for the Pavilion Water
Feature Project
Submitted by: Vincent Martorello

Resolution 25-114
ITEM 7.A.

Council Action: 4/21/2025

Description

Resolution to approve a change order in the amount of \$38,163.00 since it exceeds the approval threshold of a Director.

Background/Discussion

The City Council approved a contract with Meco-Henne Contracting in the amount of \$373,000.00 for the upgrade of the pavilion water feature. A change order in the amount of \$38,163.00 has been submitted for work completed and necessary to ensure the water feature works properly. The work involved testing and calibrating a new computer panel and installing a new suction pump to ensure the water feature drains appropriately. The change order amount exceeds the approval threshold for a Director and needs to be approved by the Council.

The work was completed and the contractor neglected to submit the change order and realized this as the project close out process occurred.

The water feature is in working order and the State has accepted the work performed. We are scheduling an inspection by the local county health inspector and anticipate the water feature to be operational by May 31, 2025.

Recommendation

Approve the resolution to pay change order #2 in the amount of \$38,163.00 for work completed by Meco-Henne on the pavilion water feature project.

ATTACHMENTS:

Description	Type	Upload Date
Resolution 25-114	Resolution	4/16/2025

RESOLUTION
NO. 25-114

**RESOLUTION APPROVING CHANGE ORDER #2 IN THE AMOUNT OF \$38,163 FOR
THE PAVILION WATER FEATURE**

WHEREAS, the City Council approved issuing a contract to Meco-Henne Contracting in the amount of \$373,000 for the upgrade of the pavilion water feature, and

WHEREAS, the City has received a change order # 2 the amount of \$38,163 for work associated with the upgrade and completion of the repair to the water feature, and

WHEREAS, the change order has been executed to the satisfaction of the City and the water feature is in working order, and

WHEREAS, the City Council deems approval of said Change Order #2 to be in the best interest of the City of Council Bluffs.

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

That Change Order #2 by Meco-Henne Contracting in the amount of \$38,163, thus adding this amount to the contract for the Pavilion Water Feature is hereby approved.

ADOPTED
AND
APPROVED

April 21, 2025

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

Department: Community

Development

Case/Project No.: MIS-25-001

Submitted by: Haley Weber,

Planner

Resolution 25-115

ITEM 7.B.

Council Action: 4/21/2025

Description

Resolution adopting a site-specific development plan for a 'financial service' (Midland Credit Union) on property legally described as Lot 7, except the southeast corner thereof dedicated for right-of-way, and Lot 8, all in Block 20, Bayliss and Palmer's Addition. Location: 1900 West Broadway. MIS-25-001

Background/Discussion

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	4/10/2025
Attachment A: Legal Description	Legal Description	4/10/2025
Attachment B: Location/zoning map	Map	4/10/2025
Attachment C: Letter of Intent	Letter	4/10/2025
Attachment D: Site and Landscaping Plan	Other	4/10/2025
Attachment E: Alternative Site Plan with Perimeter Landscaping Building Rendering	Other	4/10/2025
Attachment F: Building Renderings	Other	4/10/2025
Attachment G: Building Elevations	Other	4/10/2025
Resolution 25-115	Resolution	4/16/2025

City Council Communication

Department: Community Development CASE #MIS-25-001 Applicant/Property Owner: Midland Credit Union 2891 106 th Street Urbandale, IA 50322 Representative: Mindy Cooper 2891 106 th Street Urbandale, IA 50322	Resolution No. _____	City Council: 4/21/2025 Planning Commission: 4/8/2025
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Subject/Title

Request: Public hearing on the request of Midland Credit Union, represented by Mindy Cooper, to adopt a site-specific development plan for a 'financial service' (Midland Credit Union) on property legally described as Lot 7, except the southeast corner thereof dedicated for right-of-way, and Lot 8, all in Block 20, Bayliss and Palmer's Addition, Council Bluffs, Pottawattamie County, Iowa and being more particularly described in the case staff report.

Location: 1900 West Broadway

Background/Discussion

The Community Development Department has received a request from Midland Credit Union, represented by Mindy Cooper, to adopt a site-specific development plan for a 'financial service' (Midland Credit Union) on property legally described as Lots 7 and 8, Block 20, Bayliss and Palmer's Addition, Council Bluffs, Pottawattamie County, Iowa except a parcel of land being a portion of Lot 7, Block 20, Bayliss and Palmer Addition, City of Council Bluffs, Pottawattamie County Iowa, more particularly described in Attachment 'A.' The purpose of this request is to facilitate a remodel of an existing bank and associated site improvements and to obtain relief from certain West Broadway Corridor Design Overlay (CDO) standards in a manner that is consistent with the spirit and intent of the West Broadway CDO. A location/zoning map is included as Attachment 'B.'

The subject property, formerly United Credit Union, was purchased by Midland Credit Union in 2024. The applicant is proposing to modify the building to meet their organization's needs which includes a significant interior remodel that changes the primary customer entrance from the south to the north. The subject property is located within the West Broadway Corridor Design Overlay, which per Section 15.32A.150, *Adoption of a Development Plan*, allows for projects which are unable to meet certain aspects of the West Broadway CDO the option of applying for a site-specific development plan which enhances components of the development in exchange for relief of other requirements. The existing building and site layout of the subject property were constructed in 1977, prior to the adoption of the West Broadway CDO standards. The applicant has worked with City staff to propose a building design and site improvements that meet the spirit and intent of the West Broadway CDO while remaining sensitive to the retrofitting of an existing building and site and the bank's security needs. The applicant's letter of intent is included with this report as Attachment 'C.'

Per Section 15.32A.040, *Applicability of the West Broadway Corridor Design Overlay*, of the Council Bluffs Municipal Code (Zoning Ordinance), "building modifications equal to fifty (50) percent of the structure in a twenty-four (24) month period of time shall be required to bring the entire structure into compliance with the applicable standards of this Chapter. The assessed value shall be as most recently assessed by the Pottawattamie County Assessor." Per the most recently assessed valuation of the property, the building is valued at \$363,600 and the land is valued at \$206,400

for a total property value of \$570,000. The proposed remodel exceeds the threshold for bringing the entire property into compliance with the West Broadway CDO building and site design standards.

The request was routed to all City Departments and local utility providers. As of the date of this report, the following comments were received:

MidAmerican Energy stated they have no conflicts or concerns with the request.

Council Bluffs Water Works stated they have no comment on the request.

The Council Bluffs Police Department stated they have no comment or objection to the request.

The Council Bluffs Parks and Recreation Department stated they have no comment on the request.

The Council Bluffs Fire Department stated they have no comment on the request.

The Council Bluffs Community Development Department has coordinated with the applicant on the proposed site and building design and is supportive of the proposed development plan for the following reasons:

- A. The proposed remodel is a significant investment in one of the remaining outdated and highly visible properties along the West Broadway corridor. The proposed architectural design and site improvements are the result of a collaborative effort between the City and applicant as the designs meets the spirit and intent of the West Broadway CDO while taking into consideration the retrofitting of a 1970s, drive-through bank facility.
- B. The West Broadway Corridor Design Overlay (CDO) standards were generally intended to be applied to new construction and large-scale redevelopments within the West Broadway Corridor. The West Broadway CDO has a fairly high threshold that a remodel or redevelopment must hit to trigger compliance with the adopted design standards. Typically, this results in most remodel projects either 1) not meeting the threshold to comply or 2) discourages short-term investment in a property that might otherwise be well-suited for future redevelopment that better aligns with the long-term vision of the West Broadway CDO. Given this site is located on the corner of 19th and Broadway and would be a favorable site for redevelopment, staff feels that the proposed design achieves the spirit and intent of the West Broadway CDO, while not imposing the full extent of the CDO requirements on a small, 1970s building and site that is well-suited for future redevelopment.
- C. The geometrics of the site and placement of the existing building render it nearly impossible to impose the full-extent of the West Broadway CDO and parking lot design requirements of Chapter 15.23, *Off-Street Parking, Loading and Unloading*, without a full redevelopment of the site. Additionally, the retrofitting of drive-through establishments face greater challenges in applying the full-extent of the West Broadway CDO design requirements as already limited lot surface area is taken-up by established drive-through lanes. These drive-through lanes, in addition to existing utility areas, dictate, in-part, the building's interior layout and limit options for provision of additional transparency and architectural features.
- D. The proposed remodel and site improvement project will result in 1) an aesthetically enhanced, highly visible building along West Broadway; 2) increased foundation and site landscaping to further beautify the property and corridor; 3) screening of a formerly unscreened dumpster and 4) continued life and utilization of an outdated property within the West Broadway Corridor.

The proposed development plan standards are listed below:

A. Site Development

1. The subject property is a corner lot with frontage on West Broadway and N. 19th Street. According to the West Broadway Corridor Street Hierarchy, West Broadway and N. 19th Street are considered major streets. For the purposes of establishing a build-to-zone, defined by a minimum setback of five feet and a maximum setback of 20 feet, West Broadway shall be considered the highest category street. The subject building is a 2,558 square foot, one-story structure with an attached 504 square foot canopy over existing ATM drive-through lanes along the west side of the building. No building additions are

proposed with the proposed remodel. The existing building has an approximately 9-foot front yard setback from West Broadway and approximately 6.5-foot street side yard setback which achieves the intent of the West Broadway CDO build-to-zone. Any future buildings and/or building additions proposed to be constructed on the subject property shall be subject to the build-to-zone requirements, per Section 15.32A.070, *Build-To-Zone for West Broadway and Major Streets*, of the CBMC (Zoning Ordinance) and the site development standards for the C-2 District, per Section 15.15.050, *Site Development Regulations*.

2. Per Section 15.32A.070(C)(4), *"Buildings shall have a minimum build-to-width of fifty (50) percent. The build-to-width shall be exclusive of pedestrian pathways, drive-through lanes, driveways, or required setbacks. Once the minimum build-to-width has been met, portions of the building, or additional buildings on the site may be placed outside the build-to-zone."* Excluding the existing drive way and drive-through lanes, the building achieves a build-to-width of approximately 91 percent, exceeding the build-to-width requirement.
3. Any solar energy conversion systems proposed to be installed at this site shall be subject to Section 15.34.030, Solar Energy Conversion Systems, of the Council Bluffs Municipal Code (Zoning Ordinance).
4. Outdoor storage of materials, products, equipment, or packaging shall not be permitted. This includes the semi-permanent and/or permanent placement of inter-modal storage/shipping containers.
5. 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.

B. Off-Street Parking

1. Per Section 15.23.020, *General Provisions*, of the Council Bluffs Municipal Code (Zoning Ordinance), a building addition, expansion, and/or remodel of an existing development shall only trigger compliance with the design standards and minimum parking stall requirements of said Chapter, when the remodel *"results in an increase in the total number of required off-street parking spaces for a premises by 50% or more."* The proposed use of the property as a bank is a like-for-like reuse of the property and therefore, does not trigger compliance with bringing the design and minimum number of parking stalls into compliance with current standards. Part of the purpose of the requested development plan is to recognize the existing state and design of the parking lot and deem it acceptable as a like-for-like use is proposed with no increase to the building or operation.
2. Per Section 15.23.060, Parking Spaces Required, the total number of off-street parking spaces required for a 'financial service' establishment is 1 space for every 400 square feet of gross floor area, which equates to a minimum of six (6) required off-street parking spaces. The submitted site plan, included as Attachment 'D,' shows nine (9) off-street parking stalls will be provided on the subject property, which exceeds the minimum required.
3. The applicant has provided an alternate site plan for demonstrative purposes, shown in Attachment 'E,' which includes the five-foot landscaped area required between a parking surface and property line, per Section 15.23.030, *Design Standards*, of the Council Bluffs Municipal Code (Zoning Ordinance). Providing a five-foot landscaped area around the parking lot would result in insufficient space to meet minimum drive aisle and parking stall dimensions and would result in the loss of the two parallel parking stalls along the westerly property line. Staff feels that the recommended landscaping standards in Item D below achieve the spirit and intent of the West Broadway CDO while still maximizing utility of the site and parking lot for the bank use.
4. All off-street parking areas, driveways and drive aisles shall comply with the standards in Chapter 15.23, Off-Street Parking, Loading and Unloading, of the Council Bluffs Municipal Code (Zoning

Ordinance), and Iowa’s Statewide Urban Design and Specifications (SUDAS) manuals for public improvements.

5. All off-street parking lots shall comply with Chapter 661–18, Parking for Persons with Disabilities, of the Iowa Administrative Code.
6. Any modification to the building that “*results in an increase in the total number of required off-street parking spaces for a premises by 50% or more,*” shall require bringing the parking lot into compliance with the requirements of Section 15.23, *Off-Street Parking, Loading and Unloading*, which includes submittal of a parking lot permit to the Permits and Inspections Division which shall include the number, location, and dimension of all drive aisles/lanes and parking spaces, pedestrian ways, and landscaped areas.

C. Architecture

1. The existing building was constructed in 1977 and is comprised of rock siding, tinted glass windows, and shingled parapet wall. Per the submitted architectural renderings (see Attachment ‘F’), the facades are proposed to be redesigned utilizing a mixture of EIFS, stacked stone, and glass, including new glass window openings on all facades.
2. Durable materials and Transparency. Per Section 15.32A.080(A)(3)(a) of the Council Bluffs Municipal Code (Zoning Ordinance), a minimum of 60% of the total surface area of each building façade visible from West Broadway shall be constructed out of durable materials. Per Section 15.32A.080(C)(1)(a) of the Council Bluffs Municipal Code (Zoning Ordinance), a minimum of 40% of each building façade visible from West Broadway shall be covered with transparent windows and doors. Glass utilized for transparency requirements shall also count towards the durable material requirement. The proposed elevations are included as Attachment ‘G.’ The table below summarizes the proposed building’s use of durable materials and transparency:

Façade	Proposed Durable Material Percentage	Proposed Transparency Percentage
North	56% (under min. required by 4%)	23% (under min. required by 17%)
East	62% (exceeds min. required by 2%)	36% (under min. required by 4%)
South	61% (exceeds min. required by 1%)	41% (exceeds min. required by 1%)
West	54% (under min. required by 6%)	7% (under min. required by 33%)

Evaluation of proposed elevations for a retrofit of an existing building differs from that of new construction as factors including building placement and interior layout limit design options that result in feasible and aesthetically pleasing facades. While the proposed building does not fully meet the minimum transparency or durable material requirements, staff considers the design to be the result of a collaborative effort between the City and applicant which 1) achieves the spirit and intent of the West Broadway CDO; 2) retrofits an outdated building to meet the functionality and security needs of the bank use; and 3) results in a high-quality design with an intentional focus on prioritizing transparency and durable material usage in a practical and effective manner. Per Section 15.32A.080(C)(2) of the Council Bluffs Municipal Code (Zoning Ordinance), “*Glass that counts towards the minimum transparency requirements shall be nonmirrored, non-tinted, unobstructed and shall have a visible light transmittance of 60 percent or more and an external reflectance of 20 percent or less.*” The submitted elevations, included as Attachment ‘G’ note the proposed windows will utilize tinted glass. The Community Development Department recommends that the proposed architectural designs be accepted as proposed with the exception that all proposed transparency shall be nonmirrored, non-tinted, and unobstructed as per the above listed requirement of the West Broadway CDO. The building

elevations submitted with the building permit for the project shall note a visible light transmittance of 60 percent or more and an external reflectance of 20 percent or less for all windows and transparent doors, as per Section 15.32A.080(C)(2) of the Council Bluffs Municipal Code (Zoning Ordinance).

3. Articulation. The proposed building facades are designed with material changes, wall setbacks, height variations and a 7'10" tall stone masonry base around the entire building. Staff feels that the proposed renderings incorporate elements of articulation on each façade to create a high quality design that meets the spirit and intent of the West Broadway CDO, while taking into consideration the constraints of the project.
4. The submitted letter of intent notes that the drive-through canopy may be reduced in size in the future. If the canopy were to ever be removed entirely, the applicant shall coordinate with the Community Development Department to bring the façade into compliance by utilizing increased durable building materials, transparency, artistic, non-commercial mural installation, or combination thereof on the westerly facade. Design selections and timing of installation shall be coordinated and approved by staff prior to installation.

D. Landscaping and Streetscapes

1. Proposed Landscaping. Per the submitted landscaping plan, included as Attachment 'D' the following landscaping is proposed to be installed:

- a. A 6'3" wide landscape strip will be installed along the southerly 50 feet of the westerly property line. This area is proposed to be planted with the following plantings:

(1) 15 Daylilies

(2) 6 shrubs (4 *Nine Bark* and 2 *Flase Cypress*)

- b. The land area between the south and east building facades and property lines will have all pavement removed and replaced with landscaped areas. Per Section 15.32A.090(A)(2), "*foundation plantings shall be placed along the perimeter of all facades visible from adjacent street right-of-way at a rate of one planting per lineal foot of façade, not inclusive of entrances.*" The submitted landscaping plans show foundation plantings provided as follows:

(1) Southerly façade – 17 shrubs (5 *Nine Bark* and 12 *Flase Cypress*) and 20 Daylilies = 37 plantings total (39 *foundation plantings required*)

(2) Easterly façade – 23 shrubs (4 *Nine Bark*, 8 *Flase Cypress*, 11 *Box Wood*) and 10 Daylilies = 33 plantings total (63 *foundation plantings required*)

No foundation plantings are proposed along the westerly façade as this would require tearing out concrete and result in insufficient drive-through widths. No foundation plantings are proposed along the northerly façade which includes the primary building entrance and a ground-mounted air-conditioning unit.

2. Recommended Landscaping. The Community Development Department recommends the landscaping plan be accepted as proposed with the following additions:

- a. A minimum of two (2) additional foundation plantings shall be planted along the southerly façade and a minimum of 30 additional foundation plantings shall be planted along the easterly façade to meet the minimum requirements of Section 15.32A.090(A)(2), which states "*Foundation plantings shall be placed along the perimeter of all facades visible from adjacent street right-of-way at a rate of one planting per lineal foot of façade, not inclusive of*

entrances.” Foundation plantings may be placed in multiple rows and may encroach into the required landscape buffer area to the extent needed to meet the minimum plantings required above. Foundation plantings shall not encroach into the City’s right-of-way.

- b. Per Section 15.32A.090(B)(1)(a) of the Council Bluffs Municipal Code (Zoning Ordinance), *“a minimum of one large deciduous shade tree shall be planted per every 3,000 square feet of paved parking area not covered by buildings or canopies”* and *“trees planted in perimeter planting areas as opposed to landscape islands or endcap islands/peninsulas shall be counted as ½ tree for the purpose of this requirement.”* A total of three (3) parking lot trees are required for the site. Due to the constrained geometrics of the existing parking lot, installation of the required parking lot landscaping to the full extent required by the West Broadway CDO would result in insufficient drive aisles and parking spaces. The submitted landscaping plan does not include any parking lot trees. Staff recommends that a minimum of two, large deciduous shade trees shall be evenly spaced in the 6’3” wide landscape strip along the southerly 50 feet of the westerly property line to maximize on the areas available for tree plantings on the subject property and meet the above tree requirement to the extent possible.
 - c. If the canopy and drive-through lanes along the westerly side of the building were to ever be removed, foundation plantings along the westerly façade shall be installed at a rate of one planting per lineal foot of façade, not inclusive of entrances within six (6) months of removal of said canopy and drive-through lanes.
 - d. All tree species shall be as specified in the Council Bluffs Street Tree Species Guide and all shrub plantings shall be as designated in the approved West Broadway CDO shrub list.
3. Section 15.32A.090(A)(1) states, *“a minimum five (5) feet wide landscape frontage strip shall be installed on all frontages as measured from the back of sidewalk or property line, whichever is a greater distance from the curb.”* Section 15.32A.090(C) states, *“A minimum of one (1) deciduous, shade tree and ten (10) shrubs shall be planted every twenty (20) linear feet along frontage strips and shall be generally evenly spaced apart along the entire length of the frontage strip. Shrub plantings shall be designated in the approved shrub list. Frontage adjacent to buildings shall only be required to install foundation plantings and shall not be included in the required number of tree plantings.”* All frontage areas for the subject property are either adjacent to the building or comprised of existing driveways/parking area. Therefore, only the foundation planting requirement is applicable to the proposed project.
4. Street Trees. Per Section 15.32A.090, Landscaping and Streetscapes, *“Street tree plantings shall be planted along major streets. Species type and spacing of street tree plantings shall be designated in the Council Bluffs Street Tree Guide.”* Three (3) existing street trees are located in the right-of-way adjacent to the subject property along N. 19th Street and shall remain.
5. All plant materials shall be maintained at all times. All deceased plantings shall be replaced with plant material(s) of the same or like species of equal size within six months of the plant’s demise.

E. Pedestrian and Vehicular Access

1. Vehicular access is provided through the existing curb-cuts off West Broadway and N. 19th Street. No new curb cuts are proposed. No additional vehicular access points shall be allowed off W. Broadway.
2. The proposed drive-through lane is located along the sides and rear of the property, which complies with the drive-through lane requirements of Section 15.32A.100(C) of the Council Bluffs Municipal Code (Zoning Ordinance).

3. A 7.5-foot wide, hard-surface accessible pedestrian route is proposed from W. Broadway to the southerly entrance in accordance with Section 15.32A.100(B) of the Council Bluffs Municipal Code (Zoning Ordinance). No hard-surface accessible route is provided from N. 19th Street to a public entrance. A sidewalk connection shall be provided from N. 19th Street right-of-way to the northerly entrance, in compliance with the above listed section of the West Broadway CDO standards and shall be protected from the adjacent drive aisles. The design alternative utilized to separate and protect said sidewalk connection shall be coordinated with and approved by the Community Development Department.

F. Outdoor Lighting.

1. No outdoor lighting is proposed at this time. Any outdoor lighting installed at a future date shall comply with Section 15.32A.110, Outdoor Lighting, West Broadway Corridor Design Overlay, of the Council Bluffs Municipal Code (Zoning Ordinance).

G. Screening and Buffering

1. No roof-mounted mechanical equipment currently exists on the subject building. Any roof-mounted equipment installed at a future date shall be integrated into the design of the building so that the equipment is screened from public view in the adjacent street rights-of-way, in accordance with Section 15.32A.120(B) of the Council Bluffs Municipal Code (Zoning Ordinance).
2. No wall-mounted mechanical units are proposed with this request. No future wall-mounted equipment shall be located on the south or east facades. Any future wall-mounted mechanical equipment installed on the west or north facades shall be screened in accordance with Sections 15.32A.120(C) and 15.32A.120(D) of the Council Bluffs Municipal Code (Zoning Ordinance).
3. The proposed elevations show the existing air-conditioning unit enclosed by a chain-link fence located along the north side of the building and behind a wall bump-out, as shown in the submitted renderings (Attachment 'F') and site plan (Attachment 'D'). The existing air-conditioning unit is not clearly visible from adjacent rights-of-way by means of its placement behind the wall bump-out and surrounding fencing and is acceptable in its existing state. Any ground-mounted mechanical equipment installed at a future date that is visible from an adjacent public street right-of-way shall be completely screened from view using architectural design features, fencing, masonry wall, landscaping, or a combination thereof, in accordance with Section 15.32A.120(E) of the Council Bluffs Municipal Code (Zoning Ordinance).

H. Fences and Walls

1. The submitted site plan shows a dumpster located in the northwest corner of the subject property and a new dumpster enclosure will be installed around all sides with a gate opening internal to the site. The enclosure material and height were not specified in the submitted plans. The trash enclosure shall be designed to comply with the requirements of Section 15.32A.120(G) of the Council Bluffs Municipal Code (Zoning Ordinance).
2. Per Section 15.24.040, *Fence Regulations*, "a fence shall be required where any conforming commercial or industrial use abuts a residential district." The subject property is zoned C-2/Commercial District and abuts legally nonconforming single-family residential uses to the north zoned C-2/Commercial District. As the abutting properties are zoned C-2 District and have existing privacy fencing installed along the southerly property lines abutting the alley, no additional fencing is required between the two properties. The applicant has not proposed any fencing with their request. Any future fencing proposed to be installed on the subject property shall be subject to Section

15.32A.130, Fences and Walls, West Broadway Corridor Design Overlay, of the Council Bluffs Municipal Code (Zoning Ordinance).

I. Signage

1. The proposed renderings show the existing attached wall signs on the south and east facades being relocated to alternate locations on the same facades and a new attached wall sign on the north façade. All signage shall be installed in accordance with Sections 15.32A.140, Signs, West Broadway Corridor Design Overlay, and 15.33.170, Commercial District Signs, of the Council Bluffs Municipal Code (Zoning Ordinance) and shall be permitted separately prior to installation.
2. No sign listed in Section 15.33.070, Prohibited Signs, of the Council Bluffs Municipal Code (Zoning Ordinance) shall be permitted.
3. Per Section 15.33.100(D), *Ground and Monument Signs*, “Ground and monument signs may be used on a premise if the front wall of the building or structure which the sign serves is set back at least fifteen (15) feet from the right-of-way line of the street, private way, or court to which the sign is oriented.” As the subject building has an approximately 9-foot front yard setback, the property is not eligible for installation of a ground or monument sign. Therefore, all signage on the property shall be limited to attached signage, subject to Item I(1) above.

Recommendation

The Community Development Department recommends approval of the request of Midland Credit Union to adopt a site-specific development plan for a 'financial service' (Midland Credit Union) on property legally described as Lot 7, except the southeast corner thereof dedicated for right-of-way, and Lot 8, all in Block 20, Bayliss and Palmer's Addition, Council Bluffs, Pottawattamie County, Iowa and being more particularly described in the case staff report, subject to the comments stated above and the following condition:

- A. Any modifications to the approved development plan which substantially alter the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

Public Hearing

Staff speakers for the request:

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

Speakers in favor:

1. Mindy Cooper, 4113 81st Street, Urbandale, IA 50322

Speakers against: None

The Planning Commission recommended approval of the request of Midland Credit Union to adopt a site-specific development plan for a 'financial service' (Midland Credit Union) on property legally described as Lot 7, except the southeast corner thereof dedicated for right-of-way, and Lot 8, all in Block 20, Bayliss and Palmer's Addition, Council Bluffs, Pottawattamie County, Iowa and being more particularly described in the case staff report, subject to the comments stated above and the following condition:

1. Any modifications to the approved development plan which substantially alter the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

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

Attachments

Attachment A: Legal Description
Attachment B: Location/zoning map
Attachment C: Letter of Intent
Attachment D: Site and Landscaping Plan
Attachment E: Alternative Site Plan with Perimeter Landscaping Building Rendering
Attachment F: Building Renderings
Attachment G: Building Elevations

Prepared by: Haley Weber, Planner, Community Development Department

2024-04316

RECORDED: 05/02/2024 10:12:06 AM

RECORDING FEE: 17.00

IOWA E-FILING FEE: 3.00

TOTAL FEE: 20.00

TRANSFER TAX: 0.00

ANDREW MOATS, RECORDER

POTTAWATTAMIE COUNTY, IOWA

Return To: Midland Credit Union, 2891 106th St., Urbandale, IA 50322

Taxpayer: Midland Credit Union, 2891 106th St., Urbandale, IA 50322

Preparer: Christina I. Thompson, 535 East Army Post Road, Des Moines, IA 50315, Phone: 515-287-7000



QUIT CLAIM DEED

For the consideration of One Dollar(s) and other valuable consideration, United Credit Union, a credit union organized and existing under the laws of Iowa, does hereby Quit Claim to Midland Credit Union, a credit union organized and existing under the laws of Iowa, all its right, title, interest, estate, claim and demand in the following described real estate in Pottawattamie County, Iowa:

Lots Seven (7) and Eight (8), in Block Twenty (20), Bayliss and Palmer's Addition to Council Bluffs, Pottawattamie County, Iowa, **EXCEPT** a parcel of land being a portion of Lot 7, Block 20, Bayliss and Palmer Addition, City of Council Bluffs, more fully described as follows: Beginning at the Southeast corner of said Lot 7; thence on the South line of said Lot 7, North 88 degrees 27 minutes 21 seconds west, 8.42 feet; thence North 45 degrees 42 minutes 45 seconds east, 12.06 feet to a point on the East line of said Lot 7; thence on said East line, south 01 degree 23 minutes 23 seconds West, 8.65 feet to the point of beginning, as shown in Acquisition Plat Exhibit A to a Warranty Deed recorded in the books and records of the Pottawattamie County Recorder, document 2020-17441 recorded November 18, 2020.

There is no known private burial site, well, solid waste disposal site, underground storage tank, hazardous waste, or private sewage disposal system on the property as described in Iowa Code Section 558.69, and therefore the transaction is exempt from the requirement to submit a groundwater hazard statement.


This deed is exempt according to Iowa Code 428A.2(21).

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate. Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

CASE #MIS-25-001 LOCATION/ZONING MAP

Legend

 Subject Property
Case #MIS-25-001

0 20 40



1 inch = 30 feet

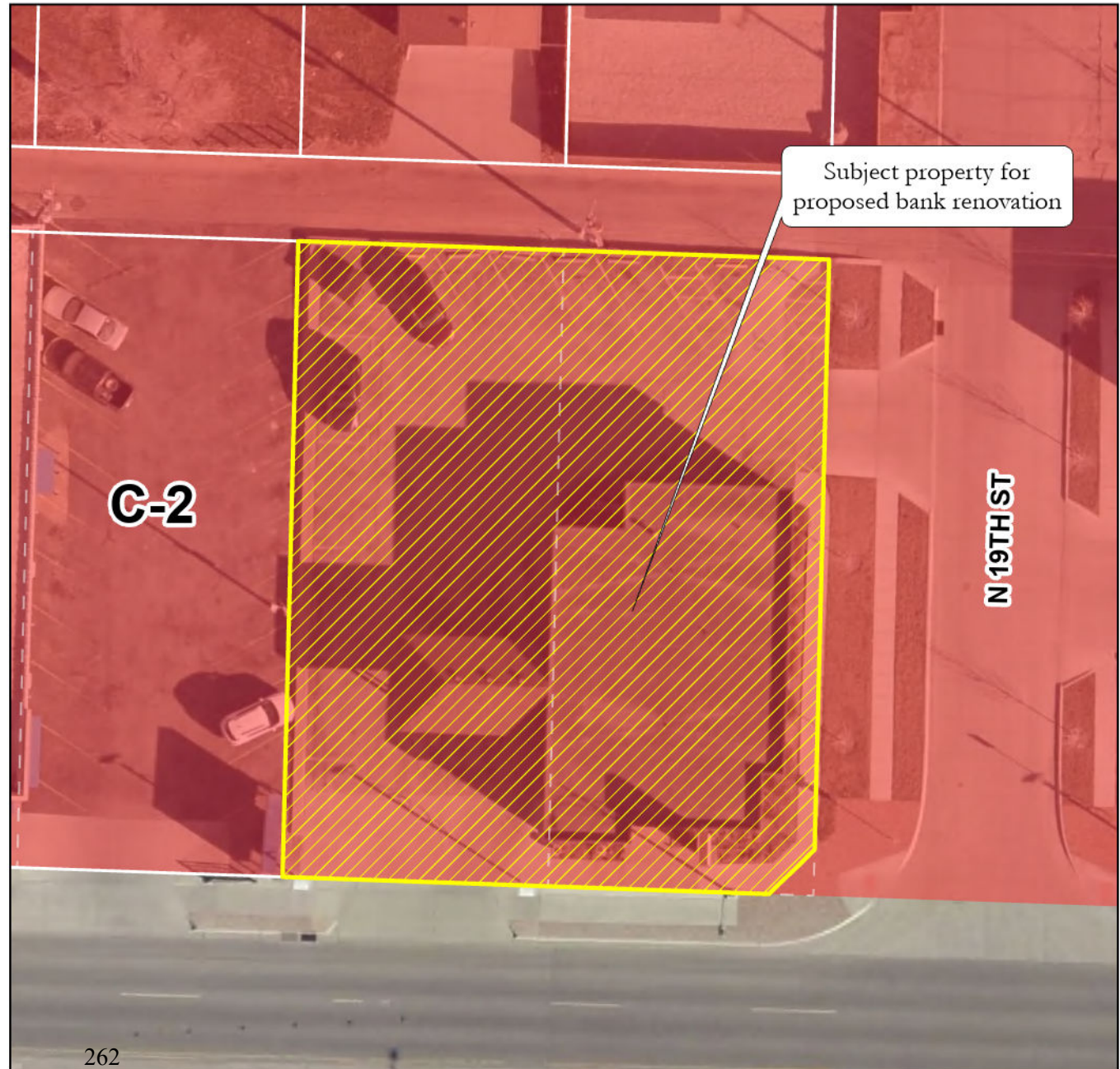


Last Amended: 3/14/25



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

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





March 10, 2025

City of Council Bluffs
209 Pearl St
Council Bluffs, IA 51503

RE: Midland Credit Union, 1900 W Broadway St Development Plan Letter of Intent

Dear City Officials;

The following details out the needed improvements at our 1900 W Broadway St. location. Being a financial institution, security is a must and both the interior and exterior changes we are proposing to make to our location focuses on that and improving flow for our membership. We have implemented into the plans as many of the Broadway Overlay requirements as we reasonably could. Should our plans be approved by the city we would hope that construction would begin around June and would expect it to take 4-6 months for completion. Phasing is still to be determined upon city approval of our plans.

New Floor Plan:

The changes we would make to the floor plan are primarily focused on improving the security of this location. This location has been robbed several times over the years. In the existing layout the teller line today is not facing the entrance to the building. Part of what we are told when we go through robbery training is that immediate eye contact and acknowledgement to those entering a financial institution will help deter robbers' confidence to commit the offense. The new floor plan addresses this issue by facing the teller line to our new entrance at the north side of the building and by also limiting public access to more areas of the credit union. We are switching the entrance to the credit union to be on the north side closer to our parking area. This is much needed for our aging members with mobility issues since the street parking on 19th St was taken away to provide the public sidewalk that is there today. When this was done it increased the number of steps needed from the members car to the front/south entrance substantially. Because of security concerns we control access to our building via a buzz-in system which is only possible on the south entrance today. The current north entrance allows for exit traffic only. If this remodel can be completed in its entirety the south entrance will become an emergency exit only.

During the interior remodel, our bathrooms would also become ADA compliant which they are not today.

MAIN OFFICE
2891 106th Street
Urbandale, IA 50322
p 515.278.1994
f 515.278.0209



MIDLAND
CREDIT UNION

Invested in your success.

Exterior Elevation:

As you see in the proposed Southwest View – we will turn the 2 parallel spots closest to Broadway into greenspace. In the drawing it shows a patch of grass as a placeholder, but it would more likely be plants to match what would be around the building.

We do have to account for at least 3 parking spaces to be dedicated to staff parking. To ensure there is still enough spots for member parking we could only give up 2 of those spots. You will also see in this view that we are adding 2 windows to the west side of the building – but that we are removing our drive-up window and drawer.

This lane would then be serviced by an ITM/ATM. Lane 2 would still be operational for the time being. We do anticipate in 2-5 years that we would remove lane 2 and cut back the canopy to only cover lane one. Our other 2 locations will only be serviced by machine after May of this year. I say that to let you know our intent is that each location operates the same however we just obtained this location 5/1/2024 and the membership there is not ready for that at this time. We hope over the next 2 years that we will be able to educate the members more about the use of the ITM and get them comfortable with it since they can speak to a live teller through it – but we do know it will take time.

You also see in the Southwest View that we are expanding the window to the east corner facing Broadway and that we would also bring the green space out closer to the public sidewalk than what it is today.

Southeast View –We have added windows to this section. You will see that the additional sidewalk closest to the building would be removed and additional grass would be put in its place. Since we would be changing our entrance to the north side of the building this sidewalk would no longer be ADA required.

Northwest View – The main point to see here is the additional windows added around the new door package that would be installed and how the new entrance would appear. You will notice we connect the public sidewalk to our new entrance. The picture does not show that a crossing would be marked from the parking area to the entrance, however that would be done. We would also repaint the parking stripes in the lot. We would address during the current remodel how we can potentially reduce our exterior trash bin and a solution to screen it in.

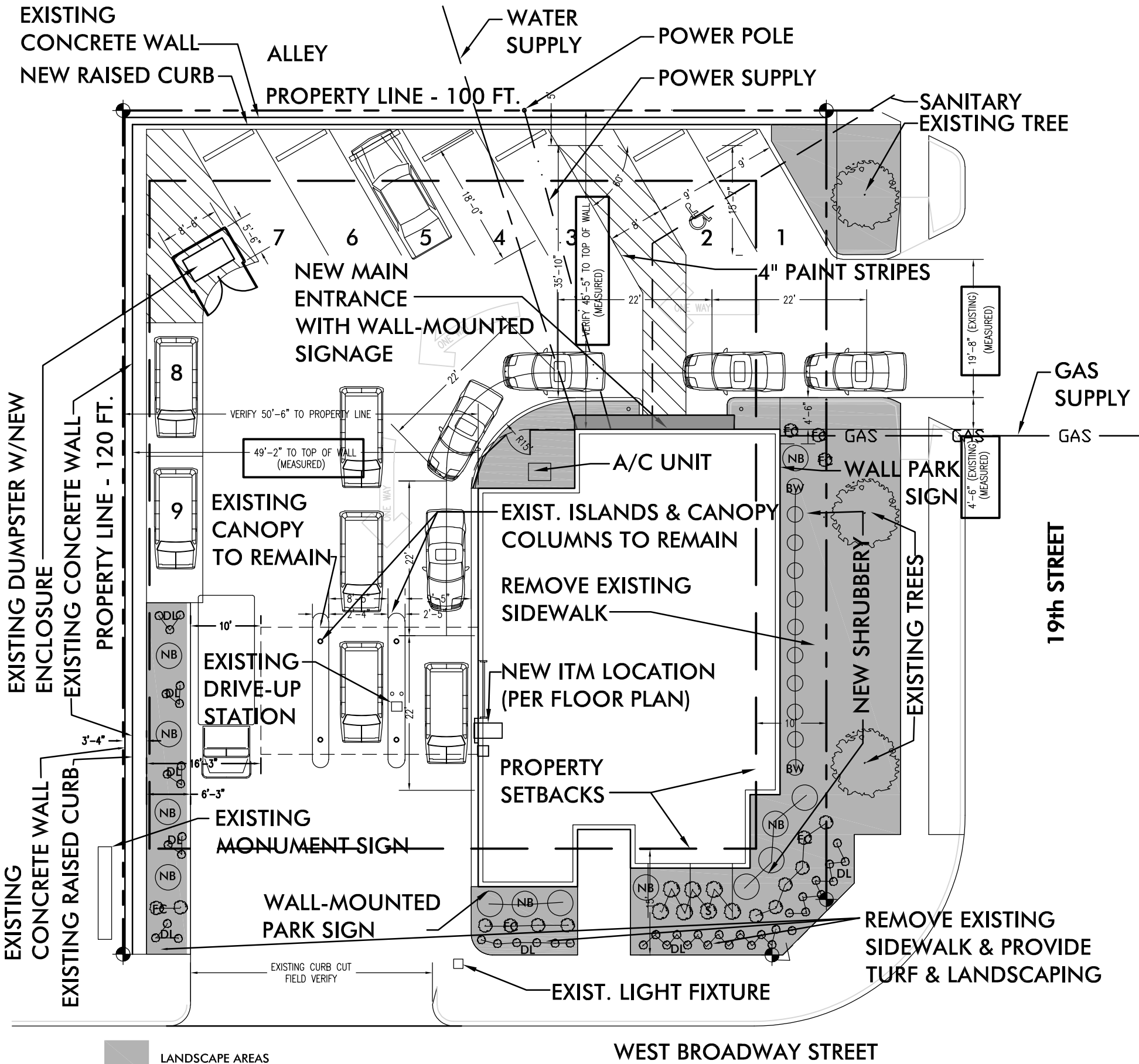
Your time and consideration in reviewing our proposed improvements is greatly appreciated! I can be reached at 515-645-9325 or mindyc@midlandcu.org.

Sincerely,

Mindy Cooper
CFO

MAIN OFFICE
2891 106th Street
Urbandale, IA 50322
p 515.278.1994
f 515.278.0209

ATTACHMENT D

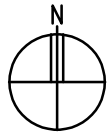


LANDSCAPE AREAS	
PLANT LEGEND	
TREES	
RM	RED MAPLE - AUTUMN BLAZE
SHRUBS	
BW	BOX WOOD - GREEN GEM
NB	NINE BARK - AMBER JUBILEE
S	SPIREA - DOUBLE PLAY DOOZIE
FC	FLASE CYPRESS - SEA OF GOLD
ORNAMENTALS GRASSES AND PERENNIALS	
DL	PERENNIALS - DAYLILY

FEMA FLOOD PLAIN NOTE: ZONE: "C-2"
PROPERTY IS CURRENTLY WEST BROADWAY CORRIDOR
UNDER FEMA "AREA WITH OVERLAY DISTRICT
REDUCED FLOOD RISK DUE BUILDING AREA: 2,516sf
TO LEVEE, ZONE X", AWAY USE: "CONSUMER SERVICE"
FROM 100 YEAR FLOOD REQ'D. PARKING: 1 STALL/400GSF
AREAS AH AND AE. 2,516 / 400 = 7 STALLS MIN.
STALL LAYOUT CONFORMS TO
SUDAS TABLE #8B-1.02
SETBACKS:
FRONT: 15FT.
STREET SIDE: 10FT.
INTERIOR SIDE: 5FT.
REAR: 10FT.

SITE PLAN
OPTION "B"

SCALE: 1/16" = 1'-0"



I hereby certify that this plan, specification, or report was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Architect under the laws of the State of Iowa.

William R. Huey III
William R. Huey III, P.A.
License No.: ARC07625
My License Renewal Date is: 06-30-2026.
Pages or sheets covered by this seal: All architectural drawings and specifications.
Date Issued: 03-07-2025

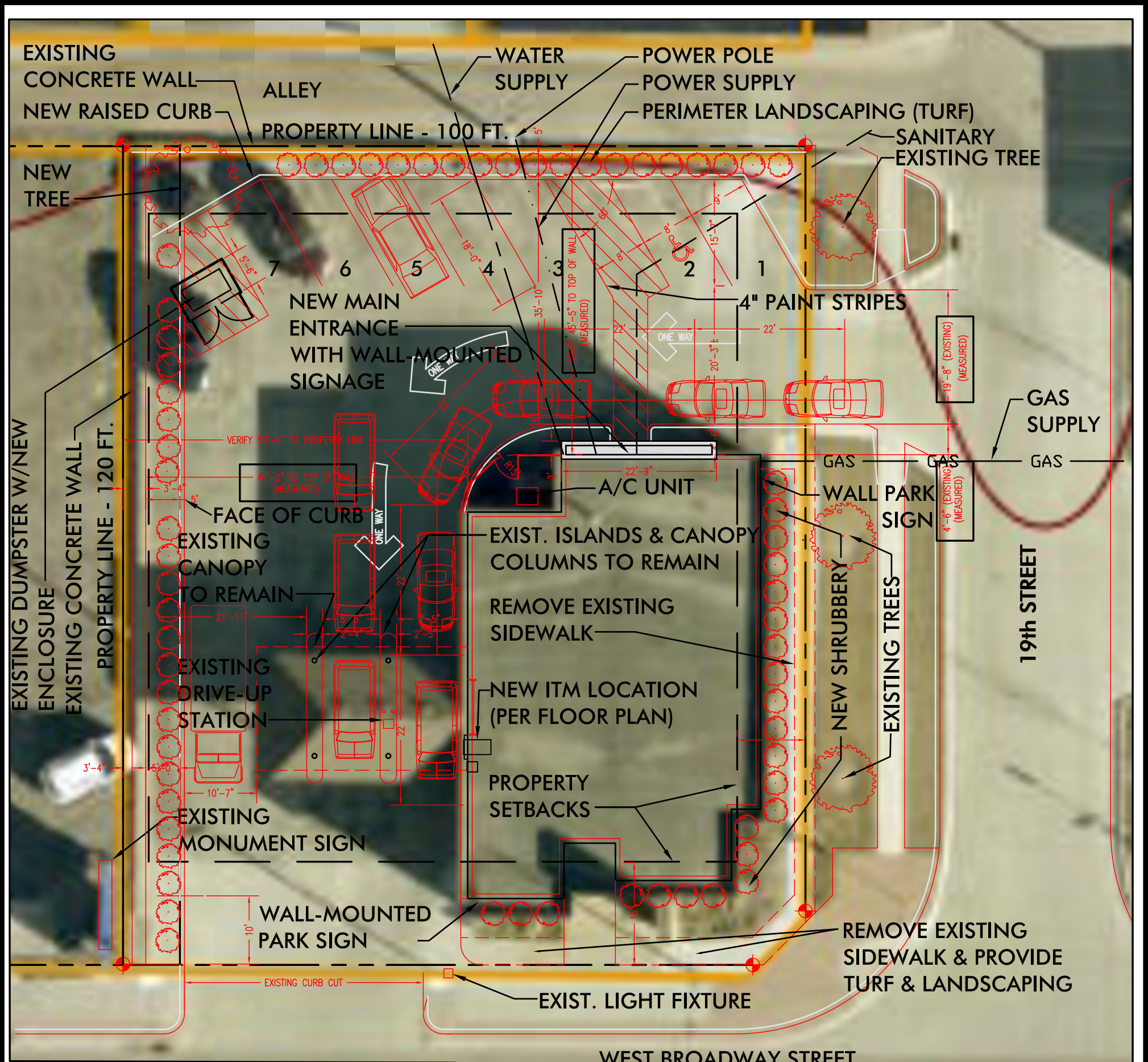
Rev. Date:
03-07-25
Project No.
241610

Project: MIDLAND CREDIT UNION
INTERIOR REMODEL
1900 WEST BROADWAY STREET
COUNCIL BLUFFS, IOWA 265



PLANNING ARCHITECTURE ENGINEERING
PROCHASKA & ASSOCIATES
INTERIORS & FACILITY MANAGEMENT
11317 CHICAGO CIRCLE OMAHA, NEBRASKA 68154-2633
PHONE: 402.334.0755 FAX: 402.334.0868 E-MAIL: mail@prochaska.us

Sheet:
OPT
B



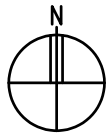
WEST WALL



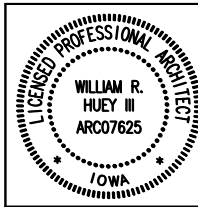
FEMA FLOOD PLAIN NOTE: ZONE: "C-2"
PROPERTY IS CURRENTLY WEST BROADWAY CORRIDOR
UNDER FEMA "AREA WITH OVERLAY DISTRICT
REDUCED FLOOD RISK DUE BUILDING AREA: 2,516sf
TO LEVEE, ZONE X", AWAY USE: "CONSUMER SERVICE"
FROM 100 YEAR FLOOD REQ'D. PARKING: 1 STALL/400GSF
AREAS AH AND AE. 2,516 / 400 = 7 STALLS MIN.
STALL LAYOUT CONFORMS TO
SUDAS TABLE #8B-1.02
SETBACKS:
FRONT: 15FT.
STREET SIDE: 10FT.
INTERIOR SIDE: 5FT.
REAR: 10FT.

SITE PLAN
OPTION "A"

SCALE: 1/16" = 1'-0"



NORTH WALL



I hereby certify that this plan, specification, or report was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Architect under the laws of the State of Iowa.
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Project No.
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Project: MIDLAND CREDIT UNION
INTERIOR REMODEL
1900 WEST BROADWAY STREET
COUNCIL BLUFFS, IOWA 266



PLANNING ARCHITECTURE ENGINEERING
PROCHASKA & ASSOCIATES
INTERIORS & FACILITY MANAGEMENT
11317 CHICAGO CIRCLE OMAHA, NEBRASKA 68154-2633
PHONE: 402.334.0755 FAX: 402.334.0868 E-MAIL: ma@prochaska.us

Sheet:
OPT
A



OPTION 1D – SOUTH–EAST VIEW

NO SCALE

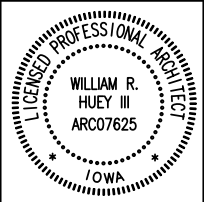
1
D1.1



OPTION 1D – NORTH–WEST VIEW

NO SCALE

2
D1.1



I hereby certify that this plan, specification, or report was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Architect under the laws of the State of Iowa.

William R. Huey III

William R. Huey III, R.A.
License No.: ARC07625
My License Renewal Date is 06-30-2026.
Pages or sheets covered by this seal: All architectural drawings and specifications.
Date Issued: 03-07-2025

Project: MIDLAND CREDIT UNION
RENOVATION
1900 WEST BROADWAY STREET
COUNCIL BLUFFS, IOWA

Date: 03-06-25
Project No. 241610

Sheet: D1.1

PLANNING ARCHITECTURE ENGINEERING
PROCHASKA & ASSOCIATES
INTERIORS & FACILITY MANAGEMENT
11317 CHICAGO CIRCLE OMAHA, NEBRASKA 68154-2633
PHONE: 402.334.0755 FAX: 402.334.0868 E-MAIL: mail@prochaska.us





OPTION 1D – SOUTH–WEST VIEW

NO SCALE

1
D1.2

I hereby certify that this plan, specification, or report was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Architect under the laws of the State of Iowa.

William R. Huey III

William R. Huey III, R.A.

License No.: ARC07625

My License Renewal Date Is 06-30-2026.

Pages or sheets covered by this seal: All architectural drawings and specifications.

Date Issued: 03-07-2025

Sheet: **D1.2**

PLANNING ARCHITECTURE ENGINEERING
PROCHASKA & ASSOCIATES
INTERIORS & FACILITY MANAGEMENT
11317 CHICAGO CIRCLE OMAHA, NEBRASKA 68154-2633
PHONE: 402.334.0755 FAX: 402.334.0868 E-MAIL: mail@prochaska.us

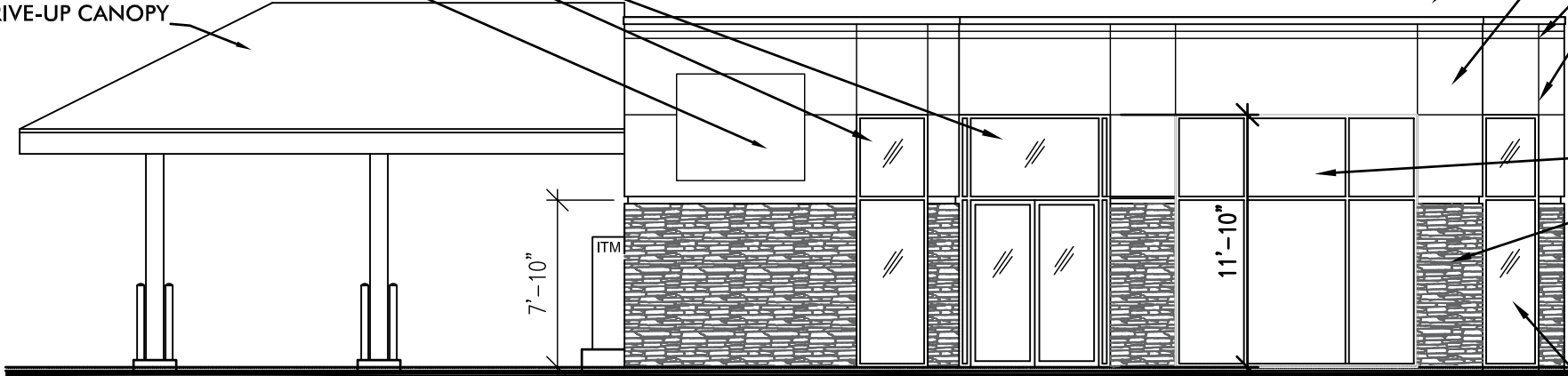
Project: MIDLAND CREDIT UNION
RENOVATION
1900 WEST BROADWAY STREET
COUNCIL BLUFFS, IOWA

Date: 03-06-25
Project No. 241610

EXISTING STORE FRONT
WINDOWS AND ENTRANCE
DOORS TO REMAIN

MIDLANDS CREDIT SIGN
EXISTING SIGN RELOCATED
DOWN THE SAME ELEVATION

EXISTING DRIVE-UP CANOPY
TO REMAIN



NEW METAL CAP FLASHING

NEW 2" OF EIFS OVER EXISTING
8" CMU BLOCK WITH RAIN SHIELD

1" X $\frac{3}{4}$ " SQUARE DEEP EIFS
CONTROL JOINTS
TYPICAL

NEW METAL 4" WIDE REVEAL
PAINTED

NEW ALUM. STORE FRONT
WINDOWS WITH 1" INSULATED
TINTED GLASS. DARK BRONZE
ANODIZED FINISH.

NEW MANUFACTURED STONE
STONECRAFT LEDGESTONE
WITH GROUTED JOINTS
AND WITH RAIN SHIELD
OVER EXISTING 8" CMU BLOCK

FINISH FLOOR
EL. = 100'-0"

EXISTING STORE FRONT
WINDOWS AND ENTRANCE
DOORS TO REMAIN

south elevation

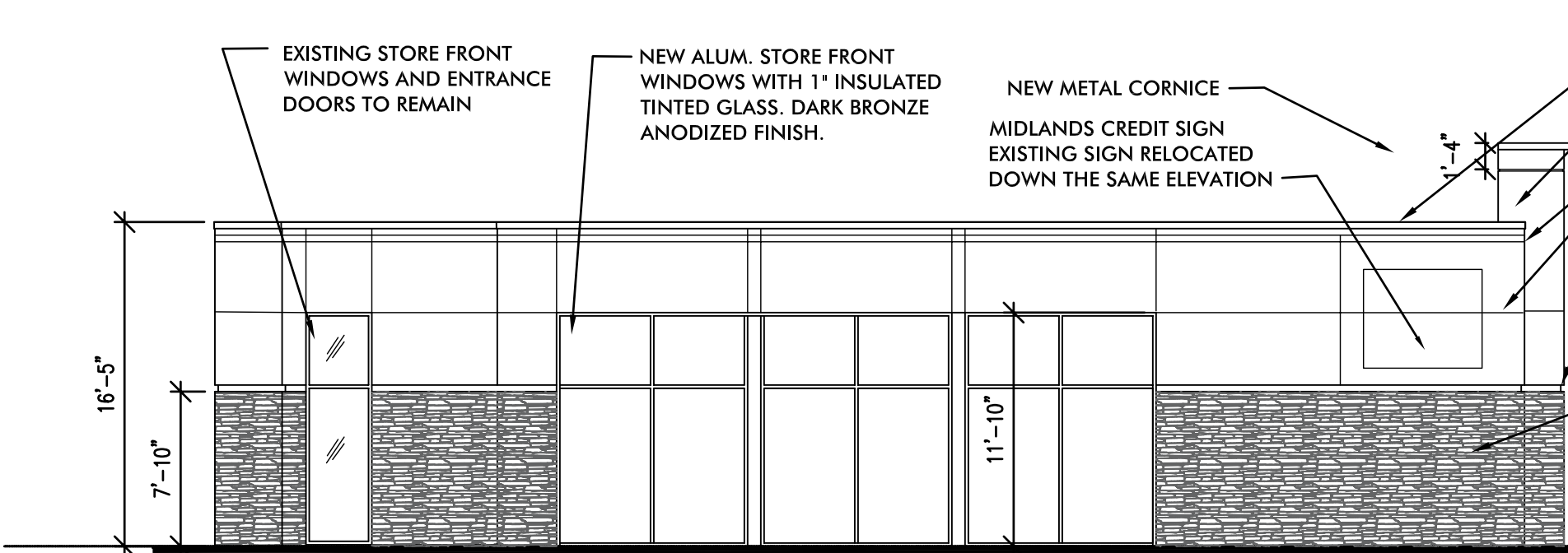
DESIGN OPTION 1d

EXISTING STORE FRONT
WINDOWS AND ENTRANCE
DOORS TO REMAIN

NEW ALUM. STORE FRONT
WINDOWS WITH 1" INSULATED
TINTED GLASS. DARK BRONZE
ANODIZED FINISH.

NEW METAL CORNICE

MIDLANDS CREDIT SIGN
EXISTING SIGN RELOCATED
DOWN THE SAME ELEVATION



NEW METAL CAP FLASHING

NEW 2" OF EIFS OVER EXISTING
8" CMU BLOCK WITH RAIN SHIELD

1" X $\frac{3}{4}$ " SQUARE DEEP EIFS
CONTROL JOINTS
TYPICAL

NEW METAL 4" WIDE REVEAL
PAINTED

NEW MANUFACTURED STONE
STONECRAFT LEDGESTONE
WITH GROUTED JOINTS
AND WITH RAIN SHIELD
OVER EXISTING 8" CMU BLOCK

FINISH FLOOR
EL. = 100'-0"

NEW BOLLARDS
WITH LIGHTS

east elevation

DESIGN OPTION 1d



I hereby certify that this plan, specification, or report was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Architect under the laws of the State of Iowa.

William R. Huey III

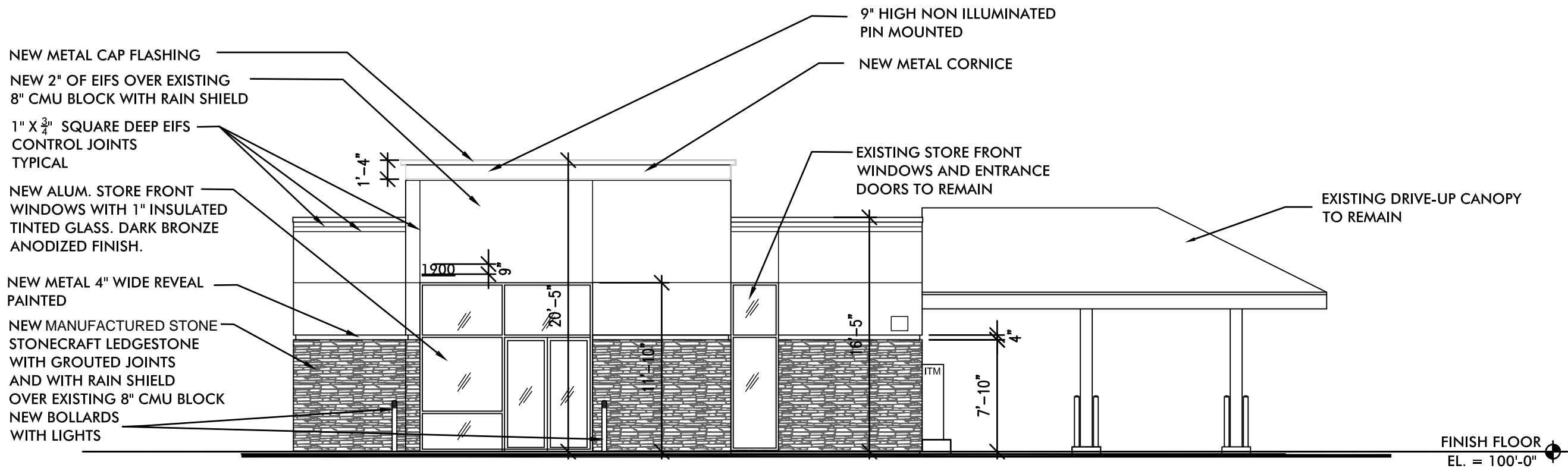
William R. Huey III, R.A.
License No.: ARC07625
My License Renewal Date is 06-30-2026.
Pages or sheets covered by this seal: All architectural drawings and specifications.
Date Issued: 03-07-2025

Project: MIDLAND CREDIT UNION
RENOVATION
1900 WEST BROADWAY STREET
COUNCIL BLUFFS, IOWA

Date: 03-03-25
Project No. 241610

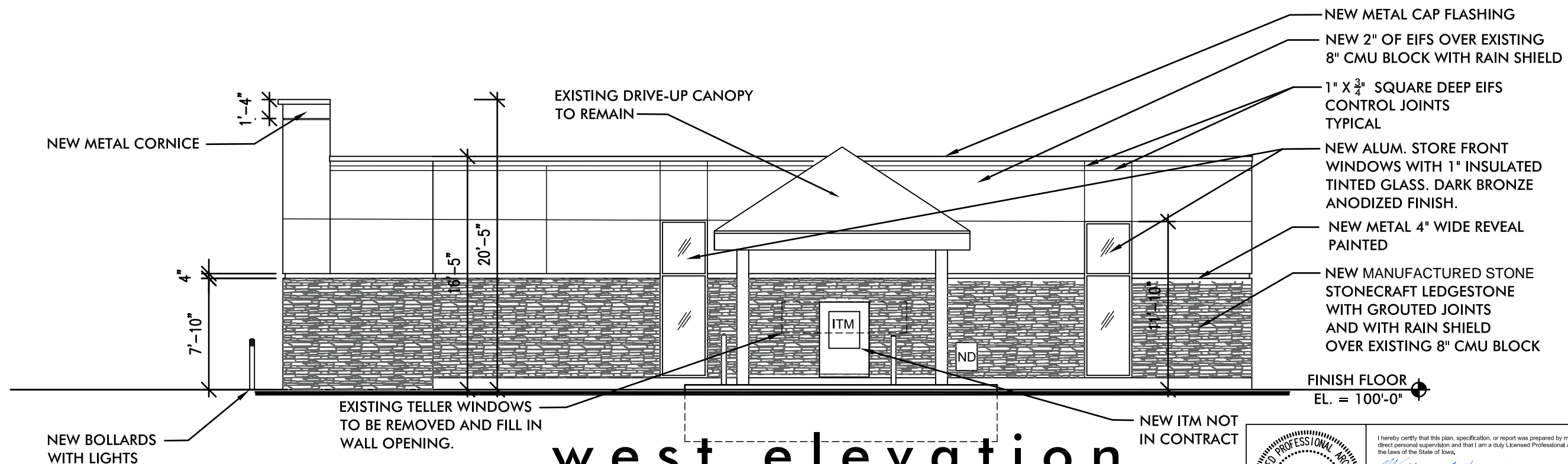
Sheet: A1.1

PLANNING ARCHITECTURE ENGINEERING
PROCHASKA & ASSOCIATES
INTERIORS & FACILITY MANAGEMENT
11317 CHICAGO CIRCLE OMAHA, NEBRASKA 68154-2633
PHONE: 402.334.0755 FAX: 402.334.0868 E-MAIL: mail@prochaska.us



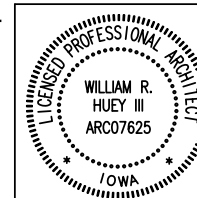
n o r t h e l e v a t i o n

DESIGN OPTION 1d



w e s t e l e v a t i o n

DESIGN OPTION 1d



I hereby certify that this plan, specification, or report was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Architect under the laws of the State of Iowa.

William R. Huey III

William R. Huey III, R.A.
License No.: ARCO7625
My License Renewal Date is 06-30-2026.
Pages or sheets covered by this seal: All architectural drawings and specifications.
Date Issued: 03-07-2025

Sheet:
A1.2

PLANNING ARCHITECTURE ENGINEERING
PROCHASKA & ASSOCIATES
INTERIORS & FACILITY MANAGEMENT
11317 CHICAGO CIRCLE OMAHA, NEBRASKA 68154-2633
PHONE: 402.334.0755 FAX: 402.334.0868 E-MAIL: mail@prochaska.us

Project:
MIDLAND CREDIT UNION
RENOVATION
1900 WEST BROADWAY STREET
COUNCIL BLUFFS, IOWA

Date:
03-03-25
Project No.:
241610

RESOLUTION NO. 25-115

A RESOLUTION ADOPTING A SITE-SPECIFIC DEVELOPMENT PLAN FOR A 'FINANCIAL SERVICE' (MIDLAND CREDIT UNION) ON PROPERTY LEGALLY DESCRIBED AS LOT 7, EXCEPT THE SOUTHEAST CORNER THEREOF DEDICATED FOR RIGHT-OF-WAY, AND LOT 8, ALL IN BLOCK 20, BAYLISS AND PALMER'S ADDITION, COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, Midland Credit Union is requesting adoption on a site-specific development plan for a 'financial service' (Midland Credit Union) on property located at 1900 West Broadway, legally described above and more particularly described in attached City Council Communication; and

WHEREAS, The applicant is proposing to modify the building to meet their organization's needs which includes a significant interior remodel that changes the primary customer entrance from the south to the north; and

WHEREAS, The proposed development plan standards and discussion is set forth in the attached City Council Communication; and

WHEREAS, The Community Development Department recommends approval of the request to adopt a site-specific development plan for a 'financial service' (Midland Credit Union) on property legally described as Lot 7, except the southeast corner thereof dedicated for right-of-way, and Lot 8, all in Block 20, Bayliss and Palmer's Addition, Council Bluffs, Pottawattamie County, Iowa, subject to the comments stated herein in or in the attached City Council Communication and the following condition:

- A. Any modifications to the approved development plan which substantially alter the design, layout, configuration, and/or appearance of the project shall be reviewed the City Planning Commission and approved by City Council prior to such changes being made. All minor modifications to the adopted development plan may be administratively approved by the Community Development Director.

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

That the request to adopt a site-specific development plan for a 'financial service' (Midland Credit Union) on property legally described as Lot 7, except the southeast corner thereof dedicated for right-of-way, and Lot 8, all in Block 20, Bayliss and Palmer's Addition, Council Bluffs, Pottawattamie County, Iowa, and more particularly described in attached City Council Communication, is hereby approved.

RESOLUTION NO. _____

PAGE 2

ADOPTED
AND
APPROVED

April 21, 2025.

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Planning Case No. MIS-25-001

Council Communication

Department: Community
Development

Case/Project No.:

Submitted by: Heather Johnston,
Community Development
Technician

Resolution 25-116
ITEM 7.C.

Council Action: 4/21/2025

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

See attached staff report.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Staff Report	Staff Report	4/10/2025
Attachment A: January, February and March 2025 Lien List	Other	4/10/2025
Resolution 25-116	Resolution	4/16/2025

Council Communication

Department: Community Development Case No.: January, February and March 2025 Lien List Submitted by: Code Compliance	Resolution No.: 25-	Council Action: 04/21/2025
Subject/Title 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 In the months of January, February and March 2025, there was one instance where the City contractors abated weeds and solid waste in Council Bluffs on behalf of the Planning & Code Compliance Division. No invoices were paid to reimburse the city for its costs. The property owners with unpaid accounts will have assessments against their properties for the unreimbursed costs plus an additional \$50 assessment fee. The total amount to be lienied on the properties is \$4,760.00.		
Recommendation The Community Development Department recommends approval of the resolution.		
Attachments Attachment A: January, February and March 2025 Lien List		

Prepared by: Heather Johnston, Community Development Technician

Approved by: Christopher Gibbons, Planning & Code Compliance Manager

January, February and March 2025 WEED & SOLID WASTE LIEN LIST

	Parcel	Property Owner	Legal Description	Address	Total Amount
1	754434113005	HOUSLEY, TYLER E	BRYANT AND CLARK ADD LT 4 BLK 28	3117 4TH AVE	\$4,760.00
TOTAL					\$4,760.00

RESOLUTION

NO. 25-116

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, and owners of properties out of compliance with the above requirements were notified, given time to remediate matters, and subsequently 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 21, 2025

MATTHEW J. WALSH

Mayor

Attest:

JODI QUAKENBUSH

City Clerk

Council Communication

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

Resolution 25-117
ITEM 7.D.

Council Action: 4/21/2025

Description

Resolution authorizing the Mayor to execute Iowa Department of Transportation Cooperative Agreement No. 2023-16-081 in connection with the Intelligent Transportation System (ITS).

Background/Discussion

The Iowa DOT installed an Intelligent Transportation System (ITS) network consisting of necessary fiber optic cables, cameras, sensors, dynamic message boards, and other related technology in the Council Bluffs metropolitan area of the State of Iowa to assist in traffic operations and information dissemination in and around the Council Bluffs area.

As part of the ITS project, IDOT installed fiber optic cables, cameras, sensors, and other related technology within the Council Bluffs area on I-29, I-80, I-480, I-680, U.S. 275, W Broadway (formerly U.S. 6), Iowa 92, South Expressway Street (formerly Iowa 192), N. 16th Street (formerly Iowa 192), Iowa 906 (formerly U.S. 6), and various local streets in and around the Council Bluffs area.

The City and IDOT previously entered into agreements in 2006, 2009, and 2023 for the above referenced projects.

The fiber strands which the DOT provided access to, or reserved strands for the City, in previous agreements have subsequently been updated, removed with construction, reconfigured, or abandoned.

This updated agreement reflects all construction changes, and defines ownership and maintenance responsibilities moving forward.

Both City IT and Public Works Traffic have reviewed the agreement and agree with the updated terms.

Recommendation

Approval of this resolution to approve the agreement with IDOT in connection with shared fiber optic cables and traffic cameras.

ATTACHMENTS:

Description	Type	Upload Date
Agreement	Agreement	4/11/2025
Resolution 25-117	Resolution	4/16/2025

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

County	Pottawattamie
City	Council Bluffs
Project No.	ITS-029-2(66)47--25-78 IMN-029-3(150)54--0E-78 IM-NHS-029-3(104)48--03-78 IM-NHS-080-1(385)0--03-78 IM-NHS-080-1(461)3--03-78 IM-080-1(539)5--13-78 IMN-029-3(246)52--0E-78 TJ-006-1(128)--2M-78
Iowa DOT	
Agreement No.	2023-16-081
Staff Action No.	N/A

This Agreement, is entered into by and between the Iowa Department of Transportation, hereinafter designated the "DOT", and Council Bluffs, Iowa, hereafter designated the "CITY" in accordance with Iowa Code Chapters 28E, 306, 306A and 313.4, as applicable.

The DOT installed an Intelligent Transportation System (ITS) network consisting of necessary fiber optic cables, cameras, sensors, dynamic message boards, and other related technology in the Council Bluffs metropolitan area of the State of Iowa to assist in traffic operations and information dissemination in and around the Council Bluffs area; and

The DOT, as part of the ITS project, installed fiber optic cables, cameras, sensors, and other related technology within the Council Bluffs area on I-29, I-80, I-480, I-680, U.S. 275, W Broadway (formerly U.S. 6), Iowa 92, South Expressway Street (formerly Iowa 192), N 16th Street (formerly Iowa 192), Iowa 906 (formerly U.S. 6), and various local streets in and around the Council Bluffs area; and

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

The CITY and the DOT previously entered into the following agreements for the above referenced projects: Agreement No. 2006-16-058 for an ITS Network on I-29, I-80, and other local streets within the city of Council Bluffs executed by the DOT and CITY on July 13, 2006 and June 12, 2006 respectively; Addendum 2006-16-058A to amend the funding executed by the DOT and CITY on April 17, 2007 and April 9, 2007 respectively; and Agreement 2009-16-024 for an ITS Network on I-29, I-80, I-480, I-680, U.S. 275, U.S. 6, Iowa 92, and Iowa 192 in and around the city of Council Bluffs executed by the DOT and CITY on January 22, 2009 and January 12, 2009 respectively; Agreement 2023-16-036 for funding of the existing fiber optic cable along South Expressway in Council Bluffs executed by the DOT and CITY on November 17, 2022 and November 16, 2022 respectively; and Agreement No. 2023-TJ-001 for transfer of jurisdiction of Iowa 906 (Kanesville Boulevard) executed by the DOT and CITY on July 11, 2023; and

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

Therefore, it is agreed as follows:

1. The fiber strands which the DOT provided access to or reserved strands for the CITY in previous agreements have subsequently been updated, removed with construction, reconfigured, or abandoned. To document the current and ongoing configuration and allocation of fiber within the CITY all previous fiber strand allocations are voided except for those contained within this Agreement.
2. The DOT will reserve for the CITY the following from DOT owned and maintained fiber optic cables:

- a. 24 strands on I-80 from LS1D adjacent to the Iowa Western Community College campus to LS522 at the I-29/I-80 east systems interchange. See Exhibit "A" Path A1.
 - b. 24 strands on I-29/I-80 from LS522 at the I-29/I-80 east systems interchange to LS415 at the I-29/I-80 west systems interchange. See Exhibit "A" Path A2.
 - c. 24 strands on I-29 from LS415 at the I-29/I-80 west systems interchange to the DOT North Maintenance Garage - FTC 104. See Exhibit "A" Path A3.
 - d. 24 strands within the I-29 ROW from the DOT North Maintenance Garage - FTC 104 to North 16th Street, then on North 16th Street to CS4013A at Big Lake Road. See Exhibit "A" Path A4.
 - e. 24 strands on I-29 from LS522 at the I-29/I-80 east systems interchange to LS281 at the I-29 interchange with U.S. 275, then on U.S. 275 to CS4007D at Chapel Ridge Lane. See Exhibit "A" Path A5.
3. The DOT will transfer to the CITY ownership and all associated maintenance responsibilities of DOT installed infrastructure including conduit, handholes, and fiber cable at the following locations. The DOT will arrange for splicing of fiber strands to enable CITY access to transferred cables and strands for a period of 6 months after transfer of ownership:
 - a. 96 strand cable on South 24th Street from LS284 at U.S. 275 to LS413 at I-29/I-80 interchange with South 24th Street. The City shall reserve 12 strands in this pathway for the DOT. See Exhibit "B" Path B1.
 - b. 96 strand cable on South Expressway from LS404 at I-29/I-80 to 19th Avenue, then on 19th Avenue to South 7th Street, then on South 7th Street to 10th Avenue, then 10th Avenue to South 8th Street, then South 8th Street to LS400 at Willow Avenue. See Exhibit "B" Path B2.
 - c. 96 strand cable on 10th Avenue from LS401 at South 8th Street to the CITY Fleet Maintenance Facility (Fleet Maintenance). See Exhibit "B" Path B3.
 - d. 24 strand cable on 9th Avenue from CS4010E at the east ROW of I-29 to TSC2 at South 35th Street. See Exhibit "B" Path B4.
 - e. 12 strand cable on West Broadway from LS290 to TSCB5 at South 4th Street. See Exhibit "B" Path B5.
 - f. 96 strand cable on South Expressway from LS404 at I-29/I-80 to LS283 at 35th Avenue, then to LS282 at U.S. 275. The City shall reserve 12 strands in this pathway for the DOT. See Exhibit "B" Path B6.
 - g. 96 strand cable from LS413 at I-29/I-80 interchange at South 24th Street to 23rd Avenue, then to South 35th Street to LS278 at South 35th Street and Nebraska Avenue. See Exhibit "B" Path B7.
4. The DOT will transfer to the CITY ownership and all associated maintenance responsibilities of DOT installed traffic cameras and associated fiber connections at the following locations. See Exhibit "C":
 - a. CBTv30 at Kanesville Boulevard (Iowa 906) at 7th Street
 - b. CBTv31 at Kanesville Boulevard (Iowa 906) at North Broadway
 - c. CBTv32 at 23rd Avenue at South 24th Street.
 - d. CBTv33 at 23rd Avenue at Mid America Drive.
 - e. CBTv41 at Avenue G at North 16th Street
 - f. CBTv42 at Avenue G at North 8th Street

5. Excluding the Items noted in Paragraphs 3b., 4a. and 4b. of this Agreement, the CITY's rights to access and utilize the Items noted in Paragraph 2 of this Agreement, and the transfer of ownership responsibilities for the Items noted in Paragraphs 3 and 4 of this Agreement, shall begin 30 days after execution of this Agreement. For the Item noted in Paragraph 3b. of this Agreement, transfer of ownership responsibilities shall begin 30 days after notification by the DOT to the CITY that construction has been completed on the DOT Madison Avenue interchange project on I-80, anticipated on or around September 30, 2025. For the Items noted in Paragraphs 4a. and 4b. of this Agreement, transfer of ownership responsibilities shall begin 30 days after the DOT provides written notice to the CITY that the transfer of jurisdiction, noted in Agreement No. 2023-TJ-001, is complete.
6. The CITY agrees to not sell or lease any fiber optic strands designated in Item 2 to a third party, public or private.
7. The DOT will bear all costs except those allocated to the CITY under other terms of this Agreement.

Maintenance

8. The DOT and CITY shall each be responsible for maintenance of each party's owned fiber. Maintenance responsibility shall include infrastructure locate identification through the Iowa One Call Center pursuant to Iowa Code Chapter 480, preventative and reactive maintenance, and generation of as-built documentation after any changes to the fiber. As-built documentation shall be shared with all parties with strands assigned in the related cable.
9. For DOT owned and maintained fiber:
 - a. The DOT, or an authorized contractor, shall perform all maintenance on the fiber, including any fiber locating, fiber restoration, fiber relocation, and fiber repairs that may become necessary during the term of this agreement. DOT will bear all maintenance related costs for DOT owned fiber.
 - b. In the event of a fiber cut or other need for an emergency repair, upon notification by the DOT to the CITY, the DOT shall commence to respond to correct the interruption in service.
 - c. If the CITY, or a contractor operating under the direction of the CITY, performs any activity, such as but not limited to: splicing, accessing splice cases, or any other procedure that could disrupt the passage of light in the fibers or otherwise impact the DOT's fibers, the activity must be pre-planned five (5) working days in advance and be performed during established DOT approved Maintenance Windows (typically midnight to 6 AM). The five (5) working day notice does not apply to emergency repairs.
 - d. The CITY shall contact the ICN Service Desk at 515-725-4400 or 1-800-572-3940 in the event of a service interruption or to establish all Maintenance Windows to perform any activity that may impact the fiber.
10. For CITY owned and maintained fiber:
 - a. The CITY, or an authorized contractor, shall perform all maintenance on the fiber, including any fiber locating, fiber restoration, fiber relocation, and fiber repairs that may become necessary during the term of this agreement. CITY will bear all maintenance related costs for CITY owned fiber.
 - b. In the event of a fiber cut or other need for an emergency repair, upon notification by the CITY to the DOT, the CITY shall commence to respond to correct the interruption in service. When notified by the DOT of an interruption of service, the CITY shall acknowledge within 30 minutes of notification by the DOT or a DOT authorized contractor. Service restoration standards as follows must be met. Timeframes beginning with notification or knowledge of outage are not to exceed:

- | | |
|--|-----------------|
| 1) Identification of cut location and damaged fibers | Four (4) hours |
| 2) First fiber is restored | Six (6) hours |
| 3) All fibers spliced and all services restored | Eight (8) hours |
- c. If the CITY or a CITY authorized contractor is unable to restore service to the DOT designated fiber within the time frames listed above, the CITY will grant the DOT reasonable access for DOT and/or a DOT authorized contractor to restore the interrupted service.
- d. If the DOT, or a contractor operating under the direction of the DOT, performs any activity, such as but not limited to: splicing, accessing splice cases, or any other procedure that could disrupt the passage of light in the fibers or otherwise impact the CITY's fibers, the activity must be pre-planned five (5) working days in advance and be performed during established CITY approved Maintenance Windows (typically midnight to 6 AM). The five (5) working day notice does not apply to emergency repairs.
- e. The DOT shall contact the CITY at 712-890-5330 in the event of a service interruption or to establish all Maintenance Windows to perform any activity that may impact the fiber.

General Provisions

11. The CITY agrees to indemnify, defend and hold the DOT harmless from any action or liability directly arising from the negligent acts or omissions of the CITY, its employees, or agents to the extent permitted by Iowa Code Chapter 670. The DOT agrees to indemnify, defend and hold the CITY harmless from any action or liability directly arising from the negligent acts or omissions of the DOT, its employees, or agents to the extent permitted by Iowa Code Chapter 669.
12. In the event this project is financed with federal funds, the CITY will take whatever action may be necessary to comply with applicable federal laws and regulations which includes but is not limited to Title 23 CFR (Code of Federal Regulations).
13. Any costs incurred by the CITY in performing its obligations hereunder will be borne exclusively by the CITY without reimbursement by the DOT, except as specifically noted in this Agreement.
14. In accordance with Title VI of the Civil Rights Acts of 1964 and Iowa Code Chapter 216 and associated subsequent nondiscrimination laws, regulations and executive orders, the LPA shall not discriminate against any person on the basis of race, color, creed, age, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability.
15. It is the intent of both (all) parties that no third party beneficiaries be created by this Agreement.
16. No new legal or administrative entity is created by this Agreement.
17. No property will be jointly held as part of this Agreement.
18. Nothing in this Agreement shall be construed to create joint or several liability of a party hereto for the acts, omissions or obligations of the other party. Each party shall be liable only for its own acts and the parties shall have such rights of indemnity and contribution among themselves with respect to this Agreement and the undertakings hereunder as shall be permitted by law and consistent with the provisions of this Agreement.
19. If any section, provision, or part of this Agreement shall be found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional, except to the extent that the original intent of the Agreement cannot be fulfilled.

20. This Agreement, as well as the unaffected provisions of any previous agreement(s), addendum(s), and/or amendment(s); represents the entire Agreement between the CITY and DOT regarding this project. All previously executed agreements shall remain in effect except as amended herein. Any subsequent change or modification to the terms of this Agreement will be in the form of a duly executed amendment to this document.

IN WITNESS WHEREOF, each of the parties hereto has executed Agreement No. 2023-16-081 as of the date shown opposite its signature below.

CITY OF COUNCIL BLUFFS:

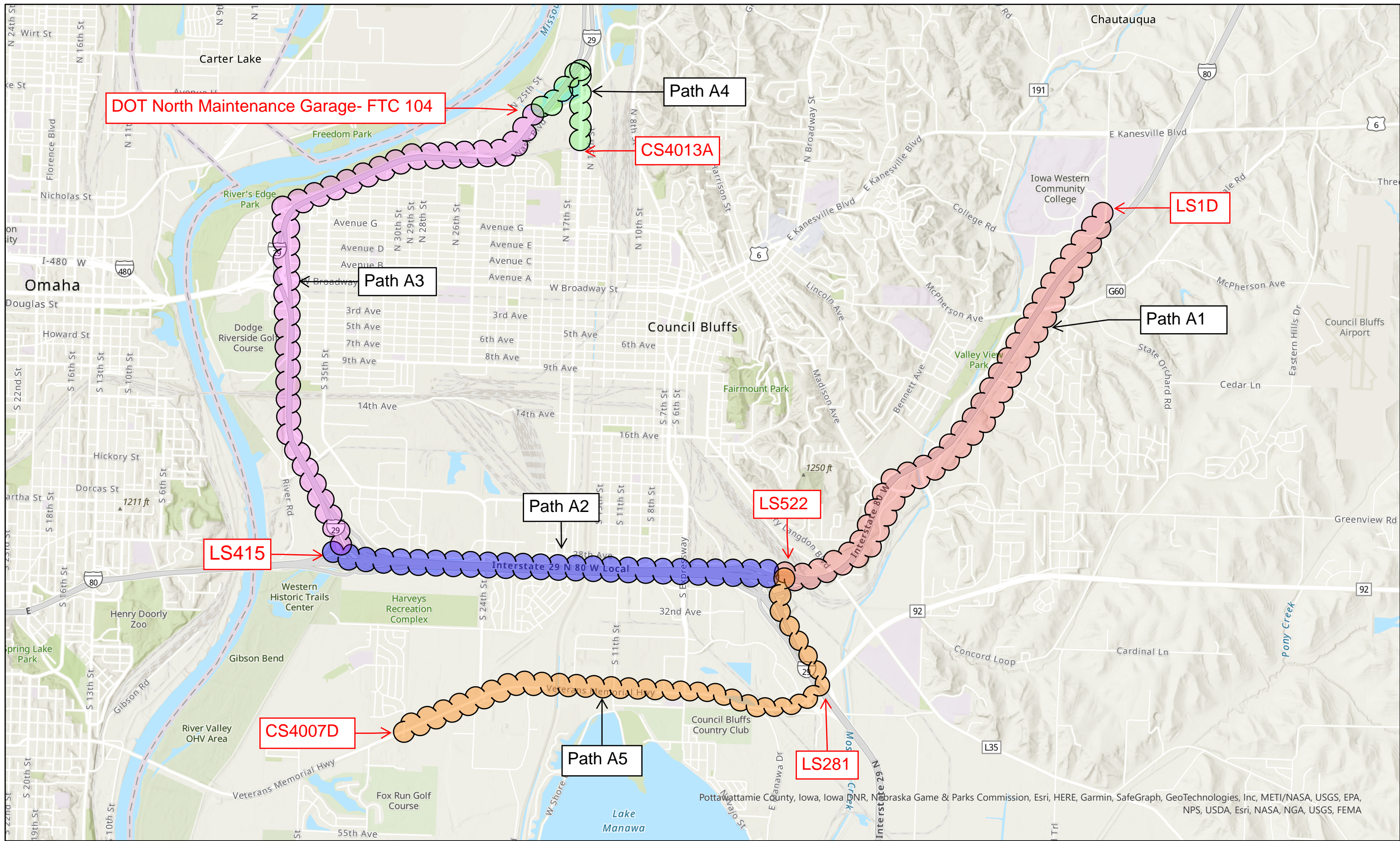
By: _____ Date _____, 20____.
Title: Mayor

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

Signed: _____
City Clerk of Council Bluffs, Iowa

IOWA DEPARTMENT OF TRANSPORTATION:

By: _____ Date _____, 20____.
Scott Schram, P.E., PhD
District Engineer
District 4



DOT North Maintenance Garage- FTC 104

Path A4

CS4013A

LS1D

Path A1

Path A2

LS522

LS415

CS4007D

Path A5

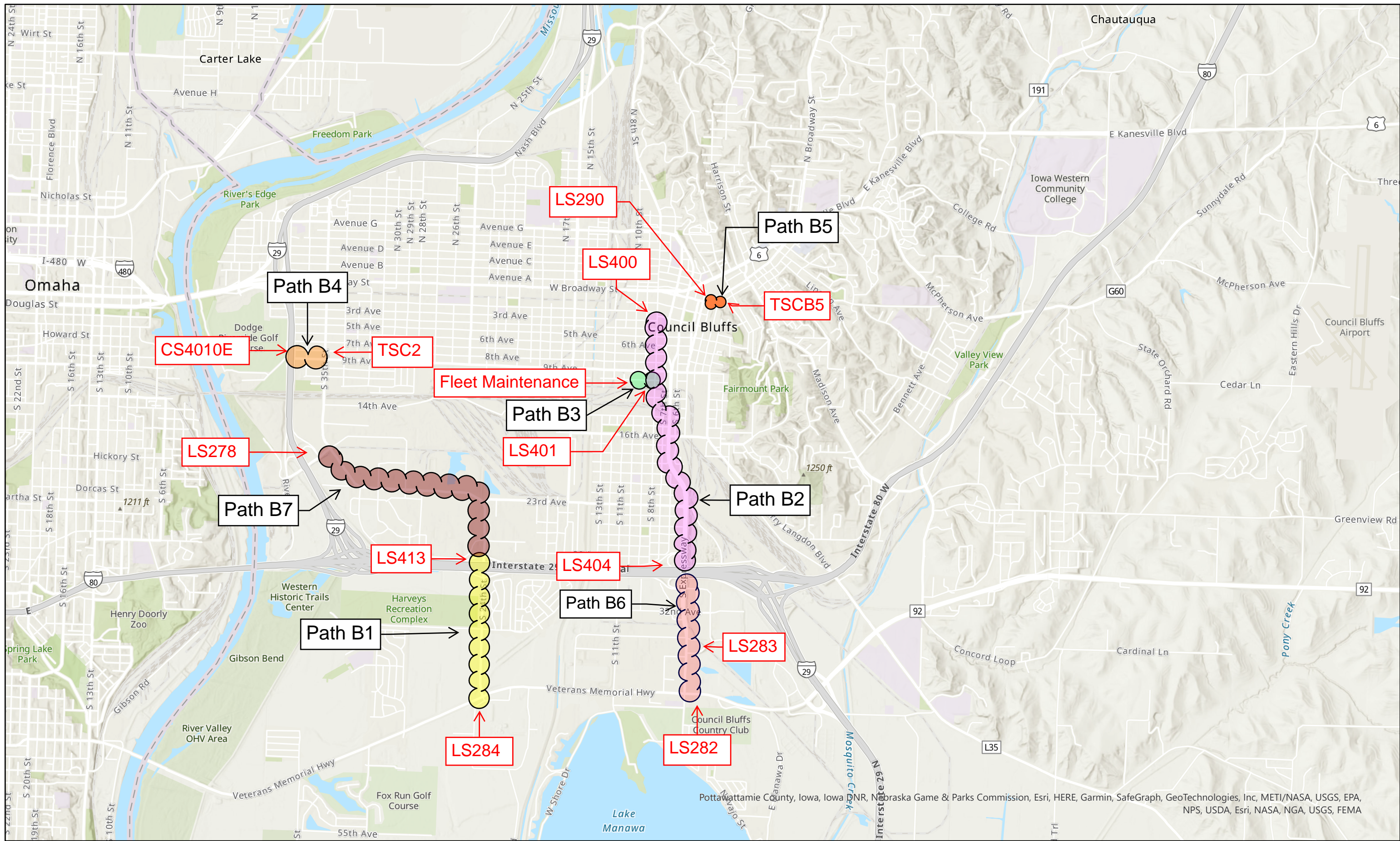
LS281

Exhibit A- IDOT Fiber Allocated to Council Bluffs



0 4,000 Feet

DATE: 1/10/2025



LS290

Path B5

LS400

TSCB5

Path B4

CS4010E

TSC2

Fleet Maintenance

Path B3

LS401

Path B2

LS278

Path B7

LS413

LS404

Path B6

LS283

Path B1

LS284

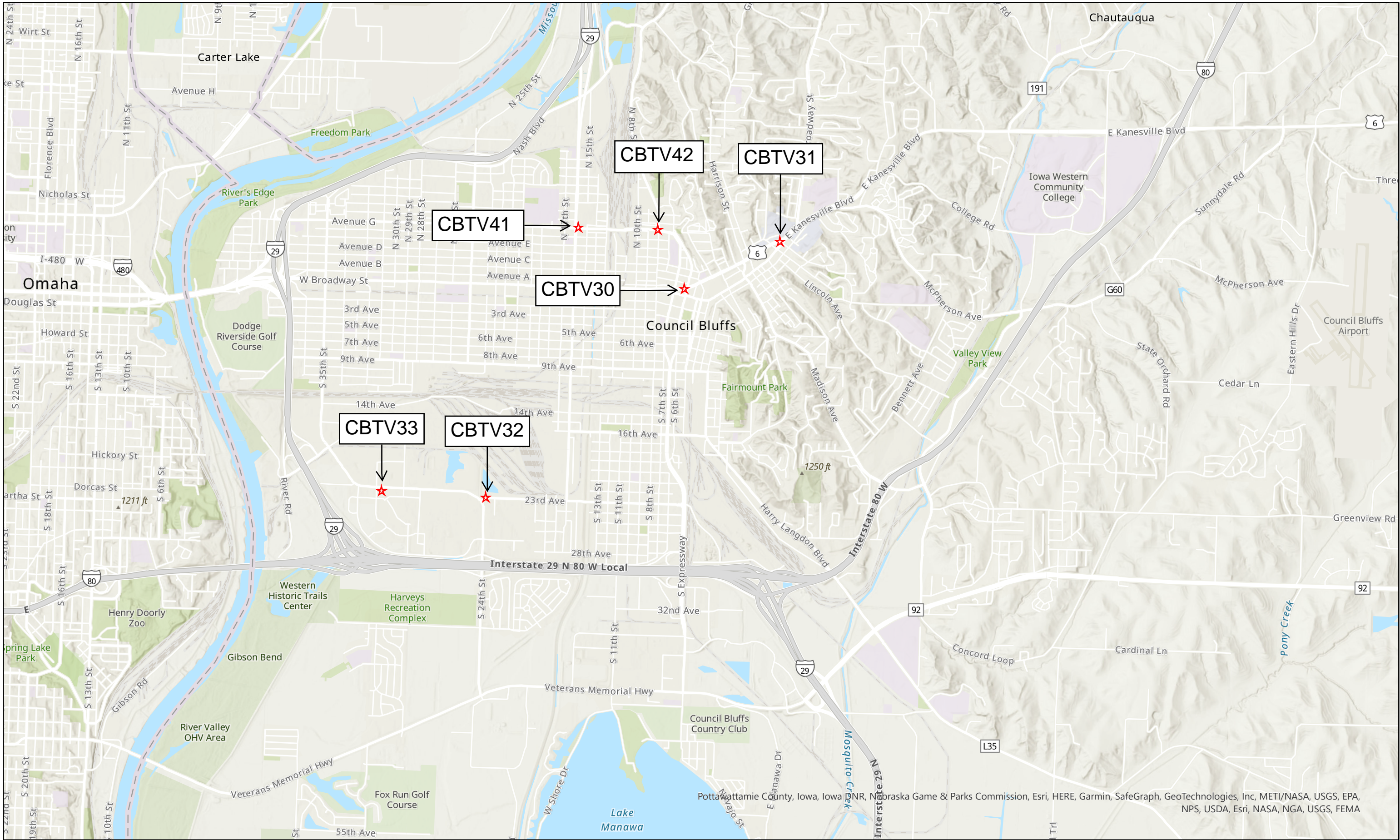
LS282



0 4,000 Feet

Exhibit B- Transfer of Fiber Ownership

DATE: 1/10/2025



Pottawattamie County, Iowa, Iowa DNR, Nebraska Game & Parks Commission, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, Esri, NASA, NGA, USGS, FEMA

Exhibit C- Transfer of Camera Ownership

RESOLUTION
NO 25-117

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO EXECUTE IOWA DEPARTMENT OF TRANSPORTATION
COOPERATIVE AGREEMENT NO. 2023-16-081
IN CONNECTION WITH THE
INTELLIGENT TRANSPORTATION SYSTEM (ITS)**

WHEREAS, the Iowa Department of Transportation and City wish to jointly participate in the Intelligent Transportation System (ITS) project, within the city, as therein described; and

WHEREAS, Iowa DOT has submitted an agreement for said improvements and system modifications; and

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

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

That the Mayor and City Clerk are hereby authorized and directed to execute an agreement with Iowa Department of Transportation in connection with the Intelligent Transportation System (ITS).

ADOPTED
AND
APPROVED

April 21, 2025

Matthew J. Walsh, Mayor

ATTEST:

Jodi Quakenbush, City Clerk

Council Communication

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

Resolution 25-118
ITEM 7.E.

Council Action: 4/21/2025

Description

Resolution to adopt the current Schedule of Fees for 2025, Version 2, dated April 21, 2025.

Background/Discussion

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Redline Schedule of Fees	Other	4/16/2025
Resolution 25-118	Resolution	4/16/2025

CITY OF COUNCIL BLUFFS, IOWA

SCHEDULE OF FEES

2025 Version ~~1~~ 2

Council Approved ~~2-24-25~~ 4-21-25

CITY OF COUNCIL BLUFFS – SCHEDULE OF FEES

Chapter 2.08 SCHEDULE OF FEES

2.08.010 Purpose.

The purpose of this chapter is to set forth those fees and charges authorized to be charged by the city pursuant to specific authorization of the city council, as evidenced herein, or as authorized in other chapters of this code.

The provisions of this chapter shall constitute authorization for the mayor or his/her designee to charge and collect the fees and charges set forth herein. If a fee or charge is authorized to be made or charged in another chapter of this code, but is not set forth in this chapter, such fee or charge is nonetheless authorized to be made or charged, the same as if it were set forth herein.

(Ord. 5768 § 2 (part), 2003).

2.08.020 Fees set by resolution.

Any fees not specifically set forth in this chapter shall be set and amended by resolution of the city council. The schedule of fees shall be maintained and shall be available for inspection in the office of the city clerk.

(Ord. 5768 § 2 (part), 2003).

2.08.030 Waiver of fees.

The fees contained in the schedule and those authorized by other provisions of this municipal code may be waived by resolution of the city council if it is determined to be in the best interests of the city of Council Bluffs. In addition to this waiver authority of the city council, the mayor may waive parking meter hood fees set out in Section 2.08.060 herein, if he/she determines such a waiver to be in the best interests of the city.

(Ord. 5768 § 2 (part), 2003).

(Ord. No. 6035, § 1, 7-27-2009).

FEES CHARGED BY THE COUNCIL BLUFFS POLICE DEPARTMENT

RANGE FEES - Defensive tactics	
1 Range/Training Slot	\$100
2 Range/Training Slots	\$150
3 Range/Training Slots	\$200
4 Range/Training Slots	\$250
5 Range/Training Slots	\$300
Reports	10.00
Supplement Reports	.50 per page
CD/DVD	Disk containing digital photos 30.00
Special Event - Staffing	Rate varies – will work with applicant to define before event
Special Event – Cruiser	\$35.00/hour
Fingerprints	20.00 + 5.00 extra card
Tow In Ad Fees	35.00
Records Check	10.00
Vault Fees	20.00

	Special Transit Service	2.50/person/ride
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Resolution 12-86

	Bank returned item fee	30.00
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	Fairview Cemetery	
	Cemetery Lot/Space Sale	\$600.00 per space
	Title Transfer fee	\$15.00

	Special Event Application Fees	
Small Events	Neighborhood Block parties, Business Block parties/Parking lot parties, Walk/Run/Race/Bike Ride/Poker Run with no street closures, Professional Fireworks displays	\$25.00 per application
Large Events	Walk/Run/Race/Bike Ride/Poker Run with street closures, Community Events, Parades, Farmers Market, 100 Block Closure Events	\$50.00 per application

1.52.020	Fees for Ambulance Services:	Effective 2-1-21
	Basic Life Support Emergency	700.00
	Advance Life Support (ALS)	800.00
	Advanced Life Support 2	950.00
	Mileage (per loaded mile)	15.00
	ALS – Treat/No Transport	200.00
	EMS Standby Fee (Crew of 2 people)	\$90/hr

Resolution (1-25-21)

Ordinance

No. 5760, Section 2 (part), 2003

3.12.040(b)	Alarm System Fees:	
	Registrations – 12 months	25.00
	Late registration – add penalty	25.00
3.12.080	False Alarm Fees	
	Two per year	100.00
	Three or more per year	250.00/each incident
	After 30 days – late fee	50.00

Ordinances are from 1925 – 1930

	Pawnbrokers:	
3.44.050	License fee	100.00 per year
3.44.110	Bond & license filing fee	.50 each license 1.00 each bond
	Secondhand Dealers:	
3.52.050	License fee	100.00 per year
	Solicitors License (peddler, transient merchant, handbill)	100.00 six Month 200.00 one year

3.58	Mobile Food Vendor License	Ordinance 6402
	YEARLY FEE for January - December of current year – due at time of application submission.	100.00/year
	C4 Business District – an additional one-hundred dollars shall be paid by a mobile food vendor who will be primarily doing business within boundaries of any C4 Business District. Refer to City zoning map to determine location(s) of C4 Business District	100.00

	Air Pollution Control:	
4.02.020(4)(B)(i)	Prescription Burn Application Fee	200.00

2.08.040 Fees and charges authorized in Title 4.

4.12.020	Administrative fee – assessment of delinquent solid waste bills	5.00
4.12.080	Monitoring/inspection fee – solid waste generated outside Council Bluffs city limits	.50 per ton
4.12.090	Commercial Collection (Annual fee)	\$ 40.00/pickups 75.00/packers/ large trucks
4.12.110(A)	Residential Solid Waste Collection and Disposal	\$216.00/year April 1, 2021- \$240.00/year July 1, 2023 - \$252.00/year July 1, 2025 - \$264.00/year
4.12.110(C)	Special Residential Solid Waste Collection and Disposal for applicants whose combined gross household income does not exceed the previous year poverty level for a two person household as defined by the U.S. Department of Health & Human Services	\$108.00/year April 1, 2021- \$120.00/year July 1, 2023 - \$126.00/year July 1, 2025 - \$132.00/year
4.12.060 A (2)	Contractor Extra bag charge	3.00/bag
4.12.060 A (2) b	Contractor Extra 96-gallon Trash Cart Fee	120.00/annually
4.12.060 A (2) b	Contractor Extra 96-gallon Recycle Cart Fee	60.00/annually
4.12.060 A (11)	Replacement 96-gallon cart	85.00 each
4.12.060 A (11)	Replacement 48-gallon cart	75.00 each
4.12.060 A (12)	Cart Size Exchange	75.00 each
4.12.110 (B)	Late fee for nonpayment	\$20.00/billing cycle
4.12.160(c)	Administrative fee for delinquent account	\$50.00/account

	Abandoned and Junk Vehicles:	
4.15.060	Administrative fee – abatement/ removal of junk vehicles	\$25.00 per vehicle (plus the actual cost of abatement)
	Weed Nuisances and Solid Waste:	
4.19.020	Abatement of weeds/offensive growths and solid waste (plus actual cost of abatement)	
	Size of lot cut	
	0-10,000 sq. ft.	110.00
	10,001 – 20,000 sq. ft.	145.00
	20,001 – 30,000 sq. ft.	180.00
	30,001 – 40,000 sq. ft.	215.00
	40,001 – 43,559 sq. ft.	250.00
	43,560 – 217,779 sq. ft.	285.00
	217,800 +	320.00
	Animal Control Fees:	
4.20.030	Cruel treatment - Impound fee	250.00
4.20.050	Tickets/Fees: Animal at Large/Impound First Occurrence Second Occurrence Third Occurrence Fourth Occurrence Subsequent (add per occurrence) Failure to pay within 30 days of issuance – Fines are doubled	50.00 60.00 70.00 80.00 10.00 (add up to \$100)
4.20.060	Impoundment fee	40.00
4.20.120	Appeal Bond	250.00
4.20.132	Animal Control Appeal – Processing fee	100.00
4.20.150	Removal of dead animals from residences	20.00
	Unwanted Animals: Brought in for adoption Picked up during business hours* *Transporting animal within city limits only Humane Disposal of Animals: Brought in Picked up during business hours*	0.00 20.00
4.20.230	Failure to Have License Fee Tickets 1 st Occurrence 2 nd Occurrence 3 rd Occurrence 4 th Occurrence Subsequent Occurrences (add per occurrence) Failure to pay within 30 days of issuance – Fines are doubled	50.00 60.00 70.00 80.00 10.00 (up to \$100)

Municipal Code Section	Description of License, Fee, or Permit	Charge
4.20.240	Dog Licenses: Altered 14.00 Unaltered 30.00 Late Penalty 15.00 Duplicate Tag 5.00 Cat Licenses Altered 10.00 Unaltered 22.00 Late Penalty 15.00 Duplicate Tag 5.00 License for dogs or cats 4-6 months old or new to the community, 50% discount after July 1. For any cat or dog that cannot be altered without extraordinary risk of physical complications because of age or health and for which a licensed vet has verified this condition in writing, the license fee will be that of an altered animal.	
4.20.260	Failure to Display License/Rabies Tag Fee Tickets 1 st Occurrence 10.00 2 nd Occurrence 20.00 3 rd Occurrence 30.00 4 th Occurrence 40.00 Subsequent (add per occurrence) 10.00 Failure to pay within 30 days of issuance – Fines are doubled	
4.20.274	Cattery License: Commercial 50.00 Non-commercial 30.00	
	Kennel License: Commercial 50.00 Non-commercial 30.00 Hobby Breeder 30.00	
4.20.290	Farm Animal Permit, per year	75.00
4.32.146	Permit to construct, alter or extend a private sewage disposal system	150.00
4.33.030	Private well	25.00
4.60.040	Hazardous material response: Manpower 40.00 per hour Apparatus (utilized) 150.00 per hour Apparatus (standby) 100.00 per hour Ambulance/Rescue Squad 150.00 per hour Command vehicle/Utility truck 60.00 per hour Supplies or outside services Market prices plus 15% admin. fee. Mileage (assessed after first 10 miles) 6.00	

	Decontamination, repair, replacement, maintenance of equipment, apparatus or supplies	Cost, plus admin. fee 100.00
	Small motor fuels – anti-freeze response	
	Fireworks displays	150.00
Recycle Center Fees		Effective 7-1-25
	Appliance (non-CFC, residential) each	8.00
	Appliance (CFC, residential) each	20.00
	Appliance (non-CFC, commercial) each	14.00
	Appliance (CFC, commercial) each	26.00
	Construction debris, per ton	75.00
	Minimum charge	10.00
	Concrete, per ton	40.00
	Minimum charge	10.00
	Electronics, per pound	0.45
	Minimum charge	5.00
	Load fee, per end loader bucket	8.00
	Lumber (clean, unpainted, untreated), per ton	40.00
	Minimum charge	10.00
	Mulch, landscape, per ton	40.00
	Mulch, landscape, (wholesale) per ton	23.00
	Mulch, lumber, per end loader bucket	8.00
	Tanning Beds	125.00
	Tires self-stacked, per ton	350.00
	Tires unstacked, per ton	700.00
	Tires each stacked (light truck and smaller)	5.00
	Tires each unstacked (light truck and smaller)	10.00
	Tree debris and yard waste, per ton	35.00
	Minimum charge	5.00
	Unload fee	20.00
	Trailer Battery Jump Service Fee	15.00
	Surcharge on non-secured/non-covered loads	15.00 each load

2.08.050 Fees and charges authorized in Title 5, SEWERS.

5.22.010	Sanitary Sewer 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 200,000 cubic feet per month, sewer service charges throughout the year will be based on the daily average water usage during the billing periods which most closely correspond with the months November through March.	
	Sanitary Sewer 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 sewer 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 sewer-service charge per month	May 1, 2021 -\$12.50/ Residential Unit July 1, 2022 - \$13.08/ Residential Unit

		<p>July 1, 2023 - \$13.69/ Residential Unit</p> <p>July 1, 2024 - \$14.33/ Residential Unit</p> <p>July 1, 2025 - \$15.00/ Residential Unit</p>
5.22.050	Administrative assessment fee for collection of delinquent sewer bills	5.00
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):	<p>April 1, 2021 - \$3.20/100 cubic ft.</p> <p>July 1, 2022 - \$3.46/100 cubic ft.</p> <p>July 1, 2023 - \$3.73/100 cubic ft.</p> <p>July 1, 2024 - \$4.03/100 cubic ft.</p> <p>July 1, 2025 - \$4.35/100 cubic ft.</p>
	Flow rate (outside city limits):	<p>April 1, 2021 - \$4.52/100 cubic ft.</p> <p>July 1, 2022 - \$4.88/100 cubic ft.</p> <p>July 1, 2023 - \$5.27/100 cubic ft.</p> <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 - \$.291 per pound</p> <p>July 1, 2024 - \$.291 per pound</p> <p>July 1, 2025 - \$.291 per 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>

	Surcharges (outside city):	
	For biochemical oxygen demand (BOD) over 350 parts per million, by weight	April 1, 2021 - \$.375 per pound July 1, 2022 - \$.375 per pound July 1, 2023 - \$.375 per pound July 1, 2024 - \$.375 per pound July 1, 2025 - \$.375 per pound
	For suspended solids over 350 parts per million, by weight	April 1, 2021 - \$.684 per pound July 1, 2022 - \$.684 per pound July 1, 2023 - \$.684 per pound July 1, 2024 - \$.684 per pound July 1, 2025 - \$.684 per pound
	For recoverable oil and grease over 100 parts per million, by weight	April 1, 2021 - \$.375 per pound July 1, 2022 - \$.375 per pound July 1, 2023 - \$.375 per pound July 1, 2024 - \$.375 per pound July 1, 2025 - \$.375 per pound
5.23.020	Disposal fees for septic tank refuse	\$50.00/1,000 gallons

(Ord. 5825 § 1, 2004). (Ord. 6228, 2015). (Ord. 6425, 2020) (Ord 6448, 2021)

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

2.08.060 Fees and charges authorized in Title 9.

9.08.180	Prohibited parking violation	15.00
	After 30 days	20.00

Municipal
Code Section

Description of License, Fee, or Permit

Charge

9.36.030	Parking meter fees	
	1/2 hour meters	0.75 per hour
	1-2 hour meters	0.50 per hour
	10 hour meters	0.25 per hour
9.32.120	Leased Parking in Municipal Lots:	Per month January 1, 2024 - \$40.00 January 1, 2025 - \$45.00 January 1, 2026 - \$50.00
9.36.090	Parking meter hood fee	5.00 per day per hood
9.36.120	Overtime parking violation	15.00
	After 30 days	20.00

2.08.070 Parks and Recreation fees and charges.

Outdoor Water Park Fees (All fees include tax)	Resolution 20-297
Admission without slide	5.00
Admission with slide	6.00
10 Swim Punch Card (without slide)	40.00
10 Swim Punch Card (slide)	50.00
Individual Season Pass	100.00
Family Season Pass (four or less)	275.00
Additional family member	100.00
Family night-per person	4.00
Swim Lessons:	30.00 -35.00
Pool Rental – Pirate Cove Water Park (up to 30 people)	275.00 -300.00
Pool Rental – Katelman Water Park (up to 30 people)	250.00 -275.00
Adult Softball (Team Fee)	
Fee per game scheduled	25.00
Youth Sports (Individual Fee)	45.00
Individual Late Fee	10.00
Youth Fishing Derby	5.00
Non-CBRC Field Rental Fees	
Baseball and softball fields	60.00/field/day (no team fees)
Lights	35.00/day

Council Bluffs Recreation Complex Rental Fees		
Baseball/Softball		
Fields #1--6, 10		75.00/day
Fields #7, 8, 9		80.00/day
Adult use (out of high school)		
Baseball/Softball Fields		80.00/day
Baseball/Softball Fields #1-10		
Single game, non-league, non-repeating use only		30.00
Baseball/Softball--Lights		
Fields 1--4		35.00/day
Fields 5--6		25.00/day
Fields 7--10		65.00/day
Tournament Fee		
1-5 Fields/day		360.00/day
6+ Fields/day		720.00/day
Baseball/Softball Fee for Premium Usage Dates (CWS dates)		\$5000 Lump Sum
Soccer Fields		
U12 13/14		80.00/field/day
U10		55.00/field/day
U8		45.00/field/day
U6		35.00/field/day
Soccer Team Fee		16.50/team
Tournament Soccer Fee		550.00
Field Reconfiguration Fee		500.00
CBSC Game Fee		16.50/game
SIFL Game Fee		40.00/game
Practice Permits		
Baseball/softball fields		6.00/hr.
Entire soccer/football field		12.00/hr.
Pickleball Court		5.00/hr.
For non-parks and recreation league teams, fees are:		
Youth Tennis Lessons (6 Sessions)	Individual	45.00 –50.00
Soccer Mini-Pitch	Team Fee	70.00

Pickleball	
Pickleball League – Individual	35.00 40.00
Pickleball added Instruction	20.00
Pickleball - Team	220.00 240.00
Youth Pickleball Lessons (ages 8-18)	40.00/6 sessions
Adult Pickleball Lessons (Ages 19+)	60.00/6 sessions
Park Shelters	25.00 per hour
Special Event Parks Application Fee	25.00
Bayliss Park Rental Fees	
1 Quadrant of Bayliss Park	50.00/hr
Full Park – Full Day	1,600.00
Full Park – Half Day	800.00

* In addition to these fees, for some events the Director of Parks and Recreation shall collect a security deposit along with the permit fees to cover any negative impact an event may have on the park or its improvements. Proof of insurance may be required if deemed appropriate by the director.

Tom Hanafan River's Edge Park Rental Fees	
Rental Fees	All Day Rate
Entire Park (Includes great lawn and amphitheater)	2,000.00
½ Park (Great lawn)	1,000.00
¼ Park (Great lawn)	500.00
Electricity fee (off of poles)	30.00/day
Vehicle access	25.00/day
Pavilion – Weekday (Monday through Thursday)	
Entire Facility (hourly)	125.00
Entire Facility (All-day; over 4 hours)	650.00
Pavilion – Weekend (Friday through Sunday)	
Entire Facility (hourly)	150.00
Entire Facility (All-day; over 4 hours)	850.00
Other Fees (Direct, in park costs to be charged)	
City Labor any service requiring additional labor will be charges out at current City labor costs.	

The *Use Policy for Tom Hanafan River's Edge Park* outlines the rental policies and specific allocation of the above park fees.

10.02.070	Administrative fee for enforcing and overseeing the removal of solid waste and other nuisances as set forth in Section 1.97.030(11), in addition to actual documented costs	110.00
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10.20.120	Abandon sewer lateral	
	Address: For new structures	50.00
	Driveway Residential* Commercial/Industrial*	50.00 90.00
	*If work involves the roadway, such as saw cutting or milling, add \$10.00 to the fee	
	Excavation: Behind back of curb* *If work involves sidewalk *If work involves driveway approach In roadway – each location	75.00 Add 25.00 Add 25.00 150.00
	Sidewalk	40.00
	Fiber Optic Network	
	Permit Application – includes up to 1,000 LF of fiber optic	350.00
	Additional installation per 1,000 LF including fiber optic cable, with conduit and necessary appurtenances	275.00/1,000 LF
	Single Service Fiber User Connection	150.00 ea
	Small Wireless Facilities: Annual Attachment fee for City owned poles Permit Application – up to five installations* *If more than five	150.00 ea. 500.00 Add 50.00 ea.
	Truck: Oversize dimensions or overweight One time trip Annual Commercial vehicle or tractor in residential area	25.00 250.00 50.00
	Miscellaneous work in right-of-way License to occupy	45.00 100.00
10.44.020	Moving contractor (new & renewal)	100.00
10.44.040	Moving permit fee – 100% of the permit fee charges for the estimated cost of new building or structure of similar construction for both locations Moving permit fee – Type “J” buildings	150.00
10.52.030	Application for removal of a tree on public property paid for privately permit	150.00
	Refundable bond deposit for tree removal	250.00
12.03.010	Aerosol products – to store level 2 or 3 products in excess of 500 lbs.	20.00
	Outside tire storage – to store tires outside in excess of 1,000 cubic feet	25.00

	Flammable or combustible liquid pipeline – to repair or modify a pipeline	25.00
	To line an underground fuel tank – Installation fees For each tank: 0 – 6,000 gallons 6,001 – 20,000 gallons 20,001 – 50,000 gallons 50,001 – 200,000 gallons 200,001 – 1,000,000 gallons 1,000,001 gallons ore more	25.00 40.00 75.00 100.00 150.00 275.00
	Removal of underground storage tanks Each additional tank on same site	30.00 15.00
	Storage of flammable liquids, compressed and liquefied gas systems: 1,000 – 3,000 gallons 3,001 – 30,000 gallons 30,001 – 60,000 gallons 60,001 – 100,000 gallons 100,001 – 300,000 gallons 300,001 gallons or more	25.00 30.00 60.00 75.00 125.00 225.00
	Retail dealers in flammable liquids, combustible/explosive materials or public garages: Acetylene torch or propane torch: Over 10 pounds Each addition Pedestalator or outlet service pump Each addition Ammunition – to store or sell small arms ammunition Calcium carbide – to store over 100 pounds Chemicals – to store over 250 gallons of hazardous chemicals Dry cleaners – to operate Laundromats – to operate Finishing shop, including painting, spraying, and dipping, storing more than 5 gallons of flammable finish - to operate	15.00 5.00 10.00 3.00 15.00 15.00 25.00 40.00 40.00 40.00
	Public garages – including car washes to operate/per bay Oil dealers – to operate	10.00 15.00

	Paint dealers – to operate	30.00
	To operate and maintain a refrigeration system containing more than 20 pounds of refrigerant	15.00
	Lumber yards – to operate	100.00
	Tent sales – to operate	35.00
	Grain elevators to operate	160.00
	Fireworks Display (per day)	150.00

13.03.030	Board of Appeals Administrative filing fee per appeal	50.00
13.05.020	Demolition of Buildings and Structures Demolition Permit Principal Structure Accessory Structure	100.00 50.00
13.07.100	<u>General Contractor Licensing</u> General Contractor Unlimited (Class A) – biennial General Contractor (Class B) – biennial Residential Contractor Unlimited (Class C) – biennial Residential Contractor limited (Class D) – biennial (RENEWAL ONLY) Roofing Contractor Unlimited – Class E - biennial Utility Master Contractor – biennial Utility Journeyman Contractor - biennial <u>Contractor Registration</u> Demolition Contractor – biennial Fence Contractor – biennial Fiber Contractor – biennial Grading Contractor – biennial Landlord Contractor – biennial Modular Contractor – biennial Moving Contractor – biennial Residential Windows/Siding/Doors – biennial Residential Retaining Walls – biennial Sign Contractor – biennial Solar Contractor Sprinkler/Irrigation Contractor Swimming Pool Contractor	150.00 150.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00

13.07.120	<u>One Job License</u>	1,000.00
	General Contractor Unlimited – per job – Class A	500.00
	General Contractor Limited– per job – Class B	400.00
	Residential Contractor Unlimited – per job – Class C	150.00
	Roofing Contractor Unlimited – per job Class E	150.00
	ONE JOB LICENSE – per job Certificate Fee	150.00
	The fee for inspection and a certificate of occupancy for a change in group occupancy/use (if not part of a current active building permit).	
13.08.100	Penalty for late renewals	20.00 per month for a maximum of three months
	Utility Contractor Exam	50.00/test
	Building Permit Fees:	
	Total valuations:	
	\$1.00 - \$ 499.00	\$23.50
	500.00-1,999.99	\$23.50 for the first \$500 + \$3.05 for each additional \$100.00
	2,000.00-24,999.99	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000
	25,000.00-49,999.99	\$391.75 for the first \$25,000 plus \$10.10 for each additional \$1,000
	50,000.00-99,999.99	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000
	100,000.00-499,999.99	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000
	500,000.00-999,999.99	\$3233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000
	1,000,000.00 and up	

	<p>Permit Fee Multiplier</p> <p>Fees (One and Two Family Dwellings and accessory structures only):</p> <p>Roofing-Siding-Window Replacement (Combo) 75.00</p> <p>Any combination of Two Replacement 50.00</p> <p>Replacement of any one of the three 30.00</p> <p>Fences in Non-Residential District 50.00</p> <p>Fence in Non-Residential District that exceed 1500 linear feet Based on valuation</p> <p>Fence in Residential District 30.00</p> <p>Retaining wall Based on valuation</p> <p>Attached Garage 21.00 per square foot</p> <p>Carport 11.00 per square foot</p> <p>Deck 11.00 per square foot</p> <p>Deck with cover or enclosure 24.00 per square foot</p> <p>Finished Basement 25.00 per square foot</p> <p>Fire Sprinkler 2.60 per square foot</p> <p>Shed 24.00 per square foot</p> <p>Unfinished Area 21.00 per square foot</p>	<p>\$5,608.75 for the first \$1,000,000.00 plus \$3.95 for each additional \$1,000</p> <p>Based on International Code Council Building Valuation Data Report</p>
13.08.370	<p>Sign permit fees</p> <p>Anything above 100 square feet</p>	<p>50.00</p> <p>3.00 per square foot</p>
	<p>Building Other Inspections and Fees:</p> <p>Inspections outside normal business hours per hour (minimum charge 2.5 hours) 123.00/hour</p> <p>Re-inspection fees assessed under provisions of Section 13.01.305.8, per Inspection 123.00/hour</p> <p>Inspections for which no fee is specifically indicated (minimum charge one hour) 123.00/hour</p> <p>Additional plan review required by changes, additions, or revisions (minimum charge one hour) 123.00/hour</p> <p>For use of outside consultants for plan review and inspections Actual Costs*</p> <p>*Or the total hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.</p>	
13.09.070	Mechanical Code Permit Fees:	

	Permit issuance fee	23.50
	For the issuing of each supplemental permit for which the original permit has not expired, been cancelled, or finalized	7.50
	Unit Fee Schedule: <i>(Note: The following do not include permit-issuing fee)</i>	
	<u>Furnace & Heat Pumps</u> –	
	For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW)	14.80
	For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW)	18.20
	For the installation or relocation of each floor furnace, including vent	14.80
	For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater	14.80
	<u>Appliance Vents</u> –	
	For the installation, relocation, or replacement of each appliance vent installed and not included in an appliance permit	7.25
	<u>Repairs or Additions</u> –	
	For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	13.70
	<u>Boilers, compressors, Absorption Systems and Air Conditioning</u> –	14.70
	For the installation or relocation of each boiler or compressor up to and including 3 ton horsepower (10.6 kW), or each absorption system to and including 100,000 Btu/h (29.3 kW)	27.15
	For the installation or relocation of each boiler or compressor over 3 ton horsepower (10.6 kW) to and including 15 ton horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW)	37.25
	For the installation or relocation of each boiler or compressor over 15 ton horsepower (52.7 kW) to and including 30 ton horsepower (105.5 kW), or each absorption system of 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (293.1 kW)	55.45
	For the installation or relocation of each boiler or compressor over 30 ton horsepower (105.5 kW) to and including 50 ton horsepower (176 kW), or each absorption system of 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW)	92.65
	For the installation or relocation of each boiler or compressor over 50 ton horsepower (176 kW) or each absorption system over 1,750,000 Btu/h (512.9 kW)	10.65
	<u>Air Handlers</u> –	

	<p>For each air-handling unit up to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto (<i>Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code</i>)</p> <p>For each air-handling unit over 10,000 cfm (4719 L/s)</p> <p><u>Evaporative Coolers</u> –</p> <p>For each evaporative cooler other than portable type</p> <p><u>Ventilation and Exhaust</u> –</p> <p>For each ventilation fan connected to a single duct</p> <p>For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit</p> <p>For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood</p> <p><u>Incinerators</u> –</p> <p>For the installation or relocation of each domestic-type incinerator</p> <p>For the installation or relocation of each commercial or industrial-type incinerator</p> <p><u>Miscellaneous</u> –</p> <p>For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which the fee is listed in the table</p> <p><u>Restoration of Gas Service</u></p>	<p>18.10</p> <p>10.65</p> <p>7.25</p> <p>10.65</p> <p>10.65</p> <p>18.20</p> <p>14.50</p> <p>10.65</p> <p>30.00</p>
	<p>Mechanical Other Inspections and Fees:</p> <p>Inspections outside normal business hours per hour (minimum charge 2.5 hours)</p> <p>Re-inspection fees assessed under provision of Section 305.8, per Inspection</p> <p>Inspections for which no fee is specifically indicated per hour (minimum charge one hour)</p> <p>Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)</p>	<p>123.00</p> <p>123.00</p> <p>123.00</p> <p>123.00</p>
	<p>Mechanical Permit Fees (Industrial and Large Commercial with Valuation of \$5,000,000 or more):</p> <p>For the issuance of each mechanical permit</p> <p>For the issuing of each supplemental permit for which the original permit has not expired, been cancelled, or finaled</p> <p>System Fee Schedule:</p> <p>Steam or Hydronic Heating System sized by million Btu/hour (MBH)</p> <p>Radiant Floor Heating System sized by million Btu/hour (MBH)</p> <p>Chilled Beam Cooling System sized by million Btu/hour (MBH)</p>	<p>23.50</p> <p>7.50</p> <p>2.86</p> <p>3.81</p> <p>2.86</p> <p>0.03</p>

	Underfloor Air Distribution System sized by cubic feet per minute (CFM)	28.60
	Geothermal Well System sized by each (EA)	14.30
	Variable Refrigerant Flow System sized by (Tons)	2.86
	Process Fluid System (Air, Natural Gas, Vacuum, DI Water, RO Water, Nitrogen, Medical Gas) sized by square footage (SF)	14.30
	Fuel Oil and Gas Dispensing System or Standby System sized by gallon capacity (GAL)	14.30
	Refrigerant System for Commercial Kitchen Coolers and Freezers sized by Tons	0.14
	Vehicle Exhaust System sized by (CFM)	0.14
	Welding Exhaust System sized by (CFM)	0.03
	Industrial Dust Collector System sized (CFM)	
	Unit Fee Schedule:	
	<i>(Note: The following do not include permit issuing fee)</i>	2.86
	Chiller (water-cooled, air-cooled, absorption) sized by tons (Tons)	2.86
	Cooling Tower (natural draft, mechanical draft) sized by tons (Tons)	2.86
	Unitary Evaporative Cooler sized by tons (Tons)	5.72
	Packaged AC Unit/Heat Pump with Integral Gas Furnace sized by tons (Tons)	5.72
	Ductless Split AC Unit/Heat Pump sized by tons (Tons)	7.15
	Ducted Split DX AC Unit/Heat Pump without Forced Air Furnace sized by tons (Tons)	7.15
	Computer Room AC Unit Water-Cooled sized by tons (Tons) CRAH	14.30
	Computer Room AC Unit Refrigerant Cooled (remote condenser) sized by tons (Tons) CRAC	0.57
	Gas or Fuel Oil Fired Boiler (Water or Steam) sized by million Btu/hour (MBH)	
	Electric Boiler sized by kilowatts (kW) sized by million Btu/hour (MBH)	0.57
	Gas-Fired or Infrared Unit Heater sized by million Btu/hour (MBH)	0.36
	Electric Unit Heater and Electric Radiators sized by million Btu/hour (MBH)	0.36
	Steam Humidifier sized by square footage (SF)	0.29
	Central Station or Built-Up Air Handling Unit sized by cubic feet per minute (CFM)	0.10
	Terminal Unit (VAV, CV, PIU, WSHP, etc.) sized by each (EA)	28.60
	Fan Coil Unit sized by each (EA)	28.60
	Commercial Kitchen Hood sized by each (EA)	28.60
	Commercial Kitchen Hood Make-up Unit sized by each (EA)	57.20
	Exhaust Fans with Ductwork sized by each (EA)	57.20
	Exhaust Fans without Ductwork sized by each (EA)	28.60

	Outdoor Air Supply Fan sized by each (EA) Smoke Control and Refrigerant Exhaust Fan sized by each (EA) Exhaust Hood (non-laboratory) sized by each (EA) Laboratory Fume Hood Cabinet sized by each (EA) <u>Miscellaneous</u> – For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which the fee is listed in the table sized by each (EA)	28.60 57.20 57.20 57.20 143.00
	Mechanical Other Inspections and Fees: Inspections outside of normal business hours per hour (minimum charge 2.5 hours) Re-inspection fees assessed under provisions of Section 305.8, per Inspection Inspections for which no fee is specifically indicated per hour (minimum charge one hour) Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour) *Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	286.00* 286.00* 286.00* 286.00*
13.12.060	Plumbing Code Permit Fees: For the issuance of each plumbing permit For the issuing each supplemental permit for which the original permit has not expired, been cancelled, or finaled Unit Fee Schedule: <i>(Note: the following do not include permit-issuing fee)</i> <u>Fixtures and Vents</u> – For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage, piping, and backflow protection thereof) For repair or alteration of drainage or vent piping, each fixture <u>Sewers, Disposal Systems and Interceptors:</u> For each building sewer and water service and each trailer park sewer and water service For each cesspool For each private sewage disposal system For each industrial waste pretreatment interceptor, including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps Rainwater systems – per drain <u>Water Piping and Water Heaters</u> – For installation, alteration, or repair of water piping or water-treating equipment, or both, each For each water heater, including vent	23.50 7.50 9.80 4.75 24.65 37.25 74.50 19.90 9.80 4.75 12.30

	<p>For vents only, see Mechanical Permit Fees</p> <p><u>Gas Piping Systems</u> –</p> <p>For each piping system of one to five outlets 6.15</p> <p>For each additional outlet over five, each 1.20</p> <p><u>Lawn Sprinklers, Vacuum Breakers and Backflow Protection Devices</u> –</p> <p>For each lawn sprinkler system on any one meter, including backflow protection devices thereof 14.80</p> <p>For atmospheric-type vacuum breakers or backflow protection devices not included in Fixtures and Vents:</p> <p>1 to 5 devices 12.30</p> <p>Over 5 devices, each 2.25</p> <p>For each backflow-protection device other than atmospheric-type vacuum breakers:</p> <p>2 inches (50.8 mm) and smaller 12.30</p> <p>Over 2 inches (50.8 mm) 24.65</p> <p><u>Swimming Pools</u> –</p> <p>For each swimming pool or spa (in ground):</p> <p>Public pool 91.25</p> <p>Public spa 60.75</p> <p>Private pool 60.75</p> <p>Private spa 30.25</p> <p>Private spa 9.80</p> <p><u>Miscellaneous</u> –</p> <p>For each appliance or piece of equipment regulated by the Plumbing Code but not classed in other appliance categories, or for which no other fee is listed in this code</p> <p>30.00</p> <p><u>Restoration of Gas Service</u></p>	
	<p>Plumbing Other Inspections and Fees:</p> <p>Inspections outside normal business hours per hour (minimum charge 2.5 hours) 123.00</p> <p>Re-inspection fees assessed under provisions of Section 305.8, per Inspection 123.00</p> <p>Inspections for which no fee is specifically indicated per hour (minimum charge one hour) 123.00</p> <p>Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour) 123.00</p>	
	<p>Plumbing Permit Fees (Industrial and Large Commercial with Valuation of \$5,000,000 or more):</p> <p>For the issuance of each plumbing permit 23.50</p> <p>For the issuing of each supplemental permit for which the original permit has not expired, been cancelled, or finaled 7.50</p> <p>System Fee Schedule:</p>	

	Domestic Supply Piping System sized by peak gallons per minute (GPM)	2.86
	Domestic Drain Piping System sized by peak gallons per minute (GPM)	2.86
	Stormwater Piping System sized by peak gallons per minute (GPM)	2.86
	Reverse Osmosis/Deionized Water System sized by peak gallons per minute (GPM)	5.72
	Pool Filtration System sized by peak gallons per minute (GPM)	5.72
	Process Vacuum System sized by horsepower of vacuum pump (HP)	28.60
	Solar Water Heating System sized by number of solar panels (EA)	14.30
	Rain Water System sized by capacity of system in gallons (GAL)	2.86
	Gas Piping System sized by million Btu/hour (MBH)	2.86
	Irrigation System sized by number of sprinkler heads (EA)	5.72
	Unit Fee Schedule: <i>(Note: The following do not include permit issuing fee)</i>	
	<u>Fixtures and Vents</u> –	
	For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection thereof) sized by each (EA)	5.72
	For repair or alterations of drainage or vent piping, each fixture (EA)	5.72
	<u>Sewers, Disposal Systems and Interceptors</u> –	
	For each cesspool sized by each (EA)	286.00
	For each private sewage disposal system sized by each (EA)	286.00
	For each industrial waste pretreatment interceptor, including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps sized by each (EA)	286.00
	<u>Water Heaters</u> –	
	Potable Water Heat Exchanger sized by gallon per minute (GPM)	1.43
	Commercial Gas-Fired Water Heater sized by tank capacity in gallons (GAL)	1.43
	Commercial Electric Water Heater sized by tank capacity in gallons (GAL)	1.43
	Residential Gas-Fired Water Heater sized by tank capacity in gallons (GAL)	1.43
	Residential Electric Water Heater sized by tank capacity in gallons (GAL)	1.43
		5.72

	<p>Instantaneous, Point of Use, Electric Water Heater sized by gallon per minute (GPM) 57.20</p> <p>Backflow Preventer sized by each (EA) 11.44</p> <p>Domestic Water Booster Pump sized by horsepower of pump (HP) 11.44</p> <p>Gray Water Lift Station sized by horsepower of pump(s) (HP) 11.44</p> <p>Sewage Ejector Pump sized by horsepower of pump(s) (HP) 11.44</p> <p>Sump Pumps sized by horsepower of pump(s) (HP) 11.44</p> <p>Process Air Compressor sized by horsepower of motor(s) (HP) 28.60</p> <p>Water Softener sized by gallon per minute (GPM)</p> <p><u>Swimming Pools</u> – 0.01</p> <p>Public Pool sized by capacity in gallons (GAL) 0.06</p> <p>Public Spa sized by capacity in gallons (GAL) 0.01</p> <p>Private Pool sized by capacity in gallons (GAL) 0.11</p> <p>Private Spa sized by capacity in gallons (GAL)</p> <p><u>Miscellaneous</u> – 14.30</p> <p>For each appliance or piece of equipment regulated by the Plumbing Code but not classed in other appliance categories, or for which the fee is listed in this code sized by each piece of equipment (EA)</p>	
	<p>Plumbing Other Inspections and Fees:</p> <p>Inspections outside of normal business hours per hour (minimum charge 2.5 hours) 286.00*</p> <p>Re-inspection fees assessed under provisions of Section 305.8, per Inspection 286.00*</p> <p>Inspections for which no fee is specifically indicated per hour (minimum charge one hour) 286.00*</p> <p>Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour) 286.00*</p>	
13.16.120	<p>Electrical Code Permit Fees:</p> <p>For the issuance of each electrical permit 23.50</p> <p>For the issuing of each supplemental permit for which the original permit has not expired, been cancelled, or finaled 7.50</p> <p>System Fee Schedule:</p> <p><i>(Note: the following do not include permit issuing fee)</i></p> <p><u>New Residential Buildings</u> –</p> <p>The following fees shall include all wiring and electrical equipment or on each building, or other electrical equipment on the same premises constructed at the same time. 0.050</p> <p>Multifamily. For new multifamily buildings (apartments and condominiums) having three or more dwelling units, constructed 0.056</p>	

	at the same time, not including the area of garages, carports and accessory building, per square foot (0.09m ²)	
	Single – and two-family. For new single – and two-family residential buildings constructed at the same time and not including the area of garages, carports, and accessory buildings, per square foot (0.09m ²)	
	<i>For other types of residential occupancies and for alterations, additions, and modifications to existing residential buildings, use either the Unit Fee Schedule or per square foot calculation for the appropriate category.</i>	
	<u>Private Swimming Pools</u> –	
	For new private, in-ground swimming pools for single-family and multifamily occupancies, including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool, each pool	49.50
	<u>Carnivals and Circuses</u> –	
	Carnivals, Circuses, or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays, and attractions.	
	For electrical generators and electrically driven rides, each	.
	For mechanically driven rides and walk-through attractions or displays having electrical lighting, each	23.50
	For a system of area and booth lighting, each	7.25
	<i>For permanently installed rides, booths, displays, and attractions, use the Unit Fee Schedule</i>	7.25
	<u>Temporary Power Service</u> –	
	For a temporary service pole or pedestal, including all pole or pedestal-mounted receptacle outlets and appurtenances, each	23.50
	For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative lights, Christmas tree sales lots, fireworks stands, etc., each	12.50
	Unit Fee Schedule:	
	<i>(Note: the following do not include permit-issuing fee)</i>	
	<u>Receptacle, Switch and Lighting Outlets</u> –	
	For receptacle, switch, light or other outlets at which current is used or controlled, except services, feeders, and meters:	
	First 20 fixtures, each	1.10
	Additional fixtures, each	0.73
	<i>(Note: For multioutlet assemblies, each 5 feet (1524 mm) or fraction thereof may be considered as one outlet)</i>	
	<u>Lighting Fixtures</u> –	
	For lighting fixtures, sockets or other lamp-holding devices:	
	First 20 fixtures, each	1.10
	Additional fixtures, each	0.73
	For pole or platform-mounted lighting fixtures, each	1.10
	For theatrical-type lighting fixtures or assemblies, each	

	<p><u>Residential Appliances</u> –</p> <p>For fixed residential appliances or receptacles outlets for same, including wall-mounted electrical ovens; counter-mounted cooking tops; electric ranges; self-contained room, console, or through-wall air conditions; space heaters; food waste grinders; dishwashers; washing machines; water heaters; clothes dryers; or other motor-operated appliances not exceeding 1 horsepower (HP) (746 W) in rating, each</p> <p><i>(Note: For other types of air-conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus)</i></p> <p><u>Nonresidential Appliances</u> –</p> <p>For nonresidential appliances and self-contained factory-wired nonresidential appliances not exceeding 1 horsepower (HP), kilowatt (kW), or kilovolt-ampere (kVA) in rating, including medical and dental devices; food, beverage, and ice cream cabinets; illuminated show cases; drinking fountains; vending machines; laundry machines; or other similar types equipment, each</p> <p><i>(Note: For other types of air-conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus)</i></p> <p><u>Power Apparatus</u> –</p> <p>For motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment and other apparatus, as follows:</p> <p>Rating in horsepower (HP), kilowatts (kW), kilovolt-amperes (kVA) or kilovolt-amperes-reactive (kVAR):</p> <p>Up to and including 1, each</p> <p>Over 1 and not over 10, each</p> <p>Over 10 and not over 50, each</p> <p>Over 50 and not over 100, each</p> <p>Over 100, each</p> <p><i>(Note:</i></p> <ol style="list-style-type: none"> <i>1. For equipment or appliances having more than one motor, transformer, heater, etc. the sum of the combined ratings may be used.</i> <i>2. These fees include all switches, circuit breakers, contactors, thermostats, relays, and other directly related control equipment.)</i> <p><u>Busways</u> –</p> <p>For trolley and plug-in-type busways, each 100 feet (30 480 mm) or fraction thereof</p> <p><i>(Note: An additional fee is required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in-type busways) A fee is not required for portable tools.</i></p> 	<p>1.10</p> <p>4.75</p> <p>4.75</p> <p>4.75</p> <p>4.75</p> <p>4.75</p> <p>12.30</p> <p>24.60</p> <p>49.50</p> <p>74.50</p> <p>7.25</p>
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	<p><u>Sign, Outline Lighting and Marquees –</u></p> <p>For signs, outline lighting systems or marquees supplied from one branch circuit, each 24.60</p> <p>For additional branch circuits within the same sign, outline lighting system or marquee, each 4.75</p> <p><u>Services –</u></p> <p>For services of 600 volts or less and not over 200 amperes in rating, each charge 30.50</p> <p>For services of 600 volts or less and over 200 amperes to 1,000 amperes, each 62.15</p> <p>For services over 600 volts or over 1,000 amperes in rating, each 124.50</p> <p><u>Solar –</u></p> <p>For residential home solar panel systems mounted to the roof or ground 100.00</p> <p><u>Miscellaneous Electrical Apparatus Conduits and Conductors -</u></p> <p>For electrical apparatus, conduits, and conductors for which a permit is required but for which no fee is herein set forth 18.20</p> <p><i>(Note: this fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, busways, signs or other equipment)</i></p> <p><u>Restoration of Electrical Service</u> 30.00</p>	
	<p>Electrical Other Inspections and Fees:</p> <p>Inspections outside normal business hours per hour (minimum charge 2.5 hours) 123.00</p> <p>Re-inspection fees assessed under provisions of Section 305.8, per Inspection 123.00</p> <p>Inspections for which no fee is specifically indicated per hour (minimum charge one hour) 123.00</p> <p>Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour) 123.00</p>	
	<p>Electrical Permit Fees (Industrial and Large Commercial with Valuation of \$5,000,000 or more):</p> <p>For the issuance of each electrical permit 23.50</p> <p>For the issuing of each supplemental permit for which the original permit has not expired, been canceled, or finaled 7.50</p> <p>System Fee Schedule:</p> <p>Ventilation Equipment sized by horsepower (HP) 9.53</p> <p>Heating Equipment sized by kilowatts (kW) 11.44</p> <p>Pumps (P) sized by horsepower (HP) 8.17</p> <p>Variable Air Volume Devices (VAV) per unit 40.00</p> <p>Emergency Electrical System Generators sized by kilowatts (kW) 1.14</p> <p>2.50</p>	

	<p>Equipment Grounding Inspection sized by exothermic or mechanical terminations</p> <p>Building Lightning Protection Inspection sized by exothermic or mechanical terminations</p> <p>Temporary Power Service</p> <p>For a temporary service pole or pedestal, including all pole or pedestal-mounted receptacle outlets and appurtenances, under 480 volts sized by (AMPS)</p> <p>For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative lights, Christmas tree sales lots, fireworks, etc., under 480 volts sized by (AMPS)</p> <p>Unit Fee Schedule:</p> <p><i>(Note: The following do not include permit issuing fees)</i></p> <p>120 volt Outlets per outlet</p> <p>Light Fixtures sized per fixture</p> <p>Transformers sized by kilovolt-amps (kVA)</p> <p>Motor Control Centers sized by (AMPS)</p> <p>Sub-panels sized by (AMPS)</p> <p><u>Industrial Appliances/Devices/Machinery</u> –</p> <p>For fixed Appliances/Devices/Machinery sized by kilowatts (kW)</p> <p><u>Busways</u> –</p> <p>For trolley and plug-in-type busways, sized by amps (AMPS)</p> <p><i>(Note: An additional fee is required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in-type busways. A fee is not required for portable tools.)</i></p> <p><u>Solar</u> –</p> <p>For commercial and industrial building solar panel systems mounted to the roof or ground</p> <p><u>Signs, Outline Lighting and Marquees</u> –</p> <p>For signs, outline lighting systems or marquees sized by amps (AMPS)</p> <p><u>Services</u> –</p> <p>Meter Loop & Service sized by Amps</p> <p><u>Miscellaneous Apparatus, Conduits, and Conductors</u> –</p> <p>For electrical Apparatus, conduits, and conductors for which a permit is required by for which no fee is herein set forth, sized by circuit amps (AMPS)</p> <p><i>(Note: the fee is not applicable when a fee is paid for one or more service, outlets, fixtures, appliances, power apparatus, busways, signs, or other equipment.)</i></p>	<p>2.50</p> <p>286.00</p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>1.14</p> <p>1.43</p> <p></p> <p>250.00</p> <p></p> <p>19.07</p> <p></p> <p>0.95</p> <p></p> <p>14.30</p> <p></p> <p></p>
	<p>Electrical Other Inspections and Fees:</p> <p>Inspections outside of normal business hours per hour (minimum charge 2.5 hours)</p>	<p>286.00*</p> <p>286.00*</p>

	<p>Re-inspection fees assessed under provisions of Section 13.01.305.8, per Inspection</p> <p>Inspections for which no fee is specifically indicated per hour (minimum charge one hour)</p> <p>Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)</p> <p>*Or the hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.</p>	<p>286.00*</p> <p>286.00*</p>
13.18.050	<p>Factory Built Structures</p> <p>Set down fee</p> <p>Hook up fee included if done by modular contractor at time of set down</p> <p>Penalty (set down without permit)</p>	<p>100.00</p> <p>40.00</p>
13.25.310	Flood Plain Permit	100.00
13.33.050(K)	<p>Grading and Excavation Permit Fees</p> <p>Less than 50 cubic yards</p> <p>50 cubic yards or more/per CY*</p> <p>On-site only</p> <p>Hauled outside city limits</p> <p>Hauled from outside city limits to site</p> <p>Hauled from one site within city limits</p> <p>*Permit issuance fee</p>	<p>40.00</p> <p>0.05</p> <p>0.10</p> <p>0.15</p> <p>0.10</p> <p>25.00</p>

14.03.060	Text amendment to subdivision ordinance	500.00
14.05.030	Application for property line adjustment	200.00
14.06.030	Application for parcel split	200.00
14.07.010	Application for re-subdivision	300.00 + \$5.00 per lot
14.08.030	Application for minor subdivision (final plat)	300.00 + \$5.00 per lot
14.09.020	Application for major subdivision (final plat)	300.00
14.10.020	Application for cluster subdivision (final plat)	300.00
14.11.020	Application for preliminary subdivision review	500.00 + \$5.00 per lot
14.11.060	Preliminary plan variance request	250.00/variance
14.12.060	Review final construction plans-minimum	200.00 + \$10.00 per lot??
15.02.060	Zoning change	300.00
	Conditional use	300.00

Municipal
Code Section

Description of License, Fee, or Permit

Charge

	Development plan review	500.00 + \$10.00 per acre
	Appeal of administrative decision	300.00
	Text amendment to zoning ordinance	500.00
	Urban revitalization application	500.00 + \$15.00 per \$100,000 in value/maximum \$1,500.00
	Zoning variance application	300.00
	Comprehensive plan amendment	400.00
	Targeted Jobs Grant Management	1% of total award per monitoring year up to \$1,500/year
	Temporary Use Permit	150.00
	Zoning Compliance/verification letters	50.00
	Workforce Housing Tax Credit Application Fee	1,000.00 per unit
	Street, alley and public property vacation	200.00
	Acquisition of Alley property: 0-300 square feet 301 – 5,000 square feet Over 5,000 square feet	75.00 0.15 per square ft. 0.50 per square ft
	Acquisition of street property: 0-300 square feet 301 – 5,000 square feet Over 5,000 square feet	75.00 0.15 per square ft. 0.50 per square ft.
15.23.025	Parking lot of 10 stalls or less	30.00
	Parking lot greater than 10 stalls	30.00 for the first 10 stalls + 1.00 for each additional stall thereafter
16.09.020	Historic preservation - Certificate of Appropriateness	100.00
	Historic Preservation – Local landmark/historic district review	300.00
17.09.020	Rental Registration Fee (Annual) a. Single Family Dwelling b. Two Family Dwelling – Duplex c. Multi Family Dwelling d. Late fee for Non-Registration	71.00 95.00 106.00 130.00 51.00 47.50 and 35.50 77.00 per unit 25.00 per dwelling unit
	*(d.) 25.00 cap	
17.09.030	Rental Housing Re-Inspection Fee	

Municipal

Code Section

Description of License, Fee, or Permit

Charge

	2 nd Re-Inspection	100.00 per inspection
	3 rd and Subsequent Re-Inspection	100.00 per inspection
	No Show fee for missing a scheduled inspection	100.00
17.11.050	Housing Board of Appeals Filing Fee	50.00
17.15.050	Vacant Property Registration	300.00 per year

Resolution 25-118

A Resolution to adopt the current Schedule of Fees for 2025, Version 2, dated April 21, 2025.

WHEREAS, Update of the Schedule of Fees; and

WHEREAS, the City Clerk's office will maintain and update the Schedule of fees and will submit at a minimum an annual update; and

WHEREAS, it would be in the best interest of the City to adopt the current Schedule of Fees.

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

That the Schedule of Fees attached hereto and entitled Schedule of Fees 2025, Version 2, dated April 21, 2025, is hereby adopted and approved, and a copy shall be maintained and available for inspection in the City Clerk's office.

ADOPTED
AND
APPROVED

April 21, 2025

Matthew J. Walsh,

Mayor

Jodi Quakenbush,

City Clerk

Council Communication

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

Liquor Licenses
ITEM 8.A.

Council Action: 4/21/2025

Description

1. 1892 German Beer Haus, 142 West Broadway
2. Buffalo Wild Wings, 3701 Metro Drive
3. Dusty's Lounge, 1501 Avenue A
4. Godfather's Pizza, 3020 West Broadway
5. J&B's Lounge, 16 South 19th Street
6. Kikkers, 1503 Avenue C
7. T'z, 128 West Broadway

Background/Discussion

See attached calls for service.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Liquor Licenses	Other	4/16/2025

1892 German Beer Haus- LC0038380

Premise Street : 142 W Broadway

Application Number : App-219134

Class C Retail Alcohol License

> Application Type	Tentative Effective Date	Tentative Expiration Date	Application Status ?
Renewal	2025-05-01	2026-04-30	Pending Dramshop Review

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>✓</u>	Local Amt _____	
FIRE <u>✓</u>	Endorsed _____	
BUILDING <u>RS</u>	Issued <u>5-1-2025</u>	
ZONING _____	Expires <u>4-30-2026</u>	
	Council <u>4-21-2025</u>	

Buffalo Wild Wings: LC0036967

Premise Street : 3701 Metro Drive

Class C Retail Alcohol License

Application Number : App-217824

> Application Type
Renewal

Tentative Effective Date
2025-05-01

Tentative Expiration Date
2026-04-30

Application Status ?
Submitted to Local Authority

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>✓</u>	Local Amt <u>\$812.50</u>	
FIRE <u>✓</u>	Endorsed <u> </u>	
BUILDING <u>RS</u>	Issued <u>5-1-2025</u>	
ZONING <u> </u>	Expires <u>4-30-2026</u>	
	Council <u>4-21-2025</u>	

Dusty's Lounge- LC0037535

Premise Street : 1501 Avenue A

Application Number : App-218951

Class C Retail Alcohol License

>	Application Type	Tentative Effective Date	Tentative Expiration Date	Application Status ?
	Renewal	2025-04-15	2026-04-14	Submitted to Local Authority

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>✓</u>	Local Amt <u> </u>	
FIRE <u>✓</u>	Endorsed <u> </u>	
BUILDING <u>RS</u>	Issued <u>4-15-2025</u>	
ZONING <u> </u>	Expires <u>4-14-2026</u>	
	Council <u>4-21-2025</u>	

Godfather's Pizza- BW0094490

Premise Street : 3020 West Broadway

Application Number : App-218495

Special Class C Retail Alcohol License

>	Application Type Renewal	Tentative Effective Date 2025-05-20	Tentative Expiration Date 2026-05-19	Application Status ? Submitted to Local Authority
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<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>✓</u>	Local Amt	<u>\$337.50</u>
FIRE <u>✓</u>	Endorsed	<u> </u>
BUILDING <u>RS</u>	Issued	<u>5-20-2025</u>
ZONING <u> </u>	Expires	<u>5-19-2026</u>
	Council	<u>4-21-2025</u>

J & B's Lounge- LC0033876

Premise Street : 16 S. 19th St.

Application Number : App-217705

Class C Retail Alcohol License

>	Application Type Renewal	Tentative Effective Date 2025-05-26	Tentative Expiration Date 2026-05-25	Application Status ? Submitted to Local Authority
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<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>✓</u>	Local Amt	<u>\$812.50</u>
FIRE <u>✓</u>	Endorsed	<u> </u>
BUILDING <u>TS</u>	Issued	<u>5-26-2025</u>
ZONING <u> </u>	Expires	<u>5-25-2026</u>
	Council	<u>4-21-2025</u>

Kikkers LC0040780

Premise Street : 1503 Avenue C

Class C Retail Alcohol License

Application Number : App-217966

>	Application Type	Tentative Effective Date	Tentative Expiration Date	Application Status ?
	Renewal	2025-04-08	2026-04-07	Submitted to Local Authority

<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>✓</u>	Local Amt	<u>\$812.50</u>
FIRE <u>✓</u>	Endorsed	<u> </u>
BUILDING <u>KS</u>	Issued	<u>4-8-2025</u>
ZONING <u> </u>	Expires	<u>4-7-2026</u>
	Council	<u>4-21-2025</u>

T'z-LC0036142

Premise Street : 128 W. Broadway

Application Number : App-218391

Class C Retail Alcohol License

>	Application Type Renewal	Tentative Effective Date 2025-05-13	Tentative Expiration Date 2026-05-12	Application Status ? Pending Dramshop Review
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<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>✓</u>	Local Amt _____	
FIRE <u>✓</u>	Endorsed _____	
BUILDING <u>RS</u>	Issued <u>5-13-2025</u>	
ZONING _____	Expires <u>5-12-2026</u>	
	Council <u>4-21-2025</u>	

CBPD ALCOHOL PERMIT RENEWAL REVIEW

	ESTABLISHMENT	ADDRESS	OWNER	RENEWAL DATE
1.	1892 German Beer Haus	142 W Broadway		
2.	Buffalo Wild Wings	3701 Metro Dr		
3.	Dusty's lounge	1501 Ave A		
4.	Godfathers Pizza	3020 W Broadway		
5.	J&B's Lounge	16 S 19th		
6.	Kikkers	1503 Ave C		
7.	T'z	128 W Broadway		

	CITATIONS	CFS*	NEXUS*	GREEN*	YELLOW*	RED*	
1.	0	4	0		X		*CFS - Calls in the area, establishment mentioned
2.	0	4	4	X			*Nexus - Calls originated at establishment
3.	0	5	7		X		
4.	0	5	2	X			
5.	0	2	1		X		*Green - No issues
6.	0	0	7	X			*Yellow - Minor issues
7.	0	2	1	X			*Red - Major issues

COMMENTS

*Additional information relating to the CFS can be made available upon request

SIGNATURE Mark Galvan

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Time: 10:00 AM
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