

CITY OF ATLANTIC COUNCIL MEETING
September 3, 2025
Atlantic City Hall - City Council Chambers – 5:30 PM

AGENDA

- 1. Roll Call.**
- 2. Approve Agenda.**
- 3. Pledge of Allegiance.**
- 4. Adopt Consent Agenda Items.**
 - a. Minutes of August 20, 2025, City Council Meeting.
 - b. Bills: \$296,882.49
- 5. Public Forum.**
- 6. Mayor's Address Regarding the Honorable Resignation of At-Large Councilman, Gerald Brink.**
- 7. Discussion Regarding the Process of Filling the Vacant At-Large Council Seat.**
- 8. Presentation on Commercial Development Progress by Bailey Smith, Executive Director of the Atlantic-Area Chamber of Commerce.**
- 9. Second Reading of Ordinance No. 1061 "Vacating that Portion of the Right-of-Way Located Between 401 Laurel St. 405 Laurel St., and 411 Laurel St., in the City of Atlantic, Iowa."**
- 10. Public Hearing on Ordinance No. 1062 "An Ordinance Amending the Code of Ordinances of the City of Atlantic, Iowa, by Amending Provisions Pertaining to Flood Plain Regulations as Contained in Chapter 160 of the Code of Ordinances."**
- 11. First Reading of Ordinance No. 1062 "An Ordinance Amending the Code of Ordinances of the City of Atlantic, Iowa, by Amending Provisions Pertaining to Flood Plain Regulations as Contained in Chapter 160 of the Code of Ordinances."**
- 12. Resolution #61-25 "Resolution Authorizing and Approving a Loan Agreement and Providing for the Issuance of a \$90,000 General Obligation Solid Waste Management Note."**
- 13. Pay Application #2 For \$513,070.44 to Omni Construction for the Downtown Street Improvements Project.**
- 14. Pay Application #2 For \$31,563.56 to TK Concrete for the West 22nd Street Improvements Project.**
- 15. Pay Application #1 For \$23,795.94 to Bluff's Paving for the Concrete Street Improvements Project.**
- 16. Administrator's Report.**
 - a. Reminder: September 24, 2025, is the next City Council meeting.
- 17. Mayor's Report.**
- 18. City Council Reports.**
- 19. Adjournment.**

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- 6. Mayor's Address Regarding the Honorable Resignation of At-Large Councilman, Gerald Brink.**

The Mayor intends to use this time to address the media and public in the resignation of At-Large Councilman, Gerald Brink.
- 7. Discussion Regarding the Process of Filling the Vacant At-Large Council Seat.**

The Mayor has been doing her due diligence on how to proceed on addressing the vacant At-Large Council seat.

The Iowa League of Cities has told us that it is too close to the general election of 2025 for a special election option to be exercised. This leaves the only option being the appointment of a caretaker for this Council seat. Voters shall decide who will serve a full term during the general election on November 4, 2025.

Legally, the City must first post public notice in the local newspaper a minimum of 4 and a maximum of 20 days before action is taken to fill the Council seat by appointment, informing the public that the Council shall fill the seat by appointment. The Council must fill the vacant seat within 60 days.

After this, members of the public may submit letters of interest to City Hall for consideration by the full Council. Public interviews are then conducted, and each candidate will be publicly voted on. Once a candidate reaches a majority vote, they will assume the seat for the remainder of the term of office. The Council will then be required to vote down the remaining candidates.

After this, the Mayor will swear in the new Councilmember.

8. Presentation on Commercial Development Progress by Bailey Smith, Executive Director of the Atlantic-Area Chamber of Commerce.

Atlantic-Area Chamber of Commerce received additional funding from the Council for FY 2024. The Council wants to strengthen its relationship with the Chamber by having regular updates on their commercial development activities.

9. Second Reading of Ordinance No. 1061 “Vacating that Portion of the Right-of-Way Located Between 401 Laurel St. 405 Laurel St., and 411 Laurel St., in the City of Atlantic, Iowa.”

The public hearing for Ordinance No. 1061 was held during the August 20, 2025 City Council meeting. The first reading of Ordinance No. 1061 passed during the same Council meeting. The following is from those agenda notes.

During the June 18, 2025 City Council meeting, the City Council reviewed a transmittal from the Planning & Zoning Commission regarding a request by Mr. Rob Stamp to vacate a phantom alley on his property. The Council passed an order that the City Administrator should work with the City Attorney to prepare the vacation of the phantom alley. The following is from those notes.

During the May 21, 2025, City Council meeting, Mr. Rob Stamp requested that a phantom alley be vacated near his property. He was informed the process begins with a letter to the Council and then is referred to the Planning & Zoning Commission for review and a recommendation to the City Council on appropriate action.

Since the format of the letter was not specified, Mr. Stamp, being very successful with his business and short on time, chose to submit his letter in the form of a napkin and it has been scanned for Council. He has provided a map of the property in question, as seen below.



Public Works Director Kirk Knudsen, Wastewater Superintendent Tim Snyder, and representatives of AMU’s electric and water divisions have reviewed the alley, and no hidden utilities or utility easements exist on this property. It is yet another genuine “Phantom Alley.” It was platted, if it was ever paved, it has long since disappeared. The supermajority of the phantom alley is in the flood plain. The lots abutting the alley are a mixture of “I-1” or Light Industrial, “I-2” or Heavy Industrial, or “R-3” High-Density Residential. Given the proximity of the phantom alley to industrial property, being located largely in the flood plain, and the fact that alleys have fallen out of favor in modern residential land use planning, there is little value of this alley to the City for future development.

During its June 10, 2025, meeting. The Planning & Zoning Commission reviewed Mr. Stamp’s request.

The Commission unanimously moved that a report with a favorable recommendation be transmitted to the City Council regarding the vacating of this specific section of alley.

Code 137.04 Requires the following findings. No street or alley, or portion thereof, shall be vacated unless the Council finds that:

1. Public Use. The street or alley proposed to be vacated is not needed for the use of the public, and therefore, its maintenance at public expense is no longer justified.

2. Abutting Property. The proposed vacation will not deny owners of property abutting on the street or alley reasonable access to their property.

(Code of Iowa, Sec. 364.15)

City Administrator Recommends Approval

10. Public Hearing on Ordinance No. 1062 “An Ordinance Amending the Code of Ordinances of the City of Atlantic, Iowa, by Amending Provisions Pertaining to Flood Plain Regulations as Contained in Chapter 160 of the Code of Ordinances.”

According to my good friend, Jason Conn, the National Flood Plain Insurance Program State Coordinator and Certified Floodplain Manager for the Floodplain Community Assistance Program within the Iowa Department of Natural Resources:

“Since Atlantic's floodplain regulations are not part of the city's zoning code, there isn't a requirement to hold the public hearing on a separate date. The Council can hold the public hearing on the same date as it conducts the first reading of the ordinance.”

This will now be the time for the public to comment on these thrilling changes to our Flood Plain Regulations, as required by the Iowa Department of Natural Resources.

11. First Reading of Ordinance No. 1062 “An Ordinance Amending the Code of Ordinances of the City of Atlantic, Iowa, by Amending Provisions Pertaining to Flood Plain Regulations as Contained in Chapter 160 of the Code of Ordinances.”

If anything gets the American public excited for public policy, it must be Flood Plain Regulations under the National Federal Flood Insurance Program.

Recently, the City has been bombarded with notices stating:

“August 11, 2025

City/Zoning Administrator John Lund
23 E. 4th Street
Atlantic, IA 50022

RE: Evidence of Capacity for Delegated Communities

Dear City/Zoning Administrator Lund,

On June 18, 2025, the Iowa Department of Natural Resources' new floodplain management regulations took effect. The updated regulations include a new requirement for the 136 communities participating in the National Flood

Insurance Program (NFIP) that have been granted delegation of authority to issue floodplain permits on behalf of the DNR's Floodplain Management Section. The DNR has the authority to delegate a portion of its permit authority to NFIP participating communities, provided that a detailed study (i.e., regulatory floodway and base flood elevations) has been published by FEMA. Delegation of authority allows communities to review and approve proposed development only in the floodway fringe (i.e., FEMA-mapped Zone AE) as long as it complies with state and local floodplain management regulations. Delegation of authority only grants communities to review and approve projects in place of the DNR for: new or substantially improved structures, fill placement, grading, and excavations outside the regulatory floodway.

Delegated communities will now be required to demonstrate the capacity to review proposed developments and issue floodplain permits properly. Local Floodplain Administrators will now be required to provide evidence to the Community Assistance Program staff of such capacity at least once every five years. This requirement can be met by having local Floodplain Administrators attend the Iowa DNR's Basic Floodplain Management Workshop. The language for this new requirement is found in CH 71.2 and is referenced below:

567 - 71.2 (455B) Delegated state floodplain permitting by local communities. Upon submission to the department for review and approval, a local unit of government may establish encroachment limits, floodplain regulations, and zoning ordinances, subject to the following:

71.2 (1) Written approval from the department must be obtained before effective adoption or amendment of a local regulation that would control development in a floodplain or floodway for purposes related to flood protection. A local government may appeal the refusal of the department to approve a proposed regulation by notifying the department and requesting that the proposed local regulation be considered at the next meeting of the commission.

71.2 (2) Prior to receiving approval, a community shall demonstrate capacity to properly review applications and issue floodplain permits.

71.2 (3) Approved communities shall provide evidence to the department of this capacity at least every five years. Additionally, the department may, from time to time, take action to ascertain the effectiveness of department-approved, locally adopted floodplain management regulations. Upon a finding that the local government has been negligent in administering the approved regulations, the department may revoke approval of same. Floodplain works found to be in

violation of department-approved, locally adopted floodplain management regulations may be handled under the provisions of the department's rules for investigation of unauthorized projects.

71.2 (4) Where it is unclear whether the works are adequately covered by such local regulations, the department shall make the determination.

Based on our records, your community has not attended the DNR's Basic Floodplain Management Workshop within the last three years. With the new requirement to demonstrate the capacity, we want to take this opportunity to ask if your community wants to retain its delegation of authority. If your community chooses to rescind its delegation of authority to issue floodplain permits on behalf of the DNR, reviewing and approving floodplain development by issuing floodplain permits is still a requirement of participating in the NFIP. The only difference will be that all proposed development in the Special Flood Hazard Area will be required to be reviewed by the DNR's Floodplain Management Section before issuing your local floodplain development permit.

The Community Assistance Program provides training opportunities to help local Floodplain Administrators understand their roles and responsibilities in administering their community's floodplain management ordinance. If your community would like to retain its delegation of authority, please register for the Basic Floodplain Management Workshop on September 4th, 2025. The registration link is provided below."

I reached out to my friend, Jason Conn (mentioned in Agenda Item #10) to get his assistance, because I have always struggled with interpreting the Flood Plain Regulations and he has been the person I always turned to for help⁹. He requested a copy of the City's current Flood Plain Regulations Chapter. After reviewing it he stated:

"Thanks for sending me a copy of the city's floodplain ordinance. As I look through the ordinance, I'm finding it will require several amendments. We've updated our model floodplain ordinances several times since 2017. As a result, I strongly encourage the city to rescind CH 160 in its current form and adopt our updated floodplain ordinance in its place.

We've replaced all references to 100-year flood and 100-year flood elevation with Base Flood and Base Flood Elevations at the direction of FEMA. Base Flood and Base Flood Elevation are terms that must be specifically defined within any floodplain ordinance. We also replaced most references to use with development because it is specifically defined within the ordinance. This is important because a community's floodplain regulations apply to any proposed project that meets the definition of Development and will be located within the

Special Flood Hazard Area (SFHA) identified on the floodplain map. All of the new language that has been updated or revised is highlighted in yellow. Additionally, we have placeholders in red font that must be filled in with city-specific information. Most of the placeholders are for the section/chapter numbers and community name.

I've attached a copy of our model ordinance for the city to use. I took the liberty of filling in most of the placeholders with the city's name, chapter numbers (based on Atlantic's 2017 floodplain ordinance) and the title of the local official appointed by the council to administer the ordinance.

Since the city will be having Synder & Associates administer the floodplain regulations, I added "or their designee" to the Administration section. FEMA still wants us to ensure a local official from the community is referenced in the ordinance. This is due to their need to have a main point of contact for the community and to ensure official correspondence are mailed to the appropriate person at the city."

The Updated Chapter 160 has two substantive changes from the old:

The first was Section 160.01(34) – Definitions, which added the following language:

"Substantial damage also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair."

I elected to include this optional language provided by the DNR as it expanded the substantial damage definition to provide those carrying the insurance an additional avenue to file claims.

The second change was to Section 160.04(1)(A) – Administration

"City Administrator or their designee"

This terminology was included to allow Snyder & Associates to execute the permitting process on the City's behalf, which will allow us to retain our delegation authority to the benefit of residents, but have it executed by actual engineers that understand these regulations. The logic in having this done by Snyder & Associates is that for all the work and technical understanding required, we have had maybe two permits in nearly 15 years. Additionally, despite several training seminars, I have not been able to retain the knowledge I sort of maybe understood during the webinars and in-person courses.

Basically, every time I end up trying to relearn this abstract geo-spatial construction stuff that my brain is very poor at understanding; it is time-consuming and complex, it makes no sense to continue to waste valuable time doing this, in-house. However, keeping delegation authority is a time-saver for residents that do have to deal with this issue. It is always better to have local assistance than assistance from the State.

Snyder & Associates has graciously allowed Floodplain Management to be part of their General Engineering Agreement with the City, with no additional annual charge. We are just charged for actual labor conducted on our behalf.

That is basically everything there is to know about this proposed Ordinance change. DNR wants it, we have to comply to keep our regulatory authority local, regulations like this often receive updates with our last overhaul being in 2017. We also need to encode the assignment of permitting to Snyder & Associates in order for them to attend the required proficiency coursework on the City's behalf.

City Administrator Recommends Approval

12. Resolution #61-25 "Resolution Authorizing and Approving a Loan Agreement and Providing for the Issuance of a \$90,000 General Obligation Solid Waste Management Note."

As mentioned during the August 20, 2025 City Council meeting Administrator's report, there has, yet again, been an issue with our debt issuance regarding bank notes.

This was discovered while Laura and I were working on the Annual Debt Report.

Something seemed out of sorts on the sequence and language of our resolutions and also the lack of proceedings on issuing debt for FY 2024, FY 2025, FY 2026. It was not consistent.

Long story short. The \$90,000 Solid Waste Loan did not get executed in FY 2025. However, we did levy for it back in FY 2024

I spoke with our friends at Dorsey & Whitney, John Danos and Amy Bjork. They said the City is still able to issue the debt to backfill costs. It won't correct a possible deficit in FY 2024 but will help us in FY 2025 address any unforeseen expenses. They have accordingly prepared the proceedings to take out the loan. Then we will do it again in the spring, since in the Spring of 2025, we did prelevy to borrow another \$90,000 for FY 2026.

To make sure this never happens again, I now have a permanent Outlook reminder to remind Dorsey & Whitney to coordinate with our bank to get the loan execution paperwork ready for the Council's approval, each Spring.

The following information is the standard information provided in each set of agenda notes during the meeting in which we take out this annual debt.

The City is a member of a 28E organization that operates the Cass County Landfill. The City is required to support the Landfill financially, if the Landfill determines it is necessary. The Landfill has instituted a per-capita fee of \$12.00 per resident to be assessed annually. The amount shall be \$85,344, payable in four equal payments of the course of the fiscal year.

Cities across the State work with local banks for a paper “debt” and make immediate payment of the principal and any interest before the ink is even dried. Since a debt is technically issued the City can levy property taxes to pay for the debt while not is not utilizing debt capacity as it is immediately closed. Banks often charge some administrative fee to do this, making the paperwork worth their time. However, Atlantic is very fortunate in that our official deposit bank, First Whitney Bank & Trust has generously agreed to offer this service for free. Keeping the costs on our taxpayers to the minimum required.

This however is still a debt and requires all the public hearings and paperwork required under Iowa Code.

City Administrator Recommends Approval

13. Pay Application #2 For \$513,070.44 to Omni Construction for the Downtown Street Improvements Project.

The contract for the Downtown Street Projects or "2025 Street Improvements" was awarded to Omni Engineering for \$1,073,797.25. Engineering was estimated at \$312,750.00. Change Order #1 added \$73,992.00. Change Order #2 added \$257,863.00, totaling \$1,718,402.25.

The total cost of the Downtown Street Project was estimated to be \$1,799,076 in the FY 2026 Capital Improvement Plan. This leaves a surplus of \$80,673.75 for this project.

The Council has to formally approve the payment to Omni Construction as part of the construction process.

City Administrator Recommends Approval

14. Pay Application #2 For \$31,563.56 to TK Concrete for the West 22nd Street Improvements Project.

The contract for the 2025 West 22nd Street Improvements Projects was awarded by the Iowa Department of Transportation to TK Concrete, Inc. for \$1,421,207.75. Engineering is estimated at \$198,500.00. Totaling \$1,619,707.

The total cost of the West 22nd Street Project was estimated to be \$1,207,042 in the FY 2026 Capital Improvement Plan. This leaves a deficit of (\$412,665) for this project.

The Council has to formally approve the payment to TK Concrete as part of the construction process.

City Administrator Recommends Approval

15. Pay Application #1 For \$23,795.94 to Bluff's Paving for the Concrete Street Improvements Project.

The contract for the 2025 Concrete Street Improvements Project was awarded to Bluffs Paving & Utility Company, Inc. for \$1,203,074.50. The engineering was estimated to be \$194,400.00; totaling \$1,397,474.50.

The total cost of the 2025 Concrete Street Improvements Project was estimated to be \$1,619,780 in the FY 2026 Capital Improvement Plan. This leaves a surplus of \$222,305.50 for this project.

The Council has to formally approve the payment to Bluff's Paving as part of the construction process.

Taken all together, based on the estimated cost versus the actual costs for the 2025 Street Improvement Program it *appears* there is a cost overrun of (\$109,685.75). However, when you dive into 2025 Street Improvement Program total resource and expenditure actuals are:

Project	Cost
West 22nd Street	1,619,707.00
Downtown Street Projects	1,718,402.25
Concrete Street Improvements	1,397,474.50
	<u><u>4,735,583.75</u></u>

Funding Source	Amount
2025B Bond for Street Improvements	3,602,539.00
STBG Resources Through the DOT/SWIPCO	1,068,821.00
Escrowed Cash Transferred In (To Date)	364,754.00
	<u><u>5,036,114.00</u></u>

City Administrator Recommends Approval

16. Administrator's Report.

- a. Reminder: September 24, 2025, is the next City Council meeting.

17. Mayor's Report.

18. City Council Reports.

19. Adjournment.

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Minutes

&

Misc.

DRAFT

CITY OF ATLANTIC COUNCIL MEETING
5:30 pm, August 20, 2025

Atlantic City Council met in regular session in the Council Chambers at City Hall with Mayor Grace Garrett presiding. Council members present were Emily Kennedy (Ward 1), Mike McDermott (Ward 3), Dana Halder (Ward 5), Elaine Otte (At-Large), and Gerald Brink (At-Large). Absent: Jim Behrens (Ward 2), Shawn Sarsfield (Ward 4). Also present: City Administrator John Lund, City Engineer Dave Sturm, Code Enforcement Director Kris Erickson.

Motion by McDermott; second by Halder to approve agenda as amended (total bills \$579,334.72). All ayes: motion passed.

Motion by Halder; second by Brink to approve consent agenda:

Minutes of the August 6, 2025, City Council Meeting.

(Amendment) Class E Retail Alcohol License – Hy Vee Wine and Spirits.

Class C Retail Alcohol License with Outdoor Services – Fireside Lounge LLC.

Class C Retail Alcohol, 5-Day License with Outdoor Services – The Standing Room LLC.

Bills: \$208,074.86

All ayes: motion passed.

Public Forum.

Alan Rice of 910 Hazel said he has been trying to keep his lawn mowed but has had lawnmower trouble. He wondered whether Code Enforcement is trespassing when they mow his property. Erickson said staff are permitted to go on private property in the course of their Code Enforcement duties. Property owners are sent notices and given time to fix it. If they ask, they can get extended time. If it isn't fixed, the property is abated.

Danette Van Hofwegan, 2409 Chestnut Street, asked why the City won't pick up feral cats. Erickson said the City's animal shelter is too small to take in feral cats, but there are two Trap-Neuter-Release (TNR) programs in the county. Van Hofwegan would like Atlantic to add an ordinance for the City to care for feral cats like other communities have.

Motion by Otte; second by McDermott to approve Comprehensive Plan Contract Amendment #1. All ayes: motion passed.

Motion by McDermott; second by Halder to approve the Order to Remove from the Table "2025 Street Improvements Change Order #2 – Iowa Avenue." All ayes: motion passed.

Motion by Brink; second by Halder to approve "2025 Street Improvements Change Order #2 – Iowa Avenue."

Sturm reported it would cost \$257,863.20 for Omni Engineering to pave Iowa Ave for 0.5 miles, taking advantage of bulk rates from the other work being done on Commerce Street. All ayes: motion passed.

Public Hearing on Proposed Ordinance Vacating that Portion of the Right-of-Way Located Between 401 Laurel St., 405 Laurel St., and 411 Laurel St., in Atlantic, Iowa. Hearing opened at 5:48 pm. There were no comments. Motion by McDermott; second by Kennedy to close the public hearing. All ayes: motion passed. Hearing closed at 5:48 pm.

Motion by Brink; second by Halder to approve the first reading of Ordinance No. 1061 "Vacating that Portion of the Right-of-Way Located Between 401 Laurel St., 405 Laurel St., and 411 Laurel St., in the City of Atlantic, Iowa." Roll call vote: Motion passed unanimously.

Public Hearing on Conveyance of Easements Over Palm Street to the Atlantic Golf & Country Club. Hearing opened at 5:49 pm. There were no comments. Motion by Kennedy; second by McDermott to close the public hearing. All ayes: motion passed. Hearing closed at 5:50 pm.

Motion by Otte; second by Brink to approve Resolution #59-25 "An Order Approving an Ingress & Egress Easements Over the Palm Street Right-of-Way Granted by the City of Atlantic, Iowa to the Atlantic Golf and Country Club." Roll call vote: Motion passed unanimously.

Motion by Brink; second by Halder to approve Resolution #60-25 "Assessing Unpaid Fees and Costs to Property." Roll call vote: Motion passed unanimously.

Motion by McDermott; second by Kennedy to approve the Order for the Mayor and Council to Sign a Letter of Support for Vision Atlantic's Application for an Empower Rural Iowa – Rural Innovation Housing 2.0 Grant. Otte questioned whether TIF

money can be used for this and clarified that the City isn't committing to a match of unknown amount. Christina Bateman said she did not write this letter but that the money referred to in the letter is not new money: it's just taking what the City already committed to in the Development Agreement and applying it.

Motion by Otte; second by McDermott to amend the letter of support with the following changes: "December 18, 2025" will be replaced with "December 18, 2024" and the words "part of" will be deleted. All ayes: motion passed as amended.

Motion by McDermott; second by Brink to reschedule the September 17, 2025, City Council Meeting to September 24, 2025. All ayes: motion passed.

Administrator's Report.

- Camblin Hills duplex building permits are done; tiny houses are next.
- He expects to receive the final FY24 audit next week.
- Dolly Bergmann wants to apply for a \$2,000 Community Visioning Grant for design assistance to improve the landscape.
- Jason Conn with DNR is the Flood Plain Insurance Coordinator. After reviewing the City's floodplain ordinance, he wrote needed amendments for Council's vote at the next Council meeting.
- While working on the annual debt report, Lund discovered that last year's perennial \$90K Solid Waste Loan was not executed. If it were executed next spring, the City would have a FY25 shortfall and an excess in FY26.

Mayor's Report.

- The Bull Creek Committee met with Agriculture Land Stewardship to tour the town and will send some ideas for funding.
- Otte and Garrett met with Iowa West Foundation to discuss funding for Bull Creek.
- Iowa First Aid will expand to three new counties next year; the three current counties, including Cass, will be presented at national conferences.

City Council Reports.

- Otte: Iowa First Aid. P&Z. CADCO. Comprehensive Plan Committee: preliminary goals in five areas will go to P&Z to finalize. P&F met with department heads to discuss the staff evaluation process for City employees.
- Kennedy: AMU is working on their emergency plan.
- McDermott: Library. He and the Mayor attended an info session at the library on running for public office.

Sturm: Downtown is a mess. Asphalt pouring is about to begin. They ask everyone to stop driving down 22nd Street. There will be phased street closing to preserve access for businesses.

The next City Council meeting will be held on Wednesday, September 4, 2025, at 5:30 pm.

Motion by Brink; second by Kennedy to adjourn at 6:21 pm. All ayes.

Grace Garrett, Mayor

ATTEST: _____
Laura McLean, City Clerk

Bills

**CITY OF ATLANTIC
CLAIMS REPORT TOTALS**

ACCOUNTS PAYABLE 08/21/25-09/03/25

TOTAL BILLS:	\$	335,808.83
LESS AIRPORT BILLS:	\$	24,067.81
LESS LIBRARY BILLS:	\$	14,858.53

TOTAL CLAIMS FOR COUNCIL APPROVAL	\$	296,882.49
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Laura McLean, City Clerk/Treasurer

CLAIMS REPORT
Check Range: 8/21/2025- 9/03/2025

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL
LIABILITIES				
PR20250801	EQUITABLE SALARY ALLOTMENT	AXA EQUITABLE	142.90	
PR20250815	EQUITABLE SALARY ALLOTMENT	AXA EQUITABLE	433.16	
PR20250824	EQUITABLE SALARY ALLOTMENT	AXA EQUITABLE	330.39	
PR20250829	EQUITABLE SALARY ALLOTMENT	AXA EQUITABLE	169.65	1,076.10
PR20250824	COLLECTION SERVICES CENTER	CARNISHMENT		667.50
PR20250823	EFTPS	FED/FICA TAX	17,533.56	
PR20250824	EFTPS	FED/FICA TAX	6,836.73	24,370.29
PR20250801	IPERS	IPERS	11,968.34	
PR20250815	IPERS	PROTECTIVE IPER	19,135.76	
PR20250824	IPERS	PROTECTIVE IPER	7,931.34	
PR20250829	IPERS	IPERS	11,750.44	50,785.88
PR20250815	LIBERTY NATIONAL LIFE INS	LIBERTY AFTER T	6.50	
PR20250824	LIBERTY NATIONAL LIFE INS	LIBERTY AFTER T	6.50	13.00
PR20250815	LINCOLN FINANCIAL GROUP	LINCOLN ANNUITY	893.77	
PR20250824	LINCOLN FINANCIAL GROUP	LINCOLN ANNUITY	845.49	1,739.26
PR20250801	TREASURER-STATE OF IOWA	STATE TAXES	1,918.28	
PR20250815	TREASURER-STATE OF IOWA	STATE TAXES	3,625.34	
PR20250824	TREASURER-STATE OF IOWA	STATE TAX	1,319.29	
PR20250829	TREASURER-STATE OF IOWA	STATE TAXES	2,040.95	8,903.86
PR20250823	MISSION SQUARE RETIREMENT	IOWA	271.62	
PR20250824	MISSION SQUARE RETIREMENT	IOWA	348.46	620.08
050 LIABILITIES TOTAL				88,175.97
POLICE				
6614837	AFFINITY NETWORK/TELRITE	POLICE		17.17
2025 AUG APD CHIEF	BANKERS BANK	SRO SCHOOL MEALS	60.17	
2025 AUG ASST CHIEF	BANKERS BANK	EVIDENCE REFRIG	154.00	214.17
12513	CASS COUNTY PEST CONTROL	POLICE STN		23.50
2025 AUGUST	DONALD LAPPE	POLICE PENSION		2,090.13
2025 AUGUST	NEOPOST ADVANCE	POLICE		6.52
2025 SEPT	SISCO	STREETS HEALTH INS		22,093.96
110 POLICE TOTAL				24,445.45
CODE ENFORCEMENT				
2025 AUGUST CODE/ANI	BANKERS BANK	POSTAGE		719.99
2025 SEPT	SISCO	CODE HEALTH INSUR		3,349.24
115 CODE ENFORCEMENT TOTAL				4,069.23
FIRE				
6614837	AFFINITY NETWORK/TELRITE	FIRE STN		3.10
2025 AUGUST AFD	BANKERS BANK	FILTER, RADIATOR		254.38
94453	BOES REPAIR, INC	REPLACE QR VALVE #251		134.88
12514	CASS COUNTY PEST CONTROL	FIRE STN PEST		50.00
002836247	IOWA WESTERN COMMUNITY	CPR CLASS BOB & JEREMIAH		50.00
2025 SEPT FIRE	MEDIACOM COMMUNICATIONS	FIREHOUSE INTERNET		178.87
88041032	NISHNANET	INTERNET TECHNOLOGY SERVICES		40.00
2025 SEPT	SISCO	FIRE HEALTH INS		6,732.48
39892454	VISUAL EDGE IT, INC.	FIRE DEPT KYOCERA COPIER		90.86

CLAIMS REPORT

Check Range: 8/21/2025- 9/03/2025

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL
		150 FIRE TOTAL		7,534.57
	ANIMAL CONTROL			
2025 AUGUST CODE/ANI	BANKERS BANK	PAWLTYICS	29.00	
2025-26 LICENSE	IDALS	ANIMAL WELFARE LICENSE	75.00	
2025 SEPT	SISCO	ANIMAL	1,116.41	
		190 ANIMAL CONTROL TOTAL		1,220.41
	ROADS, BRIDGES, SIDEWALKS			
FY 24 FILING FEE	OFFICE OF AUDITOR OF STATE	RUT	103.06	
194971	CAPPEL'S ACE HARDWARE	CABLE FOR PULLING TREES	69.50	
BB041032	NISHNANET	INTERNET TECHNOLOGY SERVICES	217.99	
266267	SCHILDBERG CONST. CO.	SUNNYSIDE LANE	646.21	
2025 SEPT	SISCO	STREETS HEALTH INS	4,558.56	
26493	ULTIMATE LANN & POWER LLC	MOWER TIRE	18.00	
		210 ROADS, BRIDGES, SIDEWALKS TOTAL		5,613.32
	AIRPORT			
6614837	AFFINITY NETWORK/TELRITE	AIRPORT	8.19	
022951368	AV FUEL CORP	JET FUEL	21,355.95	
2025 AUGUST CITYHALL	BANKERS BANK	AIRPORT COUPLER	294.21	
2025 AUGUST	NEOPOST ADVANCE	AIRPORT POSTAGE	36.64	
BB041032	NISHNANET	INTERNET TECHNOLOGY SERVICES	139.99	
2025 SEPT	SISCO	AIRPORT HEALTH	2,232.83	
		280 AIRPORT TOTAL		24,067.81
	LIBRARY			
39946114	ACCESS SYSTEMS	COPIER LEASE	260.50	
2025 AUG LIBRARY	BANKERS BANK	STAMPS	786.32	
2025 AUG LIBRARY	CENTURY LINK	TELEPHONE INTERNET	75.36	
I-3288-1	FEICK'S PLUMBING	AIR CONDITIONER	8,097.87	
2025 SEPT LIBRARY	MEDIACOM COMMUNICATIONS	LIBRARY INTERNET	230.96	
LOST BOOK REFUND	VENDOR NOT FOUND, VENDOR#: 000	RETURNED LOST BOOK	18.00	
2025 SEPT	SISCO	LIBRARY HEALTH	5,389.52	
		410 LIBRARY TOTAL		14,858.53
	RECREATION			
139845 PARKS	ATLANTIC MOTOR SUPPLY	OIL FILTERS & OIL	86.22	
2025 AUG P/REC	ATLANTIC MUNICIPAL UTILITIES	WATER 3RD ST PLACE	21.13	
2025 AUGUST CODE/ANI	BANKERS BANK	TENNIS NETS	1,233.07	
126733	CANBLIN PLBG & HTG INC	SWIMMING POOL WATER HEATER	2,495.00	
BB041032	NISHNANET	INTERNET TECHNOLOGY SERVICES	76.00	
2025 SEPT	SISCO	P/REC HEALTH	2,232.83	
		440 RECREATION TOTAL		6,144.25
	POOL			
0256117-IN	ACCO	LIQUID CHLORINATING SOLUTION	654.20	
194728	CAPPEL'S ACE HARDWARE	FREEZER LOCK AT POOL	12.99	

CLAIMS REPORT

Check Range: 8/21/2025- 9/03/2025

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL
2025 JUNE REIMB	NISHNA VALLEY FAMILY YMCA	CONCESSIONS		4,258.06
		445 POOL TOTAL		4,925.25
2025 SEPTEMBER	ECONOMIC DEVELOPMENT CASS ATLANTIC DEVELOPMENT			3,975.00
		520 ECONOMIC DEVELOPMENT TOTAL		3,975.00
2025 SEPTEMBER	ECON DEVELOPMENT ATLANTIC AREA CHAMBER OF	MONTHLY		7,725.00
		521 ECON DEVELOPMENT TOTAL		7,725.00
1189-8	PLANNING & ZONING SOUTHWEST IOWA PLANNING COUNCIL	COMP PLAN UPDATE MAY-JULY 2025		1,846.00
		540 PLANNING & ZONING TOTAL		1,846.00
2025 SEP CATV	OTHER COMM & ECO DEV ALLIANT ENERGY	UTILITY GAS		32.41
2025 AUG CATV/OTBT	ATLANTIC MUNICIPAL UTILITIES	ELECTRIC BILL CABLE STN		96.01
88041154	NISHNANET	BUSINESS RURAL MDU		200.00
2025 SEPT	PERRY'S WINDOW SERVICE	CATV WINDOW SERVICE		15.00
2025 SEPTEMBER	RICCI SPRIGGS	CATV RENT		400.00
		599 OTHER COMM & ECO DEV TOTAL		743.42
2025 AUGUST CITYHALL	MAYOR/COUNCIL/CITY MGR BANKERS BANK	IA LEAGUE ANNUAL CONF		1,300.00
		610 MAYOR/COUNCIL/CITY MGR TOTAL		1,300.00
FY 24 FILING FEE	CLERK/TREASURER/ADM OFFICE OF AUDITOR OF STATE	FINANCE		283.94
2025 SEPT	SISCO	FINANCE HEALTH INS		7,622.34
		620 CLERK/TREASURER/ADM TOTAL		7,906.28
2025 SEPTEMBER	LEGAL SERVICES/ATTORNEY CRARY HUFF LAW FIRM	RETAINER		500.00
2025 SEPTEMBER	OTTO & LORENCE LAW FIRM			2,500.00
		640 LEGAL SERVICES/ATTORNEY TOTAL		3,000.00
39945616	CITY HALL/GENERAL BLDGS ACCESS SYSTEMS	COPIER LEASE		373.49
6614837	AFFINITY NETWORK/TELRITE	CITY HALL		1.65
2025 SEPT CITY HALL	ALLIANT ENERGY	UTILITY GAS		43.06
1GTR-PVCG-VTTD	AMAZON CAPITAL SERVICES	PAPER SHREDDER		481.45
12513	CASS COUNTY PEST CONTROL	CITY HALL		23.50
193	MELISSA E. JOHNSON	CLEANING		900.00
2025 AUGUST	NEOPOST ADVANCE	POSTAGE		256.84
88041032	NISHNANET	INTERNET TECHNOLOGY SERVICES	228.10	

CLAIMS REPORT

Check Range: 8/21/2025- 9/03/2025

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL
BB041045	NISHNANET	50/50 INTERNET BUSINESS	150.00	378.10
435449161001	ODP BUSINESS SOLUTIONS	DESK ORG	18.50	
435449504001	ODP BUSINESS SOLUTIONS	OFC SUPP	167.53	
435449509001	ODP BUSINESS SOLUTIONS	BINDERS	19.97	
435449512001	ODP BUSINESS SOLUTIONS	PAPER TOWELS	31.09	237.09
		650 CITY HALL/GENERAL BLDGS TOTAL		2,695.18
	CAPITAL PROJECTS			
16161	BROWN ELECTRIC CO	INSTALL CITY HALL GENERATOR	36,711.98	
16261	BROWN ELECTRIC CO	FIRE DEPT GENERATOR SETUP	16,799.56	53,511.54
124.1048.09-9	SNYDER & ASSOCIATES INC	2025 WEST 22ND ST. IMPROVEMENT	9,802.90	
124.1097.09-10	SNYDER & ASSOCIATES INC	2025 STREET IMPROVEMENTS	25,765.80	
124.1097.09A-5	SNYDER & ASSOCIATES INC	2025 CONCRETE STREET IMPROVEMEN	19,502.00	55,070.70
PSIN000002680	ZIEGLER INC.	FIRE DEPT GENERATOR	3,179.65	
PSIN000002681	ZIEGLER INC.	POLICE GENERATOR	2,660.30	5,839.95
		750 CAPITAL PROJECTS TOTAL		114,422.19
	SEWER/SEWAGE DISPOSAL			
2025 SEPT 304 SUNN	ALLIANT ENERGY			30.74
15343-88634	ATLANTIC AG & AUTO	SCREWS AND WASHERS	1.22	
15343-89504	ATLANTIC AG & AUTO	TIRE REPAIR KIT	58.48	59.70
FY 24 FILING FEE	OFFICE OF AUDITOR OF STATE	WTP		156.18
2025 AUG WWT	BANKERS BANK	DKP		418.41
12516	CASS COUNTY PEST CONTROL	NW PEST		250.00
RECEIPT 13562	CASS COUNTY TREASURER	PARCEL 303013876001000		114.00
2025 SEPT WWT	CENTURY LINK	WTP PHONE/INTERNET		84.00
14754	DJ CONCOL & ASSOCIATES	4" CHECK VALVES		3,130.34
22079092	HYDROVAC SUPPLY	SMAGE MACHINE	1,142.93	
22079113	HYDROVAC SUPPLY	MISC PARTS	867.39	2,010.32
8/21/2025	MICHAEL BLEVINS	COL REIMBURSEMENT		64.00
BB041032	NISHNANET	INTERNET TECHNOLOGY SERVICES		319.00
2025 SEPT	SISCO	WTP HEALTH INS		3,695.46
315586904	TRANE US INC	INSTALLATION LABOR & MILEAGE		650.00
26942	ULTIMATE LAWN & POWER LLC	OIL & TRIMMING STRING		77.00
		815 SEWER/SEWAGE DISPOSAL TOTAL		11,059.15
	STORM WATER			
FY 24 FILING FEE	OFFICE OF AUDITOR OF STATE	STORMWATER		81.82
		865 STORM WATER TOTAL		81.82
		Accounts Payable Total		335,808.83
		Invoices: Paid		192,623.90
		Invoices: Not Scheduled		143,184.93

**CLAIMS REPORT
CLAIMS FUND SUMMARY**

FUND	NAME	AMOUNT
001	GENERAL	105,939.83
004	LIBRARY GIFTS FUND	13.94
017	RECREATION IMP RESERVE	3,728.07
029	SCHOOL RESOURCE OFFICER	60.17
110	ROAD USE TAX	18,286.61
112	EMPLOYEE BENEFITS	55,328.17
117	T&A POLICE PENSION	2,090.13
121	LOST PROGRESS FUND	13,546.00
347	2024-2026 CIP	55,070.70
361	2025-2028 CAPITAL EQUIP	59,351.49
610	SEWER	22,311.90
740	STORM WATER	81.82

	TOTAL FUNDS	335,808.83

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Preparer/Return to: David L. Wiederstein, Otto, Lorence & Wiederstein, P.L.L.C., 520 Chestnut St., Atlantic, IA 50022, (712) 243-5406
Taxpayer: n/a

CITY OF ATLANTIC, IOWA
ORDINANCE NO. 1061

AN ORDINANCE VACATING THAT PORTION OF THE RIGHT-OF-WAY
LOCATED BETWEEN 401 LAUREL ST., 405 LAUREL ST., AND 411
LAUREL ST. IN THE CITY OF ATLANTIC, IOWA

WHEREAS, pursuant to notice published in the manner required by law, on the ____ day of August, 2025, this Council held a public hearing on a proposal to vacate a certain portion of the right of way as hereinafter described; and

WHEREAS, this Council determines that it is in the best interests of the City that said right of way be vacated.

BE IT ENACTED by the City Council of the City of Atlantic, Iowa:

SECTION 1. The City of Atlantic, Iowa does hereby vacate and release the following-described right of way:

The right-of-way running North and South located between Lots 1, 2 & 3 of Block 93, of the City of Atlantic, Cass County, Iowa; and Lots 10, 11, & 12 of Block 93, of the City of Atlantic, Cass County, Iowa.

SECTION 2. The vacated right of way is hereby conveyed, as follows:

The right-of-way running North and South located between Lots 1, 2 & 3 of Block 93, of the City of Atlantic, Cass County, Iowa; and Lots 10, 11, & 12 of Block 93, of the City of Atlantic, Cass County, Iowa.

Title thereto is quieted to **Romar Investments, LLC.**

The above conveyance is completed together with a Quit Claim Deed from Kevin K. Archibald and Bonnie L. Archibald, husband and wife, to Romar Investments, LLC to clarify that Archibald's interest in the vacated right of way above described is to be distributed to Romar Investments, LLC.

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

SECTION 4. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

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

Moved by _____ to adopt.

Seconded by _____ to adopt.

Roll Call:

Kennedy : _____

Behrens: _____

McDermott: _____

Sarsfield: _____

Halder: _____

Otte: _____

Brink: _____

Waiver of Second and Third Readings, if applicable:

Moved by _____ to adopt.

Seconded by _____ to adopt.

Roll Call:

Kennedy : _____

Behrens: _____

McDermott: _____

Sarsfield: _____

Halder: _____

Otte: _____

Brink: _____

Passed by the Council the __ day of ____, 2025 and approved this __ day of ____, 2025.

Grace Garrett, Mayor

Attest:

Laura McLean, City Clerk

I certify that the foregoing was published as Ordinance No. ____ on the __ day of _____, 2025.

Laura McLean, City Clerk

STATE OF IOWA, COUNTY OF CASS: ss.

I, the undersigned, a notary public in and for the county and state aforesaid, does hereby certify that Grace Garrett, personally known to me to be the Mayor of the City of Atlantic, and Laura McLean, personally known to be to be the City Clerk of the City of Atlantic, and personally known to be to be the same persons whose names are subscribed to the foregoing instrument, appeared before on the ____ day of _____, 2025, in persona and severally acknowledged that as such Mayor and Clerk, they signed and delivered the said instrument as Mayor and Clerk, and caused the corporate seal of said City to be affixed thereto, pursuant to authority, as their free and voluntary act, and as the free and voluntary act and deed of said City for the uses and purposes therein set forth.

Notary Public, State of Iowa

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ORDINANCE NO. 1062

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ATLANTIC, IOWA, BY AMENDING PROVISIONS PERTAINING TO FLOOD PLAIN REGULATIONS AS CONTAINED IN CHAPTER 160 OF THE CODE OF ORDINANCES.

BE IT ENACTED by the City Council of the City of Atlantic, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 160 of the Code of Ordinances of the City of Atlantic, Iowa, is repealed and the following adopted in lieu thereof:

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FLOODPLAIN MANAGEMENT ORDINANCE

[160.01](#)- Definitions

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

1. APPURTENANT STRUCTURE - A structure which is on the same parcel of the property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.
2. BASE FLOOD - The flood having one (1) percent chance of being equaled or exceeded in any given year (Also commonly referred to as the “100-year flood”).
3. BASE FLOOD ELEVATION (BFE) - The elevation floodwaters would reach at a particular site during the occurrence of a base flood event.
4. BASEMENT - Any enclosed area of a building which has its floor or lowest level below ground level (subgrade) on all sides. Also see “lowest floor.”
5. DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials. “Development” does not include “minor projects”

or “routine maintenance of existing buildings and facilities” as defined in this section. It also does not include gardening, plowing, and similar practices that do not involve filling or grading.

6. ENCLOSED AREA BELOW LOWEST FLOOR - The floor of the lowest enclosed area in a building when all the following criteria are met:
 - A. The enclosed area is designed to flood to equalize hydrostatic pressure during flood events with walls or openings that satisfy the provisions of 160.05(1)(D)(1) of this Ordinance, and
 - B. The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damage potential uses such as building access, parking or storage, and
 - C. Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least one (1) foot above the base flood elevation, and
 - D. The enclosed area is not a “basement” as defined in this section.
7. EXISTING CONSTRUCTION - Any structure for which the “start of construction” commenced before the effective date of the first floodplain management regulations adopted by the community.
8. EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management regulations adopted by the community.
9. EXPANSION OF EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION - The preparation of additional sites by the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
10. FACTORY-BUILT HOME - Any structure, designed for residential use which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this Ordinance factory-built homes include mobile homes, manufactured homes, and modular homes; and also include “recreational vehicles” which are placed on a site for greater than 180 consecutive days and not fully licensed for and ready for highway use.
11. FACTORY-BUILT HOME PARK OR SUBDIVISION - A parcel or contiguous parcels of land divided into two or more factory-built home lots for sale or lease.
12. FIVE HUNDRED (500) YEAR FLOOD - A flood, the magnitude of which has a two-tenths (0.2) percent chance of being equaled or exceeded in any given year or which, on average, will be equaled or exceeded at least once every five hundred (500) years.
13. FLOOD - A general and temporary condition of partial or complete inundation of normally dry land areas resulting from the overflow of streams or rivers or from the unusual and rapid runoff of surface waters from any source.
14. FLOOD INSURANCE RATE MAP (FIRM) - The official map prepared as part of (but published separately from) the Flood Insurance Study which delineates both the flood hazard areas and the risk premium zones applicable to the community.

15. FLOOD INSURANCE STUDY (FIS) - A report published by FEMA for a community issued along with the community's Flood Insurance Rate Map(s). The study contains such background data as the base flood discharge and water surface elevations that were used to prepare the FIRM.
16. FLOODPLAIN - Any land area susceptible to being inundated by water as a result of a flood.
17. FLOODPLAIN MANAGEMENT - An overall program of corrective and preventive measures for reducing flood damages and promoting the wise use of floodplains, including but not limited to emergency preparedness plans, flood control works, floodproofing and floodplain management regulations.
18. FLOODPROOFING - Any combination of structural and nonstructural additions, changes, or adjustments to structures, including utility and sanitary facilities, which will reduce or eliminate flood damage to such structures.
19. FLOODWAY - The channel of a river or stream and those portions of the floodplains adjoining the channel, which are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not cumulatively increase the water surface elevation of the base flood by more than one (1) foot.
20. FLOODWAY FRINGE - Those portions of the Special Flood Hazard Area outside the floodway.
21. HIGHEST ADJACENT GRADE - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
22. HISTORIC STRUCTURE - Any structure that is:
 - A. Listed individually in the National Register of Historic Places, maintained by the Department of Interior, or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing of the National Register;
 - B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
 - D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by either i) an approved state program as determined by the Secretary of the Interior or ii) directly by the Secretary of the Interior in states without approved programs.
23. LOWEST FLOOR - The floor of the lowest enclosed area in a building including a basement except when the criteria listed in the definition of Enclosed Area below Lowest Floor are met.
24. MAXIMUM DAMAGE POTENTIAL DEVELOPMENT - Hospitals and like institutions; buildings or building complexes containing documents, data, or instruments of great public value; buildings or building complexes containing materials dangerous to the public or fuel storage facilities; power installations needed in emergency or other buildings or building complexes similar in nature or use.

25. MINOR PROJECTS - Small development activities (except for filling, grading and excavating) valued at less than \$500.
26. NEW CONSTRUCTION - (new buildings, factory-built home parks) - Those structures or development for which the start of construction commenced on or after the effective date of the first floodplain management regulations adopted by the community.
27. NEW FACTORY-BUILT HOME PARK OR SUBDIVISION - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the first floodplain management regulations adopted by the community.
28. RECREATIONAL VEHICLE - A vehicle which is:
- A. Built on a single chassis;
 - B. Four hundred (400) square feet or less when measured at the largest horizontal projection;
 - C. Designed to be self-propelled or permanently towable by a light duty truck; and
 - D. Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.
29. REPETITIVE LOSS – A structure covered by an NFIP flood insurance policy that has incurred flood-related damages on two occasions during a 10-year period on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, on average, equaled or exceed 25% of the market value of the structure at the time of each such flood event.
30. ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES - Repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:
- A. Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;
 - B. Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;
 - C. Basement sealing;
 - D. Repairing or replacing damaged or broken window panes;
 - E. Repairing plumbing systems, electrical systems, heating or air conditioning systems and repairing wells or septic systems.
31. SPECIAL FLOOD HAZARD AREA (SFHA) - The land within a community subject to the “base flood”. This land is identified on the community’s Flood Insurance Rate Map as Zone A, A1-30, AE, AH, AO, AR, and/or A99.
32. START OF CONSTRUCTION - Includes substantial improvement, and means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement, was within 180 days of the permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as pouring of a slab or footings, the installation of pile, the construction of columns, or any work beyond the stage of excavation; or the placement of a factory-built home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

33. **STRUCTURE** - Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, factory-built homes, storage tanks, grain storage facilities and/or other similar uses.
34. **SUBSTANTIAL DAMAGE** - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair. Substantial damage also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair.
35. **SUBSTANTIAL IMPROVEMENT** - Any improvement to a structure which satisfies either of the following criteria:
- A. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (i) before the “start of construction” of the improvement, or (ii) if the structure has been “substantially damaged” and is being restored, before the damage occurred.
- The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions. The term also does not include any alteration of an “historic structure”, provided the alteration will not preclude the structure’s designation as an “historic structure”.
- B. Any addition which increases the original floor area of a building by 25 percent or more. All additions constructed after the effective date of the first floodplain management regulations adopted by the community shall be added to any proposed addition in determining whether the total increase in original floor space would exceed 25 percent.
36. **VARIANCE** - A grant of relief by a community from the terms of the floodplain management regulations.
37. **VIOLATION** - The failure of a structure or other development to be fully compliant with the community’s floodplain management regulations.

160.02 - Statutory Authority, Findings of Fact and Purpose

1. The Legislature of the State of Iowa has in Chapter 364, Code of Iowa, as amended, delegated the power to cities to exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges and property of the City or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort and convenience of its residents.

2. Findings of Fact

- A. The flood hazard areas of the City of Atlantic are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare of the community.
- B. These flood losses, hazards, and related adverse effects are caused by: (i) The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise protected from flooding and (ii) the cumulative effect of obstructions on the floodplain causing increases in flood heights and velocities.
- C. This ordinance relies upon engineering methodology for analyzing flood hazards which is consistent with the standards established by the Department of Natural Resources.

3. Statement of Purpose

It is the purpose of this Ordinance to protect and preserve the rights, privileges and property of the City of Atlantic and its residents and to preserve and improve the peace, safety, health, welfare, and comfort and convenience of its residents by minimizing those flood losses described in 160.02(2)(A) of this Ordinance with provisions designed to:

- A. Reserve sufficient floodplain area for the conveyance of flood flows so that flood heights and velocities will not be increased substantially.
- B. Restrict or prohibit uses which are dangerous to health, safety or property in times of flood or which cause excessive increases in flood heights or velocities.
- C. Require that uses vulnerable to floods, including public facilities which serve such uses, be protected against flood damage at the time of initial construction or substantial improvement.
- D. Protect individuals from buying lands which may not be suited for intended purposes because of flood hazard.
- E. Assure that eligibility is maintained for property owners in the community to purchase flood insurance through the National Flood Insurance Program.

160.03 - General Provisions

1. Lands to Which Ordinance Apply

The provisions of this Ordinance shall apply to all lands and development which have significant flood hazards. The Flood Insurance Rate Map (FIRM) for Cass County and Incorporated Areas, City of Atlantic, Panels 19029C0165E, 19029C0170E, 19029C0190E, dated May 16, 2017, which were prepared as part of the Cass County Flood Insurance Study, shall be used to identify such flood hazard areas and all areas shown thereon to be within the boundaries of the base flood shall be considered as having significant flood hazards. The Flood Insurance Study for the County of Cass is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.

2. Rules for Interpretation of Flood Hazard Boundaries

The boundaries of the Special Flood Hazard areas shall be determined by scaling distances on the official Flood Insurance Rate Map. When an interpretation is needed as to the exact location of a boundary, the

City Administrator shall make the necessary interpretation. The City Council shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the City Administrator in the enforcement or administration of this Ordinance.

3. Compliance

No structure or land shall hereafter be used and no structure shall be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations which apply to uses within the jurisdiction of this Ordinance.

4. Abrogation and Greater Restrictions

It is not intended by this Ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance imposes greater restrictions, the provision of this Ordinance shall prevail. All other ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.

5. Interpretation

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State statutes.

6. Warning and Disclaimer of Liability

The standards required by this Ordinance are considered reasonable for regulatory purposes. This Ordinance does not imply that areas outside the designated areas of significant flood hazard will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the City of Atlantic or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made there under.

7. Severability

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

160.04- Administration

1. Appointment, Duties and Responsibilities of Local Official

- A. The City Administrator or their designee is hereby appointed to implement and administer the provisions of this Ordinance and will herein be referred to as the Administrator.
- B. Duties and responsibilities of the Administrator shall include, but not necessarily be limited to the following:
 - 1) Review all floodplain development permit applications to assure that the provisions of this Ordinance will be satisfied.
 - 2) Review floodplain development applications to assure that all necessary permits have been obtained from federal, state and local governmental agencies including approval when required from the Department of Natural Resources for floodplain construction.
 - 3) Record and maintain a record of (i) the elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of all new or substantially improved structures or (ii) the elevation to which new or substantially improved structures have been floodproofed.

- 4) Notify adjacent communities/counties and the Department of Natural Resources prior to any proposed alteration or relocation of a watercourse and submit evidence of such notifications to the Federal Emergency Management Agency.
- 5) Keep a record of all permits, appeals and such other transactions and correspondence pertaining to the administration of this Ordinance.
- 6) Submit to the Federal Insurance Administrator an annual report concerning the community's participation, utilizing the annual report form supplied by the Federal Insurance Administrator.
- 7) Notify the Federal Insurance Administrator of any annexations or modifications to the community's boundaries.
- 8) Review subdivision proposals to ensure such proposals are consistent with the purpose of this ordinance and advise the [City Council](#) of potential conflict.
- 9) Maintain the accuracy of the community's Flood Insurance Rate Maps when;
 - a. Development placed within the floodway results in any of the following:
 - (i) An increase in the Base Flood Elevations, or
 - (ii) Alteration to the floodway boundary
 - b. Development placed in Zones A, AE, AH, and A1-30 that does not include a designated floodway that will cause a rise of more than one foot in the base elevation; or
 - c. Development relocates or alters the channel.

Within 6 months of the completion of the development, the applicant shall submit to FEMA all scientific and technical data necessary for a Letter of Map Revision.

- 10) Perform site inspections to ensure compliance with the standards of this Ordinance.
- 11) Forward all requests for Variances to the [City Council](#) for consideration. Ensure all requests include the information ordinarily submitted with applications as well as any additional information deemed necessary to the [City Council](#).

2. Floodplain Development Permit

- A. Permit Required. A Floodplain Development Permit issued by the Administrator shall be secured prior to any floodplain development (any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, filling, grading, paving, storage of materials and equipment, excavation or drilling operations), including the placement of factory-built homes.
- B. Application for Permit. Application shall be made on forms furnished by the Administrator and shall include the following:
 - 1) Description of the work to be covered by the permit for which application is to be made.
 - 2) Description of the land on which the proposed work is to be done (i.e., lot, block, tract, street address or similar description) that will readily identify and locate the work to be done.
 - 3) Location and dimensions of all structures and additions
 - 4) Indication of the use or occupancy for which the proposed work is intended.
 - 5) Elevation of the base flood.
 - 6) Elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of structures or of the level to which a structure is to be floodproofed.
 - 7) For structures being improved or rebuilt, the estimated cost of improvements and market value of the structure prior to the improvements.

- 8) Such other information as the Administrator deems reasonably necessary (e.g., drawings or a site plan) for the purpose of this Ordinance.
- C. Action on Permit Application. The Administrator shall, within a reasonable time, make a determination as to whether the proposed floodplain development meets the applicable standards of this Ordinance and shall approve or disapprove the application. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefor. The Administrator shall not issue permits for variances except as directed by the [City Council](#).
- D. Construction and Use to be as Provided in Application and Plans. Floodplain Development Permits based on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Ordinance. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, structure floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this Ordinance, prior to the use or occupancy of any structure.

[160.05](#) - Floodplain Management Standards

1. General Floodplain Standards

All development must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Where base flood elevations have not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to determine (i) whether the land involved is either wholly or partly within the floodway or floodway fringe and (ii) the base flood elevation. Until a regulatory floodway is designated, no development may increase the Base Flood Elevation more than one (1) foot. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

Review by the Iowa Department of Natural Resources is not required for the proposed construction of new or replacement bridges or culverts where (i) the bridge or culvert is located on a stream that drains less than two (2) square miles, and (ii) the bridge or culvert is not associated with a channel modification that constitutes a channel change as specified in 567-71.2(2), Iowa Administrative Code.

- A. All development. All development within the special flood hazard areas shall:
- 1) Be designed and adequately anchored to prevent flotation, collapse or lateral movement.
 - 2) Use construction methods and practices that will minimize flood damage.
 - 3) Use construction materials and utility equipment that are resistant to flood damage.
- B. Residential structures. All new or substantially improved residential structures shall have the lowest floor, including basement, elevated a minimum of one (1) foot above the base flood elevation. Construction shall be upon compacted fill which shall, at all points, be no lower than 1.0 ft. above the base flood elevation and extend at such elevation at least 18 feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers or extended foundations) may be allowed, where existing topography, street grades, or other factors preclude elevating by fill. In such cases, the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding.

All new residential structures located in areas that would become isolated due to flooding of

surrounding ground shall be provided with a means of access that will be passable by wheeled vehicles during the base flood. However, this criterion shall not apply where the Administrator determines there is sufficient flood warning time for the protection of life and property. When estimating flood warning time, consideration shall be given to the criteria listed in 567-75.2(3), Iowa Administrative Code.

- C. Non-residential structures. All new or substantially improved non-residential structures shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the base flood elevation, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood; and that the structure, below the base flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator.
- D. All new and substantially improved structures
 - 1) Fully enclosed areas below the “lowest floor” (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:
 - a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - b. The bottom of all openings shall be no higher than one foot above grade.
 - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic entry and exit of floodwaters.
 - d. All such areas shall be used solely for parking of vehicles, building access, and low damage potential storage.
 - 2) New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - 3) New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and other similar machinery and equipment elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation.
 - 4) New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities either elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation or designed to be watertight and withstand inundation to such a level.
- E. Factory-built homes
 - 1) All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the base flood elevation.

- 2) All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. Anchorage systems may include, but are not limited to, use of over-the-top or frame ties to ground anchors as required by the State Building Code.
- F. Utility and Sanitary Systems
- 1) On-site waste disposal and water supply systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.
 - 2) All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than one (1) foot above the base flood elevation.
 - 3) New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities (other than on-site systems) shall be provided with a level of protection equal to or greater than one (1) foot above the base flood elevation.
 - 4) Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.
- G. Storage of materials and equipment. Storage of materials and equipment that are flammable, explosive or injurious to human, animal or plant life is prohibited unless elevated a minimum of one (1) foot above the base flood elevation. Other material and equipment must either be similarly elevated or (i) not be subject to major flood damage and be anchored to prevent movement due to flood waters or (ii) be readily removable from the area within the time available after flood warning.
- H. Flood control structural works. Flood control structural works such as levees, flood walls, etc. shall provide, at a minimum, protection from the base flood with a minimum of 3 ft. of design freeboard and shall provide for adequate interior drainage. In addition, structural flood control works shall be approved by the Department of Natural Resources.
- I. Watercourse alterations. Watercourse alterations or relocations must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.
- J. Subdivisions. Subdivisions (including factory-built home parks and subdivisions) shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable performance standards of this Ordinance. Subdivision proposals intended for residential use shall provide all lots with a means of access which will be passable by wheeled vehicles during the base flood. Proposals for subdivisions greater than five (5) acres or fifty (50) lots (whichever is less) shall include base flood elevation data for those areas located within the Special Flood Hazard Area.
- K. Accessory Structures to Residential Uses
- 1) Detached garages, sheds, and similar structures that are incidental to a residential use are exempt from the base flood elevation requirements where the following criteria are satisfied:

- a. The structure shall be designed to have low flood damage potential. Its size shall not exceed 600 sq. ft. in size. Those portions of the structure located less than 1 foot above the base flood elevation must be constructed of flood-resistant materials.
 - b. The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.
 - c. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.
 - d. The structure shall be firmly anchored to prevent flotation, collapse, and lateral movement which may result in damage to other structures.
 - e. The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one foot above the base flood elevation.
 - f. The structure's walls shall include openings that satisfy the provisions of 160.05(1)(D)(1) of this Ordinance.
- 2) Exemption from the base flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.

L. Recreational Vehicles

- 1) Recreational vehicles are exempt from the requirements of 160.05(1)(E) of this Ordinance regarding anchoring and elevation of factory-built homes when the following criteria are satisfied:
 - a. The recreational vehicle shall be located on the site for less than 180 consecutive days, and,
 - b. The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.
- 2) Recreational vehicles that are located on the site for more than 180 consecutive days or are not ready for highway use must satisfy requirements of 160.05(1)(E) of this Ordinance regarding anchoring and elevation of factory-built homes.

M. Pipeline crossings. Pipelines crossing rivers and streams shall be buried in the streambed and banks, or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering.

N. Maximum Damage Potential Development. All new or substantially improved maximum damage potential development shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the elevation of the 500-year flood, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 0.2% annual chance flood; and that the structure, below the 0.2% annual chance flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator. Where 0.2% chance flood elevation data has not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to compute such

data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determinations.

2. Special Floodway Provisions

In addition to the General Floodplain Standards, development within the floodway must meet the following applicable standards. The floodway is that portion of the floodplain which must be protected from developmental encroachment to allow the free flow of flood waters. Where floodway data has been provided in the Flood Insurance Study, such data shall be used to define the floodway. Where no floodway data has been provided, the Department of Natural Resources shall be contacted to provide a floodway delineation. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

- A. No development shall be permitted in the floodway that would result in any increase in the base flood elevation. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.
- B. All development within the floodway shall:
 - 1) Be consistent with the need to minimize flood damage.
 - 2) Use construction methods and practices that will minimize flood damage.
 - 3) Use construction materials and utility equipment that are resistant to flood damage.
- C. No development shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch or any other drainage facility or system.
- D. Structures, buildings, recreational vehicles, and sanitary and utility systems, if permitted, shall meet the applicable General Floodplain standards and shall be constructed or aligned to present the minimum possible resistance to flood flows.
- E. Structures, if permitted, shall have a low flood damage potential and shall not be for human habitation.
- F. Storage of materials or equipment that are buoyant, flammable, explosive or injurious to human, animal or plant life is prohibited. Storage of other material may be allowed if readily removable from the floodway within the time available after flood warning.
- G. Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.
- H. Any fill allowed in the floodway must be shown to have some beneficial purpose and shall be limited to the minimum amount necessary.
- I. Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.

160.06 - Variance Procedures

- 1. The City Council may authorize upon request in specific cases such variances from the terms of this Ordinance that will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship. Variances granted must meet the following applicable standards.
 - A. Variances shall only be granted upon: (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create

- nuisances, cause fraud on or victimization of the public or conflict with existing local codes or ordinances.
- B. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood would result. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.
 - C. Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - D. In cases where the variance involves a lower level of flood protection for structures than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Administrator that: (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction increases risks to life and property.
 - E. All variances granted shall have the concurrence or approval of the Department of Natural Resources.
2. Factors Upon Which the Decision of the [City Council](#) Shall be Based. In passing upon applications for Variances, the Council shall consider all relevant factors specified in other sections of this Ordinance and:
- A. The danger to life and property due to increased flood heights or velocities caused by encroachments.
 - B. The danger that materials may be swept on to other land or downstream to the injury of others.
 - C. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
 - D. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - E. The importance of the services provided by the proposed facility to the City.
 - F. The requirements of the facility for a floodplain location.
 - G. The availability of alternative locations not subject to flooding for the proposed use.
 - H. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 - I. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
 - J. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - K. The expected heights, velocity, duration, rate of rise and sediment transport of the flood water expected at the site.
 - L. The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities (sewer, gas, electrical and water systems), facilities, streets and bridges.
 - M. Such other factors which are relevant to the purpose of this Ordinance.
3. Conditions Attached to Variances. Upon consideration of the factors listed above, the [City Council](#) may attach such conditions to the granting of variances as it deems necessary to further the purpose of this Ordinance. Such conditions may include, but not necessarily be limited to:
- A. Modification of waste disposal and water supply facilities.
 - B. Limitation of periods of use and operation.
 - C. Imposition of operational controls, sureties, and deed restrictions.

- D. Requirements for construction of channel modifications, dikes, levees, and other protective measures, provided such are approved by the Department of Natural Resources and are deemed the only practical alternative to achieving the purpose of this Ordinance.
- E. Floodproofing measures shall be designed consistent with the flood protection elevation for the particular area, flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, and other factors associated with the regulatory flood. The Council shall require that the applicant submit a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area.

160.07 - Nonconforming Uses

- 1. A structure or the use of a structure or premises which was lawful before the passage or amendment of this Ordinance, but which is not in conformity with the provisions of this Ordinance, may be continued subject to the following conditions:
 - A. If such use is discontinued for six (6) consecutive months, any future use of the building premises shall conform to this Ordinance.
 - B. Uses or adjuncts thereof that are or become nuisances shall not be entitled to continue as nonconforming uses.
 - C. If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost equals or exceeds fifty (50) percent of the market value of the structure before the damage occurred, unless it is reconstructed in conformity with the provisions of this Ordinance. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, provided that the alteration shall not preclude its continued designation.
- 2. Except as provided in 160.07(1)(B), any use which has been permitted as a Variance shall be considered a conforming use.

160.08 - Penalties for Violation

Violations of the provisions of this Ordinance or failure to comply with any of the requirements shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$(500.00 (FIVE HUNDRED DOLLARS)) or imprisoned for not more than (30 (THIRTY)) days. Nothing herein contained prevent the City of Atlantic from taking such other lawful action as is necessary to prevent or remedy violation.

160.09 - Amendments

The regulations and standards set forth in this Ordinance may from time to time be amended, supplemented, changed, or repealed. No amendment, supplement, change, or modification shall be undertaken without prior approval of the Department of Natural Resources.

Note: All Ordinances must be properly certified.

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

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

ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

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

Passed by the Council the _____ day of _____, 2025, and approved this _____ day of _____, 2015.

Grace N. Garrett, Mayor

Attest:

Laura McLean, City Clerk

12

RESOLUTION NO. 61-25

Resolution authorizing and approving a Loan Agreement and providing for the issuance of a \$90,000 General Obligation Solid Waste Management Note

WHEREAS, the City of Atlantic (the “City”), in Cass County, State of Iowa, pursuant to the provisions of Section 384.24A of the Code of Iowa, heretofore proposed to enter into a loan agreement (the “Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$90,000 for the purpose of paying the costs, to that extent, of funding the construction of solid waste disposal facilities and improvements (the “Project”), and pursuant to law and duly published notice of the proposed action has held a hearing thereon on March 20, 2024; and

WHEREAS, on March 20, 2024 the City Council adopted a resolution (the “Prelevy Resolution”) anticipating the future authorization of the Loan Agreement and providing for the levy of taxes to pay principal thereunder, and said taxes have been collected in the 2024-2025 fiscal year of the City; and

WHEREAS, it is necessary at this time to authorize and approve the Loan Agreement and to make provision for the issuance of the General Obligation Solid Waste Management Note (the “Note”) in evidence of the obligation of the City under the Loan Agreement;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Atlantic, Iowa, as follows:

Section 1. The City hereby determines to enter into the Loan Agreement with First Whitney Bank & Trust, Atlantic, Iowa (the “Purchaser”), providing for a loan to the City in the principal amount of \$90,000 for the purpose or purposes set forth in the preamble hereof.

The Mayor and City Clerk are hereby authorized and directed to sign the Loan Agreement on behalf of the City, and the Loan Agreement is hereby approved.

Section 2. The Note is hereby authorized to be issued in the principal amount of \$90,000, shall be dated as of the date of its delivery to the Purchaser (such date is anticipated to be September 12, 2025) and shall be payable in the manner hereinafter specified.

The City Clerk is hereby designated as the registrar and paying agent for the Note and may be hereinafter referred to as the “Registrar” or the “Paying Agent.”

Principal of the Note shall not bear interest. All of the principal of the Note shall be payable directly to the Purchaser on September 12, 2025.

The Note shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the City Clerk and shall be a fully registered Note without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Note shall cease to be such officer before the delivery of the Note, such signature or such facsimile signature shall nevertheless be

valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Note shall be fully registered as to principal and interest in the name of the owner on the registration books of the City kept by the Registrar, and after such registration, payment of the principal thereof and interest thereon shall be made only to the registered owner or its legal representatives or assigns. The Note shall be transferable only upon the registration books of the City upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of any owners of the Note shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 3. The Note shall be in substantially the following form:

(Form of Note)

UNITED STATES OF AMERICA
STATE OF IOWA CASS COUNTY
CITY OF ATLANTIC

GENERAL OBLIGATION SOLID WASTE MANAGEMENT NOTE

No. 1 \$90,000

RATE	MATURITY DATE	NOTE DATE
0%	September 12, 2025	September 12, 2025

The City of Atlantic (the "City"), in Cass County, State of Iowa, for value received, promises to pay in the manner hereinafter provided to

First Whitney Bank & Trust
Atlantic, Iowa

or registered assigns (the "Purchaser"), the principal sum of NINETY THOUSAND DOLLARS.

Principal of this Note shall not bear interest. All of the principal of this Note shall be payable directly to the Purchaser on September 12, 2025.

This Note is issued by the City to evidence its obligation under a certain Loan Agreement, dated as of the date hereof (the "Loan Agreement") entered into by the City for the purpose of funding the construction of solid waste disposal facilities and improvements.

This Note is issued pursuant to and in strict compliance with the provisions of Chapter 76 and Chapter 384 of the Code of Iowa, 2025, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the City Council authorizing and approving the Loan Agreement and providing for the issuance and securing the payment of this Note (the "Resolution"), and reference is hereby

made to the Resolution and the Loan Agreement for a more complete statement as to the source of payment of this Note and the rights of the Holder of this Note.

This Note is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Note to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa, to exist, to be had, to be done or to be performed precedent to and in the issue of this Note were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of this Note as the same will respectively become due; that the faith, credit, revenues and resources and that the total indebtedness of the City, including this Note, does not exceed any constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the City of Atlantic, Iowa, by its City Council, has caused this Note to be executed by its Mayor and attested by its City Clerk, on September 12, 2025.

CITY OF ATLANTIC, IOWA

By (DO NOT SIGN)
Mayor

Attest:

(DO NOT SIGN)
City Clerk

ABBREVIATIONS

The following abbreviations, when used in this Note, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	- as tenants in common	UTMA	<u>(Custodian)</u>
TEN ENT	- as tenants by the entireties	As Custodian for	<u>(Minor)</u>
JT TEN	- as joint tenants with right of survivorship and not as tenants in common	under Uniform Transfers to Minors Act	<u>(State)</u>

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Note to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney,
to transfer this Note on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Note in every particular, without alteration or enlargement or any change whatever.

Section 4. The Note shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon shall be delivered to the Registrar for registration and delivery to the Purchaser on September 12, 2025, upon receipt of the loan proceeds, and all action heretofore taken in connection with the Loan Agreement is hereby ratified and confirmed in all respects.

Section 5. The City hereby pledges the debt service property taxes received pursuant to the Prelevy Resolution for the full and prompt payment of the principal of the Note.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. This resolution shall be in full force and effect immediately upon its approval and adoption, as provided by law.

Passed and approved on _____, 2025

Grace N. Garrett, Mayor

Attest:

Laura McLean, City Clerk

13

APPLICATION FOR PARTIAL PAYMENT NO.2

PROJECT: 2025 STREET IMPROVEMENTS
OWNER: CITY OF ATLANTIC
CONTRACTOR: OMNI ENGINEERING
14012 Giles Road
Omaha, NE 68138
DATE: 8/28/2025

S&A PROJECT NO.: 124.1097.09

PAYMENT PERIOD: 7/25/25 thru 8/27/25

1. CONTRACT SUMMARY:

Original Contract Amount: \$1,073,797.25
Net Change by Change Order: \$331,855.40
Contract Amount to Date: \$1,405,652.65

2. WORK SUMMARY:

Total Work Performed to Date: \$653,399.50
Materials Stored on Site: _____
Total Work & Materials to Date: \$653,399.50
Retainage (5%): \$32,669.98
Total Earned Less Retainage: \$620,729.52
Less Previous Applications for Payment: \$107,659.08
AMOUNT DUE THIS APPLICATION: \$513,070.44

3. CONTRACT PERIOD:

Original Contract Date: 4/2/2025
Late Start Date: 7/7/2025
Actual Start Date: 6/30/2025
Original Contract Time: 40 Working Days
Added by CO: 30 Working Days
Contract Time To Date: 70 Working Days
Time Used to Date: 39 Working Days
Contract Time Remaining 31 Working Days

3. CONTRACTOR'S CERTIFICATION:

The undersigned CONTRACTOR certifies that:

(1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment; and
(2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment are free and clear of all liens, claims, security interests and encumbrances.

OMNI ENGINEERING
CONTRACTOR

By _____

DATE: _____

4. ENGINEER'S APPROVAL:

Payment of the above AMOUNT DUE THIS APPLICATION is recommended:

SNYDER & ASSOCIATES, INC.
ENGINEER

By _____

DATE: _____

5. OWNER'S APPROVAL:

CITY OF ATLANTIC
OWNER

By _____

DATE: _____

6. DETAILED ESTIMATE OF WORK COMPLETED:

ITEM NO.	DESCRIPTION	CONTRACT ITEMS				COMPLETED WORK		
		PLAN QTY.	UNIT	UNIT COST	COST TOTAL	QTY. TO DATE	CO #	COST TOTAL
1.	Pavement Removal/Scarification, Surface	38,333	SY	\$ 2.25	\$ 86,249.25	38,333		\$ 86,249.25
2.	Storm Sewer, 12" RCP	100	LF	87.60	8,760.00	100		8,760.00
3.	Intake, SW-501	2	EA	3,091.00	6,182.00	2		6,182.00
4.	Connect to Existing Storm Intake	2	EA	1,030.00	2,060.00	2		2,060.00
5.	Sidewalk Removal	5,020	SF	3.10	15,562.00	5,031.7		15,598.27
6.	Adjustment of Fixture, Water Valve	3	EA	618.00	1,854.00	1		618.00
7.	Adjustment of Fixture, Manhole	5	EA	1,854.00	9,270.00			-
8.	Full Depth P.C. Concrete Patch, 7" Min	585	SY	106.00	62,010.00	538.3		57,059.80
9.	Curb and Gutter, 30" Wide, 7" P.C. Concrete	1,579	LF	55.60	87,792.40	1,266.5		70,417.40
10.	HMA, Standard Traffic, Intermediate Course, 1/2" Mix	3,300	TON	100.00	330,000.00	2,616.28		261,628.00
11.	HMA, Standard Traffic, Surface Course, 1/2" Mix, No Special Friction Req.	3,300	TON	100.00	330,000.00			-
12.	Painted Symbols and Legends, Waterborne or Solvent-Based	21	EA	275.00	5,775.00			-
13.	Painted Pavement Markings, Waterborne or Solvent-Based	270	STA	153.00	41,310.00			-
14.	Sidewalk, 4" P.C.C.	4,980	SF	8.75	43,575.00	5,031.7		44,027.38
15.	Detectable Warnings	296	SF	38.10	11,277.60	280		10,668.00
16.	Mobilization	1	LS	26,000.00	26,000.00	0.50		13,000.00
17.	Traffic Control	1	LS	6,120.00	6,120.00	0.50		3,060.00
		TOTAL ORIGINAL CONTRACT = \$ 1,073,797.25				\$ 579,328.10		
CHANGE ORDER SUMMARY:								
Change Order No. 1								
2.	Storm Sewer, 12" RCP	47	LF	\$ 87.60	\$ 4,117.20	47		4,117.20
5.	Sidewalk Removal	620	SF	3.10	1,922.00	620		1,922.00
8.	Full Depth P.C. Concrete Patch, 7" Min	32	SY	106.00	3,392.00	32		3,392.00
9.	Curb and Gutter, 30" Wide, 7" P.C. Concrete	605	LF	55.60	33,638.00	605		33,638.00
14.	Sidewalk, 4" P.C.C.	620	SF	8.75	5,425.00	620		5,425.00
18.	Remove Storm Sewer 8" HDPE	72	LF	16.50	1,188.00	72		1,188.00
19.	Remove Existing Single Open Throat Intake	2	EA	1,100.00	2,200.00	2		2,200.00
20.	Single Open Throat Intake, SW-507	2	EA	6,600.00	13,200.00	2		13,200.00
21.	Grate Intake	1	EA	4,950.00	4,950.00	1		4,950.00
22.	#4 Rebar Reinforcement	1,800	LF	2.20	3,960.00	1,836		4,039.20
		TOTAL CHANGE ORDER NO. 1 73,992.20				74,071.40		
Change Order No. 2								
A.	10. HMA, Standard Traffic, Intermediate Course, 1/2" Mix	1,750	TON	\$ 100.00	\$ 175,000.00			-
B.	11. HMA, Standard Traffic, Surface Course, 1/2" Mix, No Special Friction Req.	700	TON	\$ 100.00	\$ 70,000.00			-
C.	Blading and Shaping of Existing Roadway	24	STA	\$ 288.70	\$ 6,784.45			-
D.	Excavation, Roadway & Waste	75	CY	\$ 81.05	\$ 6,078.75			-
		TOTAL CHANGE ORDER NO. 2 257,863.20				-		
		TOTAL CHANGE ORDERS = \$ 331,855.40				\$ 74,071.40		
		TOTAL CONTRACT & CHANGE ORDERS \$1,405,652.65				\$ 653,399.50		

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APPLICATION FOR PARTIAL PAYMENT NO.

2

PROJECT: WEST 22ND STREET IMPROVEMENTS
OWNER: CITY OF ATLANTIC
CONTRACTOR: TK CONCRETE, INC.,
1608 Fifield Road
Pella, IA 50219
DATE: 8/29/2025

S&A PROJECT NO.: 124,1048.09
IDOT PROJECT NO.: 15-0285-620

PAYMENT PERIOD: 7/31/2025 thru 8/28/2025

1. CONTRACT SUMMARY:

Original Contract Amount: \$1,421,207.75
Net Change by Change Order: \$0.00
Contract Amount to Date: \$1,421,207.75

2. WORK SUMMARY:

Total Work Performed to Date: \$369,617.25
Materials Stored on Site: 0
Total Work & Materials to Date: \$369,617.25
Retainage (3%): \$11,088.52
Total Earned Less Retainage: \$358,528.73
Less Previous Applications for Payment: \$326,965.17
AMOUNT DUE THIS APPLICATION: \$31,563.56

3. CONTRACT PERIOD:

Original Contract Date: 4/29/2025
Late Start Date: 7/14/2025
Actual Start Date: 6/26/2025
Original Contract Time: 60 Working Days
Added by CO: 0 Working Days
Contract Time To Date: 60 Working Days
Time Used to Date: 24 Working Days
Contract Time Remaining 36 Working Days

3. CONTRACTOR'S CERTIFICATION:

The undersigned CONTRACTOR certifies that:

(1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment; and

(2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment are free and clear of all liens, claims, security interests and encumbrances.

TK CONCRETE, INC.

CONTRACTOR

By 

DATE: 8/29/25

4. ENGINEER'S APPROVAL:

Payment of the above AMOUNT DUE THIS APPLICATION is recommended:

SNYDER & ASSOCIATES, INC.

ENGINEER

By _____

DATE: August 29, 2025

5. OWNER'S APPROVAL:

CITY OF ATLANTIC

OWNER

By _____

DATE: _____

5. DETAILED ESTIMATE OF WORK COMPLETED:

ITEM NO.	DESCRIPTION	CONTRACT ITEMS				COMPLETED WORK		
		PLAN QTY.	UNIT	UNIT COST	COST TOTAL	QTY. TO DATE	COST	COST TOTAL
0010 2102020000	ENVIRONMENT-IN-PLACE	600	CY	\$ 22.50	\$ 13,500.00		\$	-
0020 2102021000	EXCAVATION CLASS 10 ROADWAY AND BORROW	2,400	CY	7.50	18,000.00		\$	-
0030 2102022015	TOPSOIL, STRIP, BALANCE AND SPREAD	2,500	CY	3.75	9,375.00	1,120	\$	4,220.00
0040 2102023000	CONSTRUCTION OF SOIL AGGREGATE SUBBASE	5,77	MLE	10,000.00	57,700.00		\$	-
0050 2102024000	GRAVEL SHOULDER, TYPE E, PLACE ONLY	372	TON	17.50	6,510.00		\$	-
0060 2102025000	SHOULDER CONSTRUCTION EARTH	4	STA	257.50	1,030.00		\$	-
0070 2210 210200	RELOCATION OF MAIL BOXES	4	EACH	550.00	2,200.00		\$	-
0080 2210 210200	PAVEMENT RECONSTRUCTION	1,155	SF	8.75	10,087.50	1,155	\$	10,087.50
0090 2102026000	STANDARD CURB 18" FORMPORT AND CEMENT CONCRETE PAVEMENT, CLASS C, CLASS 2 DURABILITY, 7 IN.	280	BY	75.00	21,000.00		\$	-
0100 2102027000	STANDARD CURB 18" FORMPORT AND CEMENT CONCRETE PAVEMENT, CLASS C, CLASS 2 DURABILITY, 8 IN.	11,582	BY	20.00	231,640.00		\$	-
0110 2102028000	PAVEMENT CEMENT CONCRETE STRENGTHENING SAMPLES	1	LS	7,500.00	7,500.00		\$	-
0120 2402029000	REMOVAL OF SIGN	1	EACH	350.00	350.00	1	\$	350.00
0130 2402030000	APPROX. CONCRETE, 15 IN DIA.	1	EACH	4,000.00	4,000.00	1	\$	4,000.00
0140 2402030000	APPROX. CONCRETE, 18 IN DIA.	2	EACH	4,500.00	9,000.00	2	\$	9,000.00
0150 2402031000	REMOVAL AND REINSTALL CURB 18" TYPE APPROX. LESS THAN 10' EQUAL TO 10 IN.	3	EACH	2,300.00	6,900.00	3	\$	6,900.00
0160 2402032000	MANHOLE, 6" FORM SEWER, 5W-401 72 IN.	1	EACH	12,000.00	12,000.00	1	\$	12,000.00
0170 2402033000	WALK, 5W-507	8	EACH	5,000.00	40,000.00	8	\$	40,000.00
0180 2402034000	WALK, 5W-508 22" WALK WIDTH	2	EACH	11,000.00	22,000.00	2	\$	22,000.00
0190 2402035000	WALK, 5W-509 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0200 2402036000	WALK, 5W-510 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0210 2402037000	WALK, 5W-511 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0220 2402038000	WALK, 5W-512 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0230 2402039000	WALK, 5W-513 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0240 2402040000	WALK, 5W-514 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0250 2402041000	WALK, 5W-515 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0260 2402042000	WALK, 5W-516 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0270 2402043000	WALK, 5W-517 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0280 2402044000	WALK, 5W-518 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0290 2402045000	WALK, 5W-519 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0300 2402046000	WALK, 5W-520 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0310 2402047000	WALK, 5W-521 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0320 2402048000	WALK, 5W-522 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0330 2402049000	WALK, 5W-523 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0340 2402050000	WALK, 5W-524 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0350 2402051000	WALK, 5W-525 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0360 2402052000	WALK, 5W-526 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0370 2402053000	WALK, 5W-527 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0380 2402054000	WALK, 5W-528 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0390 2402055000	WALK, 5W-529 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0400 2402056000	WALK, 5W-530 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0410 2402057000	WALK, 5W-531 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0420 2402058000	WALK, 5W-532 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0430 2402059000	WALK, 5W-533 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0440 2402060000	WALK, 5W-534 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0450 2402061000	WALK, 5W-535 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0460 2402062000	WALK, 5W-536 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0470 2402063000	WALK, 5W-537 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0480 2402064000	WALK, 5W-538 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0490 2402065000	WALK, 5W-539 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0500 2402066000	WALK, 5W-540 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0510 2402067000	WALK, 5W-541 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0520 2402068000	WALK, 5W-542 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0530 2402069000	WALK, 5W-543 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0540 2402070000	WALK, 5W-544 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0550 2402071000	WALK, 5W-545 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0560 2402072000	WALK, 5W-546 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0570 2402073000	WALK, 5W-547 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0580 2402074000	WALK, 5W-548 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0590 2402075000	WALK, 5W-549 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0600 2402076000	WALK, 5W-550 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0610 2402077000	WALK, 5W-551 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0620 2402078000	WALK, 5W-552 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0630 2402079000	WALK, 5W-553 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0640 2402080000	WALK, 5W-554 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0650 2402081000	WALK, 5W-555 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0660 2402082000	WALK, 5W-556 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0670 2402083000	WALK, 5W-557 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0680 2402084000	WALK, 5W-558 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0690 2402085000	WALK, 5W-559 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0700 2402086000	WALK, 5W-560 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0710 2402087000	WALK, 5W-561 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0720 2402088000	WALK, 5W-562 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0730 2402089000	WALK, 5W-563 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0740 2402090000	WALK, 5W-564 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0750 2402091000	WALK, 5W-565 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0760 2402092000	WALK, 5W-566 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0770 2402093000	WALK, 5W-567 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0780 2402094000	WALK, 5W-568 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0790 2402095000	WALK, 5W-569 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0800 2402096000	WALK, 5W-570 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0810 2402097000	WALK, 5W-571 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0820 2402098000	WALK, 5W-572 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0830 2402099000	WALK, 5W-573 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0840 2402100000	WALK, 5W-574 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0850 2402101000	WALK, 5W-575 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0860 2402102000	WALK, 5W-576 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0870 2402103000	WALK, 5W-577 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0880 2402104000	WALK, 5W-578 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0890 2402105000	WALK, 5W-579 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0900 2402106000	WALK, 5W-580 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0910 2402107000	WALK, 5W-581 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0920 2402108000	WALK, 5W-582 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0930 2402109000	WALK, 5W-583 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0940 2402110000	WALK, 5W-584 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0950 2402111000	WALK, 5W-585 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0960 2402112000	WALK, 5W-586 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0970 2402113000	WALK, 5W-587 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0980 2402114000	WALK, 5W-588 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
0990 2402115000	WALK, 5W-589 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
1000 2402116000	WALK, 5W-590 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
1010 2402117000	WALK, 5W-591 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
1020 2402118000	WALK, 5W-592 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
1030 2402119000	WALK, 5W-593 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
1040 2402120000	WALK, 5W-594 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
1050 2402121000	WALK, 5W-595 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
1060 2402122000	WALK, 5W-596 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
1070 2402123000	WALK, 5W-597 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
1080 2402124000	WALK, 5W-598 22" WALK WIDTH	1	EACH	11,000.00	11,000.00	1	\$	11,000.00
1090 2402125000	WALK, 5W-599 22" WALK WIDTH	1	EACH	11,000.00	1			

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APPLICATION FOR PARTIAL PAYMENT NO.

1

PROJECT: 2025 CONCRETE STREET IMPROVEMENTS - ATLANTIC IA
OWNER: CITY OF ATLANTIC S&A PROJECT NO. 124 1097 09A
CONTRACTOR: BLUFFS PAVING & UTILITY CO, INC
20474 Monument Road
Creascent, IA 51528
DATE: 8/29/2025

PAYMENT PERIOD: 8/4/2025 thru 8/27/2025

1. CONTRACT SUMMARY:

Original Contract Amount. \$1,203,074.50
Net Change by Change Order \$0.00
Contract Amount to Date. \$1,203,074.50

3. CONTRACT PERIOD:

Original Contract Date 8/18/2025
Late Start Date 8/4/2025
Actual Start Date 8/20/2025

2. WORK SUMMARY:

Total Work Performed to Date: \$24,531.90
Materials Stored on Site _____
Total Work & Materials to Date \$24,531.90
Retainage (3%): \$735.98
Total Earned Less Retainage \$23,795.94
Less Previous Applications for Payment. \$0.00
AMOUNT DUE THIS APPLICATION: \$23,795.94

Original Contract Time: 60 Working Days
Added by CO: 0 Working Days
Contract Time To Date 60 Working Days
Time Used to Date: 16 Working Days
Contract Time Remaining 44 Working Days

3. CONTRACTOR'S CERTIFICATION:

The undersigned CONTRACTOR certifies that:

- (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment; and
(2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment are free and clear of all liens, claims, security interests and encumbrances

BLUFFS PAVING & UTILITY CO, INC.

CONTRACTOR

By DATE: 8/29/2025

4. ENGINEER'S APPROVAL:

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

SNYDER & ASSOCIATES, INC.

ENGINEER

By _____

DATE: August 29, 2025

5. OWNER'S APPROVAL:

CITY OF ATLANTIC

OWNER

By _____

DATE: _____

6. DETAILED ESTIMATE OF WORK COMPLETED:

ITEM NO	DESCRIPTION	CONTRACT ITEMS				COMPLETED WORK		
		PLAN QTY	UNIT	UNIT COST	COST TOTAL	QTY. TO DATE	CO #	COST TOTAL
1	Excavation Roadway & Waste	2,100	CY	\$ 9.49	\$ 19,929.00	200		\$ 2,372.50
2	Topsoil, Smp, Salvage and Spread	75	CY	\$ 10.23	767.25			
3	Pavement Removal/Scarification	12,786	SY	\$ 4.54	63,207.30	3,211		15,852.34
4	Driveway Removal	525	SY	\$ 4.72	2,496.88			
5	Sidewalk Removal	57	SF	\$ 3.89	50.73			
6	Fixture Adjustment Minor, Manhole	7	EA	\$ 2,090.09	14,630.63			
7	Fixture Adjustment Major, Manhole	2	EA	\$ 2,172.30	4,344.60			
8	Relocate Manhole	4	EA	\$ 115.06	460.24			
9	Storm Sewer, 14" x 22" RCP Arch (18")	84	LF	\$ 119.21	10,013.64			
10	Storm Sewer, 18" x 29" RCP Arch (24")	148	LF	\$ 146.38	21,664.24			
11	Apron, 14" x 22" RCP Arch	4	EA	\$ 1,885.84	7,543.36			
12	Apron, 18" x 29" RCP Arch	4	EA	\$ 2,291.76	9,167.12			
13	Remove Storm Sewer, LE 38"	198	LF	\$ 9.63	1,906.74			
14	Subgrade Preparation	13,726	SY	\$ 2.24	30,746.24			
15	Modified Subbase, Virgin Material	380	TN	\$ 35.58	13,520.40			
16	Modified Subbase, Place Only	13,726	SY	\$ 3.24	44,472.24			
17	Granular Surfacing, Class A Crushed Stone	222	TN	\$ 39.42	8,751.24			
18	Pavement, P.C. Concrete, 7"	3,478	SY	\$ 60.35	209,897.30			
19	Pavement, P.C. Concrete, 8"	9,253	SY	\$ 65.00	601,445.00			
20	Driveway, 8" P.C. Concrete	261	SY	\$ 95.71	24,980.31			
21	Driveway, 6" P.C. Concrete	377	SY	\$ 84.59	31,850.43			
22	Sidewalk, 4" P.C. Concrete	67	SF	\$ 8.56	487.92			
23	Clean and Grade Ditch	656	LF	\$ 9.58	5,966.04			
24	Silt Fence or Waffle	335	LF	\$ 4.10	1,373.50			
25	Roll-on Erosion Control Product	2,118	SY	\$ 2.31	4,887.96			
26	Erosion Control and SWPPP Maintenance	1	LS	\$ 4,103.64	4,103.64			
27	Mobilization	1	LS	\$ 56,815.08	56,815.08	3.10		5,681.51
28	Traffic Control	1	LS	\$ 6,155.47	6,155.47	0.10		615.55
		TOTAL ORIGINAL CONTRACT - \$ 1,203,074.50				\$ 24,531.90		
CHANGE ORDER SUMMARY:								
		TOTAL CHANGE ORDERS = \$				\$		
		TOTAL CONTRACT & CHANGE ORDERS \$1,203,074.50				\$ 24,531.90		