

**PUBLIC HEARING
AND
REGULAR PLANNING BOARD MEETING
Monday, September 14, 2015 - 7:00 P.M.
City Hall - 950 Locust St., Carter Lake, Iowa**

Roll Call

PUBLIC HEARING

Application to Change Zoning by Fleetpark, LLC from the current zoning of Business Park District to P-I/Planned Industrial District.

Close Public Hearing

PLANNING BOARD MEETING

Approval of the Agenda

1. Consent Agenda
 - a. Approve Planning Board Minutes – August 3, and September 1, 2015.
 - b. Review City Council Minutes – July 27, August 17, and August 31, 2015.
 - c. Review Building Permits – August, 2015.
2. New Business
 - a. Review and make recommendation on Application to Change Zoning by Fleetpark, LLC from the current zoning of Business Park District to P-I/Planned Industrial
 - b. Williams Enterprises – 300 Locust St – Special Use Permit
 - c. Best Western – 2510 Abbott Plaza – Signs
 - d. Super 8 – 3000 Airport Dr – Sign
 - e. Storm Water Ordinance.
3. Old Business (limit discussion 5 minutes per topic)
 - a. Storm Water Committee Update.
4. Special Meetings
5. Assignments
6. Comments

Adjourn

09-11-15

lr

NOTICE OF PUBLIC HEARING OF THE PLANNING BOARD
OF THE CITY OF CARTER LAKE

The Planning Board of the City of Carter Lake, Iowa, will hold a public hearing on Monday, September 14, 2015, commencing at 7:00 P.M. in the City Hall, 950 Locust Street, Carter Lake, Iowa, regarding an Application to Change Zoning by Fleetpark, LLC from the current zoning of a Business Park District to P-I/Planned Industrial District. The legal description of the property is as follows:

Carter Lake – Owen Parkway Add LT 5

For all of the particulars of the Application, see the Application now on file at the Carter Lake City Hall with the City Clerk of the City of Carter Lake.

At said time and place, individuals may appear and speak in favor of or against the proposals to rezone the property. Written comments on the Application must be received by the City Clerk prior to the start of the public hearing. At the conclusion of the public hearing, the Planning Board will consider the Application and take appropriate action thereon, including making recommendations to the Carter Lake City Council.

Published at the direction of the City Council of the City of Carter Lake, Iowa.

Doreen Mowery, City Clerk

City of Carter Lake
City Hall – 950 Locust Street
Proceedings: Public Hearing and Regular Planning Board Meeting
Monday, Aug. 3, 2015 – 7:00 PM

This Planning Board Meeting was called to order at 7:15 PM by board chairman Ray Pauly.

PUBLIC HEARING

Roll Call: Present: Ed Palandri, Kathy Dueling, Karen Fisher, Jackie Wahl, and Ray Pauly
Absent: Tim Podraza, and Jay Gundersen
Also present: Deputy City Clerk Lisa Ruehle
City Attorney Joe Thornton was present by telephone

Board member Pauly opened the public hearing on an ordinance to amend the Unified Land Development Ordinances, Section 309 sub-section n: Warehousing (Enclosed-Limited) and Table 4-1 Use Matrix: Industrial and Transportation Uses.

Dan Williams, President of Tighton Tools, introduced himself. He has shown interest in purchasing the building at 300 Locust. Their plans are to re-skin the entire building and put on a new roof. He understands there were some questions about some requested additional changes the board would like on the building. He stated that the skin would be similar in color and type as to what currently exists and that there would also be new doors and windows. He wants to make sure that a metal re-skin is in line with what the City requires, however they do not have plans to install a brick facade. Providing their business continues to grow, they may build a larger building next to the existing building. Board member Pauly stated if another building is built the board would discourage the dock doors being placed on the front of the building. Some of the board members would like the new owner to dress up the Locust Street side of the property. Mr. Williams stated they are going to be cleaning up the front driving area and adding some signage. There will not be any outdoor storage at this facility. The Attorney stated that the plans need to be submitted to the board as soon as possible, along with a request for a conditional use permit. Board member Palandri stated that the building inspector would have to be contacted regarding required building permits. Mr. Williams believes if they add on it would be an additional free standing building on the east side of the existing building. They have an internet company called toolbarn.com. Ed Palandri asked Joe if the proposal to re-skin the exterior of the building would be repairs or a remodel. He wanted to make sure that they do not have to conform to the current regulations. He thinks if the assessed value is the improvements is over 50% they would have to conform. Ed stated that on the second free standing building the requirements for the exterior would have to be waived by the planning board and the council if they did not meet the guidelines.

No written comments were submitted for the public hearing.

The public hearing was closed at 7:27 P.M.

Board member Pauly opened the regular meeting at 7:27 PM.

Approval of the Agenda – Moved by board member Palandri seconded by board member Dueling to approve the agenda as submitted. Ayes: Unanimous.

1. Consent Agenda – Moved by board member Dueling seconded by board member Pauly to approve the consent agenda as presented. Ayes: Unanimous.
2. New Business
 - a. Board member Palandri commented that the matrix that is attached to the proposed ordinance is the older one that does not show the P/I district and the most current matrix needs to be attached. Moved by board member Pauly seconded by board member Dueling to recommend approval of the proposed ordinance to the City Council. Ayes: Unanimous.
 - b. Owen Parkway has submitted a proposed replat of Lots 1 thru 4 inclusive. The replat has been prepared showing the additional area for the detention pond. Board member Palandri noted that there are some typos regarding references to notes 3 and 4 that should be notes 4 and 5. The notary also references Nebraska instead of Iowa. Moved by board member Palandri seconded by board member Dueling to recommend approval of the plat with the changes to the reference numbers 3 and 4 and the notary. Ayes: Unanimous. Attorney Thornton will make sure the changes are made, as noted.
 - c. Moved by board member Palandri seconded by board member Pauly to approve an address of 2010 Abbott Drive for Lot 2 on Owen Parkway Replat One. Ayes: Unanimous.
 - d. Dennis Rochford was present and requested board approval for the plat of Phase III of the Nakoma Town Homes. The last item for him to complete was the storm water detention pond. He indicated that the building inspector and maintenance supervisor have both signed off on the detention pond. Mr. Rochford stated that he installed the detention area as approved by the city's engineer in Oct. of 2014. Board member Palandri questioned if phase III included a second egress for vehicles, or a way for vehicles to turn around. Mr. Rochford stated that the issue was previously discussed, but died because the fire chief did not see a reason for egress or a turn around. Board member Palandri asked for a final plan that shows all completed infrastructure. Dennis reported that Phill Newton, Fire Coordinator has no concerns with egress. Board member Palandri questioned if the Building Inspector had any concerns with the project. Mr. Rochford reported that both the Building Inspector and Maintenance Supervisor have reviewed it and have no concerns with the project. Mayor Waltrip stated that when it comes to the street, there is no parking allowed, therefore there is adequate room to travel. He does not believe there is a safety issue with this particular street. Board member Palandri asked how the street was going to be finished on the south side of the property. Dennis stated that the street would be functional and it will look good. He will be landscaping and finishing the other side of the street. The final street has been in for several years. Palandri would like to see a cul-de-sac or a hammerhead at the end of the street. He also stated that the buildings are a nice compliment to the city. Moved by board member Dueling seconded by board member Fisher to recommend conditional approval to include verifying with the building inspector and maintenance supervisor that they have reviewed and approved the plat. Ayes: Unanimous. The Mayor complimented the board on taking on the tough issues and the amount of hours they put into the board.
 - e. The Attorney provided a red-lined version of the proposed Detention Pond Maintenance Agreement for OMA Lodging. The legal description will need to be changed to reflect the

replat that the board approved at this meeting. Moved by board member Pauly seconded by board member Palandri to approve the agreement. Ayes: Unanimous.

The Attorney thanked the board for their good work. He disconnected from the meeting at this time.

- f. The Storm Water Ordinance was tabled until board member Gundersen is present. Board member Pauly stated that the council is not in favor of the underground storage, however he does not believe the council is opposed to beefing up the ponds to be more aesthetically pleasing like rain gardens and bio-swales.

3. Old Business

- a. There was no update from the storm water committee at this time. There was a meeting however board member Wahl did not receive notice.

4. Special Meetings - The board will meet for a special meeting if needed.

5.

6. Assignments - Board member Pauly will attend the next council meeting to submit a board report.

7. Comments

Board member Fisher stated it is very exciting news to have the new hotels.

Board member Dueling is looking forward to new businesses and more jobs in Carter Lake.

Board member Palandri thanked the clerk's office for the minutes. He would like copies of the recent ordinances that were adopted especially the ones that made changes to the Land Development ordinances.

Board member Pauly is excited to see the new developments and hopefully they spur more development.

Meeting adjourned at 8:07 PM.

Lisa Ruele, Deputy City Clerk

Ray Pauly, Chairman

City of Carter Lake
City Hall – 950 Locust St.
Special City Council Meeting
Proceedings: Monday, July 27, 2015 – 7:30 PM

Mayor Gerald Waltrip called the Special City Council Meeting to order at 7:30 PM.

Roll Call: Present – Council members Ed Aldmeyer, Barb Hawkins, and Ron
Cumberledge
Absent – Council member Dave Huey and Barb Melonis
Also present –City Attorney Joe Thornton and City Clerk Doreen Mowery

1. Phill Newton requested that the council go into closed session to discuss the grievance that he filed. Moved by council member Hawkins seconded by council member Aldmeyer to go into closed session pursuant to Chapter 21.5 of the Code of Iowa, subsection (e). Ayes: Aldmeyer and Hawkins. Nays: Cumberledge. There was discussion by the public regarding what is allowable under the law regarding closed sessions. The Mayor objects to closed session and stated he would not say anything during the closed session.

The council went into closed session at 7:38 PM.

The council came back into open session at 7:57 PM.

Moved by council member Cumberledge to deny a July 1 pay increase for Phill Newton. Motion died due to the lack of a second. Moved by council member Hawkins seconded by council member Aldmeyer to approve a 1.75% pay increase for Phill Newton retroactive to July 1, 2015. Ayes: Aldmeyer, Hawkins. Nays: Cumberledge.

2. Council member Cumberledge made a motion to deny the potential claims against the City. Motion died due to the lack of a second. Attorney Thornton requested that the council go into closed session to discuss the claims. Moved by council member Aldmeyer seconded by council member Hawkins to go into closed session pursuant to Chapter 21.5 of the Code of Iowa, subsection (b). Ayes: Aldmeyer and Hawkins. Nays: Cumberledge. The Mayor objected to a closed session and stated that in a conversation with the League of Cities they were adamant that the council should not go into closed session for principal.

The council went into closed session at 8:13 PM.

The council came back into open session at 8:58 PM.

Roll Call: Present – Council members Aldmeyer, Hawkins, Cumberledge
Absent – Council members Huey and Melonis
Also present –City Attorney Joe Thornton and City Clerk Doreen Mowery

Moved by council member Cumberledge seconded by council member Aldmeyer to deny the claim submitted by the clerk. Ayes: Aldmeyer, Cumberledge. Nays: Hawkins.

City of Carter Lake
City Hall – 950 Locust St.
Special City Council Meeting
Proceedings: Monday, July 27, 2015 – 7:30 PM

Special city council meeting was adjourned at 8:59 PM.

Doreen Mowery, City Clerk

Gerald Waltrip, Mayor

City Clerk Mowery has the tape from the closed session with Phill Newton.

Attorney Thornton has the tape from the closed session regarding claims.

City of Carter Lake
City Hall – 950 Locust St.
Proceedings: Monday, August 17, 2015
Public Hearing and Regular City Council Meeting – 7:00 PM

The Pledge of Allegiance

Mayor Gerald Waltrip called the public hearing to order at 7:00 PM.

Public Hearing

Roll Call: Present – Mayor Gerald Waltrip
Council members Dave Huey, Barb Hawkins, Ron Cumberledge, and Barb Melonis
Absent – Ed Aldmeyer
Also present – Attorney Joe Thornton and City Clerk Doreen Mowery

The Mayor opened the public hearing on the proposed ordinance to amend the Unified Land Development Ordinances, by adding section 309 subsection n: Warehousing (Enclosed-Limited) and Table 4-1 Use Matrix: Industrial and Transportation Uses. Ray Pauly informed the council that the Planning Board recommends approved of the proposed changes.

There were no additional comments from the public at this time. No comments were submitted in writing.

Moved by council member Hawkins seconded by council member Huey to close the public hearing. Ayes: Unanimous.

The public hearing was closed at 7:02 PM.

Mayor called the regular meeting to order.

- I. Roll Call: Present – Mayor Gerald Waltrip
Council members Dave Huey, Barb Hawkins, Ron Cumberledge, and Barb Melonis
Absent – Ed Aldmeyer
Also present – Attorney Joe Thornton and City Clerk Doreen Mowery
- II. Approval of the Agenda – Moved by Council member Melonis seconded by council member Hawkins to approve the agenda as submitted. Ayes: Unanimous.
- III. Consent agenda – Moved by council member Hawkins seconded by council member Huey to approve the consent agenda as submitted. Ayes: Unanimous.
- IV. New Business
 - A. Communications from the Public
 1. Moved by council member Huey seconded by council member Cumberledge to approve renewal of the liquor license for Shoreline Golf, LLC. Ayes: Unanimous.
 2. Moved by council member Huey seconded by council member Melonis to approve renewal of the liquor license for the VFW. Ayes: Unanimous.
 3. Alan Urich was present to discuss Capital Facility Fees for new construction. MUD no longer requires the City of Carter Lake to remit Capital Facility Fees

for each individual new tap to the water lines. They quit charging this fee as of January 1, 2015. Mr. Urich questioned who authorized the continued collection of the fee when building permits are issued. The resolution authorizing fees states that the water service connection fee is established by MUD. The Mayor stated that Carter Lake is in a unique situation. MUD does not do any of the water line work in Carter Lake. MUD has 4 or 5 meter junctions in Carter Lake to determine usage and need for the entire city. Mr. Urich wants to know why the fee was collected from him in January, because the council did not decide to continue collecting the fee in July. Attorney Thornton will review the MUD letter and the prior council resolution. Mr. Urich would like a refund of the capital facility fee that the city collected from him. Council member Cumberledge recommended that he file a claim for a refund/reimbursement.

4. Moved by council member Melonis seconded by council member Huey to approve renewal of the commercial parking permits with the condition that a letter be sent to the three owners of commercial vehicles that have not renewed, giving them 10 days to pay to avoid losing their permits. Ayes: Melonis, Hawkins, Huey. Abstain: Cumberledge.
 5. Moved by council member Melonis seconded by council member Cumberledge to approve the final plat for Nakoma Town Homes Phase III. Ayes: Unanimous. Dennis then questioned why the City is still collecting the Capital Facility Fees. The Attorney is going to investigate and provide an answer.
 6. Moved by council member Hawkins seconded by council member Melonis to approve the final plat for Owen Parkway Replat One. Ayes: Unanimous.
 7. Moved by council member Hawkins seconded by council member Melonis to approve the Detention Pond agreement as revised and approved by the Planning Board. Ayes: Hawkins, Huey, Melonis. Nays: Cumberledge. The Mayor complimented Joe Thornton on the excellent job he has done with all of the zoning and developments.
- B. Communications from the Departments
1. There was not a fire department update at this time.
 2. Ray Pauly updated the Council on the Planning Board actions earlier in the meeting.
 3. There was not a storm water update at this time.
 4. Mayor Waltrip
 - a. The Mayor discussed the developments that are occurring in the community. One Owen Parkway has a new business with 70 employees that moved from downtown Omaha. There was a ground breaking ceremony for a new hotel on Abbott Drive. The office building at One Owen Parkway may be occupied in the near future. Within the next few months 300 Locust Street should also be purchased and occupied as a warehouse.
 - b. The Mayor stated that the lake problems are not getting better. He is going to try to get a meeting with both states in the near future to find a solution. What is currently being done is not working and there is not enough boat traffic. He stated that the city had turned over the operation of the lake to the

IDNR seven or eight years ago and it is almost impossible to get big government to admit that they made a mistake.

c. In 1993 the Mayor stated that the city got hit with an underground water situation that basically destroyed the sewer system. At that time his goal was to repair all of the mains that were more than 10 foot deep. Currently there are two sewer lines that need repaired. One is on Walker and the other is in the Club. There are many sewers that did not get fixed after he left office in 1993. He stated that this will be an expensive project to get them all repaired. Maintenance Supervisor, Ron Rothmeyer is working with a company out of Des Moines to give a price for the repair work. The Mayor does not believe we should use budget money for the repairs. Council member Cumberledge thought there is money retained in the sewer fund to make the repairs.

Council member Hawkins agreed that infrastructure is very important.

d. Mayor Waltrip announced the park and maintenance departments have completed the track behind the Library. It is a nice track with a soccer field and everyone should use the facility. Roger Wilson and a friend of his had a totem pole that has been installed. There was a tour bus from Saint Ambrose College in Dubuque that stopped and used the field last week.

e. Mayor Waltrip stated there were a lot of problems this week with the trash pickup. He has been working with Deffenbaugh and hopefully the problems have been resolved.

5. Police Chief Kannedy requested permission to dispose of some bicycles and a motorcycle. Council member Cumberledge wants to give them to the kids in the community. The Attorney stated that generally speaking you normally auction or dispose of the property. He will review ways to dispose of the property. There are very few bikes of any value, most of them are junk. Moved by council member Hawkins seconded by council member Huey to approve the Chief's request to get sealed bids on the motorcycle. Ayes: Unanimous.

6. City Clerk

- a. The clerk presented the council with a lease agreement with Connections Area Agency on Aging. Moved by council member Melonis seconded by council member Hawkins to not sign the agreement until the Mayor has had a chance to negotiate with them. Ayes: Unanimous.

- b. The clerk presented a request from MAPA to assist in funding Heartland 2050. Moved by council member Melonis seconded by council Huey to deny the request at this time. Ayes: Hawkins, Huey, Melonis. Nays: Cumberledge. Council member Cumberledge believes we should support the program. The Mayor will get some history on the project.

- V. Ordinances

- A. Dan Williams, the potential purchaser of 300 E. Locust was present and introduced himself. They are trying to purchase the entire 10 acre parcel so there will be room for growth. Currently they ship 800 to 1000 packages a day from their Omaha facility. They run 8 to 10 semis a day. Within the next year there may be a need for more

City of Carter Lake

City Hall – 950 Locust St.

Proceedings: Monday, August 17, 2015

Public Hearing and Regular City Council Meeting – 7:00 PM

trucks. The Planning Board had recommended a truck route using 11th Street in Omaha to enter and exit the property on Locust. There will be no outdoor storage at the location. Once the property is purchased they will submit an application for a conditional use permit. They should be closing on the property soon. The business will be bringing in current employees as well as hiring additional employees in the near future. Moved by council member Cumberledge seconded by council member Huey to approve an ordinance amending Section 2904 of the Unified Land Development Ordinance by adding a new subsection 309 n. Warehousing (Enclosed – Limited) and amending Table 4-1 Use Matrix, with the stipulation that the limit of fifteen (15) trucks or other vehicles per day be removed from the ordinance, and adopt it on the 1st consideration. Ayes: Unanimous. Moved by council member Hawkins seconded by council member Melonis to suspend the requirement that an ordinance must be considered and voted upon for passage at two council meetings prior to the meeting at which it is to be finally passed pursuant to Section 380.3 of the Code of Iowa, 1983, and approve the ordinance on the second and third consideration for final adoption. Ayes: Unanimous.

- B. Moved by council member Melonis seconded by council member Hawkins to approve an amendment to Chapter 87 pertaining to Animal Control – Potentially Dangerous Breeds on the first consideration. Ayes: Hawkins, Huey, Melonis. Nays: Cumberledge. The Attorney stated he has a list of unpaid animal control fines and he is going to send out a mass mailing in an attempt to collect the unpaid fines.

VI. Resolutions

- A. Moved by council member Melonis seconded by council member Cumberledge to adopt a resolution placing liens for unpaid utility bills. Ayes: Unanimous.
- B. Moved by council member Hawkins seconded by council member Huey to adopt the Colonial Insurance flexible benefits plan. Ayes: Unanimous.

VII. Comments

Mayor Waltrip stated that they have been working on a new version of the Inside Carter Lake. Barb Melonis was appointed the chair of the committee.

Council member Melonis updated everyone on the status of the new eNewsletter. She reported they are on track for the first edition to be released on Sept. 1, 2015.

The newsletter will have its own website and be linked to other city websites. It is a work in progress. She congratulated and thanked the volunteers, the resource center, the library staff and Jeff Zdan for all the work they have done on this project. There will be a limited number of printed copies of the newsletter available at City Hall, the Library and the Senior Center.

Ron Cumberledge thanked the volunteers. He also thanked everyone for their commitment to getting the new businesses up and running.

Council member Huey thanked everyone for coming to the meeting.

City of Carter Lake

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Proceedings: Monday, August 17, 2015

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Attorney Thornton stated it is always fun when the projects come together.

The fall city wide garage sale is scheduled for Saturday, Sept. 19th. The fall city wide clean up is scheduled for Saturday, Sept. 26th. There will also be free paper shredding, flu shots, and a drug drop at city hall on September 26th.

There are three council seats open this fall. Election papers must be filed by 5:00 PM on Thursday, Aug. 27th at the county court house.

The meeting was adjourned at 8:06 PM.

Doreen Mowery, City Clerk

Gerald Waltrip, Mayor

City of Carter Lake
City Hall – 950 Locust St.
Special City Council Meeting
Proceedings: Monday, Aug. 31, 2015 – 6:00 PM

The Pledge of Allegiance

Mayor Gerald Waltrip called the Special City Council Meeting to order at 6:00 PM.

Roll Call: Present – Council members Ed Aldmeyer, Barb Hawkins, Ron Cumberledge, Dave Huey and Barb Melonis
Also present –City Attorney Joe Thornton and City Clerk Doreen Mowery

1. Moved by council member Aldmeyer seconded by council member Melonis to adopt a resolution approving the Final Plat of Nakoma Townhomes, Phase III. Ayes: Unanimous.
2. Moved by council member Huey seconded by council member Cumberledge to adopt a resolution approving Owen Parkway Replat One – Lots 1 thru 4 inclusive. Ayes: Unanimous.
3. Moved by council member Cumberledge seconded by council member Huey to adopt a resolution approving and accepting the Arterial Street Improvements for PVS. Ayes: Unanimous.
4. Michelle Kannedy came before the council to grieve a recent reprimand from the Mayor. Michelle requested that the council go into closed session to discuss the reprimand. Moved by council member Aldmeyer seconded by council member Melonis to go into closed session pursuant to Chapter 21.5 (e) of the Code of Iowa. Ayes: Aldmeyer, Hawkins, Huey, Melonis. Nays: Cumberledge. The Mayor went on record that he is opposed to closed sessions.

The council went into closed session at 6:03 PM.

The council came back into open session at 7:10 PM.

Roll Call: Present – Council members Aldmeyer, Hawkins, Cumberledge, Huey and Melonis
Also present –City Attorney Joe Thornton and City Clerk Doreen Mowery

Moved by council member Aldmeyer seconded by council member Hawkins to uphold the grievance, with the modification that the Attorney provide a letter of coaching from the council, to Michelle Kannedy. Ayes: Aldmeyer, Hawkins, Huey. Nays: Cumberledge, Melonis. The Mayor asked the Attorney to clarify if that action needed to be taken in the form of a motion or a resolution. The Attorney will review and respond to the Mayor.

Special city council meeting was adjourned at 7:12 PM.

Doreen Mowery, City Clerk

Gerald Waltrip, Mayor

**2015 August
Residential Building Permits**

Permit #	Date	Applicant	Address	Description	Permit Amount	Date Paid	Recpt. #	Value of Permit	Permit Exp. Date
R129-15	08/03/15	Ed Palandri	1804 Sandpoint Dr	Replace A/C Unit	27.00	08/05/15	15065	2,400	09/03/15
R130-15	08/04/15	Amber Thomas	905 E Locust	Permit Pool	30.00	08/07/15	15094	2,500	11/04/15
R131-15	08/05/15	TPC Construction	520 Coromado	Replace Roof	18.50	08/07/15	15089	7,000	11/05/15
R132-15	08/05/15	TPC Construction	1018 Shoal	Replace Roof	18.50	08/07/15	15089	8,000	11/05/15
R133-15	08/05/15	Vic Skinner	1505 Neptune	Replace Siding	13.50	08/07/15	15086	7,000	11/05/15
R135-15	08/05/15	Matt Brophy	3510 N 9th #128	Replace Windows & Door	25.00	08/05/15	15074	2,500	11/05/15
R136-15	08/10/15	Pyramid Roofing	1310 Redick	Replace Roof & Siding	32.00	08/19/15	15111	9,800	11/10/15
R137-15	08/10/15	Lonnie Hornbarger	1512 Murray Ave	Carport	15.00	08/10/15	15096	3,000	11/10/15
R138-15	08/11/15	John Paterson	1100 Waters Edge	Replace Decking	15.00	08/11/15	15101	10,000	11/11/15
R139-15	08/12/15	Russ Kramer	1503 Neptune Dr	Remodel	259.00	08/26/15	15150	25,000	02/12/16
R140-15	08/12/15	William / Tonya Tatman	1313 Mayper	New Deck/Fence	38.00	08/12/15	15102	3,000	11/08/15
R141-15	08/19/15	Omaha Gutter	1009 Silver Ln	Siding, Gutters, etc	13.50	08/19/15	15110	7,700	11/19/15
R142-15	08/19/15	Lasco Home Improvement	1010 Key Circle	Replace Roof	18.50	08/19/15	15117	15,400	11/19/15
R143-15	08/24/15	Sheard Const.	1217 Lindwood Dr	Replace Doors/Windows	13.50	08/26/15	15149	2,000	11/24/15
R144-15	08/25/15	Kavalec Electric	4408 N 8th	New Mast/ Sevice Panel	50.00	08/26/15	15151	1,800	11/25/15
R145-15	08/31/15	Carl Wilson	4310 N 11th	Replace Roof	18.50	09/09/15	15191	4,500	11/31/15
R146-15	08/31/15	TPC Corp.	1114 Ave O	Siding,Roof Furnace, A/C, Elec.Panel	99.00	09/02/15	15175	12,150	11/31/15

Commercial Permits

Permit #	Date	Applicant	Address	Description	Permit Amount	Date Paid	Recpt. #	Value of Permit	Permit Exp. Date
C18-15	08/24/15	MMC Contractors	2010 Abbot Dr	Storm Utilities/Sanitary	2,085.00	08/26/15	15148	128,000	08/24/17

TOTAL: \$ 2,789.50

TOTAL: \$ 251,750

FOR OFFICE USE: CASE # _____ Receipt # _____
Z.B.A. Public Hearing: _____ Amount _____

CITY OF CARTER LAKE

APPLICATION FOR PLANNING BOARD AGENDA

- 1. APPLICANT: Fleet Park LLC Phone: _____
Address: 200 Owen Parkway Circle, Carter Lake *Status: _____
- 2. REPRESENTED BY: Grant Hoovestol Phone: 844.487.7144
Address: 200 Owen Parkway Circle, Carter Lake, IA 51510
- 3. STREET ADDRESS/LOCATION: Owen Parkway Circle
- 4. LEGAL DESCRIPTION: See attached
- 5. OWNERS NAME: Richard Owen
- 6. OWNERS ADDRESS: _____
- 7. REASONS FOR REQUEST AND INTENDED USES: zoning change for truck parking lot.
- 8. ZONING DISTRICT: _____
- 9. PRESENT USE: Ag
- 10. COPY OF BLUEPRINTS OF INTENDED STRUCTURE. concept drawing
- 11. ADMINISTRATIVE DECISION ISSUED: _____

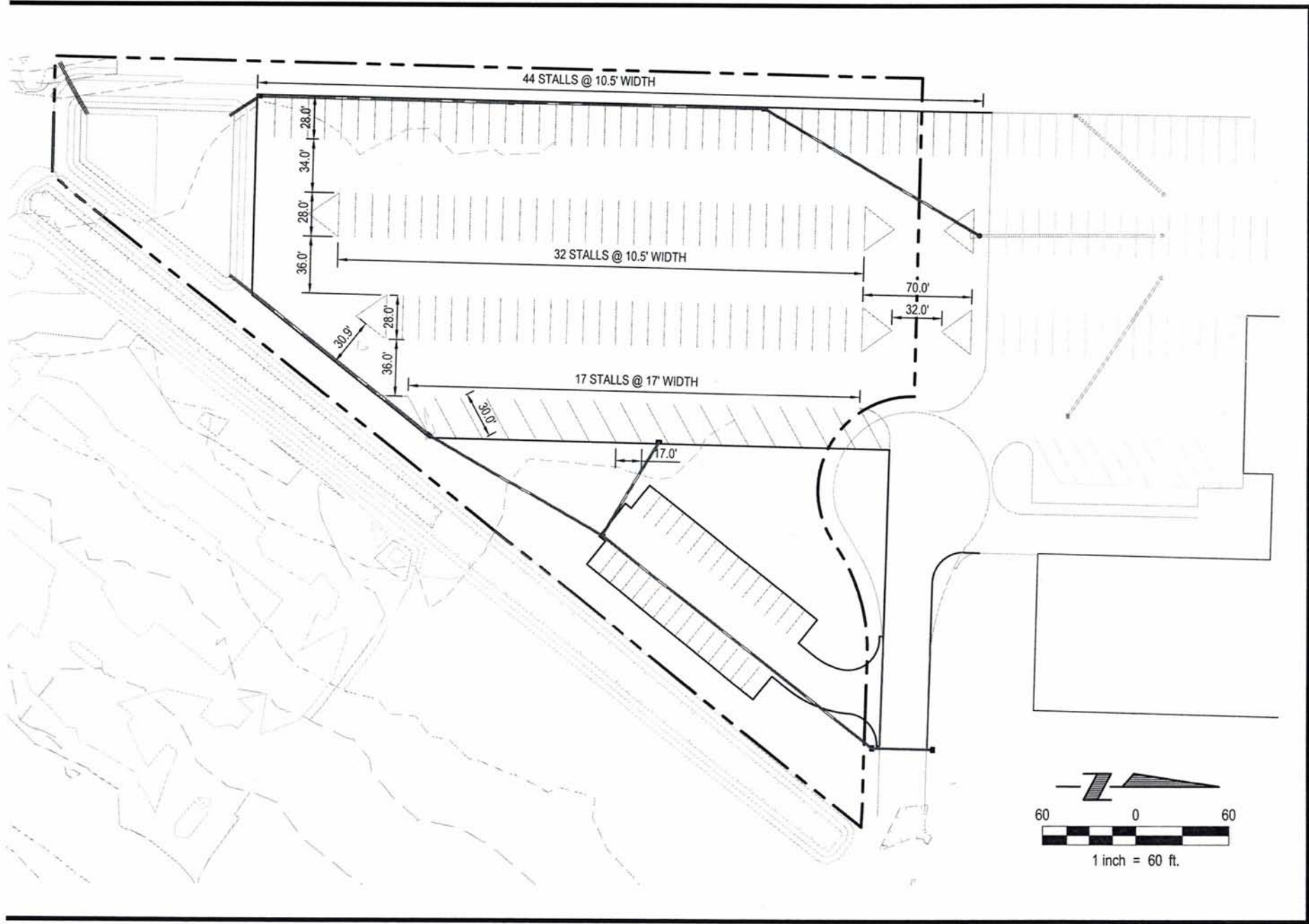
FOR OFFICE USE

- 12. ATTACHED TO THE APPLICATION ARE:
 - a. Denied "Building Permit Application" Form..... _____
 - b. Approves..... _____
 - c. Restrictions..... _____

THE FACTS PRESENTED ABOVE ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE:

13. SIGNATURE: Grant Hoovestol Date: 8/28/15
TYPED OR PRINTED NAME: Grant Hoovestol *Status: Agent

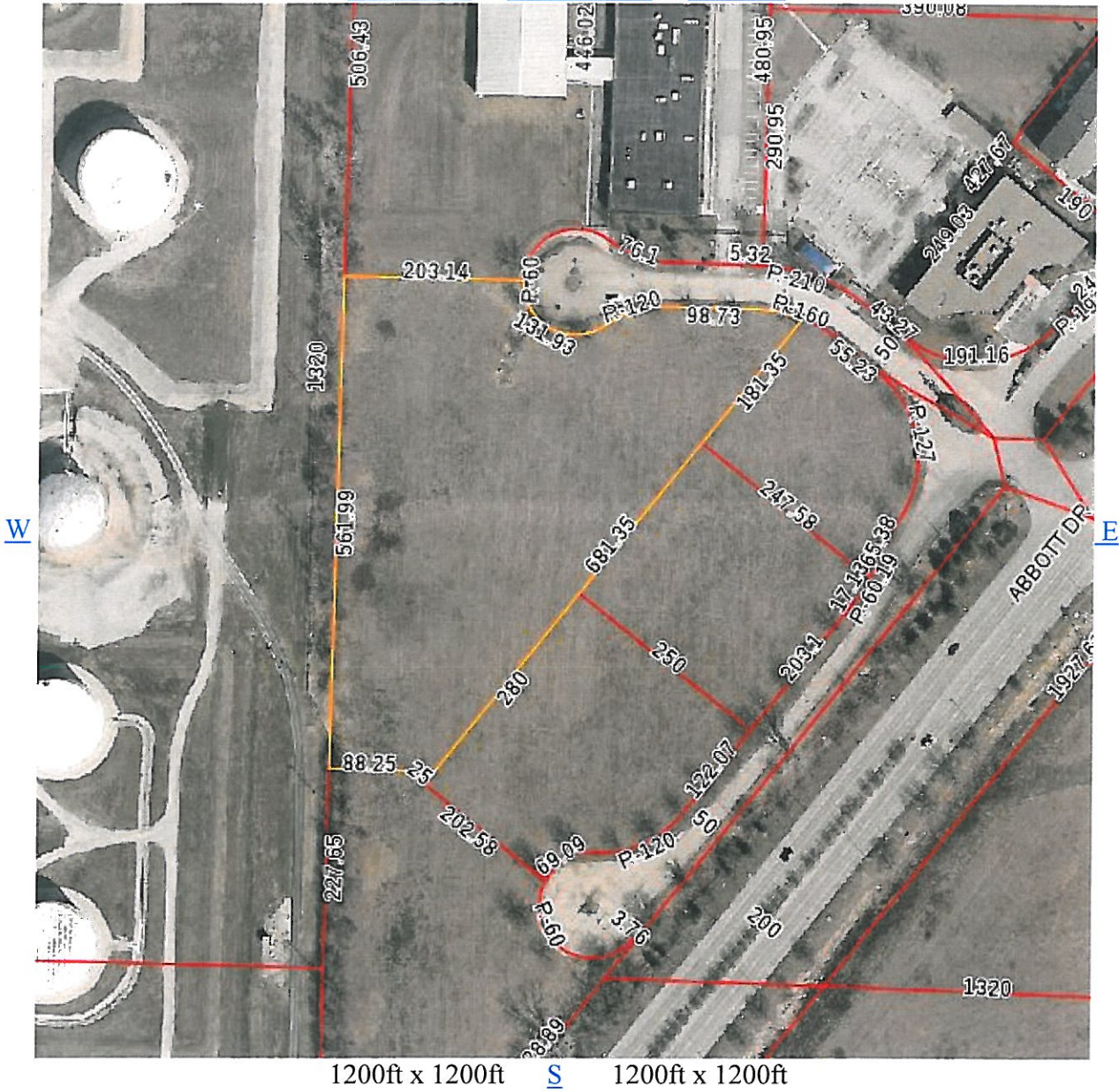
*NOTE: P.O. = Property Owner C.P. = Contract Purchaser
O.H. = Legal Optionholder A. = Owner's authorized agent



PROJECT NO. 220418130 Date: 05/13/15 Drawn By: JCC Check By: JCC Scale: AS SHOWN Date: 05/13/15 Project: 000		Revision No. Description Date Drawn By	
Richard Ormen 8/17/2015 5:59 PM K:\Projects\2015\070\066\Plans\SITE-000.dwg		#####	
OWEN PARKWAY PARKING LOT CONCEPT CENTER LANE IS			
E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental & Field Services 7130 South 29th Street, Suite D - Lincoln, NE 68516-5841 Phone: 402-400-4000 Fax: 402-400-7218 www.eaeng.com			

[Find Property](#) [Res Sales](#) [Com DOVs](#)

[Zoom Out](#) [Move North](#) [Zoom In](#)



Press 'ESC' to reset feet.

N 90°E 18'

[Find Property](#) [Res Sales](#) [Com DOVs](#)

7544 21 352 001

--- Permanent Property Address ---
 RICHARD F OWEN CO LLC

----- Mailing Address -----
 RICHARD F OWEN CO LLC
 2350 GUILFORD LN
 SHAWNEE MISSION, KS 66208

District: 005

===== REAL ESTATE TAX =====
 Click [here](#) for treasurer real estate tax information.

===== LEGAL DESCRIPTION =====
 CARTER LAKE-OWEN PARKWAY ADD LT 5

===== ASSESSED VALUE =====							
land	dwelling	land	building	total	ag acres	year	class
\$529,254	\$0		\$0	\$529,254		2013	C
\$529,254	\$0		\$0	\$529,254		2014	C
\$529,254	\$0		\$0	\$529,254		2015	C

===== OWNERS =====
 1 D RICHARD F OWEN CO LLC book/page: 100/35092 D

===== EXEMPTIONS & CREDITS =====
 2014 BPTC \$808.92

===== ASSESSMENT DATA =====
 PDF: 9 MAP: CARTER LAKE COMM-9

Interior Listing: Vacant Date Listed: 04/06/2006 PR Date Reviewed: 03/29/2011 PR

LAND.....176418 sqFt 4.05 acres

[Zoom Out](#) [Zoom In](#)



600ft x 600ft

Williams Enterprises LLC
17105 S. Hwy 50
Springfield, NE 68059

August 17, 2015

Ms. Doreen Mowry, City Clerk
City of Carter Lake Iowa
2919 N 9th St,
Carter Lake, IA 51510

RE: Request for a Special Use Permit, and Tax Increment Financing, for
300 East Locust Street, Carter Lake IA
Parcel Number 754420251001

Dear Ms. Mowry:

Please let this letter serve as the formal applications for a Special Use Permit to allow for a distribution warehouse for my companies Tighton Tools & Fasteners Inc. and The Tool Barn Inc., as well as an application for Tax Increment Financing for this property. Without TIF, this project would not be economically feasible.

As previously discussed, I am acquiring this property to make renovations and repairs to allow the property to be feasible for use by my companies, which include, but are not limited to:

1. Removing and replacing the existing metal siding, metal roofs, insulation, and overhead doors.
2. Replace electrical fixtures as needed in the warehouse.
3. Repair and/or replace HVAC units as needed throughout the entire building.
4. Detailed clean-up and repair of the lot as a whole. We do not intend any onsite storage. If future growth warranted onsite storage, we would ensure that it would not be visible from Locust Street. This can be accomplished through the placement of any future storage, or we could install attractive screening if the future storage may ever warrant it.
5. As part of this project, I will plant and maintain western grass and a spreading bush, alternating at regular intervals, along our entire Locust Street frontage to beautify the corridor. We expect to spend up \$3,000 on landscaping improvements.
6. Recarpet and repaint the offices, as needed, to accommodate our expansion there, plus the addition of our customer service call center.

I expect to invest an additional \$600,000 in the above-mentioned repairs and landscaping improvements. We will apply for the permits required, and perform all work in a manner consistent with your local codes, and property workmanship. Our electrician and HVAC contractors will apply for their own permits for our project.

Based on the property's current assessed valuation of \$1.6 Million, I would respectfully request the Redevelopment Agreement specify a target assessed valuation of \$2.1 Million for the fifteen (15) year expected life of the requested Redevelopment Agreement, subject to final determination by the County Assessor of course.

By supporting this request, you help us:

1. Take a dilapidated and neglected property and make significant repairs to bring it to a positive condition.
2. By approving the zoning/special use request, we can move distributive and customer service operations to the facility. We anticipate bring ten warehouse, ten customer service, and [REDACTED] supervisor and manager jobs there. Within a year from opening, we expect to hire an additional ten warehouse workers and ten customer service workers, as needed.
3. You gain a new neighbor. I am a local businessman, with a reputation for being a responsible civic partner. I intend to work with you in a mutually beneficial way for the long term.

If approved, we are able to start the building repairs around October 1st, and anticipate having them complete within ninety days or sooner. We will commence operations thereafter. I'm not certain if we will do the landscaping improvements this fall or this spring. We will commit to completing that as soon as possible, but depending on the weather and the planting recommendations, the new landscaping may not occur until next spring.

Finally, I realize these two requests will likely take two different paths/timetables to process. Any efforts to expedite these matters are of course greatly appreciated. Thank you for the cooperation you have given, and hope we continue to have your support so that our shared vision of an improved, vibrant, operating property will become a reality for us all soon.

Sincerely,

Mr. Dan Williams, President
Williams Enterprises
Tighton Tools and Fasteners, Inc.
The Tool Barn, Inc.

C: The Honorable Mayor and City Council Members of Carter Lake, Iowa
Mr. Joseph Thornton

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE UNIFIED LAND DEVELOPMENT ORDINANCES
OF THE CITY OF CARTER LAKE, IOWA**

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

Section 1. That, pursuant to Section 2904 of the Code of Ordinances of the City of Carter Lake, Iowa, the Unified Land Development Ordinances of the City of Carter Lake, Iowa, are hereby amended as follows:

A. Section 309 is amended to add the following new sub-section n:

“n. Warehousing (Enclosed-Limited)

Uses including storage, distribution, and handling of goods and materials that are enclosed in contained packaging, conducted within an enclosed structure, without noticeable odor effects across property lines, and without generating sound levels in excess of those specified in Table 2308 at the boundary of a residential district. In addition, uses of the property shall comply with the provisions of Section 2307 of the Carter Lake Unified Land Development Ordinances. The uses shall be conducted so that a total of not more than fifteen (15) trucks or other vehicles used to transport the goods and materials per day shall travel to or leave the facilities.”

B. Table 4-1: Use Matrix: Industrial and Transportation Uses is amended to read as per the attached Figure.

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

SECTION 3. Severability Clause. If any of the provisions of this Ordinance are for any reason declared illegal or void, the lawful provisions of this Ordinance which are severable from said unlawful provisions shall remain in full force and effect.

SECTION 4 Effective Date. This Ordinance shall be in full force and effect from and after its final passage and publication.

Attest:

PASSED
AND _____, 2015
APPROVED

DOREEN MOWERY, City Clerk

GERALD WALTRIP, Mayor

The undersigned as City Clerk of Carter Lake, Iowa does hereby certify that on _____, 2015, I posted true and exact copies of the foregoing ordinance in four public places to-wit:

all within the limits of the City of Carter Lake, Iowa.

DOREEN MOWERY, City Clerk

FIRST CONSIDERATION: _____

SECOND CONSIDERATION: _____

THIRD CONSIDERATION: _____

Use Matrix: Industrial and Transportation Uses

Use Types	R-1	R-2	R-3	R/CC	RM	C/L	C-1	C-2	TC	C/A	BP	M-1	M-2	Addl Reg
Industrial Uses														
Agricultural Industry*												C	C	
Auto rental/Sales*												C		
Construction Yards*												C	C	
Custom Manufacturing						C		C	C	C		P	P	
Equip rental/Sales												C	C	
Light Industry												P	P	
General Industry*												P	P	
Heavy Industry*													C	
Recycling Collection*													C	
Recycling Processing*													C	
Vehicle Storage (Long-term)*												C	C	
Warehousing (Enclosed)												P	P	
Warehousing (Enclosed-Limited)							C					P	P	
Warehousing (Open)*												C	C	
Aviation*											C	C	P	
Railroad Facilities													C	
Truck Terminal*												C	P	
Transportation Terminal*								P		P		P	P	
Alternative Energy Production Devices													C	
Amateur Radio Tower	C	C	C	C	C									
Communications Tower*												C	C	
WECS*													C	

P Permitted by right or by right subject to supplemental regulations.

C Permitted by Conditional Use Permit

***** Use Permitted after Site Plan Approval

Blank Use not permitted in zoning district, unless established as a lawful nonconforming use

Commercial Building Permit Application



City of Carter Lake

950 Locust Street
Carter Lake, IA 51510

Office (712) 847-0535 Fax (712) 347-5454

Address of Project: 2510 ABBOTT PLAZA

Legal Description:	Lot	Block	Subdivision	Zoned

Property: Platted _____ Unplatted _____
Size: Width _____ Length _____ Square Ft. _____
Structure: Yes _____ No _____ Current Use: _____
Proposed Use: _____

Property Owner: SAR ASSOCIATES LLC Phone: (308) 684-3355

Address: 90714 N. ELI ROAD VALENTINE NE. 69201
(City, State, Zip)

General Contractor: SUPERIOR LIGHTING INC. Phone: (402) 981-4232

Address: 2121 S. 24TH ST. OMAHA NE. 68108
(City, State, Zip)

Occupant / Tenant: BEST WESTERN Phone: ()

Contact Name: _____

Type of Construction / Description of Work: NAME CHANGE FROM HOLIDAY INN TO BEST WESTERN

TOTAL: Value of Finished Product \$ 5,000 Required Field

The property shall comply with all applicable City of Carter Lake zoning ordinances. All covenants and easements are the responsibility of the builder or property owner.

All property owners, HOA and others having interest in this project been contacted: Yes _____ No _____

I hereby state that the information submitted on this application is accurate and correct. I recognize that the issuance of this building permit shall not grant approval to violate any of the provisions of the building codes or zoning ordinances enforced by this jurisdiction, state or federal law; and that this permit shall not prevent the building official from requiring construction to be in compliance with all applicable code provisions during field inspections. This building permit is issued for the express purpose of work stated on this application and shown on the approved plans. Any changes to the construction plans that effect area or scope of work shall be approved by the building official's prior to construction and may require another permit application. No building shall be occupied until a certificate of occupancy has been issued by the Building Official.

Applicant Name: KEVIN ROSS | Kevin Ross Date: 8/14/15
(Print Clearly) (Signature)

Please Note that this application must be approved by the following:

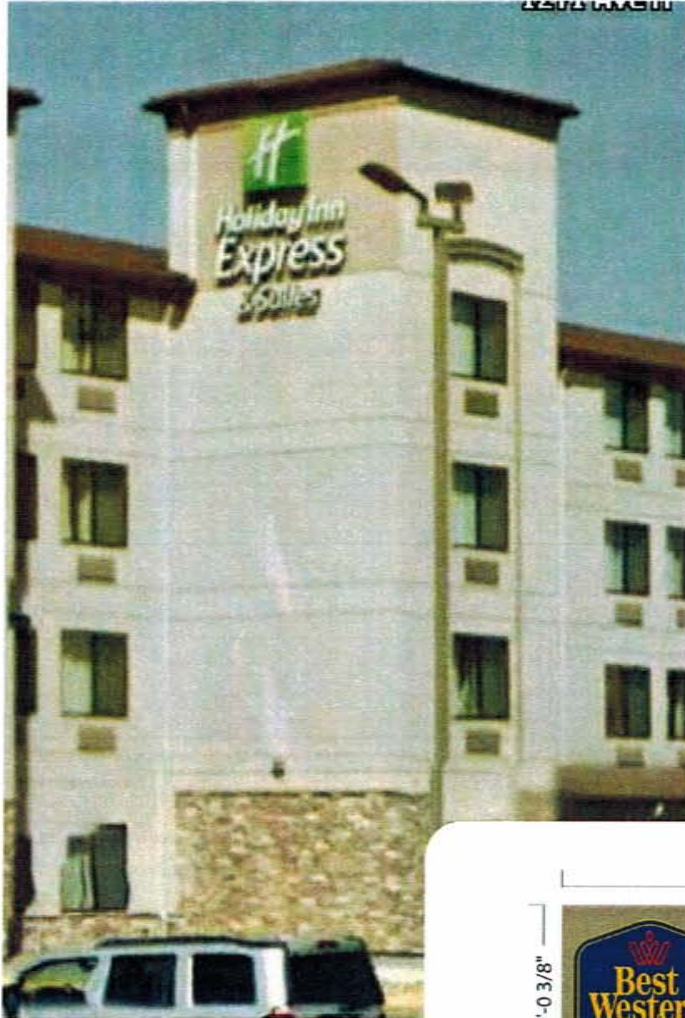
Planning Board: _____ Date: _____
Fire Department: _____ Date: _____
Building Official: _____ Date: _____

- Documents Needed for Construction:
1. Three sets of Engineered plans and specifications. (1/4" Scale)
 2. A certified certificate of survey of the property.
 3. A plot plan drawn to scale showing building location on the lot.
 4. A Copy of SWPPP (Storm Water Pollution Prevention Plan)

Impervious Coverage:

Total (sq ft) of Property: _____
Total (sq ft) of All Structures: _____
Total (sq ft) of Impervious Paving: _____
Impervious Coverage Percentage: _____

SOUTH ELEVATION



EXISTING

PROPOSED

GRAPHIC DETAIL
SCALE: 1/4" = 1'0"

NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: BEST WESTERN PLUS	Date: 8/4/15	Prepared By: PKE/MR/RM	<small>Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.</small>		DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1 (800) 843-9888 • www.personasigns.com
Location: CARTER LAKE, IA	File Name: 134594 - R2 - CARTER LAKE, IA	Eng: -			




EXISTING



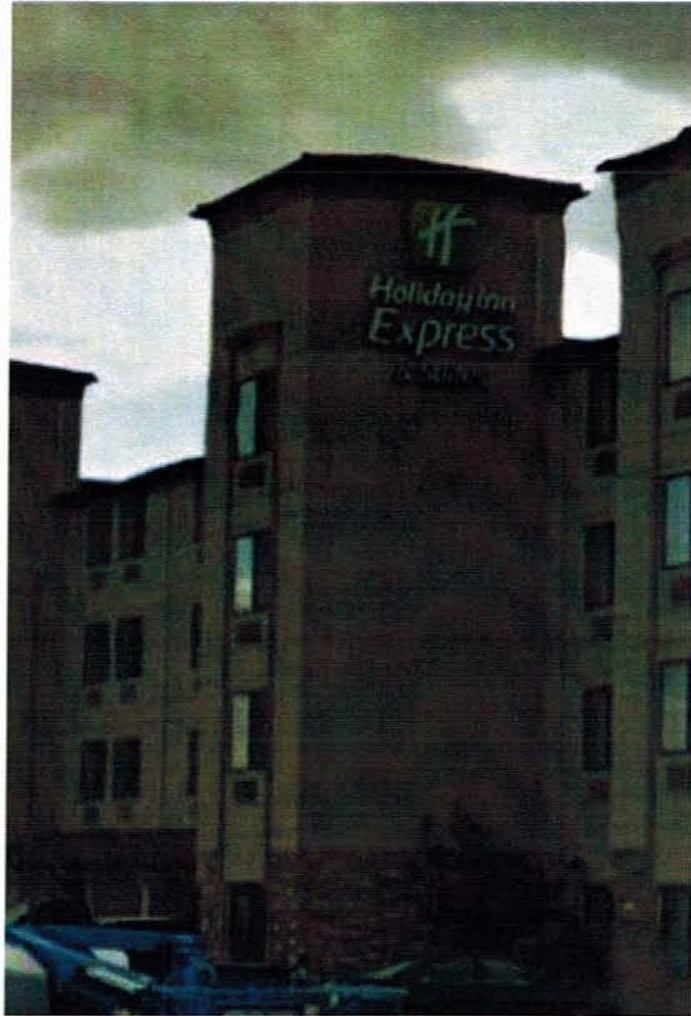
FACES AND POLE COVER TO BE BLACKED OUT
UNTIL NEW BW LOGO IS RELEASED

PROPOSED

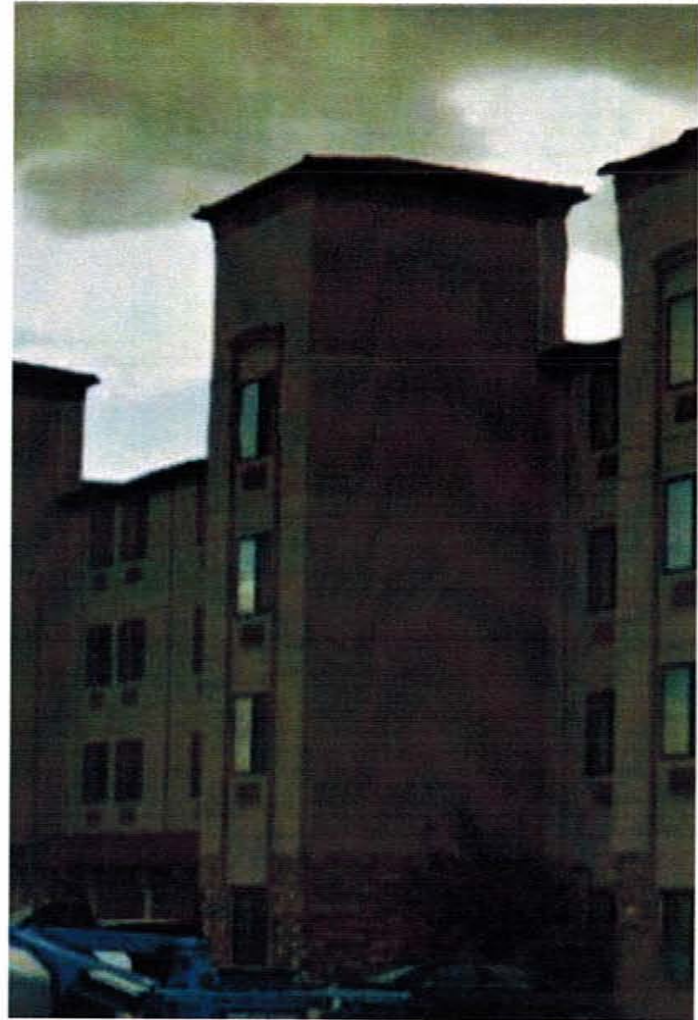
NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: BEST WESTERN PLUS	Date: 8/4/15	Prepared By: PKE/MR/RM	<small>Note: Color copies may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.</small>		DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1 (800) 843-9888 • www.personasigns.com
Location: CARTER LAKE, IA	File Name: 134594 - R2 - CARTER LAKE, IA		Eng: -		

NORTH ELEVATION




EXISTING



PROPOSED

*Removal
No Replacement at This Time*

NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: BEST WESTERN PLUS	Date: 8/4/15	Prepared By: PKE/MR/RM	Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.		DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1 (800) 843-9888 • www.personasigns.com
Location: CARTER LAKE, IA	File Name: 134594 - R2 - CARTER LAKE, IA	Eng: -			

FOR OFFICE USE: CASE# _____
Z.B.A. Public Hearing: _____
Signs Issued: _____/_____/by _____

Receipt # _____
Amount \$ _____
By _____ Date _____

APPLICATION FOR PLANNING BOARD AGENDA

1. APPLICANT: Mark Redeker 712-242-7375 Phone: 712-347-5588
Address: 3000 Airport Dr. *Status: _____
2. REPRESENTED BY: Mark Redeker Phone: _____
Address: _____
3. STREET ADDRESS/LOCATION: Airport drive & Locust St
S West Corner, Drive Entrance
4. LEGAL DISCRPTION: Sign @ Entry
5. OWNERS NAME: Litdeker Ltd
6. OWNERS ADDRESS: 3000 Airport Drive
Carter lake, IA 51510
7. REASONS FOR REQUEST AND INTENDED USES: Visability @ night
And Above Rental Fence.
8. ZONING DISTRICT: C/A
9. PRESENT USE: Temp Sign in place
10. COPY OF BLUEPRINTS OF INTENDED STRUCTURE.
11. ADMINISTRATIVE DECISION ISSUED: _____

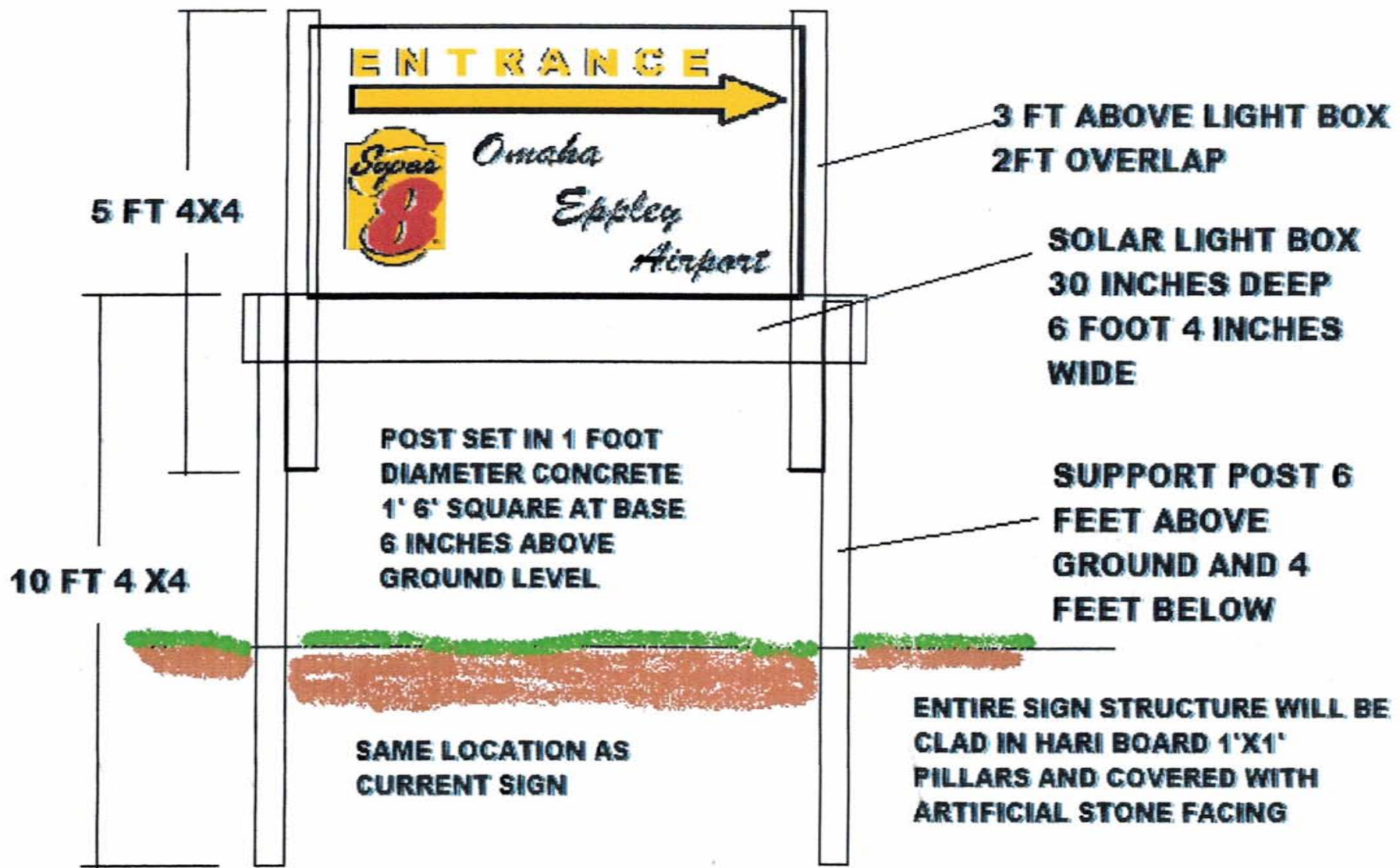
FOR OFFICE USE

12. ATTACHED TO THE APPLICATION ARE:
- a. Denied "Building Permit Application" form..... _____
 - b. Approves..... _____
 - c. Restrictions..... _____

THE FACTS PRESENTED ABOVE ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE:

13. SIGNATURE: _____ Date: _____
TYPED OR PRINTED NAME: _____ *Status: _____

*NOTE: P.O. = Property Owner C.P. = Contract Purchaser
O.H. = Legal Optionholder A. = Owner's authorized agent



ENTRANCE

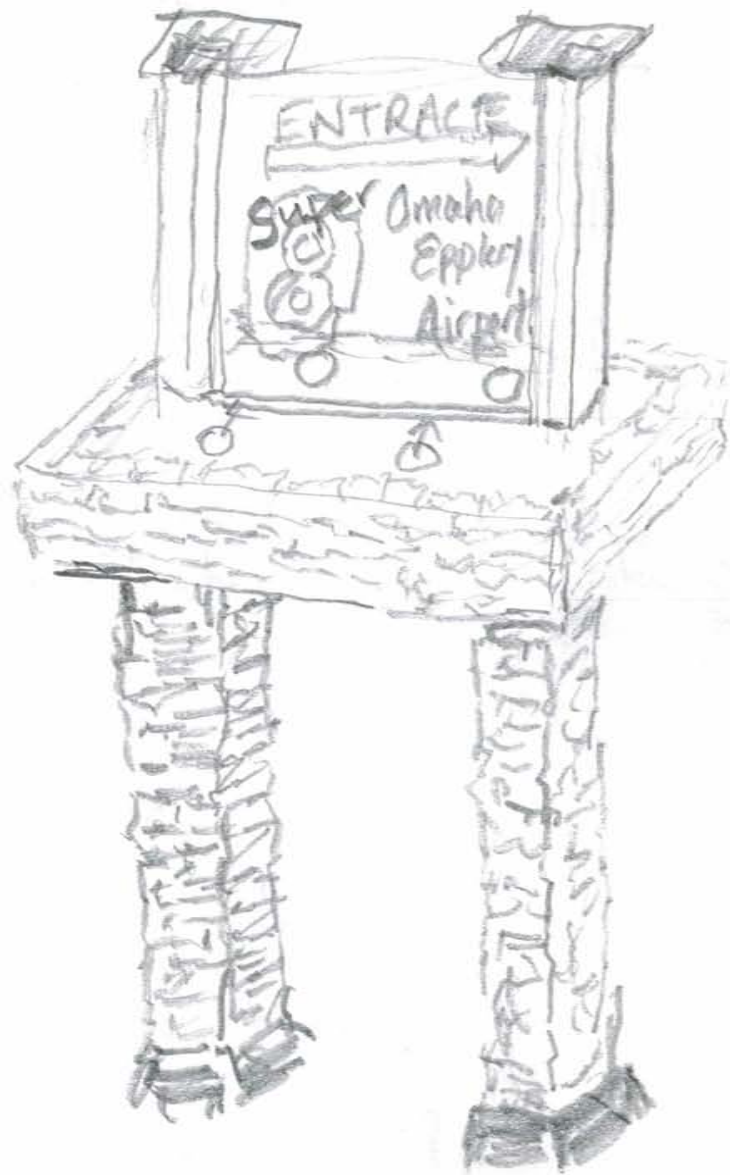


Omaha

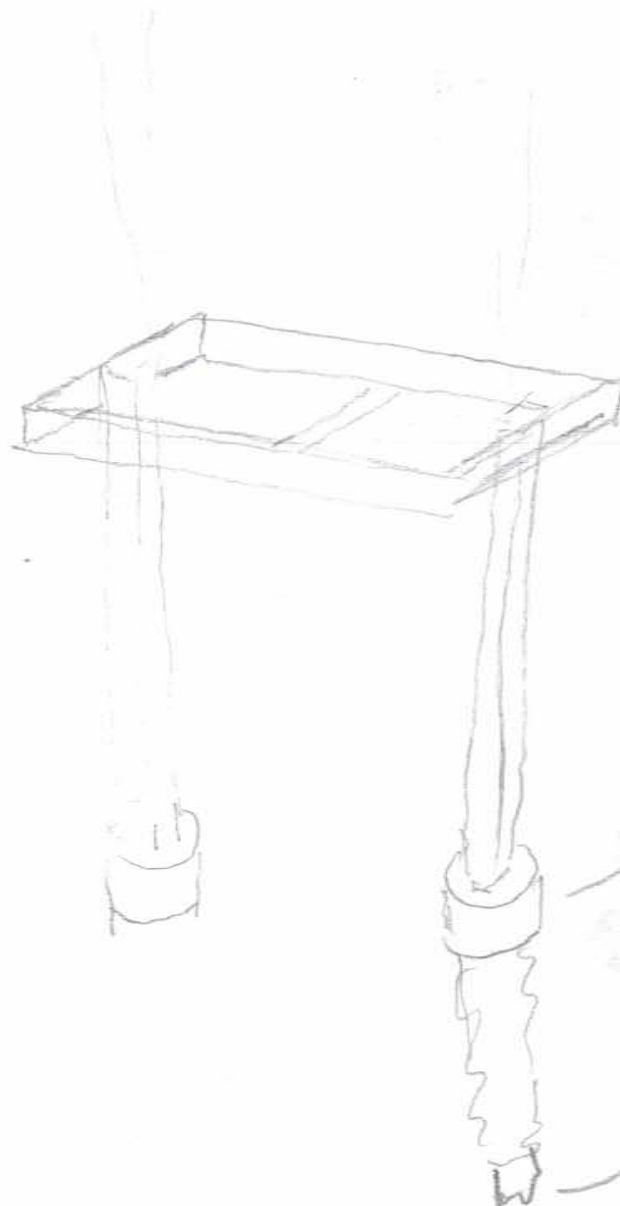
Eppley

Airport

**5 FOOT BY 3 FOOT SIGN DOUBLE SIDED
SAME SIZE AS CURRENT SIGN**



5ft x 3ft Sign



2 Pressure treated
4" x 4" x 10'

6ft

Aproximately
4ft



What They HAVE NOW
8-10-15

AIRPORT DRIVE



**TITLE V – BUILDING AND PROPERTY REGULATIONS
MISCELLANEOUS**

CHAPTER 136

STORM WATER REGULATIONS

136.01 Purpose
136.02 Applicability
136.03 Permits
136.04 Requirements

136.05 Detention Ponds (Surface)
136.06 Detention Cells (Subsurface)
136.07 Penalties

136.01 PURPOSE. The purpose of this chapter is to provide guidance as well as govern the handling and treatment of storm water within the boundaries of the City.

136.02 APPLICABILITY. The provisions of this chapter apply to all new developments or construction projects that disturb any area of land.

136.03 PERMITS. No development or construction project shall be permitted without the submittal and approval of a post construction storm water plan and a construction site runoff control plan. The City Building Inspector and Maintenance Manager shall approve both the post construction storm water plan and construction site runoff control plan. In addition, the storm water plan shall also be provided to the City of Carter Lake Planning Board as part of the commercial or industrial project approval process. No construction, excavating, clearing, grubbing or other soil disturbing activity requiring a State of Iowa NPDES permit shall be allowed until a copy of the State permit is provided with the application for a City permit and the City approves the application.

136.04 REQUIREMENTS.

1. **Prohibited Discharge.** It is unlawful for the discharge of anything other than storm water or allowable non-storm water pollutants for which a NPDES permit has been granted into a storm water collection system. Floor drains and other potential sources of pollutants shall be considered discharges even if no actual pollutants have been observed entering the storm water system from such a source.
2. **Construction Site Runoff Control.** Any development or project that disturbs any area of land by clearing, grubbing, or excavation shall provide a plan for the control of runoff and sedimentation. The plan shall identify the best management practices (BMPs) to be used and detail their construction and placement. All control measures shall be maintained until any permanent storm water control measures are in place and established and/or operational for the development. The developer/contractor shall provide an adequate means or method for the control of construction waste. The control measure must ensure that solid building materials, chemicals, concrete truck wash out and sanitary waste are contained and disposed of in an approved manner. The City Building Inspector shall inspect the construction site runoff control measures at least every seven (7) days and within two (2) days of a ½-inch or greater rain event for compliance, adequacy, effectiveness and condition. Deficiencies or failure to maintain the construction control measures may result in a

“stop work order” until the deficiency or maintenance issue is resolved to the satisfaction of the inspector.

3. Post Construction Site Runoff Control. All developments of any area of land shall provide the City Planning Board, City Maintenance Manager and City Building Inspector engineering documents and calculations that detail the proposed means for accommodating post construction runoff, as established in the City of Carter Lake Storm Water Drainage Design Standards (January 2001). The design of the site sediment and erosion control plan and pollution prevention plan shall conform to the best management practices in the Environmental Protection Agencies (EPA) Storm Water Management for Construction Activities, EPA Document No. EPA-833-R-92-001 Chapter 3. The plan shall meet the following objectives:

- A. Prevent loss of soil during and after construction by storm water runoff and/or wind erosion, including protecting topsoil by stockpiling for reuse.
- B. Prevent sedimentation of storm sewers, receiving streams or lakes and/or air pollution with dust and particulate matter.
- C. Prevent the discharge of hazardous material into storm water systems.
- D. Prevent petroleum oils and lubricants discharge into storm water systems.
- E. Minimize the impact on the current City storm water systems.
- F. Minimize the area required for surface storm water storage areas.
- G. Maximize the percolation of the storm water into the water table.

All detention facilities must provide detention for an initial 2-inch of rainfall per impervious acre (paving or building roof) of storm water runoff for 24 hours. The storage volume shall be adequate to limit the post construction storm water discharge rate to the pre-construction discharge rate for the 5-, 10-, and 100-year storm water events. If necessary the storm water plan provided to the City of Carter Lake shall incorporate a means to accommodate or redirect existing storm water that may be entering the development or project site from adjacent property or streets. The City of Carter Lake Planning Board, Maintenance Manager, and Building Inspector shall approve the accommodation for the storm water from adjacent areas. The storm water plan for a development or project may not negatively impact an adjacent property or street.

136.05 DETENTION PONDS (SURFACE). Reference Appendix A to the ordinance codified in this chapter (Ordinance No. 626) for the City of Carter Lake Storm Water Drainage Design Standards (January 2001) and additional information regarding storage facilities. Any storm water detention pond or drainage swale shall be designed and constructed to provide an easily maintained bottom and side slopes. These areas shall be seeded or sodden with grass. The facility or swale shall be routinely mowed. Subsurface drains or other methods shall be used to dry the bottom of the detention area or swale to prevent ruts when mowing. The subsurface drains shall be designed to encourage infiltration. The percolation rate may be used in computing the capacity of the detention facility. The rate of infiltration shall be determined by the performance of no less than three percolation tests at spaced intervals in the area and at the depth that the in-ground storage facility will be constructed. The information will be provided as part of the documentation submitted with the plan submittal. The design of the storm water retention facilities may use the parking

surfaces for temporary impoundment provided the area is designed for this use. Any surface retention pond or storage facility used for the temporary holding of storm water shall be drained within a 24-hour period following a storm event. Any surface retention pond designed to contain a permanent quantity of water shall be provided with a means to control water-breeding insects either through chemical means, aeration equipment or pumping equipment. All retention ponds should be designed with a minimal slope of 4:12 to facilitate maintenance and access and egress from the holding area. If the detention area design or available area does not meet the recommended minimal slope then fencing or other means of security shall be provided around the entire detention area. A separate drawing sheet shall be provided depicting details of the detention ponds construction, level of water in the pond at the design rain events noted in the City of Carter Lake Storm Water Drainage Design Standards (January 2001). The drawing sheet(s) shall include the design criteria used as the basis of the design and document compliance with this chapter. An Iowa licensed professional engineer shall seal the drawing.

136.06 DETENTION CELLS (SUBSURFACE). The use of underground percolation wells or galleries and storage structures is encouraged. The capacity of the underground detention structure shall be the equivalent of an above ground detention structure. The percolation rate may be used in computing the capacity of the detention facility. The rate of infiltration shall be determined by the performance of no less than three percolation tests at spaced intervals in the area and at the depth that the in-ground storage facility will be constructed. The information will be provided as part of the documentation submitted with the plan submittal. A separate drawing sheet shall be provided depicting details of the underground detention cell construction, level of water in the cell at the design rain events noted in the City of Carter Lake Storm Water Drainage Design Standards (January 2001). The drawing sheet(s) shall include the design criteria used as the basis of the design and document compliance with this chapter. An Iowa licensed professional engineer shall seal the drawing.

136.07 PENALTIES. Any person violating any of the provisions of this chapter shall be guilty of a civil municipal infraction. The City, at its discretion, may perform maintenance on a storm water detention facility or swale such as to remove standing water, replace grass, mow, insect control, and remove sediment. Costs of the maintenance will be billed back to the landowner. A 24-hour notice will be given to the landowner prior to the City performing the required maintenance.

[The next page is 801]

ORDINANCE NO. 633

AN ORDINANCE TO AMEND CHAPTER 136, OF THE CODE OF
ORDINANCES OF THE CITY OF CARTER LAKE

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

Section 1. That Chapter 136, "Storm Water Control" of the Code of Ordinances of the City of Carter Lake, Iowa, is hereby repealed in its entirety and the following adopted in lieu thereof:

PURPOSE. To provide guidance as well as govern the handling and treatment of storm water within the boundaries of the City of Carter Lake, Iowa.

PERMITS.

No development or construction project shall be permitted without the submittal and approval of a construction site runoff control plan and a post-development storm water management plan that is adequate to serve, or unless there has been a determination by the Building Inspector and Maintenance Manager that such plans are not necessary.

The City of Carter Lake Building Inspector and Maintenance Manager shall approve both the construction site runoff control plan and a post-development storm water management plan. In addition, the storm water plans shall also be provided to the City of Carter Lake Planning Board as part of the Commercial or Industrial project approval process.

CONSTRUCTION SITE RUN OFF CONTROL - Soil and Water Pollution Prevention Plan (SWPPP).

Comply with all current minimum mandatory requirements for SWPPPs promulgated by the Iowa Department of Natural Resources in connection with the issuance of a State NPDES General Permit No.2. Projects less than one (1) acre must consult with Building Inspection Office and comply with City guidelines.

The City of Carter Lake building inspector shall inspect the construction site run off control measures at least every seven (7) days for compliance, adequacy, effectiveness and condition. Deficiencies or failure to maintain the construction control measures may result in a "stop work order" until the deficiency or maintenance issue is resolved to the satisfaction of the inspector.

POST-DEVELOPMENT RUN OFF CONTROL - Storm Water Management Plan.

- A. All areas within the proposed parcel(s) shall be developed to comply with Statewide Urban Design Standards (SUDAS) and shall manage water quality volume of 1.25 inches by infiltration processes according to the Iowa Stormwater Management Manual.
- B. The plan must be designed to prevent the post-development rate of runoff from the subdivision or site planned development from exceeding the predevelopment rate of runoff for a five-year to a 100 year, 24-hour storm as defined by the Iowa Stormwater Management Manual.

C. Adequate overland relief with a proper easement established for storms larger than a 100 year storm as defined by the Iowa Stormwater Management Manual shall be provided.

D. The design is to be completed and signed by a licensed engineer.

WATER QUALITY CRITERIA

A. Post-development runoff shall be captured and treated by water quality Best Management Practices (BMP), as recognized by the SUDAS and the Iowa Stormwater Management Manual, to prevent or minimize water quality impacts from land development. The applicant shall use the below information to comply with this criterion:

1. Structural and non-structural practices shall be designed to capture and treat the Water Volume (WQv). The WQv shall be computed as specified in the Iowa Stormwater Management Manual.

2. This criterion shall be met using practices from the Stormwater Technology section in the Iowa Stormwater Management Manual. BMPs or combinations of BMPs shall be selected that achieve the highest pollutant load reduction for the pollutants of concern.

B. The design is to be completed and signed by a licensed engineer.

The developer/contractor shall provide an adequate means or method for the control of construction waste. The control measure must ensure that solid building materials, chemicals, concrete truck wash out and sanitary waste are contained and disposed of in an approved manner.

No construction, excavating, clearing, grubbing or other soil disturbing activity requiring a State of Iowa NPDES permit shall be allowed until a copy of the State permit is provided with the application for a City permit and the City approves the application.

If necessary the storm water plan provided to the City of Carter Lake shall incorporate a means to accommodate or redirect existing storm water that may be entering the development or project site from adjacent property(s) or streets. The City of Carter Lake Planning Board, Maintenance Manager and Building Inspector shall approve the accommodation for the storm water from adjacent areas.

The storm water plan for a development or project may not negatively impact an adjacent property or street.

The City of Carter Lake building inspector and/or City Maintenance Supervisor shall inspect the post-development run off control measures annually for compliance, adequacy, effectiveness and condition.

PENALTIES

Any person violating any of the provisions of this chapter shall be guilty of a civil municipal infraction.

The City of Carter Lake at their discretion may perform maintenance on a storm water detention facility or swale such as to remove standing water, replace grass, mow, perform insect control and remove sediment. Costs of the maintenance will be

billed back to the landowner. A 24-hour notice will be give to the landowner prior to the City performing the required maintenance.

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

SECTION 3. Severability Clause. If any of the provisions of this Ordinance are for any reason declared illegal or void, the lawful provisions of this Ordinance which are severable from said unlawful provisions shall remain in full force and effect.

SECTION 4. Effective Date. This Ordinance shall be in full force and effect from and after its final passage and publication.

Attest:

PASSED
AND July 15, 2013
APPROVED

Doreen Mowery
DOREEN MOWERY, City Clerk

Russell D Kramer
RUSSELL KRAMER, Mayor

The undersigned as City Clerk of Carter Lake, Iowa does hereby certify that on Aug 7, 2013, I posted true and exact copies of the foregoing ordinance in four public places to-wit: City Hall, Carter Lake Senior Center, Peoples National Bank and Owen Memorial Library all within the limits of the City of Carter Lake, Iowa.

Doreen Mowery
DOREEN MOWERY, City Clerk

FIRST CONSIDERATION: May 20, 2013
SECOND CONSIDERATION: June 17, 2013
THIRD CONSIDERATION: July 15, 2013

DEFINITIONS.

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Article, shall have the meanings hereinafter designated.

Adequate /Adequacy means in compliance with original plan.

Best management practices (BMP) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of the MS4 and waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

City means the City of Carter Lake, Iowa.

Construction Site Runoff Control Plan refers to SWPPP.

Discharge means any addition or introduction of any pollutant, storm water, or any other substance whatsoever into the municipal separate storm sewer system (MS4) or into waters of the United States.

Environmental Protection Agency or EPA means the United States Environmental Protection Agency, or any duly authorized official of said agency.

National Pollutant Discharge Elimination System means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the federal Clean Water Act.

NPDES means the National Pollutant Discharge Elimination System.

NPDES permit means a permit issued by EPA (or by the State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Pollutant means dredged spoil; solid waste; incinerator residue; sewage; garbage; sewage sludge; filter backwash; munitions; chemical wastes; biological materials; toxic materials; radioactive materials; heat; wrecked or discarded equipment; rock; sand; cellar dirt; and industrial, municipal, recreational, and agricultural waste discharged into water or into the municipal separate storm sewer system.

Storm water means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snow melt.

Storm water discharge associated with industrial activity means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under 40 CFR part 122. For the categories of industries identified in paragraphs (i) through (x) of this definition the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR part 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm

water. For the categories of industries identified in paragraph (xi) of this definition, the term includes only storm water discharges from all the areas (except access roads and rail lines) that are listed in the previous sentence where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally, State, or municipally owned or operated that meet the description of the facilities listed in this paragraphs (i)-(xi) of this definition) include those facilities designated under the provisions of 40 CFR §122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" :

SUDAS means Statewide Urban Design and Specifications

Development and Construction Project including clearing, grading and excavation activities except: operations that result in the disturbance of less than one acre of total land area which is not part of a larger common plan of development or sale:

SWPPP means storm water pollution prevention plan.

Water in the state means ground-water, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, wetlands, marshes, inlets, canals inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, navigable or non-navigable, and including the bed and banks of all watercourses and bodies of surface water that are wholly or partially inside or bordering the state or inside the jurisdiction of the state.