AGENDA

City of Carter Lake
CITY COUNCIL WORKSHOP
Police Meeting Room
Monday, October 5, 2026 at 5:30 PM

1. Resolutions
    - 2026-10-19-1-Designating signature for banking purpose
    - 2026-10-19-2-Amending 2025-10-20 updating check signing procedures and authorized officers
    - 2026-10-19-3-approving tax abatement for 1302 Cedar St
2. Ordinances
    - Scooter/E-bike
    - Stormwater revisions
    - Sidewalk Ordinance
3. City Attorney Clint Fichter
    - TIF/TIF projects
    - Closed session for council meeting to discuss lawsuits
4. Mayor Jason Gundersen
    - Mabrey Park Sea wall proposals
    - Ave K curb and resurfacing
    - City Motors Salvage permit
5. City Administrator Cameron Gales??????
    - Stormwater connections
    - Board term limit document
    - Flooring estimate
    - B&G Club invoice

6. Councilmember Jackie Wahl
    - Review of Driveway Ordinance
7. City Clerk Celane Hauser
    - Tax abatement approved 11-18-24 for Gage and Haley Bowman, 1302 Cedar Street-was not certified to auditor-needs to be approved and sent for certification

RESOLUTION NO. 2026-10-19-1

WHEREAS, it is necessary to designate signatures for banking purposes for the City of Carter Lake, Iowa:

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Carter Lake, Iowa:

That we do hereby agree to add City Clerk, Celane Hauser, as an authorized person for signatures on all banking matters.

Passed and approved this 19th day of October 2026.

_____
Jason Gundersen, Mayor

ATTEST:

_____
Jenna Garcia, Deputy City Clerk

RESOLUTION NO. 2026-10-19-2

RESOLUTION amending 2025-10-20, UPDATING CURRENT OFFICERS AND AUTHORIZING CHECK SIGNING PROCEDURES AND DESIGNATING AUTHORIZED OFFICERS FOR SIGNATURES

WHEREAS, the City Council of the City of Carter Lake, Iowa (the "City") desires to establish formal procedures for the signing of checks drawn on municipal bank accounts to promote proper internal controls and accountability; and

WHEREAS, the City finds it prudent to designate the officers authorized to sign and countersign such checks, and to prohibit facsimile signatures;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carter Lake, Iowa, as follows:

1. **Purpose.** The purpose of this Resolution is to adopt check-signing procedures for the City, define the designated signatories and counter signatories, and ensure that no facsimile signatures are used on City checks.
2. **Authorized Primary Signatories.** The following officers are authorized to provide the primary manual signature on checks drawn on City accounts:
    - The Mayor of the City of Carter Lake.
    - The Mayor Pro Tempore when acting in the capacity of the Mayor, or when the Mayor is unavailable.
3. **Authorized Counter-Signature.** The following officers are authorized to provide the manual counter-signature on checks drawn on City accounts:
    - The City Administrator of the City of Carter Lake.
    - The City Clerk of the City of Carter Lake.
4. **Prohibition on Facsimile Signatures.** No facsimile, mechanical, electronic, or stamped signature shall be eligible or acceptable for use on any check drawn on the City's accounts. All checks must bear manual signatures by the designated signatories and counter signatories.
5. **Current Officers.** The following individuals are currently serving in the designated positions and are authorized under this Resolution (subject to change by separate resolution):
    - Mayor: Jason Gundersen
    - Mayor Pro Tempore: Victor Skinner
    - City Administrator: Cameron Gales

- City Clerk: Celane Hauser

6. **Amendment of Designated Signatories.** The City Council may at any time change, replace, or add to the officers authorized as signatories or counter signatories by adoption of a separate resolution. Any such change shall be communicated in writing to the City's banking institution(s).
7. **Effective Date.** This Resolution shall be in full force and effect immediately upon its passage and shall remain in effect until further action of the City Council.

PASSED and APPROVED this ____day of _____, 2026.

EXECUTIVE APPROVAL

_____
Mayor

ATTEST:

_____
City Clerk

RESOLUTION 2026-10-19-3

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, Gage & Haley Bowman, owners of record at 1302 Cedar St, request 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 approval for eligibility for tax exemption for the proposed improvements as indicated on the attached application; and

BE IT FURTHER RESOLVED:

THAT, such 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 19th DAY OF OCTOBER 2026.

_____
Jason Gundersen, Mayor

ATTEST:

_____
Celane Hauser, City Clerk

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE II - COMMUNITY PROTECTION, DIVISION 2 - ENFORCEMENT: TRAFFIC, CHAPTER 76 - BICYCLE REGULATIONS, AND TO ADD CHAPTER 78 - ELECTRIC SCOOTERS, ELECTRIC BICYCLES, AND PERSONAL TRANSPORTATION DEVICES, OF THE CODE OF ORDINANCES OF THE CITY OF CARTER LAKE, IOWA.

BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF CARTER LAKE, IOWA:

SECTION 1. SECTION MODIFIED. That Title II - Community Protection, Division 2 - Enforcement: Traffic, Chapter 76 - Bicycle Regulations, Section 76.01, Scope of Regulations, of the Code of Ordinances of the City of Carter Lake, Iowa, is hereby repealed in its entirety and replaced with the following:

76.01 SCOPE OF REGULATIONS. These regulations shall apply whenever a bicycle, including a low-speed electric bicycle as defined in Iowa Code section 321.1, as amended, is operated upon any street, sidewalk, or public path on which bicycle operation is permitted, subject to those exceptions stated herein. A person under sixteen (16) years of age may operate a class 1 or class 2 low-speed electric bicycle on a City street or sidewalk wherever bicycle operation is otherwise permitted, subject to State law, Section 76.08, and any other applicable City regulation or lawful sign that does not conflict with State law. A person under sixteen (16) years of age shall not operate a class 3 low-speed electric bicycle.

(Code of Iowa, Secs. 321.1, 321.235B, and 321.236[10])

SECTION 2. SECTION MODIFIED. That Title II - Community Protection, Division 2 - Enforcement: Traffic, Chapter 76 - Bicycle Regulations, Section 76.02, Traffic Code Applies, of the Code of Ordinances of the City of Carter Lake, Iowa, is hereby repealed in its entirety and replaced with the following:

76.02 TRAFFIC CODE APPLIES. Every person riding a bicycle, including a low-speed electric bicycle, upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State declaring rules of the road applicable to vehicles or by the Traffic Code of the City applicable to the driver of a vehicle, except as to those provisions that by their nature can have no application. A low-speed electric bicycle and its operator are additionally subject to Iowa Code section 321.235B, as amended. Whenever such person dismounts from a bicycle, the person shall be subject to all regulations applicable to pedestrians.

(Code of Iowa, Secs. 321.234 and 321.235B)

SECTION 3. CHAPTER ADDED. That Title II - Community Protection, Division 2 - Enforcement: Traffic, of the Code of Ordinances of the City of Carter Lake, Iowa, is hereby

amended by adding a new Chapter 78 immediately after Chapter 77 and before Chapter 80 as follows:

CHAPTER 78

ELECTRIC SCOOTERS, ELECTRIC BICYCLES, AND PERSONAL TRANSPORTATION DEVICES

78.01	Purpose	78.02	Definitions
78.03	Scope and Construction	78.04	Traffic Rules and Responsible Operation
78.05	Places of Operation and Sidewalk Prohibition	78.06	Crosswalks, Bicycle Paths, and Multi-Use Trails
78.07	Roadway Operation; Age or License; Play Streets; Crossings	78.08	Speed
78.09	Passengers, Articles, Towing, and Clinging	78.10	Emerging from Alley, Driveway, or Building
78.11	Equipment Requirements	78.12	Parking and Obstructions
78.13	Owner's Consent Required	78.14	Mobility Devices Used by Persons with Disabilities; Official Use
78.15	High-Powered and Nonconforming Devices	78.16	Signs, Routes, Temporary Restrictions, and Shared Mobility Fleets
78.17	Violations and Penalties		

78.01 PURPOSE. The purpose of this chapter is to establish reasonable rules for the operation and parking of electric scooters, electric bicycles that are not low-speed electric bicycles, electric personal assistive mobility devices, and personal transportation devices; establish a roadway age-or-license qualification with limited exceptions; prohibit operation of regulated electric devices on sidewalks; provide limited operation on designated play streets; protect pedestrians, riders, motorists, accessible routes, and public property; and provide consistent regulation within the City.

(Code of Iowa, Secs. 321.235, 321.236, and 364.1)

78.02 DEFINITIONS. For use in this chapter, the following terms are defined:

1. **Business District.** The Business District as defined in Section 60.02(2) of this Code of Ordinances.

2. **Electric Bicycle.** A bicycle equipped with an electric motor.

3. **Electric Personal Assistive Mobility Device.** An electric personal assistive mobility device as defined in Iowa Code section 321.1 and governed by Iowa Code section 321.235A, as amended.

4. **Electric Scooter.** A device designed to transport one person sitting or standing and equipped with two or three wheels, handlebars, a floorboard or deck, and an electric motor. A qualifying electric scooter may constitute a pedestrian conveyance under Iowa Code section 321.1. The term does not include a bicycle, low-speed electric bicycle, wheelchair, motorcycle, or motorized bicycle.

5. **Low-Speed Electric Bicycle.** A low-speed electric bicycle as defined in Iowa Code section 321.1 and governed by Iowa Code section 321.235B, as amended, and by Chapter 76 of this Code of Ordinances.

6. **Multi-Use Trail.** A paved or unpaved facility separated from a roadway and intended for shared use by pedestrians, bicycles, pedestrian conveyances, or other authorized users. A multi-use trail is not a street or highway unless State law provides otherwise.

7. **Non-Low-Speed Electric Bicycle.** An electric bicycle that does not qualify as a low-speed electric bicycle under Iowa Code section 321.1, as amended.

8. **Personal Transportation Device.** An electrically powered device, other than a low-speed electric bicycle or wheelchair, designed to move one or more persons sitting or standing. The term includes a device that qualifies as a pedestrian conveyance or an electric personal assistive mobility device under State law.

9. **Play Street.** A street or portion of a street designated and signed as a play street pursuant to Section 62.02 of this Code of Ordinances.

10. **Regulated Electric Device.** An electric scooter, electric personal assistive mobility device, non-low-speed electric bicycle, personal transportation device, or other electrically powered rideable device designed to transport one or more persons. The term does not include a low-speed electric bicycle governed by Chapter 76 or a wheelchair or other mobility device when used by a person with a disability.

11. **Shared Mobility Fleet.** Two or more regulated electric devices controlled by a common owner or operator and offered to the public for short-term rental, subscription, or shared use.

(Code of Iowa, Sec. 321.1)

78.03 SCOPE AND CONSTRUCTION. This chapter shall be applied as follows:

1. **Applicability.** This chapter applies whenever a regulated electric device is operated or parked on a street, roadway, alley, sidewalk, crosswalk, bicycle facility, multi-use trail, public parking area, park facility, or other property under the jurisdiction or control of the City.

2. **State Law Controls.** The actual characteristics and State-law classification of a device control. A device that qualifies as a pedestrian conveyance is governed by State-law provisions applicable to pedestrians, together with the additional nonconflicting requirements of this chapter. A device classified as a vehicle, motor vehicle, motorcycle, motorized bicycle, or another class is also subject to all State-law requirements applicable to that classification.

3. **No Authorization of Otherwise Prohibited Operation.** This chapter does not authorize the operation of a motorcycle, motorized bicycle, all-terrain vehicle, off-road utility vehicle, snowmobile, golf cart, low-speed vehicle, high-powered device, or other vehicle in a place where operation is prohibited by State law or another provision of this Code.

4. **Local Roadway Qualification; Other Licensing and Registration.** The age-or-license requirement in Section 78.07 is a local condition of roadway use and does not classify a regulated electric device as a motor vehicle. Registration, title, inspection, financial responsibility, and any additional driver licensing requirements apply only when required by State law for the device's actual classification.

5. **No Representation of Safety.** Permission to use a route or facility does not represent that the route or facility is safe under every condition. Each operator remains responsible for due care and compliance with this chapter and State law.

(Code of Iowa, Secs. 321.1, 321.235, and 321.236)

78.04 TRAFFIC RULES AND RESPONSIBLE OPERATION. A person operating a regulated electric device shall comply with the following requirements:

1. **Officers and Traffic Controls.** The operator shall obey peace officers, official traffic-control devices, and signs lawfully placed by the City or another authority having jurisdiction.

2. **Pedestrian Rules.** The operator shall comply with State-law duties applicable to pedestrians and pedestrian conveyances, except where a more specific nonconflicting provision of this chapter applies.

3. **Care and Control.** The operator shall maintain reasonable control and exercise due care for pedestrians, vehicles, animals, property, surface conditions, and other traffic.

4. **Hazardous Operation.** A person shall not operate in a willful, wanton, reckless, erratic, or unnecessarily hazardous manner, including racing, stunt riding, unnecessary weaving, or swerving into the path of another road or trail user.

5. **Impairment.** A person shall not operate while impaired by alcohol, a controlled substance, medication, or another drug to a degree that prevents safe operation.

6. **Articles and Electronic Devices.** A person shall not carry, wear, hold, or use an article, animal, or electronic device in a manner that prevents safe control, obstructs vision or hearing, or distracts the operator from the path of travel.

7. **Pedestrian Priority.** The operator shall yield to pedestrians and give an audible warning before overtaking and passing a pedestrian or slower trail user.

8. **Dismounted Operator.** A person who dismounts and walks a regulated electric device is subject to regulations applicable to pedestrians.

(Code of Iowa, Secs. 321.325 through 321.331)

78.05 PLACES OF OPERATION AND SIDEWALK PROHIBITION. Subject to State law and lawful signs, regulated electric devices may be operated only as follows:

1. **Sidewalk Prohibition.** No person shall operate a regulated electric device upon a sidewalk. A person may dismount and walk, push, or carry the device while using a sidewalk. This prohibition does not apply to a low-speed electric bicycle governed by Chapter 76, including lawful operation by a person under sixteen (16) years of age as provided in Section 76.01; a wheelchair or other mobility device used by a person with a disability; or an emergency, law-enforcement, or other officially authorized use.

2. **Trails and Paths.** A regulated electric device may be operated on a multi-use trail or bicycle path only when the type of device is permitted by State law, the facility designation, posted rules, or another lawful City authorization, and subject to Section 78.06.

3. **Low-Speed City Streets.** A regulated electric device may be operated upon the roadway of a City street with a posted speed limit of twenty-five (25) miles per hour or less only to the extent roadway operation is otherwise permitted by State law and subject to Section 78.07.

4. **Play Streets.** A regulated electric device may be operated on a play street as provided in Section 78.07.

5. **Bicycle Lanes.** A regulated electric device may be operated within a bicycle lane only when State law or a lawful City designation permits use by the type of device involved.

6. **Direct Crossing.** A regulated electric device may cross a street or roadway by the most direct practicable route, subject to Section 78.07.

7. **Prohibited Locations.** A regulated electric device shall not be operated:

   A. Upon a controlled-access facility, interstate highway, or an approach thereto;

B. Inside a City building or upon a playground, athletic field, landscaped area, natural-resource area, or other area not intended for travel, unless expressly authorized; or

C. In any location where operation is prohibited by a lawful sign, temporary closure, facility rule, or other Code provision.

8. State Primary Road Extensions. This chapter does not independently authorize operation on a State primary road extension. Operation there is governed by State law and any applicable Iowa Department of Transportation approval, agreement, or designation.

9. Parks. Operation in a City park or recreation facility is also subject to applicable park rules and posted restrictions.

(Code of Iowa, Secs. 321.235, 321.236, and 364.1)

78.06 CROSSWALKS, BICYCLE PATHS, AND MULTI-USE TRAILS. When a regulated electric device is lawfully operated in a crosswalk, on a bicycle path, or on a multi-use trail, the operator shall comply with the following. Nothing in this section authorizes sidewalk operation prohibited by Section 78.05:

1. Pedestrian Right-of-Way. The operator shall yield to pedestrians, exercise due care, and maintain a safe clearance when overtaking or meeting another person.

2. Blind or Conflicted Areas. The operator shall reduce speed and be prepared to stop when approaching a blind corner, driveway, alley, curb ramp, crosswalk, trail intersection, or another location where sight distance or movements are restricted.

3. Passing. On a bicycle path or multi-use trail, the operator shall keep to the right except when passing or avoiding a hazard and shall pass to the left only when the movement can be made safely.

4. Dismounting. The operator shall dismount when a crosswalk, path, or trail is too congested or too narrow for safe riding, where a lawful sign requires dismounting, or when directed by a peace officer or authorized City employee.

5. Crosswalks and Signals. The operator shall obey applicable pedestrian-control signals and shall not enter a crosswalk or roadway so suddenly that a driver cannot reasonably yield. Rights and duties at marked and unmarked crosswalks are governed by State law.

6. Damage and Off-Trail Use. A person shall not leave the improved or designated travel surface where doing so would damage landscaping, natural resources, or public property.

(Code of Iowa, Secs. 321.325 through 321.329)

78.07 ROADWAY OPERATION; AGE OR LICENSE; PLAY STREETS; CROSSINGS. When a regulated electric device is lawfully operated on or across a roadway, the operator shall comply with the following:

1. **Minimum Age or License.** Except as provided in Subsections 2 and 3, no person shall operate a regulated electric device upon or along a roadway unless the person:

   A. Is at least sixteen (16) years of age; or

   B. Possesses a valid driver's license or instruction permit recognized by the State of Iowa.

2. **Exceptions.** The minimum-age-or-license requirement in Subsection 1 does not apply to:

   A. A direct crossing of a roadway permitted by Subsection 7 of this section;

   B. A low-speed electric bicycle governed by Chapter 76, including lawful operation by a person under sixteen (16) years of age as provided in Section 76.01;

   C. A wheelchair or other mobility device used by a person with a disability; or

   D. An emergency, law-enforcement, or other officially authorized use.

3. **Side and Direction.** An operator of a regulated electric device that qualifies as a pedestrian conveyance and is traveling on or along a roadway shall use the left side and face approaching traffic as required by Iowa Code section 321.326. A device governed by another State-law classification shall use the roadway as required for that classification. Every operator shall move as far from the traveled portion as reasonably practicable when necessary for safety.

4. **Single File and Lane Use.** Operators shall travel single file when necessary for the safe and reasonable movement of traffic and shall not weave between moving vehicles or operate between adjacent lanes of moving traffic.

5. **Immediate Hazard.** The operator shall yield to vehicles or other traffic that constitute an immediate hazard and shall not enter a roadway unless the entry can be made with reasonable safety.

6. **Direct Crossing.** A direct crossing of a roadway otherwise prohibited for longitudinal travel is permitted only when:

   A. In any location where operation is prohibited by a lawful sign, temporary closure, facility rule, or other Code provision.

   B. The crossing is made at approximately a right angle and at a location where it can be completed safely;

C. The operator stops when required by a traffic-control device or when necessary for safety;

D. The operator yields to traffic that constitutes an immediate hazard; and

E. A divided roadway is crossed only at an intersection or another authorized crossing.

(Code of Iowa, Secs. 321.235, 321.236, 321.326, and 321.328)

78.08 SPEED. A person shall not operate a regulated electric device at a speed greater than any of the following:

1. **Reasonable and Prudent Speed.** A speed greater than is reasonable and prudent for existing weather, surface, grade, visibility, traffic, and pedestrian conditions, or a speed that prevents stopping within the clear distance ahead.

2. **General Maximum.** Fifteen (15) miles per hour.

3. **Trail or Path Maximum.** Fifteen (15) miles per hour on a multi-use trail or bicycle path.

4. **Play Street Maximum.** Ten (10) miles per hour on a designated play street.

5. **Posted Limit.** A lower speed limit lawfully posted for a location or facility.

78.09 PASSENGERS, ARTICLES, TOWING, AND CLINGING. The following conduct is prohibited:

1. **Passengers.** Carrying more persons than the regulated electric device is designed and equipped to carry.

2. **Improper Position.** Riding on a portion of a regulated electric device not intended or equipped for an operator or passenger.

3. **Articles.** Carrying a package, bundle, article, animal, or other item that prevents safe control or a clear view of the path of travel.

4. **Towing or Clinging.** Attaching the operator or regulated electric device to a moving vehicle, or using a regulated electric device to tow another person, bicycle, scooter, skateboard, sled, toy vehicle, or similar device.

5. **Animals.** Leading or restraining an animal from a moving regulated electric device when doing so creates a risk to the operator, animal, or another person.

78.10 EMERGING FROM ALLEY, DRIVEWAY, OR BUILDING. The operator of a regulated electric device emerging from an alley, driveway, building, or other location with restricted sight distance shall approach a sidewalk or sidewalk area at a speed that permits an immediate stop, shall yield to pedestrians and other lawful sidewalk users, and, before entering a roadway, shall yield to traffic that constitutes an immediate hazard.

(Code of Iowa, Sec. 321.353)

78.11 EQUIPMENT REQUIREMENTS. A regulated electric device shall comply with the following equipment requirements:

1. **Brakes.** The device shall have a brake or braking system capable of bringing it to a controlled stop on dry, level, clean pavement.

2. **Lighting.** From sunset to sunrise and whenever visibility is insufficient to clearly discern persons and vehicles at a distance of five hundred (500) feet, the device or operator shall display:

A. A white light visible from at least three hundred (300) feet to the front; and

B. A red light or red reflector visible from at least three hundred (300) feet to the rear.

3. **Wearable Lights.** A light worn by the operator may satisfy Subsection 2 if it is clearly visible in the required direction and is not obscured by the operator or an article.

4. **Warning Device.** A bell or other reasonable audible-warning device is permitted. A siren or whistle is prohibited except on an authorized emergency or official device.

5. **Brakes.** The device shall have a brake or braking system capable of bringing it to a controlled stop on dry, level, clean pavement.

6. **Protective Helmet.** No person shall operate or ride as a passenger on a regulated electric device unless the person is wearing a properly fitted and securely fastened protective helmet designed for bicycle or micromobility use and meeting the current safety standards of the United States Consumer Product Safety Commission or a successor standard. This requirement applies regardless of the age of the operator or passenger.

7. **Safe Condition.** The device shall be maintained in a condition that permits safe steering, braking, lighting, and operation. A person shall not knowingly defeat required safety equipment or modify a device to evade this section or State law.

(Code of Iowa, Secs. 321.235A, 321.235B, 321.384, and 364.1; 16 C.F.R. pt. 1203)

78.12 PARKING AND OBSTRUCTIONS. Regulated electric devices shall be parked and secured as follows:

1. **Preferred Locations.** A device should be parked in a bicycle rack, scooter rack, or other designated area when one is reasonably available.

2. **Alternative Parking.** If no designated area is available, a device may be parked upright near a curb or building edge only if it remains stable and leaves the required accessible pedestrian route clear.

3. **Prohibited Obstructions.** A device shall not be parked or left so as to obstruct or interfere with a sidewalk, curb ramp, crosswalk, driveway, building entrance, fire hydrant, transit stop, accessible parking space or access aisle, bicycle lane, bicycle path, multi-use trail, loading area, public-safety access, or the lawful use of street furniture.

4. **Securing Devices.** A device shall not be secured to a fire hydrant, traffic-control device, street tree, utility fixture, public art, or another object when the attachment may damage the object, impede its use, or create a hazard.

5. **Movement of Obstruction.** A peace officer or authorized City employee may move a device to the nearest lawful location when it creates an immediate obstruction or hazard.

6. **Temporary Custody.** A device that is abandoned, reasonably believed to be stolen, evidence of an offense, unlawfully possessed, or an ongoing hazard may be taken into temporary custody as authorized by law. A device shall not be impounded solely as an additional punishment for a violation of this chapter.

78.13 OWNER'S CONSENT REQUIRED. A person shall not use, operate, move, or possess another person's regulated electric device without the owner's express or implied consent or other lawful authority. This section does not prohibit a peace officer or authorized City employee from moving or taking temporary custody of a device as permitted by law or Section 78.12.

78.14 MOBILITY DEVICES USED BY PERSONS WITH DISABILITIES; OFFICIAL USE. This chapter shall be administered consistently with disability law and legitimate official needs.

1. **Wheelchairs and Manual Mobility Aids.** Nothing in this chapter limits the right of a person with a mobility disability to use a wheelchair or manually powered mobility aid in an area open to pedestrian use.

2. **Other Power-Driven Mobility Devices.** The City shall make reasonable modifications for an other power-driven mobility device used because of a mobility disability when required by the Americans with Disabilities Act. Any restriction shall be based on actual safety risks and the assessment factors permitted by Federal law.

3. **Electric Personal Assistive Mobility Devices.** Operation of an electric personal assistive mobility device is governed by Iowa Code section 321.235A, as amended, together with lawful posted restrictions and disability-accommodation requirements.

4. **Official Use.** This chapter does not prohibit operation by a peace officer, emergency responder, City employee, utility worker, or contractor when acting within official duties and with due regard for safety.

(Code of Iowa, Secs. 321.1 and 321.235A; 28 C.F.R. Secs. 35.104 and 35.137)

78.15 HIGH-POWERED AND NONCONFORMING DEVICES. A regulated electric device that does not satisfy the applicable State-law definition of a pedestrian conveyance is governed as follows:

1. **Actual Classification Controls.** The device is subject to Iowa Code chapter 321 provisions applicable to its actual equipment, motor output, speed capability, and classification, which may include provisions governing a vehicle, motor vehicle, motorcycle, or motorized bicycle.

2. **Roadway Requirements Are Cumulative.** Operation upon or along a roadway is subject to Section 78.07 and to every additional license, permit, registration, equipment, insurance, age, and operating requirement imposed by State law for the device's actual classification.

3. **Sidewalk Operation Prohibited.** A high-powered or nonconforming device shall not be operated upon a sidewalk. This prohibition is in addition to Section 78.05.

4. **Path and Trail Operation.** This chapter does not authorize a high-powered or nonconforming device to operate on a bicycle path or multi-use trail. Such operation is permitted only when independently authorized by State law and the facility designation or posted rules.

5. **Labels Not Conclusive.** A trade name, marketing description, or manufacturer label does not control when the device's actual characteristics place it in another legal classification.

(Code of Iowa, Sec. 321.1)

78.16 SIGNS, ROUTES, TEMPORARY RESTRICTIONS, AND SHARED MOBILITY FLEETS. Administration of this chapter is governed as follows:

1. **Council Designations.** The Council may, by ordinance or resolution when permitted by law, designate additional permitted or prohibited routes, establish lower speed limits on City trails or facilities, identify dismount zones, establish parking areas, and authorize appropriate signs, provided the action is consistent with State and Federal law.

2. **Temporary Restrictions.** The Police Chief or another City official designated by the Council may temporarily restrict operation or parking by signs or lawful directions when reasonably necessary for construction, maintenance, emergencies, special events, congestion, facility protection, or an immediate public-safety hazard.

3. **Shared Mobility Fleets.** A person shall not place, deploy, or operate a shared mobility fleet in a public right-of-way or on City property without separate written authorization approved by the Council. The authorization may include reasonable requirements for insurance, indemnity, data, fleet size, parking, relocation, maintenance, accessibility, fees, and removal.

78.17 VIOLATIONS AND PENALTIES. Violations of this chapter are punishable as follows:

1. **State-Law Violations.** If State law establishes a scheduled fine, offense classification, or enforcement procedure for the conduct, the State-law penalty and procedure control.

2. **Other Violations.** Unless another penalty is expressly provided by State law or this Code, a violation of this chapter is subject to the standard penalty in Section 1.14 and may, at the election of the City, be enforced as a municipal infraction under Chapter 3 of this Code of Ordinances.

3. **Separate Acts.** Each distinct act in violation constitutes a separate offense. A continuing parking obstruction may constitute a separate offense for each day it continues after notice.

4. **Other Remedies.** Enforcement of this chapter does not prevent the City from using another remedy authorized by law, including removal of an obstruction, restitution for property damage, injunctive relief, or enforcement of an applicable State offense.

SECTION 4. CODIFICATION. The City Clerk and codifier are authorized and directed to insert the amendments to Sections 76.01 and 76.02, insert new Chapter 78 immediately after Chapter 77 and before Chapter 80, and update the general table of contents, Title II and Division 2 contents, Chapter 76 contents, index, cross-references, capitalization, punctuation, and formatting as reasonably necessary, without changing the substance of this ordinance.

SECTION 5. REPEALER. All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of the conflict.

SECTION 6. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance is adjudged invalid or unconstitutional, that adjudication shall not affect the validity of this ordinance as a whole or any section, provision, or part not adjudged invalid or unconstitutional.

SECTION 7. EFFECTIVE DATE. This ordinance shall be in full force and effect after its final passage, approval, and publication as provided by law.

PASSED AND APPROVED _____, 2026.

_____
Mayor

ATTEST:

_____
City Clerk

First Consideration: _____

Second Consideration: _____

Third Consideration: _____

CHAPTER 101
STORMWATER CONTROL

101.01 Purpose
101.02 Definitions
101.03 Permits
101.04 Construction Site Runoff Control
101.05 Inspections
101.06 Post Development Runoff Control
101.07 Water Quality Criteria
101.08 Start of Construction
101.09 Plan Approvals
101.10 Annual Inspection & Maintenance
101.11 Penalties
101.12 Appeals
101.13 Exemption of Older Stormwater Management Facilities

101.01 PURPOSE.

To provide guidance, as well as govern the handling and treatment of stormwater within the boundaries of the City.

101.02 DEFINITIONS.

For use in this chapter the following terms are defined.

1. "Adequacy" means in compliance with original plan.

2. "Best management practices" (BMP) means techniques, measures or structural controls utilized to manage the quality and quantity of stormwater runoff conveyed to the MS4 and waters of the United States. BMPs include both structural and non-structural BMPs. Non-structural BMP's include items such as education, maintenance procedures, treatment requirements, operating procedures, and development practices to control pollutants from entering runoff. Structural BMPs include Engineered and constructed systems used to treat stormwater at the point of generation or discharge to the stormwater system or receiving waters.

3. "Construction site runoff control plan" refers to the Stormwater Pollution Prevention Plan (SWPPP).

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

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

6. "National Pollutant Discharge Elimination System" (NPDES) means the national program for issuing, modifying, revoking, 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.

7. "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.

8. "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 stormwater system.

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

10. "Stormwater discharge associated with industrial activity" means the discharge from any conveyance which is used for collection and conveying stormwater, 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 A through K the term includes, but is not limited to, stormwater 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 stormwater. For the purposes of this definition material handling activities include storage, loading, and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste produce. 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 stormwater 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 Paragraphs A-K 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":

A. Facilities subject to stormwater effluent limitation guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards which are exempted under Paragraph K).

B. Facilities classified within Standard Industrial Classification 24, Industry Group 241 that are rock crushing, gravel washing, log sorting, or log storage facilities operated in connection

with silvicultural activities defined in 40 CFR 122.27(b)(2)-(3) and Industry Groups 242 through 249 (except 265 and 267), 28 (except 283), 29, 311, 32 (except 323), 33, 3441, 373; (not included are all other types of silviculture facilities).

C. Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(1) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas of non-coal mining operations which have been released from applicable State or federal reclamation requirements after December 17, 1990) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge stormwater contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts, or waste products located on the site of such operations; (inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner or operator; inactive mining sites do not include sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, nor sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim).

D. Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA.

E. Landfills, land application sites, and open dumps that receive or have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA.

F. Facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as State Industrial Classification 5015 and 5093.

G. Steam electric power generating facilities, including coal handling sites.

H. Transportation facilities classified as Standard Industrial Classifications 40, 41, 42 (except 4221-25), 43, 44, 45, and 5171 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified, under Paragraphs A-G and I-K of this section are associated with industrial activity.

I. Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR Part 403. Not included are farm lands, domestic gardens, or lands used for sludge management where sludge is

beneficially reused and which are not physically located in the confines of the facility, or areas that are not in compliance with Section 405 of the CWA.

J. Construction activity including clearing, grading, and excavation, except operations that result in the disturbance of less than five acres of total land area. Construction activity also includes the disturbance of less than five acres of total land area that is a part of a larger common plan of development or sale if the larger common plan of development or sale if the larger common plan will ultimately disturb five acres or more.

K. Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, and 4221-25.

(40 CFR 122.26(b)(14))

11. "Statewide Urban Design and Specifications" (SUDAS) means a set of Statewide specifications developed for uniform implementation and available from Iowa State University.

12. "Stormwater Pollution Prevention Plan" (SWPPP) means a document which describes the best management practices and activities to be implemented by a person to identify sources of pollution or contamination at a premises and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, or receiving waters to the maximum extent practicable.

13. "Water in the State" means groundwater, 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.

14. "Stormwater Coordinator" means a person or hired entity or combination of both, which is responsible for the coordination and oversight of submitted inspection reports from each Owner and communication to the Owner's if they are out of compliance with any part of the requirements. The Coordinator will be responsible for coordination of communication to Owner's if an inspection needs to be hired out (at the Owner's expense), if the Owner has not complied on their own. They will coordinate the communication to Owner's if any deficiencies are found, and again for needed repairs (at the Owner's expense), if the Owner has also not complied with this portion of the requirements. The position shall be appointed by the Mayor in January after the election and shall be appointed for a two year term.

15. "Iowa Stormwater Management Manual (ISWMM)" means a set of documents provided by the Iowa Department of Natural Resources (DNR) to provide guidance on stormwater management design and post construction practices. The manual is available from the DNR.

16. "Pre-development Meeting" means a required meeting that is the first step to development within the City of Carter Lake. The parties present for the meeting shall be the Owner's team, including designers, the Stormwater Coordinator, a member of City Council

(or the Mayor and/or the City Administrator), a member of the Planning Board and a member of Public Works/Maintenance.

17. "Post construction stormwater facility" means any measure installed as part of the project that will remain in place for the life of the project to meet the requirements of City and State stormwater requirements. Examples are: stormwater ponds, drainage swales, sumps and hoods inside a manhole, a rain gardens, underground storage tanks, check dams, diversion berms, pond outlet structures, culverts, curb inlets, area inlets, etc.

18. "Annual Inspection Report" means a report from information gathered during an inspection, paid for by the Owner, annually, to prove that their post construction stormwater facilities remain in working order.

101.03 PERMITS.

No development or construction project shall be permitted without having the Pre-development Meeting and the submittal and approval of a construction site runoff control plan and a post-development stormwater management plan that is adequate to serve the development. Unless there has been a determination at the Pre-development Meeting that such plans are not required. The Stormwater Coordinator and the Building Official shall approve both the construction site runoff control plan and a post-development stormwater management plan. In addition, the stormwater plans shall also be provided to the Planning and Zoning Commission as part of a commercial or industrial project approval process.

101.04 CONSTRUCTION SITE RUNOFF CONTROL.

A developer shall comply with all current minimum mandatory requirements for SWPPPs promulgated by the DNR in connection with the issuance of a State NPDES General Permit No. 2. Projects less than one acre must attend a Pre-development Meeting to consult with members of the City staff and comply with City requirements. Projects needing a State NPDES General Permit No. 1 for Industrial Projects, will follow a similar process, but have different requirements.

101.05 INSPECTIONS.

The Owner shall hire a qualified inspector for the required inspections during the construction phase of the project. This is a State requirement. The inspections shall review the construction site runoff control measures at least every seven 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(s) are resolved to the satisfaction of the City or DNR.

101.06 POST DEVELOPMENT RUNOFF CONTROL.

1. All areas within the proposed parcel(s) shall be developed to comply with Statewide Urban Design Standards and Specifications (SUDAS) and shall manage stormwater quality volume of 1.25 inches by infiltration processes according to the Iowa Stormwater Management Manual (ISWMM).

2. The plan must be designed to prevent the post-development rate of runoff from the subdivision or site plan development from exceeding the predevelopment rate of runoff for a five-year to a 100-year, 24-hour storm as defined by the ISWMM.

3. Adequate overland relief with a proper easement established for storms larger than a 100-year storm as defined by the ISWMM shall be provided.

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

5. The information required within this section shall be incorporated into a stormwater report that also includes the information noted within Section 101.07.

101.07 WATER QUALITY CRITERIA.

1. Post-development runoff shall be captured and treated by water quality best management practices (BMP), as recognized by the SUDAS and the ISWMM, to prevent or minimize water quality impacts from land development. The applicant shall use the below information to comply with this criterion:

A. 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 (ISWMM.

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

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

3. The developer and 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.

4. The information required within this section shall be incorporated into a stormwater report.

101.08 START OF CONSTRUCTION.

No construction, excavating, clearing, grubbing, or other soil disturbing activity requiring a State 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.

101.09 PLAN APPROVALS.

1. All projects must begin with a pre-development meeting with City staff, as noted above, prior to design and plan submittal.

2. If necessary, the stormwater plan provided to the City shall incorporate a means to accommodate or redirect existing stormwater that may be entering the development or project site from adjacent property(s) or streets. During the Pre-development Meeting, it

shall be determined if any accommodation for the stormwater from adjacent areas shall be needed.

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

101.10 ANNUAL INSPECTION and MAINTENANCE.

The Owner of every site shall be responsible for maintenance of as-built post construction stormwater management facilities to maintain them in an effective state as determined by these regulations.

The Owner shall be responsible for annual inspection of the post-development runoff control measures for compliance, adequacy, effectiveness, and condition.

Inspections of stormwater management facilities must, at a minimum, occur annually to document maintenance and repair needs and ensure compliance with the requirements of this chapter. If deficiencies are seen or reported, inspection(s) outside the annual report provided by the Owner may be warranted. It is at the Owner's expense at all times that their stormwater controls be in working order.

Inspections may include but are not limited to evaluation of stormwater management elements and functionality, review of maintenance records and repairs, sampling of discharge, surface water, ground water, and material in stormwater management elements.

Maintenance needs may include but are not limited to insect control, removal of litter, debris and silt from detention basins, ponds, catch basins, pipes, inlets and underground detention facilities, vegetation removal, grass cutting and replacement of landscape vegetation.

The inspections shall be documented outlining inspection details, procedures and any maintenance or repair needs identified. The reports shall be submitted to the Stormwater Coordinator annually by May 1st. Upon receipt of the report, all maintenance and repair needs shall be corrected by the Owner within 30 days. Failure to do so will result in the City hiring the repairs to be made at the Owner's expense. Reports not submitted by the deadline will receive written notice and will have 30 days to comply. After 30 days, if the report has still not been completed, the City may hire for the inspection and report to be completed at the Owner's expense. Any deficiencies will be provided to the Owner for an opportunity to repair within 30 days. After 30 days, if repairs are still not made, the City may hire for the repairs to be made at the Owner's expense.

101.11 PENALTIES.

Any person violating any of the provisions of this chapter shall be guilty of a municipal infraction. The City, at its discretion, may perform inspections and maintenance on Post construction stormwater facilities such as to identify deficiencies that the Owner must correct and repair in accordance with section 101.10. After the allotted correction window to provide an inspection report or perform maintenance and repairs, a 24-hour notice will be given to the Owner prior to the City performing the required inspection or maintenance and repairs, at the Owner's Expense. Costs of the inspection, maintenance and repair shall

become a lien upon the property and may be placed on the tax bill and collected as ordinary taxes until paid.

101.12 APPEALS.

The corrective actions and enforcement may be appealed by the Owner to the Carter Lake Stormwater Committee. All Appeals must be filed in writing with the City Clerk within five business days of decision or enforcement. The written appeal shall detail the action being appealed, errors allegedly made resulting in the appeal, supporting testimony including names and addresses of any witnesses and copies of all documents the applicant intends to present, and the relief being requested.

The Stormwater Coordinator shall provide in writing reports and reasons for the enforcement action, supporting testimony including names and addresses of any witnesses and copies of all documents to be introduced at the hearing.

The applicant shall be notified by ordinary mail and public notice of the time, date and place for the meeting of the stormwater committee in which the hearing of the appeal shall occur. The hearing shall take place within 30 days after filing the appeal. The decision of the stormwater committee shall be provided in writing and may be appealed to the City Council.

101.13 EXEMPTION OF OLDER STORMWATER MANAGEMENT FACILITIES.

Post construction stormwater management facilities which are currently in service that were constructed prior to the requirements (August 2026) of this section shall be evaluated on a case by case basis to determine the treatment capabilities, downstream impacts and effectiveness of the facility. If it is determined that the existing facility does not meet the intended treatment or detention requirements of this section, which results in negative impacts to downstream facilities, storm sewer systems, ponds, or receiving waters, the Owner will receive written notice of the corrective action required and will have a 1 year grandfather period, from receipt of the notice to bring the existing facilities into compliance. Failure to bring the existing facilities into compliance shall be subject to section 101.11.

All existing stormwater management facilities will be subject to the yearly inspection reports and procedures as outlined in section 101.10.

101.14 NUISANCE CONDITIONS AND ABATEMENT.

No stormwater control system, including any post-construction stormwater facility, stormwater management facility, best management practice, drainage feature, structure, or other facility or measure regulated by this Chapter, shall be designed, constructed, installed, operated, altered, maintained, or allowed to remain in a manner that creates, causes, contributes to, or maintains a nuisance condition. Nuisance conditions include, but are not limited to, flooding; ponding, standing, or stagnant water; erosion; sediment accumulation; obstruction, diversion, or impairment of drainage; uncontrolled or improper discharge or overflow of stormwater; structural instability or failure; damage to public or private property or infrastructure; interference with streets, sidewalks, rights-of-way, utilities, or the use and enjoyment of property; pollution; or any condition detrimental to public health,

safety, or welfare. The property owner shall prevent and abate any such nuisance condition. Any condition prohibited by this section is declared a nuisance. No exemption or compliance period under Section 101.13 authorizes or excuses a nuisance condition.

101.14.1 ADMINISTRATIVE ENFORCEMENT.

The Mayor, the Stormwater Coordinator, or another person authorized by the Mayor shall be responsible for enforcement of this section. Whenever an authorized person finds that a nuisance condition or other violation of this section exists, the authorized person shall, unless the City is seeking alternative relief or proceeding under Section 101.14.2, cause a notice to abate to be served upon the property owner. The notice shall direct that the nuisance condition be abated within a reasonable time. If the person notified neglects or fails to abate as directed, the City may perform the required action, keep an accurate account of the expenses incurred, and recover or assess those costs as provided in this section and applicable law.

101.14.1.1 NOTICE TO ABATE.

The notice to abate shall contain:

101.14.1.1.1 Description of Nuisance. A description of the stormwater nuisance condition or other condition to be abated.

101.14.1.1.2 Location of Nuisance. The location of the nuisance condition.

101.14.1.1.3 Acts Necessary to Abate. A statement of the act or acts necessary to abate the nuisance condition and bring the property or stormwater control system into compliance.

101.14.1.1.4 Reasonable Time. A reasonable time within which to complete the required abatement.

101.14.1.1.5 Right to Hearing. A statement that the notified party may contest whether the condition exists, the corrective action required, the time allowed for compliance, or the proposed assessment of costs by filing a written request for hearing with the City Clerk within the time stated in the notice.

101.14.1.1.6 Assessment of City Costs. A statement that if the nuisance condition is not abated as directed and no timely request for hearing is made, the City may abate the condition and assess all authorized costs against the property owner, the property, or both.

101.14.1.2 METHOD OF SERVICE.

The notice may be served upon the property owner and, when appropriate, any person in possession by one or more of the following methods in a manner reasonably calculated to provide notice. When the City intends to assess abatement costs against the property, service shall also comply with Iowa Code section 364.12, or any successor provision, and other applicable law.

101.14.1.2.1 Personal Service. Personal service of the notice upon the property owner by an employee or contracted agent of the City.

101.14.1.2.2 Certified Mail. Certified mail to the property owner of record at the address shown by the records of the county auditor and, when appropriate, to any person in possession at the property address. If a certified mailing has not been signed for within ten (10) days after mailing, the City may send the notice by ordinary mail and post the notice conspicuously on the property; upon those follow-up actions, reasonable notice shall be considered given.

101.14.1.2.3 Posting on Property. Posting the notice in a conspicuous place on or near the property upon which action is pending. The posted notice shall be of sufficient size and placed so that it is readily visible from the street. It is unlawful for any person, without City authorization, to remove, mutilate, destroy, conceal, or alter a posted notice.

101.14.1.2.4 Publication. Publication in a newspaper of general circulation in the City when the property owner or the owner's address cannot be determined after reasonable diligence, or as supplemental notice.

101.14.1.3 REQUEST FOR HEARING.

Any person ordered to abate a nuisance condition may request a hearing to contest the determination or order. The following shall apply:

101.14.1.3.1 Written Request. A request for hearing must be made in writing and delivered to the City Clerk within the reasonable time stated in the notice. If no timely request is made, it shall be conclusively presumed for purposes of City administrative enforcement that the nuisance condition exists and must be abated as ordered.

101.14.1.3.2 Hearing Officer. The Mayor or an impartial designee of the Mayor shall serve as hearing officer, and the City Clerk shall serve as secretary for the hearing. The hearing officer should not be the person who issued the notice or materially participated in the investigation unless the property owner waives that objection.

101.14.1.3.3 Hearing Procedure. The hearing shall be conducted according to this Code and shall provide the parties a reasonable opportunity to present evidence and argument concerning the existence of the condition, the required corrective action, the time for compliance, and any proposed costs.

101.14.1.3.4 Decision and Order. The hearing officer shall issue written findings and a decision. The decision shall constitute the final administrative decision of the City. If a nuisance condition is found to exist, the decision shall order it abated within a reasonable time under the circumstances.

101.14.1.3.5 Judicial Review. A person aggrieved by the final administrative decision may seek review in the Iowa District Court for Pottawattamie County within thirty (30) days after the decision, or within any other time and in any other manner required by applicable law.

101.14.1.3.6 Relationship to Section 101.12. Notwithstanding Section 101.12, the hearing and review provisions of this subsection shall govern an administrative abatement or cost-assessment proceeding under this section. Section 101.12 shall continue to govern other corrective actions or enforcement decisions under this Chapter.

101.14.1.4 ABATEMENT BY CITY AND COLLECTION OF COSTS.

If the person notified to abate neglects or fails to comply within the time allowed, the City may perform or contract for the required action. The City shall keep an accurate account of the expenses incurred, including authorized administrative costs. The itemized expense account shall be filed with the City Clerk, who shall pay the expenses on behalf of the City in the ordinary course. The Clerk shall send a statement of the total expense to the property owner. If the amount remains unpaid for thirty (30) days after the statement is mailed, the City may assess the costs against the property and certify the assessment to the County Treasurer for collection with, and in the same manner as, general property taxes, as authorized by Iowa Code section 364.12 or any successor provision. The City may also pursue a civil judgment or any other lawful method of recovery.

101.14.2 EMERGENCY ABATEMENT.

If the Mayor, the Stormwater Coordinator, or another authorized person determines that an emergency exists because the continuing nuisance condition presents an immediate or substantial risk to public health, safety, welfare, property, public infrastructure, the stormwater system, or receiving waters, the City may perform any action reasonably necessary to abate or control the condition without prior notice. Following the action, the City shall provide the property owner a post-abatement notice and an opportunity for hearing under Section 101.14.1.3 before the final assessment of abatement costs.

101.14.3 HABITUAL VIOLATORS.

If a person is found responsible for maintaining or creating two (2) or more violations of the same or substantially similar class of stormwater nuisance condition within a twelve (12)-month period, the Mayor or another authorized person may declare the person to be a habitual violator. While the designation remains in effect, the City may abate further violations of the same or substantially similar class without additional pre-abatement notice and may assess the authorized abatement costs against the owner or property. The designation shall remain in effect for three (3) years. Before a person is declared a habitual violator, the City shall provide reasonable notice and an opportunity for hearing to contest the proposed designation.

101.14.4 COMPLIANCE AGREEMENTS.

The Mayor, the Stormwater Coordinator, or another authorized person may enter into a written compliance agreement with a property owner whose property or stormwater control system is not in compliance with this Chapter. The executed agreement shall identify the condition or violation, describe the corrective action required, and establish reasonable

terms and deadlines for substantial compliance. Failure to comply with the agreement authorizes the City to proceed with any remedy otherwise available under this Chapter or law.

101.14.5 ELECTION AND CUMULATIVE REMEDIES.

At the City's election, the administrative abatement procedures of this section may be used in lieu of or in conjunction with the municipal infraction process under Section 101.11 or any other remedy available to the City. The remedies provided by this Chapter are cumulative. The City's election or use of one remedy does not preclude the concurrent or subsequent use of another.

ORDINANCE NO. _____
ESTABLISHING A TEMPORARY WAIVER PROCESS FOR ORDERED SIDEWALK CONSTRUCTION

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

Section 1. Amendment. Chapter 136, Section 136.06 of the Code of Ordinances of the City of Carter Lake, Iowa, is hereby amended by repealing Section 136.06 and adopting in lieu thereof the following:

136.06 SIDEWALK CONSTRUCTION ORDERED; TEMPORARY WAIVER.

1. Construction Ordered. The Council may order the construction of permanent sidewalks upon any street or court in the City and may specially assess the cost of such improvement to abutting property owners in accordance with the provisions of Chapter 384 of the Code of Iowa. (Code of Iowa, Sec. 384.38)

2. Application for Waiver. An owner of property subject to an order issued under this section may submit a written application for a temporary waiver to the City Clerk before the construction deadline stated in the order. The application shall identify the property and the sidewalk ordered to be constructed, state the grounds for the requested waiver, and include any supporting information reasonably requested by the City. The City Clerk shall place a complete application on an agenda for Council consideration. A timely application stays the construction deadline until the Council acts on the application.

3. Council Action. The Council may grant a temporary waiver by resolution approved by the affirmative vote of not less than three-fourths of all members of the City Council. The resolution shall identify the factor or factors supporting the waiver and may impose reasonable conditions. A waiver is discretionary, and no applicant is entitled to a waiver merely because one or more factors are present.

4. Factors. In deciding whether to grant or renew a waiver, the Council shall consider the following factors. A waiver may be granted only when the Council finds that one or more of the factors materially justify a temporary deferral and that the waiver will not unreasonably impair public safety or the orderly development of pedestrian facilities:

A. No Existing Sidewalk Connectivity. No existing sidewalks are located nearby with which the ordered sidewalk would connect, and construction would not provide practical pedestrian connectivity.

B. Physical or Environmental Constraints. Topography, drainage, floodplain conditions, wetlands, trees, utilities, structures, soil conditions, or other physical or environmental conditions make construction unusually difficult, impractical, or likely to cause a significant adverse impact.

C. Insufficient Right-of-Way. The available public right-of-way is insufficient to construct a sidewalk that meets applicable City standards without acquiring additional property, relocating existing improvements, or creating an encroachment.

D. Safety Concerns. The construction, location, or use of the sidewalk would create or materially increase a safety hazard for pedestrians, motorists, adjoining property, or public infrastructure.

E. Planned Future Improvements. Planned future street, utility, drainage, grading, or other public improvements are reasonably expected to alter the location or design of the sidewalk so that immediate construction would likely be removed, relocated, damaged, or unnecessarily duplicated.

5. Term and Effect. A waiver is effective for two years from the date of the resolution granting it. The waiver temporarily suspends the requirement to construct the sidewalk under the specific order but does not cancel the order or create a permanent exemption.

6. Renewal. The property owner may submit a written application for renewal before the waiver expires. The Council may renew the waiver for successive additional two-year periods by the same vote required for the original waiver, after considering the factors in this section and the conditions existing at the time of renewal. A timely renewal application keeps the waiver in effect until the Council acts on the application. Renewal is not automatic.

Section 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 3. Severability. If any section, provision, or part of this Ordinance is adjudged invalid or unconstitutional, such adjudication shall not affect the validity of this 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 full force and effect from and after its final passage, approval, and publication as provided by law. Under Iowa Code Section 380.6, an ordinance signed by the mayor becomes effective when the ordinance or a summary is published unless a later effective date is stated in the ordinance.

PASSED AND APPROVED this _____ day of _____, 2026.

CITY OF CARTER LAKE, IOWA

By: _____
Mayor

ATTEST:

By: _____
City Clerk

PARKS AND RECREATION BOARD

The Board shall consist of seven members, all residents of the City, appointed by the Mayor with the approval of the Council, for overlapping terms of five years. The Board shall include, in addition, two junior members, all residents of the City aged 16 to 18 years at the time of appointment, appointed by the Council following the recommendation of the Mayor, for terms of two years.

Tim (Keebie) Kessler (Pres)	Appointed 02/2007 EXPIRES: 02/2027
Misty Smith	Appointed: 04/2023 EXPIRES: 04/2028
Risa Putnam (VP)	Appointed 03/2024 EXPIRES: 03/2029
Katie Smith	Appointed: 05/2024 EXPIRES: 05/2029
Janette Banks (Secretary)	Appointed: 06/2024 EXPIRES: 06/2029
Ashley Wilson	Appointed: 10/2025 EXPIRES: 10/2030
Kari Giles	Appointed:10/2025 EXPIRES: 10/2030
Junior Members	
Addileigh Garbez	Appointed:10/2025 EXPIRES: 10/2030
Gracie Moreno	Appointed:10/2025 EXPIRES: 10/2030

BOARD OF ADJUSTMENT

The Board of Adjustment shall consist of five members appointed by the Council for a term of five years, excepting when the Board shall first be created one member shall be appointed for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year.

Josh Walker		Appointed 02/2024 Expires 04/2026
Bill Schewe		Appointed 02/2024 Expires 04/2027
Gregory Stephans		Appointed 04/2024 Expires 04/2028
Steve Wilbur		Appointed 2019 Expires 04/2029
Dave Huey		Appointed 2020 Expires 04/2030

LIBRARY BOARD OF TRUSTEES

Term of Office. All appointments to the Board shall be for six years, except to fill vacancies. Each term shall commence on July 1. Appointments shall be made every two years of one-third the total number or as near as possible, to stagger the terms.

Patti Midkiff		07/27

Bonnie Freeman		07/27
Mary Allen		07/29
Pam Christensen		07/26
Delbert Settles		07/27
Linda Wetherby		07/29

PLANNING AND ZONING COMMISSION

The term of office of the members of the Commission shall be five years. The terms of not more than one-third of the members will expire in any one year. Recommendations on Improvements. The design and proposed location of public improvements shall be submitted to the Commission for its recommendations prior to any actions being taken by the City for the construction or placement of such improvements. Such requirements and recommendations shall not act as a stay upon action for any such improvement if the Commission, after 30 days' written notice requesting such recommendations, has failed to file the same.

Ed Palandri Edward,	Appointed 7/93 Expires 11/29
Ray Pauly,	Appointed 05/94 Expires 11/29
Jay Gundersen,	Appointed 5/95 Expires11/25
Tim Podraza,	Appointed10/01 Expires 11/26
Katherine Dueling,	Appointed 01/15 Expires 11/27
Drew Evers,	Appointed 07/21 Expires 11/28
Robert Horan,	Appointed 09/2021 Expires 11/29

DEMARCO BROS. COMPANY
CONTRACTORS
TERRAZZO, TILE AND MARBLE

PHONE
(402) 341-7349

1324 LEAVENWORTH STREET
OMAHA, NEBRASKA 68102

FAX
(402) 341-0102

May 6, 2026

City of Carter Lake
950 East Locust Street
Carter Lake, Iowa 51510

Attention: Cameron Gales

Reference: Carter Lake City Hall
950 East Locust Street
Carter Lake, Iowa

We propose to furnish labor and materials for the following:

Repair terrazzo flooring to remove tripping hazards - Lobby area

In accordance with the field measurements dated 5/6/26, and specifications prepared by:

Gerardo Lopez @ DeMarco Bros.

At the above referenced project, for the following:

$8,205.00

Notes:
1.) **Demolition and prep work, as required, is included in our quote.**
2.) Bond is not included in bid. If bond is required, add 1% to our bid.
3.) No addendums noted.
4.) Sales tax is not included in bid.
5.) All work to be done during regular working hours.
6.) **No Davis Bacon or Union wages were figured in our quote.**
7.) **Bid includes a combination of terrazzo replacement, epoxy injections, and grinding to correct the issues.**

Respectfully Submitted,

DeMarco Bros. Company

Clint Pickman
Estimator:
CP:bs

****If this proposal is accepted, please sign, date and return via fax or e-mail.****

Accepted by: _____ Date: _____

Boys & Girls Clubs of the Midlands
Carter Lake Club
4101 N 17th Street
Carter Lake, IA 51510
712-347-5687 ext. 3444

BOYS & GIRLS CLUBS
OF THE MIDLANDS

10.1.2026

BILL TO	INSTRUCTIONS
City of Carter Lake Attn: Cameron Gales 950 Locust Street Carter Lake, IA 51510	Please send payment Attn: Brenna Poindexter 4101 N 17th Street Carter Lake, IA 51510

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	Carter Lake 2026 operating support	$25,000	$25,000

SUBTOTAL	$25,000
SALES TAX	0
SHIPPING & HANDLING	0
TOTAL DUE BY 11.1.2026	$25,000

Thank you for your support!

170.03 RESIDENTIAL OFF-STREET PARKING.

1. At the time of major repair, replacement, construction, or enlargement of a structure or major repair, replacement or enlargement of the parking surface, a hard-surfaced parking area, other than the street or public way, shall be provided for use in the storage of passenger automobiles.
2. Parking Provisions for Personal Vehicles. All vehicles in one-, two-family, and multi-family residential uses shall be parked or stored in the following manner, unless otherwise permitted herein:

A. All residential drives required, and non-required parking surfaces shall be hard surfaced, i.e., concrete, asphalt, or brick pavers. However, all sidewalks and driveway approaches need to be concrete.

B. All required parking spaces shall be a minimum of 200 square feet in area, with dimensions of 10 feet by 20 feet.

C. Pavement Requirements. Four inches of Portland cement concrete or four inches of granular sub-base with brick pavers or use of asphalt material under current Code and ordinances but in any event not less than four inches of asphalt shall be used. The standards should be considered a minimum. Actual pavement design shall be based on consideration of traffic loadings, soil support capability and material specifications. All asphalt overlay shall be in lifts of at least one and one-half inches. A permit shall be obtained prior to starting any overlay project.

D. Parking is permitted in the side yard or in the rear yard, behind the required front yard setback and must be contiguous with the primary surfaced driveway. However, this provision is not intended to prohibit the permitted parking in the driveway.

E. Parking requirements must be met without the use of public right-of-way.

F. Parking requirements must be met before a certificate of occupancy is issued.

G. Driveways shall have a maximum grade of 10 percent. Driveways and curb cuts shall be located not less than three feet from the side lot line. Curb cuts for straight curbs and the flare for rolled curbs shall be three feet wider than the driveway pavement on each side. Curb cuts shall be prohibited within 50 feet of an intersecting corner.

3. Parking Spaces Required. The number of off-street parking spaces required shall be no less than as set forth in the following:

1. Residential Types	
Boarding, lodging, rooming houses, or bed and breakfasts	½ space for each rooming unit
Dormitories	1 space for each 300 square feet of floor area
Dwelling, single-family attached and detached dwelling, townhouse	2 spaces per dwelling unit
Dwelling, two-family and multi-family	
Efficiency and One bedroom	2 spaces per dwelling unit
Two bedroom or more	2 spaces per dwelling unit
Government sponsored elderly housing*	½ space per resident
Group care home*	½ space per resident
Family home*	½ space per resident
* Additional parking spaces for employees shall be one per each employee on the working shift that has the largest staff scheduled.	

4. Parking for Personal Vehicles, Recreational Vehicles, Boats and Commercial Vehicles and Equipment.

A. Applicability. This section permits the parking of personal vehicles on a single lot in a residential district subject to specific conditions. In order to be parked in a residential area, the vehicles must be in working order and have applicable licenses and registrations.

(1) Personal vehicles include: passenger cars, vans, pick-up trucks, camper shells, toppers, and other similar appurtenances intended for attachment to a personal vehicle.

(2) Commercial vehicles or equipment include but are not limited to tow trucks, semi-tractors or trailers, backhoes, end loaders, and similar items, of gross vehicle weight of six tons or more, shall be prohibited from being parked in a residential district except as provided herein. Residents

currently owning and parking commercial vehicles in excess of six tons shall obtain a permit to continue parking said commercial vehicle at their primary residence in a residential area within 90 days of the effective date of this Code. See Section 170.04 of the permitting requirements.

(3) Recreational vehicles, trailers, and boats may be parked in off-street, hard surfaced areas in residential districts as provided herein.

B. Location of Parking for Personal Vehicles.

(1) Parking is permitted within any enclosed structure when such structure conforms to the regulations of its zoning district.

(2) Parking is permitted on a paved driveway (outside of an enclosed structure) within the front yard setback, but shall in no case encroach upon the public right-of-way.

Parking may occur in the rear yard setback (outside of an enclosed structure and not on the front yard paved driveway) if the Building Official determines that such parking conforms to the provisions of the *Unified Land Development Code* and the parking space is provided on a paved surface connected by a paved surface to a dedicated public right-of-way or alley.

C. Location of Parking and Storage for Commercial Vehicles and Equipment. Parking for commercial vehicles and equipment within a residential district is subject to the following additional conditions. These conditions are in addition to those requirements for parking of personal vehicles.

(1) Commercial vehicles and equipment must be maintained in a clean, well-kept state.

(2) Commercial vehicles and equipment must be parked outside of required front yard and side yard setbacks.

(3) No parts or accessories, attachments, or similar items may be stored on the residential lot, unless in an enclosed structure.

(4) At no time shall the commercial vehicle and equipment be parked on the street or public right of way.

(5) A special permit is obtained under Section 170.05.

D. Location of Parking for Recreational Vehicles, Trailers, and Boats. Parking and storage of recreational vehicles, trailers, and boats within residential districts is subject to the following additional conditions. These conditions are in addition to those requirements for parking of personal vehicles.

(1) Recreational vehicles, trailers, and boats must be maintained in a clean, well-kept state and owned by the owner of the primary residence.

(2) Recreational vehicles, trailers, and boats equipped with liquefied petroleum gas containers must meet the current standards of the Interstate Commerce Commission, the United States Department of Transportation, or the American Society of Mechanical Engineers regarding use of such containers. Any valves must be closed at all times that the vehicle is not in preparation for immediate use. Leaks in containers must be repaired immediately.

(3) Recreational vehicles and trailers may be used as temporary lodging by non-paying guests of a resident for a maximum of 30 days total during any calendar year.

(4) Recreational vehicles, trailers and boats may not be permanently connected to utility lines.

(5) Recreational vehicles, trailers and boats may not be used for the storage of goods, materials, or equipment other than those items that pertain to the use of the vehicle.

(6) Recreational vehicles, trailers and boats shall be parked outside of required front yard and street side yard setbacks.

CARTER LAKE CITY COUNCIL MEETING
Monday, November 18, 2024

Mayor Ronald Cumberledge called the regular meeting to order at 7:00 p.m. Roll call of the council, present: Jacob Hanika, Jackie Wahl, Aaron Grell, Victor Skinner and Jason Gundersen; City Attorney David Levy and Clerk Jackie Carl were also present.

Upon motion, made by Gundersen, and seconded by Hanika, the agenda unanimously approved, adding in Snyder Engineering update and PeopleService, removing Lakeside Auto Recyclers. Gundersen moved to approve the consent agenda which included the following items: Department head reports from Parks, Library, Community Center, Senior Services, Maintenance, Police, Fire/EMS; City council minutes from October; Overtime and comp time reports for October; abstract of claims, receipts and financial reports for are tabled until next month and approval of Casey's General Store liquor license. Hanika moved to second the motion. Unanimously approved.

Zum Bus Services was present to discuss their Conditional Use Permit. Request to extend the permit for 5 years instead of 2 years. Skinner, moved to accept the conditional use permit, seconded by Grell; No-Gundersen. Yes- Grell, Skinner, Wahl and Hanika

Elizabeth Hunter from Snyder and Associates reviewed the water project and the final cost. Backlund compiled a list of added work that could be done with the remaining funds. Council agreed to move forward with the additional work.

Gundesen moved to approve appointment of Jack Vandenbussche to the Fire Department, seconded by Hanika. Gundersen moved to approve Pam Christensen to the library board, seconded by Hanika; Gundersen moved to approve appointment of Jodie Sams to the library board, seconded by Hanika; Gundersen moved to approve Katie Smith to the Parks and Rec board, seconded by Grell; all motions unanimously approved.

Grell moved to hire Small City Solutions for $7,500 to manage an overhaul of the Zoning Code, seconded by Hanika; unanimously approved.

Grell moved to hire Hinson Consultants for consulting to hire a City Administrator; seconded by Skinner, unanimously approved.

Gundersen requested the council's support to have a conversation with PeopleService concerning the numerous issues that he has heard about in recent weeks. Council agreed to invite representatives from PeopleService to the next workshop.

Attorney Levy provided an update that a letter has been mailed to the owners of 122 Carter Lake Club, dangerous building notification. Owner has 30 days to respond after receipt of letter. Will provide another update at next meeting.

Attorney Levy also reviewed conflict of interest; Some discussion at various meetings about conflicts of interest I'm not going to go into any specific things but I just want to remind you all the conflicts of interest are a very important thing that you as elected officials and your appointed officials deal with. Typically to be a conflict of interest needs to involve a direct financial interest to the official or his or her immediate relatives. But the one thing I'll say about a conflict of interest is even if it's not actually legally a conflict of interest, the appearance of a conflict of interest is almost worse because you really can't disprove it. You could show somebody corporate records or financial records and show that I don't have a financial interest in this particular business but if it's something where everybody says, wait a minute he's related to her or he was involved in that business or something like that, that appears to the public to be a conflict of interest and that's a hard bell to un-ring so think about that. The last thing I'll say about conflicts of interests and I think this is important. You as elect officials and appointed officials ultimately the determination to recuse yourself or not, is yours, it's personal whether you think honestly as you look in the mirror that you can be objective about that thing, you don't want to vote on something or take action on something where you there's an obvious clear legal conflict of interest. You can get in trouble for that but with appearances of conflict of interest it's up to you and so you know give that some thought. Last thing if you're not sure, you can ask me, we can get opinions from the state of Iowa and you know again it's your decision but I'm always happy to discuss it with you and if it's something you can avoid you should. Truly, last thing I'll say about it, it doesn't just mean recusing yourself from the vote, if you're going to recuse yourself from the vote, don't participate in the discussion; don't be part of it. Many city attorneys tell their clients, you should leave the room, I do not know, maybe I'm wrong but I don't know that you have a big influence sitting there so I don't typically advise clients that they have to leave the room. Some do but to that end, do not take part in the discussion, and then go, oh I recuse myself from voting, because then you have influenced the decision.

Mr. Levy also introduced his associate attorney, Spencer Housch who has been assisting with work on behalf of the city.

Planning Board member Ray Pauly provided update about the Zum Services proposal for Conditional Use permit to park buses at the lot on the south side of Locust Street.

Wahl moved to approve first reading of amendment to golf cart ordinance, seconded by Grell; Gundersen moved to approve first reading of amendment to city code 20.05 Publications; seconded by Hanika; Wahl moved to approve first reading of amendment to city code 5.06 Meetings, seconded by Grell; Grell moved to waive second reading of amendment to UTV ordinance and proceed with the third and final reading, seconded by Hanika; Ordinance adopted. Gundersen moved to approve resolution to publish notice of hearing on adoption of proposed "Code of Ordinances", hearing will take place at the meeting December 16, 2024, at 7 p.m. seconded by Hanika; All ordinances unanimously approved by the council.

Skinner moved to approve application for exemption of Urban Revitalization Area for 1302 Cedar St. with no requirement for the sidewalk, seconded by Grell Roll Call: NO-Grell, Hanika,

Gundersen, Wahl, YES-Skinner. Motion failed. Gundersen moved to approve contingent on meeting the sidewalk requirement around the property, seconded by Hanika; Yes-Wahl, Gundersen, Grell, Hanika. No: Skinner. Application approves with contingency.

Gundersen moved to approve resolution to complete transfers for 2023-2024 budget, seconded by Hanika; Gundersen moved to approve Annual Financial Report for 2023-2024, seconded by Hanika, Hanika moved to approve update to employee handbook for meal reimbursements for traveling employees, seconded by Skinner; all resolutions unanimously approved.

Grell moved to approve wage resolution for Kaitlyn Watson, seconded by Hanika; Grell moved to approve wage resolution for Lauri Wilhite seconded by Skinner; Grell moved to approve wage resolution for Nicholas Dargy, seconded by Gundersen; all resolutions unanimously approved.

At 8:23 p.m. Gundersen moved to go into closed session to discuss personnel issues, seconded by Grell; Grell moved to come out of closed session at 9:12 p.m., seconded by Gundersen.

Jackie Carl, City Clerk Ronald Cumberledge, Mayor

CERTIFICATE OF OCCUPANCY

This certifies that the following property and structure was inspected, and it was found to be in substantial compliance with the City of Carter Lake, Iowa codes, and current Building Code *(2018 IRC)*, as it relates to the specified construction or work authorized under the Permit. Any work or construction beyond that authorized by said Permit requires that a new permit shall be applied for and secured prior to said additional work or construction commencing.

PERMIT NO: RC008-23
PROPERTY OWNER: *Gage & Haley Bowman*
PROPERTY ADDRESS: *1302 Cedar St.*
DESCRIPTION OF WORK: *New Single Family Home*
STRUCTURE SQ. FOOTAGE: *2,299 Sq. Ft. – Habitable Main Floor Living Space*
1,080 Sq. Ft. – Habitable Second Floor Living Space
519 Sq. Ft. – *Attached Garage*
1,075 Sq. Ft. – Unfinished Basement

ZONING DISTRICT: *R-2*
LEGAL DESCRIPTION: CARTER LAKE –NEPTUNE PLACE LTS 30-34
PARCEL NUMBER: *7544 16 384 001*

10/31/2024
City Building Official **Date**

OWNER'S NAME & MAILING ADDRESS:
Name: Gage & Haley Bowman
Street Address: 1302 Cedar St.
City, State & Zip: Carter Lake, IA 51510

BUILDER'S NAME & MAILING ADDRESS:
Name: Jim Bowman
Street Address: 110 Shoreline Dr
City, State & Zip: Carter Lake, IA 51510

CITY OF CARTER LAKE – Bldg. & Zoning Dept. – 950 E. Locust Street, Carter Lake, IA 51510

EXHIBIT 6

APPLICATION FOR EXEMPTION
CARTER LAKE URBAN REVITALIZATION AREA

Please Type or Print

APPLICANT (Owner of Record) Gage & Haley Bowman

ADDRESS 1302 Cedar St. Carter Lake IA, 51510

Name of other Owners of Record (if any)

N/A

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

Address: 1302 Cedar St. Carter Lake IA, 51510

Legal Description:

CURRENT PROPERTY VALUE (from assessor's records):

Land: $ 35,000 Buildings: $ 382,000

TYPE OF IMPROVEMENTS (check one):

X New Construction on Vacant Land

_____ Addition to Existing Structure

_____ Replacement of Existing Structure (s)

_____ Rehabilitation of Existing Structure (s)

ESTIMATED COST OF IMPROVEMENTS: $ 382,000

Date Started: March 2024 Date Completed: 10/29/24

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. (2nd Floor, Pottawattamie County Courthouse, 227 South 6th 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: Haley Bowman Date Signed: 10/30/24

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		$2,000
SURVEY		$1604
EXCAVATING AND GRADING		$1500
MASON	Material	$4700
	Labor	$20,962.76
CONCRETE (BSMT, WALKS, DRIVE)		$2,000
ORNAMENTAL		$128,000
CARPENTER LABOR, LUMBER, HARDWARE		$2,000
PAINTING AND DECORATING		$5,700
ROOFING		$22,000
HEATING AND AIR CONDITIONING		$37,175
PLUMBING (INCLUDING SEWERS)		$1,000
TILE		$16,800
ELECTRICAL		$5,000
INSULATION		$14,500
DRY WALL		$10,042
GLASS		$2,700
BUILDING PERMITS		$2,335
INSURANCE		$2,280
CONSTRUCTION LOAN FEE AND INTEREST		$6,643.67
TITLE EXPENSE		$0.00
SALE EXPENSE		$0.00
ADVERTISING		$0.00
MISCELLANEOUS		$0.00
OVERHEAD AND PROFIT		
TOTAL BUILDING COST		$ 382,000
PURCHASE PRICE OF LAND		$ 35,000
TOTAL (LAND PLUS IMPROVEMENT COST)		$ 417,000

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 30th day of October, 20 24.

Lisa M Ruehle
Notary Public or City Clerk

Haley Bowman
Owner's Name