

**AGENDA**  
**City of Carter Lake**  
**Regular City Council Meeting**  
**City Hall – 950 Locust St.**  
**Monday, February 18, 2019 AT 7:00 P.M.**

- I. Pledge Of Allegiance
- II. Roll Call
- III. Approval Of The Agenda
  - A. Additions
  - B. Deletions
- IV. Consent Agenda
- V. New Business
  - A. TSL Project
  - B. Approve Edward Snodgrass for Fire Department Membership
  - C. Communications From Public
    - a. No request received
  - D. Communications From
    - 1. Department Supervisors
    - 2. Mayor Ron Cumberledge
      - a. Citizen of the Year
    - 3. Pat Paterson
      - a. Corner of Abbott and Locust Street
      - b. Review Nuisance Ordinance
    - 4. City Attorney – Michael O’Bradovich
      - a. Final language to vacate 40 feet of 17<sup>th</sup> Street
    - 5. City Clerk Jackie Stender
      - a. Set budget hearing
    - 6. Planning Board – Ray Pauly
- VI. Ordinances and Resolutions
  - A. 3<sup>rd</sup> Reading of amendment to Ordinance regarding building height restrictions
  - B. 2<sup>nd</sup> Reading of amendment to the Fireworks Ordinance
  - C. Resolution to approve Tax Abatement for 116 Shoreline Drive
  - D. Resolution to approve transfer of funds
- VII. Comments Mayor, City Council And Public (3 Minutes)
- VIII. Executive Session to discuss litigation and real estate transaction 21.5 (1)(c)(j)
- IX. Adjourn

**CONSENT AGENDA**

1. City Council Minutes
2. Planning Board Minutes
3. Abstract of Claims for Approval – January
4. Receipts for Approval - January
5. Overtime and Comp time reports – January
6. Financial Reports as submitted to the council – January
7. Department Head Reports – January

CARTER LAKE CITY COUNCIL MEETING  
MONDAY, JANUARY 21, 2019

Meeting called to order by Mayor Ron Cumberledge at 7:00 p.m. The meeting opened with the Pledge of Allegiance. The Mayor called the roll of the Council, present: Pat Paterson, Jason Gundersen and Jackie Wahl; Absent was Frank Corcoran and Aaron Grell.

The Agenda was reviewed with no additions or deletions, upon motion duly made by Paterson, and seconded by Gundersen, the Agenda was approved. The motion was passed unanimously. Upon motion of Gundersen and seconded by Wahl, the consent agenda was approved unanimously.

New Business:

Gundersen moved to approve liquor license for Carter Lake Improvement Club, seconded by Paterson. Paterson moved to approve liquor license for Kwik Shop, seconded by Wahl. Both motions were approve unanimously.

Mayor Cumberledge requested the council support to reappoint Michael O'Bradovich as City Attorney. Paterson moved to approve the appointment, seconded by Gundersen. Motion was approved unanimously. Mayor would like to pursue the installation of tourist oriented directional signage. Wahl moved to send to the Planning Board for recommendation, seconded by Paterson. Motion was approved unanimously. Mayor request to have Avenue J designated as an alley. The City Attorney agreed that the Planning Board should make a recommendation. Alleys are 20 feet wide and the city will have to maintain an easement for existing utilities. Gundersen moved to send to the Planning Board for recommendation, seconded by Wahl. Motion was approved unanimously.

Councilman Paterson is still concerned with the storage taking place on the corner of Abbott Drive and Locust St. The City of Omaha zoning does allow for the property to be used as industrial, does that include storage? Carter Lake does not allow storage in the C/L zoning district, and a triangle section of that property is within Carter Lake. Pat asked Mike to research the matter and provide a memo on his findings. Paterson is also interested in amending the nuisance ordinance to include clear definitions for storage of construction supplies and materials and completion of projects. Clerk presented information to the Council to move forward with liens and assessment with the Department of Administrative Services through the Statewide Offset Program.

The proposal to be considered is raising the height requirement of buildings in the non-residential zoning areas of Carter Lake from thirty-five (35) feet to fifty-five (55) feet. The current height limitation for residential districts would remain at thirty-five (35) feet. Upon motion made by Gundersen to approve the 2<sup>nd</sup> reading of the proposed amendment to the ordinance regarding height restrictions, seconded by Wahl; Motion approved unanimously.

Upon motion made by Gundersen and seconded by Paterson, the council approves the 1<sup>st</sup> reading of amendment to the Fireworks ordinance. The amendment includes a calendar of when the discharge of fireworks would be allowed each year based on the day of the week the 4<sup>th</sup> falls on. Copy available at City Hall. Paterson moved to approve the wage resolution for Jacob Huscroft, seconded by Gundersen, motion was approved unanimously. Gundersen moved to approve the wage resolution for Timothy Walton, seconded by Wahl, motion was approved unanimously. Gundersen moved to approve the resolution for security agreement with Prairie Flower Casino, seconded by Wahl, motion was approved unanimously. Peterson moved to approve the resolution to adoption Pottawattamie County Hazard Mitigation Plan, seconded by Wahl, motion was approved unanimously. Gundersen moved to approve the filing of liens with DAS State Offset Program, seconded by Paterson, motion was approved unanimously.

Meeting adjourned at 7:35.

Jackie Stender  
Carter Lake City Clerk

## PLANNING BOARD MEETING

Monday, February 11, 2019 7:00 P.M.

The Planning Board meeting was called to order at 7 p.m. by chairman Kathy Dueling.

Roll Call: Present: Kathy Dueling, Ed Palandri, Ray Pauly, Nate Bradburn; Absent: Jay Gundersen, Tim Podraza and Scott Crowder. Inspector Lem Sheard is also present, Clerk Stender was absent.

Pauly moved to approve of the agenda, seconded by Bradburn; Unanimous approval. Palandri moved to table the consent agenda, seconded by Bradburn

Concerning the application from Prairie Flower Casino for a sign in front of the business.

Palandri moved to request that the applicant resubmit a sign that is compliant with the sign regulations as far as the setback from the public right of way and also for the height and size of the sign; also resubmit a site plan that shows the location and orientation of the sign, seconded by Bradburn. Unanimous approval.

TranSpec Leasing, Inc. aka TSL was represented by Tom Hastings, owner of TSL Companies along with the company's engineer of record.

Palandri presented the following motion

1. The Planning Board is conceptually in support of what TSL is proposing to do at the facility
2. Applicant shall obtain concurrence from the Mayor and City Council that they also support the project moving forward
3. To request advice from City Attorney as far as how to address the type of operation and whether we expand the definition of transportation terminal and include that type of operation or we create a definition under the agricultural industries to include that type of business operation
4. The applicant will revise the type of structure they are proposing, sheltered quonset hut to at least to a pre-engineered building with foundations that go below frost that complies with the building zoning regulations. If applicant is going to ask for an exceptions to the building or architectural requirements, to let us know in advance what those exceptions are going to be.
5. When it comes time to submitting the permitted plans, the plans be prepared and sealed by an architect or engineer that will include site plan civil structural plans, including mechanical, electrical and conveying systems along with any other information we need to have for a complete permit package.

Bradburn moved to approve the motion. Unanimous approval was received.

The Mayor requested the board to review the idea of tourist oriented directional signage. Nate and Kathy suggested that the Mayor be allowed to make these decisions. Ray stated that the current ordinances do not allow for this type of signs and we can't just allow someone to change ordinance. Ordinance does not allow off site signage, we need to follow the ordinance. Nate believed the spirit of the request was for temporary signage. Would like to see more clear language on the intent of the ordinance. Would like to see some more details on what the Mayor is requesting. Kathy understood that the current

casino signs would be taken down after the casino's permanent sign is installed. Pauly moved to table until more information can be provided to the board, seconded by Bradburn. Unanimous approval.

Discussed reclassifying Avenue J as an alley, the board did not know what the intent was to vacate and would like more information. Bradburn moved to not vacate or narrow the street with the future potential needs of the city actually using the street again, seconded by Pauly. Roll Call: Yes: Bradburn, Pauly, Palandri; No: Dueling.

The comprehensive plan review, waiting for the council to get involved, Jackie will make it part of a Council workshop once the budget process is wrapped up.

With no further comments, Pauly moved to adjourned seconded by Bradburn at 8:53 p.m.

---

Kathy Dueling, Chairman

---

Jackie Stender, City Clerk

Library Board Meeting  
Brooks-Fennell Multi-Purpose Room  
January 28, 2019  
6:00 p.m.

Attendees: Delbert Settles Viki Hawkins, Bonnie Freeman, Patti Midkiff, Victor Skinner. Library Director, Theresa Hawkins and Assistant Director Genevieve Hawkins. Absent Jo Chullino and Tyke Darveaux.

Bonnie called the meeting to order.

Minutes: Patti made the motion to accept the minutes. Victor seconded. Motion passed.

Financial Report: Viki made the motion to accept the December 2018 financial report from the city. Delbert seconded. Motion passed.

Action on Bills: Delbert made the motion to approve the bills. Viki seconded. Motion passed.

Librarian' Report: Patti made the motion to accept the report. Victor seconded. Motion passed.

November and December 2018 statistics

Theresa worked on and did research into other Iowa library circulation policies.

Got bids for current and future library projects.

Worked on 2019/2020 budget.

Genevieve will start Public Library Management 2 classes on April 1, 2019 at the Johnson public Library. Other classes are online Mondays, April 8 through May 20, from 9:00 am to noon.

Ordered new little libraries for installation in spring.

Library 2018 usage statistics	yearly	weekly	daily
Door Count	12287	236	39
Circulation	10605	203	34
Patron Computer Usage	2263	44	7
WIFI usage	1443	27	4.5
Reference	560	10	1.5
Periodicals	1270	24	4
Makerspace (May 2018)	487		
New Adult Cards	74		
New Juvenile Cards	66		

Unfinished Business:

Bathrooms – Bathroom updates are completed.

Painting – Painting has started in both bathrooms/doors, teen area, touch-up in the circulation area, and drop box.

Outside door to the multi-purpose room will be painted in the spring or when weather permits.

Library Policy – e-mail sent to the mayor and council and copy of the policy was forwarded (mayor) to the city attorney.

Any workshop with the council will be after budget workshops are over. If the library board has not heard from the council by the March 25, 2019 Board of Trustee meeting – the Board will adopt a policy.

New Business:

Cleaning Service – The Board members present looked at the two bids received and asked that the library director get at least another bid before the February 25, 2019 meeting. Will make a decision when majorities of the voting trustees are present. Get 2 more bids for floor in the multi-purpose room.

Viki made the motion to adjourn. Victor seconded. Meeting adjourned 6:55 p.m.

Submitted

Viki Hawkins, Secretary

January 31, 2019

## Senior Center Monthly Report for January 2019

Meals served 590

Volunteer Hours Performed 31

Activity Reports Attached

Needs for Center-

Meetings—Site Council Meeting at Center was held on Jan.16th

Break down of meals= We served 590 meals in 20 days, 190 in house, 400 were homebound that avg. about 29.5 meals per. day. We were closed 3 days One Holiday Two bad weather days. We had 16 people for bingo night.

MONTHLY SENIOR CENTER ACTIVITY REPORT  
SOUTHWEST 8 SENIOR SERVICES, INC.  
3319 NEBRASKA AVENUE  
COUNCIL BLUFFS, IOWA 51501

NIOR CENTER: Carter Lake DATE Jan. ~~2018~~ 2019  
 ANAGER'S SIGNATURE Quinn Tui

Date	Nutrition Program/Topic	Program Length	# Persons Attending
1-9	What is a calorie	1.0	8
1-23	Butter or Margarine	1.0	10

Date	Nutrition Handouts for Homebound Participants/Topic	# Sent
1-10	What is a calorie	22
1-10	Butter or Margarine	22

Date	Wellness Programs/Topic-Blood Pressure, Exercise, etc.	Program Length	# Persons Attending
1-4	Flex Class	1.0	14
1-11	Flex class	1.0	14
1-18	Flex class	1.0	17
1-21	Angels / Blood Pressure	1.0	13
1-25	Flex class	1.0	15
		5.0	73

TOTALS

(OVER)





**MONTHLY SENIOR CENTER ACTIVITY REPORT**  
**SOUTHWEST 8 SENIOR SERVICES, INC.**  
 3319 NEBRASKA AVENUE  
 COUNCIL BLUFFS, IOWA 51501

SENIOR CENTER: Carter Lake DATE           

MANAGER'S SIGNATURE Quinn T. T.

Date	Nutrition Program/Topic	Program Length	# Persons Attending

Date	Nutrition Handouts for Homebound Participants/Topic	# Sent

Date	Wellness Programs/Topic: Blood Pressure, Exercise, etc.	Program Length	# Persons Attending
1-14	Cards	1.5	7
15	Game Day	1.5	13
16	Site Council / Cards	1.5	4
17	Cards	1.5	8
	Bingo Night	2.0	16
18	Cards	1.5	9
	Bingo	1.5	14
21	Angels CC	1.5	4
23	Cards	1.5	10
<b>TOTALS</b>			<b>89</b>

14.0

89



# **Carter Lake Fire Department Monthly Report**

## **Proudly Serving since 1956**

**Department Head: Chief Eric Bentzinger**

**Report done by: Coordinator Phillip Newton**

**Contact information: Station # 712-347-5900**

**Email: [clfire@carterlake-ia.gov](mailto:clfire@carterlake-ia.gov)**

**\*\*\* Check us out on Facebook—Carter Lake Fire & Rescue \*\*\*\***

**Month: January 2019**

### **Budget Performance:**

### **Continuous Issues:**

**Employee and Organization Development: 4 members attending Iowa fire school later this month.**

**Pancake Breakfast: Pancake Breakfast is May 5th, 2019 at the Fire Station**

1- 8	Meetings:	6:30-Done	Officers: 9 members, Mass: 26 members, Smoke Eaters, 18 members
1-5	Fire training:	9-noon	Trucks/equipment 8 members
1-15	Fire training:	7-10pm	No Class
1- 22	EMS Meeting/training:	7-10pm	No class

**Safety and Response Report:** Please see safety minutes attached to email

**Safety Committee:** Next Safety Meeting is March 6th - 13:00 at City Hall.

Total Calls for the month:	2018 – 494 Total Calls	2016 – 384 Total Calls	2015 – 367 total calls
	2017 – 484 Total Calls	2014 – 372 Total calls	

EMS (ambulance) calls: 26

Fire/Other calls: 9

**Other:** Additional Information for Mayor, City Council & Citizens:

1. Looking for In Town Volunteers, Call Phill at station number listed above
2. 2nd Annual Fish Fry fundraiser is March 29<sup>th</sup> from 4:30 – 8:00pm at the fire station. Thanks everyone for attending our Frenchie and soup fundraiser.
3. New Breakfast schedule starting in October. Public breakfasts will now be 3 times a year for the public. Breakfasts will be in February, May & October. We will also continue to do the breakfast in July for pancakes in the park. This will be held only in the park and only for the attendees of the church service.

Meeting Date: \_\_\_\_\_ Location: \_\_\_\_\_

Location: \_\_\_\_\_


[illegible][illegible]

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

# SAFETY ACTION PLAN

Assignment Number	Assignment
Person Responsible	
Estimated Completion Date	
Completion Date	
Assignment Number	Assignment
Person Responsible	
Estimated Completion Date	
Completion Date	
Assignment Number	Assignment
Person Responsible	
Estimated Completion Date	
Completion Date	
Assignment Number	Assignment
Person Responsible	
Estimated Completion Date	
Completion Date	
Assignment Number	Assignment
Person Responsible	
Estimated Completion Date	
Completion Date	

**OVERTIME AND COMPTIME REPORT**

January 25, 2019

**MAINTENANCE OVERTIME**

PHILIP BUCHANAN

		<b><u>HOURS</u></b>	<b><u>AMOUNTS</u></b>
01/12/19	Snow removal	11 1/2	238.57
01/14/19		3/4	15.56
01/17/19		1/4	5.19
01/18/19		3/4	15.56
01/20/19	Snow removal	2 1/4	46.68
01/21/19	Snow removal	1 1/2	31.12
01/22/19		2 1/2	51.86
01/24/19	Finished replacing lights in council chambers	1	20.75
		<u>20 1/2</u>	<u>\$ 425.27</u>

BRIAN KRUG

01/18/19	Snow removal	3/4	15.38
01/22/19	Snow removal	4	82.04
		<u>4 3/4</u>	<u>\$ 97.42</u>

STANLEY OLSEN

01/12/19	Snow removal	8 1/2	274.13
01/15/19	Locates	1 1/4	40.31
01/20/19	Salt & Sand	2	64.50
01/22/19	Snow removal	4 1/2	
01/24/19	Snow removal	1 1/4	40.31
		<u>17 1/2</u>	<u>\$ 419.25</u>

RANDY SMITH

01/12/19	Snow removal	5 1/4	123.17
01/14/19		1/4	5.87
01/18/19	Snow removal	1	23.46
01/20/19	Snow removal	2	46.92
01/22/19	Snow removal	4 1/4	99.71
01/23/19	Snow removal	1/2	11.73
		<u>13 1/4</u>	<u>\$ 310.85</u>

**TOTAL MAINT OVERTIME:****51 1/4      \$ 1,155.37****POLICE OVERTIME**

JOSH DRISCOLL

01/24/19	Training	3 1/4	\$ 146.06
----------	----------	-------	-----------

MAXWELL EDMONDS

01/18/19	Early call w/ 909	1/4	\$ 8.64
----------	-------------------	-----	---------

MATT OWENS

01/14/19	Random drug test	2	74.46
01/22/19	Training	4 1/4	158.23
1/12 to 1/25	1/2 hr x 5 days / Dog Maintenance	2 1/2	93.08
		<u>8 3/4</u>	<u>\$ 325.76</u>

MATTHEW SEWING

01/23/19	Training	2 1/2	\$ 86.38
----------	----------	-------	----------

ADAM SWINARSKI

01/14/19	Late call - reports	1/2	17.69
01/22/19	Training	5	172.73
01/24/19	Late call - reports	3/4	26.53
		<u>6 1/4</u>	<u>\$ 216.94</u>

**TOTAL POLICE OVERTIME:****21      \$ 783.77****PARKS DEPT OVERTIME**

RONNIE FISHER

		<b><u>HOURS</u></b>	<b><u>AMOUNTS</u></b>
01/12/19	Snow removal	6 3/4	162.00
01/19/19	Snow removal	3	72.00
		<u>9 3/4</u>	<u>\$ 234.00</u>



**OVERTIME AND COMPTIME REPORT**

January 25, 2019

**PARKS DEPT OVERTIME CONTINUED**

MARK MURRAY

01/12/19	Snow removal	9	283.50
01/15/19		1/4	7.88
01/19/19	Snow removal	3	94.50
01/21/19	Snow removal	1 1/4	39.38
01/22/19		1/4	7.88
01/23/19		1/4	7.88
01/24/19		1/4	7.88
		<u>14 1/4</u>	<u>\$ 448.88</u>

<b>TOTAL PARKS OVERTIME:</b>	<b>24</b>	<b>\$ 682.88</b>
------------------------------	-----------	------------------

<b>TOTAL ALL OVERTIME:</b>	<b>96 1/4</b>	<b>\$ 2,622.01</b>
----------------------------	---------------	--------------------

**COMPTIME EARNED:****HOURS**

GARY CHAMBERS

01/24/19	Training	1 1/2
01/25/19	Training	1 3/4
		<u>3 1/4 = 5</u>

MAX EDMONDS

01/22/19	Training	4 = 6
----------	----------	-------

RYAN GONSIOR

01/22/19	Training	4 1/2 = 6 3/4
----------	----------	---------------

JACOB HUSCROFT

01/13/19	Called in early and stayed late	1 = 1 1/2
----------	---------------------------------	-----------

MATTHEW SEWING

01/12/19		3/4 = 1 1/4
----------	--	-------------

<b>TOTAL COMPTIME EARNED:</b>	<b>20 1/2 HRS</b>
-------------------------------	-------------------

**COMPTIME USED:****HOURS**

JACOB HUSCROFT

01/22/19		3
----------	--	---

MARCOS MARQUEZ

01/16/19		3
01/22/19		5
01/23/19		5
		<u>13</u>

MATTHEW SEWING

01/25/19		10
----------	--	----

<b>TOTAL COMPTIME USED:</b>	<b>26 HRS</b>
-----------------------------	---------------

**COMPTIME BALANCES:****HOURS**

GARY CHAMBERS

11 3/4

JOSH DRISCOLL

3/4

MAX EDMONDS

11

RYAN GONSIOR

41

JACOB HUSCROFT

25 1/2

MARCOS MARQUEZ

6 3/4

MATT OWENS

19 1/4

MATTHEW SEWING

48 3/4

<b>TOTAL COMP BALANCES:</b>	<b>164 3/4</b>
-----------------------------	----------------

**ADMIN BALANCES:****HOURS**

SHAWN KANNEDY

80

<b>TOTAL ADMIN BALANCES:</b>	<b>80</b>
------------------------------	-----------

**OVERTIME AND COMPTIME REPORT**

January 11, 2019

**MAINTENANCE OVERTIME**

PHILIP BUCHANAN

	<u>HOURS</u>	<u>AMOUNTS</u>
01/02/19	1/4	5.19
01/09/19	1/2	10.37
01/10/19	1/2	10.37
01/11/19	1/2	10.37
	<u>1 3/4</u>	<u>\$ 36.30</u>

STANLEY OLSEN

01/09/19	Sewer on Cachelin	2	\$ 64.50
----------	-------------------	---	----------

RANDY SMITH

01/11/19		1 1/2	\$ 35.19
----------	--	-------	----------

**TOTAL MAINT OVERTIME:****5 1/4      \$ 135.99****POLICE OVERTIME**

GARY CHAMBERS

		<u>HOURS</u>	<u>AMOUNTS</u>
01/01/19	Worked holiday	8	342.48
01/04/19	Zuercher Meetings	3	130.91
01/08/19	Zuercher training	1	43.64
01/09/19	Zuercher training	2	85.62
01/10/19		9	385.29
		<u>23</u>	<u>\$ 987.93</u>

JOSH DRISCOLL

01/10/19		5	\$ 224.70
----------	--	---	-----------

MAXWELL EDMONDS

12/31/18		1	35.52
01/01/19	Worked holiday	10	345.45
		<u>11</u>	<u>\$ 380.97</u>

JACOB HUSCROFT

01/02/19		1/2	\$ 17.27
----------	--	-----	----------

MATT OWENS

01/01/19	Worked Holiday	10	372.30
01/02/19		1 3/4	66.86
12/29 to 1/11	1/2 hr x 6 days / Dog Maintenance	3	111.69
		<u>14 3/4</u>	<u>\$ 550.85</u>

ADAM SWINARSKI

01/01/19	Worked holiday	10	\$ 345.45
----------	----------------	----	-----------

**TOTAL POLICE OVERTIME:****64 1/4      \$ 2,507.17****LIBRARY OVERTIME:**

GENEVIEVE HAWKINS

01/04/19		1/2	11.25
----------	--	-----	-------

**TOTAL LIBRARY OVERTIME:****1/2      \$ 11.25****TOTAL ALL OVERTIME:****70      \$ 2,654.42****COMPTIME EARNED:**

GARY CHAMBERS

		<u>HOURS</u>
01/06/19	Cover shift	1
01/11/19		3 1/2
		<u>4 1/2 = 6 3/4</u>

RYAN GONSIOR

01/01/19	Holiday hours	8 = 8
01/02/19		1/2 = 3/4
01/10/19		1/2 = 3/4
		<u>9 1/2</u>

**OVERTIME AND COMPTIME REPORT**

January 11, 2019

**COMPTIME EARNED CONT.:****HOURS**

MARCOS MARQUEZ

01/01/19 Holiday hours

8 = 8

MATTHEW SEWING

01/01/19 Holiday hours

8 = 8

01/11/19

1/2 = 3/48 3/4**TOTAL COMPTIME EARNED:****33 HRS****COMPTIME USED:****HOURS**

MAXWELL EDMONDS

01/09/19

2

01/10/19

2

4

RYAN GONSIOR

12/31/18

10

01/03/19

10

20

MARCOS MARQUEZ

01/02/19

2

01/09/19

4

6

**TOTAL COMPTIME USED:****30 HRS****COMPTIME BALANCES:****HOURS**

GARY CHAMBERS

6 3/4

JOSH DRISCOLL

3/4

MAX EDMONDS

5

RYAN GONSIOR

34 1/4

JACOB HUSCROFT

27

MARCOS MARQUEZ

19 3/4

MATT OWENS

19 1/4

MATTHEW SEWING

57 1/2

ADAM SWINARSKI

0**TOTAL COMP BALANCES:****170 1/4****ADMIN BALANCES:****HOURS**

SHAWN KANNEDY

80

**TOTAL ADMIN BALANCES:****80**

## Jackie Stender

---

**From:** Carter Lake Fire Department  
**Sent:** Monday, February 11, 2019 11:41 AM  
**To:** Aaron Grell; Frank Cocoran; Frank Corcoran; Jackie Stender; Jackie Wahl; Jason Gundersen; Lisa Ruehle; Pat Paterson; Pat Paterson; Ronald Cumberledge; Ron Cumberledge (rcumberledge@cox.net)  
**Subject:** new fire applicant

Hi Jackie

Please get Edward Snodgrass on the agenda for this months meeting. He is a new fire dept applicant that lives here in Carter Lake down in Shoal area and has some firefighting experience when he was in the military. Thanks so much.

Phillip J. Newton  
Fire Department & Safety Coordinator

Carter Lake, Iowa Fire Department  
950 Locust Street  
Carter Lake, Iowa 51510  
[clfire@carterlake-ia.gov](mailto:clfire@carterlake-ia.gov)  
Station # 712-347-5900  
Cell# 402-657-8976

**ORDINANCE - PROPOSED**  
**AN ORDINANCE VACATING FORTY FEET OF THE CITY RIGHT-OF-WAY OF 17<sup>th</sup>**  
**STREET, CARTER LAKE, IOWA**  
BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF CARTER LAKE, IOWA

SECTION 1. The following described City Right of Way in Carter Lake, Iowa, shall be hereby vacated and closed from public use:

Part "A"

Legal Description:

The south 6 feet of Lot 7 all of Lots 8, 9, 10, and 11, the south 6 feet of Lot 19 all of Lots 20, 21, 22, and 23 all in Block 26 of Wavecrest Addition to Carter Lake, Pottawattamie County, Iowa containing 0.5756 acre and

Parcel C being a portion of vacated street right of way more particularly described as follows:

Beginning at the southwest corner of Lot 11, Block 26 of Wavecrest Addition to Carter Lake, Iowa thence N89°03'34"W 40.0 feet, thence N0°30'42"E 165.74 feet, thence S89°49'30"E 40.0 feet to the west line of Block 26, Wavecrest Addition, Thence along the west line of Block 26, Wavecrest Addition S0°30'42"W 166.28 feet to the southwest corner of Lot 11, Block 26 of Wavecrest Addition and point of beginning containing 6640.5 square feet.

Part "B"

Legal Description:

Lot 6 and the north 34 feet of Lot 7, Lot 18 and the north 34 feet of Lot 19 all in Block 26 of Wavecrest Addition to Carter Lake, Pottawattamie County, Iowa containing 0.2546 acre and

Parcel B being a portion of vacated street right of way more particularly described as follows:

Beginning at the northwest corner of Lot 6, Block 26 of Wavecrest Addition to Carter Lake, Iowa thence N89°03'34"W 40.0 feet, thence S0°30'42"W 74.0 feet, thence S89°49'30"E 40.0 feet to the west line of Block 26, Wavecrest Addition, Thence along the west line of Block 26, Wavecrest Addition N0°30'42"E 74.0 feet to the northwest corner of Lot 6, Block 26 of Wavecrest Addition and point of beginning containing 2960.0 square feet.

Part "C"

Legal Description:

Lots 1, 2, 3, 4 and 5 and Lots 14, 15, 16 and 17 all in Block 26 of Wavecrest Addition to Carter Lake, Pottawattamie County, Iowa containing 0.6382 acre and

Parcel A being a portion of vacated street right of way more particularly described as follows:

Beginning at the southwest corner of Lot 5, Block 26 of Wavecrest Addition to Carter Lake, Iowa thence N89°49'30"W 40.0 feet, thence N0°28'38"E 199.93 feet, thence S89°31'22"E 40.0 feet to the west line of Block 26, Wavecrest Addition, thence along the west line of Block 26, Wavecrest Addition S0°34'39"W 119.63 feet, thence continuing along the west line of Block 26, Wavecrest Addition S0°19'37"W 80.04 feet to the southwest corner of Lot 5, Block 26 of Wavecrest Addition and point of beginning containing 7972.3 square feet.

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

SECTION 3. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

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

## PROPOSED CHANGE TO HEIGHT RESTRICTIONS IN THE ZONING CODE

The proposal to be considered is raising the height requirement of buildings in the non-residential zoning areas of Carter Lake from thirty-five (35) feet to fifty-five (55) feet. The current height limitation for residential districts would remain at thirty-five (35) feet.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND TITLE 48 CARTER LAKE PUBLIC HEALTH AND SAFETY OF THE 2013 MUNICIPAL CODE OF CARTER LAKE, IOWA, BY AMENDING “SECTION 48.04 (1).”

*PROPOSED BY GUNDERSEN JANUARY 2019*

**BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF CARTER LAKE, IOWA**

**SECTION 1.** That Title 48 “CARTER LAKE Fire Code of the 2013 Municipal Code of CARTER LAKE, Iowa, be and the same is hereby enacted by amending “Section 48.04 (1) to read as follows:

**48.04(1) amended.**

Fireworks: The use of fireworks within the City limits are prohibited.

Exceptions: The discharging of consumer fireworks (as defined in the newly adopted Section 110.19 of the Code of Iowa) that are permitted to be sold within the state of Iowa shall be permitted from July 1 of each year under the following schedule:

*When July 1st falls on a Friday, fireworks may be discharged through July 4 during the permitted hours which shall start at 12:00 p.m. and end at 11:00 p.m. each day,*

*When July 1st falls on a Saturday, fireworks may be discharged through July 4 during the permitted hours which shall start at 12:00 p.m. and end at 11:00 p.m. each day,*

*When July 1st falls on a Sunday, fireworks may be discharged through July 7 during the permitted hours which shall start at 12:00 p.m. and end at 11:00 p.m. each day,*

*When July 1st falls on a Monday, fireworks may be discharged through July 6 during the permitted hours which shall start at 12:00 p.m. and end at 11:00 p.m. each day,*

*When July 1st falls on a Tuesday, fireworks may be discharged through July 5 during the permitted hours which shall start at 12:00 p.m. and end at 11:00 p.m. each day,*

*When July 1st falls on a Wednesday, fireworks may be discharged through July 4 during the permitted hours which shall start at 12:00 p.m. and end at 11:00 p.m. each day,*

*When July 1st falls on a Thursday, fireworks may be discharged through July 4 during the permitted hours which shall start at 12:00 p.m. and end at 11:00 p.m. each day, and*

fire works may be discharged each year from December 31 starting at 12:00 p.m. to 12:30 a.m. on January 1 of the following year.

Restriction as to age. Consumer fireworks that are identified as being class one or class two may only be discharged by individuals that are 18 years of age and older. Fireworks that are classified as novelties (APAS 87-1) may be discharged by individuals 5 years of age and older but only when supervised by an adult.

Restrictions as to locations. An individual shall not use consumer fireworks on real property other than that individual's real property or on real property of a person who has consented to the use of consumer fireworks on that property.

No fireworks shall be permitted to be discharged in areas zoned C-3/Commercial District or C-4/Commercial District at any time.

No individual shall discharge any consumer fireworks within 75 feet of another person or within 30 feet of a structure.

Restrictions due to drought conditions. No person shall discharge consumer fireworks at any time when Pottawattamie County has issued a burn ban.

Penalty: Any discharging of the above referenced consumer fireworks outside of the excepted dates, hours or locations or under conditions restricted above shall be deemed a simple misdemeanor and shall be punishable by a fine of not less than \$250.00.

**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:

\_\_\_\_\_, 2019.



RESOLUTION NO. \_\_\_\_\_

WHEREAS, the City of Carter Lake, Iowa, has declared by resolution and designation by ordinance an area of the City of Carter Lake, Iowa, as meeting the criteria for an Urban Revitalization Area, authorized by Chapter 404 of the Code of Iowa; and

WHEREAS, the City Council has approved an Urban Revitalization Plan for the Area; and,

WHEREAS, the property is located within the Carter Lake Urban Revitalization Area, as legally described on the attached application; and,

WHEREAS, the proposed improvements would be in conformance with the approved plan; and,

WHEREAS, Stephen and Tabitha Rau owner of record, requests prior approval for eligibility for tax exemption for the proposed improvements as indicated on the attached application.

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

THAT, the City Council hereby approve the request for prior approval for eligibility for tax exemption for the proposed improvements as indicated on the attached application; and

BE IT FURTHER RESOLVED:

THAT, such prior approval shall not entitle the owner to exemption from taxation until the owner apply for exemption on improvements in the year the improvements, partial or complete, are first assessed for taxation.

PASSED AND APPROVED THIS 18<sup>th</sup> DAY OF FEBRUARY 2019.

\_\_\_\_\_  
Ronald Cumberledge, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Stender – City Clerk

EXHIBIT 6

APPLICATION FOR EXEMPTION  
CARTER LAKE URBAN REVITALIZATION AREA

**Please Type or Print**

APPLICANT (Owner of Record) Stephen and Tabitha Rau

ADDRESS 116 Shoreline Dr. Carter Lake, IA 51510

Name of other Owners of Record (if any)

NONE

ADDRESS AND LEGAL DESCRIPTION OF PROPERTY (for which an exemption is requested):

Address: 116 Shoreline Dr. Carter Lake, IA 51510

Legal Description: Lot #16 Shoreline Dr. Estates  
Carter Lake, IA 51510

CURRENT PROPERTY VALUE (from assessor's records):

Land: \$ 62,600 Buildings: \$ N/A

TYPE OF IMPROVEMENTS (check one):

- ☒ New Construction on Vacant Land  
☐ Addition to Existing Structure  
☐ Replacement of Existing Structure (s)  
☐ Rehabilitation of Existing Structure (s)

ESTIMATED COST OF IMPROVEMENTS: \$ 508,132.00

Date Started: 18 Oct 2017 Date Completed: Feb 2019

**TAX EXEMPTION:**

Residential – 100% tax exemption on the value added by the improvements for a period of 3 years.

Note: This form should be submitted simultaneously with the Application for building permits. Applicants are referred to the Pottawattamie County Assessor's Office for specific tax information. (2<sup>nd</sup> Floor, Pottawattamie County Courthouse, 227 South 6<sup>th</sup> Street, Council Bluffs, Iowa 51503).

**ACKNOWLEDGEMENTS:**

A copy of the pre-approval resolution for commercial projects (if applicable) is attached.

A copy of the building permit (if required) is attached.

The property to which improvements were made conform with the Carter Lake Zoning Ordinance.

The dwelling unit(s) for which improvements were made and an exemption is requested complies with the Carter Lake Minimum Dwelling Standards Ordinance.

A builder's cost breakdown of the project is attached.

The Applicant Certifies that all information in this application and all information furnished in support of this application is given for the purpose of obtaining an exemption from taxes on improvements and is true and complete to the best of Applicants knowledge and belief. Verification may be obtained from any source named herein.

Signature of Applicant: *John Raw* Date Signed: 14 Feb 2019

.....  
**CITY COUNCIL ACTION:**

\_\_\_\_\_ Approved (Resolution No. \_\_\_\_\_) Date: \_\_\_\_\_

\_\_\_\_\_ Disapproved. Date: \_\_\_\_\_

Reason for Disapproval: \_\_\_\_\_  
\_\_\_\_\_

**COUNTY ASSESSOR ACTION:**

\_\_\_\_\_ Reviewed and Approved Date: \_\_\_\_\_

Assessed valuation of improvements: \$ \_\_\_\_\_

\_\_\_\_\_ Reviewed and Disapproved Date: \_\_\_\_\_

Reason for Disapproval: \_\_\_\_\_  
\_\_\_\_\_

Notification sent to applicant of determination. Date: \_\_\_\_\_

# ATTACHMENT TO EXHIBIT 6

## A. BUILDER'S COST BREAKDOWN

ARCHITECT	500.00
SURVEY	650.00
EXCAVATING AND GRADING	3650.00
MASON	6500.00
Material	
Labor	20400.00
CONCRETE (BSMT, WALKS, DRIVE)	47,596.00
ORNAMENTAL	1800.00
CARPENTER LABOR, LUMBER, HARDWARE	179,500.00
PAINTING AND DECORATING	21,800.00
ROOFING	7,000.00
HEATING AND AIR CONDITIONING	20,650.00
PLUMBING (INCLUDING SEWERS)	38,500.00
TILE	14,855.00
ELECTRICAL	22,700.00
INSULATION	5,000.00
DRY WALL	18,500.00
GLASS	12,000.00
BUILDING PERMITS	3,500.00
INSURANCE	1,000.00
CONSTRUCTION LOAN FEE AND INTEREST	<del>5,800.00</del> 14,232.00
TITLE EXPENSE	3,500.00
SALE EXPENSE	
ADVERTISING	
MISCELLANEOUS	29,999.00
OVERHEAD AND PROFIT	35,000.00
TOTAL BUILDING COST	\$ 508,132
PURCHASE PRICE OF LAND	\$ 59,000
TOTAL (LAND PLUS IMPROVEMENT COST)	\$ 567,132.00

Will all work be contracted out? ☒ YES ☐ NO If, no, describe work which will not be contracted.

Are you, the property owner, your own subcontractor? YES ☒ NO

**CERTIFICATION:** I, the undersigned, representing ownership on the above property, herewith certify that the above statement of amounts and actual values of said property is true and correct.

Subscribed and sworn to before me this 14 day of February, 2019.

Jacqueline Stender  
Notary Public or City Clerk

JH Kern  
Owner's Name

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION TO AUTHORIZE FUND BALANCE TRANSFERS:

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARTER LAKE,  
IOWA:

The City Clerk is hereby authorized to transfer the following fund cash balances  
for the following reasons:

\$250,000 from Ponca Tribe to General Fund.

- a) \$200,000.00 utilized towards the Police Department budget
- b) \$50,000.00 utilized towards the Fire/EMS budget

Passed and approved this 18th day of February 2019

\_\_\_\_\_  
Ron Cumberledge, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Stender, City Clerk