

NOTICE OF SPECIAL MEETING OF THE CARTER LAKE CITY COUNCIL

City Council agendas are available at www.cityofcarterlake.com

You are hereby notified that there is a meeting of the City Council, Carter Lake, Iowa, will be held on **Wednesday, June 4, 2025, at 5:00 p.m.,**

in the City Hall Council Chambers, 950 East Locust Street, Carter Lake, Iowa,

for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Council. This is a formal meeting during which the Council may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Council for speakers:

1. Anyone may address the Council on any agenda item.
 2. Speakers should approach the microphone one at a time and be recognized by the mayor.
 3. Speakers should give their name, spell their name, give their address, and then their statement.
 4. Everyone should have an opportunity to speak. Therefore, please limit your remarks to three minutes on any one item.
 5. At the beginning of the discussion on any item, the mayor may request statements in favor of an action to be heard first, followed by statements in opposition to the action.
 6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under "Citizen Concerns".
 7. For the benefit of all in attendance, please turn off all cell phones and other communication devices while in the City Council Chambers.
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1. Public Hearing for Rezoning (see page 2 for notice)
2. Pledge of allegiance
3. Roll call
4. Approval of the agenda
 - a. additions or deletions

NEW BUSINESS

5. Communications from:
 - a. Department Supervisors
 - b. Mayor Ronald Cumberledge
 - c. Clint Fichter, City Attorney
6. ORDINANCES AND RESOLUTIONS:
 - a. Consider amendment to zoning for property at 9th and Avenue K
 - b. Consider amendment to the demolition permit ordinance
 - c. Consider an ordinance to assess the cost for water shut-off valve replacements
 - d. Consider ordinance to assess monthly fee to property owners who refuse to cooperate with PeopleService request to replace water meters
7. CITIZEN CONCERNS (3 minutes per resident)
8. COUNCIL CONCERNS (3 minutes per member)
9. ADJOURNMENT

NOTICE OF PUBLIC HEARING
Carter Lake City Council on
WEDNESDAY JUNE 4, 2025, 5:00 P.M.
City Hall, 950 Locust St. Carter Lake, IA

THE CARTER LAKE CITY COUNCIL WILL BE ACCEPTING COMMENTS REGARDING THE PROPOSED AMENDMENT TO THE ZONING TO THE LAND USE DEVELOPMENT ORDINANCES FOR THE CITY OF CARTER LAKE, IOWA. The Land Use Development Ordinances adopted by the City of Carter Lake, Iowa on March 17, 2025, shall be amended as follows:

1. Amend the zoning of the entire parcel located at the corner of 9th and K from R-2 to R-3 (Urban Residential Multi-family) for the development of an apartment complex for residents over 55+.

Current Zoning - R-2 URBAN RESIDENTIAL MULTI-FAMILY DISTRICT

This district is intended to provide for moderate density residential development, with gross densities generally between 4 and 12 units per acre. These developments are characterized by single-family dwellings on moderately sized lots along with low-density multi-unit residential structures such as duplexes and townhouses. It provides regulations to encourage innovative forms of housing development. It adapts to both established and developing neighborhoods, as well as transitions between single-family and multi-family areas.

Proposed Zoning - R-3 URBAN RESIDENTIAL MULTI-FAMILY DISTRICT

This district is intended to provide for low and medium density multi-family residential development, with gross densities generally between 12 and 24 units per acre. These developments often are characterized by low rise buildings in multiple structure configurations, with an emphasis on open space, convenient parking, and, in many cases, common community facilities such as clubhouses and swimming pools. This district is also appropriate for larger townhouse complexes, while still accommodating lower density forms of development.

ADA AND INCLUSIVE LANGUAGE NOTICE

The City of Carter Lake does not discriminate based on disability in admission to, access to, or operations of its programs, services, or activities. Individuals who need auxiliary aid for effective communication in programs and services of the City of Carter Lake are invited to make their needs and preferences known to the ADA Compliance Officer, City Hall, 950 East Locust Street, (712) 347-6320. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990. The City of Carter Lake promotes equity and inclusion of protected classes including sex, ethnicity, color, familial status, gender identity, age, marital status, national origin, geographic background, race, creed, religious and spiritual beliefs, sexual orientation, socioeconomic status, mental and physical disability, or veteran status in admission to, access to, or operations of its programs, services, or activities. This notice applies to all departments, employees, commissions, boards, and volunteers that work with the City of Carter Lake.

ORDINANCE NO.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARTER LAKE, IOWA, BY AMENDING SECTION 155.08 TO REQUIRE VERIFICATION OF UTILITY DISCONNECTS AND CAP OFFS PRIOR TO ISSUANCE OF A DEMOLITION PERMIT

BE IT ENACTED by the City Council of the City of Carter Lake, Iowa:

SECTION 1. PURPOSE. The purpose of this ordinance is to ensure that demolition activities proceed safely and with minimal disruption to city infrastructure by requiring pre-demolition verification of utility disconnects and capping by City personnel.

SECTION 2. AMENDMENT. Section 155.08 of the Code of Ordinances of the City of Carter Lake, Iowa, is hereby amended by adding the following new subsection:

8. Verification of Utility Disconnects Prior to Permit Issuance.

Prior to the issuance of any demolition permit, the Building Inspector or Maintenance Supervisor shall:

A. Verify that all water and sewer connections to the property have been properly disconnected and capped in compliance with city standards;

B. Verify that all utility providers, including electric, gas, and telecommunications, have completed final service disconnection and have removed associated meters and equipment as required;

C. No demolition permit shall be issued until all required utility disconnects and cap offs have been confirmed by the City.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE.

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

First Reading Passed: 05/19/2025

Second Reading Passed: DATE/Waived

Third Reading Passed: DATE/Waived

Mayor

ATTEST:

City Clerk

ORDINANCE NO.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARTER LAKE, IOWA, BY ADDING SECTIONS 92.10 AND 92.11 TO CHAPTER 92, WATER RATES, RELATING TO SHUT-OFF VALVE REPLACEMENT AND METER ACCESS NONCOMPLIANCE.

BE IT ENACTED by the City Council of the City of Carter Lake, Iowa:

SECTION 1. NEW SECTIONS. Chapter 92 of the Code of Ordinances of the City of Carter Lake, Iowa, is hereby amended by adding the following new sections:

92.10 COSTS OF REPLACING INACCESSIBLE OR NONFUNCTIONING CURB SHUT-OFF VALVES.

1. In any instance where a customer's water shut-off valve (curb stop) is nonfunctional or inaccessible and the property owner either refuses or fails to replace or repair the shut-off valve upon notice from the City, the City may cause the necessary replacement or repair to be performed by a qualified contractor.
2. Upon completion of the work, the City shall assess the actual cost of repair or replacement to the property owner, plus a \$50.00 administrative fee.
3. The total amount assessed shall be billed to the property owner and shall be due within twelve (12) months from the date of billing. No interest shall be charged during this twelve-month period.
4. If the property owner fails to pay the total assessed amount within the twelve-month period, the unpaid amount shall be certified as a lien against the property. The lien shall be collected in a single installment through the next available annual property tax collection cycle, pursuant to Iowa Code Section 384.84.

92.11 PENALTIES FOR FAILURE TO PROVIDE ACCESS FOR WATER METER REPLACEMENT.

1. If a property owner refuses or fails to cooperate with the City or its authorized contractor in granting access to replace a water meter, the property owner shall be assessed a noncompliance fee of \$50.00 per month until such access is provided and the meter is replaced.
2. Prior to the first monthly fee being assessed, the City shall provide three notices:
 - A. The first notice shall be posted prominently on the front door of the residence.

- B. The second and third notices shall be mailed to the property owner's last known mailing address as contained in the records of the Pottawattamie County Assessor.
3. Monthly assessments shall begin thirty (30) days after the third notice is mailed, and shall continue to accrue until the meter replacement is completed.
 4. All noncompliance fees assessed under this section shall be added to the customer's utility account and collected in the same manner as other utility charges. If unpaid, the total amount may be certified as a lien against the property. Any such lien shall be collected in a single installment through the next annual property tax collection cycle, pursuant to Iowa Code Section 384.84.

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

SECTION 3. SEVERABILITY CLAUSE. 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. EFFECTIVE DATE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

First Reading Passed: 05/19/2025

Second Reading Passed: DATE/Waived

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